

NOTICE AND AGENDA OF THE REGULAR MEETING OF THE MARIETTA CITY COUNCIL

Tuesday, January 14, 2020 at 6:00 PM

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

BUSINESS TO BE CONDUCTED (which will include discussion, consideration, action for approval or disapproval, voting to take any appropriate action, and the passage of resolutions, on the following agenda items):

CALL TO ORDER.

DECLARATION OF QUORUM.

INVOCATION.

Rules for public participation:

CONSENT AGENDA.

1. Approval of the agenda as part of the minutes.
- [2.](#) Approval of the minutes of the December 10, 2019, 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 monthly payments.

ITEMS REMOVED FROM CONSENT AGENDA.

PUBLIC PARTICIPATION.

(This is an opportunity for citizens to address City Council. Remarks should be directed to the Council as a whole and limited to three minutes or less.)

CITY ADMINISTRATOR'S REPORT.

OLD BUSINESS.

- [1.](#) Appointment of board member to vacancy on Marietta Public Works Authority Board of Trustees.

NEW BUSINESS.

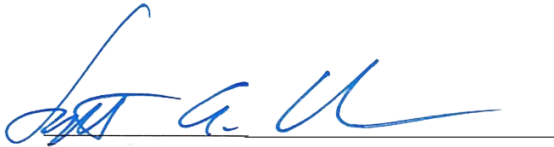
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- [1.](#) Appointment of Danny Kiser as volunteer firefighter.
- [2.](#) Declare as surplus certain vehicles, equipment and materials and provide for disposal of same.
3. Purchase surplus backup power generator from Love County E911 District.
- [4.](#) Amendments to budget for fiscal year ending June 30, 2020.
5. Executive session to discuss the employment of a sanitation driver, and the hours, duties, compensation and benefits of said sanitation driver, pursuant to Title 25 Oklahoma Statutes, Section 307 B (1).
- [6.](#) Hiring a sanitation driver and the hours, duties, compensation, and benefits of said sanitation driver.

MAYOR'S COMMENTS.

ADJOURN.

POSTED: Monday, January 13, 2019, at 5:00 PM, at the Marietta City Hall, located at 101 W. Main Street, Marietta, Oklahoma.

A handwritten signature in blue ink, appearing to read 'Dottie Gwin', is written over a horizontal line.

Dottie Gwin, City Clerk
Scott Chaney, Deputy City Clerk

MINUTES OF THE REGULAR MEETING OF THE MARIETTA CITY COUNCIL

**Tuesday, December 10, 2019 at 6:00 PM
Marietta Public Works Authority Building
303 W Main Street, Marietta, Oklahoma**

CALL TO ORDER.

Meeting was called to order at 6:02 p.m.

DECLARATION OF QUORUM.

A quorum to conduct business was declared.

PRESENT

Mayor Kim Fraire
Council Member Kermit McKinney
Council Member KorDale Lornes
Council Member Lawrence Anderson
Council Member Tom Kiser
Council Member Angela Vega
Council Member Richard Barker

ABSENT

Council Member Vanessa Wright
Council Member Doug Stewart

INVOCATION.

Invocation was given by Lawrence Anderson

CONSENT AGENDA.

Motion made by Council Member McKinney, Seconded by Council Member Lornes, to approve the consent agenda as presented.

Voting Yea: Council Member McKinney, Council Member Lornes, Council Member Anderson, Council Member Kiser, Council Member Vega, Council Member Barker

1. Approval of the agenda as part of the minutes.
2. Approval of the minutes of the October 12, 2019, 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 monthly payments.

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ITEMS REMOVED FROM CONSENT AGENDA.

None.

PUBLIC PARTICIPATION.

None.

CITY ADMINISTRATOR'S REPORT.

Administrator Scott gave an update on Lakeview Cemetery and Prairieview Cemetery improvements and discussed the boundary issues at Prairieview Cemetery.

