

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

Thursday, July 16, 2020 at 6:00 PM

Virtual Meeting – No Physical Location

This meeting will be conducted via videoconferencing and teleconferencing pursuant to Oklahoma Senate Bill No. 661 on the Zoom® Cloud Meetings system due to the recommendation of the U.S. Center for Disease Control to avoid gathering in groups of more than ten people. As per said Senate Bill No. 661, all public body members will appear remotely, and the method of the remote appearance is the virtual method stated herein. The proceedings of this meeting will be broadcast to the public, allowing the same opportunity to participate as in previous traditional meetings.

Use the following link, meeting ID, and/or phone number to access and participate in the meeting. If you have any questions, or require assistance accessing the proceedings, please call 580-276-5599:

Join Zoom Meeting

<https://us02web.zoom.us/j/4735214433>

Meeting ID: 473 521 4433

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Find your local number: <https://us02web.zoom.us/j/4735214433>

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.

Agenda - Regular Meeting

July 16, 2020

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DECLARATION OF QUORUM.

INVOCATION.

CONSENT AGENDA.

1. Approval of the agenda as part of the minutes.
- [2.](#) Approval of the minutes of the June 9, 2020 Regular Meeting of the Marietta City Council.
3. Approval of financial reports.
4. Approval of expenditures from the following accounts/funds, if any: general fund; sanitation fund; cemetery care fund; expense account; grant fund; police asset forfeiture account; payroll account.
5. Approval of payroll and scheduled payments.

ITEMS REMOVED FROM CONSENT AGENDA.

CITY ADMINISTRATOR'S REPORT.

REGULAR BUSINESS.

- [1.](#) The property located at 119 West Main Street, Marietta, OK in the name of Red River Cloud Nine, Inc., and which also may be described as follows: All of Lot One (1), and the West 19 feet of Lot Two (2), Block Twenty-Five (25) and the East 12 feet of Lot Two (2), and the West 6 feet of Lot Three (3), and the East 19 feet of Lot Three (3), Block Twenty- Five (25), City of Marietta, Love County, Oklahoma, according to the recorded plat thereof.
- [2.](#) Budget amendments for fiscal year ended June 30, 2020.
- [3.](#) Declare as surplus certain equipment and provide for disposal of same.
4. Renewal of lease-purchase agreements with BancFirst for the fiscal year ending June 30, 2021; 2019 Freightliner sanitation truck, 2020 Freightliner fire apparatus.
5. Renewal with BlueCross BlueShield of Oklahoma for employee medical and dental coverage for October 1, 2020 through September 30, 2021.
6. Replacement of a reinforced concrete box across State Highway 32 and Main Street and drainage improvements in the railroad right-of-way and along North Front Street and Bill Halstied Street.
- [7.](#) Installation of a backup power generator at the Police Department.
- [8.](#) Purchase vehicle for the Sanitation Department.
- [9.](#) Purchase dump truck for the Operations Department.
10. Executive session to discuss the employment of Danny Hammer as a street equipment operator, and the employment of Cody Blagg as a police officer, and the hours, duties, compensation and benefits of said Danny Hammer and Cody Blagg, pursuant to Title 25 Oklahoma Statutes, Section 307 B (1).

- [11.](#) Appointment of Cody Blagg as a police officer and the hours, duties, compensation and benefits thereof.
- [12.](#) Appointment of Danny Hammer as a street equipment operator and the hours, duties, compensation and benefits thereof.
13. Procedures for future in-person and/or virtual City Council meetings.

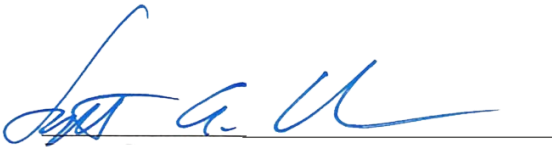
MAYOR'S COMMENTS.

NEW AND UNFORESEEN BUSINESS.

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

ADJOURN.

