

**BOARD OF CITY COMMISSIONERS  
SPECIAL MEETING**

**May 21, 2024**

**9:00 A.M.**

**In Conjunction with the Sallisaw Municipal Authority Meeting**

**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. Discussion and possible action on Planning Commission Case No. PC2024-003; Plat Presentation of Eastgate Shopping Center - Lots 1 & 2 by Rhino Holdings Sallisaw, LLC**
- 4. Discussion and possible action on Planning Commission Case No. PC2024-004; Plat Presentation of Osiyo Addition by Millison Casting Technology LLC**
- 5. Presentation and review of the proposed FY 2025 budget**
- 6. Conduct planning session to discuss various operations, policies, programs and services; and, provide direction to staff**
- 7. Discussion and possible action to convene in executive session for the purpose of conducting annual review of performance of the City Manager; as Authorized by Title 25 O.S., § 307(B)(1); if recommended by City Attorney**
- 8. Possible action to reconvene to regular session**

**9. Possible action pursuant to executive session**

**10. Adjourn**

**Posted: MAY 15, 2024**

**Time: 2:45 P.M.**

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**KIM JAMISON**

## **AGENDA ITEM COMMENTARY**

**Meeting Date:** May 21, 2024  
**Board:** Board of City Commissioners  
**Subject:** Plat Presentation

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**ITEM TITLE:** Discussion and possible action on Planning Commission Case No. PC2024-003; Plat Presentation of Eastgate Shopping Center - Lots 1 & 2 by Rhino Holdings Sallisaw, LLC

**INITIATOR:** Building Development

**STAFF INFORMATION SOURCE:** Mickle Griffin, Agent

**BACKGROUND:** Mickle Griffin, agent for Rhino Holdings Sallisaw, LLC, will present a plat for Eastgate Shopping Center Lots 1 & 2 for consideration. The shopping center is located at 1900 East Cherokee Avenue. The proposed use of the property is retail, as it is currently. The Planning commission will consider this on May 20th at a special meeting. Their recommendation will be available at the time of the BOCC meeting.

**EXHIBITS:**

1. 13681 - Final Plat, Eastgate Shopping Center, Lots 1 & 2 - 050624
2. PC2024-003 Sallisaw Plat app
3. Staff Report PC2024-003

**KEY ISSUES:** It does not have enough parking for the planned use.

**FUNDING SOURCE:** N/A

**RECOMMENDATION:**

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That I, Rhino Holdings Sallisaw, LLC, being the (SOLE OWNER) of the fee simple and to the following described real estate situated in the County of Sequoyah, State of Oklahoma, to-wit:

Part of the East-Half of Section 4, and part of Lot 60, Country Club Estates, all in Township 11 North, Range 24 East, Indian Meridian, Sallisaw, Sequoyah County, Oklahoma. Being more particularly described as follows:

Beginning at the Southwest Corner of the Southwest Quarter of the Northeast Quarter of Section 4, Township 11 North, Range 24 East, Indian Meridian, Sallisaw, Sequoyah County, Oklahoma; Thence N01°58'58"W, 207.97 feet; Thence N51°04'27"W, 46.64 feet; Thence 42.13 feet along the arc of a curve to the left, said curve having a radius of 44.99 feet and being subtended by a chord having a bearing of N77°53'57"W and a distance of 40.61 feet; Thence 213.96 feet along the arc of a curve to the left, said curve having a radius of 295.36 feet and being subtended by a chord having a bearing of N18°54'28"E and a distance of 209.31 feet; Thence N01°58'58"W, 135.26 feet; Thence S78°20'04"E, 84.81 feet; Thence N31°01'47"E, 124.68 feet to a point on the southwesterly right-of-way line of Highway 64; Thence along said right-of-way line, S52°28'30"E, 623.10 feet; Thence leaving said right-of-way line, S37°38'47"W, 250.00 feet; Thence S52°26'08"E, 170.39 feet; Thence S37°41'46"W, 450.24 feet; Thence N52°21'15"W, 170.00 feet; Thence S37°44'18"W, 191.35 feet; Thence N53°39'27"W, 76.96 feet; Thence N02°17'07"W, 371.25 feet to the Point of Beginning. Containing 10.603 acres, more or less.

