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**Committee Members:**

Chairperson: Trey Ayers  
Mary Coffin, Ellen Gomes

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**SPECIAL CITY COUNCIL MEETING**

**Finance Committee Meeting**

Tuesday, January 18, 2011 5:30pm

City Hall 3<sup>rd</sup> Floor Conference Room

101 N 2<sup>nd</sup> Street, Guthrie, OK 73044

1. Roll Call
2. Discussion and consideration of action regarding a utility adjustment to a utility account for Carothers Holding Group, LLC at 105 East Oklahoma Avenue.
3. Adjournment

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Agenda posted on the bulletin board in the lobby of City Hall before 5:00 pm on Thursday, January 13, 2011. The City of Guthrie encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, notification to the city clerk at least 48 hours prior to the scheduled meeting is encouraged to make the necessary accommodations. The city may waive the 48 hours rule if signing is not the necessary accommodation.

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Agenda Item Cover Letter

Meeting
City Council
GPWA
X Other: Finance Committee

Date of Meeting
January 18, 2011

Contact
Wanda Calvert
City Clerk/Treasurer

Agenda Item

Discussion and consideration of action regarding a utility adjustment to a utility account for Carothers Holding Group, LLC at 105 East Oklahoma Avenue.

Summary

On October 26, 2010 the Utility Office received the water meter reading for 105 East Oklahoma Avenue indicating a usage of 177,000 gallons of water. On October 27th, a work order was sent for a re-read resulting in the same reading of the usage of 177,000 gallons during the period of September 13th through October 13, 2010. On November 22nd, a work order was sent for the meter to be tested resulting the meter to be 98% accurate. A new meter was installed at the time the old meter was removed for testing.

Funding Expected Revenue Expenditure X N/A
Budgeted Yes No X N/A
Account Number N/A Amount N/A
Legal Review X N/A Required Completed Date:
Mayor's Appt. Yes X No

Supporting documents attached

- Letter from Mr. Carothers
Account History for 105 East Oklahoma Avenue
Meter Reading Edit Report showing the reading from the Meter Reader and the re-read
Letter from Utility Billing Clerk Shelby Lewis
Work Order for the re-read and test meter

Recommendation

Action Needed Public Hearing X Motion Emergency Clause

December 14, 2010

TO: Matt Mueller, City Manger, Guthrie, OK  
FR: Phillip Carothers, Managing Member, Carothers Holding Group, LLC

Re: City of Guthrie water bill for service date of September 13<sup>th</sup> to October 13<sup>th</sup>.

Dear Matt,

This letter is being written with the purpose of notifying the City of a shocking water bill that I received on behalf of one of our many business properties in Guthrie. An amount of \$1,050.90 was charged to the location at 107 E. Oklahoma Ave. It shows that 177,000 gallons of water was used at that physical location during the service time noted above.

I opened the bill on the date it was due, expecting to see the normal \$63.40 bill. I was very shocked to see a bill that large and immediately called the City Services Department. They were gracious enough to take my information and Shelby called me back to let me know that the bill was ours. Still in disbelief I walked down to the meter and read back the numbers to Shelby who indicated that was the reading.

I was called today by another representative from the City Services Department. She told me that the City Water Department "tested" the meter on November 22<sup>nd</sup> without my presence. She indicated that the meter tested 98% accurate. I have no idea what that means except that it is not 100% perfect.

I am the managing member of this LLC. I walk the building nearly every other day checking on the status of the property. The entire upstairs is unoccupied and all facilities are disconnected or shut off. It has been this way since our last upper floor tenant vacated nearly two years ago. The second level has two tenants that are hardly there due to the nature of their work. The first floor has retail and one office. I have talked to the tenants of the building on both occupied floors. I asked if they identified a leak and did not let me know about it. They have all responded, "NO".

Matt, we have owned this property for seven years. We have never experienced a bill of this magnitude. Our history with the property clearly shows that one to two thousand gallons might get used per month during that seven year period of time.

