

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

Tuesday, May 11, 2021 at 6:00 PM

Marietta Public Works Authority Building, 303 W. Main St., Marietta, Oklahoma

BUSINESS TO BE CONDUCTED (which will include discussion, consideration, action for approval or disapproval, voting to take any appropriate action, and the amendment, revision or 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 April 13, 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.

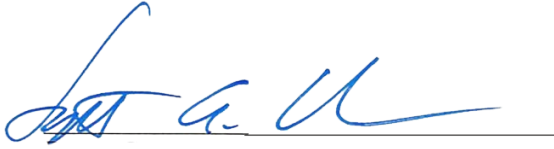
- [1.](#) Purchase or lease of property owned by the City of Marietta, located at 600 E. Main Street (otherwise known as Lot 1, Block 79, less the East 70 feet of said Lot 1, and the North 20 feet of Lot 2, Block 79, less the East 70 feet thereof, of the City of Marietta, Love County, Oklahoma) by the Marietta Public Works Authority.
- [2.](#) Appointment of Antonio Valenzuela to Fire Department and purchase of any necessary protective equipment.
- [3.](#) Budget for fiscal year ending June 30, 2022.
- [4.](#) Easement and perimeter fencing at Prairieview Cemetery.
- [5.](#) Waste Disposal Service Agreement with Southern Oklahoma Regional Disposal, Inc.
6. Job description for School Resource Officer.
- [7.](#) Application to 2022 Rural Economic Action Plan.

MAYOR'S COMMENTS.

NEW AND UNFORESEEN BUSINESS.

ADJOURN.

POSTED: Monday, May 10, 2021, at 5:00 PM, at the Marietta City Hall, located at 101 W. Main Street, Marietta, Oklahoma, and online at www.mariettaok.city.

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

Dottie Gwin, City Clerk
Scott Chaney, Deputy City Clerk

MINUTES OF THE REGULAR MEETING OF THE MARIETTA CITY COUNCIL

Tuesday, April 13, 2021 at 6:00 PM

Marietta Public Works Authority, 303 W. Main Street, Marietta, Oklahoma

CALL TO ORDER.

Meeting called to order at 6:09 p.m. by Mayor Fraire.

DECLARATION OF QUORUM.

PRESENT

- Council Member KorDale Lornes
- Council Member Doug Stewart
- Council Member Lawrence Anderson
- Council Member Angela Vega
- Council Member Richard Barker
- Council Member Brandy Valenzuela
- Council Member Tambre Sanders

ABSENT

Council Member Kermit McKinney

INVOCATION.

Invocation was given by Lawrence Anderson.

CONSENT AGENDA.

1. Approval of the agenda as part of the minutes.
2. Approval of the minutes of the March 9, 2021 Regular Meeting and the April 5, 2021 Special 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.

Administrator Scott gave an update on the cemetery. Power project has been completed at Shellenberger Park. Sanitation Department back at full capacity. Items on 6, 7 and 8 were reworded.

REGULAR BUSINESS.

1. Update on Marietta Public Works Authority operations and review of Financial Statements for the fiscal year ended June 30, 2020.

Beth Willis discussed the audit for the Public Works Authority and explained the findings

2. Purchase or lease of property owned by the City of Marietta, located at 600 E. Main Street (otherwise known as Lot 1, Block 79, less the East 70 feet of said Lot 1, and the North 20 feet of Lot 2, Block 79, less the East 70 feet thereof, of the City of Marietta, Love County, Oklahoma) by the Marietta Public Works Authority.

Purchase or lease of property owned by the City of Marietta, located at 600 E. Main Street (otherwise known as Lot 1, Block 79, less the East 70 feet of said Lot 1, and the North 20 feet of Lot 2, Block 79, less the East 70 feet thereof, of the City of Marietta, Love County, Oklahoma) by the Marietta Public Works Authority.

The MPWA is looking for property for new well and Mr. Shurbet thinks this would be a good place to put one.

No Action

3. Public hearing regarding conditions of buildings, and secondary or accessory structures as detailed in Exhibit A.

Motion made by Council Member Lornes, Seconded by Council Member Stewart to go into Public Hearing at 6:23 p.m.

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

Administrator Scott discussed the structures and stated there is still a need to abate same. Since a significant amount of time has passed on the first 5 properties, notice was given again. The sixth property was destroyed by fire and still standing. Each property was addressed.

307 E. Broadway and 501 E. Broadway - Property owners present.

109 N. Elmwood - Property owners present.

606 Higgins - Someone present that wants to purchase property and repair the home and are willing to secure the home.

605 E. Cherokee - Property owner present and is asking to have three months to sell property or tear it down.

500 Bill Halstied Street - Property owner wants to pay City contractor to tear down house and use a recreation site.

Motion made by Council Member Lornes to return to regular meeting at 6:47 p.m., Seconded by Council Member Sanders.

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

4. Finding and order of abatement of dilapidated conditions of buildings, and secondary or accessory structures as detailed in Exhibit A.

307 E. Broadway:

Motion made by Council Member Barker to approve Abatement Order D 20-01 as presented, Seconded by Council Member Stewart.

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

501 E. Broadway:

Motion made by Council Member Anderson to approve Abatement Order D 20-02 as presented, Seconded by Council Member Sanders.

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

109 N. Elmwood:

Motion made by Council Member Lornes to approve Abatement Order D 20-03 as presented, Seconded by Council Member Stewart.

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

606 Higgins:

Motion made by Council Member Valenzuela to approve Abatement Order D 20-04 as presented, Seconded by Council Member Lornes.

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

605 E. Cherokee:

Motion made by Council Member Barker to approve Abatement Order D 20-05 as presented, Seconded by Council Member Anderson.

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

500 Bill Halstied Street:

Motion made by Council Member Lornes to approve Abatement Order D 20-01 as presented, Seconded by Council Member Anderson.

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

5. Executive session to discuss the employment of ALL EMPLOYEES of the City of Marietta, pursuant to Title 25, Oklahoma Statutes, Sections 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.)

Executive session to discuss the employment of ALL EMPLOYEES of the City of Marietta, pursuant to Title 25, Oklahoma Statutes, Sections 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.)

