

**MINUTES OF MEETING OF THE BLACKWELL CITY COUNCIL
BLACKWELL, OKLAHOMA
October 5, 2009**

Pursuant to the legal notice as is required by the Oklahoma Open Meeting Act, including the posting of notice and agenda on October 2, 2009, as is required by the terms thereof, the City Council of the City of Blackwell met in regular session at 7:00 p.m. in the Council Room of City Hall located at 221 West Blackwell, Blackwell, Oklahoma with Mayor Cordell presiding:

Present: John Mark Cordell, Mayor
 Nita Carroll, Councilor Ward 1
 Max Wirtz, Councilor Ward 2
 Piccola Hudsonpillar, Councilor Ward 3
 Brad Bechtel, Councilor Ward 4
 Mark Skiles, City Manager
 Cindy Neumayer, City Clerk
 Mary Ann Karns, City Attorney

Absent: None.

Others Present: Dewayne Wood, Asst. Police Chief; Ken Fulton, Veolia Water; Bruce Jones, Blackwell Journal; and 7 citizens in the audience.

1. **MEETING CALLED TO ORDER:** Mayor Cordell called the meeting to order at 7:00 p.m.
2. **OPENING CEREMONIES:** Prayer was given by Andy Teston, followed by Pledge of Allegiance led by Councilor Wirtz.
3. **SPECIAL PRESENTATIONS AND/OR RECOGNITIONS:** Mayor Cordell read the proclamation for Halloween "Trick or Treat" Night.
4. **CONSENT AGENDA:**
 - (A) Minutes of 09/21/09 Special Meeting.
 - (B) Appointment of Juanita Purdy as Deputy City Clerk.
 - (C) Payment of Outstanding Claims for September.Items A, B & C as contained on the Consent Agenda were found to be non-controversial and routine in nature by the City Council. Motion by Carroll, seconded by Wirtz, to approve consent agenda as presented. Roll, yeas: Cordell, Carroll, Wirtz, Hudsonpillar and Bechtel. Nays: none. Motion carried.
5. **Reports from Organizations and Authorities.** Councilor Carroll gave a report from Shane Frye representing the Blackwell Area Chamber of Commerce and Industrial Authority.
6. **Board Comments.**

Councilor Bechtel - None.
Councilor Hudsonpillar - None.
Councilor Wirtz - None.
Councilor Carroll - None.
Mayor Cordell - None.
7. **Management Comments.** Manager Skiles announced Linda Boyer would be retiring the end of December. A retirement reception would follow at a later date. Juanita Purdy accepted the appointment of Deputy City Clerk.

8. BUSINESS:

- (A) **Ordinance No. 2780, an Ordinance Amending and Repealing Portions of Chapter 8 of the Code of Municipal Ordinances of the City of Blackwell, Oklahoma, Dealing with Definitions, Defined Zones, Height of Construction, Providing for Severability; Providing for Repealer; Declaring an Emergency and Waiving Second Reading.**

Motion was made by Bechtel, seconded by Carroll to pass Ordinance No. 2780. Roll, yeas: Cordell, Carroll, Wirtz, Hudsonpillar and Bechtel. Nays: none. Motion carried.

Motion made by Bechtel, seconded by Carroll to declare emergency and waive second reading. Roll, yeas: Cordell, Carroll, Wirtz, Hudsonpillar and Bechtel. Nays: none. Motion carried.

- (B) **Resolution 10-05-09A, a Resolution of the City of Blackwell, Oklahoma, Declaring the Groundwater, Surface Water, and Soil Contamination in the City Associated with the Operations of the Blackwell Zinc Smelter to be a Nuisance; Authorizing its Legal Counsel to File a Lawsuit to Abate the Source of the Nuisance and Protect its Resources; and Committing the City's Resources to the Same.**

Motion made by Bechtel, seconded by Carroll to pass Resolution 10-05-09A. Roll, yeas: Cordell, Carroll, Wirtz, Hudsonpillar and Bechtel. Nays: none. Motion carried.

Mayor Cordell recessed the Blackwell City Council meeting at 7:10 p.m.

Mayor Cordell reconvened the Blackwell City Council meeting at 7:12 p.m.

Attorney Mary Ann Karns left the meeting at 7:13 p.m.

- (C) **Discussion and Possible Action Regarding the Employment of the City Manager**

- a. **Consideration and Possible Action to Enter into an Executive Session Pursuant to 25 O.S., 307 (B)(1)**

Motion was made by Carroll, seconded by Bechtel to enter into Executive Session at 7:13 p.m. Roll, yeas: Cordell, Carroll, Wirtz, Hudsonpillar and Bechtel. Nays: none. Motion carried.

- b. **Executive Session**

- c. **Return from Executive Session**

Motion was made by Carroll, seconded by Bechtel to return from Executive Session at 8:10 p.m. Roll, yeas: Cordell, Carroll, Wirtz, Hudsonpillar and Bechtel. Nays: none. Motion carried.

- d. **Action, if any, on Posted Item.**

No action taken.

9. NEW BUSINESS: None.

10. ADJOURNMENT.

There being no further business Mayor Cordell adjourned the meeting at 8:10 p.m.

Cynthia Neumayer, City Clerk