

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

**Tuesday, August 13, 2024 at 6:00 PM**

**Marietta Municipal Building, 700 S. Highway 77, Marietta, Oklahoma 73448**

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. Approval of the agenda as part of the minutes.
- 2. Approval of the minutes of the regular meeting on July 9, 2024.
- 3. Approval of financial reports.
- 4. 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.

**ITEMS REMOVED FROM CONSENT AGENDA.**

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

**CORRESPONDENCE.**

**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. Swearing of Becca Griggs as the Council Member for Ward 2 (SW), Place 2

2. Public hearing regarding proposed placement of manufactured home located at 404 S. Driftwood, further described as S75' Lot 3 Block 2 JC Washington Addition, Marietta, Love County, Oklahoma and the proposed rezoning of 308 W.Seminole, further described as Lot 6 Blk 54 Marietta City, Marietta, Love County, Oklahoma and the proposed rezoning of 100 E. Cherokee, further described as Lot 1 Blk 72 Marietta City, Marietta, Love County, Oklahoma.  
(Limit Three (3) minutes per participant)
3. Application of Junior Sanchez and Maggie Wilson to place manufactured home at 404 S. Driftwood, further described as S75' Lot 3 Block 2 JC Washington Addition, Marietta, Love County, Oklahoma.
4. Application by M2 Development to rezone property located at 308 W.Seminole, further described as Lot 6 Blk 54 Marietta City, Marietta, Love County, Oklahoma, from zoning classification R1 to zoning classification R2.
5. Application by M2 Development to rezone property located at 100 E. Cherokee, further described as Lot 1 Blk 72 Marietta City, Marietta, Love County, Oklahoma, from zoning classification R1 to zoning classification R2.
6. Discussion and possible action to appoint a City Council President.
7. Discussion and possible action to approve engagement letter with HSPG & Associates, PC for Audit of FY 2022-2023
8. Discussion and possible action to approve a municipal election for the position of Council Member for Ward 3 (NE), Place 2
9. Discussion Possible action regarding the purchase of a in car camera system for the Police units.
10. Discussion and possible action regarding the purchase of body worn cameras for the police officers.
11. Discussion and possible action regarding the upfit of the 2024 Chevy Tahoe Police vehicle.
12. Discussion and possible action for hanging or placement of a sign for the Love County Fall Fair.
13. Executive session to have confidential communications with the attorney concerning litigation in Red River Cloud Nine, Inc. v. The City of Marietta, Oklahoma, CJ-2024-23, 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).
14. Executive session to discuss the employment of ALL EMPLOYEES of the City of Marietta, pursuant to Title 25, Oklahoma Statutes, Section 307 (B) (1). (Notice: Without stating each individual name herein, all employees, full-time and part-time, with the City of Marietta, are notified that their employment and/or appointment will be discussed in this executive session.)
15. Increase rate of pay for certain employees based on employment longevity.
16. Any action and further discussion, including but not limited to attorney representation, on Red River Cloud Nine, Inc. v. The City of Marietta, Oklahoma, CJ-2024-23, in the District Court of Love County, State of Oklahoma.

## **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.

**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.

**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 City Hall, located at 700 S. Hwy 77, and online at [www.mariettaok.city](http://www.mariettaok.city), at 5:00 o'clock p.m. on Friday, August 9, 2024.

Scott Chaney, Deputy City Clerk  
Dottie Gwin, City Clerk

*Dottie Gwin*



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

**Tuesday, August 13, 2024 at 6:00 PM**

**Marietta Municipal Building, 700 S. Highway 77, Marietta, Oklahoma 73448**

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**CALL TO ORDER.**

**ROLL CALL AND DECLARATION OF QUORUM.**

**INVOCATION.**

**PLEDGE OF ALLEGIANCE.**

**CONSENT AGENDA.**

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1. Approval of the agenda as part of the minutes.
2. Approval of the minutes of the regular meeting on July 9, 2024.
3. Approval of financial reports.
4. 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.

**ITEMS REMOVED FROM CONSENT AGENDA.**

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

**CORRESPONDENCE.**

**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. Swearing of Becca Griggs as the Council Member for Ward 2 (SW), Place 2

2. Public hearing regarding proposed placement of manufactured home located at 404 S. Driftwood, further described as S75' Lot 3 Block 2 JC Washington Addition, Marietta, Love County, Oklahoma and the proposed rezoning of 308 W.Seminole, further described as Lot 6 Blk 54 Marietta City, Marietta, Love County, Oklahoma and the proposed rezoning of 100 E. Cherokee, further described as Lot 1 Blk 72 Marietta City, Marietta, Love County, Oklahoma.  
(Limit Three (3) minutes per participant)
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4. Application by M2 Development to rezone property located at 308 W.Seminole, further described as Lot 6 Blk 54 Marietta City, Marietta, Love County, Oklahoma, from zoning classification R1 to zoning classification R2.
5. Application by M2 Development to rezone property located at 100 E. Cherokee, further described as Lot 1 Blk 72 Marietta City, Marietta, Love County, Oklahoma, from zoning classification R1 to zoning classification R2.
6. Discussion and possible action to appoint a City Council President.
7. Discussion and possible action to approve engagement letter with HSPG & Associates, PC for Audit of FY 2022-2023
8. Discussion and possible action to approve a municipal election for the position of Council Member for Ward 3 (NE), Place 2
9. Discussion Possible action regarding the purchase of a in car camera system for the Police units.
10. Discussion and possible action regarding the purchase of body worn cameras for the police officers.
11. Discussion and possible action regarding the upfit of the 2024 Chevy Tahoe Police vehicle.
12. Discussion and possible action for hanging or placement of a sign for the Love County Fall Fair.
13. Executive session to have confidential communications with the attorney concerning litigation in Red River Cloud Nine, Inc. v. The City of Marietta, Oklahoma, CJ-2024-23, 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).
14. Executive session to discuss the employment of ALL EMPLOYEES of the City of Marietta, pursuant to Title 25, Oklahoma Statutes, Section 307 (B) (1). (Notice: Without stating each individual name herein, all employees, full-time and part-time, with the City of Marietta, are notified that their employment and/or appointment will be discussed in this executive session.)
15. Increase rate of pay for certain employees based on employment longevity.
16. Any action and further discussion, including but not limited to attorney representation, on Red River Cloud Nine, Inc. v. The City of Marietta, Oklahoma, CJ-2024-23, in the District Court of Love County, State of Oklahoma.

## **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.

**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.

**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 City Hall, located at 700 S. Hwy 77, and online at [www.mariettaok.city](http://www.mariettaok.city), at 5:00 o'clock p.m. on Friday, August 9, 2024.

Scott Chaney, Deputy City Clerk  
Dottie Gwin, City Clerk

*Dottie Gwin*



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

**Tuesday, July 09, 2024 at 6:00 PM**

**Marietta Municipal Building, 700 S. Highway 77, Marietta, Oklahoma 73448**

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.**

Meeting called to order at 6:05 p.m. by Mayor McKinney.

**ROLL CALL AND DECLARATION OF QUORUM.**

**PRESENT**

- Mayor Kermit McKinney
- Council Member Matt Barber
- Council Member Crystal Cohee
- Council Member Tommy Kiser
- Council Member Destry Rushing
- Council Member Angela Vega

**ABSENT**

- Council Member Tambre Sanders

**INVOCATION.**

Invocation given by Scott Chaney.

**PLEDGE OF ALLEGIANCE.**

Pledge of Allegiance led by Kermit McKinney.

**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.

Motion made by Council Member Cohee to approve the Consent Agenda, Seconded by Council Member Kiser.

Voting Yea: Council Member Barber, Council Member Cohee, Council Member Kiser, Council Member Rushing, Council Member Vega

1. Approval of the agenda as part of the minutes.

2. Approval of the minutes of the regular meeting on June 11, 2024.
3. Approval of financial reports.
4. 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. Approval of budget amendments for budget FY 2023-2024

#### **ITEMS REMOVED FROM CONSENT AGENDA.**

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

None.

#### **CORRESPONDENCE.**

None.

#### **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.

Denice Halstied addressed the Council regarding Main Street Committee. She is working with Scott Chaney on the Depot.

#### **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.

Administrator Chaney stated striping has been done on Main Street and another coat of paint will be applied. An accident occurred with one of the police vehicles and it was totaled. They are going to buy it back for parts. Working on abating the lot on Elmwood to get it mowed. SODA was awarded a grant to work with Sulphur and Marietta and they are looking for office space. Sales tax for the month of May was \$66,000 and use tax was \$77,000 so we are staying about even prior to the tornado. In order to get any FEMA money our unique entity identification number that number had to be reinstated.

