

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

Tuesday, December 13, 2022 at 6:00 PM

Marietta Municipal Building, 700 S Highway 77, Marietta, Oklahoma

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

CALL TO ORDER.

ROLL CALL AND DECLARATION OF QUORUM.

INVOCATION.

PLEDGE OF ALLEGIANCE.

CONSENT AGENDA.

All matters listed under this sections are considered by the City Council to be routine and will be enacted by one motion and vote. Any council member may, however, remove any item from the consent agenda by request.

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 November 8, 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 appointment of Thomas Glascock as a volunteer firefighter and the purchase of necessary firefighting gear and equipment.

ITEMS REMOVED FROM CONSENT AGENDA.

Any matter removed from the consent agenda at the request of a council member will be considered separately.

PUBLIC PARTICIPATION.

This is an opportunity for citizens to address the city council. Remarks will be addressed to the governing body as a whole. Any issues presented will not be further discussed by the city council or the mayor at this meeting. Comments must be limited to three minutes or less.

CITY ADMINISTRATOR'S REPORT.

The City Administrator will provide updates regarding recent and upcoming events and projects, and general operations of the City. No action will be taken.

REGULAR BUSINESS.

1. Presentation recognizing Mike Buxton's twenty five years of service to the City of Marietta.
2. Consideration and possible action relating to findings and recommendations of Marietta Main Street Committee.
3. Consideration and possible action regarding a general election for the purpose of electing officers of the City of Marietta.
4. Consideration and possible action relating to an ordinance regulating the display of overhead signs and/or banners on streets and highways.
5. Consideration and possible action relating to the authorization to purchase uniforms and duty equipment for the Police Department.
6. Consideration and possible action to convene in executive session to discuss the appointment to a vacant position on the Board of Trustees of the Marietta Public Works Authority, pursuant to Title 25 Oklahoma Statutes, Section 307 (B)(1).
7. Consideration and possible action to convene in executive session to consider the purchase of real property located on Highway 77 near Main Street, further described as: A tract of land located in the SE/4 of NE/4 of NE/4 of Section 19, Township 7 South, Range 2 East, Love County, Oklahoma, and being more particularly described as follows: Beginning at a point which is 761.3 feet South of the Northeast Corner of the NE/4 of Section 19, T7S, R2E; thence West 270.0 feet; thence North 70.0 feet; thence East 270.0 feet; thence South 70.0 feet to the point of beginning, pursuant to Title 25 Oklahoma Statutes, Section 307 (B)(3).
8. Consideration and possible action to convene in executive session to discuss the appointment of an employee to a vacant police officer position, pursuant to Title 25 O.S. Section 307.B.1, as well as the hours, duties, and pay for said position.
9. Consideration and possible action relating to an appointment to a vacant position on the Board of Trustees of the Marietta Public Works Authority.
10. Consideration and possible action relating to the purchase of real property located on Highway 77 near Main Street, further described as: A tract of land located in the SE/4 of NE/4 of NE/4 of Section 19, Township 7 South, Range 2 East, Love County, Oklahoma, and being more particularly described as follows: Beginning at a point which is 761.3 feet South of the Northeast Corner of the NE/4 of Section 19, T7S, R2E; thence West 270.0 feet; thence North 70.0 feet; thence East 270.0 feet; thence South 70.0 feet to the point of beginning.
11. Consideration and possible action relating to the appointment of an employee to a vacant police officer position, as well as the hours, duties, and pay for said position.

MAYOR'S COMMENTS.

The Mayor will provide updates regarding recent and upcoming events and projects, and general operations of the City. No action will be taken.

NEW/UNFORESEEN BUSINESS.

Discussion and possible action with respect to any matter not known, or which could not have been reasonably foreseen, prior to the time of posting this notice and agenda.

ADJOURN.

NOTICE OF POSTING:

I, the undersigned Clerk of the City of Marietta, certify that the foregoing Notice and Agenda of the Regular Meeting of the Marietta City Council was posted in prominent public view at the Marietta Municipal Building, located at 700 S Highway 77, and online at www.mariettaok.city, at 5:00 o'clock p.m. on Friday, December 9, 2022.

Dottie Gwin

Dottie Gwin, City Clerk



MINUTES OF THE REGULAR MEETING OF THE MARIETTA CITY COUNCIL

Tuesday, November 08, 2022 at 6:00 PM

Marietta Municipal Building, 700 S. Highway 77, Marietta, Oklahoma

CALL TO ORDER.

