

**BOARD OF CITY COMMISSIONERS
REGULAR MEETING**

January 8, 2024

6:00 P.M.

**COUNCIL CHAMBERS
113 N ELM ST
SALLISAW, OK 74955**

A G E N D A

“POSSIBLE ACTION” INCLUDES, BUT IS NOT LIMITED TO, APPROVAL, AUTHORIZATION, ADOPTION, REJECTION, DENIAL, AMENDMENT, TAKING NO ACTION, OR TAKING THE ITEM FOR DISPOSITION AT A LATER DATE OR TIME.

- 1. Meeting Called to Order**
- 2. Declaration of a Quorum**
- 3. Possible Action on Removal of any Item from the Consent Agenda**
- 4. Possible Action on Consent Agenda**
 - (a) Regular Minutes of December 11, 2023**
 - (b) Invoice Paid Report for December 2023**
- 5. Possible Action on any Item Removed from the Consent Agenda**
- 6. Receive Presentation on USDA Programs from Mr. Kenneth Corn, Oklahoma State Director, United States Department of Agriculture**
- 7. Discussion and Possible Action of Ordinance 2024-01, An Ordinance Amending Chapter 66, Article V, Section 66-131 To The Sallisaw Code Of Ordinances, Rescinding Ordinance Numbered 2023-08 And Repealing Section 66-131 In Its Entirety, And Adopting And Enacting The Following New Section 66-131 To The City Of Sallisaw Code Of Ordinances, And Declaring An Emergency.**

- 8. Discussion and Possible Action on Donation of Airport Hangar from Mr. Frank Sullivan Jr.**
- 9. Receive Update on Economic Development and Grant Activities**
- 10. Receive Update on Current and Future Projects**
- 11. Receive Update on the Financial Status of the City and Activities of the Finance Department**
- 12. Administrative Reports**
- 13. Adjourn**

Posted: JANUARY 5, 2024

Time: 9:45 A.M.

KIM JAMISON

MINUTES
BOARD OF CITY COMMISSIONERS
REGULAR MEETING
DECEMBER 11, 2023

The Board of City Commissioners met in a regular meeting on December 11, 2023, in the Council Chambers, 113 N. Elm Street, Sallisaw. Notice of the meeting was given by emailing to Sequoyah County Times; emailing KXXM; by posting at city hall on December 8, 2023, at 11:30 a.m.; by posting on the city's website; and, by giving notice to the City Clerk.

Members present:	Ernie Martens, Ronnie Lowe, Josh Bailey, Julian Mendiola, Kristin Peerson,	Mayor Member, Ward 1 Member, Ward 2 Member, Ward 3 Member, Ward 4
Members absent:	None	
Staff present:	John R. Montgomery, Kim Jamison, Robin Haggard, Kayle Griffin, George Bormann, Ben Spyres, Clint Smith, Tucker Martens, Blakely Smith, Jr,	City Attorney City Clerk Director of Finance Chief Accountant Economic Development Director Computer Technician IT Manager Lieutenant Superintendent - Electric
Others present:	Lynn Adams; Lance Montgomery; Treye Girdner; J.W. Fleetwood; Others Unidentified.	

1. Meeting Called to Order

Mayor Martens called the meeting to order. The meeting began at 6:00 p.m.

2. Declaration of a Quorum

A quorum was declared present.

3. Removal of any Item from the Consent Agenda

None.

4. Consent Agenda

a Consider Approval of Special Meeting of November 9, 2023, and November 30, 2023

b Acknowledge Invoice Paid Report for November 2023

Motion was made by Lowe, seconded by Peerson, for approval of the consent agenda.

Vote: Lowe aye; Peerson aye; Bailey aye; Mendiola aye; Martens aye. Motion carried 5-0.

5. Consider any Item Removed from the Consent Agenda

None.

6. Recognize Lance Montgomery for His Efforts in Putting on The Red Arts Festival in Sallisaw on November 4, 2023

George Bormann introduced Mr. Lance Montgomery to the Board. Mr. Montgomery gave a brief overview of the Red Arts Festival that was held in Sallisaw on November 4, 2023.