#### **REGULAR BUSINESS.**



1. Discussion and possible action to appoint and the swearing in of a City Council Member to Seat 2 of the Southwest Ward.

Motion made by Council Member Rushing to appoint Becca Griggs to fill the unexpired term of Candice Dixon, Seconded by Council Member Barber.

Voting Yea: Council Member Barber, Council Member Cohee, Council Member Kiser, Council Member Rushing, Council Member Vega

2. Discussion and possible action to approve Engagement Letter with Rahhal Henderson Willis.

Motion made by Council Member Barber to approve the Engagement Letter with Rahhal Henderson Willis, Seconded by Council Member Vega.

Voting Yea: Council Member Barber, Council Member Cohee, Council Member Kiser, Council Member Rushing, Council Member Vega

3. Discussion and possible action regarding approval to receive funds in the amount of \$50,196.30 from the Rural Economic Action Plan.

Motion made by Council Member Kiser to adopt Resolution 2024-15 as presented to receive funds in the amount of \$50,196.30 from the Rural Economic Action Plan, Seconded by Council Member Barber.

Voting Yea: Council Member Barber, Council Member Cohee, Council Member Kiser, Council Member Rushing, Council Member Vega

4. Discussion and possible action to repair the city's outdoor emergency sirens using funds from the Rural Economic Action Plan.

Motion made by Council Member Kiser to adopt Resolution 2024-16 as presented to repair the City's outdoor emergency sirens using funds from the Rural Economic Action Plan, Seconded by Council Member Rushing.

Voting Yea: Council Member Barber, Council Member Cohee, Council Member Kiser, Council Member Rushing, Council Member Vega

5. Discussion and possible action to set dates and approve resolutions for the election of a council member or members, and for the election to approve the continuation of the city sales tax of 3%.

Attorney Cochran addressed the Council regarding elections regarding new council members and the sales tax.

6. Executive session to have confidential communications with the attorney concerning litigation in Red River Cloud Nine, Inc. v. The City of Marietta, Oklahoma, CJ-2024-23, 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).

Motion made by Council Member Rushing to go into Executive Session at 6:54 p.m., Seconded by Council Member Barber.

Voting Yea: Council Member Barber, Council Member Cohee, Council Member Kiser, Council Member Rushing, Council Member Vega

- 7. Any action and further discussion, including but not limited to attorney representation, on Red River Cloud Nine, Inc. v. The City of Marietta, Oklahoma, CJ-2024-23, in the District Court of Love County, State of Oklahoma.

Returned to Open Session at 7:08 p.m.

Motion made by Council Member Kiser to allow either the City Administrator, Mayor or City Attorney to engage an attorney to defend the lawsuit, Seconded by Council Member Rushing. Voting Yea: Council Member Barber, Council Member Cohee, Council Member Kiser, Council Member Rushing, Council Member Vega

**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.

City Administrator Chaney the addressed the Council regarding purchasing a new police vehicle. This was unforeseen and could not be placed on the agenda.

Motion made by Council Member Rushing, Seconded by Council Member Barber. Voting Yea: Council Member Barber, Council Member Cohee, Council Member Kiser, Council Member Rushing, Council Member Vega

**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 McKinney addressed the Council regarding his goals for Marietta. See attached.

**ADJOURN.**

Meeting adjourned at 7:13 p.m.

**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 City Hall, located at 700 S. Hwy 77, and online at [www.mariettaok.city](http://www.mariettaok.city), at 5:00 o'clock p.m. on Friday, July 5, 2024.

Scott Chaney, Deputy City Clerk  
Dottie Gwin, City Clerk

*Dottie Gwin*



**RESOLUTION \_\_\_\_\_**

**A RESOLUTION REGARDING THE APPLICATION FOR THE PLACEMENT OF A MOBILE HOME TO OCCUPY AN R1 ZONING LOT AT 404 S. DRIFTWOOD, FURTHER DESCRIBED AS S75’ LOT 3 BLOCK 2 JC WASHINGTON ADDITION, MARIETTA, LOVE COUNTY, OKLAHOMA.**

**WHEREAS**, Junior Sanchez is the owner of lot zoned R1, located at 404 S. Driftwood, further described as S75’ Lot 3 Block 2 JC Washington Addition, Marietta, Love County, Oklahoma.

**WHEREAS**, said owner has made an application to place a mobile home on the property pursuant to Section 5-5.3(4) of Appendix A to the Code of Ordinances of the City of Marietta; and

**WHEREAS**, public notice was given pursuant to the above referenced ordinance, and a hearing regarding the application was held before the planning commission on July 25<sup>th</sup>, 2024; and

**WHEREAS**, at the conclusion of the public hearing, the Planning Commission adopted resolution PC24-03 recommending the placement of a mobile home on the real property; and

**WHEREAS**, the City Council has reviewed this matter and the findings of the City of Marietta Planning Commission;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Marietta, that it is in the best interest of the City and the general public that the application, as described above, be

\_\_\_ Approved, pursuant to the provisions outlined in Section 5-5.3(4) of Appendix A to the Code of Ordinances of the City of Marietta and all other applicable State laws and City ordinances.

\_\_\_ Denied.

**PASSED BY THE CITY COUNCIL** and **SIGNED** by the Mayor of the City of Marietta this 13 day of August, 2024.

CITY OF MARIETTA

ATTEST:

\_\_\_\_\_  
KERMIT MCKINNEY, MAYOR

\_\_\_\_\_  
DOTTIE GWIN, CITY CLERK

**CITY OF MARIETTA**  
**MOBILE HOME IN NON-MOBILE HOME PARK APPLICATION**

Name of Applicant: Junior Sanchez + Mary "Maggie" Wilson

Address: 204 S Brentwood

Address of proposed mobile home: 404 S Driftwood

Do you own the property: Yes  No

Year of Mobile Home: 2024

Make of Mobile Home: Clayton

Model of Mobile Home: Marco

Condition of Mobile Home: New

Mary M. Wilson & J. Sanchez  
Signature

6/24/24  
Date

.....  
City Use Only Below Line

[Signature]  
Received By

7/1/24  
Date Received

Planning Commission

Meeting Date: 7/25/24

Approved:  Yes  No

City Council

Meeting Date: \_\_\_\_\_

Approved: \_\_\_\_\_ Yes \_\_\_\_\_ No

RESOLUTION PC 24-03

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MARIETTA REGARDING AN APPLICATON PLACEMENT OF A MOBILE HOME AT 404 S. DRIFTWOOD, FURTHER KNOWN AS LOT S75' LOT 3 BLOCK 2 JC WASHINGTON ADDITION, MARIETTA, LOVE COUNTY, OKLAHOMA**

**WHEREAS**, Junior Cruz, the owner of the real property described above, hereinafter described, has submitted application for placement of a mobile home at said real property described above; and

**WHEREAS**, notice of a public hearing was published in the Marietta Monitor on July 5<sup>th</sup>, 2024, and mailed to the owners of property located within 200 feet of the real property by the applicant on July 8<sup>th</sup>, 2024; and

**WHEREAS**, a public hearing regarding the placement of a mobile home was held before the Planning Commission on July 25<sup>th</sup>, 2024; and

**WHEREAS**, the owner and/or representative of 0 of the surrounding properties participated in the public hearing with 0 of the owners and/or representatives in favor of the action, and 0 against the action.

**WHEREAS**, 0 letter(s) were received for the action and 0 letter(s) were received against the action.

**NOW, THEREFORE, BE IT RESOLVED**, by the Planning Commission of the City of Marietta, Oklahoma:

1. X The Planning Commission does recommend the placement of a mobile home at 404 S. Driftwood.
2.      The Planning Commission does not recommend the placement of a mobile home at 404 S. Driftwood.

**BE IT FURTHER RESOLVED**, that the foregoing resolution was introduced and moved for adoption on July 25<sup>th</sup>, 2024 by Commissioner Perez, and being duly seconded by Commissioner Reed, was passed by the following vote:

AYES: Tim, Rosa + Brylen

NOES: None

ABSTAIN: None

ABSENT: Twyford

MARIETTA PLANNING COMMISSION

Tim Reed  
TIM REED, CHAIRMAN

ATTEST  
Stephanie Cannon  
STEPHANIE CANNON, DEPUTY CITY CLERK



**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE ZONING OF REAL PROPERTY LOCATED IN THE CITY OF MARIETTA; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING FOR SEVERABILITY;**

**WHEREAS**, the owner of the real property described as Lot 6 Block 54, Marietta City to the City of Marietta, Love County, Oklahoma has made application with the City of Marietta requesting the zoning of said real property be amended R-1 single-family residential district to R-2 medium residential district; and

**WHEREAS**, notice of a public hearing was published in the Marietta Monitor on June 28, 2024, and mailed to the owners of property located within 300 feet of the real property on July 1 2024; and

**WHEREAS**, a public hearing regarding the application for zoning amendment of the real property was held before the Planning Commission on July 25, 2024, and the Planning Commission has recommended amendment to the zoning of the real property as provided by Resolution PC24-04; and

**WHEREAS**, a public hearing regarding the application for zoning amendment of the real property was held before the City Council on August 13, 2024, and the City Council has determined that the amendment of the zoning district of the real property, located within the corporate limits of the City of Marietta, is in the best interest of the City and the general public.

**THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF MARIETTA, OKLAHOMA:**

**SECTION 1.** The zoning of the following property is hereby amended from R-1 single-family residential district to R-2 medium residential district to wit:

Lot 6 Block 54, Marietta City to the City of Marietta, Love County, Oklahoma, according to the recorded plat thereof.

**SECTION 2.** All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, repealed.

**SECTION 3.** If any section, sub-section, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

**PASSED** by the City Council and **SIGNED** by the Mayor of the City of Marietta, Oklahoma on this 13<sup>th</sup> day of August 2024.

CITY OF MARIETTA

ATTEST:

BY: \_\_\_\_\_  
KERMIT MCKINNEY, MAYOR

\_\_\_\_\_  
DOTTIE GWIN, CITY CLERK



City of Marietta  
Application for Zoning Amendment

Application is hereby made to the Marietta Planning and Zoning Commission and the City of Marietta for amendment of the zoning of the following described property:

Legal Description: LOT 6 Block 54 Marietta

Tract Acreage: .32

General Location: 4th + Seminole

Present Zoning: R1

Present use of Property: Single family

Proposed Zoning: R2

Record Owner of Property: MZ Development

Are there any private or Deed Restrictions concerning the use of this property? \_\_\_\_\_

If so, describe restrictions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby certify that the information herein submitted is complete, true and accurate.

Applicant: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

Owner: MZ Development  
(If other than applicant, owner must sign)  
Address: 1131 Harvey Ln Penion TX 75020  
Phone: 801-420-2986

Application received by: SA Date: 6/14/24 Fee Paid: ✓

Planning Commission Action:  
Date: 7/25/24 Approved: X Denied: \_\_\_\_\_ Modified: \_\_\_\_\_

City Council Action:  
Date: \_\_\_\_\_ Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Modified: \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RESOLUTION PC24-04

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MARIETTA REGARDING THE REZONING OF REAL PROPERTY LOCATED AT 308 W. SEMINOLE, FURTHER DESCRIBED AS LOT 6 BLOCK 54 MARIETTA CITY, MARIETTA, LOVE COUNTY, OKLAHOMA.**

**WHEREAS,** M2 Development the owner of real property described above, hereinafter described, has submitted application for the rezoning of said real property described above; and

**WHEREAS,** notice of a public hearing was published in the Marietta Monitor on June 28<sup>th</sup>, 2024, and mailed to the owners of property located within 300 feet of the real property on July 1st, 2024; and

**WHEREAS,** a public hearing regarding the annexation of the real property was held before the Planning Commission on July 25<sup>th</sup>, 2024; and

**WHEREAS,** the owner and/or representative of 0 of the fourteen surrounding properties participated in the public hearing with 0 of the owners and/or representatives in favor of the action, and 0 against the action.

**WHEREAS,** 0 letter(s) were received for the action and 0 letter(s) were received against the action.

**NOW, THEREFORE, BE IT RESOLVED,** by the Planning Commission of the City of Marietta, Oklahoma:

1. X The Planning Commission does recommend the rezoning of 308 W. Seminole, further described as Lot 6 Blk 54 Marietta City, Marietta, Love County, Oklahoma, from zoning classification R1 to zoning classification R2.
2. \_\_\_\_\_ The Planning Commission does not recommend the rezoning of 308 W. Seminole, further described as Lot 6 Blk 54 Marietta City, Marietta, Love County, Oklahoma, from zoning classification R1 to zoning classification R2.

**BE IT FURTHER RESOLVED,** that the foregoing resolution was introduced and moved for adoption on July 25, 2024, by Commissioner Anderson, and being duly seconded by Commissioner Reed, was passed by the following vote:

AYES: Anderson, Perez, + Reed  
NOES: None

ABSENT: Twyford

MARIETTA PLANNING COMMISSION

Tim Reed  
TIM REED, CHAIRMAN

ATTEST

Stephanie Cannon  
STEPHANIE CANNON, DEPUTY CITY CLERK



**ORDINANCE NO.** \_\_\_\_\_

**AN ORDINANCE AMENDING THE ZONING OF REAL PROPERTY LOCATED IN THE CITY OF MARIETTA; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING FOR SEVERABILITY;**

**WHEREAS**, the owner of the real property described as Lot 1 Block 72, Marietta City to the City of Marietta, Love County, Oklahoma has made application with the City of Marietta requesting the zoning of said real property be amended R-1 single-family residential district to R-2 medium residential district; and

**WHEREAS**, notice of a public hearing was published in the Marietta Monitor on June 28, 2024, and mailed to the owners of property located within 300 feet of the real property on July 1 2024; and

**WHEREAS**, a public hearing regarding the application for zoning amendment of the real property was held before the Planning Commission on July 25, 2024, and the Planning Commission has recommended amendment to the zoning of the real property as provided by Resolution PC24-04; and

**WHEREAS**, a public hearing regarding the application for zoning amendment of the real property was held before the City Council on August 13, 2024, and the City Council has determined that the amendment of the zoning district of the real property, located within the corporate limits of the City of Marietta, is in the best interest of the City and the general public.

**THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF MARIETTA, OKLAHOMA:**

**SECTION 1.** The zoning of the following property is hereby amended from R-1 single-family residential district to R-2 medium residential district to wit:

Lot 1 Block 72, Marietta City to the City of Marietta, Love County, Oklahoma, according to the recorded plat thereof.

**SECTION 2.** All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, repealed.

**SECTION 3.** If any section, sub-section, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

**PASSED** by the City Council and **SIGNED** by the Mayor of the City of Marietta, Oklahoma on this 13<sup>th</sup> day of August 2024.

CITY OF MARIETTA

ATTEST:

BY: \_\_\_\_\_  
KERMIT MCKINNEY, MAYOR

\_\_\_\_\_  
DOTTIE GWIN, CITY CLERK

City of Marietta  
Application for Zoning Amendment

Application is hereby made to the Marietta Planning and Zoning Commission and the City of Marietta for amendment of the zoning of the following described property:

Legal Description: LOT 1 Block 72 Marietta

Tract Acreage: .26

General Location: Cherokee st + front ave

Present Zoning: R1

Present use of Property: Vacant

Proposed Zoning: R2

Record Owner of Property: M2 Development

Are there any private or Deed Restrictions concerning the use of this property? \_\_\_\_\_

If so, describe restrictions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby certify that the information herein submitted is complete, true and accurate.

Applicant: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

Owner: M2 Development  
(If other than applicant, owner must sign)  
Address: 1131 Harvey Ln Denison TX 75020  
Phone: 801-420-2986

Application received by: JSA Date: 9/14/24 Fee Paid: Yes

Planning Commission Action:  
Date: 7/25/24 Approved: X Denied: \_\_\_\_\_ Modified: \_\_\_\_\_

City Council Action:  
Date: \_\_\_\_\_ Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Modified: \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RESOLUTION PC24-05

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MARIETTA REGARDING THE REZONING OF REAL PROPERTY LOCATED AT 100 E CHEROKEE FURTHER DESCRIBED AS LOT 1 BLOCK 72 MARIETTA CITY, MARIETTA, LOVE COUNTY, OKLAHOMA.**

**WHEREAS**, M2 Development the owner of real property described above, hereinafter described, has submitted application for the rezoning of said real property described above; and

**WHEREAS**, notice of a public hearing was published in the Marietta Monitor on June 28<sup>th</sup>, 2024, and mailed to the owners of property located within 300 feet of the real property on July 1st, 2024; and

**WHEREAS**, a public hearing regarding the annexation of the real property was held before the Planning Commission on July 25<sup>th</sup>, 2024; and

**WHEREAS**, the owner and/or representative of 1 of the fourteen surrounding properties participated in the public hearing with 0 of the owners and/or representatives in favor of the action, and 1 against the action.

**WHEREAS**, 0 letter(s) were received for the action and 0 letter(s) were received against the action.

**NOW, THEREFORE, BE IT RESOLVED**, by the Planning Commission of the City of Marietta, Oklahoma:

1.        The Planning Commission does recommend the rezoning of 100 E. Cherokee, further described as Lot 1 Blk 72 Marietta City, Marietta, Love County, Oklahoma, from zoning classification R1 to zoning classification R2.
2.        The Planning Commission does not recommend the rezoning of 100 E. Cherokee, further described as Lot 1 Blk 72 Marietta City, Marietta, Love County, Oklahoma, from zoning classification R1 to zoning classification R2.