Motion made by Council Member Lornes, Seconded by Council Member Vega to go into executive session at 7:02 p.m.

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

Returned to Open Session at 7:35 p.m.

6. Modification of job descriptions, wage adjustments of any or all employees, and/or employment incentives.

Motion made by Council Member Valenzuela, Seconded by Council Member Anderson to adopt Resolution 2021-13 as presented.

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

7. Replacement of perimeter fencing at Prairieview Cemetery.

Issues have arisen with easements and we cannot vote to accept bids tonight.

8. Updated Law Enforcement Commission Agreement with the Chickasaw Nation.

Motion made by Council Member Valenzuela, Seconded by Council Member Barker to approve the Agreement with the Chickasaw Nation Law Enforcement Commission.

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

MAYOR'S COMMENTS.

She is looking for grants to help the City.

NEW AND UNFORESEEN BUSINESS.

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None

ADJOURN.

Meeting adjourned at 7:39 p.m.

A handwritten signature in blue ink, appearing to be "D. Gwin", written over a horizontal line.

Dottie Gwin, City Clerk
Scott Chaney, Deputy City Clerk

Daily Bank Balance

04/01/21 - 04/30/21

5/7/2021

8:17:48AM

8

<u>Account</u>	<u>Account Name</u>	<u>Begin Balance</u>	<u>Additions</u>	<u>Deductions</u>	<u>End Balance</u>
CEMETERY CARE					
03-00-100	Cemetery Care Bank Account	\$29,413.87	\$900.25	\$0.00	\$30,314.12
CEMETERY CARE		\$29,413.87	\$900.25	\$0.00	\$30,314.12
EXPENSE FUND					
04-00-100	Expense Fund Bank Account	\$9,888.74	\$769.61	\$769.61	\$9,888.74
EXPENSE FUND		\$9,888.74	\$769.61	\$769.61	\$9,888.74
GENERAL FUND					
01-00-100	General Fund Bank Account	\$990,362.34	\$183,047.02	\$162,957.54	\$1,010,451.82
01-00-104	CD-First National Bank-1665	\$76,956.39	\$0.00	\$0.00	\$76,956.39
01-00-105	CD-First National Bank-1666	\$51,294.29	\$0.00	\$0.00	\$51,294.29
01-00-107	CD-First National Bank - Cem	\$123,816.14	\$0.00	\$0.00	\$123,816.14
03-00-107	CD-First National Bank-1664	\$0.00	\$0.00	\$0.00	\$0.00
03-00-108	CD-LandmarkBank	\$0.00	\$0.00	\$0.00	\$0.00
GENERAL FUND		\$1,242,429.16	\$183,047.02	\$162,957.54	\$1,262,518.64
GRANT FUND					
05-00-100	Grant Fund Bank Account	\$11,842.47	\$500.00	\$548.69	\$11,793.78
GRANT FUND		\$11,842.47	\$500.00	\$548.69	\$11,793.78
POLICE ASSET FORFEITURE					
06-00-100	Police Asset Forfeiture Bank Account	\$35.97	\$0.00	\$0.00	\$35.97
POLICE ASSET FORFEITURE		\$35.97	\$0.00	\$0.00	\$35.97
SANITATION FUND					
02-00-100	Sanitation Bank Account	\$176,047.35	\$34,252.88	\$112,644.78	\$97,655.45
SANITATION FUND		\$176,047.35	\$34,252.88	\$112,644.78	\$97,655.45
		\$1,469,657.56	\$219,469.76	\$276,920.62	\$1,412,206.70

600 E. Main Street

Property owned by the City of Marietta

000 TREVINO

002 CITY OF MARIETTA

001 CITY OF MARIETTA

003 SHAFER

Google Earth

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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. ANTONIO VALENZUELA is hereby appointed as an employee of the City of Marietta to the position of VOLUNTEER FIREFIGHTER of the FIRE Department, under the supervision of FIRE CHIEF, to be effective 5/11/21.
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 N/A of the Grade and Step Structure adopted by City Council on November 12, 2019.
4. Employment is subject to a probationary period as outline in Section 207.A of the City of Marietta Employee Handbook of Personnel Policies.

PASSED by the City Council and SIGNED by the Mayor this 11 day of MAY, 2021.

CITY OF MARIETTA

ATTEST

KIMBERLY FRAIRE, MAYOR

DOTTIE GWIN, CITY CLERK

	General Fund	Sanitation Transfer Site	Cemetery Care Fund	Grant Fund	Volunteer Fire Fund
Revenues					
Taxes	\$ 1,547,000	\$ -	\$ -	\$ -	\$ -
Charges for Services	26,000	453,000	5,000.00	-	-
License and Permits	34,000	-	-	-	-
Miscellaneous Revenue	220,000	-	-	-	10,000
Fines and Forfeitures	139,000	-	-	-	-
Interest Income	-	-	-	-	-
Grant Revenue	-	-	-	15,000	-
Transfers	-	-	-	-	-
Total Revenues	1,966,000	453,000	5,000	15,000	10,000
Budgeted Cash Carryover	920,950	18,000	-	-	-
Total Available to Budget	\$ 2,886,950	\$ 471,000	\$ 5,000	\$ 15,000	\$ 10,000
Expenditures					
Animal Control	\$ 41,750	\$ -	\$ -	\$ -	\$ -
Cemetery / Park	298,000	-	5,000	-	-
City Administration	318,000	-	-	-	-
Council	5,500	-	-	-	-
Legal	33,000	-	-	-	-
Clerk	17,300	-	-	-	-
Treasurer	51,600	-	-	-	-
Code Enforcement	62,500	-	-	-	-
Emergency Management	4,000	-	-	-	-
Fire	126,500	-	-	5,000	10,000
Library	9,000	-	-	-	-
Municipal Court	31,000	-	-	-	-
Operations (formerly Shop)	89,000	-	-	-	-
Police	648,000	-	-	10,000	-
Street	943,000	-	-	-	-
General Government	205,000	-	-	-	-
Mayor	3,800	-	-	-	-
Transfers	-	-	-	-	-
Sanitation	-	360,000	-	-	-
Transfer Site	-	111,000	-	-	-
Total Expenditures	\$ 2,886,950	\$ 471,000	\$ 5,000	\$ 15,000	\$ 10,000

