

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

Tuesday, March 08, 2022 at 6:00 PM

Marietta Public Works Authority Building, 303 W Main Street, Marietta, OK

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 Regular Meeting of the Marietta City Council on February 8, 2022, and the Special Meeting of the Marietta City Council on February 22, 2022.
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. Love County Chamber of Commerce Easter Egg Hunt.
2. Love County Frontier Days and subsequent street closures.
3. Bids for the relocation of a waterline at Main Street and Martin Luther King Avenue.
4. Furniture for the future municipal building located at 700 S. Highway 77.
5. Lease purchase agreement for renovation of the future municipal building located at 700 S Highway 77.
6. 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).
7. Executive session to have confidential communications with the attorney concerning litigation in Casey Carroll (Estate of Jason Carroll) v. City of Marietta, *et al.*, Case Number 22-cv-056-SPS,

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).

- 8. Executive session to discuss the employment of Clarence Lee with the City of Marietta, pursuant to Title 25, Oklahoma Statutes, Section 307 (B) (1).
- 9. Return to regular session.
- 10. 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.
- 11. Any action and any further discussion on Casey Carroll (Estate of Jason Carroll) v. City of Marietta, *et al.*, Case Number 22-cv-056-SPS, in the United States District Court for the Eastern District of Oklahoma.
- 12. Appointment of Clarence Lee as park and cemetery maintenance operator.

MAYOR'S COMMENTS.

NEW AND UNFORESEEN BUSINESS.

ADJOURN.

POSTED: March 4, 2022, 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, February 08, 2022 at 6:00 PM

Marietta Public Works Authority Building, 303 W Main Street, Marietta, OK

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

DECLARATION OF QUORUM.

A quorum was declared by Mayor Fraire.

PRESENT

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

ABSENT

- Council Member Doug Stewart

INVOCATION.

Invocation given by Lawrence Anderson.

CONSENT AGENDA.

Councilman McKinney questioned the ending/beginning balance on financial reports.

Motion made by Council Member McKinney, Seconded by Council Member Barker.

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

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

2. Approval of minutes of January 11, 2022, 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.

None.

CITY ADMINISTRATOR'S REPORT.

City Administrator Scott stated equipment has been installed at McCarroll Park and waiting on concrete. Received permit from DEQ for 6 residential sites. They wanted additional tests on Cloud 9 and those were finished 2/7/22. Lance Glaze has been certified in asbestos. A trash truck has been ordered. Beth Willis, the City's financial advisor, recommended we pay cash for it and not finance. Should be here in June. Library approached City regarding grants. We wrote a letter of support and stated we would try to do in kind money with Councils approval. Out to bid on City Hall project and water line replacement.

REGULAR BUSINESS.

1. Declare as surplus certain equipment and provide for the disposal of same.

Motion made by Council Member Lornes to adopt Resolution 2022-01 as presented,
Seconded by Council Member Barker.

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

Voting Nay: Council Member McKinney

2. Designation of a custodian of records and persons authorized to release records, and fee for open records requests.

Motion made by Council Member Sanders to adopt Resolution 2022-02 as presented,
Seconded by Council Member Anderson.

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

MAYOR'S COMMENTS.

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Mayor Fraire thanked everyone being here.

NEW AND UNFORESEEN BUSINESS.

Application of J Collin Wright as a volunteer firefighter has been processed by Fire Department. Fire Chief is requesting that Wright be appointed to the Department.

Motion made by Council Member Barker to adopt Resolution 2022-03 as presented, Seconded by Council Member Valenzuela.

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

ADJOURN.

Meeting adjourned at 6:24 p.m.



Dottie Gwin, City Clerk
Scott Chaney, Deputy City Clerk

MINUTES OF THE SPECIAL MEETING OF THE MARIETTA CITY COUNCIL
Tuesday, February 22, 2022 at 6:00 PM
Marietta Public Works Authority, 303 W Main St, Marietta, OK

CALL TO ORDER.

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

DECLARATION OF QUORUM.

A quorum was declared.

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
- Council Member Tambre Sanders

ABSENT

- Council Member KorDale Lornes

INVOCATION.

Invocation given by Lawrence Anderson.

SPECIAL BUSINESS.

1. Bids, contracts, and financing for the renovation of the future municipal building located at 700 South Highway 77, Marietta, OK.

City Administrator addressed the Council and introduced the architect and project manager. The architect address the council regarding repairs, improvements and costs. Total project cost is \$499,738.

Motion made by Council Member Barker to accept Contract, Seconded by Council Member Anderson.

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

ADJOURN.

Meeting adjourned at 6:45 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

RESOLUTION _____

DECLARING AN EASTER EGG HUNT ORGANIZED BY THE LOVE COUNTY CHAMBER OF COMMERCE A SPECIAL EVENT AND AUTHORIZING STREET CLOSURES TO ACCOMMODATE THE EVENT

WHEREAS, the Love County Chamber of Commerce is planning a special event to be held within the corporate limits of the City of Marietta on Saturday, April 16, 2022; and

WHEREAS, it is necessary to reserve certain facilities operated by the City of Marietta to accommodate the event.

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

1. The Love County Chamber of Commerce Easter Egg Hunt, scheduled for April 16, 2022, is recognized as a special event within the City of Marietta.
2. Shellenberger Park is reserved for the use of the Love County Chamber of Commerce to facilitate said special event between the hours of 8:00 AM and 3:00 PM on Saturday, April 16, 2022.
3. The Police Department is authorized and directed to enact parking and traffic restrictions in the area of Shellenberger Park to provide for safe and effective movement of traffic and pedestrians attending the event.