Meeting called to order at 6:00 p.m. by Mayor Fraire.

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 Angela Vega
Council Member Richard Barker
Council Member Brandy Valenzuela
Council Member Tambre Sanders
Council Member Destry Rushing

INVOCATION.

Invocation given by Lawrence Anderson.

CONSENT AGENDA.

All matters listed under this section are considered by the City Council to be routine and will be enacted by one motion and vote. Any council member, however, may remove any item from the consent agenda by request.

Motion made by Council Member Valenzuela to approve the Consent Agenda, Seconded by Council Member Sanders.

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

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 October 11, 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.

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5. Consideration and possible action relating to notice of regular meetings of the City Council for the calendar year 2023.
6. Consideration and possible action relating to the establishment of City holidays for the calendar year 2023.
7. Consideration and possible action relating to the designation of a Christmas tree lighting organized by the Love County Chamber of Commerce as a special event, and necessary street closures.
8. Consideration and possible action relating to the designation of a Christmas parade organized by the Love County Frontier Days Committee as a special event, and necessary street closures.
9. Consideration and possible action relating to the appointment of Scott Chaney to the Southern Oklahoma Development Authority Board of Directors.

ITEMS REMOVED FROM CONSENT AGENDA.

Any matter removed from the consent agenda at the request of a council member will be considered separately.

None.

PUBLIC PARTICIPATION.

This is an opportunity for citizens to address the City Council. Remarks shall be addressed to the governing body as a whole. Any issues presented will not be further discussed by the City Council or Mayor at this meeting. Comments must be limited to three minutes or less.

None.

CITY ADMINISTRATOR'S REPORT.

The City Administrator will provide updates regarding recent and upcoming events and projects, and general operations of the City. No action will be taken.

City Administrator updated on grant for body cameras. The concrete box has been ordered for the drainage improvement project.

REGULAR BUSINESS.

1. Public Hearing regarding the Petition and Application of BancFirst to Vacate and Foreclose the reopening of the Alleyway located east of Lots 14 and 15, Block 25, in the Original Townsite of Marietta, Love County, Oklahoma with the legal description of the Alleyway described as follows:

LEGAL DESCRIPTION:

All that part of the alley running North and South in Block 25 (Twenty-Five) in the Original Townsite of Marietta, Love County, Oklahoma, according to the recorded plat thereof and being more particularly described as follows: Beginning at the Southwest corner of said North and South alley, said point being the Southeast corner of Lot 14, Block 25; Thence Northerly, along the West line of said North and South alley to the Northeast corner of said Lot 14; Thence Easterly, along the South line of the alley running East and West through Block 25, to

the Northwest corner of Lot 12, Block 25; Thence Southerly, along the East line of said North and South alley, to the Southwest corner of Lot 13, Block 25; Thence Westerly, along the North line of West Chickasaw Street to the True Point of Beginning.

Motion made by Council Member Barker to open the Public Hearing. Seconded by Council Member Lornes.

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

No comments.

Motion made by Council Member McKinney to close the Public Hearing, Seconded by Council Member Lornes.

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

2. Consideration and possible action relating to an ordinance vacating an alleyway located east of Lots 14 and 15, Block 25, in the Original Townsite of Marietta, Love County, Oklahoma, with said property being fully described in Regular Business agenda item #1 above.

David Mordy addressed the Council for BancFirst to vacate the alley behind the Bank.

Motion made by Council Member McKinney to adopt Ordinance 2022-04 as presented, Seconded by Council Member Lornes.

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

3. Consideration and possible action relating to a presentation by Georganne Westfall regarding regulations for buildings and properties located on West Main Street.

Georganne Westfall addressed the Council regarding Main Street and it's appearance. She would like to make sure ordinances are enforced. Would like permission to form a committee to review rules and regulations to see what can be done to improve the look of the City and safety of the public. Would like volunteers of residents or business owners for the committee.

Motion made by Council Member Barker to establish the Main Street Committee with Georganne Westfall as the Chairman who will obtain volunteers and report back to the City, Seconded by Council Member Anderson.

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

4. Consideration and possible action relating to the purchase and installation of acoustic panels in the Council Chambers/Courtroom of the Marietta Municipal Building.

City Administrator Scott addressed the Council regarding reverberation in the meeting room of the Municipal Meeting.

Motion made by Council Member Sanders to adopt Resolution 2022-48, Seconded by Council Member Rushing.

