

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

Tuesday, December 14, 2021 at 6:00 PM

Marietta Public Works Authority Meeting Room, 303 W. Main Street, Marietta, OK 73448

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

CALL TO ORDER.

DECLARATION OF QUORUM.

INVOCATION.

CONSENT AGENDA.

- 1. Approval of the agenda as part of the minutes.
- 2. Approval of the minutes of the November 9, 2021 Regular Meeting of the Marietta City Council.
- 3. Approval of financial reports.
- 4. Approval of expenditures from the following accounts/funds, if any: general fund; sanitation fund; cemetery care fund; expense account; grant fund; police asset forfeiture account; payroll account.
- 5. Approval of payroll and scheduled payments.

ITEMS REMOVED FROM CONSENT AGENDA.

PUBLIC PARTICIPATION.

CITY ADMINISTRATOR’S REPORT.

REGULAR BUSINESS.

- 1. Application of Haley Hicks for placement of manufactured home at 210 Wood Street, otherwise identified as Lot 3, Block 6, J.C. Washington Addition to the City of Marietta, Love County, Oklahoma.
- 2. Financial audit of the fiscal year ending June 30, 2021.
- 3. Appointment of Willis Choate to a vacancy on Marietta Public Works Authority Board of Trustees.
- 4. Agreement with BancFirst for sweep account transactions.
- 5. Acceptance of Justice Assistance Grant- Local Law Enforcement (JAG-LLE) funds and the purchase of wearable (body) cameras, licenses, and accessories authorized by the grant.

MAYOR’S COMMENTS.

NEW AND UNFORESEEN BUSINESS.

ADJOURN.

POSTED: Monday, December 13, 2021, at 5:00 PM, at the Marietta City Hall, located at 101 W. Main Street, Marietta, Oklahoma, and online at www.mariettaok.city.



Dottie Gwin, City Clerk
Scott Chaney, Deputy City Clerk

MINUTES OF THE REGULAR MEETING OF THE MARIETTA CITY COUNCIL

Tuesday, November 09, 2021 at 6:00 PM

Marietta Public Works Authority Meeting Room, 303 W. Main Street, Marietta, OK 73448

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

CALL TO ORDER.

Meeting was called to order by Mayor Fraire at 6:00 P.M.

DECLARATION OF QUORUM.

A quorum was declared to conduct business

PRESENT

- Mayor Kimberly Fraire
- Council Member KorDale Lornes
- Council Member Kermit McKinney
- Council Member Doug Stewart
- Council Member Lawrence Anderson
- Council Member Angela Vega
- Council Member Richard Barker
- Council Member Brandy Valenzuela
- Council Member Tambre Sanders

INVOCATION.

Invocation was given by Lawrence Anderson

CONSENT AGENDA.

Motion made by Council Member Barker, Seconded by Council Member Vega to approve the consent agenda.

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

1. Approval of the agenda as part of the minutes.
2. Approval of the minutes of the October 12, 2021 Regular Meeting of the Marietta City Council.
3. Approval of financial reports.
4. Approval of expenditures from the following accounts/funds, if any: general fund; sanitation fund; cemetery care fund; expense account; grant fund; police asset forfeiture account; payroll account.

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5. Approval of payroll and scheduled payments.

ITEMS REMOVED FROM CONSENT AGENDA.

None

PUBLIC PARTICIPATION.

None

CITY ADMINISTRATOR'S REPORT.

City Administrator Dustin Scott made his report to the City Council. He advised the council of several things going on including an update on the permit from BNSF. He gave an update on the construction at Charles McCarroll Park, and updated the council on grants we applied for as well as an update on the ARPA funding. He also advised the Council on a donation from the Chickasaw Nation that is to be used for range improvements.

REGULAR BUSINESS.

1. Declaring Love County Chamber of Commerce Christmas Celebration a special event and authorizing street closures.

Motion made by Council Member Barker, Seconded by Council Member Stewart to adopt Resolution # 2021-38 Declaring Love County Chamber of Commerce Christmas Celebration a special event and authorizing street closures.