I am asking for an abatement of the extraordinarily high bill. I realize that the Water Department has tested your equipment and that 98% is good enough to stick a struggling small business with a huge bill. This business wishes it could pay the \$1000 bill and be done with it. However, since we have to compete with a building in this town that

undercuts office rent, we do not have enough revenue to do so. It is nearly a hobby owning the building with the current conditions.

Truly the crux of our argument with the bill falls on this simple fact. That is we did not use any part of the 177,000 gallons of water that the meter says ran through the building, with the exception of the usual amount we use. I have no leaks. I have no tenants that are irresponsible. I check on that every other day. I am downtown nearly everyday and have the time to check on every property we own.

Coming from a small business family I hope you understand our plight. I also hope you find fairly upon our statements. We are hoping for a remedy similar to the one for the Sinon's at the Oklahoma Building. I learned that they have had a similar problem at their building. We do find it interesting that our buildings are so closely situated and a similar problem has arisen at both buildings.

We are blessed with having two successful businesses in Guthrie. Daniels' Drug and AC's Hallmark are proud to employ over 20 well paid individuals. Our entire family certainly looks forward to the continued support and cooperation with the City of Guthrie.

I can be reached at (405) 822-1474 for further discussion. I believe time is of the essence on this situation.

We want to thank you for your help in advance.

Sincerely,



Phillip Carothers  
Managing Member  
Carothers Holding Group, LLC

City of Guthrie  
Account History

*Reading Dates*

*1" Meter*

*established service 9/5/2003*

Transaction		Reading/Receipt				
Transaction Date	Bill Number	Transaction Type	Number	Type	Cons/Ref#	Transaction Amount
8/17/2009	946	Payment	472696	P	1	(\$57.01)
9/15/2009	960	Water	1800	A	1000	\$12.82
9/15/2009	960	User Fee				\$4.25
9/15/2009	960	Water Treatment Plant Fee				\$7.50
9/15/2009	960	sewer				\$13.15
9/15/2009	960	Garbage (Refuse)				\$19.29
9/16/2009	960	Payment	476909	P	1	(\$57.01)
10/15/2009	969	Water	1801	A	1000	\$12.82
10/15/2009	969	sewer				\$13.15
10/15/2009	969	Garbage (Refuse)				\$19.29
10/15/2009	969	User Fee				\$4.25
10/15/2009	969	Water Treatment Plant Fee				\$7.50
10/16/2009	969	Payment	480987	P	1	(\$57.01)
11/15/2009	982	Water	1807	A	6000	\$30.20
11/15/2009	982	sewer				\$13.15
11/15/2009	982	Garbage (Refuse)				\$19.29
11/15/2009	982	User Fee				\$4.25
11/15/2009	982	Water Treatment Plant Fee				\$7.50
11/16/2009	982	Payment	484948	P	1	(\$57.01)
12/15/2009	994	Water	1808	A	1000	\$12.82
12/15/2009	994	sewer				\$13.15
12/15/2009	994	Garbage (Refuse)				\$19.29
12/15/2009	994	User Fee				\$4.25
12/15/2009	994	Water Treatment Plant Fee				\$7.50
12/16/2009	994	Payment	489154	P	1	(\$74.39)
1/15/2010	1004	Payment	493049	P	1	(\$57.01)
1/15/2010	1004	sewer				\$13.15
1/15/2010	1004	Garbage (Refuse)				\$19.29
1/15/2010	1004	User Fee				\$4.25
1/15/2010	1004	Water Treatment Plant Fee				\$7.50
1/15/2010	1004	Water	1805	A	0	\$12.82
1/19/2010	1004	Credit	493280	C		(\$13.94)
2/15/2010	1013	Water	1806	A	1000	\$12.82
2/15/2010	1013	User Fee				\$4.25
2/15/2010	1013	Water Treatment Plant Fee				\$7.50
2/15/2010	1013	Garbage (Refuse)				\$19.29
2/15/2010	1013	sewer				\$13.15
2/16/2010	1013	Payment	497181	P	1	(\$43.07)
3/15/2010	1023	User Fee				\$4.25
3/15/2010	1023	Payment	501474	P		(\$57.01)
3/15/2010	1023	sewer				\$13.15
3/15/2010	1023	Water Treatment Plant Fee				\$7.50
3/15/2010	1023	Water	1806	A	0	\$12.82
3/15/2010	1023	Garbage (Refuse)				\$19.29
4/15/2010	1038	Garbage (Refuse)				\$19.29
4/15/2010	1038	User Fee				\$4.25
4/15/2010	1038	Water Treatment Plant Fee				\$7.50
4/15/2010	1038	Water	1807	A	1000	\$12.82
4/15/2010	1038	sewer				\$13.15
4/16/2010	1038	Payment	505538	P		(\$57.01)
5/15/2010	1049	CMOM Fee				\$8.00
5/15/2010	1049	Water Treatment Plant Fee				\$7.50
5/15/2010	1049	User Fee				\$4.25