**BE IT FURTHER RESOLVED**, that the foregoing resolution was introduced and moved for adoption on July 25, 2024, by Commissioner Anderson, and being duly seconded by Commissioner Perez, was passed by the following vote:

AYES: Anderson, Perez, Reed  
NOES: None

ABSENT: Twyford

MARIETTA PLANNING COMMISSION

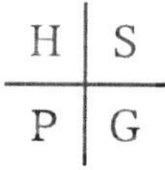
Tim Reed  
TIM REED, CHAIRMAN

ATTEST

Stephanie Cannon  
STEPHANIE CANNON, DEPUTY CITY CLERK







July 30, 2024

To the City Council and management of  
The City of Marietta, Oklahoma

We are pleased to confirm our understanding of the services we are to provide the City of Marietta, Oklahoma (the "City") for the year ended June 30, 2023.

**Audit Scope and Objectives**

We will audit the modified cash basis financial statements of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information, and the disclosures, which collectively comprise the basic financial statements of the City as of and for the year ended June 30, 2023.

We have also been engaged to report on supplementary information that accompanies the City's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America (GAAS), and we will provide an opinion on it in relation to the financial statements as a whole in a report combined with our auditor's report on the financial statements:

- 1) Combining and individual fund statements (modified cash basis)
- 2) Schedule of grant activity (modified cash basis)

In connection with our audit of the basic financial statements, we will read the following other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

- 1) Management's discussion and analysis
- 2) Budgetary comparison information (modified cash basis)

The objectives of our audit are to obtain reasonable assurance as to whether the financial statements as a whole are free from material misstatement, whether due to fraud or error; issue an auditor's report that includes our opinion about whether your financial statements are fairly presented, in all material respects, in conformity with the modified cash basis of accounting, which is an other comprehensive basis of accounting other than generally accepted accounting principles (GAAP), and report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment of a reasonable user made based on the financial statements.

The objectives also include reporting on internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.

HSPG & ASSOCIATES, PC

### **Auditor's Responsibilities for the Audit of the Financial Statements**

We will conduct our audit in accordance with GAAS and the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and will include tests of your accounting records of the City and other procedures we consider necessary to enable us to express such opinions. As part of an audit in accordance with GAAS and *Government Auditing Standards*, we exercise professional judgment and maintain professional skepticism throughout the audit.

We will evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management. We will also evaluate the overall presentation of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not expect auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is an unavoidable risk that some material misstatements may not be detected by us, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors, fraudulent financial reporting, or misappropriation of assets that comes to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the government's ability to continue as a going concern for a reasonable period of time.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, tests of the physical existence of inventories, and direct confirmation of receivables and certain assets and liabilities by correspondence with selected customers, creditors, and financial institutions.

We have identified the following significant risk(s) of material misstatement as part of our audit planning:

- Revenue recognition
- Management override of controls

Our audit of financial statements does not relieve you of your responsibilities.

### **Audit Procedures—Internal Control**

We will obtain an understanding of the government and its environment, including internal control relevant to the audit, sufficient to identify and assess the risks of material misstatement of the financial statements, whether due to error or fraud, and to design and perform audit procedures responsive to those risks and obtain evidence that is sufficient and appropriate to provide a basis for our opinions. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and

other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as

fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control. An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards and *Government Auditing Standards*.

**Audit Procedures—Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City’s compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

**Responsibilities of Management for the Financial Statements**

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for designing, implementing, establishing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; following laws and regulations; and ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles, for the preparation and fair presentation of the financial statements and all accompanying information in conformity with the modified cash basis of accounting, and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is responsible for making drafts of financial statements, all financial records, and related information available to us and for the accuracy and completeness of that information (including information from outside of the general and subsidiary ledgers). You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters; (2) additional information that we may request for the purpose of the audit; and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by GAAS and *Government Auditing Standards*.

Your responsibilities include adjusting the financial statements to correct material misstatements and for confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements of each opinion unit taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants and for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, or contracts or grant agreements that we report.

You are responsible for the preparation of the supplementary information, which we have been engaged to report on, in conformity with the modified cash basis of accounting. You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information

that includes our report thereon or make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with the modified cash basis of accounting; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with the modified cash basis of accounting; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits or other studies related to the objectives discussed in the Audit Scope and Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or other studies. You are also responsible for providing management’s views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

**Engagement Administration, Fees, and Other**

We understand that your employees will prepare all cash or other confirmations we request and will locate any documents selected by us for testing.

We will provide copies of our reports to the City; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of HSPG & Associates and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for the purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of HSPG & Associates personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend or decide to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by an outside regulator. If we are aware that a federal awarding agency or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Patrick Hollingsworth is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them. Andy Cromer will be your primary contact.

Our fee for this service will be \$15,000. This fee does not include travel and meals, which will be billed separately up to \$550. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation.

The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

**Reporting**

We will issue a written report upon completion of our audit of the City’s financial statements. Our report will be addressed to the City Council of the City. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be

necessary for us to modify our opinions, add a separate section, or add an emphasis-of-matter or other-matter paragraph to our auditor’s report, or if necessary, withdraw from this engagement. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or we may withdraw from this engagement.

We will also provide a report (that does not include an opinion) on internal control related to the financial statements and compliance with the provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements as required by *Government Auditing Standards*. The report on internal control and on compliance and other matters will state (1) that the purpose of the report is solely to describe the scope of testing of internal control and compliance, and the results of that testing, and not to provide an opinion on the effectiveness of the entity’s internal control on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity’s internal control and compliance. The report will also state that the report is not suitable for any other purpose. If during our audit we become aware that the City is subject to an audit requirement that is not encompassed in the terms of this engagement, we will communicate to management and those charged with governance that an audit in accordance with U.S. generally accepted auditing standards and the standards for financial audits contained in *Government Auditing Standards* may not satisfy the relevant legal, regulatory, or contractual requirements.

We appreciate the opportunity to be of service to the City and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the attached copy and return it to us.

Sincerely,

*HSPG & Associates, P.C.*

HSPG & Associates, P.C.

RESPONSE:

This letter correctly sets forth the understanding of the City of Marietta, Oklahoma.

Management signature: \_\_\_\_\_

Title: \_\_\_\_\_

Governance signature: \_\_\_\_\_

Title: \_\_\_\_\_

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, November 5, 2024.
- II. **BE IT FURTHER RESOLVED** that the filing period for electing said officers of the City shall begin at 8:00 a.m. on Friday, August 30, 2024, and end at 5:00 p.m. on Thursday, September 5, 2024.
- III. **BE IT FURTHER RESOLVED** that the following officers will be elected to the following positions, for the terms as stated:
 

<u>POSITION</u>	<u>TERM</u>
Council Member for Ward 3 (NE), Place 2	Remainder of four (4) year term
City Marshall	Remainder of 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 13<sup>th</sup> day of August 2024.

CITY OF MARIETTA

ATTEST

\_\_\_\_\_  
KERMIT MCKINNEY, MAYOR

\_\_\_\_\_  
DOTTIE GWIN, CITY CLERK

**RESOLUTION \_\_\_\_\_**

**PURCHASE OF EQUIPMENT FOR CITY OF MARIETTA**

**WHEREAS**, the purchase of equipment, materials and supplies is necessary to perform the duties relative to the functions lawfully imposed upon or assumed by the City of Marietta; and

**WHEREAS**, the following described equipment is needed to allow for the performance of the above described duties/functions; **IN-CAR VIDEO RECORDING SYSTEMS**;

**WHEREAS**, in accordance with Section 2-172 of the Code of Ordinances, the following sole-source bid for the purchase was submitted:

<b>AXON</b>	<b>AS DETAILED IN QUOTE</b>	<b>\$94,302.60</b>
<b>5 YEAR PAYOUT-</b>		
	<b>1<sup>ST</sup> YEAR-</b>	<b>\$9,430.24</b>
	<b>2<sup>ND</sup> YEAR-</b>	<b>\$21,218.09</b>
	<b>3<sup>RD</sup> YEAR-</b>	<b>\$21,218.09</b>
	<b>4<sup>TH</sup> YEAR-</b>	<b>\$21,218.09</b>
	<b>5<sup>TH</sup> YEAR-</b>	<b>\$21,218.09</b>

**WHEREAS**, staff recommend the purchase of equipment as submitted by **IN-CAR VIDEO RECORDING SYSTEMS**, based upon the following justification: **REPUTABLE COMPANY, PREVIOUS EXPERIENCE, WARRANTY, FEATURES, COMPATABILITY WITH BWC**; and