have caused the same to be surveyed, staked and plotted and have caused the same to be named and designated "Eastgate Shopping Center - Lots 1 & 2", an addition to the City of Sallisaw, Oklahoma. I/we hereby dedicate to the City of Sallisaw, its successors and assigns, all easements and streets as shown on this plat and do hereby guarantee clear title to all land that is dedicated for the purpose of providing an orderly development of the entire tract.

OWNER TITLE

STATE OF \_\_\_\_\_ SS  
COUNTY OF \_\_\_\_\_

Before me, the undersigned, a Notary Public in and for said County and State on this \_\_\_\_\_ day of \_\_\_\_\_, 2024, personally appeared \_\_\_\_\_ to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he/she/they executed the same as his/her/their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year first above written.

Notary

My Commission Expires:

(SEAL)

SURVEYOR'S CERTIFICATE

I, Douglas R. Whitlock, R.L.S., a competent surveyor and a Registered Land Surveyor under Registration No. 1602, do hereby certify that I have carefully and accurately surveyed and staked the property located on a part of the East-Half of Section 4, and part of Lot 60, Country Club Estates, as described on the plat and that iron pins have been placed at all property corners and that the described plat is a true representation of said survey.

Certificate of Authorization: #9099; Expires 6-30-2025

Witness my hand this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

SURVEYOR NAME, R.L.S.

STATE OF \_\_\_\_\_ SS  
COUNTY OF \_\_\_\_\_

Before me, the undersigned, a Notary Public in and for said County and State on this \_\_\_\_\_ day of \_\_\_\_\_, 2024, personally appeared Douglas R. Whitlock, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year first above written.