POSTED: Friday, July 14, 2020, at 5:00 PM, at the Marietta City Hall, located at 101 W. Main Street, Marietta, Oklahoma.



Dottie Gwin, City Clerk
Scott Chaney, Deputy City Clerk

MINUTES OF THE REGULAR MEETING OF THE MARIETTA CITY COUNCIL

Tuesday, June 09, 2020 at 6:00 PM

VIRTUAL MEETING

CALL TO ORDER.

Meeting called to order at 6:03 p.m. by Mayor Fraire.

PRESENT

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

ABSENT

Council Member KorDale Lornes
Council Member Vanessa Wright

DECLARATION OF QUORUM.

The Mayor declared there was a quorum.

PRESENT

Council Member KorDale Lornes (joined meeting at 6:04 p.m.)
Council Member Kermit McKinney
Council Member Doug Stewart
Council Member Lawrence Anderson
Council Member Vanessa Wright
Council Member Angela Vega
Council Member Richard Barker
Council Member Brandy Valenzuela

INVOCATION.

Invocation given by Lawrence Anderson.

CONSENT AGENDA.

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

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

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June 09, 2020

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1. Approval of the agenda as part of the minutes.
2. Approval of the minutes of the May 12, 2020 Regular Meeting of the Marietta City Council.
3. Approval of financial reports.
4. Approval of expenditures from the following accounts/funds, if any: general fund; sanitation fund; cemetery care fund; expense account; grant fund; police asset forfeiture account; payroll account.
5. Approval of payroll and scheduled payments.

ITEMS REMOVED FROM CONSENT AGENDA.

None.

PUBLIC PARTICIPATION.

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

Antonio Valenzuela addressed the Council about joining the Marietta Fire Department. He is a lifetime resident of Marietta. The Fire Department has voted for him to join to join but due to his mother being on the Council he was told he could not be a volunteer.

The Mayor advised we can't vote but asked the Council to consider this and for it to be brought to the next meeting. Attorney Cochran feels like he can't serve.

Mayor Fraire will ask Tommy Hardin to request an AG opinion regarding the volunteer being allowed if his mother abstains from the vote.

CITY ADMINISTRATOR'S REPORT.

Dustin Scott announced the City has been busy getting ready for the end of the year and the beginning of the new year.

REGULAR BUSINESS .

1. Employee retirement system for fiscal year ending June 30, 2021.

Katie Giradi addressed the Council regarding the employee retirement system for fiscal year ending June 30, 2021. The biggest change will be an increase in the employer contribution. Employer contribution will increase but employee contribution will stay the same. This isn't just OMRF, but all plans will be enacting the new system.

2. Amendments to budget for fiscal year ending June 30, 2020.

Motion made by Council Member Valenzuela, to approve Resolution 2020-22 to approve budget amendments, Seconded by Council Member Anderson.

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

- Public hearing regarding budget for fiscal year ending June 30, 2021.

Public Hearing opened at 6:38 p.m.

No one appeared for Public Hearing.

Motion made by Council Member Lornes to close Public Hearing at 6:38 p.m., Seconded by Council Member McKinney.

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

- Budget for fiscal year ending June 30, 2021.

Beth Willis addressed the Council, Mayor Fraire addressed the Council and Dustin Scott spoke on behalf of Fire Department to increase the Fire Department outlay by \$10,000.00.

Motion made by Council Member Barker to adopt Resolution 2020-23, Seconded by Council Member McKinney.

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

- Define the City's contribution of insurance premiums for employees and dependents for fiscal year ending June 30, 2021.

Dustin Scott addressed the Council regarding the premiums for employees. The City currently pays the employees' premiums and 75% of dependents' premiums. The renewal is October 1, 2020 and it is anticipated there will be a 5-6% increase and that is included in the budget.

Motion made by Council Member Lornes to adopt Resolution 2020-24, Seconded by Council Member McKinney.

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

- Engagement with Angel, Johnston & Blasingame, P.C. for auditing services for year ended June 30, 2020.