Administrator Scott is awaiting a response from BNSF Railmaster regarding drainage improvements.

The Operations Department has received the DuraPatcher pothole repair machine which was approved by council at a previous meeting. Staff find the machine easy to use and effective at repairing potholes.

Administrator Scott is working with the City's financial advisor to prepare budget amendments to be presented in the first quarter of 2020 calendar year.

Staff transferred property insurance coverage of City Hall and the Fire Department from Risk Management to OMAG. This will result in a yearly savings of approximately \$1,300.

The police vehicle approved by Council in October has been ordered but did not meet the production cut-off date, therefore the vehicle will be produced as a 2020 year-model, but will be received much later than expected.

NEW BUSINESS.

1. Appointment of David Bond as volunteer firefighter.

Motion made by Council Member Baker, Seconded by Council Member McKinney approving Resolution 2019-49, the appointment of David Bond as a volunteer firefighter.

Voting Yea: Council Member McKinney, Council Member Lornes, Council Member Anderson, Council Member Kiser, Council Member Vega, Council Member Barker

2. Appointment of board member to vacancy on Marietta Public Works Authority Board of Trustees.

Term for seat currently held by Doug Barger is soon to expire. Council discussed desire to have Council Member on MPWA Board of Trustees.

Motion made by Council Member Barker, Seconded by Council Member Lornes to table item until next month to allow consultation with MPWA Board about the appointee.

Voting Yea: Council Member McKinney, Council Member Lornes, Council Member Anderson, Council Member Kiser, Council Member Vega, Council Member Barker

3. Establish part-time position within Police Department to be staffed by student intern.

Administrator Scott expressed his desire to establish an internship program within the Police Department. The part-time position will be filled by a college-student pursuing a degree in criminal justice.

Motion made by Council Member Barker, Seconded by Council Member Vega, approving Resolution 2019-50, establishing a criminal justice internship program.

Voting Yea: Council Member McKinney, Council Member Lornes, Council Member Anderson, Council Member Kiser, Council Member Vega, Council Member Barker

4. Purchase signs for Lakeview Cemetery and Prairieview Cemetery.

Administrator Scott advised the Cemetery and Park Committee recommended the purchase of signage for entrances to Lakeview Cemetery and Prairieview Cemetery from Galaxie Signs of Ardmore, OK.

Motion made by Council Member Anderson, Seconded by Council Member Lornes, approving Resolution 2019-51 authorizing the purchase of signs for Lakeview and Prairieview Cemeteries.

Voting Yea: Council Member McKinney, Council Member Lornes, Council Member Anderson, Council Member Kiser, Council Member Vega, Council Member Barker

5. Review of the condition of, and any improvements to, property located at 119 West Main Street, Marietta, OK in the name of Red River Cloud Nine, Inc., and which also may be 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.

Luke Pollard presented an improvement plan for the structure. Pollard advised the next stage of the plan involves using a series of post and beams to hold the roof and attempt to straighten the west wall of the building.

No action taken.

6. Executive session to have confidential communications with the attorney concerning the litigation and the resulting order in Red River Valley Rural Electric Association v. City of Marietta, CV-2019-23, in the District Court of Love County, State of Oklahoma, with the advice of the attorney, for the reason that disclosure will seriously impair the ability of the public body to discuss the litigation in the public interest, pursuant to Title 25 Oklahoma Statutes, Section 307 B(4).

No action taken.

7. Resolution acknowledging journal entry in First National Bank and Trust Company of Ardmore, Ardmore, Oklahoma et al., vs. City of Marietta, Case Number CV-19-23, pending in the District Court of Love County, State of Oklahoma.

Attorney Cochran advised a disposition had been reached in the case which required the City's acknowledgment of a journal entry of judgement.

Motion made by Council Member Barker, Seconded by Council Member Kiser approving Resolution 2019-52, acknowledging journal entry of judgement.