2021-2022 Budget Worksheet
General Fund

		Original			Estimated		
		2020-2021	Amended 2020-	Actual Jul 20 -	revenue		
		Budget	2021 Budget	Apr 21	Through June	2020	Proposed 2021-
							2022 Budget
Taxes							
01-00-400	Sales Tax	\$ 971,100	\$ 971,100	\$ 941,641	\$ 1,129,969		\$ 1,130,000
01-00-401	Use Tax	106,200	106,200	144,879	173,855		174,000
01-00-402	Alcohol Beverage Tax	88,000	88,000	80,946	97,135		97,000
01-00-403	Gasoline Excise Tax	4,000	4,000	3,456	4,147		4,000
01-00-404	Motor Vehicle Tax	23,000	23,000	19,436	23,323		23,000
01-00-405	Tobacco Tax	10,000	10,000	8,762	10,514		11,000
01-00-410	Franchise Tax	106,000	106,000	89,087	106,904		107,000
01-00-415	Housing Authority	2,000	2,000	1,164	1,397		1,000
	Total Taxes	<u>1,310,300</u>	<u>1,310,300</u>	<u>1,289,371</u>	<u>1,547,244</u>		<u>1,547,000</u>
Charges for Services							
01-00-420	Lot Mowing & Clearing	4,000	4,000	766	919		1,000
01-00-421	Cemetery Lots & Open/Close	13,000	13,000	21,000	25,200		25,000
	Total Charges for Services	<u>17,000</u>	<u>17,000</u>	<u>21,766</u>	<u>26,119</u>		<u>26,000</u>
License and Permits							
01-00-425	License & Occupational Tax	20,000	20,000	24,275	29,130		29,000
01-00-426	Zoning and Building Fee	2,000	2,000	4,231	5,077		5,000
	Total License and Permits	<u>22,000</u>	<u>22,000</u>	<u>28,506</u>	<u>34,207</u>		<u>34,000</u>

2021-2022 Budget Worksheet
General Fund

		Original			Estimated		
		2020-2021	Amended 2020-	Actual Jul 20 -	revenue		
		Budget	2021 Budget	Apr 21	Through June	Proposed 2021-	2022 Budget
					2020		
Miscellaneous Revenue							
01-00-430	Animal Control	2,000	2,000	1,565	1,878	2,000	
01-00-431	Miscellaneous	41,000	41,000	100	120	-	
01-00-432	Grants	41,000	41,000	-	-	-	
01-00-433	Oil and Gas Revenue	30,000	30,000	17,297	20,756	21,000	
01-00-434	Donations	1,000	1,000	-	-	-	
01-00-435	Refunds and Reimbursements	221,000	221,000	163,035	195,642	196,000	
01-00-436	Copies and Police Reports	-	-	49	59	-	
01-00-437	Brush and Metal Sales	-	-	515	618	1,000	
01-00-438	Pandemic / Disaster Reimb	-	213,000	213,358	256,030	-	
	Total Miscellaneous Revenue	<u>336,000</u>	<u>549,000</u>	<u>395,919</u>	<u>475,103</u>	<u>220,000</u>	
Fines and Forfeitures							
01-00-440	Fines and Forfeitures	74,000	74,000	77,685	93,222	93,000	
01-00-441	State Assessment Fees	13,000	13,000	15,570	18,684	19,000	
01-00-442	Warrant Charges	2,000	2,000	950	1,140	1,000	
01-00-443	Police Improvement Fee	6,000	6,000	16,863	20,236	20,000	
01-00-444	Police/Court Technology Fee	4,000	4,000	5,145	6,174	6,000	
	Total Fines and Forfeitures	<u>99,000</u>	<u>99,000</u>	<u>116,213</u>	<u>139,456</u>	<u>139,000</u>	
Interest Income							
01-00-450	Interest Income	5,000	5,000	78	94	-	
	Total Interest Income	<u>5,000</u>	<u>5,000</u>	<u>78</u>	<u>94</u>	<u>-</u>	
Transfers							
01-00-500	Transfer In	100,000	100,000	24,457	29,348	-	
	Total Transfers	<u>100,000</u>	<u>100,000</u>	<u>24,457</u>	<u>29,348</u>	<u>-</u>	
	Total Revenue	<u>1,889,300</u>	<u>2,102,300</u>	<u>1,876,310</u>	<u>2,251,571</u>	<u>1,966,000</u>	
	Cash Carryover	<u>389,000</u>	<u>389,000</u>	<u>-</u>	<u>-</u>	<u>920,950</u>	
	Amount Available to Budget	<u>\$ 2,278,300</u>	<u>\$ 2,491,300</u>	<u>\$ 1,876,310</u>	<u>\$ 2,251,571</u>	<u>\$ 2,886,950</u>	