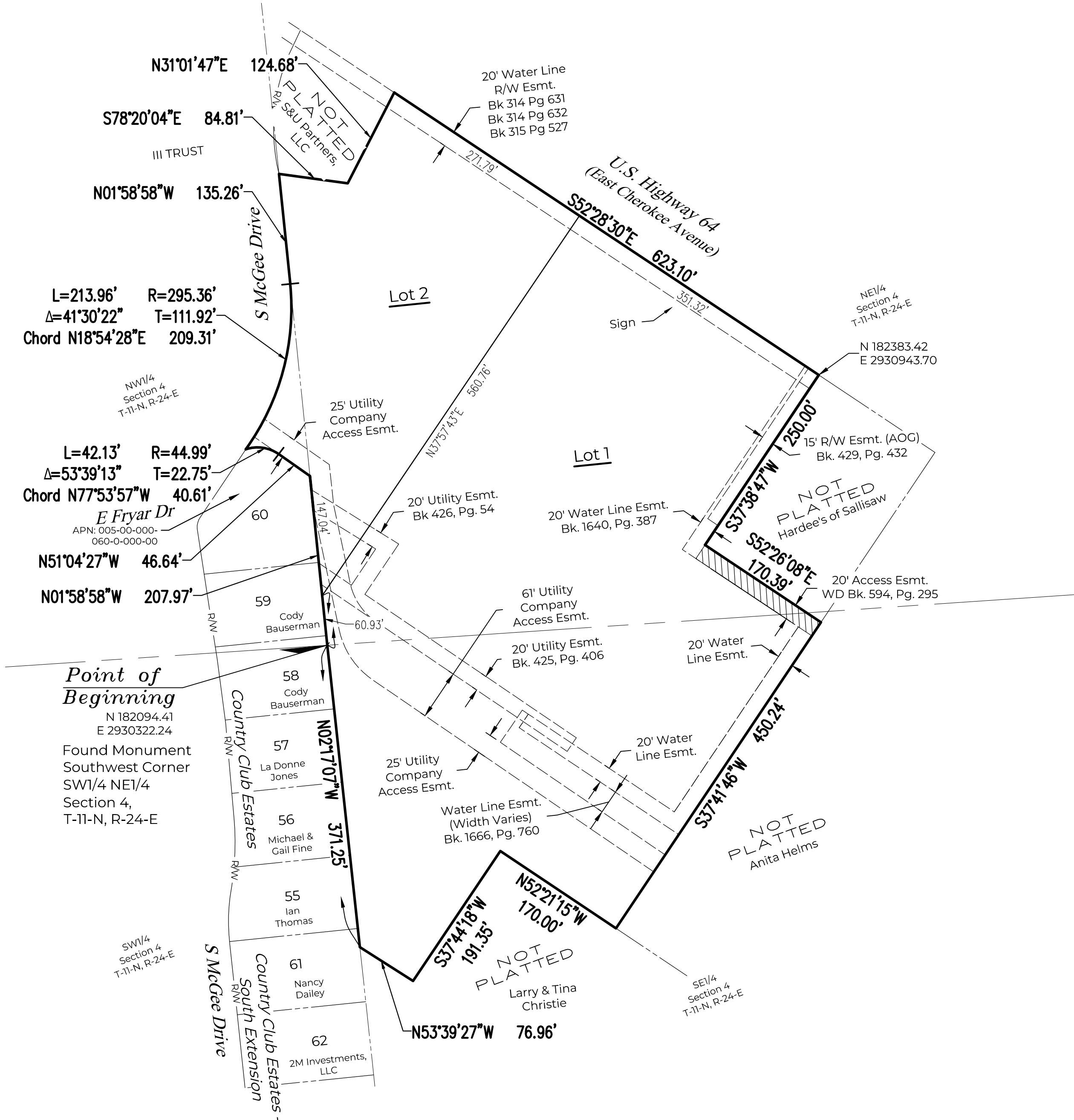
Notary

My Commission Expires:

(SEAL)

LEGEND

Existing Easement \_\_\_\_\_  
Right-of-Way \_\_\_\_\_ R/W \_\_\_\_\_  
Lot Line \_\_\_\_\_  
Boundary Line \_\_\_\_\_

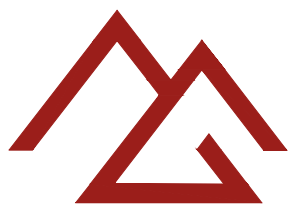


# Eastgate Shopping Center - Lots 1 & 2

An addition to the City of Sallisaw, being part of the East-Half of Section 4, and part of Lot 60, Country Club Estates, all in Township 11 North, Range 24 East, Indian Meridian, Sequoyah County, Oklahoma

Date: May 2024

Scale: 1" = 100'



**MICKLE GRIFFIN**  
ENGINEERS - SURVEYORS

3434 Country Club Ave. (479) 649-8484  
P.O. Box 8130 Fax: (479) 649-8486  
Fort Smith, Arkansas info@micklegriffin.com

APPROVAL OF PLAT

The Board of City Commissioners of the City of Sallisaw, Oklahoma hereby approve this plat of "Eastgate Shopping Center - Lots 1 & 2", an addition to the City of Sallisaw, Oklahoma, and accepts the easements shown therein.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

CITY OF SALLISAW, OK

MAYOR

ATTEST:

CITY CLERK

(SEAL)

The Planning Commission of the City of Sallisaw, Oklahoma recommends approval of plat "Eastgate Shopping Center - Lots 1 & 2", an addition to the City of Sallisaw, Oklahoma and the easements as shown therein.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

CHAIRMAN

SECRETARY

TREASURER'S CERTIFICATE

I, Angela Gist, Treasurer of Sequoyah County, Oklahoma, do hereby certify that all taxes on the property hereon platted and described have been paid or cash bond placed to secure the same.

