

MINUTES OF THE REGULAR MEETING OF THE MARIETTA CITY COUNCIL

Tuesday, September 08, 2020 at 6:00 PM

Eastside Baptist Church, 107 N. Fernwood Ave., Marietta, Oklahoma

CALL TO ORDER.

The meeting was called to order by Council President Kermit McKinney at 6:01 p.m.

DECLARATION OF QUORUM.

Council President Kermit McKinney declared a quorum of members necessary to conduct business was in attendance.

PRESENT

Council Member Kermit McKinney
Council Member Doug Stewart
Council Member Lawrence Anderson
Council Member Angela Vega
Council Member Richard Barker
Council Member Brandy Valenzuela

ABSENT

Mayor Kimberly Fraire
Council Member KorDale Lornes

INVOCATION.

An invocation was given by Council Member Lawrence Anderson.

CONSENT AGENDA.

Motion made by Council Member Anderson, Seconded by Council Member Stewart to approve the consent agenda.

Voting Yea: Council Member McKinney, Council Member Stewart, Council Member Anderson, Council Member Vega, Council Member Barker, Council Member Valenzuela

1. Approval of the agenda as part of the minutes.
2. Approval of the minutes of the August 11, 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.

None.

PUBLIC PARTICIPATION.

None.

CITY ADMINISTRATOR'S REPORT.

City Administrator Dustin Scott provided an update on the Cares Act/Coronavirus Fund reimbursement program. City staff have made application to the program and have received approval for reimbursement for supplies in the amount of \$11,529. After action is taken later in the meeting, the City Administrator plans to request reimbursement of public safety personnel expenses of approximately \$165,000. The maximum amount eligible to the City is roughly \$213,000.

The City Administrator, with approval of the Mayor, has purchased a membership with Oklahoma Municipal Management Services. The non-profit organization has aided in the application for COVID reimbursement and offers various additional resources to Oklahoma municipalities.

Administrator Scott provided an update on the dilapidated building at 119 W. Main Street. Staff is working with DEQ to establish a land reclamation site for the disposal of demolition debris from the property. Code Enforcement Officer Regina McMillan recently completed an asbestos inspector course and is in the process of securing a license through the State. The asbestos inspection is required for the use of the land reclamation site. Scott advised the Council that the property owner's deadline to remove the building was October 10.

The Oklahoma Bureau of Narcotics donated to the City a 2013 Dodge Durano. The vehicle will be used for City administration purposes. The City Administrator would like to surplus vehicles that are no longer needed due, partly, to this donation.

City Administrator Scott briefed the Council on *McGirt v. Oklahoma* and *Bosse v. Oklahoma*, and the potential implications the decisions in these cases may have on criminal jurisdiction in the City of Marietta. Scott explained that half of the City's police officers recently completed a training to receive a special law enforcement commission with the Bureau of Indian Affairs. The remaining personnel will complete the course at its next offering. The special BIA commission, in conjunction with the current cross-deputation agreement with the Chickasaw Nation Lighthorse Police, will ensure that local officers have the appropriate jurisdiction to enforce all criminal violations.

REGULAR BUSINESS.

6. Resignation of Vanessa Wright as Council Member for SE Ward, Seat 1, an appointment and confirmation to fill the vacant position, and administration of oath of office.

Vanessa Wright resigned her position as council member due to her moving outside of the boundaries of the ward she represented. Council desires to table the item to give the Mayor an opportunity to make an appointment to the position.

Motion made by Council Member Stewart, Seconded by Council Member Vega.

Voting Yea: Council Member McKinney, Council Member Stewart, Council Member Anderson, Council Member Vega, Council Member Barker, Council Member Valenzuela

7. Declare as surplus certain equipment and provide for disposal of same.

City Administrator Scott advised the equipment detailed in the resolution is no longer needed for City operations. Language in the resolution would allow bids submitted by local fire departments for the fire apparatus to be considered before any public bid.

Motion made by Council Member Barker, Seconded by Council Member Stewart to approve Resolution 2020-38.

Voting Yea: Council Member McKinney, Council Member Stewart, Council Member Anderson, Council Member Vega, Council Member Barker, Council Member Valenzuela

8. Approval of application and expenditures pursuant to the 2020 Justice Assistance Grant - Local Law Enforcement (JAG-LLE) Program.