City of Marietta
2021-2022 Budget Worksheet
General Fund

		Original 2020- 2021 Budget	Amended 2020-2021 Budget	Actual Jul 20- Apr 21	Estimated expenses Through June 2021	Proposed 2021-2022 Budget
Animal Control						
<i>Personnel Services</i>						
01-10-600	Salaries	\$ 32,000	\$ 32,000	\$ 16,962	\$ 20,354	\$ 23,000
01-10-605	Payroll Taxes	2,500	2,500	1,483	1,780	2,000
01-10-610	Retirement	2,000	2,000	-	-	-
01-10-615	Health Insurance	12,000	12,000	-	-	-
01-10-620	Other	1,000	1,000	-	-	250
<i>Materials and Supplies</i>						
01-10-700	Fuel	2,500	2,500	3,058	3,670	3,500
01-10-705	Utilities: Telephone	1,000	1,000	672	806	1,000
01-10-710	Supplies	6,000	6,000	2,998	3,598	3,000
01-10-715	Maint & Repair	1,000	1,000	1,746	2,095	2,000
01-10-720	Contract Services	-	-	-	-	1,000
<i>Capital Outlay</i>						
01-10-800	Capital Outlay	-	-	-	-	6,000
	Total Animal Control	60,000	60,000	26,919	32,303	41,750
Cemetery / Park						
<i>Personnel Services</i>						
01-15-600	Salaries	84,000	84,000	53,717	64,460	55,000
01-15-605	Payroll Taxes	7,000	7,000	4,572	5,486	5,000
01-15-610	Retirement	3,000	3,000	2,856	3,427	3,000
01-15-615	Health Insurance	26,500	26,500	16,322	19,586	16,000
01-15-620	Other	2,000	2,000	-	-	2,000
<i>Materials and Supplies</i>						
01-15-700	Fuel	4,000	4,000	3,884	4,661	4,000
01-15-705	Utilities	3,000	3,000	1,622	1,946	3,000
01-15-710	Supplies	7,000	7,000	7,461	8,953	7,000
01-15-715	Maint & Repair	3,000	3,000	2,600	3,120	3,000
<i>Capital Outlay</i>						
01-15-800	Capital Outlay	50,000	50,000	44,668	53,602	50,000
01-15-805	Improvements - Park	-	-	-	-	150,000
	Total Cemetery / Park	189,500	189,500	137,702	165,241	298,000
City Administration						
<i>Personnel Services</i>						
01-20-600	Salaries	108,000	108,000	102,585	123,102	144,000
01-20-605	Payroll Taxes	8,000	8,000	7,923	9,508	12,000
01-20-610	Retirement	6,000	6,000	7,210	8,652	9,000
01-20-615	Health Insurance	20,000	20,000	16,833	20,200	27,000
01-20-620	Other	2,000	2,000	-	-	3,000
<i>Materials and Supplies</i>						
01-20-705	Utilities	1,500	1,500	44	53	1,000
01-20-710	Supplies	16,000	16,000	10,180	12,216	12,000
01-20-715	Maint & Repair	1,000	1,000	2,048	2,458	3,000
01-20-720	Contract Services	4,000	4,000	6,273	7,528	7,000
<i>Capital Outlay</i>						
01-20-800	Capital Outlay	-	-	-	-	100,000
	Total City Administration	166,500	166,500	153,096	183,717	318,000

City of Marietta
2021-2022 Budget Worksheet
General Fund

		Original 2020- 2021 Budget	Amended 2020-2021 Budget	Actual Jul 20- Apr 21	Estimated expenses Through June 2021	Proposed 2021-2022 Budget
Council						
<i>Personnel Services</i>						
01-25-600	Salaries	5,000	5,000	3,750	4,500	5,000
01-25-605	Payroll Taxes	500	500	287	344	500
	Total Council	5,500	5,500	4,037	4,844	5,500
Legal						
<i>Materials and Supplies</i>						
01-30-720	Contract Services	15,000	15,000	16,452	19,742	16,000
01-30-615	Health Insurance	17,000	17,000	13,277	-	17,000
	Total Legal	32,000	32,000	29,729	19,742	33,000
Clerk						
<i>Personnel Services</i>						
01-35-600	Salaries	3,500	3,500	2,750	3,300	3,500
01-35-605	Payroll Taxes	300	300	210	252	300
01-35-615	Health Insurance	9,000	9,000	5,752	6,902	9,000
<i>Materials and Supplies</i>						
01-35-710	Supplies	4,500	4,500	2,128	2,554	4,500
	Total Clerk	17,300	17,300	10,840	13,008	17,300
Treasurer						
<i>Personnel Services</i>						
01-40-600	Salaries	25,000	25,000	2,750	3,300	3,300
01-40-605	Payroll Taxes	2,000	2,000	210	252	300
01-40-620	Other	1,000	1,000	865	1,038	-
<i>Materials and Supplies</i>						
01-40-710	Supplies	2,000	50,000	7,998	9,598	8,000
01-40-720	Contract Services	44,000	44,000	56,380	67,656	40,000
	Total Treasurer	74,000	122,000	68,203	81,844	51,600
Code Enforcement						
<i>Personnel Services</i>						
01-45-600	Salaries	32,000	32,000	16,280	19,536	23,000
01-45-605	Payroll Taxes	3,000	3,000	1,368	1,642	2,000
01-45-610	Retirement	2,500	2,500	1,275	1,530	-
01-45-615	Health Insurance	18,000	18,000	6,847	8,216	-
01-45-620	Other	1,000	1,000	-	-	500
<i>Materials and Supplies</i>						
01-45-700	Fuel	2,000	2,000	2,771	3,325	3,000
01-45-710	Supplies	2,000	2,000	2,242	2,690	3,000
01-45-720	Contract Services	3,000	3,000	2,945	3,534	6,000
<i>Capital Outlay</i>						
01-45-800	Capital Outlay	-	-	-	-	-
01-45-810	Abatements	5,000	5,000	1,620	1,944	25,000
	Total Code Enforcement	68,500	68,500	35,348	42,417	62,500

