

**MINUTES OF MEETING OF THE BLACKWELL CITY COUNCIL
BLACKWELL, OKLAHOMA
September 8, 2009**

Pursuant to the legal notice as is required by the Oklahoma Open Meeting Act, including the posting of notice and agenda on September 4, 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; Jim Inmon, Code Enforcement Officer; Bruce Jones, Blackwell Journal; and 9 citizens in the audience.

1. **MEETING CALLED TO ORDER:** Mayor Cordell called the meeting to order at 7:02 p.m.
2. **OPENING CEREMONIES:** Prayer was given by Eric Dittman, followed by Pledge of Allegiance led by Councilor Wirtz.
3. **SPECIAL PRESENTATIONS AND/OR RECOGNITIONS:** None.
4. **CONSENT AGENDA:**
 - (A) 08/17/09 Meeting was canceled.
 - (B) Minutes of 08/19/09 Special Meeting.
 - (C) Correction to December 17, 2007 and January 7, 2008 Minutes.
 - (D) Payment of Outstanding Claims for August.
 Items A, B, C & D 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 Bechtel, 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 - None.
Councilor Hudsonpillar - None.
Councilor Wirtz - None.
Councilor Carroll encouraged everyone to come out to the fair. She also asked the community to support all the agencies of the United Way.
Mayor Cordell - None.
7. **Management Comments.** Manager Skiles thanked the Kay County Sheriff's Department for their assistance in routing calls to the Blackwell Police Department during the communication outage, due to a lightning strike at the Police Department. Skiles said the traffic problems at the new school appear to be alleviated.

8. **BUSINESS:**

(A) **Approval of Proposed Changes to OML By-Laws & Nominating Committee Report of the Oklahoma Municipal League.**

Motion made by Bechtel, seconded by Carroll to approve proposed changes to OML by-laws. Roll, yeas: Cordell, Carroll, Wirtz, Hudsonpillar and Bechtel. Nays: none. Motion carried.

(B) **Discussion, Consideration and Possible Action on Ordinance No. 2776; Amending Chapter 26 of the Code of Ordinances of the City of Blackwell, Oklahoma by the Addition of Several Provisions; Providing for Definitions; Prohibiting Obstruction of Streets and Sidewalks; Setting Weight Limits; Setting Speed Limits; Providing for Enforcement; Regulating Traffic Generally; Providing for Impoundment; Providing Parking Regulations Generally; Providing for Licensing, Registration and Display of Tags and Decals for Motor Vehicles; Regulating Skateboards, Coasters and Roller Skates; Prohibiting the Transportation of Open Containers of Alcoholic Beverages and Low-Point Beer; Requiring Parade Permit; Setting Penalties; Providing for Codification; Providing for Severability; Providing for Repealer and Declaring an Emergency.**

Wirtz requested to add the City Manager to Ordinance No. 2776 as a contact person for the parade. Discussion followed of who should be the contact person(s). The conclusion was to have the City Manager and Chief of Police be contacted.

A question was raised on the use of power wheelchairs on the sidewalk. Attorney Karns commented if there is a sidewalk they should utilize it, otherwise they should be on the street. Power wheelchairs are not defined as a vehicle.

Motion made by Bechtel, seconded by Wirtz to accept Ordinance No. 2776 with the addition to contact the Police Chief and City Manager to schedule a parade. Roll, yeas: Cordell, Carroll, Wirtz, Hudsonpillar and Bechtel. Nays: none. Motion carried.

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

(C) **Discussion, Consideration and Possible Action on Ordinance No. 2777; An Ordinance Repealing and Amending Sections 8-306 Through 8-370 (Flood Damage Prevention Ordinance) of the Code of Ordinances of the City of Blackwell; Providing for Definitions; Providing for Elevations of Structures; Providing for Exceptions and Variances; Providing Establishment of Flood Areas; Providing for Violations and Penalties; Establishing a Flood Plain Management Board; and Other Administrative Provisions; Providing for Severability; Providing for Repeal; Providing for Codification and Declaring an Emergency.**

It was reported FEMA has produced new Flood Insurance Rate Maps (FIRM) for Kay County, Oklahoma. FEMA requested the City pass an ordinance with specific wording. These changes are required by September 25, 2009.

Motion made by Hudsonpillar, seconded by Carroll to approve Ordinance 2777. Roll, yeas: Cordell, Carroll, Wirtz, Hudsonpillar and Bechtel. Nays: none. Motion carried.

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

(D) **Discussion, Consideration and Possible Action on Ordinance No. 2778; an Ordinance Repealing and Amending Section 16-15 of the Blackwell Code to Provide for the Offense of Failure to Appear Pursuant to and Order of the Court; Providing for Severability; Providing for Repeal; Providing for Codification and Declaring an Emergency.**

Motion made by Bechtel, seconded by Hudsonpillar to approve Ordinance 2778. Roll, yeas: Cordell, Carroll, Wirtz, Hudsonpillar and Bechtel. Nays: none. Motion carried.

Motion made by Bechtel, seconded by Hudsonpillar to declare an emergency and waive the second reading. 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 7:21 p.m.

Cynthia Neumayer, City Clerk