

**MINUTES OF MEETING OF THE BLACKWELL CITY COUNCIL**  
**BLACKWELL, OKLAHOMA**  
**October 1, 2015**

Pursuant to the legal notice as is required by the Oklahoma Open Meeting Act, including the posting of notice and agenda on September 29, 2015, as is required by the terms thereof, the Blackwell City Council of the City of Blackwell met in regular session at 6:00 p.m. in the Council Room of City Hall located at 221 West Blackwell, Blackwell, Oklahoma.

Present: Max Wirtz, Mayor  
Richard Braden, Councilor Ward 1  
Jon Webb, Councilor Ward 2  
Tom Beliel, Councilor Ward 3  
T.J. Greenfield, Councilor Ward 4  
Chip Outhier, City Manager  
Bryce Kennedy, Attorney  
Cynthia Neumayer, City Clerk

Absent: None

Others Present: Rick Smith and Allen Brooks, Municipal Finance Services; Dewayne Wood, Police Chief; Chuck Anderson, Street Supervisor; Keith Ayotte, MKEC; and 14 Citizens

**1. MEETING CALLED TO ORDER:**

Chairman Wirtz called the meeting to order at 6:00 p.m.

**2. OPENING CEREMONIES:**

Invocation was given by Max Wirtz and Flag salute was given by TJ Greenfield.

**3. SPECIAL PRESENTATIONS AND/OR RECOGNITIONS:**

None.

**4. CONSENT AGENDA:**

**A. Minutes of 09/17/15 Meeting**

**B. Payment of Outstanding Requisitions.**

All items were deemed non-controversial and routine in nature. Motion made by Beliel, seconded by Webb to approve the Consent Agenda. Roll yeas: Wirtz, Braden, Webb, Beliel and Greenfield. Nays: None. Absent: None.

**5. Reports from Organizations and Authorities**

DeWayne reported was Blue Ribbon Day. He gave a Special thanks to the Blackwell Elementary for acknowledging the Blackwell Police Department.

**6. Council Comments:**

- Greenfield: None
- Beliel: None
- Webb: None
- Braden: Assembly attended appreciated
- Wirtz: Good workers

**7. Business:**

**A. Acknowledge of a variance for an accessory building to be built for the property located at 906 W Blackwell, Bkw1-Waites Add Blk 7 Lots 21 & 22 2.00 Lots**

Attorney Bryce Kennedy explained to council they were to take no action. Board of Adjustment, is a Quasi-Judicial Board. They approved the Variance for 906 W Blackwell. The action does not require approval from the City Council. The action is informational. If the council takes exception to the decision they must appeal the matter in Kay County Court.

**B. Consider approval of Ordinance 2819 of the City Council of the City of Blackwell an ordinance of the City Council of the City of Blackwell, Oklahoma, Amending Chapter 2 of the Blackwell Municipal Code 2008; by the addition of a new Article VI entitled "City Records"; providing for Section 2-220 entitled "Appointment of Official Custodians"; providing for Section 2-221 "Designation of Additional Custodians; providing for Section 2-222 entitled "Duties of Custodians"; providing for Section 2-223 entitled "Requests to be Directed to Custodians" Providing for Section 2-224 entitled "Procedures Regarding Inspection, Copying and Providing of Open Public Records"; providing for Section 2-225 entitled "Procedures Regarding Inspection of Open Public Records"; providing for Section 2-226 entitled "Procedures regarding Copies and/or Production and Provision of Records in Digital Format"; Providing for Section 2-227 entitled "No Fee for Inspection"; Providing for Section 2-228 entitled "Fee for Mechanical Production"; Providing for Section 2-229 entitled "Prepayment of Fees"; Providing for Section 2-230 entitled "Fees"; Providing for section 2-231 entitled "Destruction of Public Records; Scanning and Storing Public Records"; Providing for Repealer; Savings Clause; Codification; Severability; and Declaring an Emergency.**

Motion made by Webb, seconded by Greenfield to approve Ordinance 2819. Roll yeas: Wirtz, Braden, Webb, Beliel, and Greenfield. Nays: None. Absent: None. Motion Carried.