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

5. Consideration and possible action relating to project sponsorship for Transportation Alternative Program application and authorization to submit said application.

City Administrator Scott addressed the Council regarding the TAP Application for the Depot.

Motion made by Council Member McKinney to adopt Resolution 2022-49 with the project amount to be determined at a later time, Seconded by Council Member Barker.

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

6. Consideration and possible action relating to creation of a community liaison position, and the approval of a job description for said position.

Motion made by Council Member Lornes to create the position of Community Liaison position, which is temporary dependent on funding, with the job description as presented and from the title changed from Administrative Specialist to Community Liaison, Seconded by Council Member Rushing.

Voting Yea: Council Member Lornes, Council Member McKinney, Council Member Vega, Council Member Barker, Council Member Valenzuela, Council Member Sanders, Council Member Rushing

Voting Nay: Council Member Anderson

7. Consideration and possible action to convene in executive session to discuss the appointment of William Chambers as a police officer, pursuant to Title 25 O.S. Section 307.B.1, as well as the hours, duties, and pay for said position.

Motion made by Council Member Valenzuela to go into Executive Session at 6:43 p.m., Seconded by Council Member Lornes.

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

Returned to Open Session at 7:03 p.m.

8. Consideration and possible action relating to the appointment of William Chambers as a police officer, as well as the hours, duties, and pay for said position.

Motion made by Council Member Sanders to adopt Resolution 2022-50 as presented, Seconded by Council Member Anderson.

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

9. Consideration and possible action relating to holiday bonuses for City employees and volunteers.

Motion made by Council Member Barker to adopt Resolution 2022-51 as presented, Seconded by Council Member Anderson.

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

10. Consideration and possible action relating to the display of overhead signs and/or banners on streets and highways.

Motion made by Council Member Barker to table Item #10, Seconded by Council Member Sanders.

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

MAYOR'S COMMENTS.

The Mayor will provide updates regarding recent and upcoming events and projects, and general operations of the City. No action will be taken.

Mayor appreciates all the employees and everything they do.

NEW AND UNFORESEEN BUSINESS.

Discussion and possible action with respect to any matter not known, or which could not reasonably be foreseen, prior to the time of posting this agenda.

None.

ADJOURN.

Meeting adjourned at 7:18 p.m.

A handwritten signature in blue ink, appearing to read "D. Gwin", is positioned above a horizontal line.

Dottie Gwin, City Clerk
Scott Chaney, Deputy City Clerk

RESOLUTION _____

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. Thomas Glascock is hereby appointed as volunteer firefighter of the Marietta Fire Department, under the supervision of Fire Chief, to become effective immediately.
2. Said position shall be classified as a volunteer employee as defined by Section 207 of the City of Marietta Employee Handbook of Personnel Policies and is eligible for all benefits prescribed by this classification.
3. Employment is subject to a probationary period as outline in Section 207.A of the City of Marietta Employee Handbook of Personnel Policies.
4. The Fire Chief is authorized to purchase necessary firefighting gear and equipment to be utilized by said volunteer in an amount not to exceed \$3,000.

PASSED by the City Council and **SIGNED** by the Mayor this 13th day of December 2022.

CITY OF MARIETTA

ATTEST

KIMBERLY FRAIRE, MAYOR

DOTTIE GWIN, CITY CLERK

RESOLUTION _____

NOTICE OF ELECTION CITY OF MARIETTA, OKLAHOMA

- I. BE IT RESOLVED** by the governing body of the City of Marietta that for the purpose of electing officers of said City that a general election shall be held on Tuesday, April 4, 2023.
- II. BE IT FURTHER RESOLVED** that the filing period for electing said officers of the City shall begin at 8:00 a.m. on Monday, February 6, 2023, and end at 5:00 p.m. on Friday, February 8, 2023.
- III. BE IT FURTHER RESOLVED** that the following officers will be elected to the following positions, for the terms as stated:

POSITION	TERM
Mayor	Four (4) Year Term
City Clerk	Two (2) Year Term
Street Commissioner	Four (4) Year Term
City Marshal	Four (4) Year Term
Council Member for Ward 1 (NW), Place 2	Four (4) Year Term
Council Member for Ward 2 (SW), Place 2	Four (4) Year Term
Council Member for Ward 3 (NE), Place 2	Four (4) Year Term
Council Member for the Ward 4 (SE), Place 2	Four (4) Year Term

- IV. BE IT FURTHER RESOLVED** that each office shall be filled by voting at large.
- V. BE IT FURTHER RESOLVED** that each candidate must be a qualified elector by virtue of being a resident and registered voter within the municipality for at least six (6) months prior to filing a declaration of candidacy.
- VI. BE IT FURTHER RESOLVED** that absentee ballots will be provided in accordance with State law.
- VII. BE IT FURTHER RESOLVED** that a map of the ward boundaries is attached to this Resolution as "Attachment A."

