

**BOARD OF CITY COMMISSIONERS
REGULAR MEETING**

January 13, 2025

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. Discussion and possible action on removal of any item from the consent agenda**
- 4. Possible action on consent agenda**
 - (a) Possible action on regular minutes of December 9, 2024 and special meeting of December 17, 2024
 - (b) Possible action on Invoice Paid Report for December 2024
 - (c) Possible action on amendment to City Manager Contract (City to provide cell phone instead of an allowance)
- 5. Discussion and possible action on any item removed from the consent agenda**
- 6. Discussion and possible action on staff’s request to reinvest a General Fund Certificate of Deposit with Local Bank for 329 days at 4.76% interest**
- 7. Discussion and possible action on Resolution 2025-01; Approving an Agreement**

Between the City of Sallisaw and the Oklahoma Department of Transportation for Federal-Aid Program Project; Project Number NHPP-168N(179)FP, Job Piece No. 23107(07) for the modification of the traffic signals at US-59 North and US-64 in the City of Sallisaw, Sequoyah County

- 8. Discussion on Proposed Ordinance prohibiting unauthorized camping on City owned land; possible direction to staff**
- 9. Discussion and possible action on Planning Commission Case No. PC2024-009; Replat presentation of Riggs Duplex Addition by Stirrup Creek Properties, LLC**
- 10. Discussion and possible action on Planning Commission Case No. PC2024-010; Replat presentation of Fairview Addition by 55 Properties, LLC**
- 11. Discussion and possible action on Planning Commission Case No. PC 2024-011; rezoning request from Residence District (R-2) to Medium Density Residential District (RT-1) by 55 Properties, LLC; and Ordinance 2025-01 with emergency clause**
- 12. Discussion and possible action on Planning Commission Case No. PC 2024-012; rezoning request from One-Family Residence District (R-1) to Multi-Family Residence District (R-3) by Brian Sinyard, Big Sky Investments; and Ordinance No. 2025-02 with emergency clause**
- 13. Receive update on economic development and grant activities**
- 14. Receive update on current and future projects**
- 15. Receive update on the financial status of the city and activities of the finance department**
- 16. Administrative reports**
- 17. Adjourn**

Posted: JANUARY 9, 2025
Time: 4:45 P.M.

MINUTES
BOARD OF CITY COMMISSIONERS
REGULAR MEETING
DECEMBER 9, 2024

The Board of City Commissioners met in a regular meeting on December 9, 2024, in the Council Chambers, 113 N. Elm Street, Sallisaw. Notice of the meeting was given by emailing to Sequoyah County Times; emailing KXXMX; by posting at city hall on December 6, 2024, at 1:20 p.m.; by posting on the city's website; and, by giving notice to the City Clerk.

Members present:	Ernie Martens, Kenny Moody, Julian Mendiola, Brad Hamilton,	Mayor Member, Ward 1 Member, Ward 3 Member, Ward 4
Members absent:	Josh Bailey,	Member, Ward 2
Staff present:	Jordan Pace, Kim Jamison, Robin Haggard, Keith Miller, George Bormann, Ben Spyres, Chris Carter, Clint Smith, Beau Bramel, Daniel Emerson, Travis Buchanan, Skylar Fullbright, Jarod Vinsion,	City Attorney City Clerk Director of Finance/Interim City Manager Chief Accountant Economic Development Director Computer Technician Senior Code Inspector IT Director GIS Mapping Tech Locate Technician Code Enforcement Officer Grants Specialist Superintendent - WTP
Others present:	Lynn Adams; Patrick Howard; Carl Hall; Jeannie Richardson; Deborah Gable; Jana Walker; Zayn Vinson; Brian Heverly; Robert Morris; Lacey Wallace; Daryl Legg; Pamela Gay; Philip Gay; Julie Becker; Brian Becker; Todd Martin; Randy Bogart; Jennifer Bramel; Melissa Buchanan; Shane Walker; 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. Discussion and possible action on removal of any item from the consent agenda

None.

4. Discussion and possible action on consent agenda

a Possible action on regular minutes of November 12, 2024, and special minutes of November 19, 2024

b Possible action on invoice paid report for November 2024

c Possible action on Brushy Lake Park Campground and Lake Use policy, Revision 2

Motion was made by Moody, seconded by Mendiola, for approval of consent agenda.
Vote: Moody aye; Mendiola aye; Hamilton aye; Martens aye. Motion carried 4-0.

5. Discussion and possible action on any item removed from the consent agenda

None.

6. Presentation of Oklahoma Municipal League's 25-Year Service Award to Lee Risley, and Jarod Vinson

The interim City Manager presented award to Jarod Vinson. Lee Risley wasn't able to attend the meeting.

