

**MINUTES OF THE REGULAR MEETING OF THE MARIETTA CITY COUNCIL**

**Tuesday, August 11, 2020 at 6:00 PM**

**Marietta First Baptist Church, 402 W. Main Street, Marietta, Oklahoma**

**CALL TO ORDER.**

Meeting called to order by Mayor Fraire at 6:08 p.m.

**DECLARATION OF QUORUM.**

The Mayor Declare there was a quorum.

**PRESENT**

Council Member KorDale Lornes  
Council Member Kermit McKinney  
Council Member Doug Stewart  
Council Member Lawrence Anderson  
Council Member Vanessa Wright  
Council Member Richard Barker  
Council Member Brandy Valenzuela

**ABSENT**

Council Member Angela Vega

**INVOCATION.**

Invocation given by Lawrence Anderson

**CONSENT AGENDA.**

Motion made by Council Member Wright, Seconded by Council Member Anderson to approve Consent Agenda with revision to Minutes on restrictions to minutes.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Stewart, Council Member Anderson, Council Member Wright, Council Member Barker, Council Member Valenzuela

1. Approval of the agenda as part of the minutes.
2. Approval of the minutes of the July 16, 2020 Regular Meeting of the Marietta City Council.
3. Approval of financial reports.
4. Approval of 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. Approval of payroll and scheduled payments.

**ITEMS REMOVED FROM CONSENT AGENDA.**

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None.

## **PUBLIC PARTICIPATION.**

None.

## **CITY ADMINISTRATOR'S REPORT.**

City Administrator Scott stated BNSF showed up and performed some of the drainage work at the tracks and they are committed to finishing the work when the box is replace and other improvements done. The bids will be published this week. Working with Water Department to find a water line.

The staff is working on making a request for a Care's fund reimbursement and anticipate filing it this month.

## **REGULAR BUSINESS.**

6. Presentation of financial audit of the fiscal year ending June 30, 2019. (Information will be presented to the governing body via teleconference.)

Chris Angel addressed the Council regarding the audit. The financial audit is to make sure everything is accurate and done correctly. Revenue is up about \$100,000.00. Everything was in good shape. The only issue was a grant that was put in as revenue rather than being put in as a grant. We have a grant fund established now. There was \$2500.00 in two (2) clearing accounts that should have cleared out to zero but over time has built up. It should clear out next year. They had a few management recommendations such as time sheets not being signed off on by employee and supervisor. The actual revenue for tickets was higher than what the software is not showing and we need to figure out why. There were a few suggestions for purchase orders and the fire department fundraising account and since we are handling grant money in house it should not be a problem.

City Administrator Scott addressed how the City plans to fix these issues.

Motion made by Council Member Barker, Seconded by Council Member Lornes to approve 2019 Audit as presented.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Stewart, Council Member Anderson, Council Member Wright, Council Member Barker, Council Member Valenzuela

7. Closing unused bank account maintained with BancFrist of Marietta.

Motion made by Council Member Lornes, Seconded by Council Member Wright to adopt Resolution 2020-34 as presented.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Stewart, Council Member Anderson, Council Member Wright, Council Member Barker, Council Member Valenzuela

8. Engagement with Rahhal, Henderson, Willis, PLLC for preparation of financial statements as of June 30, 2020.

Attorney Cochran explained the increase of \$255.00 and asked that they will have ready for audit by November 1.

Motion made by Council Member Barker, Seconded by Council Member Valenzuela to approve engagement letter of RHW.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Stewart, Council Member Anderson, Council Member Wright, Council Member Barker, Council Member Valenzuela

9. Agreements with XTO Energy, The Rudman Group, and the Ron McCutchin OK Partnership, LTD, and any other necessary parties, for easements, and deed from XTO Energy, to access Prairieview Cemetery and solve boundary issues.

City Administrator Scott stated they were able to get a Deed from XTO to the City for .47 acres located on East side of cemetery. Still negotiating with the Rudman Group but they have agreed to give an easement until a solution is reached. Attorney Cochran is agreeable to what has been presented. Mayor would like to get this done.

Motion made by Council Member Barker, Seconded by Council Member Lornes to accept Non-Exclusive Roadway Easement with Rudman Group and XTO.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Stewart, Council Member Anderson, Council Member Wright, Council Member Barker, Council Member Valenzuela

10. Purchase of vehicle for police department/city administration and purchase and installation of emergency equipment on said vehicle.

City Administrator discussed the vehicle and stated it is in the budget which will be used primarily by the City Administrator. His recommendation is for a 2020 Dodge PPV for \$31,125.00 and for equipment for said vehicle.