The audit is an hourly rate not to exceed \$13,000.00.

The Mayor stated staying compliant helps with grants.

Motion made by Council Member Barker to approve engagement letter with Angel, Johnston, & Blasingame, P.C. for auditing services for year ended June 30, 2020, Seconded by Council Member Lornes.

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

- Appointment of Dottie Gwin to Board of Trustees for the Southern Oklahoma Library System.

Motion made by Council Member McKinney to adopt Resolution 2020-25 appointed Dottie Gwin to Board of Trustees for the Southern Oklahoma Library System, Seconded by Council Member Lornes.

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

MAYOR'S COMMENTS.

Mayor will contact Tommy Hardin and hopefully next meeting will be in person.

Kordale Lornes reminded the Council about Praying for the Nation on June 14, 2020.

Doug Stewart asked if the volunteer requests to not receive the pension if that is an option.

Mayor thanked everyone for their time.

NEW AND UNFORESEEN BUSINESS.

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

None.

ADJOURN.

Meeting adjourned at 6:55 p.m.



Dottie Gwin, City Clerk
Scott Chaney, Deputy City Clerk

ORDER OF ABATEMENT
City of Marietta, Oklahoma
Public Nuisance Administrative Hearing

PROPERTY LOCATION: 119 W. MAIN ST.
CASE NUMBER: D17-10-046
HEARING DATE: 11/14/17

A public hearing was held before the City Council of the City of Marietta on this date concerning the existence of a public nuisance on the property described above.

A determination was made that written notice had been properly served upon the property owner as shown by the records of the County Treasurer of Love County, Oklahoma, in accordance with Oklahoma Statutes.

As a result of this hearing, a public nuisance was determined to exist as defined by the Oklahoma Statutes, to-wit:

Dilapidated Building as defined by 11 O.S. § 22-112

THEREFORE, it is ordered by the City Council of the City of Marietta, that the owner of the property take immediate action to repair the dilapidated building(s) and obtain a certificate of occupancy, as required by Section 8-3 of Appendix A to the City of Marietta Code of Ordinances, by February 17, 2018

If the owner of the property fails to take action to repair the dilapidated building(s), authorized officers of the City of Marietta, Oklahoma, or designated agents thereof, shall take action to abate the public nuisance existing upon the property by any procedure necessary. Said abatement shall commence on or after February 17, 2018


A bill for all costs and expenses associated with the abatement of this public nuisance shall be prepared by the City Clerk, certified by the Mayor or his designee, and forwarded to the property owner shown above. Should said bill not be paid in full within six (6) months, said costs and expenses shall be certified to the County Treasurer of Love County, Oklahoma, and shall be placed on the tax rolls for said property, and thereby become a lien against the property.

An appeal of this Order may be made to Love County District Court, 405 W. Main Street, Marietta, Oklahoma, 73448, within thirty (30) business days from the date of this Order.

CITY OF MARIETTA


BY: Kimberly Fraire, Mayor

ATTEST:


Dottie Gwin, City Clerk



and Lisa. They are interested in historical buildings downtown, downtown growth and putting buildings back in original state.

She advised there are people who would like to volunteer to work on Main Street development. They would like to see rules and regulations adopted to aid new property owners in rehabbing building. She would like to form a committee of property owners to adopt Main Street rules.

CITY ADMINISTRATOR'S REPORT.

City Administrator Dustin Scott gave updates to the City Council on the sell of the surplus property, change of management system for sanitation and the transfer site, drainage project being out for bid and the gates and fences at the cemeteries.

NEW BUSINESS.

1. Application for placement of manufactured home at 201 Dexter Street.

Resolution 2020-05

Motion made by Council Member Lornes, Seconded by Mayor Fraire.

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

Motion made by Council Member Lornes, Seconded by Mayor Fraire.