City of Marietta
2021-2022 Budget Worksheet
General Fund

		Original 2020- 2021 Budget	Amended 2020-2021 Budget	Actual Jul 20- Apr 21	Estimated expenses Through June 2021	Proposed 2021-2022 Budget
Emergency Management						
<i>Materials and Supplies</i>						
01-50-710	Supplies	2,000	2,000	835	1,002	1,500
01-50-720	Contract Services	3,000	3,000	-	-	2,500
<i>Capital Outlay</i>						
01-50-800	Capital Outlay	-	-	-	-	-
	Total Emergency Management	<u>5,000</u>	<u>5,000</u>	<u>835</u>	<u>1,002</u>	<u>4,000</u>
Fire						
<i>Personnel Services</i>						
01-55-600	Salaries	-	-	1,885	2,262	-
01-55-605	Payroll Taxes	-	-	124	149	500
01-55-610	Retirement	1,500	1,500	840	1,008	1,500
01-55-620	Other	2,000	2,000	-	-	5,000
<i>Materials and Supplies</i>						
01-55-700	Fuel	1,000	1,000	1,262	1,514	2,000
01-55-705	Utilities	1,000	1,000	884	1,061	1,000
01-55-710	Supplies	9,000	9,000	10,417	12,500	8,500
01-55-715	Maint. & Repair	6,000	6,000	6,867	8,240	7,000
01-55-720	Contract Services	4,000	4,000	1,828	2,194	2,500
<i>Capital Outlay</i>						
01-55-800	Capital Outlay	20,000	20,000	4,993	5,992	37,500
<i>Debt Service</i>						
01-55-900	Loan Payments	45,000	45,000	50,832	60,998	61,000
	Total Fire	<u>89,500</u>	<u>89,500</u>	<u>79,932</u>	<u>95,918</u>	<u>126,500</u>
Library						
<i>Materials and Supplies</i>						
01-60-705	Utilities	4,000	4,000	2,686	3,223	3,000
01-60-710	Supplies	3,000	3,000	3,508	4,210	4,000
01-60-715	Maint & Repairs	3,000	3,000	-	-	2,000
<i>Capital Outlay</i>						
01-60-800	Capital Outlay	-	-	-	-	-
	Total Library	<u>10,000</u>	<u>10,000</u>	<u>6,194</u>	<u>7,433</u>	<u>9,000</u>
Municipal Court						
<i>Materials and Supplies</i>						
01-65-710	Supplies	-	-	-	-	-
01-65-720	Contract Services - Judge	5,000	5,000	6,000	7,200	6,000
01-65-755	CLEET / Forensic Fees	15,000	15,000	15,220	18,264	17,000
01-65-760	Court Services	4,000	4,000	6,912	8,294	8,000
	Total Municipal Court	<u>24,000</u>	<u>24,000</u>	<u>28,132</u>	<u>33,758</u>	<u>31,000</u>

City of Marietta
2021-2022 Budget Worksheet
General Fund

		Original 2020- 2021 Budget	Amended 2020-2021 Budget	Actual Jul 20- Apr 21	Estimated expenses Through June 2021	Proposed 2021-2022 Budget
Operations (formerly Shop)						
<i>Personnel Services</i>						
01-70-600	Salaries	-	-	-	-	40,000
01-70-605	Payroll Taxes	-	-	-	-	3,000
01-70-610	Retirement	-	-	-	-	2,000
01-70-615	Health Insurance	-	-	-	-	17,000
01-70-620	Other	-	-	-	-	1,000
<i>Materials and Supplies</i>						
01-70-700	Fuel	1,000	1,000	1,423	1,708	1,000
01-70-705	Utilities	3,000	3,000	1,296	1,555	3,000
01-70-710	Supplies	9,000	9,000	8,025	9,630	9,000
01-70-715	Maint & Repair	2,000	2,000	1,068	1,282	-
07-70-720	Contract Services	3,000	3,000	2,361	2,833	3,000
<i>Capital Outlay</i>						
01-70-800	Capital Outlay	-	-	-	-	10,000
	Total Operations	18,000	18,000	14,173	17,008	89,000
Police						
<i>Personnel Services</i>						
01-75-600	Salaries	270,000	270,000	230,388	276,466	330,000
01-75-605	Payroll Taxes	19,000	19,000	18,969	22,763	25,000
01-75-610	Retirement	15,000	15,000	17,410	20,892	20,000
01-75-615	Health Insurance	95,000	95,000	85,711	102,853	112,000
01-75-625	Other	7,000	7,000	-	-	8,000
<i>Materials and Supplies</i>						
01-75-700	Fuel	23,000	23,000	19,836	23,803	23,000
01-75-705	Utilities	2,500	2,500	722	866	1,000
01-75-710	Supplies	22,000	22,000	27,754	33,305	25,000
01-75-715	Maint & Repair	14,000	14,000	11,488	13,786	15,000
01-75-720	Contract Services	15,000	15,000	8,424	10,109	10,000
01-75-765	Jail / Dispatch Contract	14,000	14,000	9,959	11,951	14,000
<i>Capital Outlay</i>						
01-75-800	Capital Outlay	60,000	102,000	98,839	118,607	65,000
	Total Police	556,500	598,500	529,500	635,401	648,000
Street						
<i>Personnel Services</i>						
01-80-600	Salaries	104,000	104,000	86,238	103,486	110,000
01-80-605	Payroll Taxes	8,500	8,500	7,140	8,568	8,500
01-80-610	Retirement	6,500	6,500	6,459	7,751	6,500
01-80-615	Health Insurance	29,000	29,000	20,798	24,958	25,000
01-80-620	Other	3,000	3,000	-	-	3,000
<i>Materials and Supplies</i>						
01-80-700	Fuel	10,000	10,000	4,603	5,524	6,000
01-80-705	Utilities: Street Lights	23,000	23,000	22,802	27,362	23,000
01-80-710	Supplies	7,000	7,000	5,967	7,160	7,000
01-80-715	Maint. & Repair	1,000	1,000	3,201	3,841	4,000
<i>Capital Outlay</i>						
01-80-800	Capital Outlay	50,000	50,000	31,498	37,798	-
01-80-805	Improvements	500,000	500,000	7,858	9,430	750,000
	Total Street	742,000	742,000	196,564	235,878	943,000

City of Marietta
2021-2022 Budget Worksheet
General Fund

		Original 2020- 2021 Budget	Amended 2020-2021 Budget	Actual Jul 20- Apr 21	Estimated expenses Through June 2021	Proposed 2021-2022 Budget
General Government						
<i>Personnel Services</i>						
01-85-615	Health Insurance	130,000	130,000	100,872	121,046	125,000
<i>Materials and Supplies</i>						
01-85-705	Utilities	-	-	3,204	3,845	4,000
01-85-710	Supplies	9,000	9,000	13,131	15,757	12,000
01-85-715	Maint. & Repair	-	-	50	60	-
01-85-730	Property Insurance	32,000	32,000	33,728	40,474	35,000
01-85-735	Worker's Comp Insurance	28,000	28,000	21,368	25,642	29,000
	Total General Government	<u>199,000</u>	<u>199,000</u>	<u>172,353</u>	<u>206,824</u>	<u>205,000</u>
 Mayor						
<i>Personnel Services</i>						
01-90-600	Salaries	-	-	-	-	3,500
01-90-605	Payroll Taxes	-	-	-	-	300
	Total Mayor	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>3,800</u>
01-10-500	Transfer Out	<u>17,000</u>	<u>17,000</u>	<u>22,800</u>	<u>27,360</u>	<u>-</u>
	Total Expenditures	<u>\$ 2,274,300</u>	<u>\$ 2,364,300</u>	<u>\$ 1,516,357</u>	<u>\$ 1,803,698</u>	<u>\$ 2,886,950</u>
		(4,000)	(127,000)	(359,953)	(447,873)	-

