

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

Tuesday, September 10, 2024 at 6:00 PM

Marietta Municipal Building, 700 S. Highway 77, Marietta, Oklahoma 73448

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

CALL TO ORDER.

ROLL CALL AND DECLARATION OF QUORUM.

INVOCATION.

PLEDGE OF ALLEGIANCE.

CONSENT AGENDA.

All matters listed under this sections are considered by the City Council to be routine and will be enacted by one motion and vote. Any council member may, however, remove any item from the consent agenda by request.

- 1. Approval of the agenda as part of the minutes.
- 2. Approval of the minutes of the regular meeting on August 13, 2024.
- 3. Approval of financial reports.
- 4. Approval of purchase orders and 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.

ITEMS REMOVED FROM CONSENT AGENDA.

Any matter removed from the consent agenda at the request of a council member will be considered separately.

CORRESPONDENCE.

PUBLIC PARTICIPATION.

This is an opportunity for citizens to address the city council. Remarks will be addressed to the governing body as a whole. Any issues presented will not be further discussed by the city council or the mayor at this meeting. Comments must be limited to three minutes or less.

CITY ADMINISTRATOR’S REPORT.

The City Administrator will provide updates regarding recent and upcoming events and projects, and general operations of the City. No action will be taken.

REGULAR BUSINESS.

1. Discussion and possible action regarding the partial closure of Gilliam Street during school hours.
2. Designation of special event sponsored by the Love County Frontier Days Committee and necessary street closures.
3. Discussion and possible action on the future of signs/banners hanging over Main Street.
4. Executive session to discuss the employment of Brian Eppler as a street equipment operator, and the hours, duties, compensation and benefits of said Brian Eppler, pursuant to Title 25 Oklahoma Statutes, Section 307 B (1).
5. Return to open session.
6. Discussion and possible action regarding the employment of Brian Eppler as a street equipment operator, and the hours, duties, compensation and benefits of said Brian Eppler.

NEW/UNFORESEEN BUSINESS.

Discussion and possible action with respect to any matter not known, or which could not have been reasonably foreseen, prior to the time of posting this notice and agenda.

MAYOR'S COMMENTS.

The Mayor will provide updates regarding recent and upcoming events and projects, and general operations of the City. No action will be taken.

ADJOURN.

NOTICE OF POSTING:

I, the undersigned Clerk of the City of Marietta, certify that the foregoing Notice and Agenda of the Regular Meeting of the Marietta City Council was posted in prominent public view at the Marietta City Hall, located at 700 S. Hwy 77, and online at www.mariettaok.city, at 5:00 o'clock p.m. on Friday, September 6, 2024.

Scott Chaney, Deputy City Clerk
Dottie Gwin, City Clerk

Dottie Gwin



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Scott Chaney, Deputy City Clerk
Dottie Gwin, City Clerk

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

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Marietta Municipal Building, 700 S. Highway 77, Marietta, Oklahoma 73448

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

CALL TO ORDER.

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

ROLL CALL AND DECLARATION OF QUORUM.

PRESENT

- Mayor Kermit McKinney
- Council Member Matt Barber
- Council Member Tommy Kiser
- Council Member Destry Rushing
- Council Member Tambre Sanders
- Council Member Angela Vega

Council Member Becca Griggs sworn in at 6:01 p.m.

INVOCATION.

Invocation given by Scott Chaney.

PLEDGE OF ALLEGIANCE.

Pledge of Allegiance led by Mayor McKinney.

CONSENT AGENDA.

All matters listed under this sections are considered by the City Council to be routine and will be enacted by one motion and vote. Any council member may, however, remove any item from the consent agenda by request.

Motion made by Council Member Kiser to approve the Consent Agenda, Seconded by Council Member Barber.

Voting Yea: Council Member Barber, Council Member Kiser, Council Member Rushing, Council Member Sanders, Council Member Vega, Council Member Griggs

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

2. Approval of the minutes of the regular meeting on July 9, 2024.

3. Approval of financial reports.
4. Approval of purchase orders and 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.

ITEMS REMOVED FROM CONSENT AGENDA.

Any matter removed from the consent agenda at the request of a council member will be considered separately.

None.

CORRESPONDENCE.

PUBLIC PARTICIPATION.

This is an opportunity for citizens to address the city council. Remarks will be addressed to the governing body as a whole. Any issues presented will not be further discussed by the city council or the mayor at this meeting. Comments must be limited to three minutes or less.

Erma Sanchez addressed the Council regarding making Gillham Street a 1 way street before and after school.

CITY ADMINISTRATOR'S REPORT.