City of Guthrie  
Account History

Reading  
Dates

13-132220-002		Carothers Holding Group, LLC		105 E Oklahoma Ave			
Transaction				Reading/Receipt			
Transaction Date	Bill Number	Transaction Type	Number	Type	Cons/Ref#	Transaction Amount	
5/15/2010	1049	Garbage (Refuse)				\$19.29	
5/15/2010	1049	sewer				\$11.54	
5/15/2010	1049	Water	1808	A	1000	\$12.82	
5/17/2010	1049	Payment	509529	P	1	(\$57.01)	
6/15/2010	1063	sewer				\$11.54	
6/15/2010	1063	Water Treatment Plant Fee				\$7.50	
6/15/2010	1063	Payment	513553	P	1	(\$63.40)	
6/15/2010	1063	Garbage (Refuse)				\$19.29	
6/15/2010	1063	Water	1809	A	1000	\$12.82	
6/15/2010	1063	User Fee				\$4.25	
6/15/2010	1063	CMOM Fee				\$8.00	
7/15/2010	1077	Payment	517860	P	1	(\$63.40)	
7/15/2010	1077	Water	1810	A	1000	\$12.82	
7/15/2010	1077	sewer				\$11.54	
7/15/2010	1077	Garbage (Refuse)				\$19.29	
7/15/2010	1077	User Fee				\$4.25	
7/15/2010	1077	CMOM Fee				\$8.00	
7/15/2010	1077	Water Treatment Plant Fee				\$7.50	
8/15/2010	1090	Garbage (Refuse)				\$19.29	
8/15/2010	1090	User Fee				\$4.25	
8/15/2010	1090	Water Treatment Plant Fee				\$7.50	
8/15/2010	1090	Water	1810	A	0	\$12.82	
8/15/2010	1090	sewer				\$11.54	
8/15/2010	1090	CMOM Fee				\$8.00	
8/16/2010	1090	Payment	521910	P	1	(\$63.40)	
9/15/2010	1102	Water	1812	A	2000	\$12.82	
9/15/2010	1102	Garbage (Refuse)				\$19.29	
9/15/2010	1102	User Fee				\$4.25	
9/15/2010	1102	Water Treatment Plant Fee				\$7.50	
9/15/2010	1102	CMOM Fee				\$8.00	
9/15/2010	1102	sewer				\$11.54	
9/16/2010	1102	Payment	526053	P	1178	(\$63.40)	
10/15/2010	1108	CMOM Fee				\$8.00	
10/15/2010	1108	User Fee				\$4.25	
10/15/2010	1108	Water	1989	A	177000	\$1,000.32	
10/15/2010	1108	sewer				\$11.54	
10/15/2010	1108	Garbage (Refuse)				\$19.29	
10/15/2010	1108	Water Treatment Plant Fee				\$7.50	
10/15/2010	1108	Payment	530097	P	1	(\$63.40)	
11/15/2010	1119	User Fee				\$4.25	
11/15/2010	1119	Payment	534266	P		(\$63.40)	
11/15/2010	1119	Water Treatment Plant Fee				\$7.50	
11/15/2010	1119	Garbage (Refuse)				\$19.29	
11/15/2010	1119	sewer				\$11.54	
11/15/2010	1119	Water	0	A	1000	\$12.82	
11/15/2010	1119	CMOM Fee				\$8.00	
11/16/2010	1113	User Fee (LC)				\$5.00	
12/15/2010	1130	Payment	538506	P	1	(\$63.40)	
12/15/2010	1130	Water	1	A	1000	\$12.82	
12/15/2010	1130	CMOM Fee				\$8.00	
12/15/2010	1130	Water Treatment Plant Fee				\$7.50	
12/15/2010	1130	User Fee				\$4.25	
12/15/2010	1130	Garbage (Refuse)				\$19.29	