Voting Yea: Mayor Fraire, Council Member Lornes, Council Member Stewart, Council Member Anderson, Council Member Wright, Council Member Vega, Council Member Barker

2. Application of Allen Jacobs for temporary housing at 103 N. Highway 77.

Mayor Fraire spoke briefly on the temporary housing at 103 N. Hwy 77

Resolution 2020-06

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

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

3. Finding of dilapidated conditions of buildings, secondary and accessory structures as detailed in Exhibit A.

D 20-01 307 E. Broadway given until June 30th, 2020 to fix or abate property or the city will begin abatement process.

Motion made by Council Member Lornes, Seconded by Council Member Wright.

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

D 20-02 501 E. Broadway given until June 30th, 2020 to fix or abate property or the city will begin abatement process.

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Motion made by Council Member Barker, Seconded by Council Member Stewart.
Voting Yea: Council Member Lornes, Council Member Stewart, Council Member Anderson,
Council Member Valenzuela, Council Member Wright, Council Member Vega, Council
Member Barker

D 20-03 109 N. Elmwood given until June 30th, 2020 to fix or abate property or the city will
begin abatement process.

Motion made by Council Member Lornes, Seconded by Council Member Stewart.
Voting Yea: Council Member Lornes, Council Member Stewart, Council Member Anderson,
Council Member Kiser, Council Member Wright, Council Member Vega, Council Member
Barkerd

D 20-04 606 Higgins given until June 30th, 2020 to fix or abate property or the city will begin
abatement process.

Motion made by Council Member Lornes, Seconded by Council Member Wright.
Voting Yea: Council Member Lornes, Council Member Stewart, Council Member Anderson,
Council Member Valenzuela, Council Member Wright, Council Member Vega, Council
Member Barker

D 20-05 605 E. Cherokee given until June 30th, 2020 to fix or abate property or the city will
begin abatement process.

Motion made by Council Member Lornes, Seconded by Council Member Anderson.
Voting Yea: Council Member Lornes, Council Member Stewart, Council Member Anderson,
Council Member Valenzuela, Council Member Wright, Council Member Vega, Council
Member Barker

D 20-06 119 W. Main given until June 30th, 2020 to have all external support structures
removed and external walls be sufficient enough to support structure with no external support
devices, and the brick veneer shall be such that it will not tear away from the building. Mr.
Pollard is to present a report that shows the external structure is sound.

Motion made by Council Member Lornes, Seconded by Council Member Wright.
Voting Yea: Council Member Lornes, Council Member Stewart, Council Member Valenzuela,
Council Member Wright, Council Member Vega, Council Member Barker
Voting Nay: Council Member Anderson

4. Renaming a street in honor of Martin Luther King, Jr.

Denise Halstied from the MLK committee addressed the council. She advised that the
committee was exploring more streets that could be renamed. When a street was decided on
she was advised to get signatures of property owners and return to the next council meeting.

5. Approval of Fire Department Bylaws and Standard Operating Procedures.

Amanda Bazor presented Fire Department Bylaws and SOP

Motion made by Council Member Barker, Seconded by Council Member Lornes.
Voting Yea: Council Member Lornes, Council Member Stewart, Council Member Anderson,

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

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

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

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

4. Purchase signs for Lakeview Cemetery and Prairieview Cemetery.

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

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

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

5. Review of the condition of, and any improvements to, property located at 119 West Main Street, Marietta, OK in the name of Red River Cloud Nine, Inc., and which also may be described as follows: All of Lot One (1), and the West 19 feet of Lot Two (2), Block Twenty-Five (25) and the East 12 feet of Lot Two (2), and the West 6 feet of Lot Three (3), and the East 19 feet of Lot Three (3), Block Twenty-Five (25), City of Marietta, Love County, Oklahoma, according to the recorded plat thereof.

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

No action taken.

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

No action taken.

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

10. Any other necessary discussion or any action on the litigation in case number CV-19-23 described in Agenda Item No. 9 above.

No action.