The City Administrator will provide updates regarding recent and upcoming events and projects, and general operations of the City. No action will be taken.

REGULAR BUSINESS.

1. Swearing of Becca Griggs as the Council Member for Ward 2 (SW), Place 2
Becca Griggs sworn in at 6:01 p.m.
2. Public hearing regarding proposed placement of manufactured home located at 404 S. Driftwood, further described as S75' Lot 3 Block 2 JC Washington Addition, Marietta, Love County, Oklahoma and the proposed rezoning of 308 W.Seminole, further described as Lot 6 Blk 54 Marietta City, Marietta, Love County, Oklahoma and the proposed rezoning of 100 E. Cherokee, further described as Lot 1 Blk 72 Marietta City, Marietta, Love County, Oklahoma.
(Limit Three (3) minutes per participant)
Public hearing opened at 6:15 p.m.
Motion made by Council Member Rushing to close Public Hearing at 6:16 p.m., Seconded by Council Member Sanders.

Voting Yea: Council Member Barber, Council Member Kiser, Council Member Rushing, Council Member Sanders, Council Member Vega, Council Member Griggs

- 3. Application of Junior Sanchez and Maggie Wilson to place manufactured home at 404 S. Driftwood, further described as S75' Lot 3 Block 2 JC Washington Addition, Marietta, Love County, Oklahoma.

Motion made by Council Member Barber to adopt Resolution 2024-25, Seconded by Council Member Rushing.

Voting Yea: Council Member Barber, Council Member Kiser, Council Member Rushing, Council Member Sanders, Council Member Vega, Council Member Griggs

- 4. Application by M2 Development to rezone property located at 308 W.Seminole, further described as Lot 6 Blk 54 Marietta City, Marietta, Love County, Oklahoma, from zoning classification R1 to zoning classification R2.

Motion made by Council Member Sanders to approve Ordinance 24-01, Seconded by Council Member Rushing.

Voting Yea: Council Member Barber, Council Member Kiser, Council Member Rushing, Council Member Sanders, Council Member Vega, Council Member Griggs

- 5. Application by M2 Development to rezone property located at 100 E. Cherokee, further described as Lot 1 Blk 72 Marietta City, Marietta, Love County, Oklahoma, from zoning classification R1 to zoning classification R2.

Motion made by Council Member Rushing to adopt Ordinance 24-02, Seconded by Council Member Sanders.

Voting Yea: Council Member Barber, Council Member Kiser, Council Member Rushing, Council Member Sanders, Council Member Vega, Council Member Griggs

- 6. Disucssion and possible aciton to appoint a City Council President.

Motion made by Council Member Kiser to appoint Destry Rushing as Council President, Seconded by Council Member Sanders.

Voting Yea: Council Member Barber, Council Member Kiser, Council Member Rushing, Council Member Sanders, Council Member Vega, Council Member Griggs

- 7. Discussion and possible action to approve engagement letter wirth HSPG & Associates, PC for Audit of FY 2022-2023

Motion made by Council Member Barber, Seconded by Council Member Kiser.

Voting Yea: Council Member Barber, Council Member Kiser, Council Member Rushing, Council Member Sanders, Council Member Vega, Council Member Griggs

- 8. Discussion and possibel action to approve a municipal election for the position of Council Member for Ward 3 (NE), Place 2

Motion made by Council Member Kiser to approve April 1, 2025 for election of empty Council seat, Seconded by Council Member Vega.

Voting Yea: Council Member Barber, Council Member Kiser, Council Member Rushing,

Council Member Sanders, Council Member Vega, Council Member Griggs

9. Discussion Possible action regarding the purchase of a in car camera system for the Police units.

Chief Harris addressed the Council regarding in car camera systems.

Motion made by Council Member Rushing to adopt Resolution 2024-26 with changes to Agreement per Attorney Cochran, Seconded by Council Member Kiser.

Voting Yea: Council Member Barber, Council Member Kiser, Council Member Rushing, Council Member Sanders, Council Member Vega, Council Member Griggs

10. Discussion and possible action regarding the purchase of body worn cameras for the police officers.

Motion made by Council Member Kiser to adopt Resolution 2024-27 with changes to Agreement per Attorney Cochran, Seconded by Council Member Barber.

Voting Yea: Council Member Barber, Council Member Kiser, Council Member Rushing, Council Member Sanders, Council Member Vega, Council Member Griggs

11. Discussion and possible action regarding the upfit of the 2024 Chevy Tahoe Police vehicle.

Motion made by Council Member Sanders to adopt Resolution 2024-28, Seconded by Council Member Kiser.