**WHEREAS**, funding is available to provide for this expenditure within the budget of the current fiscal year, under the following department/account: **01-75-800**

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

1. The purchase of **IN-CAR VIDEO RECORDING SYSTEM** as submitted by **AXON** is hereby approved based on:
  - the recommendation of staff as previously indicated.
  - the following: \_\_\_\_\_.
2. The expenditure for the purchase will be deducted from the following department/account: **01-75-800**

**PASSED** by the City Council and **SIGNED** by the Mayor this 13 day of August, 2024.

CITY OF MARIETTA

ATTEST

\_\_\_\_\_  
KERMIT McKINNEY, MAYOR

\_\_\_\_\_  
DOTTIE GWIN, CITY CLERK




**FLEET 3**


## DRIVE THE FUTURE OF IN-CAR VIDEO

**Make ALPR part of every vehicle | Support in real-time with Axon Respond live capabilities  
| Build transparency with clear footage**

Unlock the power of the Axon ecosystem with Axon Fleet 3. Axon Fleet 3 is a powerful, centralized in-car video system. A dual-view camera captures what's happening both inside and outside of patrol vehicles, giving officers extra eyes on the road. Integrated mobile ALPR capabilities enable cost- and time-efficient investigations, while live maps, alerts, and video and audio streaming help supervisors and dispatchers maintain real-time awareness.

### FEATURES & BENEFITS

#### ✓ VIDEO RECALL

Retrieve footage from a non-activated camera from up to 24 hours prior, ensuring critical evidence is not missed even when the camera was not actively recording.

#### ✓ INTERIOR CAMERA

Color footage in well-lit conditions and infrared illumination at night captures an accurate picture of suspects' behavior.

#### ✓ DUAL-VIEW CAMERA

Panoramic video camera captures clear video evidence, and 4k ALPR camera with edge AI processing captures license plates across 3 lanes of traffic at high closing speeds.

#### ✓ MULTI-CAM PLAYBACK

Watch up to four in-car or BWC videos recorded at a scene using Axon Evidence, with videos automatically associated with each other based on device proximity.

#### ✓ AUTOMATIC ACTIVATION

Activate cameras based on configurable events including light bar activation, speed threshold, and more so officers never miss a moment.

#### ✓ FLEET HUB

Upload footage over LTE with bundled Cradlepoint router or Wi-Fi with Fleet Hub. Fleet Hub has a secure solid-state storage with wireless communications and advanced geolocation engine for vehicle positioning. Available with 240GB or 1.8TB of storage.

[AXON.COM](https://www.axon.com)



**LIVE STREAMING AND LOCATION UPDATES**

Real-time vehicle location, alerts and live streaming capabilities allow leadership to make informed decisions to keep officers safe.

**WIRELESS MIC**

Capture clear audio up to 1,000 feet away from patrol vehicles.

**FLEET DASHBOARD APP**

Utilize a simple interface for ALPR alerts, camera control, preview and tagging of evidence, zoom, and mobile device compatibility.

**BWC PAIRING & UPLOAD**

Wirelessly pair with any Axon body-worn camera, to wirelessly upload footage in the field and save trips back to the station or barrack.

**MOBILE ALPR HOTLIST**

Configurable MDC alerts help officers notify officers of relevant plate reads.

**THE AXON ECOSYSTEM**

Fleet 3 with ALPR is part of the Axon Ecosystem, a network of connected hardware and software solutions that, when used together, strengthen real-time situational awareness and improve efficiency and effectiveness in the field. An investment in Fleet 3 is an investment in connected technology, and a powerful tool for saving your agency time and budget.

To learn more about how Fleet 3 can improve workflows at your agency, visit [axon.com/ecosystem](https://axon.com/ecosystem)

**SPECIFICATIONS**

**DUAL-VIEW CAMERA**

Up to 1080p resolution, 160° field-of-view (FOV) for evidence, 16:9 or 5:2 panoramic aspect ratio, 12x digital zoom, 360° swivel mount

**INTERIOR CAMERA**

Up to 1080p resolution, 160° FOV, 4:3 aspect ratio (occupant knee to head), color in light conditions, IR illumination in low-light

**HUB**

240GB video storage, 5 PoE ports for devices, 10 inputs for 12V triggers, Wi-Fi, BLE, GNSS

**SECURITY**

Firmware updates and all evidence encrypted on Hub

**ALPR COVERAGE**

Up to three traffic lanes with one camera using 4k resolution

**FLEET DASHBOARD APP**

Windows 10, Windows 7, Android or Samsung DeX supported; iOS compatibility forthcoming

**VIDEO RECALL**

24 hours per camera

**CAMERA AND HUB OPERATING TEMPERATURE**

-40°F to +185°F

**WIRELESS MIC OPERATING TEMPERATURE**

-40°F to +158°F

**CAMERA INGRESS RATING**

IP54

**WIRELESS MIC INGRESS RATING**

IP67

**HUB INGRESS RATING**

IP50





**Axon Enterprise, Inc.**  
 17800 N 85th St.  
 Scottsdale, Arizona 85255  
 United States  
 VAT: 86-0741227  
 Domestic: (800) 978-2737  
 International: +1.800.978.2737

Q-596652-45498.878JT

Issued: 07/25/2024

Quote Expiration: 09/01/2024

Estimated Contract Start Date: 12/01/2024

Account Number: 338887

Payment Terms: N30

Delivery Method:

SHIP TO	BILL TO
Marietta PD UPDATED 700 S Highway 77 Marietta, OK 73448-4204 USA	Marietta Police Dept. - OK 700 S Highway 77 Marietta OK 73448-4204 USA Email:

SALES REPRESENTATIVE	PRIMARY CONTACT
Jack Torgler Phone: Email: jtorgler@axon.com Fax:	Brett Harris Phone: 580-276-9371 Email: bharris@mariettaok.city Fax:

**Quote Summary**

Program Length	60 Months
<b>TOTAL COST</b>	<b>\$94,302.60</b>
<b>ESTIMATED TOTAL W/ TAX</b>	<b>\$94,302.60</b>

**Discount Summary**

Average Savings Per Year	\$1,354.08
<b>TOTAL SAVINGS</b>	<b>\$6,770.40</b>

### Payment Summary

Date	Subtotal	Tax	Total
Nov 2024	\$9,430.24	\$0.00	\$9,430.24
Nov 2025	\$21,218.09	\$0.00	\$21,218.09
Nov 2026	\$21,218.09	\$0.00	\$21,218.09
Nov 2027	\$21,218.09	\$0.00	\$21,218.09
Nov 2028	\$21,218.09	\$0.00	\$21,218.09
<b>Total</b>	<b>\$94,302.60</b>	<b>\$0.00</b>	<b>\$94,302.60</b>

Quote Unbundled Price: \$101,073.00  
 Quote List Price: \$94,676.40  
 Quote Subtotal: \$94,302.60

**Pricing**

*All deliverables are detailed in Delivery Schedules section lower in proposal*

Item	Description	Qty	Term	Unbundled	List Price	Net Price	Subtotal	Tax	Total
<b>Program</b>									
Fleet3B	Fleet 3 Basic	7	60	\$176.64	\$161.41	\$160.52	\$67,418.40	\$0.00	\$67,418.40
<b>A la Carte Software</b>									
80401	AXON FLEET 3 - ALPR LICENSE - 1 CAMERA	7	60		\$64.01	\$64.01	\$26,884.20	\$0.00	\$26,884.20
<b>Total</b>							<b>\$94,302.60</b>	<b>\$0.00</b>	<b>\$94,302.60</b>

**Delivery Schedule**

**Hardware**

Bundle	Item	Description	QTY	Shipping Location	Estimated Delivery Date
Fleet 3 Basic	100989	AXON FLEET - CRADLEPOINT R920-C7A+5YR NETCLOUD	7	1	11/01/2024
Fleet 3 Basic	70112	AXON SIGNAL - SIGNAL UNIT	7	1	11/01/2024
Fleet 3 Basic	71200	AXON FLEET - AIRGAIN ANT - 5-IN-1 2LTE 2WIFI 1GNSS BL	7	1	11/01/2024
Fleet 3 Basic	72036	AXON FLEET 3 - STANDARD 2 CAMERA KIT	7	1	11/01/2024
Fleet 3 Basic	72048	AXON FLEET 3 - SIM INSERTION - ATT	7	1	11/01/2024

