

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

Tuesday, July 09, 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 June 11, 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.
- 5. Approval of budget amendments for budget FY 2023-2024

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 to appoint and the swearing in of a City Council Member to Seat 2 of the Southwest Ward.
2. Discussion and possible action to approve Engagement Letter with Rahhal Henderson Willis.
3. Discussion and possible action regarding approval to receive funds in the amount of \$50,196.30 from the Rural Economic Action Plan.
4. Discussion and possible action to repair the city's outdoor emergency sirens using funds from the Rural Economic Action Plan.
5. Discussion and possible action to set dates and approve resolutions for the election of a council member or members, and for the election to approve the continuation of the city sales tax of 3%.
6. 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).
7. 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.

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, July 5, 2024.

Scott Chaney, Deputy City Clerk
Dottie Gwin, City Clerk

Dottie Gwin



July 09, 2024
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PLEDGE OF ALLEGIANCE.

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CORRESPONDENCE.

PUBLIC PARTICIPATION.

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NEW/UNFORESEEN BUSINESS.

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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.

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Scott Chaney, Deputy City Clerk
Dottie Gwin, City Clerk

Dottie Gwin



July 09, 2024
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NOTICE AND MINUTES OF THE REGULAR MEETING OF THE MARIETTA CITY COUNCIL

Tuesday, June 11, 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.

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

ROLL CALL AND DECLARATION OF QUORUM.

PRESENT

- Mayor Kermit McKinney
- Council Member Matt Barber
- Council Member Crystal Cohee
- Council Member Tommy Kiser
- Council Member Destry Rushing
- Council Member Tambre Sanders (left at 7:14 p.m.)
- Council Member Candice Dixon

ABSENT

- Council Member Angela Vega

INVOCATION.

Invocation given by Matt Barber.

PLEDGE OF ALLEGIANCE.

Pledge of Allegiance led by Kermit McKinney.

CONSENT AGENDA.

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Motion made by Council Member Sanders to approve the Consent Agenda, Seconded by Council Member Barber. Council Member Rushing stated the spellings of some names from Minutes of Special Meeting on 6/4/24 need to be corrected.

Voting Yea: Council Member Barber, Council Member Cohee, Council Member Kiser, Council Member Rushing, Council Member Sanders, Council Member Dixon

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

Minutes - Regular Meeting

June 11, 2024

Page 1 of 4

- 2. Approval of the minutes of the regular meeting on May 14, 2024, and the special meeting on June 4, 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.

None.

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.

Denice Halstied from Marietta Main Street gave an update on their progress. A copy is attached.

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.

None.

REGULAR BUSINESS.

- 1. Public hearing regarding budget for fiscal year ending June 30, 2025.
 Motion made by Council Member Barber to open the Public Hearing at 6:10 p.m.on items 1 and 3, Seconded by Council Member Cohee.
 Voting Yea: Council Member Barber, Council Member Cohee, Council Member Kiser, Council Member Rushing, Council Member Sanders, Council Member Dixon
 After discussion, Public Hearing was closed at 6:22 p.m.

- 2. Discussion and possible action to approve the budget for the fiscal year ending June 30, 2025.

Motion made by Council Member Rushing to approve the Budget for the fiscal year ending June 30, 2025, Seconded by Council Member Sanders.

Voting Yea: Council Member Barber, Council Member Cohee, Council Member Kiser, Council Member Rushing, Council Member Sanders, Council Member Dixon

- 3. Public hearing regarding proposed placement of manufactured home located at 603 S. Candlewood, further described as Lot1 Block 10 J.C. Washington Addition, Marietta, Love County, Oklahoma

(Limit Three (3) Minutes per participant)

Motion made by Council Member Barber to open the Public Hearing at 6:10 p.m.on items 1 and 3, Seconded by Council Member Cohee.

Voting Yea: Council Member Barber, Council Member Cohee, Council Member Kiser, Council Member Rushing, Council Member Sanders, Council Member Dixon

After discussion, Public Hearing was closed at 6:22 p.m.

