

MINUTES OF SPECIAL MEETING OF MARIETTA CITY COUNCIL
FRIDAY, JUNE 28, 2019 AT 2:00 P.M.
MARIETTA PUBLIC WORKS AUTHORITY BUILDING
303 W. MAIN STREET, MARIETTA, OKLAHOMA

1. The meeting was called to order by Mayor Fraire at 2:00 p.m.
2. A quorum to conduct business was declared.

Council Members present: Tom Kiser, Angela Vega, Rae Freeman, Lawrence Anderson, KorDale Lornes, Richard Barker, Kermit McKinney.

Council Members absent: Vanessa Wright

Also present: City Attorney Richard Cochran, City Administrator Dustin Scott, and citizens of the City of Marietta.

3. Invocation was given by Lawrence Anderson.
4. Pursuant to the Order of the District Court of Love County, State of Oklahoma, the election of the Mayor to vote or not to vote, and the vote of the Mayor if the Mayor does vote, on Ordinance No. 2019-05, amending the zoning of real property located at 1003 Memorial Drive, further described in Appendix A, rezoning to I-2.

Mayor Fraire explained to the Council of the Order of the District Court. The Order was stayed for ten (10) days to allow parties the opportunity to appeal the ruling. It is the opinion of legal counsel that the Mayor's vote be postponed to remain in compliance with the Order and allow parties to appeal the decision if desired.

No Action.

5. Executive session to have confidential communications with the attorney concerning the litigation of Red River Valley Rural Electric Association v. City of Marietta, CV-2019-18, pending 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).

Rae Freeman moved to enter executive session at 2:04 p.m.

Seconded by KorDale Lornes.

Ayes: Tom Kiser, Angela Vega, Rae Freeman, Lawrence Anderson, KorDale Lornes, Richard Barker, Kermit McKinney

Nays: None.

Motion passes.

Return to open session at 2:47p.m.

6. Action and any further discussion on the litigation of Red River Valley Rural Electric Association v. City of Marietta, CV-2019-18, pending in the District Court of Love County, State of Oklahoma, including but not limited to appealing the order of the Court.

KorDale Lornes moved not to appeal the Court decision in Red River Valley Rural Electric Association v. City of Marietta, CV-2019-18.

Seconded by Tom Kiser.

Ayes: Tom Kiser, Angela Vega, Rae Freeman, Lawrence Anderson, KorDale Lornes, Richard Barker, Kermit McKinney

Nays: None.

Motion passes.

7. Meeting adjourned at 2:48 p.m.



Dustin Scott, City Administrator

Appendix A

A parcel of land located in the East Half of the Northeast Quarter of the Northeast Quarter (E/2 NE/4 NE/4) of Section Nineteen (19), Township Seven (7) South, Range Two (2) East, of the Indian Base and Meridian, Love County, Oklahoma, being more particularly described as follows: Commencing at the Northeast corner of said E/2 NE/4 NE/4; Thence S89°56'04"W, along the North line of said E/2 NE/4 NE/4, a distance of 272.20 feet to the Point of Beginning; Thence S05°52'35"E, a distance of 57.27 feet; Thence S00°28'39"E, a distance of 138.03 feet; Thence N89°56'04"E, a distance of 101.39 feet; Thence S00°03'56"E, a distance of 155.00 feet; Thence S89°56'04"W, a distance of 82.00 feet; Thence S00°03'56"E, a distance of 75.00 feet; Thence S89°56'04"W, a distance of 42.00 feet; Thence S00°03'56"E, a distance of 336.00 feet; Thence S89°56'04"W, a distance of 365.00 feet; Thence N00°03'56"W, a distance of 761.00 feet to a point in the North line of said E/2 NE/4 NE/4; Thence N89°56'04"E, along said North line, a distance of 380.80 feet to the True Point of Beginning, having an area of 6.98 Acres more or less. Basis of Bearings are Geodetic North. Said being described by Robby L. Johnson, RPLS No. 1539 on April 11, 2018.