**Software**

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
Fleet 3 Basic	80400	AXON EVIDENCE - FLEET VEHICLE LICENSE	7	12/01/2024	11/30/2029
Fleet 3 Basic	80410	AXON EVIDENCE - STORAGE - FLEET 1 CAMERA UNLIMITED	14	12/01/2024	11/30/2029
A la Carte	80401	AXON FLEET 3 - ALPR LICENSE - 1 CAMERA	7	12/01/2024	11/30/2029

**Services**

Bundle	Item	Description	QTY
Fleet 3 Basic	73391	AXON FLEET 3 - DEPLOYMENT PER VEHICLE - NOT OVERSIZED	7

**Warranties**

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
Fleet 3 Basic	80379	AXON SIGNAL - EXT WARRANTY - SIGNAL UNIT	7	11/01/2025	11/30/2029
Fleet 3 Basic	80495	AXON FLEET 3 - EXT WARRANTY - 2 CAMERA KIT	7	11/01/2025	11/30/2029

### Shipping Locations

Location Number	Street	City	State	Zip	Country
1	700 S Highway 77	Marietta	OK	73448-4204	USA

### Payment Details

Nov 2024						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 1	80401	AXON FLEET 3 - ALPR LICENSE - 1 CAMERA	7	\$2,688.40	\$0.00	\$2,688.40
Year 1	Fleet3B	Fleet 3 Basic	7	\$6,741.84	\$0.00	\$6,741.84
<b>Total</b>				<b>\$9,430.24</b>	<b>\$0.00</b>	<b>\$9,430.24</b>

Nov 2025						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 2	80401	AXON FLEET 3 - ALPR LICENSE - 1 CAMERA	7	\$6,048.95	\$0.00	\$6,048.95
Year 2	Fleet3B	Fleet 3 Basic	7	\$15,169.14	\$0.00	\$15,169.14
<b>Total</b>				<b>\$21,218.09</b>	<b>\$0.00</b>	<b>\$21,218.09</b>

Nov 2026						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 3	80401	AXON FLEET 3 - ALPR LICENSE - 1 CAMERA	7	\$6,048.95	\$0.00	\$6,048.95
Year 3	Fleet3B	Fleet 3 Basic	7	\$15,169.14	\$0.00	\$15,169.14
<b>Total</b>				<b>\$21,218.09</b>	<b>\$0.00</b>	<b>\$21,218.09</b>

Nov 2027						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 4	80401	AXON FLEET 3 - ALPR LICENSE - 1 CAMERA	7	\$6,048.95	\$0.00	\$6,048.95
Year 4	Fleet3B	Fleet 3 Basic	7	\$15,169.14	\$0.00	\$15,169.14
<b>Total</b>				<b>\$21,218.09</b>	<b>\$0.00</b>	<b>\$21,218.09</b>

Nov 2028						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 5	80401	AXON FLEET 3 - ALPR LICENSE - 1 CAMERA	7	\$6,048.95	\$0.00	\$6,048.95
Year 5	Fleet3B	Fleet 3 Basic	7	\$15,169.14	\$0.00	\$15,169.14
<b>Total</b>				<b>\$21,218.09</b>	<b>\$0.00</b>	<b>\$21,218.09</b>

**Tax is estimated based on rates applicable at date of quote and subject to change at time of invoicing. If a tax exemption certificate should be applied, please submit prior to invoicing.**

Contract NASPO OK-MA-145-21-100 (PA-Oklahoma OK SW1057A) is incorporated by reference into the terms and conditions of this Agreement. In the event of conflict the terms of Axon's Master Services and Purchasing Agreement shall govern.

## Standard Terms and Conditions

### Axon Enterprise Inc. Sales Terms and Conditions

#### Axon Master Services and Purchasing Agreement:

This Quote is limited to and conditional upon your acceptance of the provisions set forth herein and Axon's Master Services and Purchasing Agreement (posted at <https://www.axon.com/sales-terms-and-conditions>), as well as the attached Statement of Work (SOW) for Axon Fleet and/or Axon Interview Room purchase, if applicable. In the event you and Axon have entered into a prior agreement to govern all future purchases, that agreement shall govern to the extent it includes the products and services being purchased and does not conflict with the Axon Customer Experience Improvement Program Appendix as described below.

#### ACEIP:

The Axon Customer Experience Improvement Program Appendix, which includes the sharing of de-identified segments of Agency Content with Axon to develop new products and improve your product experience (posted at [www.axon.com/legal/sales-terms-and-conditions](http://www.axon.com/legal/sales-terms-and-conditions)), is incorporated herein by reference. By signing below, you agree to the terms of the Axon Customer Experience Improvement Program.

#### Acceptance of Terms:

Any purchase order issued in response to this Quote is subject solely to the above referenced terms and conditions. By signing below, you represent that you are lawfully able to enter into contracts. If you are signing on behalf of an entity (including but not limited to the company, municipality, or government agency for whom you work), you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, please do not sign this Quote.

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Signature

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Date Signed

7/25/2024





**RESOLUTION \_\_\_\_\_**

**PURCHASE OF EQUIPMENT FOR CITY OF MARIETTA**

**WHEREAS**, the purchase of equipment, materials and supplies is necessary to perform the duties relative to the functions lawfully imposed upon or assumed by the City of Marietta; and

**WHEREAS**, the following described equipment is needed to allow for the performance of the above described duties/functions; **TEN (10) BODY WORN CAMERA SYSTEMS;**

**WHEREAS**, in accordance with Section 2-172 of the Code of Ordinances, the following sole-source bid for the purchase was submitted:

<b>AXON</b>	<b>AS DETAILED IN QUOTE</b>	<b>\$37,024.40</b>
<b>5 YEAR PAYOUT-</b>	<b>1<sup>ST</sup> YEAR-</b>	<b>\$3,702.44</b>
	<b>2<sup>ND</sup> YEAR-</b>	<b>\$8,330.49</b>
	<b>3<sup>RD</sup> YEAR-</b>	<b>\$8,330.49</b>
	<b>4<sup>TH</sup> YEAR-</b>	<b>\$8,330.49</b>
	<b>5<sup>TH</sup> YEAR-</b>	<b>\$8,330.49</b>

**WHEREAS**, staff recommend the purchase of equipment as submitted by **BODY WORN CAMERA SYSTEMS**, based upon the following justification: **REPUTABLE COMPANY, PREVIOUS EXPERIENCE, WARRANTY, FEATURES;** and

**WHEREAS**, funding is available to provide for this expenditure within the budget of the current fiscal year, under the following department/account: **01-75-800**

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

1. The purchase of **TEN (10) BODY WORN CAMERA SYSTEMS** as submitted by **AXON** is hereby approved based on:
  - the recommendation of staff as previously indicated.
  - the following: \_\_\_\_\_.
2. The expenditure for the purchase will be deducted from the following department/account: **01-75-800**

**PASSED** by the City Council and **SIGNED** by the Mayor this 13<sup>th</sup> day of August, 2024.  
CITY OF MARIETTA

ATTEST

\_\_\_\_\_  
KERMIT McKINNEY, MAYOR

\_\_\_\_\_  
DOTTIE GWIN, CITY CLERK



**Axon Enterprise, Inc.**  
 17800 N 85th St.  
 Scottsdale, Arizona 85255  
 United States  
 VAT: 86-0741227  
 Domestic: (800) 978-2737  
 International: +1.800.978.2737

Q-597159-45495.918JT

Issued: 07/22/2024

Quote Expiration: 09/01/2024

Estimated Contract Start Date: 12/01/2024

Account Number: 338887

Payment Terms: N30

Delivery Method:

SHIP TO	BILL TO
Marietta PD UPDATED 700 S Highway 77 Marietta, OK 73448-4204 USA	Marietta Police Dept. - OK 700 S Highway 77 Marietta OK 73448-4204 USA Email:

SALES REPRESENTATIVE	PRIMARY CONTACT
Jack Torgler Phone: Email: jtorgler@axon.com Fax:	Brett Harris Phone: 580-276-9371 Email: bharris@mariettaok.city Fax:

**Quote Summary**

Program Length	60 Months
<b>TOTAL COST</b>	<b>\$37,024.40</b>
<b>ESTIMATED TOTAL W/ TAX</b>	<b>\$37,024.40</b>

**Discount Summary**

Average Savings Per Year	\$4,387.20
<b>TOTAL SAVINGS</b>	<b>\$21,936.00</b>

**Payment Summary**

<b>Date</b>	<b>Subtotal</b>	<b>Tax</b>	<b>Total</b>
Nov 2024	\$3,702.44	\$0.00	\$3,702.44
Nov 2025	\$8,330.49	\$0.00	\$8,330.49
Nov 2026	\$8,330.49	\$0.00	\$8,330.49
Nov 2027	\$8,330.49	\$0.00	\$8,330.49
Nov 2028	\$8,330.49	\$0.00	\$8,330.49
<b>Total</b>	<b>\$37,024.40</b>	<b>\$0.00</b>	<b>\$37,024.40</b>