Voting Yea: Council Member McKinney, Council Member Lornes, Council Member Anderson, Council Member Kiser, Council Member Vega, Council Member Barker

MAYOR'S COMMENTS.

Mayor Fraire advised that she visited with Dustin Scott about scheduling some town hall meetings prior to the sales tax vote.

ADJOURN.

Meeting was adjourned at 6:54 p.m.

A handwritten signature in blue ink, appearing to read 'Dottie Gwin', is written over a horizontal line.

Dottie Gwin, City Clerk
Scott Chaney, Deputy City Clerk

Marietta Public Works Authority

Marietta, Oklahoma 73448

303 West Main Street

Phone 580-276-2181

November 20, 2019

Mayor Kim Fraire and
City Council of Marietta
101 W. Main
Marietta, Oklahoma 73448

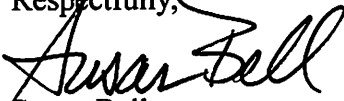
Re: Vacancy

The Board of Trustees of the Marietta Public Works Authority of Marietta, hereby advises you that the position of Board Member held by Doug Barger will expire effective January 1, 2020.

Accordingly there is a vacancy on the Board of Trustees of the Marietta Public Works Authority.

It should be noted that according to the Declaration of Trust, Doug Barger will continue to serve on the Board of Trustees until his successor is appointed and seated. Further notation is that Mr. Barger has expressed his willingness to serve another tenure on the Board of Trustees.

Respectfully,



Susan Bell
Office Manager
MPWA

RESOLUTION 2020-01

APPOINTMENT OF EMPLOYEE FOR THE CITY OF MARIETTA

WHEREAS, it is necessary to employ a number of personnel to exercise the powers and perform the duties relative to the functions lawfully imposed upon or assumed by the City of Marietta;

WHEREAS, a vacancy exists within the City of Marietta based on the number of personnel funded by the budget of the current fiscal year;

WHEREAS, the following applicant was selected on the basis of their experience, aptitudes and abilities;

WHEREAS, this resolution serves to memorialize the action of the governing body regarding the hours, duties, compensation, and benefits for the employee and position described herein;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marietta:

1. DANNY KISER is hereby appointed as an employee of the City of Marietta to the position of VOL. FIREFIGHTER of the FIRE Department, under the supervision of FIRE CHIEF, to be effective 1/14/2020
2. Said position shall be classified as a ☐ full-time ☐ part-time ☒ volunteer employee as defined by Section 207.B of the City of Marietta Employee Handbook of Personnel Policies and is eligible for all benefits prescribed by this classification.
3. Compensation for said employee shall be based on rate N/A of the Grade and Step Structure adopted by City Council on November 12, 2019.
4. Employment is subject to a probationary period as outline in Section 207.B of the City of Marietta Employee Handbook of Personnel Policies.

PASSED by the City Council and **SIGNED** by the Mayor this 14TH day of JANUARY, 2020.

CITY OF MARIETTA

ATTEST

KIMBERLY FRAIRE, MAYOR

DOTTIE GWIN, CITY CLERK

RESOLUTION 2020-02

**DECLARING CERTAIN PROPERTY OWNED BY THE CITY TO BE SURPLUS TO
THE CITY'S NEEDS AND DIRECTING DISPOSAL OF SAME**

WHEREAS, the City of Marietta is the owner of certain items of property, more particularly described herein, which are no longer useful or suitable for municipal purposes; and

WHEREAS, it has been determined that the surplus and sale or disposal of said items is in the best interest of the City and the general public.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marietta:

SECTION 1. That the following property be declared surplus property and disposed of pursuant to Section 2-172 of the City of Marietta Code of Ordinances, by soliciting sealed bids:

