

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

Tuesday, October 12, 2021 at 6:00 PM

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

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

CALL TO ORDER.

DECLARATION OF QUORUM.

INVOCATION.

CONSENT AGENDA.

1. Approval of the agenda as part of the minutes.
- [2.](#) Approval of the minutes of the September 14, 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. Electric Franchise Agreement with Red River Valley Rural Electric Association, and consideration of any ordinance or resolution regarding said agreement.
- [2.](#) Acceptance of American Recovery Plan Act (ARPA) Funds, any necessary budget amendment(s), and appointment of an authorized representative.
3. 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).
4. Executive session to discuss the purchase of real property located at 700 S. Highway 77 pursuant to Title 25 Oklahoma Statutes, Section 307 (B)(3).
5. Return to regular session.

6. 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.
7. Any action and any further discussion regarding the purchase of property at 700 S. Highway 77.

MAYOR'S COMMENTS.

NEW AND UNFORESEEN BUSINESS.

ADJOURN.

POSTED: October 8th, 2021, at 5:00 PM, online at www.mariettaok.city, and at the Marietta City Hall, located at 101 W. Main Street, Marietta, Oklahoma.

A handwritten signature in blue ink, appearing to read 'Dottie 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, September 14, 2021 at 6:00 PM****Marietta Public Works Authority Meeting Room, 303 W. Main St., Marietta, OK 73448**

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

CALL TO ORDER.

Meeting was called to order at 6:00 p.m.

DECLARATION OF QUORUM.

Vice-Mayor McKinney declared a quorum.

INVOCATION.

Invocation was given by Lawrence Anderson.

CONSENT AGENDA.

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

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

1. Approval of the agenda as part of the minutes.
2. Approval of the minutes of the August 10, 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.

None.

Minutes - Regular Meeting

September 14, 2021

Page 1 of 4

PUBLIC PARTICIPATION.

None.

CITY ADMINISTRATOR'S REPORT.

City Administrator Scott addressed the Council regarding the drainage issue and stated we are still making progress; a company cleaned a portion of the storm drainage system, there is a collapsed pipe on the East side and all the way to 6th on West side cleaned; received more info on Arpa and the only thing applicable to us is water and sewer and application is being worked on for that; employees built a box to drag behind dump truck and it was very successful and put down about 20 tons of asphalt today.

REGULAR BUSINESS.

1. Appointment of Willis Choate to a vacancy on Marietta Public Works Authority Board of Trustees.

Motion made by Council Member Sanders, Seconded by Council Member Anderson to appoint Willis Choate to Marietta PWA Board of Trustees.

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

2. Renaming West Mill Street and Bill Hastied Street to West Bill Halstied Street and East Bill Halstied Street, respectively.

Motion made by Council Member Lornes, Seconded by Council Member Anderson to adopt Resolution 2021-33 as presented.

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

3. Adoption, filing, and notification of the 2021 Biennial Supplement to the Code of Ordinances of the City of Marietta.

Motion made by Council Member Barker, Seconded by Council Member Lornes to adopt Resolution 2021-34 as presented.

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

4. Application to 2022 Community Development Block Grant - Rural Economic Action Plan.

Motion made by Council Member Barker, Seconded by Council Member Valenzuela to adopt Resolution 2021-35 as presented.

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

5. Purchase automotive lift for Operations Department.

Motion made by Council Member Sanders, Seconded by Council Member Anderson to adopt Resolution 2021-36 as presented.

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

6. Ordinance providing rules and procedures for condemnation and removal of dilapidated buildings and authorizing the appointment of an administrative hearing officer.

No action taken.

7. Ordinance amending Medical Marijuana Code.

Motion made by Council Member Anderson, Seconded by Council Member Lornes to adopt Ordinance No. 2021-02 as presented.

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

8. Repair or replacement of commercial sanitation collection truck.

Discussion. No action.

9. Repairs to City Hall building and/or relocation of city administration to alternate location.

Discussion. No action.

10. Executive session to have confidential communications with the attorney concerning litigation in Weldon Luke Pollard, and Red River Cloud Nine, Inc. v. City of Marietta, 20-cv-338-RAW (also numbered as 20-CIV-338-RAW), in the United States District Court for the Eastern District of Oklahoma, with the advice of the attorney, for the reason that disclosure will seriously impair the ability of the public body to discuss the litigation in the public interest, pursuant to Title 25 Oklahoma Statutes, Section 307 (B)(4).

Motion made by Council Member Lornes, Seconded by Council Member Valenzuela to go into Executive Session at 7:55 p.m.

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

11. Return to regular session.

Returned to Open Session at 8:28 p.m.

12. 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.

No action.

MAYOR'S COMMENTS.

Minutes - Regular Meeting

September 14, 2021

Page 3 of 4

None.

NEW AND UNFORESEEN BUSINESS.

None.

ADJOURN.

Meeting adjourned at 8:30 p.m.

POSTED: Monday, September 13, 2021 at 3:00 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 be "D. Gwin", written over a horizontal line.

Dottie Gwin, City Clerk

Scott Chaney, Deputy City Clerk

RESOLUTION _____

A RESOLUTION CONCERNING CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS FOR NON-ENTITLEMENT UNITS OF GOVERNMENT (ARPA FUNDS), AUTHORIZING THE ACCEPTANCE OF FUNDS, THE APPROPRIATE BUDGET AMENDMENTS, AND THE EXECUTION OF ALL NECESSARY AGREEMENTS AND RELATED DOCUMENTS

WHEREAS, the City of Marietta has been designated as a recipient Coronavirus Local Fiscal Recovery Funds for Non-Entitlement Units of Government (ARPA Funds), and has been designated as a recipient of the amount of \$483,445.92 for this fiscal year; and

WHEREAS, the City of Marietta will be required to budget said funds and to account for all expenditures in accordance with applicable federal guidelines; and

WHEREAS, authorization for the execution of all necessary agreement and related documents will expedite the receipt and expenditure of funds; and

WHEREAS, a budget amendment is necessary to properly account for the funds; and

WHEREAS, approval of the documents associated with the funds is in the best interest of the citizens of the City of Marietta.

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

1. The budget amendment attached hereto as “Attachment A” is approved.
2. The acceptance of ARPA Funds is approved and the City hereby acknowledges all expenditures must be in accordance with all ARPA guidelines and compliance requirements.
3. The City Administrator is authorized to sign all necessary budget attestations, award terms and conditions, assurances of compliances, reports and all other necessary agreements and documents related to the award of funds.

APPROVED by the City Council and **SIGNED** by the Mayor this 12th day of October 2021.

CITY OF MARIETTA

ATTEST

KERMIT MCKINNEY, COUNCIL PRES.

DOTTIE GWIN, CITY CLERK