**C. Consider Application for the Emergency Clause for Ordinance No. 2819**

Motion made by Greenfield, seconded by Braden to approve Emergency Clause for Ordinance No 2819. Roll yeas: Wirtz, Braden, Webb, Beliel, and Greenfield. Nays: None. Absent: None. Motion Carried.

**D. First Reading of Ordinance 2820 an Emergency Ordinance of the City Council of the City of Blackwell, Oklahoma, Amending Chapter 22 of the Blackwell Municipal Code 2008 By the Addition of A New Article IV Entitled "Excavating or Cutting Streets, Alleys or Roadways"; Providing for Section 22-80 Entitled "Application for a City Permit"; Providing for Section 22-81 Entitled "Maintenance and Indemnity Bond"; Providing for Section 22-82 Entitled "Specifications"; Providing for Section 22-83 Entitled "Permit Required for Curb Cut and/or Driveway Openings to a Street, Alley, Roadway, Right-of-Way or any Easement"; Providing for Repealer; Savings; Codification; Severability; and Declaring an Emergency.**

Mayor Wirtz gave a First Reading of Ordinance 2820. Chuck Anderson, Street Supervisor gave an example of situations he had encountered and why the city is in need of the ordinance. Code enforcement would be responsible for the inspections. Chuck with work with the Code office.

**E. First Reading of Ordinance 2821 an Ordinance of the City of Blackwell, Oklahoma, Amending Chapter 28 of the Blackwell Municipal Code by the Establishment of the Rates to be Charged and Policies to be Followed by the Blackwell Municipal Authority; Amending Chapter 28, Article 1 Entitled "In General", By the Addition of a New Section 28-2 Entitled "Utility Billing and Collection Fee"; Amending Chapter 28, Article II Entitled "Sewers and Sewage Disposal", by the Addition of a new section 28-27 Entitled "Sewer Rates"; Amending Chapter 28, Article III Entitled "Solid Waste Collections and Disposal; Litter Control"; Division 2**

**Entitled “Collection and Disposal”, by the Amendment of Section 28-87 Entitled “Solid Waste Collection and Disposal Rates”; Amending Chapter 28, by the Amendment of the Title of Article IV to be Entitled “Water Utility”; Amending Chapter 28, By the Addition of a New Article V Entitled “Electric Policies and Rates”; by the addition of a New Section 28-130 Entitled “Terms of Service and Definitions”; by the Addition of a new Section 28-131 Entitled “Power Cost Adjustments”; by the Addition of a New Section 28-132 Entitled “Residential Electric”; by the Addition of a New Section 28-134 Entitled “Large Power Electric”; by the Addition of a New Section 28-135 Entitled “Educational Facilities”; Providing for Repealer; Savings; Codification; Severability; Effective Date; and Declaring an Emergency**

Mayor Wirtz gave a first reading of Ordinance 2820

**F. Consider and take action on acceptance of property located at 415 W Frisco**

Item F is tabled.

**G. Consider and Take Action on Approval of Leasing Equip and Supplies to seal cracks from Paving Maintenance Supply Inc in Edmond for \$5760.00.**

Motion was made by Beliel, seconded by Greenfield to approve the rental of Equipment and Supplies for \$5760.00. Roll yeas: Wirtz, Braden, Webb, Beliel, and Greenfield. Nays: None. Absent: None. Motion Carried.

**H. Permission to seek bids for (2) police patrol cars.**

Council requested additional information on the vehicles Dewayne Wood, Police Chief is requesting to purchase. They also asked for the pricing for each car to be loaded with the necessary equipment.

**I. Executive Session Requested Under the Provisions of 25 O.S., Sec 307 (B) (4) for Update on Wooderson and Moreland Negotiations.**

**a. Executive Session.**

**b. Return from Executive Session**

**c. Action, if any, from Executive Session**

Motion was made by Beliel, seconded by Webb to enter into Executive Session at 6:56. Council returned from Executive Session at 7:02. No Action was taken.

**8. Manager Comments**

Outhier explained the information in the difference between the requisitions and the check register after some confusion. City of Blackwell will seek payment for damages. Meeting change.

**9. New Business**

None

**10. Adjournment**

There being no further action, Mayor Wirtz adjourned the meeting at 7:04 p.m.

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**Cindy Neumayer, City Clerk**