ITEM	MODEL/SERIAL NUMBER	DEPARTMENT
COMPAQ COMPUTER MONITOR	215GD43QA456	City Administration
NOKIA COMPUTER MONITOR	4472059H-14845-267686	City Administration
ORION TV	TV1334	City Administration
DELL COMPUTER MONITOR	7190889	City Administration
ORION TV	TV1333	City Administration
PHILLIPS COMPUTER MONITOR	47523412	City Administration
DELL COMPUTER TOWER	HGEZF	City Administration
COMPAQ COMPUTER TOWER	179038-004	City Administration
HP PRINTER	TH692130 WP	City Administration
LEXMARK PRINTER	7431285019	City Administration
VIEWSONIC MONITOR	QAG064504680	City Administration
SAMSUNG MONITOR	ZZLUH4ZH902892H	City Administration
DELL MONITOR	CN-OMH714K-727872-SAD-A94I	City Administration
SAMSUNG MONITOR	ZZLUH4ZH904180E	City Administration
DELL MONITOR	S1909WXF	City Administration
DELL MONITOR	CN-09DRWN-64180-728-OCFB-A00	City Administration
DELL ALL IN ONE COMPUTER	FCQKDY1	City Administration
DELL MONITOR	CN-0MH7H K-72872-D2KU	City Administration
DELL MONITOR	CN-0MH7K-72872-SAG-CC6I	City Administration
ACER COMPUTER TOWER	PT5890X13381607EB22703	City Administration
DELL COMPUTER TOWER	CW27CP1	City Administration
POLYCOM PHONE	004F25B7A7B	City Administration
POLYCOM PHONE	004F25B7F15	City Administration
POLYCOM PHONE	004F25B738F	City Administration
POLYCOM PHONE	004F25B7ADA	City Administration
AT&T CORDED PHONE	U601833983	City Administration
UNIDEN CORDLESS PHONE SYSTEM	763B1207W	City Administration
V-TECH CORDLESS PHONE SYSTEM	SD601388149	City Administration
BROTHER PRINTER	U62674C2N375794	City Administration
DELL COMPUTER TOWER	C04BNN1	City Administration
DELL COMPUTER MONITOR	CN-0097Y9-72872-OAB-OL2L	City Administration
DELL COMPUTER TOWER	B3Y53M1	City Administration

TOSHIBA LAPTOP	2E056157Q	City Administration
DELL INSPIRON LAPTOP	FKJMYM1	City Administration
COMPAQ PRESARIO LAPTOP	5CB2201XZ6	City Administration
DELL MONITOR	CN-0MH7HK-72872-AAHI	City Administration
EMACHINES MONITOR	ETQ460C0021171249E4010	City Administration
ACER MONITOR	ETLNY08003127077A94201	City Administration
FELLOWS LAMINATOR	CRC 57270	City Administration
HP PAVILION DESKTOP	MXX52410L0	City Administration
CISCO LINKSYS ROUTER	12A10602234132	City Administration
CISCO ROUTER	162005A5	City Administration
SHARP CALCULATOR	5D243130	City Administration
APC BATTERY BACKUP	BE 1300G	City Administration
APC BATTERY BACKUP	BE 350G	City Administration
ACER COMPUTER SPEAKERS	5B206-004-GP	City Administration
HARMAN/KARDON COMPUTER SPEAKERS	CN-5N356-69800-338-8704	City Administration
MICROSOFT SURFACE NOTEBOOK		City Administration
MICROSOFT SURFACE NOTEBOOK		City Administration
DELL LAPTOP COMPUTER		City Administration
PANASONIC TOUGHBOOK	6DKSA30317	Police
PANASONIC TOUGHBOOK	6EKSA36454	Police
PANASONIC TOUGHBOOK	3ATYA18188	Police
PANASONIC TOUGHBOOK	3ATYA18194	Police
HP EXTERNAL HARD DRIVE	WCAV56744019	Police
HP EXTERNAL HARD DRIVE	WCAV57419165	Police
HP EXTERNAL HARD DRIVE	WCAWZ1569451	Police
PANASONIC DOCKING STATION	0KKSA48520	Police
PANASONIC DOCKING STATION	2KSD69466	Police
PANASONIC DOCKING STATION	0KKSA48633	Police
PANASONIC DOCKING STATION	0IKSA33870	Police
PANASONIC DOCKING STATION	0IKSA33910	Police
PANASONIC DOCKING STATION	2LTYA40393	Police
PANASONIC DOCKING STATION	2LTYA40506	Police
ENGENIUS	172212481	Police
ENGENIUS	166200025	Police
BROTHER PRINTER	U63786M5J280066	Police
MEMORY STICKS/ RAM		Police
DELL LAPTOP	7898349892140	Police
AXON FLEX		Police
AXON FLEX DOCKING STATION		Police
PANASONIC DOCKING STATION	03007AZB057	Police
BROTHER PRINTER	U63478A3J116474	Police
DELL MONITOR	CN0FJ1816418071M2NTS	Police
E-MACHINE DESKTOP	PD1CW0200111805EC5300	Police
SANYO 24" TV	L4090053483541	Police
DELL DESKTOP	GXXWP02	Police
DELL MONITOR	CN0HF0K36418028801PL	Police
POLYCOM PHONE	0004F25B79F9	Police
POLYCOM PHONE	0004F25B738A	Police
FEDERAL SIGNAL	PROG101	Police
WHELEN SIREN AMP	295HFSA1	Police