7. Discuss and Consider Approval of Resolution 2023-18; *Execution of Deed for Surplus City Property; General Location 109 N. Ash*

Motion was made by Lowe, seconded by Bailey, for approval of Resolution 2023-18.

Vote: Lowe aye; Bailey aye; Mendiola aye; Peerson aye; Martens aye. Motion carried 5-0.

8. Discuss and Acknowledge Correction to the Amount Owed Which Should Have Been \$98,500.00, for Amendment No. 1 to Work Order No. 1 of the Master Agreement for Professional Services with Garver, LLC Approved on November 9, 2023, for the JSV Airfield Lighting Project

Motion was made by Mendiola, seconded by Peerson, to acknowledge correction to the amount owed for Amendment No. 1 to Work Order No. 1 of the Master Agreement for Professional Services with Garver, LLC. Vote: Mendiola aye; Peerson aye; Lowe aye; Bailey aye; Martens aye. Motion carried 5-0.

9. Discuss and Consider Approval of Purchase Order No. 99938, Issued to GraybaR of Maryland Heights, MO, In the Amount of \$27,212.24 for the Purchase of Telecommunications Overhead Line Material Needed For Service to Future Residential Subdivisions and South Cedar Development

Motion was made by Mendiola, seconded by Bailey, for approval of purchase order no. 99938 in the amount of \$27, 212.24. Vote: Mendiola aye; Bailey aye; Lowe aye; Peerson aye; Martens aye. Motion carried 5-0.

10. Discuss and Consider Approval of Ordinance No. 2023-08; *An Ordinance Amending Chapter 66, Article V, Section 66-131 to the Sallisaw Code of Ordinances, Repealing Section 66-131 in its Entirety, and Adopting and Enacting the Following New Section 66-131 to the City of Sallisaw Code of Ordinances, and Declaring an Emergency*

Motion was made by Mendiola, seconded by Bailey, for approval of Ordinance 2023-08. Vote: Mendiola aye; Bailey aye; Lowe aye; Peerson aye; Martens aye. Motion carried 5-0. Motion was made by Mendiola, seconded by Bailey, for approval of the emergency clause. Vote: Mendiola aye; Bailey aye. Lowe aye; Peerson aye; Martens aye. Motion carried 5-0.

11. Discussion and Review of Proposed Ordinance Related to Junk Motor Vehicles; Possible Direction to Staff

No new considerations were presented. Just to take into consideration previous discussions concerning the wrecker services. And, behind a fence or building.

12. Discuss and Consider Approval of Staff's Request to Invest the Sallisaw Reserve Certificate of Deposit with Local Bank for 273 Days at 5.62% Interest

Motion was made by Mendiola, seconded by Peerson, for approval of request to invest the Sallisaw Reserve Certificate of Deposit with Local Bank for 273 days at 5.62% interest. Vote: Mendiola aye; Peerson aye; Lowe aye; Bailey aye; Martens aye. Motion carried 5-0.

13. Discuss and Consider Approval of Staff's Request to Invest the Cemetery Fund Certificate of Deposit with Local Bank for 273 Days at 5.62% Interest

Motion was made by Mendiola, seconded by Peerson, for approval of request to invest the Cemetery Fund Certificate of Deposit with Local Bank for 273 days at 5.62% interest. Vote: Mendiola aye; Peerson aye; Lowe aye; Bailey aye; Martens aye. Motion carried 5-0.

14. Receive Update on Economic Development and Grant Activities

The Economic Development Director gave a brief update, for informational purposes only.

15. Receive Update on Current and Future Projects

The Assistant City Manager gave an update, for informational purposes only.

16. Receive Update on the Financial Status of the City and Activities of the Finance Department

The Chief Account gave an update, for informational purposes only.

17. Administrative Reports

Administrative Notes: Dates for the upcoming holidays when offices will be closed were noted. Upcoming city and chamber events were given.

18. Adjourn

Motion was made by Lowe, seconded by Peerson, to adjourn the meeting. The meeting ended at 6:24 p.m.

Approved this **8th** day of **January 2024**.