City of Marietta
2021-2022 Budget Worksheet
Sanitation Fund

		Original	Estimated		Proposed
		2020-2021	Actual Jul	revenue	2021-22
		Budget	20-Apr 21	Through	Budget
				June 2021	
Revenues					
02-00-400	Sanitation - Commercial	\$ 131,000	\$ 124,128	\$ 148,954	\$ 151,000
02-00-405	Sanitation - Residential	219,000	167,705	201,246	205,000
02-00-410	Sanitation - Other	-	222	266	-
02-00-415	Transfer Site	113,000	84,501	101,401	97,000
02-00-420	Other Revenue	-	-	-	-
02-00-425	Transfer In	-	24,878	29,854	-
02-00-450	Interest Income	-	13	16	-
	Total Revenue	463,000	401,447	481,737	453,000
	Cash Carryover	54,500	-	-	18,000
	Amount Available to Budget	\$ 517,500	\$ 401,447	\$ 481,737	\$ 471,000
Sanitation					
<i>Personnel Services</i>					
02-10-600	Salaries	96,000	74,221	89,065	108,000
02-10-605	Payroll Taxes	7,000	6,249	7,499	7,000
02-10-610	Retirement	6,000	5,306	6,367	6,000
02-10-615	Health Insurance	42,000	29,903	35,884	42,000
02-10-620	Worker's Comp Insurance	8,000	6,083	7,300	8,000
02-10-625	Other	3,000	-	-	3,000
<i>Materials and Supplies</i>					
02-10-700	Fuel	16,000	13,783	16,540	16,000
02-10-710	Supplies	6,000	4,665	5,598	6,000
02-10-715	Maint. & Repair	16,000	30,018	36,022	16,000
02-10-740	MPWA Fees	13,000	10,646	12,775	13,000
02-10-745	Tipping Fees	38,000	25,160	30,192	34,000
<i>Capital Outlay</i>					
02-10-800	Capital Outlay	35,000	29,933	35,920	10,000
<i>Debt Service</i>					
02-10-900	Loan Payments	40,000	28,510	34,212	91,000
	Total Sanitation	326,000	264,477	317,374	360,000
Transfer Site					
<i>Personnel Services</i>					
02-11-600	Salaries	30,000	24,374	29,249	33,000
02-11-605	Payroll Taxes	2,500	2,026	2,431	3,000
02-11-610	Retirement	2,000	1,924	2,309	2,000
02-11-615	Health Insurance	8,000	13,037	15,644	17,000
02-11-620	Worker's Comp Insurance	2,000	1,503	1,804	2,000
02-11-625	Other	1,000	-	-	1,000
<i>Materials and Supplies</i>					
02-11-700	Fuel	4,000	3,634	4,361	5,000
02-11-705	Utilities	2,000	923	1,108	1,000
02-11-710	Supplies	3,000	3,200	3,840	3,500
02-11-715	Maint. & Repair	7,000	2,610	3,132	3,000
02-11-720	Contracts	6,000	4,828	5,794	5,500
02-11-745	Tipping Fees	24,000	25,427	30,512	34,000
<i>Capital Outlay</i>					
02-11-800	Capital Outlay	-	68,660	82,392	1,000
	Total Transfer Site	91,500	152,146	182,576	111,000
Transfers					
02-12-900	Transfer to General Fund	100,000	33,500	40,200	-
	Total Expenditures	\$ 517,500	\$ 450,123	\$ 540,150	\$ 471,000

City of Marietta
2021-2022 Budget Worksheet

	Original 2020-2021 Budget	Actual Jul 20-Apr 21	Estimated revenue Through June 2021	Proposed 2021-22 Budget
CEMETERY CARE FUND				
<i>Revenues</i>				
03-00-400 Lot Openings / Closings	\$ 4,000	\$ 6,913	\$ 8,296	\$ 5,000
03-00-405 Interest Income	-	2	2	-
03-00-415 Donations	-	-	-	-
Transfer In	-	150	180	-
Total Revenue	<u>4,000</u>	<u>7,065</u>	<u>8,478</u>	<u>5,000</u>
Cash Carryover	-	-	-	-
Amount Available to Budget	<u>\$ 4,000</u>	<u>\$ 7,065</u>	<u>\$ 8,478</u>	<u>\$ 5,000</u>
<i>Expenditures</i>				
03-10-800 Capital Outlay	<u>\$ 4,000</u>	<u>\$ 3,622</u>	<u>\$ 4,346</u>	<u>\$ 5,000</u>
Total Expenditures	<u>\$ 4,000</u>	<u>\$ 3,622</u>	<u>\$ 4,346</u>	<u>\$ 5,000</u>
GRANT FUND				
<i>Revenues</i>				
05-00-432 Grant Revenue - JAG	\$ 10,000	\$ -	\$ -	\$ 10,000
05-00-439 CDBG Grant	-	-	-	-
05-00-440 Fire Grant	5,000	-	-	5,000
Total Revenue	<u>15,000</u>	<u>-</u>	<u>-</u>	<u>15,000</u>
Cash Carryover	-	-	-	-
Amount Available to Budget	<u>\$ 15,000</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 15,000</u>
<i>Expenditures</i>				
05-55-800 Fire Grant Expenditures	\$ 5,000	\$ -	\$ -	\$ 5,000
05-75-800 JAG Grant Expenditures	10,000	-	-	10,000
05-85-800 Grant Expenditures	-	4,387.00	5,264.00	-
Total Expenditures	<u>\$ 15,000</u>	<u>\$ 4,387</u>	<u>\$ 5,264</u>	<u>\$ 15,000</u>

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: PRAIRIEVIEW EASEMENT/PERIMETER FENCE
LL FENCE AND OUTDOOR DESIGN - NO BID
BUILT RITE FENCE - \$34,285 00
SHORT GO CONSTRUCTION - NO BID; and

WHEREAS, staff recommend the purchase of equipment as submitted by BUILT RITE FENCE, based upon the following justification: ONLY BID SUBMITTED; GOOD EXPERIENCE WITH OTHER CITY PROJECTS and

WHEREAS, funding is available to provide for this expenditure within the budget of the current fiscal year, under the following department/account: 01-15-805/CEMETERY IMPROVEMENT.