7. Receive Presentation of FY 2024 Audit from Jana A Walker, CPA, PLLC

Jana Walker went over the Audit with Council. She was happy to give an unmodified opinion. Which means for all material aspects that our numbers are not materially

misstated (which is what you want). The finances are in good standing and Finance does a good job of keeping track of the City's finances.

8. Discussion and possible action on Mayor's appointment of Mr. Nick Grant to the position of Municipal Judge with an annual salary of \$31,200.00 plus benefits

Motion was made by Moody, seconded by Hamilton, for approval of Mayor's appointment of Nick Grant as Municipal Judge. Vote: Moody aye; Hamilton aye; Mendiola aye; Martens aye. Motion carried 4-0.

9. Receive presentation from Mr. Todd Martin concerning Northeastern Health Systems - Sequoyah; and possible direction to staff

Mr. Martin stated that the hospital was in a tough position financially. The Hospital receives sales tax for operation costs. He would like to be able to use the sales tax funds to pay vendors. He is asking the City to entertain buying a bond with the hospitals sales tax money so that the debt can be paid and the Hospital would have a fresh start.

Discussion was held. It was the consensus of the Board to entertain buying a bond.

10. Receive presentation from Daryl Legg, Cherokee Nation Tribal Council District 6, concerning possible donation of unused City property to Cherokee Nation for construction of homes; and possible direction to staff

Mr. Legg stated that Cherokee Nation is about out of land for future home development.

It was brought up that maybe the City would have some unsellable lots, etc. that could be donated and Cherokee Nation could construct homes on them.

11. Receive presentation from Ms. Jeannie Richardson; she would like to request that the City start the process of applying for a Transportation Alternatives Program Grant for sidewalks; and possible direction to staff

Ms. Jeannie Richardson made a presentation concerning a Transportation Alternative Program. The TA Program provides funding for non-motorized transportation. She presented a location plan for sidewalk installation.

12. Receive presentation from Ms. Debora Gable: she would like to request a shelter expansion at the Sallisaw Animal Care Facility be considered in the FY 26 budget; and possible direction to staff

Ms. Gable started her presentation by stating that we have a huge feral cat and dog problem. The Shelter needs a larger dog extension for the current shelter and a stand alone facility for cats. Also a TNR (Trap, neuter and release) needs to be implemented.

She asked that this be considered in the upcoming budget.

13. Conduct Public Hearing to Determine if the Property Located at 304 East Iola is a Public Nuisance; Case #12-24-1C, Condemnation of Dilapidated Structure

Mayor Martens open the Public Hearing. Code Enforcement present the item. As well as two (2) of the deceased property owners relatives. Motion was made by Mendiola, seconded by Hamilton, to declare 304 East Iola a public nuisance and directed staff to abate. Vote: Mendiola aye; Hamilton aye; Moody aye; Martens aye. Motion carried 4-0.

14. Discussion and possible action on Civic Plus Statement of Work (SOW) Agreement in the amount of \$19,712.34 to provide permitting and licensing software

Motion was made by Hamilton, seconded by Moody, for approval of Civic Plus Statement of Work Agreement in the amount of \$19,712.34. Vote: Hamilton aye; Moody aye; Mendiola aye; Martens aye. Motion carried 4-0.

15. Possible action to convene to Executive Session for discussion concerning the employment and proposed contract of a City Manager, in accordance with 25 O.S. § 307 B(1)

At City Attorneys recommendation, Motion was made by Mendiola, seconded by Hamilton, to convene to Executive Session. Vote: Mendiola aye; Hamilton aye; Moody aye; Martens aye. Motion carried 4-0. Executive Session began at 7.21 P.m.

16. Possible action to convene to Regular Session

Motion was made by Mendiola, seconded by Moody, to reconvene to Regular Session. Vote: Mendiola aye; Moody aye; Hamilton aye; Martens aye. Motion carried 4-0. Regular Session reconvened at 7.58 p.m.

17. Possible action or direction pursuant to Executive Session concerning the employment of a City Manager

Motion was made by Moody, seconded by Hamilton, to employee Brian Heverly as City Manager. Vote: Moody aye; Hamilton aye; Mendiola nay; Martens aye. Motion carried 3-1.

18. Discussion and possible action on the proposed City Manager Contract

Motion was made by Moody, seconded by Hamilton, for approval of City Manager contract. Vote: Moody aye; Hamilton aye; Mendiola nay; Martens aye. Motion carried 3-1.

19. Receive update on current and future projects

The Building Development Director gave an update, for informational purposes only.

20. Receive update on the financial status of the city and activities of the finance department

The Finance Director gave an update, for informational purposes only.

21. Administrative reports

The Interim City Manager reviewed the items included in the agenda packet.

22. Adjourn

Motion was made by Hamilton, seconded by Moody, to adjourn the meeting. Vote: Hamilton aye; Moody aye; Mendiola aye; Martens aye. Motion carried 4-0. The meeting ended at 8:06 P.M.

Approved this 13th day of January 2025.