Voting Yea: Council Member Barber, Council Member Kiser, Council Member Rushing, Council Member Sanders, Council Member Vega, Council Member Griggs

12. Discussion and possible action for hanging or placement of a sign for the Love County Fall Fair.

Mayor McKinney addressed the Council regarding placing a sign at 3rd and Main for the Free Fair.

Motion made by Council Member Kiser to allow Free Fair to hang a sign across Main Street at 3rd Street, Seconded by Council Member Sanders.

Voting Yea: Council Member Kiser, Council Member Sanders, Council Member Vega, Council Member Griggs

Voting Nay: Council Member Barber, Council Member Rushing

13. Executive session to have confidential communications with the attorney concerning litigation in Red River Cloud Nine, Inc. v. The City of Marietta, Oklahoma, CJ-2024-23, 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).

Motion made by Council Member Barber to go into Executive Session for Items 13 and 14 at 7:21 p.m., Seconded by Council Member Kiser.

Voting Yea: Council Member Barber, Council Member Kiser, Council Member Rushing, Council Member Sanders, Council Member Vega, Council Member Griggs

Returned to Open Session at 7:39 p.m.

14. Executive session to discuss the employment of ALL EMPLOYEES of the City of Marietta, pursuant to Title 25, Oklahoma Statutes, Section 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 Barber to go into Executive Session for Items 13 and 14 at 7:21 p.m., Seconded by Council Member Kiser.

Voting Yea: Council Member Barber, Council Member Kiser, Council Member Rushing, Council Member Sanders, Council Member Vega, Council Member Griggs

Returned to Open Session at 7:39 p.m.

15. Increase rate of pay for certain employees based on employment longevity.

Motion made by Council Member Rushing to adopt Resolution 2024-29, Seconded by Council Member Sanders.

Voting Yea: Council Member Barber, Council Member Kiser, Council Member Rushing, Council Member Sanders, Council Member Vega, Council Member Griggs

16. Any action and further discussion, including but not limited to attorney representation, on Red River Cloud Nine, Inc. v. The City of Marietta, Oklahoma, CJ-2024-23, in the District Court of Love County, State of Oklahoma.

No action.

NEW/UNFORESEEN BUSINESS.

Discussion and possible action with respect to any matter not known, or which could not have been reasonably foreseen, prior to the time of posting this notice and agenda.

None.

MAYOR'S COMMENTS.

The Mayor will provide updates regarding recent and upcoming events and projects, and general operations of the City. No action will be taken.

Mayor McKinney stated Homeland and Dollar General will be completing contracts at the end of the month to rebuild.

He and Scott met with Civil Engineer about catch basin on Love Street.

ADJOURN.

Meeting adjourned at 7:44 p.m.

NOTICE OF POSTING:

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Minutes - Regular Meeting

August 13, 2024

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Scott Chaney, Deputy City Clerk
Dottie Gwin, City Clerk

Dottie Gwin



RESOLUTION 2024-30

DECLARING A HALLOWEEN CELEBRATION ORGANIZED BY THE LOVE COUNTY FRONTIER DAYS COMMITTEE A SPECIAL EVENT AND AUTHORIZING STREET CLOSURES TO ACCOMMODATE THE EVENT

WHEREAS, the Love County Frontier Days Committee is planning a special event to be held within the corporate limits of the City of Marietta on Saturday, October 26, 2024; and

WHEREAS, it will be necessary to close various streets, including a portion of Main Street, within the City of Marietta to accommodate the celebration; and

WHEREAS, the Oklahoma Department of Transportation requires a Resolution be passed by the Marietta City Council authorizing the closure of said street and providing certain information.

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

1. The Love County Frontier Days Committee Halloween celebration, scheduled for October 26, 2024, is recognized as a special event within the City of Marietta.
2. The closure of West Main Street, which is also State Highway 32, between Second Avenue and Fifth Avenue is hereby authorized beginning at 10:00 a.m. on October 26, 2024. This authorization expires at 5:00 a.m. on October 27, 2024.
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 South Fourth Avenue 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 10th day of September 2024.

CITY OF MARIETTA

ATTEST

KERMIT MCKINNEY, MAYOR.

DOTTIE GWIN, CITY CLERK

RESOLUTION 2024-31

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. Brian Epp/er is hereby appointed as an employee of the City of Marietta to the position of Street Equipment operator of the Street Department, under the supervision of Street Supervisor, to be effective 9/23/24.
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 hourly salaried, 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 10th day of September, 2024.

CITY OF MARIETTA

ATTEST

KERMIT MCKINNEY, MAYOR

DOTTIE GWIN, CITY CLERK