

**MINUTES OF MEETING OF THE BLACKWELL CITY COUNCIL
BLACKWELL, OKLAHOMA
December 21, 2009**

Pursuant to the legal notice as is required by the Oklahoma Open Meeting Act, including the posting of notice and agenda on December 17, 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: Fred LeValley, Police Chief; Tom Beliel, Fire Chief; Ken Fulton, Veolia Water; Dave Keen, Electric Superintendent; Greg Sixkiller, Asst. Electric Superintendent; Linda Boyer, Account Clerk; Bruce Jones, Blackwell Journal; and 14 citizens in the audience.

1. **MEETING CALLED TO ORDER:** Mayor Cordell called the meeting to order at 7:00 p.m.
2. **OPENING CEREMONIES:** Invocation was given by Andy Teston, followed by Pledge of Allegiance led by Councilor Hudsonpillar.
3. **SPECIAL PRESENTATIONS AND/OR RECOGNITIONS:** Mayor Cordell presented a clock to Linda Boyer and thanked her for 19 years of service.
4. **CONSENT AGENDA:**
(A) ~~Minutes of 12/21/09 Meeting.~~ **Minutes of 12-07-09. Corrected 01-18-10.**
Item A as contained on the Consent Agenda was found to be non-controversial and routine in nature by the City Council. Motion was made by Carroll, seconded by Hudsonpillar, to approve consent agenda as presented. Roll, yeas: Cordell, Carroll, Wirtz, Hudsonpillar and Bechtel. Nays: none. Motion carried.
5. **Reports from Organizations and Authorities.** None.
6. **Board Comments.**
Councilor Bechtel thanked Linda for her years of service and wished everyone a Merry Christmas.
Councilor Hudsonpillar - None.
Councilor Wirtz expressed his appreciation for Linda's years of service.
Councilor Carroll commented 19 years of service was a long time to be dedicated to a job and thanked Linda for her service. She went on to wish everyone Happy Holidays.
Mayor Cordell - None.
7. **Management Comments.** Manager Skiles reported the diapering project is complete. The digester clean out is progressing, cold temperatures have slowed down progress. Skiles remarked Linda always has a smile on her face and created stability. She was always willing to take on a project when asked.

8. BUSINESS:

(A) Presentation and Consideration of Acceptance of 2008-2009 Audits for City of Blackwell and Other Component Units.

Chuck Crook, Auditor for CBEW Professional Group, LLP, gave a presentation on findings of the audit. The Internal Controls he mentioned were the "preparation of the financial statement" and "journal entry adjustments". These findings were mentioned in last year's audit as well. Crook said in the past they have provided these services. Due to Federal Audit Standards, auditors are no longer able to provide this service. The other item of interest was segregation of duties. The Airport, Industrial, and Golf, authorities have limited segregation of duties. Crook commented the city does not sustain itself and funds must be transferred from the BMA, which are available. Crook stated he will send the report to the state auditor inspector, which must be submitted by December 31 of each year.

Manager Skiles commented that he spoke with Chuck prior to the meeting about steps the City could take to improve the audit findings.

The audit was accepted as presented.

(B) Consideration and Possible action on Chamber of Commerce grant request to assist in replacing the Doolin Plaza Marquee.

Mike Jeffers and Faith Tapp, representing the Tourism Board, approached the council to request assistance to purchase a sign for Doolin Park. Jeffers requested \$24,950.00. A brief discussion was held regarding power backup for the sign.

Motion was made by Councilor Bechtel, seconded by Councilor Carroll to approve the request for \$24,950.00. Roll, yeas: Cordell, Carroll, Wirtz, Hudsonpillar and Bechtel. Nays: none. Motion carried.

Skiles asked Jeffers if there would be any further assistance required by the City. Jeffers commented that electric service was already at the site.

Motion to prepare, authorize and execute contract was made by Bechtel, seconded by Carroll. Roll, yeas: Cordell, Carroll, Wirtz, Hudsonpillar and Bechtel. Nays: none. Motion carried.

(C) OMPA Report on past operations and future direction/actions.

Drake Rice and Tom Willis from OMPA gave a update on operations. Rice stated power costs are up. He stated the City of Blackwell had a decrease in use of electricity of 4.4%. Rice also reported the OMPA Board adopted new rates in October and those would go into effect in January 2010. He commented the wholesale cost to the City of Blackwell would increase 1.35% providing the electric usage is the same as current usage.

(D) C.H. Guernsey Report-City Financial Status - Utility Rates and Structure.

David Hedrick and Mike Searcy of C.H. Guernsey gave a report of the City Financial Status and Utility Rates. Searcy commented there has been a reduction of revenue. He explained there would be an increase to the City in power cost from OMPA. The increase will be reflected in fuel cost adjustment. The City is short \$500,000 to meet budget requirements. Searcy recommended the City look at utility services base rates as a possible means to increase revenue.

(E) Consideration and Possible Action on Resolution No. 12-21-09A, A Resolution of the City of Blackwell, Oklahoma, Setting Fines for the Traffic Violation Bureau, Repealing all Resolutions in Conflict Therewith.

Motion made by Bechtel, seconded by Wirtz to pass Resolution 12-21-09A, setting fines for the Traffic Violation Bureau. Roll, yeas: Cordell, Carroll, Wirtz, Hudsonpillar and Bechtel. Nays: none. Motion carried.

(F) Consideration and Possible Action on Ordinance No. 2782, an Ordinance Repealing and Amending Section 20-68 of the Blackwell Code of Ordinances, Tampering With, Damaging and Larceny of Public Utilities, Providing for Severability, providing for codification, and Declaring an Emergency.

Motion made by Wirtz, seconded by Bechtel to pass Ordinance No. 2782, Repealing and Amending Section 20-68. Roll, yeas: Cordell, Carroll, Wirtz, Hudsonpillar and Bechtel. Nays: none. Motion carried.

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

9. NEW BUSINESS: None.

10. ADJOURNMENT.

There being no further business Mayor Cordell adjourned the meeting at 8:00 p.m.

Cynthia Neumayer, City Clerk