Motion made by Council Member Wright, Seconded by Council Member Anderson to adopt Resolution 2020-35.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Stewart, Council Member Anderson, Council Member Wright, Council Member Barker, Council Member Valenzuela

Motion made by Council Member McKinney. Seconded by Council Member Lornes to adopt Resolution 2020-36. Councilman Stewart not present for this item.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Anderson, Council Member Wright, Council Member Barker, Council Member Valenzuela

Council Member Stewart returned after vote.

11. Interlocal Cooperative Agreement with Love County for jail services.

City Administrator discussed the jail agreement. It has been reviewed by the City Attorney and District Attorney.

It was asked what Chickasaw Nation agreement and Council Member Barker stated the Chickasaw Nation has contributed a lot to the jail facility.

Motion made by Council Member Lornes, Seconded by Council Member Barker to accept Jail Agreement.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Stewart, Council Member Anderson, Council Member Wright, Council Member Barker, Council

Member Valenzuela

12. Love County Frontier Days Committee regarding the annual Frontier Days' Halloween Bash.

Nic McMillin stated the Frontier Days Committee is asking to begin planning for the Halloween Bash. Mayor suggested the Council give their blessing with all precautions be given due to the pandemic.

Motion made by Council Member Wright, Seconded by Council Member McKinney.  
Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Stewart, Council Member Anderson, Council Member Wright, Council Member Barker, Council Member Valenzuela

13. Public Hearing regarding an alleged dilapidated building located at 119 W. Main Street, further described as follows: All of Lot One (1), and the West 19 feet of Lot Two (2), Block Twenty-Five (25) and the East 12 feet of Lot Two (2), and the West 6 feet of Lot Three (3), and the East 19 feet of Lot Three (3), Block Twenty-Five (25), City of Marietta, Love County, Oklahoma, according to the recorded plat thereof.

Motion made by Council Member Lornes, Seconded by Council Member McKinney to enter Public Hearing at 7:04 p.m.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Stewart, Council Member Anderson, Council Member Wright, Council Member Barker, Council Member Valenzuela

City Administrator Scott reviewed the proceedings against this property beginning in 2017. He reviewed the engineer report of Mr. Fox from 2017 which stated it was a danger to the public. In February the Council gave the owner until June to make repairs so it would not be a danger to the public. A new engineer's report was may on August 10 by Mr. Fox stated two corners on the building are a hazard to the public. It is the City's recommendation for immediate demolition of building within sixty (60) and if owner does not comply for the City to be able to do so.

Mr. Pollard apologized for missing the last meeting. He stated he has about \$40,000 in the building and it will cost about \$30,000 to demolish it. He gave out pictures from the early 1900's, what it looked like when he bought it and today. He said the whole world shut down due to the pandemic and he stopped the process he had started because he didn't know what was going to happen. He said he has done a lot of work and clean it up. He stated it took a lot of time to get it cleaned up and keep it mowed. He has invested a lot of money in Love County and this building. He stated he bought the dental office and showed pictures of the improvements to that office.

KorDale stated we have seen all these pictures multiple times.

At 7:18 p.m. the attorney and Mayor gave him one (1) minutes.

He stated he didn't realize he was expected to work on it during the pandemic.

Attorney Cochran stated his one (1) minute was up.

City Administrator Scott stated this started in 2017 and Mr. Pollard has worked on other properties he owns during this time. He further addressed the engineer's report about the wall.

Mr. Pollard said he has moved the wall some and asked to be allowed more time to fix it.

Council Member McKinney asked if Mr. Pollard was notified of the last meeting. City Administrator Scott stated he had been given notice that he had a certain amount of time to comply with fixing the building.

Council Member Lornes stated that in 2017 we gave thirty (30) days for appeal.

Motion made by Council Member Lornes, Seconded by Council Member Stewart to close Public Hearing at 7:29 p.m.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Stewart, Council Member Anderson, Council Member Wright, Council Member Barker, Council Member Valenzuela

14. Finding of a dilapidated building at 119 W. Main Street, further described as follows: All of Lot One (1), and the West 19 feet of Lot Two (2), Block Twenty-Five (25) and the East 12 feet of Lot Two (2), and the West 6 feet of Lot Three (3), and the East 19 feet of Lot Three (3), Block Twenty-Five (25), City of Marietta, Love County, Oklahoma, according to the recorded plat thereof.

Motion made by Council Member Lornes, Seconded by Council Member Wright to adopt 2020-37 as presented.

Voting Yea: Council Member Lornes, Council Member Stewart, Council Member Anderson, Council Member Wright, Council Member Barker, Council Member Valenzuela

Voting Nay: Council Member McKinney

#### **MAYOR'S COMMENTS.**

Mayor is glad to see everyone back in the meeting.

#### **NEW AND UNFORESEEN BUSINESS.**

None.

#### **ADJOURN.**

Meeting adjourned at 7:32 p.m.



Dottie Gwin, City Clerk

Scott Chaney, Deputy City Clerk