Administrator Scott explained that the City has received JAG-LLE in previous years, but the program now requires approval of the application by the governing body. The application seeks funding for two mobile police radios that would allow officers to access the State OKWIN system which is utilized by several surrounding agencies, including the Oklahoma Highway Patrol and the Lighthouse Police Department. The Police Department does not currently possess the ability to access these systems. The prepared resolution authorizes the purchases outlined in the application should the City receive an award.

Motion made by Council Member Barker, Seconded by Council Member Anderson to approve Resolution 2020-39. Voting Yea: Council Member McKinney, Council Member Stewart, Council Member Anderson, Council Member Vega, Council Member Barker, Council Member Valenzuela

9. Cares Act and Coronavirus Relief Fund application and confirmation of public safety personnel costs substantially dedicated to COVID-19 response efforts.

The City Administrator explained that the federal government has determined that public safety personnel costs during the coronavirus pandemic have been substantially dedicated to COVID-19 response efforts. Administrator Scott presented a report of expenditures to public safety personnel costs, which he plans to submit to the State for reimbursement from the federal government.

Motion made by Council Member Stewart, Seconded by Council Member Valenzuela to approve Resolution 2020-40.

Voting Yea: Council Member McKinney, Council Member Stewart, Council Member Anderson, Council Member Vega, Council Member Barker, Council Member Valenzuela

10. Addition of MASA Medical Transportation Services emergency transportation coverage for employees.

Administrator Scott advised he had received information from Employee Benefits Professionals regarding the program which covers the insured's cost for ground or air ambulance transportation. EBP advised the program was popular amongst rural businesses and municipalities.

Richard Barker recommended the further investigation of differences between plans offered and cost sharing options between employees and the City.

Motion made by Council Member Barker, Seconded by Council Member Valenzuela to table the item.

Voting Yea: Council Member McKinney, Council Member Stewart, Council Member Anderson,

11. Replacement of a reinforced concrete box across State Highway 32 and Main Street and drainage improvements in the railroad right-of-way and along North Martin Luther King, Jr. Avenue and Bill Halstied Street, and award bids and authorization for signing necessary documents for the project.

Administrator Scott stated sealed bids were opened on Friday, October 11, 2020. Only two bids were received, the low bid was submitted by Overland Corporation, and was recommended for approval by Fox Engineering.

Scott advised of work recently completed by BNSF to grade and reshape a drainage channel located south of Main Street, and along the east railroad right-of-way. BNSF has indicated they plan to perform the same work north of Main Street at the appropriate time.

The City engaged a contractor to locate a waterline located beneath the concrete box to be replaced. The waterline is not located at a depth which will allow the concrete box to be installed at the needed elevation. Steve Fox discussed steps he has taken to get permission from BNSF to install a new waterline either under the existing waterline or north of the existing water line. Fox will bid both options, review the options with the MPWA and their engineer, and report his findings to the City.

The Council discussed the impact of this project on Main Street and the entire City. The project should eliminate the flow of water from the east side of the railroad to the west. Additional phases of the project will be designed to move water from the west side of the railroad to the east. Any amount of water removed from the area will provide relief to the curb and gutter system on Main Street and decrease the amount of water that travels through the southwest quadrant of the City.

Motion made by Council Member Barker, Seconded by Council Member Stewart to award bid to Overland Corporation of \$394,426.50 for replacement of a reinforced concrete box across State Highway 32 and Main Street and drainage improvements in the railroad right-of-way and along North Martin Luther King, Jr. Avenue and Bill Halstied Street, and give authorization to the Mayor, City Administrator and the City Attorney to review contracts and authorization to the Mayor and City Administrator to sign any necessary contract. Voting Yea: Council Member McKinney, Council Member Stewart, Council Member Anderson, Council Member Vega, Council Member Barker, Council Member Valenzuela

MAYOR'S COMMENTS.

None.

NEW AND UNFORESEEN BUSINESS.

(Any new or unforeseen issues which were not known at the time of publishing the agenda which must be discussed and/or acted upon at this meeting.)

None.


ADJOURN.

The meeting was adjourned by Council President Kermit McKinney at 6:54 p.m.

Minutes - Regular Meeting

September 08, 2020

Page 4 of 5

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