- 4. Application of Brandon Mote for placement of manufactured home located at 603 S. Candlewood, further described as Lot1 Block 10 J.C. Washington Addition, Marietta, Love County, Oklahoma

Motion made by Council Member Rushing to approve the placement of the Mobile Home contingent on appropriate zoning, Seconded by Council Member Kiser.

Voting Yea: Council Member Barber, Council Member Cohee, Council Member Kiser, Council Member Rushing, Council Member Sanders, Council Member Dixon

- 5. Discussion and possible action regarding the repair, replacement, or removal of the City of Marietta's outdoor warning sirens.

After discussion by Mayor McKinney stating what needs updated and the amount to fix the sirens to be \$50,000 more or less, no action was taken. The City will apply for grants.

- 6. Discussion and possible action for a resolution regarding the policy and procedures for filling a vacant City Council seat.

Motion made by Council Member Sanders to adopt Resolution regarding the policy and procedures for filling a vacant City Council seat, Seconded by Council Member Rushing.

Voting Yea: Council Member Barber, Council Member Cohee, Council Member Kiser, Council Member Rushing, Council Member Sanders, Council Member Dixon

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 McKinney recognized the resignation of Council Member Candice Dixon effective 6/11/24.

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 mentioned a letter he sent to Business owners affected by the tornado asking to move us to the front to get the City back to normal. He stated Homeland is to be 30 percent bigger. Welcomed the new employees to the City and congratulated Stephanie on her move to City Clerk.

ADJOURN.

Meeting adjourned at 7:17 p.m.

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, June 7, 2024.

Scott Chaney, Deputy City Clerk
Dottie Gwin, City Clerk

Dottie Gwin



June 11, 2024

Honorable Mayor and Council Members
City of Marietta
Marietta, Oklahoma

You have requested that we prepare the financial statements of the City of Marietta as of June 30, 2024. We are pleased to confirm our acceptance and our understanding of this engagement to prepare the financial statements by means of this letter.

Our Responsibilities

The objective of our engagement is to prepare financial statements for audit by the City's external auditors, in accordance with the modified cash basis based on information provided by you. We will conduct our engagement in accordance with Statements on Standards for Accounting and Review Services (SSARSS) promulgated by the Accounting and Review Services Committee of the AICPA and comply with the AICPA's Code of Professional Conduct, including the ethical principles of integrity, objectivity, professional competence, and due care.

We are not required to, and will not, verify the accuracy or completeness of the information you will provide to us for the engagement or otherwise gather evidence for the purpose of expressing an opinion or a conclusion. Accordingly, we will not express an opinion or a conclusion or provide any assurance on the financial statements.

Our engagement cannot be relied upon to identify or disclose any financial statement misstatements, including those caused by fraud or error, or to identify or disclose any wrongdoing within the entity or noncompliance with laws and regulations.

Management Responsibilities

The engagement to be performed is conducted on the basis that management acknowledges and understands that our role is to prepare financial statements in accordance with the modified cash basis. Management has the following overall responsibilities that are fundamental to our undertaking the engagement to prepare your financial statements in accordance with SSARSS:

- a.* The selection of the modified cash basis as the financial reporting framework to be applied in the preparation of the financial statements
- b.* The prevention and detection of fraud
- c.* To ensure that the entity complies with the laws and regulations applicable to its activities
- d.* The accuracy and completeness of the records, documents, explanations, and other information, including significant judgments, you provide to us for the engagement to prepare financial statements

- e. To provide us with:
 - i. Documentation, and other related information that is relevant to the preparation and presentation of the financial statements,
 - ii. Additional information that may be requested for the purpose of the preparation of the financial statements, and
 - iii. Unrestricted access to persons within the companies of whom we determine necessary to communicate.

As part of our engagement, we will issue a disclaimer that will state that the financial statements were not subjected to an audit, review, or compilation engagement by us, and, accordingly, we do not express an opinion, a conclusion, or provide any assurance on them.