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

COUNTY TREASURER

NOTES:

Highway Right-of-Way information from ODOT.

Basis of Bearing is Grid, OK State Plane, North Zone, NAD83

Elevation Reference: NAVD88

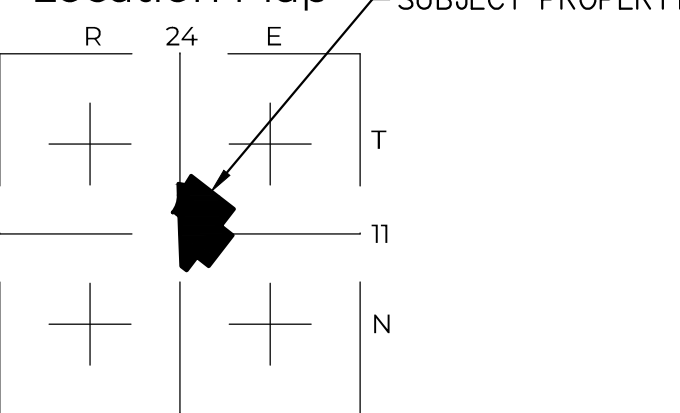
Temporary Bench Mark Reference: Found Monument; N 182094.41, E 2930322.24, EL 511.69

All Lot measurements are to Lot Corners.

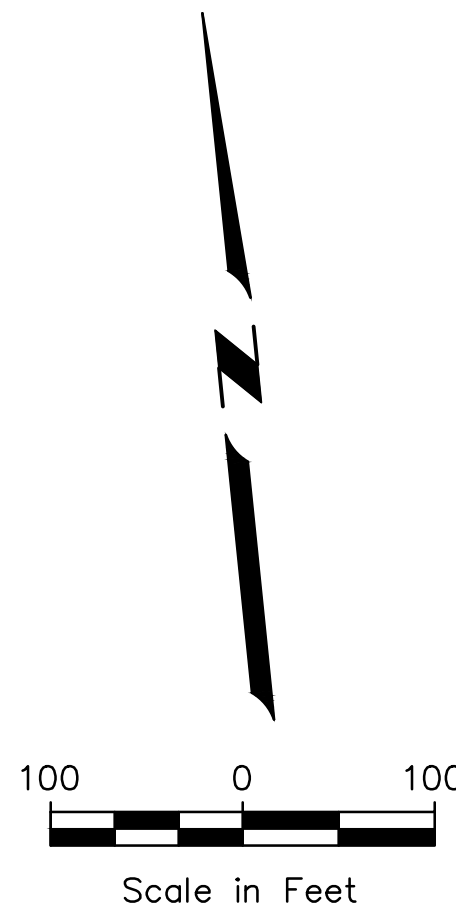
All Lot measurements on Curves are Chord Distance

All Corner Radii equal 25.0 feet unless otherwise noted.

Location Map



Location Map Scale: 1"=3000'  
Section 4  
Sequoyah County, Okla.



OWNER  
Rhino Holdings Sallisaw, LLC  
2200 Paseo Verde Parkway 260  
Henderson NV, 89052

CASE # \_\_\_\_\_

PLANNING COMMISSION

APPLICATION FOR PLAT APPROVAL

Application is hereby made to the Planning Commission of a recommendation to the City Council for rezoning of the following described property to a district

General Location 1900 E. Cherokee ; Part E/2 Sec. 4, T11N, R24E; 10.6 Acres  
(Street Address, Legal Description and Acreage: Attach additional sheets if necessary)

Present Use of Property Retail

Proposed Use of Property Retail

Record Owner of Property Rhino Holdings Sallisaw, LLC

If Applicant is other than owner, indicate interest: ☐ purchaser, ☐ lessee,

☒ agent for, owner ☐ other \_\_\_\_\_

Are there any Private or Deed Restrictions controlling the use of this property? Yes - Noted on plat.