PASSED by the City Council and **SIGNED** by the Mayor this 8th day of March, 2022.

CITY OF MARIETTA

ATTEST

KIMBERLY FRAIRE, MAYOR

DOTTIE GWIN, CITY CLERK

RESOLUTION _____

DECLARING LOVE COUNTY FRONTIER DAYS A SPECIAL EVENT AND AUTHORIZING STREET CLOSURES TO ACCOMMODATE THE EVENT

WHEREAS, the annual Love County Frontier Days celebration is a special event within the City of Marietta, and the event dates are proposed for June 2 through June 4, 2022;

WHEREAS, it will be necessary to close a portion of Highway 32, also known as Main Street within the City of Marietta, and various other streets and alleys to accommodate the event;

WHEREAS, the Oklahoma Department of Transportation requires notice of the planned closure of said Highway 32 and certain information and assurances.

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

1. The Love County Frontier Days celebration, scheduled for June 2 through June 4, 2022, is recognized as a special event within the City;
2. Beginning at noon on Wednesday, June 1, 2022, the closure of portions of Main Street located between Martin Luther King Jr. Avenue and US Highway 77 is authorized to accommodate event activities (i.e. parade, children’s games, and other event attractions). This authorization expires at 6:00 a.m. on Sunday, June 5, 2022; Upon the closure of Main Street, which is also State Highway 32, the following is designated as the detour route: Martin Luther King Jr. Avenue and Broadway Street;
3. The City Administrator may authorize the closure of other City streets located adjacent to the event area;
4. The Police Department is authorized and directed to post and enforce parking restrictions along areas of Main Street, the designated detour route, and other City streets to provide for safe and effective movement of traffic and pedestrians;
5. The Operations Department is authorized and directed to install signage and traffic control devices to effect the closures authorized by this resolution as outlined in the latest addition of the Manual of Uniform Traffic Control Devices.

PASSED by the City Council and **SIGNED** by the Mayor this 8th day of March, 2022.

CITY OF MARIETTA

ATTEST

KIMBERLY FRAIRE, MAYOR

DOTTIE GWIN, CITY CLERK

RESOLUTION _____

CITY OF MARIETTA
WATERLINE RELOCATION
2022

ITEM	DESCRIPTION	UNIT	QUANT.	ENGINEER'S ESTIMATE		TIMCO BLASTING	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	8" PVC C900	LF	60.0	\$ 80.00	\$ 4,800.00	\$ 89.00	\$ 5,340.00
2	8" HDPE DIPS	LF	400.0	\$ 80.00	\$ 32,000.00	\$ 44.10	\$ 17,640.00
3	CONNECT TO EXISTING SYSTEM	EA	2.0	\$ 3,500.00	\$ 7,000.00	\$ 3,500.00	\$ 7,000.00
4	BORE FOR 16" STEEL CASING	LF	330.0	\$ 310.00	\$ 102,300.00	\$ 300.00	\$ 99,000.00
5	POLY ANCHORS	EA	2.0	\$ 1,300.00	\$ 2,600.00	\$ 2,500.00	\$ 5,000.00
6	16" STEEL CASING	LF	330.0	\$ 150.00	\$ 49,500.00	\$ 160.97	\$ 53,120.10
7	FIRE HYDRANT AND VALVE	EA	2.0	\$ 5,000.00	\$ 10,000.00	\$ 7,200.00	\$ 14,400.00
8	8" VALVE & BOX	EA	2.0	\$ 1,800.00	\$ 3,600.00	\$ 2,900.00	\$ 5,800.00
9	CUT & CAP EXISTING	EA	2.0	\$ 3,500.00	\$ 7,000.00	\$ 3,200.00	\$ 6,400.00
10	REMOVE EXISTING FIRE HYDRANT	EA	3.0	\$ 1,800.00	\$ 5,400.00	\$ 2,500.00	\$ 7,500.00
11	P.C. CONCRETE ROAD REPAIR	SY	110.0	\$ 130.00	\$ 14,300.00	\$ 227.27	\$ 24,999.70
12	STAKING	LS	1.0	\$ 1,500.00	\$ 1,500.00	\$ 3,000.00	\$ 3,000.00
				TOTAL \$ 240,000.00		\$ 249,199.80	

3-2-22

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: FOR FINANCING MUNICIPAL BUILDING RENOVATION
BANC FIRST - 2.6% FOR THREE 5 YEAR TERMS (INTEREST ADJUSTED EACH TERM)
AMERICAN NATION BANK - 2.5% FOR 15 YEARS
CHICKASAW COMMUNITY BANK - _____; and

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

WHEREAS, funding is available to provide for this expenditure within the budget of the current fiscal year, under the following department/account: 01-85-900.

- NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marietta:
1. The purchase of FINANCING FOR RENOVATIONS OF MUN. BUILDING as submitted by _____ 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: 01-85-900 GENERAL GOVERNMENT - DEPT SERVICE.

PASSED by the City Council and SIGNED by the Mayor this 8TH day of MARCH, 2022.

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. CLARENCE LEE is hereby appointed as an employee of the City of Marietta to the position of PARK AND CEM. EQUIP. OP. of the OPERATIONS Department, under the supervision of PARK AND CEM. SUPERVISOR, to be effective 4/1/22.
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 K1 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 8TH day of MARCH, 2022.

CITY OF MARIETTA

ATTEST

KIMBERLY FRAIRE, MAYOR

DOTTIE GWIN, CITY CLERK