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

2. Appointment of Alex Manning as a volunteer firefighter.

Motion made by Council Member McKinney, Seconded by Council Member Anderson to adopt Resolution # 2021-39 Appointment of Alex Manning as a volunteer firefighter.

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

3. Purchase bunker gear for the fire department.

Motion made by Council Member Lornes, Seconded by Council Member Sanders to adopt Resolution # 2021-40 Purchase bunker gear for the fire department.

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

4. Provide notice of City Council meetings for the calendar year 2022.

Motion made by Council Member Stewart, Seconded by Council Member Valenzuela to adopt Resolution # 2021-41 Provide notice of City Council meetings for the calendar year 2022.

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

5. Establish City holidays for the calendar year 2022.

Motion made by Council Member Lornes, Seconded by Council Member Anderson to adopt Resolution # 2021-42 Establish City holidays for the calendar year 2022.

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

Voting Nay: Council Member McKinney

6. Holiday bonuses for City employees and volunteers.

Motion made by Council Member Sanders, Seconded by Council Member Lornes to adopt Resolution # 2021-43 Holiday bonuses for City employees and volunteers.

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

Voting Nay: Council Member McKinney

7. An ordinance amending Article IV of Chapter 82 of the Code of Ordinances of the City of Marietta by defining authority of the City Council to determine street name changes and establishing procedures for street name changes, and establishing a fee pursuant to said Ordinance.

Motion made by Council Member Valenzuela, Seconded by Council Member Lornes to adopt Ordinance # 2021-04 amending Article IV of Chapter 82 of the Code of Ordinances of the City of Marietta by defining authority of the City Council to determine street name changes and establishing procedures for street name changes, and establishing a fee pursuant to said Ordinance and Resolution # 2021-44 Establishing application fees for street name change.

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

Motion made by Council Member McKinney, Seconded by Council Member Valenzuela to declare Ordinance # 2021-04 an emergency.

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

8. Executive session to discuss the purchase of real property located at 700 S. Highway 77 pursuant to Title 25 Oklahoma Statutes, Section 307 (B)(3).

Motion made by Council Member Barker, Seconded by Council Member Valenzuela to enter executive session.

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

9. Executive session to have confidential communications with the attorney concerning litigation in Weldon Luke Pollard, and Red River Cloud Nine, Inc. v. City of Marietta, 20-cv-338-RAW (also numbered as 20-CIV-338-RAW), in the United States District Court for the Eastern District 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 Lornes, Seconded by Council Member Anderson to enter executive session.

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

Entered executive session at 6:23 P.M.

10. Return to regular session.

Returned to open session at 7:49 P.M.

11. Any action and any further discussion regarding the purchase of property at 700 S. Highway 77.

Motion made by Council Member Valenzuela, Seconded by Council Member Stewart to enter a contract to purchase the property at 700 S. Hwy 77 and to tentatively close by December 31st.

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

12. Improvements and repairs to property located at 700 S. Highway 77.

Motion made by Council Member Barker, Seconded by Council Member Lornes to enter into a contract with Corner Greer and Associates and to approve Resolution # 2021-45

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

13. Transfer of ownership of property located at 105 S. 3rd Avenue (police headquarters) to the Chickasaw Nation.

Motion made by Council Member Lornes, Seconded by Council Member Sanders to adopt Resolution # 2021-46 Transfer of ownership of property located at 105 S. 3rd Avenue (police headquarters) to the Chickasaw Nation.

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

Valenzuela, Council Member Sanders

- 14. Any action and any further discussion on Weldon Luke Pollard, and Red River Cloud Nine, Inc. v. City of Marietta, 20-cv-338-RAW, (also numbered as 20-CIV-338-RAW) in the United States District Court for the Eastern District of Oklahoma.

Luke Pollard addressed the City Council about his Cloud 9 building.

Motion made by Council Member Lornes, Seconded by Council member Valenzuela to reject the offer of Luke Pollard concerning the Cloud 9 building an accept the bid to demolish the structure.