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

1. The purchase of PRAIRIEVIEW EASEMENT AND PERIMETER FENCING as submitted by BUILT RITE FENCE 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: 01-15-805 WITH AMENDMENT FROM CEM. CARE CD ACCOUNT

PASSED by the City Council and SIGNED by the Mayor this 11 day of MAY, 2021.

CITY OF MARIETTA

ATTEST

KIMBERLY FRAIRE, MAYOR

DOTTIE GWIN, CITY CLERK

**SOUTHERN OKLAHOMA REGIONAL DISPOSAL, INC.
DISPOSAL SERVICE AGREEMENT**

This Disposal Service Agreement (the "Agreement") between Southern Oklahoma Regional Disposal, Inc. (hereinafter referred to as "SORD"), P.O. Box 1088, Ardmore, Oklahoma 73402, and the City of Marietta a municipal corporation, whose address is, 101 W Main, Marietta, Oklahoma 73448 (hereinafter referred to as "CLIENT").

WHEREAS SORD is a quasi-governmental entity comprised of regional municipalities, counties and districts which was established for the purpose of cooperative collection and/or disposal of Municipal Solid Waste and other acceptable waste of the member entities and third parties; and

WHEREAS, SORD is the owner of a municipal solid waste landfill (the "Landfill") located at 31 SORD Drive, Ardmore, Carter County, Oklahoma, and is the holder of a license to operate such Landfill, which can accept certain solid waste material: and,

WHEREAS CLIENT and SORD desire to enter into a contract providing that SORD shall accept CLIENT's solid waste at the Landfill and dispose of same at the Landfill or such other place as SORD shall designate, subject to the terms as are hereinafter set forth.

NOW, THEREFORE, the parties, in consideration of the mutual covenants and benefits set forth below, agree as follows:

DEFINITIONS

"Municipal Solid Waste" (hereafter "MSW"), for the purposes of this Agreement, shall be defined as non-hazardous waste generated in households, commercial and business establishments, and institutions; and excludes industrial process wastes, mining wastes, ashes, and sewage sludge.

The term "hazardous waste", as used herein, shall include, but not be limited to, any amount of waste listed or characterized as hazardous by the United States Environmental Protection Agency or any state agency pursuant to the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, and including future amendments thereto, and applicable state law.

"Permitted Special Waste", as used herein, shall include those wastes that are not controlled industrial wastes but which, because of their nature or volume, require special or additional handling aside from that given to routine household refuse, which shall include but is not limited to: sludge, septic tank pumpings, grease trap wastes, dead animals, packing house offal and tankage, waste fats

and oils, hatchery wastes, asbestos wastes, and spent herbicide and pesticide containers.

"Construction / Demolition Waste", as used herein, shall mean the scrap lumber and other building materials generated in either the construction or demolition of buildings and other improvements.

TERM

This Agreement shall be for a term of five (5) years commencing at 12:01 am on the 1st day of July 2021 and terminating at 11:59 p.m. on the 30th day of June 2026, unless either party hereto takes affirmative action to terminate this Agreement pursuant to the terms hereinafter set forth.

DISPOSAL RATES AND PAYMENT

The Disposal Rate, commonly known as and referred to as a "Tipping Fee", to be paid by CLIENT to SORD during the first year of this Agreement shall be the sum of Twenty-One Dollars and Fifty Cents (\$21.50) per ton of Municipal Solid Waste ("MSW"). Such Tipping Fee shall increase 2.5% for the second and fourth year of the contract upon approval by the SORD Board of Directors. Payment of same shall be made by CLIENT to SORD no later than twenty (20) days after the issuance of each monthly statement by SORD, either directly to SORD at the Post Office Box set forth above, or directly to such banking institution designated by SORD.

The Initial Rates for MSW disposal are set forth above. SORD, at the sole discretion of SORD or SORD's assigns, may, at any time after the first three (3) years of this Agreement, establish new disposal rates (the "Base Rates") herein to, (1) fully cover increases in disposal operating costs, (2) address changes in any laws, regulations, ordinances or guidelines, including changes regarding the construction or the operation of the landfill, promulgated by the EPA or the Oklahoma Department of Environmental Quality, or (3) adjust for any decrease in the volume of MSW being disposed of into the landfill. In the event of extraordinary or unforeseen expenses, SORD reserves the right to increase the Initial Rates set forth above to cover said expenses upon thirty (30) days written notice to and upon consultation with the CLIENT.

PARTIES' OBLIGATIONS

CLIENT shall collect and deliver all of CLIENT'S MSW, both commercial and residential, to SORD at the Landfill. Should CLIENT cease to publicly collect MSW, any agreement by and between CLIENT and a third-party collector to collect same shall be subject to this Agreement and provide for delivery of all such MSW so collected to be made to SORD consistent with the terms of this Agreement.

During the term of this Agreement, subject to availability of airspace or any periodic quantity limitations imposed by applicable law, regulation, permits or otherwise, SORD shall receive and dispose of all the "MSW" delivered to SORD's disposal site, excluding radioactive, volatile, highly flammable, explosive, toxic, infectious, pathological, or hazardous waste.

Where requested by SORD, CLIENT shall, in addition to any labeling, placarding, marking, manifesting or other such documentation required by law, provide SORD, in advance, with a representative Sample of the solid waste to be disposed of by SORD, and with a detailed written physical and chemical description or analysis of the solid waste, including a listing of unique chemical characteristics and safety procedures, if such exists, that would be of material significance to the handling of such solid waste ("Waste Characterization Data Sheet" or "WCDS"). CLIENT shall promptly furnish to SORD any information regarding known, suspected, or planned changes in composition of such solid waste and CLIENT shall accordingly update the WCDS. CLIENT warrants that all solid waste specified in a WCDS and delivered to SORD shall conform to the description set forth on the WCDS.