11. Ordinance to extend the sales tax (excise tax) of 3%, or other percentage as determined by the Council.

Richard Barker moved to adopt Ordinance No. 2019-8 to continue the total sales and use tax of 3 percent.

Seconded by Angela Vega.

Ayes: Tom Kiser, Angela Vega, Doug Stewart, Lawrence Anderson, Vanessa Manuel-Wright, Richard Barker and Kermit McKinney.

Nays: None.

Motion passes.

12. Resolution calling for an election and Notice of Election to submit to the voters the approval or disapproval of the Ordinance, described above, extending the sales tax increase, and any other action or documentation necessary to effect said election.

Lawrence Anderson moved to table Item No. 12.

Seconded by Doug Stewart.

Ayes: Tom Kiser, Angela Vega, Doug Stewart, Lawrence Anderson, Vanessa Manuel-Wright, Richard Barker and Kermit McKinney.

Nays: None.

Motion passes.

13. The property located at 119 West Main Street, Marietta, OK in the name of Red River Cloud Nine, Inc., and which also may be described as follows: All of Lot One (1), and the West 19 feet of Lot Two (2), Block Twenty-Five (25) and the East 12 feet of Lot Two (2), and the West 6 feet of Lot Three (3), and the East 19 feet of Lot Three (3), Block Twenty-Five (25), City of Marietta, Love County, Oklahoma, according to the recorded plat thereof.

Luke Pollard addressed the Council and stated he didn't know there was a time line to fix. He stated the building is secure. The building has two 50,000 pound jacks holding it up. He is going to attach a new structure. Talked about other buildings that were not on the Agenda. Mayor stated she wants to see progress and will set up a review for 3 months in December. Lawrence Anderson asked if he could stop work on the building across the street and work on the Cloud Nine building.

Richard Barker moved to revisit this issue at the December meeting.

Seconded by Lawrence Anderson.

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The City Administrator stated the City hasn't received the permit from BNSF to implement drainage project.

Discussion. No action.

17. Contract(s) for resurfacing of Randolph Street and 100 Block of North 5th Avenue.

The bids for the resurfacing Randolph Street and 100 Block of North 5th Avenue were presented.
The bids were by Overland Corporation and by Marietta Paving.

Tom Kiser moved to adopt Resolution 2019-8, accepting the bid of Marietta Paving, for the resurfacing of Randolph Street.

Seconded by Vanessa Manuel-Wright.

Ayes: Tom Kiser, Angela Vega, Rae Freeman, Lawrence Anderson, Vanessa Manuel-Wright, KorDale Lornes, Richard Barker, Kermit McKinney.

Nays: None.

Motion Passes.

Lawrence Anderson moved to adopt Resolution 2019-9, accepting the bid of Marietta Paving, for the resurfacing of 100 Block of North 5th Avenue.

Seconded by Tom Kiser.

Ayes: Tom Kiser, Angela Vega, Rae Freeman, Lawrence Anderson, Vanessa Manuel-Wright, KorDale Lornes, Richard Barker, Kermit McKinney.

Nays: None.

Motion Passes.

18. The condition of the following property and whether dilapidated: Red River Cloud Nine, Inc. building located at 119 West Main Street, Marietta, OK, further identified by parcel 1040-00-025-001-0-000-00, and also further described as follows: All of Lot One (1), and the West 19 feet of Lot Two (2), Block Twenty-Five (25) and the East 12 feet of Lot Two (2), and the West 6 feet of Lot Three (3), and the East 19 feet of Lot Three (3), Block Twenty-Five (25), City of Marietta, Love County.

City Administrator Scott says Luke Pollard has a plan to stabilize the roof and to repair the exterior wall. The City Administrator further stated that the civil engineer, Steve Fox, is willing to reassess the building, even if that reassessment constitutes a different finding than before. The City Administrator said that this matter can be brought back next meeting.

Richard Barker moved table Item 18.

Seconded by KorDale Lornes.