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

Voting Nay: Council Member McKinney

- 15. Consider bids for the demolition and removal of structures previously declared dilapidated.

No Action

MAYOR'S COMMENTS.

None

NEW AND UNFORESEEN BUSINESS.

None

ADJOURN.

Meeting adjourned at 7:54 P.M.

POSTED: November 5, 2021, at 3:00 PM, at the Marietta City Hall, located at 101 W. Main Street, Marietta, Oklahoma, and online at www.mariettaok.city.

Dottie Gwin, City Clerk
Scott Chaney, Deputy City Clerk

RESOLUTION PC21-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MARIETTA REGARDING AN APPLICATON FOR PLACEMENT OF A MOBILE HOME AT, 210 WOOD ST. FURTHER KNOWN AS LOT 3 BLOCK 6 J.C. WASHINGTON ADDITION

WHEREAS, Haley Hicks, 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 November 19th, 2021, and mailed to the owners of property located within 200 feet of the real property on November 22nd, 2021; and

WHEREAS, a public hearing regarding the placement of a mobile home was held before the Planning Commission on December 7th, 2021; 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 210 Wood St. further known as Lot 3 Block 6 J.C. Washington Addition.
- 2. The Planning Commission does not recommend the placement of a mobile home at 210 Wood St. further known as Lot 3 Block 6 J.C. Washington Addition.

BE IT FURTHER RESOLVED, that the foregoing resolution was introduced and moved for adoption on December 7th, 2021, by Commissioner Perez, and being duly seconded by Commissioner Reed, was passed by the following vote:

AYES: Perez, Reed, Cohee

NOES: None

ABSTAIN: None

ABSENT: Anderson

MARIETTA PLANNING COMMISSION

Tim Reed
TIM REED, CHAIRMAN

ATTEST

Dottie Gwin Deputy City Clerk
DOTTIE GWIN, CITY CLERK



RESOLUTION _____

A RESOLUTION REGARDING THE APPLICATION FOR THE PLACEMENT OF A MOBILE HOME TO OCCUPY AN R1 ZONING LOT AT 210 WOOD STREET, OTHERWISE IDENTIFIED AS LOT 3, BLOCK 6, J.C. WASHINGTON ADDITION, MARIETTA, LOVE COUNTY, OKLAHOMA

WHEREAS, Haley Hicks is the owner of a lot zoned R1, located at 210 Wood Street, otherwise identified as Lot 3, Block 6, J.C. 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 December 7th, 2021; and

WHEREAS, at the conclusion of the public hearing, the Planning Commission adopted resolution PC21-01 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 14th day of December 2021.

CITY OF MARIETTA

ATTEST:

KIMBERLY FRAIRE, MAYOR

DOTTIE GWIN, CITY CLERK

Marietta Public Works Authority

Marietta, Oklahoma 73448

303 West Main Street

Phone 580-276-2181

November 30, 2021

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

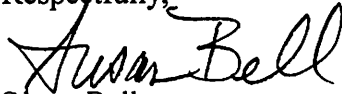
Re: Vacancy

The Board of Trustees of the Marietta Public Works Authority of Marietta, hereby advises you that the position of Board Member held by Willis Choate will expire effective January 1, 2022.

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

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

Respectfully,



Susan Bell
Office Manager
MPWA

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; and

WHEREAS, in accordance with Section 2-172 of the Code of Ordinances, the following competitive bids for the purchase were submitted: BY WATCHGUARD VIDEO
6 VISTA WIFI WEARABLE CAMERA;
6 EVIDENCE LIBRARY 4 DEVICE LICENSE;
6 CHARGING KITS; \$7,464.00; and

WHEREAS, staff recommend the purchase of equipment as submitted by WATCHGUARD VIDEO, based upon the following justification: _____
SOLE SOURCE MANUFACTURER; and

WHEREAS, funding is available to provide for this expenditure within the budget of the current fiscal year, under the following department/account: POLICE CAPITAL.

