

**MINUTES OF SPECIAL MEETING OF THE  
CITY COUNCIL  
BLACKWELL, OKLAHOMA  
THURSDAY, APRIL 30, 2009**

Pursuant to the legal notice as is required by the Oklahoma Open Meeting Act, including the posting of notice and agenda on April 28, 2008 as is required by the terms thereof, the Blackwell City Councilors of the City of Blackwell met in a special meeting at 2:30 p.m. in the council room of City Hall located at 221 West Blackwell, Blackwell, Oklahoma with Mayor Cordell presiding:

Present: Mark Cordell, Mayor  
Nita Carroll, Councilor Ward 1  
Max Wirtz, Councilor Ward 2  
Piccola Hudsonpillar, Councilor Ward 3  
Brad Bechtel, Councilor Ward 4  
Debra Paige, City Clerk

Absent: Mary Ann Karns, City Attorney

Others present: Fred LeValley, Police Chief; Charles Abbott, Blackwell Journal and 18 citizens in the audience.

**1. Call Meeting to Order.**

Mayor Cordell called the special meeting to order at 2:38 p.m.

**2. Business:**

- (A) **Consideration, Discussion and Possible Action on Resolution No. 04-30-09A for Adoption of the Identity Theft Red Flag and Address Discrepancies under the Fair and Accurate Credit Transactions Act of 2003; Federal Trade Commission 16 CFR Part 681 Policy.**

Motion made by Bechtel, seconded by Carroll to adopt Resolution No. 04-30-09A. Roll, yeas: Cordell, Carroll, Wirtz, Hudsonpillar and Bechtel. Nays: none. Motion carried.

- (B) **Consideration, Discussion and Possible Action on Resolution 04-30-09B A Resolution of the Mayor and City Council of the City of Blackwell, Oklahoma, and of the Chairman and Trustees of the Blackwell Municipal Authority (“BMA”), Approving an Agreement for Limited Access to Rights of Way in Blackwell, Oklahoma, Authorizing Blackwell Zinc Company, Inc. to Enter into Certain Properties for the Purpose of Investigation and Sampling of Soil; for Constructing Engineered Controls; for Remediation of Soil consistent with Oklahoma Department of Environmental Quality (“ODEQ”) Record of Decision; Providing Indemnification for City and BMA; and other provisions related thereto; and Authorizing Officials to Execute the Agreement.**

Motion made by Bechtel, seconded by Carroll to adopt Resolution No. 04-30-09B. Roll, yeas: Cordell, Carroll, Wirtz, Hudsonpillar and Bechtel. Nays: none. Motion carried.

- (C) **Consideration, Discussion and Possible Action on Resolution No. 04-30-09C of the Mayor and City Council of the City of Blackwell, Oklahoma, and the Chairman and Trustees of the Blackwell Municipal Authority Approving an Agreement Entitled “Extraction Well and Pipeline Access Agreement: Providing Access to Certain Property of the City to Blackwell Zinc Company, Inc; Freeport McMoRan Copper & Gold, Inc. for Purposes of Investigation and Remediation of the Contamination of Groundwater in the City of Blackwell, Pursuant to the Terms of a Consent Agreement and Final Order with the Oklahoma Department of Health in 1992 and a subsequent Record of Decision by the Oklahoma Department of Environmental Quality, the successor to the Department of Health; Defining the Area; Defining the Work; Setting forth the Terms and Conditions of Access; Providing for Inspection; Providing for a Rental Fee; Providing for Indemnity; Setting forth Insurance Requirements and Other Matters; and Authorizing Officials to Execute the Agreement.**

Motion made by Bechtel, seconded by Carroll to adopt Resolution No. 04-30-09C. Roll, yeas: Cordell, Carroll, Wirtz, Hudsonpillar and Bechtel. Nays: none. Motion carried.

**4. ADJOURNMENT.**

There being no further business Mayor Cordell adjourned the meeting at 2:55 p.m.

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Debra Paige, City Clerk