Ernie Martens, Mayor

ATTEST:

Kim Jamison, City Clerk

(SEAL)

AGENDA ITEM COMMENTARY

Meeting Date: January 8, 2024
Board: Board of City Commissioners
Subject: USDA Programs

ITEM TITLE: Receive Presentation on USDA Programs from Mr. Kenneth Corn, Oklahoma State Director, United States Department of Agriculture

INITIATOR: Mr. Kenneth Corn, Oklahoma State Director, USDA
City Manager

STAFF INFORMATION SOURCE: Mr. Kenneth Corn

BACKGROUND: Mr. Corn has requested time with the Board to discuss USDA programs available to the City.

EXHIBITS:

KEY ISSUES: NA

FUNDING SOURCE: NA

RECOMMENDATION: Recieve presentation.

AGENDA ITEM COMMENTARY

Meeting Date: January 8, 2024
Board: Board of City Commissioners
Subject: Ordinance No. 2024-01

ITEM TITLE: Discussion and Possible Action of Ordinance 2024-01, An Ordinance Amending Chapter 66, Article V, Section 66-131 To The Sallisaw Code Of Ordinances, Rescinding Ordinance Numbered 2023-08 And Repealing Section 66-131 In Its Entirety, And Adopting And Enacting The Following New Section 66-131 To The City Of Sallisaw Code Of Ordinances, And Declaring An Emergency.

INITIATOR: City Manager

STAFF INFORMATION SOURCE: City Attorney

BACKGROUND: This Ordinance rescinds Ordinance 2023-08 adopted in December. This Ordinance re-instates the previous language that was in the code. Given the confusion caused by 2023-08, the City Manager has requested the previous ordinance be rescinded. Staff will continue to research this item and may bring it back at a later date for discussion.

EXHIBITS: 1. 2024-01.Proposed Ordinance.

KEY ISSUES: NA

FUNDING SOURCE: N/A

RECOMMENDATION: Staff recommends approval of Ordinance 2024-01, and declaring an emergency.

ORDINANCE NO. 2024-01

AN ORDINANCE AMENDING CHAPTER 66, ARTICLE V, SECTION 66-131 TO THE SALLISAW CODE OF ORDINANCES, RESCINDING ORDINANCE NUMBERED 2023-08 AND REPEALING SECTION 66-131 IN ITS ENTIRETY, AND ADOPTING AND ENACTING THE FOLLOWING NEW SECTION 66-131 TO THE CITY OF SALLISAW CODE OF ORDINANCES, AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SALLISAW, OKLAHOMA.

SECTION 1.

That Chapter 66, Section 66-131 of Article V, Offenses Against Public Authority, of the Sallisaw City Code be amended by rescinding Ordinance Numbered 2023-08 in its entirety and repealing and striking the same and thereafter adopting and enacting the following section, to-wit:

CHAPTER 66

ARTICLE V. - OFFENSES AGAINST PUBLIC AUTHORITY.

Section 66-131. Resisting an officer.

- (a) It is unlawful to resist, oppose or assault, or in any way interfere with a police officer or any person duly authorized to act as such, while the officer or person is discharging or attempting to discharge his official duties within the limits of the city.
- (b) It is unlawful for any person to warn or signal another so as to assist such other person to flee, escape or evade an officer seeking to make an arrest or for any person to bar or lock any door or barrier in the face of or in front of an approaching officer.
- (c) Resisting an officer is the intentional opposition or resistance to, or obstruction of, an individual acting in his official capacity, and authorized by law to make a lawful arrest or seizure of property, or to serve any lawful process or court order, when the offender knows or has reason to know that the person arresting, seizing property, or serving process is acting in his official capacity. Resisting an officer is unlawful.

(d) The term "obstruction of" shall, in addition to its common meaning, include:

- (1) Flight by one sought to be arrested before the arresting officer can restrain him and after notice is given that he is under arrest;
- (2) Any violence toward or any resistance or opposition to the arresting officer after the arrested party is actually placed under arrest or before he is under arrest; or
- (3) Refusal by the arrested party to give his name and make his identity known to the arresting officer.

(e) It is unlawful for any person knowingly or wilfully to assault or beat, or revile, abuse, be disrespectful to, use abusive or indecent language toward or about, any such officer or employee while such officer or employee is in the discharge of his official duties.

SECTION 2.