Other consulting services our firm can provide on an as needed basis include:

- **Budget Preparation Assistance** – Assist in the development of the City’s annual budget and prepare the required budget documents.
- **Budget Monitoring Assistance** – Preparation of budget status reports from the City’s accounting records. Assist with budget amendments as necessary.
- **Accounting System Implementation Assistance** - Assist the City on system set up, design changes, and training on accounting software.
- **Internal Control Implementation** – Advise the City on the adequacy of the design of internal control policies and procedures and assist with the implementation of recommendations for improvement of the design of internal control policies.
- **General Accounting and Reconciling Assistance** – Assist in posting transactions, reconciling account balances and identifying any adjustments needed.
- **Internal Audit or Monitoring Services** – Assist management in monitoring compliance with internal control policies as well as compliance with laws and regulations on a year-round ongoing basis.
- **Agreed Upon Procedures** – Performing agreed upon procedures over specific assertions and subject matters, such as debt service compliance.
- **Compliance Advisory Assistance** – Provide research of finance related laws and regulations applicable to the City and provide compliance advice to the City.
- **Payroll and Other Regulatory Report Assistance** – Assist in the preparation or correction of federal and state tax and other regulatory forms or reports, as well as Fair Labor Standards issues and compliance.

Our fee for preparing the annual financial statements and footnotes will be \$9,500, plus out of pocket expenses (such as report reproduction, postage, travel, etc.).

Our fees for the other consulting services would be at our hourly rates as follows plus, out of pocket expenses (such as report reproduction, postage, travel, etc.):

- Partner Level \$200
- CPA Staff \$150
- Degreed Accounting Staff \$ 95
- Bookkeeping Staff \$ 85

We look forward to assisting you.

Sincerely,

RAHHAL HENDERSON WILLIS, PLLC

A handwritten signature in cursive script that reads "Beth Willis".

Beth Willis

RESPONSE:

This letter correctly sets forth the understanding of City of Marietta, Oklahoma.

Signature: _____

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 for the repair to the outdoor warning siren system in the City of Marietta, Love County, Oklahoma; and

WHEREAS, it is in the best interest of 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.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF MARIETTA that Scott Chaney, City Administrator, and Stephanie Cannon, Deputy City Clerk, are authorized to sign all related documentation necessary to file for and process a grant through the Rural Economic Action Plan Fund (REAP) on behalf of the City of Marietta.

PASSED by the City Council and **SIGNED** by the Mayor this 9th day of July 2024.

CITY OF MARIETTA

KERMIT MCKINNEY, MAYOR

ATTEST

DOTTIE GWIN, CITY CLERK

RESOLUTION _____

A RESOLUTION AUTHORIZING THE PURCHASE OF EQUIPMENT, MATERIALS, AND/OR SUPPLIES FOR THE 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 Outdoor warning siren repair were submitted by Omni Warn / Federal Signal - \$50,196.30 _____; and

WHEREAS, staff recommend the purchase of equipment as submitted by Omni Warn / Federal Signal, based upon the following justification: State Contract + Federal Signal representative and sales provider _____; and

WHEREAS, funding is available to provide for this expenditure within the budget of the current fiscal year, under the following department/account: Grant Fund _____.

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

1. The purchase of Outdoor warning siren repair as submitted by Omni Warn / Federal Signal is hereby approved.
2. The expenditure for the purchase will be deducted from the following department/account: Grant Fund.

PASSED by the City Council and **SIGNED** by the Mayor this 9TH day of July, 2024.