Quote Unbundled Price: \$58,960.40  
 Quote List Price: \$37,102.40  
 Quote Subtotal: \$37,024.40

**Pricing**

*All deliverables are detailed in Delivery Schedules section lower in proposal*

Item	Description	Qty	Term	Unbundled	List Price	Net Price	Subtotal	Tax	Total
<b>Program</b>									
M00003	BUNDLE - ACQUISITION	10	60	\$89.51	\$53.08	\$52.95	\$31,770.00	\$0.00	\$31,770.00
<b>A la Carte Software</b>									
100673	AXON EVIDENCE - ECOM LICENSE - CONVERSION BASIC TO PRO	2	60		\$27.12	\$27.12	\$3,254.40	\$0.00	\$3,254.40
<b>A la Carte Services</b>									
80146	AXON BODY - PSO - VIRTUAL STARTER	1			\$2,000.00	\$2,000.00	\$2,000.00	\$0.00	\$2,000.00
<b>Total</b>							<b>\$37,024.40</b>	<b>\$0.00</b>	<b>\$37,024.40</b>

**Delivery Schedule**

**Hardware**

Bundle	Item	Description	QTY	Shipping Location	Estimated Delivery Date
BUNDLE - ACQUISITION	100147	AXON BODY 4 - CAMERA - NA US FIRST RESPONDER BLK RAPIDLOCK	10	1	11/01/2024
BUNDLE - ACQUISITION	100206	AXON BODY 4 - 8 BAY DOCK	1	1	11/01/2024
BUNDLE - ACQUISITION	100466	AXON BODY 4 - CABLE - USB-C TO USB-C	11	1	11/01/2024
BUNDLE - ACQUISITION	70033	AXON - DOCK WALL MOUNT - BRACKET ASSY	1	1	11/01/2024
BUNDLE - ACQUISITION	71019	AXON BODY - DOCK POWERCORD - NORTH AMERICA	1	1	11/01/2024
BUNDLE - ACQUISITION	74020	AXON BODY - MOUNT - MAGNET FLEXIBLE RAPIDLOCK	11	1	11/01/2024
BUNDLE - ACQUISITION	73309	AXON BODY - TAP REFRESH 1 - CAMERA	10	1	05/01/2027
BUNDLE - ACQUISITION	73689	AXON BODY - TAP REFRESH 1 - DOCK MULTI BAY	1	1	05/01/2027

**Software**

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
BUNDLE - ACQUISITION	73686	AXON EVIDENCE - STORAGE - UNLIMITED (AXON DEVICE)	10	12/01/2024	11/30/2029
BUNDLE - ACQUISITION	73840	AXON EVIDENCE - ECOM LICENSE - BASIC	10	12/01/2024	11/30/2029
A la Carte	100673	AXON EVIDENCE - ECOM LICENSE - CONVERSION BASIC TO PRO	2	12/01/2024	11/30/2029

**Services**

Bundle	Item	Description	QTY
A la Carte	80146	AXON BODY - PSO - VIRTUAL STARTER	1

**Warranties**

<b>Bundle</b>	<b>Item</b>	<b>Description</b>	<b>QTY</b>	<b>Estimated Start Date</b>	<b>Estimated End Date</b>
BUNDLE - ACQUISITION	80464	AXON BODY - TAP WARRANTY - CAMERA	10	11/01/2025	11/30/2029
BUNDLE - ACQUISITION	80465	AXON BODY - TAP WARRANTY - MULTI BAY DOCK	1	11/01/2025	11/30/2029

### Shipping Locations

Location Number	Street	City	State	Zip	Country
1	700 S Highway 77	Marietta	OK	73448-4204	USA

### Payment Details

**Nov 2024**

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 1	100673	AXON EVIDENCE - ECOM LICENSE - CONVERSION BASIC TO PRO	2	\$325.44	\$0.00	\$325.44
Year 1	80146	AXON BODY - PSO - VIRTUAL STARTER	1	\$200.00	\$0.00	\$200.00
Year 1	M00003	BUNDLE - ACQUISITION	10	\$3,177.00	\$0.00	\$3,177.00
<b>Total</b>				<b>\$3,702.44</b>	<b>\$0.00</b>	<b>\$3,702.44</b>

**Nov 2025**

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 2	100673	AXON EVIDENCE - ECOM LICENSE - CONVERSION BASIC TO PRO	2	\$732.24	\$0.00	\$732.24
Year 2	80146	AXON BODY - PSO - VIRTUAL STARTER	1	\$450.00	\$0.00	\$450.00
Year 2	M00003	BUNDLE - ACQUISITION	10	\$7,148.25	\$0.00	\$7,148.25
<b>Total</b>				<b>\$8,330.49</b>	<b>\$0.00</b>	<b>\$8,330.49</b>

**Nov 2026**

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 3	100673	AXON EVIDENCE - ECOM LICENSE - CONVERSION BASIC TO PRO	2	\$732.24	\$0.00	\$732.24
Year 3	80146	AXON BODY - PSO - VIRTUAL STARTER	1	\$450.00	\$0.00	\$450.00
Year 3	M00003	BUNDLE - ACQUISITION	10	\$7,148.25	\$0.00	\$7,148.25
<b>Total</b>				<b>\$8,330.49</b>	<b>\$0.00</b>	<b>\$8,330.49</b>

**Nov 2027**

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 4	100673	AXON EVIDENCE - ECOM LICENSE - CONVERSION BASIC TO PRO	2	\$732.24	\$0.00	\$732.24
Year 4	80146	AXON BODY - PSO - VIRTUAL STARTER	1	\$450.00	\$0.00	\$450.00
Year 4	M00003	BUNDLE - ACQUISITION	10	\$7,148.25	\$0.00	\$7,148.25
<b>Total</b>				<b>\$8,330.49</b>	<b>\$0.00</b>	<b>\$8,330.49</b>

**Nov 2028**

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 5	100673	AXON EVIDENCE - ECOM LICENSE - CONVERSION BASIC TO PRO	2	\$732.24	\$0.00	\$732.24
Year 5	80146	AXON BODY - PSO - VIRTUAL STARTER	1	\$450.00	\$0.00	\$450.00
Year 5	M00003	BUNDLE - ACQUISITION	10	\$7,148.25	\$0.00	\$7,148.25
<b>Total</b>				<b>\$8,330.49</b>	<b>\$0.00</b>	<b>\$8,330.49</b>

**Tax is estimated based on rates applicable at date of quote and subject to change at time of invoicing. If a tax exemption certificate should be applied, please submit prior to invoicing.**

Contract NASPO OK-MA-145-21-100 (PA-Oklahoma OK SW1057A) is incorporated by reference into the terms and conditions of this Agreement. In the event of conflict the terms of Axon's Master Services and Purchasing Agreement shall govern.

## Standard Terms and Conditions

### Axon Enterprise Inc. Sales Terms and Conditions

#### Axon Master Services and Purchasing Agreement:

This Quote is limited to and conditional upon your acceptance of the provisions set forth herein and Axon's Master Services and Purchasing Agreement (posted at <https://www.axon.com/sales-terms-and-conditions>), as well as the attached Statement of Work (SOW) for Axon Fleet and/or Axon Interview Room purchase, if applicable. In the event you and Axon have entered into a prior agreement to govern all future purchases, that agreement shall govern to the extent it includes the products and services being purchased and does not conflict with the Axon Customer Experience Improvement Program Appendix as described below.

#### ACEIP:

The Axon Customer Experience Improvement Program Appendix, which includes the sharing of de-identified segments of Agency Content with Axon to develop new products and improve your product experience (posted at [www.axon.com/legal/sales-terms-and-conditions](http://www.axon.com/legal/sales-terms-and-conditions)), is incorporated herein by reference. By signing below, you agree to the terms of the Axon Customer Experience Improvement Program.

#### Acceptance of Terms:

Any purchase order issued in response to this Quote is subject solely to the above referenced terms and conditions. By signing below, you represent that you are lawfully able to enter into contracts. If you are signing on behalf of an entity (including but not limited to the company, municipality, or government agency for whom you work), you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, please do not sign this Quote.