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

- The purchase of 6 WEARABLE CAMERAS AND ACCESSORIES as submitted by WATCH GUARD VIDEO is hereby approved based on:
 - the recommendation of staff as previously indicated.
 - the following: _____.
- The expenditure for the purchase will be deducted from the following department/account: 01-75-800 WITH AMENDMENT FOR JAG FUNDS.

PASSED by the City Council and SIGNED by the Mayor this 14 day of DECEMBER, 2021.

CITY OF MARIETTA

ATTEST

KIMBERLY FRAIRE, MAYOR

DOTTIE GWIN, CITY CLERK



Quote For:

**Marietta Police Department
Attn: Dustin Scott**

Reference:

VISTA

Quote By:

**WatchGuard Video / Motorola Solutions
Tim Culberson**

Date: 12-06-21

WatchGuard Video

415 E. Exchange
Allen, TX 75002
(P) 800-605-6734 (F) 212-383-9661



Prepared For:

Marietta Police Department - Attention: Dustin Scott
VISTA

QUOTATION - WTC-1198-02

DATE: 12-06-21

NASPO CONTRACT NUMBER OK-MA-145-010 SW1057W

VISTA WIFI

Deliverables / Materials / Services	Qty	Sell Price	Amount
VISTA HD, WiFi Extended Wearable Camera, with Magnetic Center Mount BW-VWF-11-- VISTA HD, WiFi Extended Wearable Camera, Enhanced ESD Protection Magnetic Center Mount	1	\$995.00	\$995.00
Subtotal Price			\$995.00

Evidence Library 4 Device License Key

Deliverables / Materials / Services	Qty	Sell Price	Amount
Evidence Library 4 Web VISTA Device License Key WGP02400-200	1	\$150.00	\$150.00
Subtotal Price			\$150.00

Quick Connect in car charger

Deliverables / Materials / Services	Qty	Sell Price	Amount
Charging Cable, VISTA QuickConnect 12V Magnetic Mobile Charging Kit WGA00608-KIT	1	\$99.00	\$99.00
Subtotal Price			\$99.00

Warranty Options one year or three year

Deliverables / Materials / Services	Qty	Sell Price	Amount
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Warranty, VISTA 1st Year (Months 1-12) Included	1	\$0.00	\$0.00
WG00149-001			

Warranty, VISTA WiFi, 3 Year No-Fault	1	\$450.00	\$450.00
WG00149-005			

Subtotal Price	\$450.00
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Mounting Options (Vista comes with choice of mount)
if you want additional mounts

Deliverables / Materials / Services	Qty	Sell Price	Amount
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VISTA HD, Duty Belt Clip (v2) with 3mm posts	1	\$20.00	\$20.00
WGA00533-100			

VISTA HD, Shirt Clip with Slider (v2) w/3mm Post	1	\$30.00	\$30.00
WGA00532-200			

VISTA Center Mount, Magnetic	1	\$69.00	\$69.00
WGP02704			

VISTA HD, Molle Vest Adapter Clip (with 3mm posts) v2	1	\$20.00	\$20.00
WGA00564-100			

Subtotal Price	\$139.00
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Total Price	\$1,833.00
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Notes:

1. This Quote is valid for 90 days from the Quote Date. Pricing may change thereafter.
2. Any sales transaction resulting from this Quote is based on and subject to the applicable Motorola's Standard Terms and Conditions, notwithstanding terms and conditions on purchase orders or other Customer ordering documents.
3. Motorola's Standard Terms and Conditions are found at www.motorolasolutions.com/product-terms.
4. Payment Terms: Equipment-Net 30 days upon shipment; Installation-Net 30 days upon completion; Services and Subscription Agreements-Net 30 days from receipt of Order.
5. The pricing in this Quote does not include any applicable taxes (e.g. sales/use tax).

6. UNLESS OTHERWISE NOTED IN THIS QUOTE / ORDER, INSTALLATION OF EQUIPMENT IS NOT INCLUDED
7. NASPO Contract Number OK-MA-145-010 SW1057W

Quoted by:

Tim Culberson - Customer Engagement Representative - 800-605-6734 - tim.culberson@motorolasolutions.com