MOBILE DVR	DVR201506024252	Police
FORD CROWN VICTORIA	2FAFP71W37X152731	Police
FORD CROWN VICTORIA	2FAHP71V68X143118	Police
FORD CROWN VICTORIA	2FAFP71W07X107679	Police
ECHO CS670 CHAIN SAW	UEHXS0675RB	Police
ECHO HC1500 GAS HEDGE TRIMMER	TEH021UB24RB	Police
POULAN CHAIN SAW 14' MODEL 1975	2476103285	Police
STIHL GAS WEED EATER F256RC	CA8X50274SF	Operations
ECHO GAS WEEDEATER	S89312372196	Operations
ECHO GAS WEEDEATER	S89312310219	Operations
ECHO GAS WEEDEATER	S03912616058	Operations
ECHO GAS WEEDEATER	S03912759405	Operations
ECHO GAS WEEDEATER	S89322472072	Operations
ECHO GAS WEEDEATER	S03912616120	Operations
HUSQVARNA GAS BLOWER 125 B	125B28HV	Operations
ECHO GAS BLOWER	BEHX0254KF	Operations
STIHL GAS WEED EATER FC70	29827470	Operations
DELL COMPUTER TOWER	35564153797	Operations
DELL MONITOR	492-7371-79K-6MAS	Operations
2009 KUBOTA G2160 LAWN TRACTOR		Operations
2007 KUBOTA G2160 LAWN TRACTOR		Operations
BLUE 7308 NEW HOLLAND FRONT LOADER BUCKET AND LIFT ARMS		Operations
BLUE PULL BEHIND 4 WHEEL SQUARE BRUSH CUTTER		Operations
RED L&S LINE 4' BOX BLADE		Operations
YELLOW PULL FLAIL MOWER		Operations
TAN 2001 CHEVROLET PICKUP	1GCEC14W71Z149018	Operations
1989 GMC REAR LOADER TRASH TRUCK	1GDT7D4Y0LV505684	Operations
1987 SIDE LOAD TRASH TRUCK	1GDP7D1Y8HV540342	Operations
20 SHEETS OF USED SHEET METAL		Operations
APPROX. 1325 FEET OF CHAIN LINK FENCE AND POLES		Operations
1988 STAR 48 FT UTILITY WALKING FLOOR TRAILER	1S9H452040J5026397	Operations

SECTION 2. The City Administrator is authorized to donate any unsold items of surplus property to any charitable cause, with preference given to those charities located, or having a presence, in the corporate boundaries of Marietta. In the event no charitable cause can be found for such purposes, the City Administrator may give the surplus property to any non-profit organization or, have the items disposed as solid waste.