WHEREAS, an emergency and immediate necessity exists by reason of the health, safety and protection of the citizens of Sallisaw; therefore, an emergency is hereby declared to exist by reason whereof this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 8th day of January, 2024.

CITY OF SALLISAW, OKLAHOMA

By: _____
ERNIE MARTENS, Mayor

ATTEST:

KIM JAMISON, City Clerk
[SEAL]

AGENDA ITEM COMMENTARY

Meeting Date: January 8, 2024
Board: Board of City Commissioners
Subject: Hangar Donation

ITEM TITLE: Discussion and Possible Action on Donation of Airport Hangar from Mr. Frank Sullivan Jr.

INITIATOR: Mr. Frank Sullivan
Economic Development Director

STAFF INFORMATION SOURCE: Economic Development Director
City Attorney

BACKGROUND: Mr. Sullivan wishes to donate his hangar located at the Sallisaw Municipal Airport to the City. Once the hangar is in the City's possession, we will work on leasing the hangar to another aviation client.

EXHIBITS: 1. Hangar Appraisal Dec 2024
2. Sullivan.Donation010824.

KEY ISSUES: NA

FUNDING SOURCE: NA

RECOMMENDATION: Acceptance of Donation.

Greenleaf

PROPERTIES

721 West Cherokee Ave. Sallisaw, OK 74955
Office (918) 774-0022 Website www.greenleafprop.com

MARKET ANALYSIS

Value
\$200,000

Name of Owner(s) <u>FRANK SALLISAW JR</u>	Mailing Address <u>1700 S. Kerr Blvd</u>
Phone Number(s) - Home _____	Work <u>Sallisaw, OK 74955</u>

Building Size

60 x 60

Building Amenities

Steel Framed, Insulated
Metal Airplane Hanger,
50 ft Hydraulic Plane Door,
X-Heavy Slab

Location

1700 S Kerr Blvd Sallisaw, Ok
Sallisaw Municipal Airport

Condition

Like New

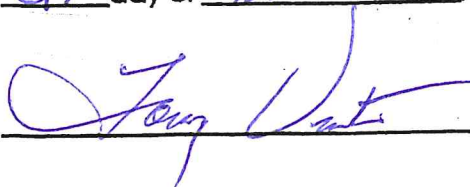
Replacement Cost

\$255,000

Value as of 12-20-2023

\$200,000

Please be aware the above is a **Market Analysis Only**, not to be used as a Property Appraisal. Dated this
21 day of Dec, 2023





Greenleaf Properties

"Your Real Estate Company"

721 W. Cherokee, Sallisaw, OK 74955

Office: 918-774-0022

Web Site: www.greenleafprop.com

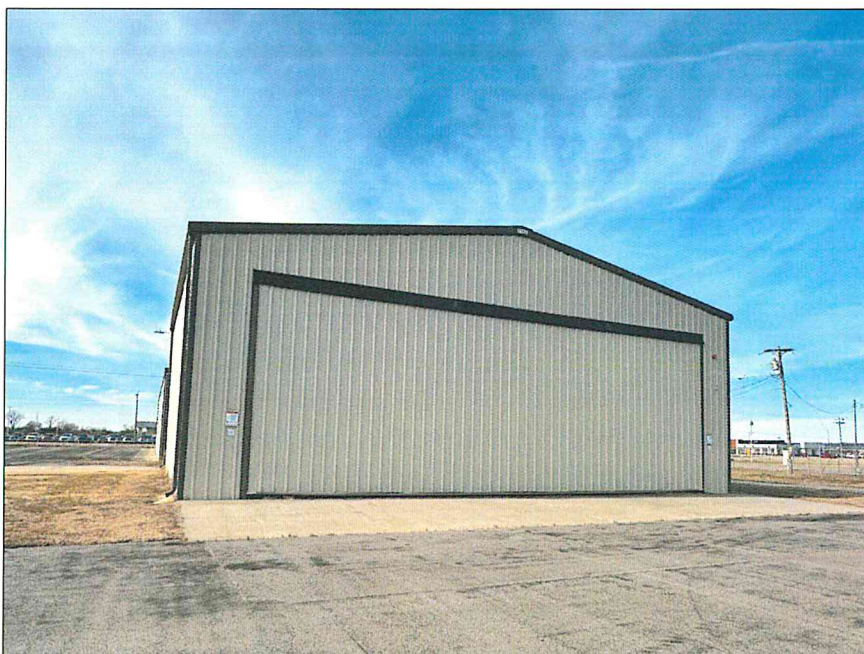
**60 x 60 Steel framed
metal airplane hanger, fully
insulated. 50 ft hydraulic
plane door and side door. X
heavy slab.**