I do hereby certify that the information herein submitted is complete, true and accurate.

Signed Jeffrey Holmes Address \_\_\_\_\_  
Phone (479) 649 8484 \_\_\_\_\_

APPLICANT - DO NOT WRITE BELOW THIS LINE

Application Received by: \_\_\_\_\_ Date: \_\_\_\_\_

Present Zoning \_\_\_\_\_

Fee Receipt: \_\_\_\_\_ Requested: \_\_\_\_\_

PC Action: \_\_\_\_\_ Date: \_\_\_\_\_

City Action: \_\_\_\_\_ Date: \_\_\_\_\_

Ordinance No.: \_\_\_\_\_

# STAFF REPORT

## Sallisaw Planning and Zoning Board

*May 20, 2024, Sallisaw Planning Commission*

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### ITEM

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PC2024-003 Platting

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### Request

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Rhino Holdings Sallisaw, LLC is requesting to plat their property in two lots.

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### Staff Report

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#### **Report:**

Platting the property in two lots. According to our city zoning ordinance they don't have enough parking and with this plat they will not have enough parking to match what they are wanting to do.

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### Property History

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Originally this property was built for Walmart built in the early seventies, with a total floor area of 68,760 square feet. It appears that they did not have enough parking for the building that had. According to our city zoning ordinance they don't have enough parking with how it is now, and with this new platting they will not have enough parking to match what they are wanting to do.

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### Impact Potential

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As with any use, there are positive and/or negative considerations.

- Potential new business
- Possibly more Traffic
- Hours of operation
- Property valuation

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### Resources

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City of Sallisaw Code of Ordinance; Section 102 Zoning,

## **AGENDA ITEM COMMENTARY**

**Meeting Date:** May 21, 2024  
**Board:** Board of City Commissioners  
**Subject:** Plat Presentation

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**ITEM TITLE:** Discussion and possible action on Planning Commission Case No. PC2024-004; Plat Presentation of Osiyo Addition by Millison Casting Technology LLC

**INITIATOR:** Building Development

**STAFF INFORMATION SOURCE:** Osburn Land Surveyors, Inc.

**BACKGROUND:** Osburn Land Surveyors, agent for Millison Casting Technology LLC, will present a plat of Osiyo Addition, an addition to the City of Sallisaw for consideration. This is the old SPLT property located at 1300 South Buddy Spencer. The Planning Commission will review this plat at a special meeting on May 20th, Their recommendation will be available at the time of the BOCC meeting.

**EXHIBITS:** 1. PC2024-004 Osiyo Application  
2. 04-30-2024 Osiyo Addition

**KEY ISSUES:** None

**FUNDING SOURCE:** N/A

**RECOMMENDATION:**

PC2024-004

PLANNING COMMISSION

REQUEST FOR PRELIMINARY PLAT APPROVAL

Application is hereby made to the Planning Commission for consideration of a recommendation to the City Council for

Osigo Addition  
General Location Buddy Spencer  
(Street Address)  
Present Use of Property Industrial  
Proposed Use of Property Industrial  
Record Owner of Property SLPT

If Applicant is other than owner, indicate interest: ☐ purchaser, ☐ lessee,  
☒ agent for, Oshorn Land Surveyors ☐ other \_\_\_\_\_

Are there any Private or Deed Restrictions controlling the use of this property? \_\_\_\_\_

I do hereby certify that the information herein submitted is complete, true and accurate.