PASSED by the City Council and **SIGNED** by the Mayor this 13th day of December 2022.

CITY OF MARIETTA

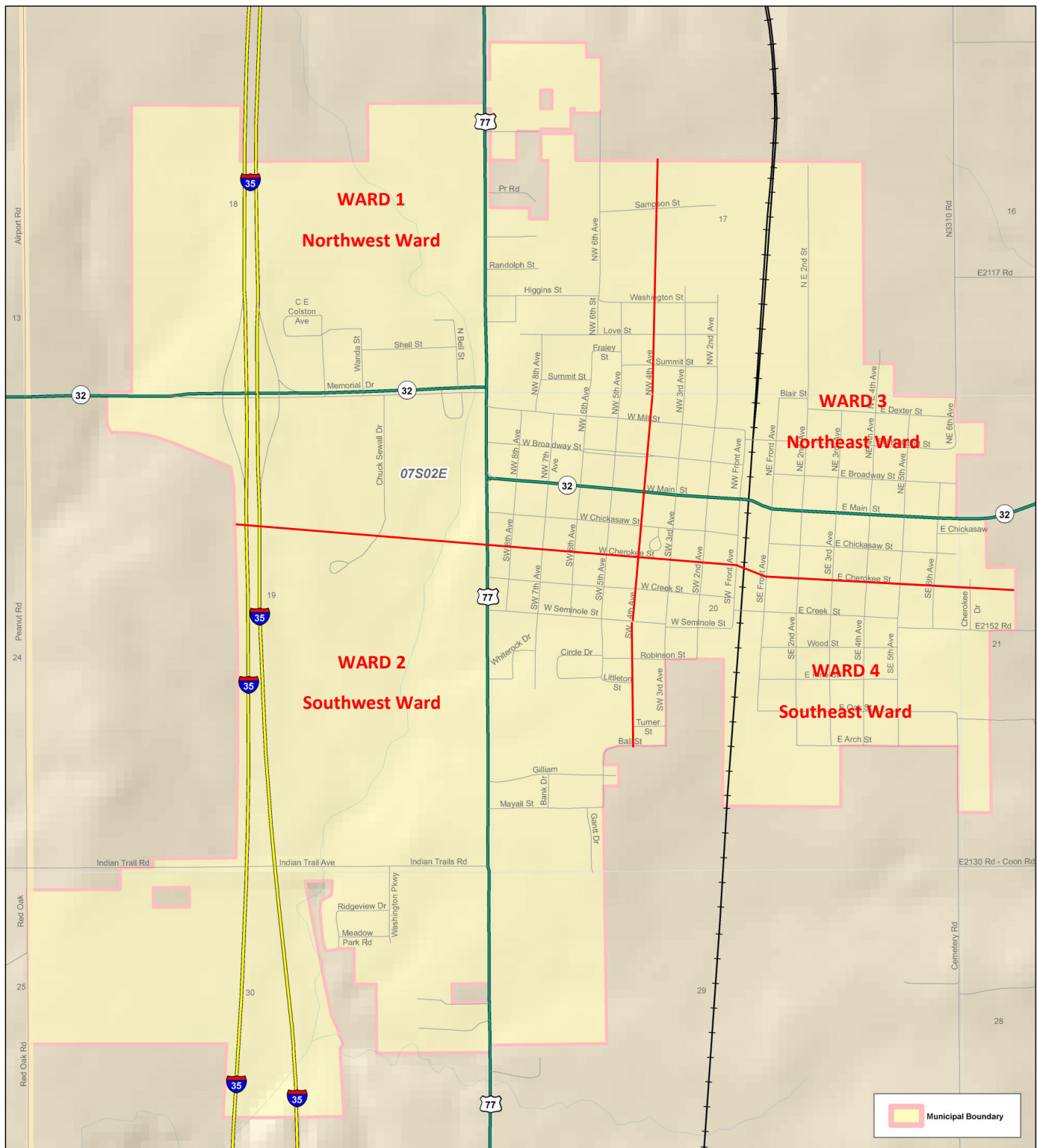
ATTEST

KIMBERLY FRAIRE, MAYOR

DOTTIE GWIN, CITY CLERK

RESOLUTION _____
NOTICE OF ELECTION

Marietta, Oklahoma Love County



Per Oklahoma Statutes, Title 11, Section 21-109, "Tracts of land with an area of width no greater than three hundred twenty-six (326) feet at the widest point which are annexed to a municipality, shall not be subject to municipal taxes, unless such tracts are annexed pursuant to paragraph 2 of subsection A of Section 21-103 of this title." The effective date of this statutory change is November 1, 2007.

