

MINUTES OF RECONVENED PUBLIC HEARING AND
RECONVENED MEETING OF MARIETTA CITY COUNCIL
MONDAY, MAY 20, 2019 AT 6:00 PM
MARIETTA PUBLIC WORKS AUTHORITY BUILDING
303 W. MAIN STREET, MARIETTA, OKLAHOMA

1. The meeting was called to order by Mayor Fraire at 6:01 p.m.
2. A quorum to conduct business was declared.

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

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

3. Invocation given by Lawrence Anderson.
4. Rules for public participation.
5. Public hearing regarding proposed rezoning of property located at 1003 Memorial Drive, further described in Appendix A--rezoning from C-3 to I-2.

Public hearing was opened at 6:02 p.m. The same people appeared in opposition to the above rezoning. Gerri Kelly from First National Bank and Trust stated they don't want this zoned industrial due to the type of business it would bring in and for the benefit of the Bank's employees and customers. A representative from SOTC stated it also wished the zoning to stay commercial. Kent Watson, representing Big Five, stated Big Five joins with the Bank and SOTC. Steve Reed stated if the zoning is changed is industrial it will change the way Marietta looks. Charles Roberts, attorney for Big Five and the Bank, stated statute promotes for the best of the community and he doesn't believe rezoning is the best for the community.

Larry Hicks on behalf of REA, addressed the council and gave reasons he believed the above should be rezoned. David Blankenship, attorney for REA, stated that the Planning and Zoning Committee voted unanimously in favor of the rezoning and it should be rezoned.

Rae Freeman moved to close the Public Hearing at 6:15 p.m.
Seconded by KorDale Lornes.

Ayes: Tom Kiser, Angela Vega, Rae Freeman, Lawrence Anderson, Vanessa Manuel-Wright, KorDale Lornes, Richard Barker, Kermit McKinney.

Nays: None.

Motion passes.

6. Public hearing regarding proposed rezoning of property located at 110 S. Driftwood Avenue, further described as Lot 4 and Lot 5, Block 82, Marietta, Love County, Oklahoma--rezoning from C-7 to I-1.
7. CONSENT AGENDA
 - a. Approval of the agenda as part of the minutes.
 - b. Approval of the minutes of the April 9, 2019 regular council meeting.
 - c. Approval of expenditures from the General Fund, if any.
 - d. Approval of expenditures from the Sanitation Fund, if any.
 - e. Approval of expenditures from the Cemetery Care Fund, if any.
 - f. Approval of expenditures from the Expense Fund, if any.
 - g. Approval of expenditures from the Grant Fund, if any.
 - h. Approval of expenditures from the Police Asset Forfeiture Fund, if any.
 - i. Approval of payroll and scheduled monthly payments.
8. ITEMS REMOVED FROM CONSENT AGENDA.
9. PUBLIC PARTICIPATION.
10. Ordinance amending zoning of real property located at 1003 Memorial Drive, further described in Appendix A--rezoning from C-3 to I-2 and review of recommendations by Planning Commission.

Mayor Fraire stated Planning and Zoning passed to rezone the REA 5-0 and an independent contractor also stated the property should be zoned industrial. Kermit McKinney asked David Powell of SOTC if they were interested in purchasing the property and Rae Freeman asked if there were other offers. Kermit McKinney asked Kent Watson about regulatory concerns. Rae Freeman asked what rezoning will change and who all is industrial in the City. KorDale Lornes stated a protest against change is a protest against progress. Brent Sykora from the REA stated the only other offer received was a low offer from one of the protestors. Danny Will from the REA addressed questions also.

Mayor Fraire stated whatever decision is made she wants everyone to try to work with each other. She asked the Council to look at the facts and figures and the recommendation of the Planning and Zoning Committee.

Attorney Richard Cochran stated it will take five (5) affirmative votes to pass and if there is a tie the Mayor can't break the tie.

KorDale Lornes moved to rezone the real property located at 1003 Memorial Drive, further described in Appendix A--rezoning from C-3 to I-2.

Seconded by Tom Kiser.

Ayes: Tom Kiser, Rae Freeman, Vanessa Manuel-Wright, KorDale Lornes.

Nays: Angela Vega, Lawrence Anderson, Richard Barker, Kermit McKinney.

Motion fails.

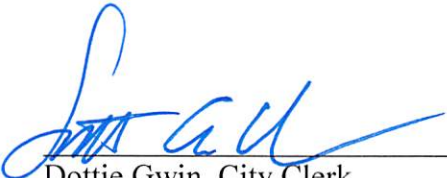
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11. Ordinance amending zoning of real property located at 110 S. Driftwood, further described as Lot 4 and Lot 5, Block 82, Marietta, Love County, Oklahoma--rezoning from C-7 to I-1, and review of recommendations from Planning Commission.
12. Final plat of Highland Trails Addition to the City of Marietta.
13. Ordinance amending Chapter 7 of the Code of Ordinances of the City of Marietta, otherwise known as the Medical Marijuana Code.
14. City employee dental insurance plan for 2018-19 fiscal year.
15. Presentation of budget for 2018-19 fiscal year.
16. Recognition and citation presentation for act of heroism to Dustin Scott.
17. NEW BUSINESS.
18. MAYOR'S COMMENTS.
19. ADJOURN.

Meeting adjourned at 6:41 p.m.



Dottie Gwin, City Clerk
Scott Chaney, Deputy City Clerk

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.