Ayes: Tom Kiser, Angela Vega, Rae Freeman, Lawrence Anderson, Vanessa Manuel-Wright, KorDale Lornes, Richard Barker, Kermit McKinney.

Nays: None.

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February 12, 2019

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None.

7. Update on the splash pad construction at Memorial Park.

Mayor Fraire stated the splash pad has to be done by April 29 and she will be planning an opening day.

8. The condition of the following property and whether dilapidated: Red River Cloud Nine, Inc. building located at 119 West Main Street, Marietta, OK, further identified by parcel 1040-00-025-001-0-000-00, and also further described as follows:
All of Lot One (1), and the West 19 feet of Lot Two (2), Block Twenty-Five (25) and the East 12 feet of Lot Two (2), and the West 6 feet of Lot Three (3), and the East 19 feet of Lot Three (3), Block Twenty-Five (25), City of Marietta, Love County.

It was stated the new owner reinforced the building with a cable system. He says he is still going to fix it. The City asked Steve Fox to reevaluate the site but the City hasn't received a report yet due to holidays.

After discussion, Richard Barker moved to table item 8 until the next meeting.

Seconded by Lawrence Anderson.

Ayes: Tom Kiser, Angela Vega, Rae Freeman, Lawrence Anderson, KorDale Lornes, Richard Barker, Kermit McKinney.

Nays: None

Motion Passes.

9. Annexation of new County Detention Center and Sheriff's Department land and other land to the south of said County Detention Center and Sheriff's Department.

Ken Delashaw addressed the Council and stated the jail should be ready for completion by May and the Planning and Zoning Commission had agreed to the annexation. He asked Attorney Cochran to prepare an annexation ordinance.

Richard Barker moved to poll the residents, including those on each side of the railroad tracks to see who is in agreement with the annexation and prepare a fact sheet with that information.

Seconded by KorDale Lornes.

Ayes: Tom Kiser, Angela Vega, Rae Freeman, Lawrence Anderson, KorDale Lornes, Richard Barker, Kermit McKinney.

Nays: None

Motion Passes.

10. Purchase of a brush truck for the Fire Department.

After discussion, Richard Barker moved to replace the 1984 Model, 2 wheel drive brush truck with the purchase price not to exceed \$94,000.00. Further, the Fire Chief is to negotiate with the Bank

Agenda – Regular Meeting

January 8, 2019

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ORDER OF ABATEMENT

Public Nuisance Administrative Hearing

**City of Marietta, Oklahoma
Marietta Police Department – Code Enforcement Division**

**101 West Main
Marietta, Oklahoma 73448
PHONE: (580) 276-9371 / FAX: (580) 276-5804**

PROPERTY: 119 W MAIN
ALL OF LOT 1, AND THE WEST 19 FEET OF LOT 2,
BLOCK 25, AND THE EAST 12 FEET OF LOT 2, AND THE
WEST 6 FEET OF LOT 3, AND THE EAST 19 FEET OF
LOT 3, BLOCK 25, CITY OF MARIETTA, LOVE COUNTY,
OKLAHOMA

OWNER: RED RIVER CLOUDE NINE, INC
1405 W BROADWAY
Marietta, OK 73448

OTHER PARTIES: None

CASE NO. D20-06

HEARING DATE: February 11, 2020

A public hearing was held before the City Council of the City of Marietta on this date concerning the existence of a public nuisance on the property described above.

A determination was made that written notice had been properly served upon the property owner as shown by the records of the County Treasurer of Love County, Oklahoma, in accordance with Oklahoma Statutes.

As a result of this hearing, a public nuisance was determined to exist as defined by the Oklahoma Statutes, to-wit:

11 O.S. § 22-112: Dilapidated Building

THEREFORE, it is ordered by the City Council of the City of Marietta, that the external support structures shall be removed and that the walls of the building be able to stand on their own without external devices.

It is further ordered that the outside brick veneer shall be installed in such a manner that it will not tear away from the building.

At the cost of the owner, a report from a certified structural engineer shall be provided, which report shows that the external structures are structurally sound.