Signed [Signature] Address 3615 W. Cherokee Ave  
Phone 918-775-9322 Sallisaw, OK

\_\_\_\_\_  
APPLICANT - DO NOT WRITE BELOW THIS LINE

Application Received by: \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_  
Present Zoning \_\_\_\_\_  
Application No.: \_\_\_\_\_ Requested: \_\_\_\_\_  
Fee Receipt: \_\_\_\_\_ P.C. Action \_\_\_\_\_  
City Action: \_\_\_\_\_ Date: \_\_\_\_\_  
Ordinance No.: \_\_\_\_\_

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That We, Millison Casting Technology LLC, being the sole owner of the fee simple and to the following described real estate situated in the County of Sequoyah, State of Oklahoma, recorded in Book 1671 at Page 536t in the Sequoyah County Clerks office, to-wit:

Part of the Northeast Quarter (NE/4) of Section Eight (8), Township Eleven (11) North, Range Twenty-Four (24) East, Sequoyah County, Oklahoma, being more particularly described as follows:

Beginning at the Southwest Corner of the Northeast Quarter (NE/4); thence N89°51'E 1319.0 feet to the Southeast Corner of the Southwest Quarter (SW/4) of the Northeast Quarter (NE/4); thence North 1212.4 feet along the East line of said Southwest Quarter (SW/4) of the Northeast Quarter (NE/4); thence N56°44'E 197.0 feet to t a point on the North line of the Southeast Quarter (SE/4) of the Northeast Quarter (NE/4); thence S89°51'W 164.7 feet to the Northwest corner of said Southeast Quarter (SW/4) of the Northeast Quarter (NE/4); thence North 538.73 feet along the East line of the Northwest Quarter of the Northeast Quarter (NE/4 to a point on the Southerly right of way of Interstate Highway I-40; Thence S76°27'W 526.0 feet along said right of way; thence N89°03'W 134.25 feet along said right of way; thence S85°07'W 676.15 feet along said right of way to a point on the West line of said Northeast Quarter (NE/4); thence South 1684.26 feet along said West line to the point of beginning.

owner—managing member Jason Zhang

STATE OF OKLAHOMA  
COUNTY OF SEQUOYAH

Before me, the undersigned, a Notary Public in and for said County and State on this \_\_\_\_\_ day of \_\_\_\_\_, 2024, personally appeared \_\_\_\_\_ the owner—managing member of Millison Casting Technology LLC, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year first above written.

Notary

My Commission Expires:

(SEAL)

SURVEYOR'S CERTIFICATE

I, Kelly Osburn, Oklahoma Registered Professional Land Surveyor, No. 1628, do hereby certify that I have carefully and accurately surveyed the property located in a part of Section 8, T11N, R24E, as described on this plat and that existing monuments have been found or #3 rebar with caps have been placed at all property corners and that the described plat is a true representation of said survey. This survey meets the requirements of the Oklahoma Minimum Standards.

Certificate of Authorization: #5391; Expires 6—30—2025

Witness my hand this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Kelly Osburn, P.L.S. 1628