0 0.25 0.5 Miles



Map Produced By:
Center for Spatial Analysis
University of Oklahoma
April, 2022
Contact Us For Additional Copies
(405) 325-3131
Prepared for:
Oklahoma Tax Commission
(405) 319-8204
All boundary changes or annexations
should be directed to this agency.

RESOLUTION _____

AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF UNIFORMS AND DUTY EQUIPMENT FOR THE POLICE DEPARTMENT

WHEREAS, the purchase of uniforms and duty equipment is necessary to perform the duties relative to the functions lawfully imposed upon or assumed by the Marietta Police Department; and

WHEREAS, replacement is necessary due to the age and condition of currently issued uniforms and duty equipment; and

WHEREAS, new uniforms and duty equipment will provide a professional appearance for the officers and will be better suited to their working conditions; and

WHEREAS, funding is available to provide for this expenditure within the budget of the current fiscal year, under the Police Improvement Fund.

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

1. The Chief of Police is authorized to execute an agreement for the purchase of police uniforms and duty equipment from the lowest bidder for a total amount not to exceed \$11,000.
2. The expenditure for the purchase will be deducted from the Police Improvement Fund.

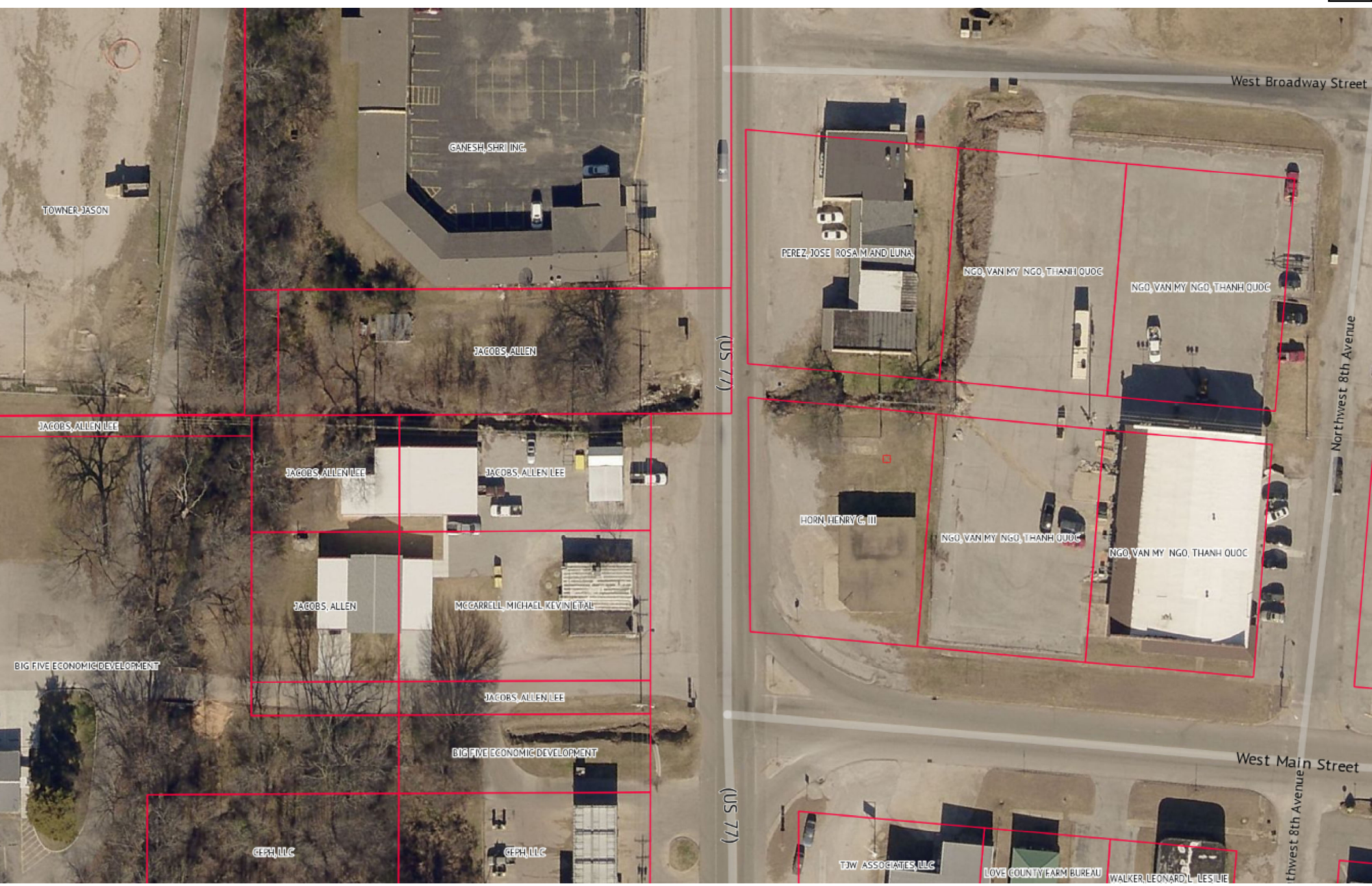
PASSED by the City Council and **SIGNED** by the Mayor this 13th day of December 2022.