It is further ordered that authorized officers of the City of Marietta, Oklahoma, or designated agents thereof, shall take action to abate the public nuisance existing upon the property by any procedure necessary. Said abatement shall commence on or after

JUNE 30, 2020.

A bill for all costs and expenses associated with the abatement of this public nuisance shall be prepared by the City Clerk, certified by the Mayor or his designee, and forwarded to the property owner shown above. Should said bill not be paid in full within six (6) months, said costs and expenses shall be certified to the County Treasurer of Love County, Oklahoma, and shall be placed on the tax rolls for said property, and thereby become a lien against the property.

An appeal of this Order may be made to Love County District Court, 405 W. Main Street, Marietta, Oklahoma, 73448, within thirty (30) business days from the date of this Order.

CITY OF MARIETTA



BY: Kimberly Fraire, Mayor

ATTEST:



Dottie Gwin, City Clerk



RESOLUTION _____

**ADOPTING BUDGET AMENDMENTS AND APPROVING TRANSFER OF FUNDS
BETWEEN DEPARTMENTS FOR FISCAL YEAR ENDED JUNE 30, 2020**

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

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

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

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

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

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

PASSED BY THE CITY COUNCIL and **SIGNED** by the Mayor of the City of Marietta this 16th day of July 2020.

CITY OF MARIETTA

KIMBERLY FRAIRE, MAYOR

ATTEST

DOTTIE GWIN, CITY CLERK

RESOLUTION _____

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

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

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

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

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

Ten (10) Glock, Inc. Model G31 firearms, displaying the following serial numbers: ECA273, ENE806, ECA274, EGN815, ECA269, ENE804, EGN812, ECA268, ENE807, ECA270; Thirty-seven (37) Glock 15 round magazines.

Bidder must be an individual or company licensed by the United States to engage in a business pertaining to the manufacture or importation of firearms and ammunition, or the interstate and intrastate sale of firearms through the issuance of a Federal Firearms License.

SECTION 2. The City Administrator is authorized to cause the above described property to be awarded to the best bidder. In the event no appropriate bid is received, the City Administrator may cause the surplus property to be destroyed and disposed as solid waste.

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

PASSED BY THE CITY COUNCIL and **SIGNED** by the Mayor of the City of Marietta this 16th day of July 2020.

CITY OF MARIETTA

KIMBERLY FRAIRE, MAYOR

ATTEST

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; and

WHEREAS, in accordance with Section 2-172 of the Code of Ordinances, the following competitive bids for the purchase were submitted:

INSTALL GENERATOR	LYNN ROYER, INC.	\$13,020-
INSTALL GENERATOR	SWINK HEAT, AIR & ELEC.	\$9,800-
INSTALL GENERATOR	TEXOMA POWER, LLC	\$8,800-

; and

WHEREAS, staff recommend the purchase of equipment as submitted by _____, based upon the following justification: _____; and

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

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

- The purchase of INSTALLATION OF GENERATOR as submitted by _____ 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: POLICE CAPITAL OUTLAY / 01-75-800.

PASSED by the City Council and SIGNED by the Mayor this 16TH day of JULY, 2020.

CITY OF MARIETTA

ATTEST

KIMBERLY FRAIRE, 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; and

WHEREAS, in accordance with Section 2-172 of the Code of Ordinances, the following competitive bids for the purchase were submitted:

2019 CHEV 1500 (DRO710A)	CARTER CHEVROLET	\$27,725.00
2020 CHEV 1500 (DRO710B)	CARTER CHEVROLET	\$28,221.00
2021 CHEV 1500 (000Q4690)	VANCE CHEVROLET	\$29,574.75

; and

WHEREAS, staff recommend the purchase of equipment as submitted by CARTER CHEV. (DRO710A) based upon the following justification: LOWEST BID;
VEHICLE IN-STOCK; and

WHEREAS, funding is available to provide for this expenditure within the budget of the current fiscal year, under the following department/account: 02-10-800.

