

MINUTES OF NOTICE OF THE PUBLIC HEARING ON ANNEXATION OF PROPERTY
OWNED BY LOVE COUNTY JUSTICE AUTHORITY
AND REGULAR MEETING OF MARIETTA CITY COUNCIL
TUESDAY, NOVEMBER 8, 2016 6:00 P.M.
MARIETTA PUBLIC WORKS AUTHORITY BUILDING
303 W. MAIN
MARIETTA, OKLAHOMA

1. The Meeting was called to order by Acting Mayor Barger at 6:00 p.m.
2. DECLARATION OF QUORUM:

Council Members Present: Tom Kiser, Kermit McKinney, Charles Treadwell, Wayne Bond, Lawrence Anderson, Richard Barker and Ron Jacobs.

A quorum to conduct business was declared.

Also Present: City Attorney - Richard Cochran, City Clerk – Dottie Gwin and other members of the public and a number of employees from the City of Marietta.

3. Invocation was given by Lawrence Anderson.
4. Public Hearing on Annexation of property owned by Love County Justice Authority.

Public Hearing was opened at 6:00 p.m. No one appeared.

Ron Jacobs moved to close the public hearing.

Seconded by Wayne Bond.

Ayes: Tom Kiser, Kermit McKinney, Charles Treadwell, Doug Barger, Wayne Bond, Lawrence Anderson, Richard Barker and Ron Jacobs.

Nays: None.

Motion Passes.

5. Consent Agenda:
 - a. Approval of the agenda as part of the minutes.
 - b. Approval of the minutes of the October 11, 2016 Regular Council.
 - c. Approval of expenditures from General Fund, if any.
 - d. Approval of expenditures from Sanitation Transfer Fund, if any.
 - e. Approval of payment of payroll and scheduled monthly payments.
 - f. Approval of payment of Sanitation/Transfer Site payroll and scheduled monthly payments.
 - g. Approval of expenditures from Municipal Court Fund, if any.

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- h. Approval of expenditures from Grant Fund, if any.
- i. Approval of expenditures from Police Improvement Fund, if any.
- j. Approval of expenditures from Cemetery Care Fund, if any.
- k. Approval of expenditures from Street Fund, if any.

Wayne Bond moved to approve the Consent Agenda.

Seconded by Kermit McKinney.

Ayes: Tom Kiser, Kermit McKinney, Charles Treadwell, Doug Barger, Wayne Bond, Lawrence Anderson, Richard Barker and Ron Jacobs.

Nays: None.

Motion Passes.

- 6. Items removed from the consent agenda, if any.

None.

- 7. Public participation.

Nic McMillin thanked the Council for letting the Frontier Days Committee do the Halloween Carnival and stated we would like to make it an annual event.

- 8. Fiscal year 2014/2015 audit. (Chris Angel, CPA)

Chris Angel addressed the Council and reviewed the Audit. He stated that either Lindzie or Scott need to sign the purchase orders and requisitions and they need to make sure the vendors are legit. All employee raises need to be documented in the employee file.

Richard Barker moved to approve the fiscal year 2014/2015 audit.

Seconded by Ron Jacobs.

Ayes: Tom Kiser, Kermit McKinney, Charles Treadwell, Doug Barger, Wayne Bond, Lawrence Anderson, Richard Barker and Ron Jacobs.

Nays: None.

Motion Passes.

- 9. Engagement letter for Rahaal Henderson and Johnson.

Doug Barger moved to approve the engagement letter for Rahaal Henderson and Johnson.

Seconded by Tom Kiser.

Ayes: Tom Kiser, Kermit McKinney, Charles Treadwell, Doug Barger, Wayne Bond, Lawrence Anderson, Richard Barker and Ron Jacobs.

Nays: None.

Motion Passes.

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10. City Hall hours.

Scott Chaney discussed with the Council the possibility of changing the City Hall hours.

Dies for lack of motion.

11. Annexation of property owned by Love County Justice Authority and described on Exhibit "A" attached hereto.

It could not be determined that this property abutted the city limits of Marietta.

Doug Barger moved to table Item 11.

Seconded by Ron Jacobs.

Ayes: Tom Kiser, Kermit McKinney, Charles Treadwell, Doug Barger, Wayne Bond, Lawrence Anderson, Richard Barker and Ron Jacobs.

Nays: None.

Motion Passes.

12. Ordinance regulating the drilling of water wells.

Doug Barger moved to adopt Ordinance 2016-03-11 giving the Marietta Public Works Authority the authority to make decisions on the drilling of water wells.

Seconded by Ron Jacobs.

Ayes: Tom Kiser, Kermit McKinney, Charles Treadwell, Doug Barger, Wayne Bond, Lawrence Anderson, Richard Barker and Ron Jacobs.

Nays: None.

Motion Passes.

Doug Barger moved to declare Ordinance 2016-03-11 an emergency.