CITY OF MARIETTA

ATTEST

KIMBERLY FRAIRE, MAYOR

DOTTIE GWIN, CITY CLERK



TOWNER, JASON

GANESH, SHRI, INC.

JACOBS, ALLEN

JACOBS, ALLEN LEE

JACOBS, ALLEN LEE

JACOBS, ALLEN LEE

JACOBS, ALLEN

MCGARRELL, MICHAEL KEVIN ET AL

JACOBS, ALLEN LEE

BIG FIVE ECONOMIC DEVELOPMENT

GFH, LLC

GFH, LLC

(US 77)

(US 77)

PEREZ, JOSE ROSA M AND LUNA

NGO, VAN MY NGO, THANH QUOC

NGO, VAN MY NGO, THANH QUOC

HORN, HENRY C, III

NGO, VAN MY NGO, THANH QUOC

NGO, VAN MY NGO, THANH QUOC

West Broadway Street

Northwest 8th Avenue

West Main Street

Northwest 8th Avenue

TJW ASSOCIATES, LLC

LOVE COUNTY FARM BUREAU

WALKER, LEONARD L. LES LIE

Return:
KENNETH L DELASHAW JR
ATTORNEY AT LAW
PO BOX 328
MARIETTA, OK 73448

GENERAL WARRANTY DEED

I-2022-002118 Book 0940 Pg 68
C7/27/2022 11:53am Pg 0068-0069
Fee: \$20.00 Doc: \$37.50
Shelly Russell - Love County Clerk
State of OK

KNOW ALL MEN BY THESE PRESENTS:

THAT ALLEN JACOBS, a single person, whose address is P.O. Box 112, Marietta, Oklahoma 73448, party of the first part, in consideration of the sum of Ten and more dollars (\$10.00) in hand paid, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto JASON ALLAN TOWNER, whose address is P.O. Box 121, Burneyville, Oklahoma 73430, party of the second part, the following described real properties and premises situated in Love County, State of Oklahoma, to-wit:

Surface rights only:

A tract of land located in the SE/4 of NE/4 of NE/4 of Section 19, Township 7 South, Range 2 East, Love County, Oklahoma, and being more particularly described as follows: Beginning at a point which is 761.3 feet South of the Northeast Corner of the NE/4 of Section 19, T7S, R2E; thence West 270.0 feet; thence North 70.0 feet; thence East 270.0 feet; thence South 70.0 feet to the point of beginning;

together with all the improvements thereon and the appurtenances belonging and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said party of the second part, his heirs and assigns forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature; subject to any easements of record.

Signed and delivered this 26th day of July 2022.

STATE OF OKLAHOMA
LOVE COUNTY
DOCUMENTARY STAMP \$ 37.50


ALLEN JACOBS

STATE OF OKLAHOMA)
) ss:
COUNTY OF LOVE)

Before me, the undersigned, a Notary Public in and for said County and State on this 26th day of July 2022, personally appeared ALLEN JACOBS, a single person, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.



Dottie Gwin

NOTARY PUBLIC

Commission Number: 02002584

Commission Expiration: 02/28/26