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

- The purchase of 2019 CHEVROLET CREW CAB 4x4 (QUOTE DRO710A) as submitted by CARTER CHEVROLET 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: SANITATION-C/O 02-10-800.

PASSED by the City Council and SIGNED by the Mayor this 16TH day of JULY, 2020.

CITY OF MARIETTA

ATTEST

KIMBERLY FRAIRE, 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; and

WHEREAS, in accordance with Section 2-172 of the Code of Ordinances, the following competitive bids for the purchase were submitted:

<u>PREMIER TRUCK GROUP</u>	<u>2021 FREIGHTLINER/14 CU YD DUMP BODY</u>	<u>\$120,102.⁰⁰</u>
<u>BUCKNERS</u>	<u>2020 MACK/14 CU YD DUMP BODY</u>	<u>\$126,881.⁰⁰</u>
<u>RUSH TRUCK CENTER</u>	<u>2020 PETERBILT/14 CU YD DUMP BODY</u>	<u>\$124,497.⁰⁰</u> and

WHEREAS, staff recommend the purchase of equipment as submitted by PREMIER TRUCK GROUP, based upon the following justification: LOWEST BID, CURRENTLY OWN SAME MODEL, CLOSE LOCATION FOR SERVICE; and

WHEREAS, funding is available to provide for this expenditure within the budget of the current fiscal year, under the following department/account: 01-15-800; 01-80-800; 02-15-800

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

- The purchase of 2021 FREIGHTLINER WITH 14 CU YD DUMP BODY as submitted by PREMIER TRUCK GROUP - ARDMORE 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: CEMETERY/PARK, STREET, TRANSFER SITE CAPITOL OUTLAY

PASSED by the City Council and **SIGNED** by the Mayor this 16TH day of JULY, 2020.

CITY OF MARIETTA

ATTEST

KIMBERLY FRAIRE, MAYOR

DOTTIE GWIN, CITY CLERK

RESOLUTION _____

APPOINTMENT OF EMPLOYEE FOR THE CITY OF MARIETTA

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

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

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

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

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

1. CODY BLAGG is hereby appointed as an employee of the City of Marietta to the position of POLICE OFFICER 1 of the POLICE Department, under the supervision of ASSISTANT CHIEF, to be effective 7/15/20.
2. Said position shall be classified as a full-time part-time volunteer employee as defined by Section 207 of the City of Marietta Employee Handbook of Personnel Policies and is eligible for all benefits prescribed by this classification.
3. Compensation for said employee shall be based on rate L2 of the Grade and Step Structure adopted by City Council on November 12, 2019.
4. Employment is subject to a probationary period as outline in Section 207.A of the City of Marietta Employee Handbook of Personnel Policies.

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

CITY OF MARIETTA

ATTEST

KIMBERLY FRAIRE, MAYOR

DOTTIE GWIN, CITY CLERK

RESOLUTION _____

APPOINTMENT OF EMPLOYEE FOR THE CITY OF MARIETTA

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

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

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

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

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

1. DANNY HAMMER is hereby appointed as an employee of the City of Marietta to the position of STREET EQUIP. OPERATOR of the STREET Department, under the supervision of STREET SUPERVISOR, to be effective 7/19/20.
2. Said position shall be classified as a full-time part-time volunteer employee as defined by Section 207 of the City of Marietta Employee Handbook of Personnel Policies and is eligible for all benefits prescribed by this classification.
3. Compensation for said employee shall be based on rate J1 of the Grade and Step Structure adopted by City Council on November 12, 2019.
4. Employment is subject to a probationary period as outline in Section 207.A of the City of Marietta Employee Handbook of Personnel Policies.

PASSED by the City Council and SIGNED by the Mayor this 16TH day of JULY, 2020.

CITY OF MARIETTA

ATTEST

KIMBERLY FRAIRE, MAYOR

DOTTIE GWIN, CITY CLERK