Seconded by Ron Jacobs.

Ayes: Tom Kiser, Kermit McKinney, Charles Treadwell, Doug Barger, Wayne Bond, Lawrence Anderson, Richard Barker and Ron Jacobs.

Nays: None.

Motion Passes.

13. 2017 Council Meetings.

Ron Jacobs moved to change the dates listed to the year 2017 and approve said dates as the 2017 Council Meetings.

Seconded by Lawrence Anderson.

Ayes: Tom Kiser, Kermit McKinney, Charles Treadwell, Doug Barger, Wayne Bond, Lawrence Anderson, Richard Barker and Ron Jacobs.

Nays: None.

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Motion Passes.

14. 2017 City Holidays.

Kermit McKinney moved to approve the 2017 City Holidays.

Seconded by Tom Kiser.

Ayes: Tom Kiser, Kermit McKinney, Charles Treadwell, Doug Barger, Wayne Bond, Lawrence Anderson, Richard Barker and Ron Jacobs.

Nays: None.

Motion Passes.

15. Christmas bonus for employees.

Richard Barker moved to approved Christmas bonuses for City employees in the amount of \$250.00 net to be taken out of Streets/Capital Outlay.

Seconded by Lawrence Anderson.

Ayes: Tom Kiser, Kermit McKinney, Charles Treadwell, Doug Barger, Wayne Bond, Lawrence Anderson, Richard Barker and Ron Jacobs.

Nays: None.

Motion Passes.

16. Repair of Transfer Site backhoe.

Mayor Barger and Vice Mayor McKinney previously approved for \$2,000.00.

17. Purchase of police patrol car.

Chief Scott addressed the Council and stated \$45,000.00 had been set aside for a patrol car. He obtained three (3) bids on a new police patrol car as follows: Ford Explorer from Bob Hurley Ford, \$28,303.28 with up-fitting (includes radar and camera system) from Defender Supply for \$16,098.03 for a total of \$44,401.31; John Vance Auto, \$28,391.10 and Defender Supply \$29,544.29 for vehicle and Bob Hurley Ford, \$15,168.00 and John Vance, \$15,000.47 for up-fitting.

Richard Barger moved to purchase a Ford Explorer from Bob Hurley Ford, \$28,303.28 with up-fitting (includes radar and camera system) from Defender Supply for \$16,098.03 for a total of \$44,401.31.

Seconded by Kermit McKinney.

Ayes: Tom Kiser, Kermit McKinney, Charles Treadwell, Doug Barger, Wayne Bond, Lawrence Anderson, Richard Barker and Ron Jacobs.

Nays: None.

Motion Passes.

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18. Repair North door of Library.

Randell Hembree and Terry Vernon placed weather stripping on the door. No action.

19. Appointment of Jerry Cochran to Board of Adjustment.

Kermit McKinney moved to appoint Jerry Cochran to the Board of Adjustment.

Dies for lack of motion.

20. Executive Session to discuss the employment of a School Resource Officer, as a City employee, and the hours, duties, compensation, and benefits of said officer all pursuant to Title 25 Oklahoma Statutes, Sections 307 B (1) and 307 B (7).

No motion was made to go into executive session on this item.

21. The employment of a School Resource Officer as a City employee, and the hours, duties, compensation, and benefits for said officer. (Dustin Scott)

No action.

22. Executive Session to discuss the employment of Randell Hembree and Dustin Scott pursuant to the Final Rule of the United States Department of Labor, as a City employee, and the hours, duties, compensation, and benefits of said officer all pursuant to Title 25 Oklahoma Statutes, Sections 307 B (1) and 307 B (7).

Ron Jacobs moved to go into Executive Session at 7:28 p.m.

Seconded by Richard Barker.

Ayes: Tom Kiser, Kermit McKinney, Charles Treadwell, Doug Barger, Wayne Bond, Lawrence Anderson, Richard Barker and Ron Jacobs.

Nays: None.

Motion Passes.

Return to open session.

Returned to Open Session at 8:03 p.m.

23. The employment of Randell Hembree and Dustin Scott pursuant to the Final Rule of the United States Department of Labor as a City employee, and the hours, duties, compensation, and benefits for said officer. (Dustin Scott)

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Richard Barker moved to categorize Dustin Scott and Randell Hembree as non-exempt employees of the City of Marietta without any change in pay but they will qualify for overtime at 1 ½ times their hourly rate effective December 1, 2016.

Seconded by Charles Treadwell.

Ayes: Tom Kiser, Kermit McKinney, Charles Treadwell, Doug Barger, Wayne Bond, Lawrence Anderson, Richard Barker and Ron Jacobs.

Nays: None.

Motion Passes.

24. New and unforeseen business.

City Clerk brought to the Council's attention the fees that will be incurred for direct deposit (this item was unforeseen and could not be placed on the Agenda).