CITY OF MARIETTA

ATTEST

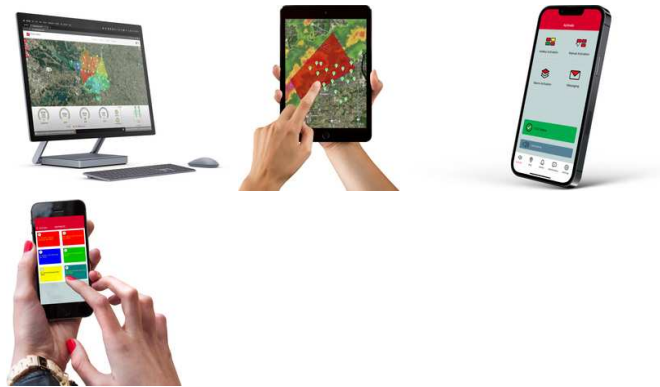
KERMIT MCKINNEY, MAYOR

DOTTIE GWIN, CITY CLERK

Quote #377 - Marietta, Oklahoma Siren System Rehab

Commander1-S10
CommanderOne Standard (10 Site)

CommanderOne® is the latest innovation connecting you to your warning system, anytime, anywhere. Control your warning system from any device, desktop or mobile, with our cloud-based platform. Works with one-way and two-way siren systems. Includes AccuWeather patented polygon activation technology. Give your community a head start with CommanderOne! CommanderOne is a software subscription and renews yearly.



 [CommanderOne Datasheet](#)

3,150.00
x 1
20% discount
2,520.00

FROM
Logan Shelts
Federal Signal
2645 Federal Signal Dr.
University Park, IL 60484
www.omni-warn.com

PHONE
1-833-360-9276

FOR
Marietta, Oklahoma

TO
Scott Chaney

EMAIL
schaney@mariettaok.city

QUOTE NUMBER
377

DATE
June 11, 2024

EXPIRY DATE
September 1, 2024

SS2000+R
SS2000+ Rack Mount Encoder

The SS2000+ controller is the most advanced stand-alone control unit. The SS2000+ interfaces to an analog or digital radio system to provide control of sirens or giant voice systems. The SS2000+ has 24 programmable activation hotkeys and 20 contact closure inputs for interfacing with remote control systems. The hotkeys can provide specific types of warnings or test activations. Hotkeys are now accessible from a new web interface commonly used in dispatch centers. The new web interface can provide improved redundancy allowing multiple points of access to a single SS2000+ unit. Available in a desktop and rack mount console.



4,387.00
x 1
20% discount
3,509.60

TK-IO-CUSTINS (BSK)
Base Station Kit

4,375.00
x 1
4,375.00

- Byte Speed Performance B660T Server with Windows OS.
- Standalone rack equipment for control point
- Kenwood 1700 radio
- Radio mount plate with power supply
- Byte Speed Server / FS IoT modem mounting plate
- Dipole base antenna(VHF/UHF)
- Side of tower or non-penetrating roof mount
- Antenna grounding kit
- 100ft of LMR400 Coax

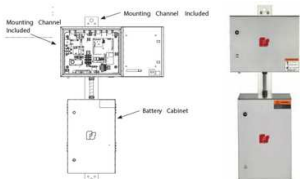


Outdoor Siren Equipment

DCFCTBDH
Two Way Siren Controller (DC Siren) (VHF)

9,474.00
x 3
20% discount
22,737.60

Two-way siren controller for 48VDC Sirens. Two-way radio control and status monitoring. Simultaneous two-tone sequential, DTMF, EAS, POCSAG, and digital AFSK decoding for security. Able to utilize multiple communication paths for redundancy. Controls mechanical sirens, including models 2001-130, Equinox, 508-128 and Eclipse8. UL Listed for general signaling. DNV Certified
DIGITAL CONTROLLER, HIGH BAND




OMNI-BVH-35
Antenna Kit: 150-174MHZ VHF

480.00
x 3
20% discount
1,152.00

- Federal Signal high gain antenna kit with grounding plane.
- High quality, corrosion-resistant components
- Light weight, easy to ship and install
- Compatible with (AMB-P) pole mount and (AMB-W) wall mount
- 35ft LMR400 Coax, Type N male



<p>AMB-P Antenna Mounting Bracket - Pole</p> <ul style="list-style-type: none"> • Antenna bracket, pole mount 	<p>159.00 x 3 20% discount 381.60</p>
<p>TK-IO-CUSTINS (M31M1000) Extended Run Battery (M31M1000)</p> <p>Warranty: 18 Month Limited Warranty Battery Type: Standard Flooded Voltage: 12 Volt Cold Cranking Amps (CCA): 800 Cranking Amps (CA): 1000 Amp Hour (Ah): 105</p> 	<p>160.00 x 12 1,920.00</p>