SECTION 3. Any proceeds collected from the disposal of said property shall be deposited into the fund from which said property was purchased.

PASSED BY THE CITY COUNCIL and **SIGNED** by the Mayor of the City of Marietta
this 14th day of January 2020.

CITY OF MARIETTA

KIMBERLY FRAIRE, MAYOR

ATTEST

DOTTIE GWIN, CITY CLERK

RESOLUTION 2020-03

**ADOPTING BUDGET AMENDMENTS AND APPROVING TRANSFER OF FUNDS
BETWEEN DEPARTMENTS FOR FISCAL YEAR ENDING 2020**

WHEREAS, the City Council has adopted a budget as a method for planning and authorizing the expenditure of public funds; and

WHEREAS, the Oklahoma Municipal Budget Act permits the City Council to amend the City's annual adopted budget. The budget may be amended for supplemental appropriations up to the amount of any additional revenues that are available due to: revenues received from unanticipated sources; revenues from anticipated sources in excess of unbudgeted estimates; or unanticipated, unencumbered cash balances on hand at the end of the previous fiscal year in excess of budgeted estimates; and

WHEREAS, it has become necessary to amend the budget of the fiscal year ending June 30, 2020, to provide for transfers of funds between departments and revenues received from unanticipated sources.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marietta:

SECTION 1. The budget amendment forms attached hereto as "Exhibit A" are hereby adopted and the budget for fiscal year ending June 30, 2020 is amended as detailed within said attached exhibit.

SECTION 2. A copy of this resolution and attached exhibits shall be forwarded to the City Clerk, and a copy shall be filed with the Office of the State Auditor and Inspector pursuant to the Oklahoma Municipal Budget Act.

PASSED BY THE CITY COUNCIL and **SIGNED** by the Mayor of the City of Marietta this 14th day of January 2020.

CITY OF MARIETTA

KIMBERLY FRAIRE, MAYOR

ATTEST

DOTTIE GWIN, CITY CLERK

Fund: City of Marietta
General Fund

Explanation: *To increase budget for additional revenues collected*

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Transfer of Appropriation	<u>X</u>
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Explanation: *To transfer budget amounts between departments*

Date Approved By Council

RESOLUTION 2020-04

APPOINTMENT OF EMPLOYEE FOR THE CITY OF MARIETTA

WHEREAS, it is necessary to employ a number of personnel to exercise the powers and perform the duties relative to the functions lawfully imposed upon or assumed by the City of Marietta;

WHEREAS, a vacancy exists within the City of Marietta based on the number of personnel funded by the budget of the current fiscal year;

WHEREAS, the following applicant was selected on the basis of their experience, aptitudes and abilities;

WHEREAS, this resolution serves to memorialize the action of the governing body regarding the hours, duties, compensation, and benefits for the employee and position described herein;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marietta:

1. _____ is hereby appointed as an employee of the City of Marietta to the position of SANITATION OPERATOR of the OPERATIONS Department, under the supervision of SANITATION SUPERVISOR, to be effective 1/14/2020.
2. Said position shall be classified as a ☒ full-time ☐ part-time ☐ volunteer employee as defined by Section 207.B of the City of Marietta Employee Handbook of Personnel Policies and is eligible for all benefits prescribed by this classification.
3. Compensation for said employee shall be based on rate J1 of the Grade and Step Structure adopted by City Council on November 12, 2019.
4. Employment is subject to a probationary period as outline in Section 207.B of the City of Marietta Employee Handbook of Personnel Policies.

PASSED by the City Council and **SIGNED** by the Mayor this 14TH day of JANUARY, 2020.

CITY OF MARIETTA

ATTEST

KIMBERLY FRAIRE, MAYOR

DOTTIE GWIN, CITY CLERK