Condition....like new

**Location...1700 South Kerr
Blvd. Sallisaw, OK 74955
Sallisaw Municipal Airport**

Replacement cost..\$255,000

Value as of 12-20-23.. \$200,000



FOR MORE INFORMATION OR APPOINTMENT CALL 918-774-0022







**60 x 60 Steel framed
metal airplane hanger, fully
insulated. 50 ft hydraulic
plane door and side door. X
heavy slab.**

Condition....like new

**Location...1700 South Kerr
Blvd. Sallisaw, OK 74955
Sallisaw Municipal Airport**

Replacement cost..\$255,000

Value as of 12-20-23.. \$200,000

HANGER



PO Box 525
Sallisaw

BOAer

Beds	Full Baths	Half Baths	Sale Price	Sale Date
N/A	N/A	N/A	N/A	N/A
Bldg Sq Ft	Lot Sq Ft	Yr Built	Type	
N/A	1,306,800	N/A	N/A	

OWNER INFORMATION

Owner Name	City Of Sallisaw	Tax Billing Zip	74955
Tax Billing Address	Po Box 525	Tax Billing Zip+4	0525
Tax Billing City & State	Sallisaw, OK		

COMMUNITY INSIGHTS

Median Home Value	\$200,052	School District	SALLISAW
Median Home Value Rating	3 / 10	Family Friendly Score	43 / 100
Total Crime Risk Score (for the neighborhood, relative to the nation)	28 / 100	Walkable Score	19 / 100
Total Incidents (1 yr)	94	Q1 Home Price Forecast	\$198,802
Standardized Test Rank	20 / 100	Last 2 Yr Home Appreciation	30%

LOCATION INFORMATION

School District	I-1	Township Range Sect	11N-24E-7
School District Name	Sallisaw Rural	Within 250 Feet of Multiple Flood Zone	No
Census Tract	303.04		

TAX INFORMATION

Tax ID	0000-07-011-024-0-108-00	Alt APN	0000-011-024-07-0-108-00
Legal Description	W/2 SW SE LESS HY ROW & W/2 E 1/2 SW SE 30ACRES 7-11-24		

CHARACTERISTICS

Lot Area	1,306,800	Lot Acres	30
----------	-----------	-----------	----

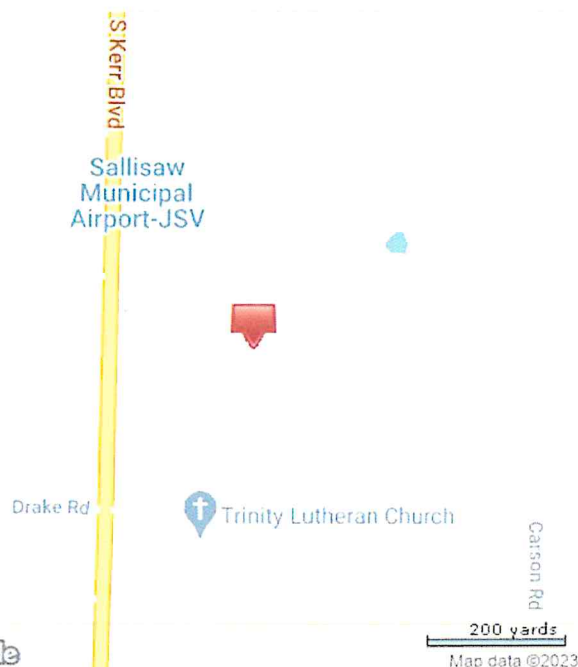
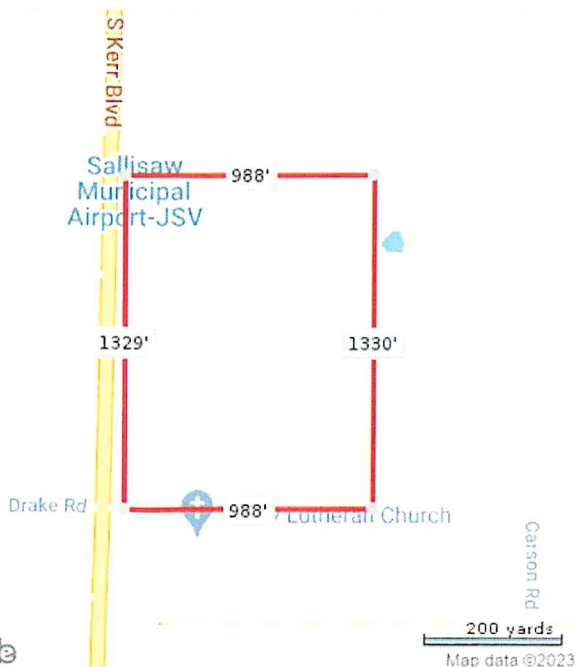
SELL SCORE