Installation & Services

<p>TK-IO-CUSTINS INSTALL, CUSTOM</p> <p>Frequency Coordination Fee - New Frequency for City Storm Sirens. Relicenses the storms sirens on a dedicated frequency.</p>	<p>1,300.00 x 1 1,300.00</p>
<p>TK-IO-CUSTINS (Control Point) Install Service: Control Point</p> <p>Installing a siren control base station refers to the process of setting up and installing the infrastructure required for a two-way communication system in a fixed location. Siren control base stations are commonly used in various industries, including public safety, transportation, utilities, and private enterprises.</p> <ul style="list-style-type: none"> • Provide bucket truck for Install • Optimize & program control point. • Install new SS2000+ and interface with system 	<p>3,250.00 x 1 3,250.00</p>
<p>TK-IO-CUSTINS (Install Controller) Install Service: Siren Controller</p> <p>Federal Signal authorized installer will leverage the expertise of their skilled crew for the construction and installation of siren controller(s).</p> <ul style="list-style-type: none"> • Provide 2 man crew • Provide bucket truck • Provide building materials and supplies • Adhering to established protocols for siren installations. • The authorized installer is responsible for providing trucks and essential hardware required for the installation. 	<p>2,437.50 x 3 7,312.50</p>

Freight2 Shipping & Handling	1,738.00 x 1 1,738.00
Shipping from University Park, IL to Customer location. FOB - University Park, IL (Factory)	
Subtotal, includes discount of 7,575.20	50,196.30
Total	\$50,196.30

Download PDF Quote

You may download a PDF copy of this quote using the download PDF option found on the right side of this digital quote.

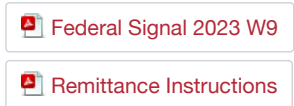
Purchase Order Instructions

ATTENTION
 ALL PURCHASE ORDERS SHOULD BE EMAILED TO LOGAN@OMNI-WARN.COM
 All purchase orders must be made out to the following:
 Federal Signal Corporation
 Alerting & Notification Systems
 2645 Federal Signal Drive
 University Park, IL 60484

Remittance Instructions

Please find our W9 and remittance information attached for your convenience.

Checks may be mailed to:
 PO BOX 200217
 Dallas, Texas
 75320-0217



Sales Tax

All quotes exclude sales tax. If your organization qualifies for sales tax exemption in your area, we kindly request that you provide the necessary details by submitting a Sales Tax Exemption Form with your order.

Credit Card Purchases

Please indicate upon acceptance whether you will be paying by credit card as a customer. Our internal sales team will contact you via phone to process the credit card payment.

Terms & Conditions

Prices are firm for 30 days from the date of quotation unless shown otherwise. Upon acceptance, prices are firm for 6 months. This quotation is expressly subject to acceptance by Buyer of all Terms stated in the Terms document, available for download on this quote. Any exception to or modification of such Terms shall not be binding on Seller unless expressly accepted in writing by an authorized agent or Officer of Seller. Any order submitted to Seller on the basis set forth above, in whole or in part, shall constitute an acceptance by Buyer of the Terms. Any such order shall be subject to acceptance by Seller in its discretion. If the total price for the items set forth above exceeds \$50,000 then this quotation IS ONLY VALID if countersigned below by a Regional Manager of the Safety & Security Systems Group, Federal Signal Corporation. Installation is not included unless specifically quoted as a line item above. Adverse Site Conditions, including rock, caving soil conditions, contaminated soil, poor site access availability, and other circumstances which result in more than 2 hours to install a pole, will result in a \$385.00 per hour fee, plus equipment. Trenching is additional. Power Clause, bringing power to the equipment is the responsibility of the purchaser. Permit Clause, any special permits, licenses or fees will be additional.

Download full terms and conditions here:

 [Terms Conditions Warranty](#)