**City of Guthrie**  
**Account History**

13-132220-002		Carothers Holding Group, LLC		105 E Oklahoma Ave		
Transaction			Reading/Receipt			
Transaction Date	Bill Number	Transaction Type	Number	Type	Cons/Ref#	Transaction Amount
12/15/2010	1130	sewer				\$11.54
12/16/2010	1125	User Fee (LC)				\$5.00
<b>Account Balance as of 01/12/11:</b>						<b>\$1,060.90</b>

Meter was changed 11/22/10  
Meter tested 98% accurate on 11/22/10

10/26/2010 7:58am

City of Guthrie  
Meter Reading Edit  
for Route 13

Page

Account	Customer Name	Service Address	Second ID	Service	Meter ID	Previous Read	Current Read	Consumption	Comments
13-132114-005	Halfirme Breakfast &	320 W Oklahoma Ave		watr	25233298	89	94	5000	Consumption Sensitivity
13-132115-007	Gary Good	330 W Oklahoma Ave		watr	51511012	250	250	0	
13-132116-005	R & R Restaurant	409 W Oklahoma Ave		watr	48842909:B	2109	2120	11000	
13-132120-001	Double Starr Studio	328 W Oklahoma Ave		watr	41662201	535	535	0	Consumption Sensitivity
13-132125-008	Gary Good	325 W Cleveland Ave, A		watr	31928805	365	371	6000	Consumption Sensitivity
13-132130-015	Gary Good	325 W Cleveland Ave		watr	31407348	330	330	0	Consumption Sensitivity
13-132135-011	Gary Good	325 W Cleveland Ave, B		watr	22652236	299	299	0	Consumption Sensitivity
13-132152-001	Kenneth Wohler	511 W Oklahoma Ave		watr	34993352	256	257	1000	Consumption Sensitivity
13-132172-016	Bedlam 2	517 W Oklahoma Ave		watr	54694881	841	846	5000	
13-132180-002	The Fitch Building	101 E Oklahoma Ave		watr	34599882	820	826	6000	
13-132450-005	Century 21	100 S Oak St		watr	51070642	451	451		Missing Consumption Missing Current Reading Date
13-132200-002	Sinon LLC	108 N Division		watr	07602033	430	430	0	Consumption Sensitivity
13-132202-002	CBI Pipe & Supply	In 102 E Oklahoma Ave		watr	07720860	1	1	0	Consumption Sensitivity
13-132203-002	S.W.A.K.	107 E Oklahoma Ave		watr	46825165	187	187	1000	Consumption Sensitivity
13-132231-002	S.W.A.K.	107 E Oklahoma Ave		watr	02010244				Disconnected 10/27/10 spl
13-132232-004	Keely Stuever	109 1/2 E Oklahoma Ave							sitivity
13-132250-002	Sinon LLC	104 E Oklahoma Ave							sitivity
13-132255-001	Daylight Donut	108 E Oklahoma Ave							sitivity
13-132260-003	Ron or Glenda Radigo	110 E Oklahoma Ave							sitivity
13-132273-001	Pentecostal Holiness	111 E Oklahoma Ave							sitivity
13-132280-002	Sister's Doll Hospital	112 E Oklahoma Ave							sitivity
13-132290-003	Michelle Ladd	113 E Oklahoma Ave							sitivity
13-132310-009	Guthrie YMCA	114 E Oklahoma Ave							sitivity
13-132320-004	Sharon Triplett	115 E Oklahoma Ave							sitivity
13-132340-002	Furrows Flowers and	117 E Oklahoma Ave							sitivity
13-132360-001	Double Stop Music	Sh119 E Oklahoma Ave							sitivity
13-132391-006	Vacant	122 E Oklahoma Ave							sitivity
13-132420-002	Shane Curtin	202 E Oklahoma Ave							sitivity
13-132430-004	Paul LaMarche	204 E Oklahoma Ave							sitivity
13-132451-005	Impact Investment	Pr#208 E Oklahoma Ave		watr	036096136	738	738	0	Consumption Sensitivity