STATE OF OKLAHOMA  
COUNTY OF SEQUOYAH

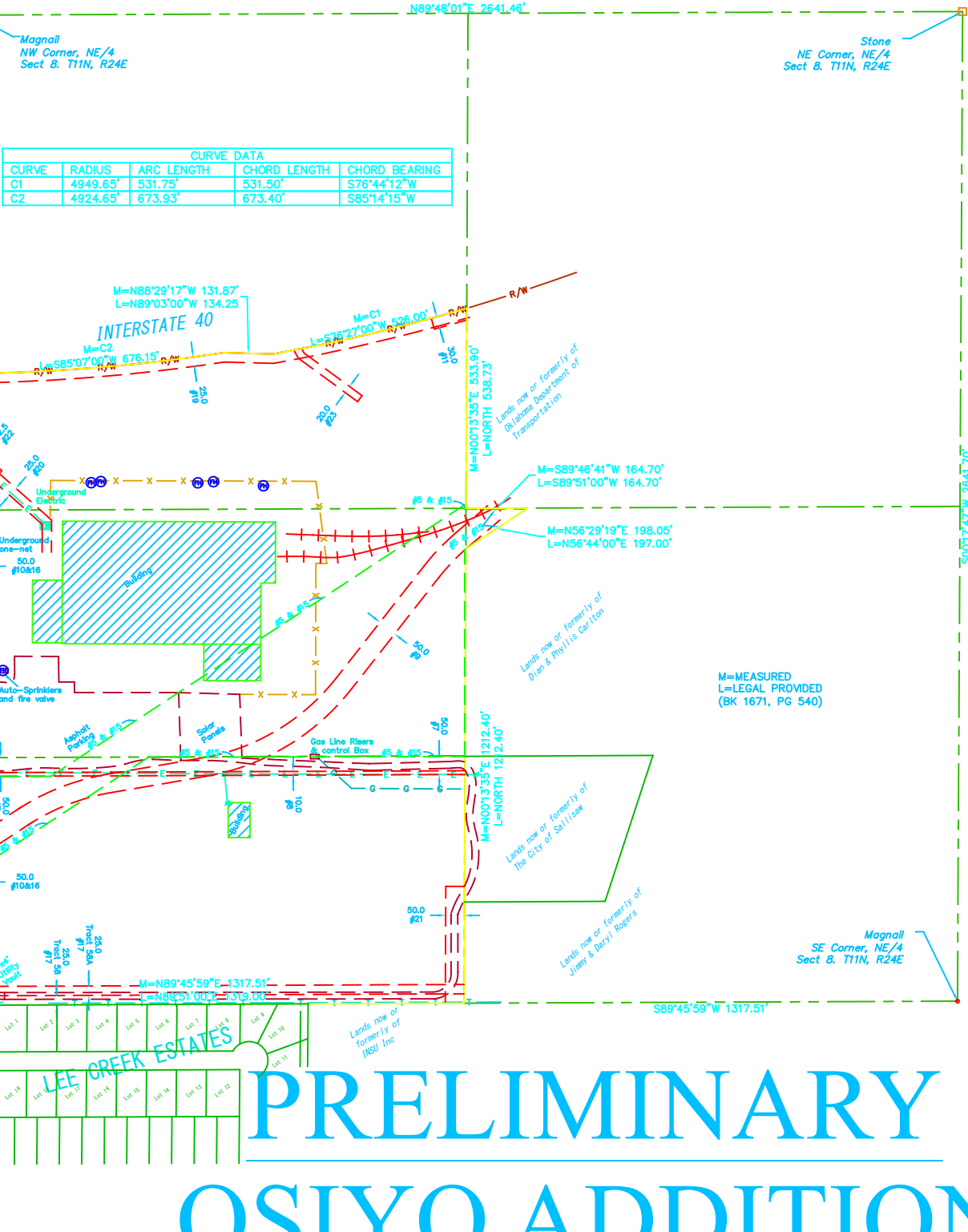
Before me, the undersigned, a Notary Public in and for said County and State on this \_\_\_\_\_ day of \_\_\_\_\_, 2024, personally appeared Kelly Osburn, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year first above written.

Notary

My Commission Expires:

(SEAL)



An addition to the City of Sallisaw, being a part of the NE/4 of Section 8, Township 11 North, Range 24 East, Sequoyah County, Oklahoma.

Date: 04—2024 Scale: 1"=300'

Owner/Developer: Millison Casting Technology LLC  
— Osburn Land Surveyors, LLC. —

3615 West Cherokee Sallisaw, OK 74955  
Office — (918) 775—9322 P.O. Box 1406

APPROVAL OF PLAT

The Board of Commissioners of the City of Sallisaw, Oklahoma hereby approve this plat of "Osiyo Addition", an addition to the City of Sallisaw, Oklahoma, and accept all streets and easements shown therein.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

CITY OF SALLISAW

MAYOR

ATTEST:

CITY CLERK

(SEAL)

The Planning Commision of the City of Sallisaw, Oklahoma recommends approval of plat "Osiyo Addition", an addition to the City of Sallisaw, Oklahoma and the streets and easements as shown therein.