Pursuant to the unforeseen item above, Ron Jacobs moved to changed payroll to Thursdays beginning the first pay period in January, 2017 to avoid any unnecessary Bank charges.

Seconded by Wayne Bond.

Ayes: Tom Kiser, Kermit McKinney, Charles Treadwell, Doug Barger, Wayne Bond, Lawrence Anderson, Richard Barker and Ron Jacobs.

Nays: None.

Motion Passes.

25. Adjourn.

Meeting adjourned at 8:14 p.m.



Dottie Gwin, City Clerk
Scott Chaney, Deputy City Clerk

EXHIBIT "A"

SURFACE AND SURFACE RIGHTS ONLY:

A tract of land located in Section 17, Township 7 South, Range 2 East, Love County, Oklahoma, more particularly described as follows: Beginning at a point 782.98 feet North of the SW/C of SW/4 SW/4 NW/4 Sec. 17, T7S, R2E, thence North 122.70 feet, thence East 355.0 feet, thence South 122.70 feet, thence West 355.0 feet to the point of beginning, Containing one acre, more or less; and

A tract of land in the Southwest Quarter (SW/4) of the Northwest Quarter (NW/4) of Section Seventeen (17), Township Seven (7) South, Range Two (2) East, Indian Base and Meridian, Love County, Oklahoma, being more particularly described as follows: Commencing at the Southwest corner of the NW/4; Thence N00°02'49"W, along the West line of the NW/4, a distance of 1318.98 feet to the Northwest corner of the SW/4 NW/4; Thence S89°42'50"E, along the North line of the SW/4 NW/4, a distance of 59.65 feet to the East line of U.S. Highway 77 as described in the office of the Love County Clerk in Book 49 at Page 74 and being the True Point of Beginning; Thence continuing S89°42'50"E, along the North line of the SW/4 NW/4, a distance of 880.58 feet; Thence S00°02'49"E, parallel with the West line of the SW/4 NW/4, a distance of 535.43 feet to a point being 782.97 feet North of the South line of the NW/4; Thence N89°44'55"W, parallel with the South line of the NW/4, a distance of 585.23 feet to a point being 355.00 feet East of the West line of the NW/4; Thence N00°02'49"W, parallel with the West line of the NW/4, a distance of 122.70 feet; Thence N89°44'55"W, parallel with the South line of the NW/4, a distance of 295.68 feet to the East line of U.S. Highway 77 as described in the office of the Love County Clerk in Book 49 at Page 74; Thence N00°09'12"W, along the East line of said U.S. Highway 77, a distance of 99.46 feet; Thence N00°02'48"E, along the East line of said U.S. Highway 77, a distance of 313.81 feet to the True Point of Beginning. Having an area of 10.00 Acres more or less, Basis of Bearings are Geodetic North. Said being described by Aaron L. Morris, RPLS No. 1477 on January 18, 2016;

and

A tract of land in the Southwest Quarter (SW/4) of the Northwest Quarter (NW/4) of Section Seventeen (17), Township Seven (7) South, Range Two (2) East, Indian Base and Meridian, Love County, Oklahoma, being more particularly described as follows: Commencing at the Southwest corner of the NW/4; Thence N00°02'49"W, along the West line of the NW/4, a distance of 1318.98 feet to the Northwest corner of the SW/4 NW/4; Thence S89°42'50"E, along the North line of the SW/4 NW/4, a distance of 940.23 feet to the True Point of Beginning; Thence continuing S89°42'50"E, along the North line of the SW/4 NW/4, a distance of 210.80 feet to a point 165.00 feet West of the Northeast corner thereof; Thence S00°04'37"E, parallel with the East line of the SW/4

NW/4, a distance of 165.00 feet; Thence S89°42'50"E, parallel with the North line of the SW/4 NW/4, a distance of 165.00 feet to a point on the East line thereof; Thence S00°04'37"E, along the East line of the SW/4 NW/4, a distance of 630.49 feet to a point being 522.68 feet North of the South line of the NW/4; Thence N89°44'55"W, parallel with the South line of the SW/4, a distance of 306.24 feet to a point being 1010.19 feet East of the West line of the NW/4; Thence N00°02'49"W, parallel with the West line of the NW/4, a distance of 51.58 feet; Thence S89°44'55"E, parallel with the South line of the NW/4, a distance of 252.00 feet; Thence N00°02'49"W, parallel with the West line of the NW/4, a distance of 208.71 feet to a point 782.97 feet from the South line and 1262.20 feet from the West line of the NW/4; Thence N89°44'55"W, parallel with the South line of the NW/4, a distance of 321.97 feet to a point 940.23 East of the West line thereof; Thence N00°02'49"W, parallel with the West line of the NW/4, a distance of 535.43 feet to the True Point of Beginning. Having an area of 4.62 Acres more or less, Basis of Bearings are Geodetic North. Said being described by Aaron L. Morris, RPLS No. 1477 on January 18, 2016