OWNERSHIP OF WASTE

Ownership of the MSW and other waste delivered by CLIENT to SORD shall be transferred to and vest in SORD at the time the MSW and other waste is fully unloaded at the working face of the actual disposal site at the Landfill (or such other place to which the parties have agreed in writing) and the CLIENT'S vehicle has departed such working face. Prior thereto ownership of the MSW and other waste shall be in, and all risks and responsibilities for same, shall be borne by CLIENT.

COMPLIANCE WITH LAWS

SORD and CLIENT shall comply with all applicable local, state, and federal laws pertaining to the delivery and disposal of the MSW and other waste. CLIENT shall also comply with work and safety rules which have been promulgated by SORD to govern operations at the Landfill.

TERMINATION UPON DEFAULT

Either party shall have the right to terminate this Agreement in the event of a default by the other party of any of the provisions contained in this Agreement, which default is not cured within twenty (20) days of such default, after delivery to such defaulting party of written notice of such default. Any such decision regarding termination of this Agreement shall provide no less than one hundred twenty (120) days written notification by the terminating part delivered to the defaulting that this Agreement is being terminated.

INDEMNITY

CLIENT hereby agrees to indemnify and hold SORD harmless from and against any and all loss, damage, suits, liability and expenses (including, but not limited to, reasonable investigation and legal expenses) arising out of any claim for loss of or damage to property, or fines, penalties or other damages imposed by any court or administrative body, including SORD's property, and injuries to or death of persons, including CLIENT's or SORD's employees, caused by or resulting from the negligence or willful misconduct or violation of any federal, state or local laws or regulations of CLIENT, its employees or agents or CLIENT's delivery to SORD of waste excluded from the definition of Municipal Solid Waste or otherwise expressly permitted by the terms of this Agreement.

SORD hereby agrees to indemnify and hold CLIENT harmless from and against any and all loss, damage, suits, liability and expenses (including, but not limited to, reasonable investigation and legal expenses) arising out of any claim for loss of or damage to property, or fines, penalties or other damages imposed by any court or administrative body, including CLIENT's property, and injuries to or death of persons, including SORD's or CLIENT's employees, to the extent caused by or resulting from the negligence or willful misconduct of SORD, its employees or agents.

FORCE MAJUERE

Except for the obligation to pay for services rendered, neither party hereto shall be liable for its failure to perform hereunder due to contingencies beyond its reasonable control, including, but not limited to, strikes, riots, war, fire, acts of God, compliance with any law, regulation or order, whether valid or invalid, of the United States of America or any other governmental body or any instrumentality thereof, whether now existing or hereafter created, or the revocation, suspension, denial or modification of any permit, license or approval regarding use, operation or closure of the disposal site.

ASSIGNMENT

The Agreement and the interest of CLIENT in any facilities or equipment subject to this Agreement may not be sold, leased, pledged, assigned, or otherwise encumbered by CLIENT for any reason without the express prior approval of SORD. This agreement, SORD's interest in any facilities or equipment subject to this Agreement and the right of SORD to receive payment under this or any other Agreement may be assigned and reassigned in whole or in part to one or more assignees of SORD without the necessity of obtaining the consent of CLIENT. Any consent to assignment shall not be unreasonably withheld by SORD.

ENTIRE AGREEMENT

The Agreement constitutes the entire understanding between SORD and CLIENT hereto, and cancels and supersedes all prior negotiations, representations, understandings, and agreements, either written or oral, with respect to the subject matter hereof. No changes, alterations or modification to the Agreement will be effective unless in writing and signed by SORD and CLIENT hereto.

ATTORNEY FEES

In the event that any action is filed in relation to this Agreement, the unsuccessful party in the action shall pay to the successful party, in addition to all sums that either party may be called on pay, a reasonable sum for the successful party's attorney fees.

MODIFICATION OF AGREEMENT

Any modification of this Agreement or additional obligation assumed by either party in connection with this Agreement shall be binding only if evidenced in writing signed by each party.

BINDING EFFECT

This Agreement shall bind and inure to the benefit of the respective successors and assigns of the parties.

NOTICES

Any notice, request, demand, and other communication given under this Agreement shall be in writing and shall be delivered personally or mailed, postage prepaid, by registered or certified mail, to the following address or addresses:

If to SORD, to: Executive Director
 P.O. Box 1088
 Ardmore, OK 73402

If to CLIENT, to: City of Marietta
 101 W Main
 Marietta, OK 73448

COUNTERPARTS

This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute but one and the same instrument.

IN WITNESS THEREOF, this Agreement is executed in duplicate this _____ day of _____, 2021.

Southern Oklahoma Regional Disposal, Inc.

By: _____
Title : _____
Date: _____

CLIENT:

City of Marietta

By: _____
(Title)
Name: _____
Title: _____
Date: _____

RESOLUTION _____

A RESOLUTION AUTHORIZING APPLICATION FOR FINANCIAL ASSISTANCE FROM THE RURAL ECONOMIC ACTION PLAN FUND

WHEREAS, the City of Marietta desires to seek funding from the Rural Economic Action Plan Fund to purchase solid waste related equipment; and

WHEREAS, it is in the best interest if the residents of the City of Marietta to expedite the preparation and submission of an application for financial assistance from the Rural Economic Action Plan Fund, in the form of a grant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF MARIETTA that City Administrator Dustin Scott and Deputy City Clerk Scott Chaney are designated as contact persons for Southern Oklahoma Development Association, and are hereby authorized to sign all related documentation necessary to file for and process a grant through the Rural Economic Action Plan Fund on behalf of the City of Marietta.

PASSED BY THE CITY COUNCIL AND SIGNED BY THE MAYOR of the City of Marietta on this 11th day of May 2021.

CITY OF MARIETTA

ATTEST

KIMBERLY FRAIRE, MAYOR

DOTTIE GWIN, CITY CLERK