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Signature

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Date Signed

7/22/2024



**RESOLUTION \_\_\_\_\_**

**PURCHASE OF EQUIPMENT FOR CITY OF MARIETTA**

**WHEREAS**, the purchase of equipment, materials and supplies is necessary to perform the duties relative to the functions lawfully imposed upon or assumed by the City of Marietta; and

**WHEREAS**, the following described equipment is needed to allow for the performance of the above described duties/functions; **VEHICLE UPFIT**

**WHEREAS**, in accordance with Section 2-172 of the Code of Ordinances, the following sole-sourced bid for the purchase was submitted:

**SHIPMAN COMMUNICATIONS AS DETAILED IN QUOTE \$15,011.14**

**WHEREAS**, staff recommend the purchase of equipment as submitted by **SHIPMAN COMMUNICATIONS**, based upon the following justification: **REPUTATION AND AVAILABILITY**; and

**WHEREAS**, funding is available to provide for this expenditure within the budget of the current fiscal year, under the following department/account: **01-75-800**.

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

1. The purchase of **VEHICLE UPFIT** as submitted by **SHIPMAN COMMUNICATIONS** is hereby approved based on:
  - the recommendation of staff as previously indicated.
  - the following: \_\_\_\_\_.
2. The expenditure for the purchase will be deducted from the following department/account:
3. **01-75-800**.

**PASSED** by the City Council and **SIGNED** by the Mayor this 13 day of August, 2024.

CITY OF MARIETTA

ATTEST

\_\_\_\_\_  
KERMIT McKINNEY, MAYOR

\_\_\_\_\_  
DOTTIE GWIN, CITY CLERK



# Shipman Communications

Date: Jul. 24, 2024

1815 West Morton Street  
 Denison, TX. 75020  
 Phone: 800-465-8297  
 Fax: 903-463-3130  
 or  
 4530 West Main  
 Durant, OK. 74701  
 Phone/Fax: 580-920-0057

Kylie Roach-Sales  
 Email: kroach@shipmancommunications.com  
 Office: 903-465-8297

Quote For:  
 Marietta, City of  
 Police Department  
 Att: Brett Harris  
[bharris@mariettaok.city](mailto:bharris@mariettaok.city)

We are please to submit the following quotation for:

Description: 2024 Chevy Tahoe PPV upfit, CARGO BOX OPTION.

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**THIS QUOTE IS BASED ON THE FOLLOWING:**

Quotes are exclusive of all installation and programming charges (unless expressly stated).  
 Purchaser will be responsible for shipping costs and applicable taxes, which will be added to the invoice.  
**Prices are valid for 30 days only.**  
 Unless otherwise stated, all payments will be due within thirty days (30) after invoice.

Qty.	Model	Description	Price	Total
1	25-30613-C	Code 3 53" LED Pursuit Lightbar tri-color with red on top level driver side and blue on top level passenger side. Full front and alley lakedown mode on lower level and directional mode on rear lower level. Full 360 degree warning mode while simultaneously operating lakedown and directional. *Includes CZMATSIB	\$ 2,820.00	\$ 2,820.00
1	ADJDKT016-B	Code 3 vehicle specific strap kit for 2024 Chevy Tahoe.	\$ -	\$ -
1	Z3SXP-1	Code 3 Z3 Matrix series full function 200W full feature siren/light controller switch box with built-in dual tone and low frequency banshee.	\$ 835.00	\$ 835.00
2	C3100UTH21	Code 3 100W siren speaker with vehicle specific behind the grille dual speaker bracket.	\$ 175.00	\$ 350.00
10	CD3802RBW	Code 3 LED mega thin series lightheads tri-color, red/blue/white. (Four for the grille, two for the license plate area and two on each running board.)	\$ 90.00	\$ 900.00
4	XT4GRL	Code 3 universal grille brackets for mega thin series lightheads.	\$ 7.50	\$ 30.00
1	LPBKTR-TH21	Code 3 vehicle specific rear license plate bracket for 2024 Chevy Tahoe.	\$ 45.00	\$ 45.00
1	GJ 7160-1332	Gamber Johnson floor mounted computer mount vehicle base.	\$ 180.00	\$ 180.00
1	GJ 7160-0787	Gamber Johnson telescoping pole (10 to 18in) with accommodations for mongoose arm.	\$ 135.00	\$ 135.00
1	MM-4177	Vehicle specific support brace bracket.	\$ 30.00	\$ 30.00
1	MM-BRACE	Heavy duty pole support brace for computer mount with u-bolt and hardware.	\$ 75.00	\$ 75.00
1	GJ 7160-0928	Gamber Johnson mongoose motion arm with 9" locking slide and 360 degree slim devis.	\$ 385.00	\$ 385.00
1	GJB 7160-0883	Gamber Johnson dell latitude rugged laptop cradle with no power and no RF pass through.	\$ 575.00	\$ 575.00
1	PP-2021-TAH-FS	Plastix Plus center console with high raised arm rest area with lock lid center console storage. Includes: factory OEM seat brackets, top driver side cutout for (425-6095) CMXPR series mobile, top middle driver side cutout for (425-6295) for APX8500 mobile radio, bottom middle driver side cutout for (425-6408) for Z3 switch box and bottom driver side for the dual cupholder. Also includes 12v plug and USB/USB-c extension plug.	\$ 985.00	\$ 985.00
1	475-1677	Jotto Desk unidirectional recessed housing front partition to accommodate officer seat space.	\$ 885.00	\$ 885.00
		Polycarbonate lower slider, high visibility standard side wings for windows and no center recess housing for more prisoner space. Also includes high security extension foot panels for under the seat protection (475-1679.)	\$ -	\$ -
1	475-1709	Jotto Desk rear cargo barrier with polycarbonate cover that secures and seals off the rear of the vehicle. Utilizes factory OEM mounting points.	\$ 565.00	\$ 565.00
1	EZ-VAULT-2024TAH	American Aluminum E/Z Vault one drawer storage box with matte black powder coating. (45Wx28.5Dx10H) Includes: 4" SUV electronics storage basket with cover plate, in drawer weapons foam to cushion weapons and includes T-locking handles.	\$ 1,895.00	\$ 1,895.00
1	Misc. electrical	electrical wire, loom, fuse buss, connectors, relays, etc.	\$ -	\$ -
1	HKN6110	Motorola high power power cable for APX8500.	\$ 315.00	\$ 315.00
1	HKN6169	Motorola control cable to connect control head and transceiver for the APX8500.	\$ 55.00	\$ 55.00
1	HKN6168	Motorola control head ignition/power cable for the APX8500.	\$ 97.00	\$ 97.00
1	HKN4191	Motorola power cable for XPR2500 mobile.	\$ 99.60	\$ 99.60
1	ANTKIT	XPR2500 antenna kit-VHF antenna, coax and connector.	\$ 29.64	\$ 29.64
1	ANTKIT	APX8500 antenna kit-7/800 antenna kit, VHF antenna, coax, connector, OMA to OMA and OMA to mini.	\$ 45.00	\$ 45.00
<b>Total:</b>			<b>\$ 11,561.14</b>	<b>\$ 11,561.14</b>

**PLEASE SEE BELOW FOR MORE INFORMATION AND PRICING**



# CITY OF MARIETTA **POLICE**

Budget breakdown:

Sell of PD Building-	\$75,000
Insurance Payout-	\$18,000
Budgeted Vehicle-	\$60,000
Fuel savings-	\$10,800
<hr/>	
Total:	\$163,800

Purchase of Equipment:

2024 Tahoe-	\$50,000
Upfit-	\$15,000
1 <sup>st</sup> year BWC-	\$3,800 (\$37,024.40)
1 <sup>st</sup> year In-car-	\$9,430 (\$94,302.60)
<hr/>	
Total:	\$78,400

**RESOLUTION \_\_\_\_\_**

**PROVIDING PAY INCREASE FOR EMPLOYEE LONGEVITY**

**WHEREAS**, the City Council did adopt a grade and step structure on November 12, 2019, with said structure to be utilized for the compensation of all employees of the City of Marietta; and

**WHEREAS**, there exists a one and one-half (1 ½) percent increase per step within the adopted grade and step structure; and

**WHEREAS**, the City Council desires to adjust the associated step of certain employees based on employment longevity.

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

1. The pay rate of all employees who were employed with the City of Marietta prior to July 1, 2023, who are specifically identified below, shall be increased to the next step within the employees' current grade:

Jacob Carroll  
 Scott Chaney  
 Clyde Clark  
 Johnny Faulkner  
 Jerry Fox  
 Ronald Glaze  
 Ricky Graham  
 Brett Harris

Jeremy Hartman  
 Ronnie Hilton  
 Clarence Lee  
 Rod Shankles  
 Alfredo Torres  
 Larry Vaughn  
 Terry Vernon

2. The modified pay rates detailed in Section 1 shall become effective September 8<sup>th</sup>, 2024.

**PASSED** by the City Council and **SIGNED** by the Mayor this 13th day of August, 2023.

CITY OF MARIETTA

\_\_\_\_\_  
KERMIT McKINNEY, MAYOR

ATTEST

\_\_\_\_\_  
DOTTIE GWIN, CITY CLERK