11/16/10

Wanda:

Philip Carothers of Carothers Holding Group had 177,000 gallons of water run through his meter on the bill due this month. ET verified the reading as correct at that time. I tried reaching the customer, but didn't have a current phone number.

The customer opened his bill 11/15/10 and called. He owns part of the building, however the meter serves the entire building. He spoke to the other tenants/owners who say there is no problem, no leaks, nothing. However, someone told him a sink was replaced during the period between 9/13/10 and 10/13/10 when the high usage occurred.

Both the customer and ET verified 1,000 gallons were used since that bill, so in December, the customer will have a normal bill.

The customer wants the November bill adjusted to reflect normal use. The meter was not tested, but appears accurate.

The customer agreed to pay his normal bill until this matter is resolved. Is it a case for the Finance Committee?

Thanks for your help.

Shelby

- ET has w-o w/ previous readings
- Tommy wants meter tested; customer says TAM is good; scheduled for Mon 11-22-10
- new meter installed 11-22-10
- WC will call him to follow-up 12-1-10

Call In  Walk In  New Make   
Received by: Shelly Date: 11/15/10 Time: 4:30

Entered: \_\_\_\_\_

UTILITY SERVICE WORK ORDER

405-822-1474

Name: Carothers Holding Group Phone # [REDACTED]

Residential  Commercial  New Account  Transfer  Close Account

Re-Read

Test Meter

Monday  
November 22 2010

New Address: 105 E. Oklahoma Ave Old Address: before 7:00 am

Meter ID: 48805195 Meter ID: Tommy will help

Meter Reading: 1990 1991 meters 98% correct Meter Reading: new meter ID # 0953813

Date/Time: 11-16-10 11-22-10 Date/Time: reading 0000

Action:  Turn On  
 Set and Leave Off  
 Get Read

Action:  Pull  
 Get Read

Account # 13-132220-002

Account # \_\_\_\_\_

Postal Code/Route: \_\_\_\_\_

Postal Code/Route: \_\_\_\_\_

Meter Technician: ET

Final Address: \_\_\_\_\_

Date: 11-16-10 Time: \_\_\_\_\_

Zero Reading verified 8-17-10 / 2000 gallons 9-13-10 / 177000 gallons 10-13-10  
This verified accurate

WASTE CONNECTIONS

Missed Pick up: \_\_\_\_\_  Start / Stop - Residential / Commercial  
 Extra Pick up: \_\_\_\_\_  Increase / Decrease - Residential / Commercial

Special Instructions:

12/1/10 spoke with Phillip - Tested 9890 meter was changed - old meter indicated 1,000 gallons used from 10/13/10 to 11/16/10 and another 1,000 gallons from 11/16/10 to 11/22/10

Driver Told \_\_\_\_\_  Completed \_\_\_\_\_  
 Faxed to WC \_\_\_\_\_  City Dispatched to Driver \_\_\_\_\_

SERVICE AND NON RECURRING FEES

Bill to Account:  \$25.00 Service/Transfer Fee  \$10.00 Test Meter  Completed \_\_\_\_\_  
 \$10.69 Extra Poly Cart  Other Charges \_\_\_\_\_