Recommended Approval on \_\_\_\_\_day of \_\_\_\_\_ 2024

CHAIRMAN

SECRETARY

TREASURER'S CERTIFICATE

I, Angela Glat, as Treasurer of Sequoyah County, Oklahoma, do hereby certify that all taxes on the property hereon platted and described have been paid or cash bond placed to secure the same.

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

COUNTY TREASURER

Excrptions described on legal provided Book 1671 Page 536—543

#5. Bk 227 Pg 107 Warranty Deed file in Book 227 Page 107. This instruments describes a Railroad Spur through the NE/4 of Section 8, T11N, R24E. This spur tract is no longer existing and is no longer in use. The owners should satisfy themselves as to clear and marketable title to the property described in said filed instruments

#6. Bk 242 Pg 343 Decree of Incorporation. The purpose of this instrument is outlined on the face of the document and primarily deals with the Conservancy Act of the State of Oklahoma. The owners should satisfy themselves as to any burden this may impart on the subject property described in this deed of dedication.

#7. Bk 204 Pg 139 Easement for Pipeline and Roadway in favor of the City of Sallisaw, Oklahoma. This easement is illustrated.

#8. Bk 320 Pg 215 Easement in favor of the City of Sallisaw for sewer line. This easement is illustrated.

#9. Bk 336 Pg 216 Easement in favor of The Kansas City Southern Railway Company. This instrument conveys a perpetual easement or right of way to the aforementioned company for railroad purposes upon, over and across a part of the NE/4 of Section 8, T11N, R24E and is illustrated.

#10 Bk 336 Pg 219 Easement in favor of the City of Sallisaw. This instrument convey a perpetual easement and right of way to sold Sallisaw and is illustrated.

#11 Bk 282 Pg 486 Right of way in favor of Fort Smith Gas Corporation and is illustrated.

#12. Bk 282 Pg 488 Right of way in favor of Fort Smith Gas Corp. This instrument gives no specific location but may affect the property described in the deed of dedication.

#13. Bk 253 Pg 391 Dedication Deed for Public Highway in favor of the State of Oklahoma. The south line of this deed is the North line of the property described in the deed of dedication.

#15. Bk 336 Pg 213 Assignment in favor of Sallisaw Industrial Corporation and is illustrated. This instrument between Kansas City Southern Railway Company and said Sallisaw industrial Corporation conveys a parcel which is intended to be the same parcel filed in Book 227 Page 107 or Exception #5.This instruments describes a Railroad Spur through the NE/4 of Section 8, T11N, R24E. This spur tract is no longer existing and is no longer in use. The owners should satisfy themselves as to clear and marketable title to the property described in said filed instruments.

#16. Bk 336 Pg 221 Easement in favor City of Sallisaw is the same described easement as Exception #10 and is illustrated.

#17. Bk 347 Pg 157 This instrument is a Utility Easement in favor of the City of Sallisaw for the purpose of constructing a water transmission line and is illustrated.

#19. Bk 373 Pg 64 This instrument is a Utility Easement in favor of the City of Sallisaw for the purpose of constructing a water transmission line and is illustrated.

#20. Bk 383 Pg 92 A Utility Easement in favor of the City of Sallisaw for the purpose of constructing and maintaining an electric line and is illustrated.

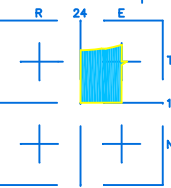
#21 Bk 421 Pg 588 Is an Easement for Street and Utilities if favor of the City of Sallisaw and is illustrated

#22 Bk 842 Pg 660 is an Easement in favor of the City of Sallisaw for the construction and maintenance of an electric transmission line and is illustrated.

#23 Bk 872 Pg 631 is an Easement in favor of the City of Sallisaw for the construction and maintenance of a electric, telephone, water, sewer or any other utility line. This easement is illustrated.



Location Map



Basis of Bearing  
S00°09'24\"/>