Value As Of	2023-12-17 04:41:44
-------------	---------------------

LAST MARKET SALE & SALES HISTORY

Owner Name	City Of Sallisaw
------------	------------------

PROPERTY MAP





115 East Choctaw P.O. Box 525 Sallisaw, OK 74955

918-775-6241 918-775-9550 Fax www.sallisawok.org

January 8, 2024

Mr. Frank Sullivan, Jr.
P. O. Box 768
Sallisaw, Oklahoma 74955

RE: Donation

DRAFT

Dear Mr. Sullivan, Jr.:

The City of Sallisaw hereby acknowledges and accepts your donation of the following real property and Airport Ground Lease situated in Sallisaw, Sequoyah County, Oklahoma, to-wit:

Airport Hangar, 60 feet by 60 feet, situated on airport property at 1700 South Kerr Blvd, Sallisaw, Oklahoma, and the remainder term of a 20 year Airport Ground Lease, dated 14th day of November, 2011, and expiring on June 30, 2031, with seven (7) year remaining and described as follows:

A tract of land being all that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, Township 11 North, Range 24 East, Indian Base and Meridian, Sequoyah County, Oklahoma, described using an assumed basis of bearing being North-South along the West line of the SE $\frac{1}{4}$ of said Section 7, created by Kelly Osburn P.L.S. No. 1628 and more particularly described as: Commencing at the NW corner SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 7, thence along the West line thereof South 175.36 feet; thence East 227.08 feet to the point of beginning; thence continuing East 86.50 feet; thence S00°34'24"E 70.00 feet; thence West 86.50 feet; thence N00°34'24"W 70.00 feet to the point of beginning, containing 0.14 acres, more or less.

The City of Sallisaw hereby acknowledges and accepts your donation of said Airport Ground Lease and the transfer of said Airport Hangar situated thereon which is valued and appraised at \$200,000.00.



115 East Choctaw P.O. Box 525 Sallisaw, OK 74955

918-775-6241 918-775-9550 Fax www.sallisawok.org

No goods or services were provided in regards to such donation.

Thank you for your generous donation to the Sallisaw community,

ERNIE MARTENS

Mayor

EM:kf

DRAFT

ADMINISTRATIVE REPORTS

Meeting Date:	January 8, 2024
Board:	Board of City Commissioners
Subject:	

Upcoming Events

January 10, 2024: GRDA Board of Directors Meeting

January 23, 2024: GRDA Customer Group Meeting (electric rate discussion)

January 25, 2024: Highway 59 North Pre-Construction Meeting.

February 12, 2024: Board of City Commissioners Meeting

City Manager Reports

City staff continues to gather information on upcoming GRDA electric rate changes. Staff will be discussing city rates with our consultant in the upcoming weeks.

City Projects

Pool project is still undergoing revised engineering due to the location changes. Bidding is getting near again.

Other

City staff remains busy with the growth we are experiencing. As you have seen over the last few months, we have had to approve expenditures related to this growth, and we anticipate more as the new year progresses.