Ernie Martens, Mayor

ATTEST:

Kim Jamison, City Clerk

(SEAL)

MINUTES
BOARD OF CITY COMMISSIONERS
SPECIAL MEETING
DECEMBER 17, 2024

The Board of City Commissioners met in a special meeting on December 17, 2024, in the Council Chambers, 113 N. Elm Street, Sallisaw. Notice of the meeting was given by emailing to Sequoyah County Times; emailing KXXMX; by posting at city hall on December 13, 2024, at 3:00 p.m.; by posting on the city's website; and, by giving notice to the City Clerk.

Members present:	Ernie Martens, Kenny Moody, Josh Bailey, Julian Mendiola, Brad Hamilton,	Mayor Member, Ward 1 Member, Ward 2 Member, Ward 3 Member, Ward 4
Members absent:	None	
Staff present:	Jordan Pace, Kim Jamison, Robin Haggard, Ben Spyres,	City Attorney City Clerk Director of Finance/Interim City Manager Computer Technican
Others present:	Lynn Adams; Brian Heverly; Crystal Heverly; Randy Nelson; Chris Bryom; Todd Martin; Stacy Callahan; Stephanie Six; Others Unidentified.	

1. Meeting called to order

Mayor Martens called the meeting to order. The meeting began at 5:00 p.m.

2. Declaration of a quorum

A quorum was declared present.

3. Possible Action on FY 2024 Audit as presented on December 9, 2024

Motion was made by Moody, seconded by Hamilton, for approval of audit as presented.
Vote: Moody aye; Hamilton aye; Bailey aye; Mendiola aye; Martens aye. Motion

carried 5-0.

4. **Consider and discuss financing the retirement and refinancing of certain financial obligations of the Sequoyah County-City of Sallisaw Hospital Authority; and possible action**

No action.

5. **Consider and take possible action to adopt Resolution 2024-26; *A resolution approving the incurring of indebtedness by The Sallisaw Economic Authority, consenting to the issuance of the bonds evidencing the same; waiving competitive bidding thereon; approving a Sales and Use Tax Agreement with The Sallisaw Economic Authority; and containing other provisions relating thereto***

Motion was made by Mendiola, seconded by Bailey, for approval of Resolution 2024-26.
Vote: Mendiola aye; Bailey aye; Moody aye; Hamilton aye; Martens aye. Motion carried 5-0.

6. **Adjourn**

Motion was made by Moody, seconded by Hamilton, to adjourn the meeting. Vote:
Moody aye; Hamilton aye; Bailey aye; Mendiola aye; Martens aye. Motion carried 5-0.
The meeting ended at 5:20 p.m.

Approved on the 13th day of January 2025.

Ernie Martens, Mayor

ATTEST:

Kim Jamison, City Clerk

(SEAL)

CITY MANAGER EMPLOYMENT AGREEMENT (AMENDED)

SECTION 4: BASE SALARY, HEALTH INSURANCE AND OTHER BENEFITS

.....

3. ~~The City agrees to pay the City Manager \$100.00 per month for a cell phone allowance.~~

3. The City will provide a cell phone for official use.

.....

AGENDA ITEM COMMENTARY

Meeting Date: January 13, 2025
Board: Board of City Commissioners
Subject: Investment

ITEM TITLE: Discussion and possible action on staff's request to reinvest a General Fund Certificate of Deposit with Local Bank for 329 days at 4.76% interest

INITIATOR: City Clerk

STAFF INFORMATION SOURCE: City Clerk

BACKGROUND: Quotes were requested for investment of the General Fund Certificate of Deposit. Armstrong Bank, Local Bank, Firststar Bank and National Bank returned quotes. Staff requests approval to deposit with Local Bank for 329 days at 4.76% interest.

EXHIBITS: 1. BOCC CDS

KEY ISSUES: None

FUNDING SOURCE: N/A

RECOMMENDATION: Approval to reinvest a General Fund Certificate of Deposit with Local Bank for 329 days at 4.76% interest.

BOARD OF CITY COMMISSIONERS

REDEPOSIT
OF
TEMPORARILY IDLE FUNDS

JANUARY 15, 2025

<u>Fund</u>	<u>Amount</u>
General Fund	\$116,922.03

<u>Days</u>	<u>Firststar</u>	<u>National</u>	<u>Armstrong</u>	<u>Local</u>
245	<u>3.90%</u>	<u>4.59%</u>	<u>4.29%</u>	<u>4.57%</u>
329	<u>3.79%</u>	<u>4.29%</u>	<u>4.18%</u>	<u>4.76%</u>



115 East Choctaw P.O. Box 525 Sallisaw, OK 74955
Ph. 918-775-6241 Fax 918-775-9550 www.sallisawok.org

The City of Sallisaw requests quotes on time deposits of idle funds for the time specified below beginning on January 15, 2025:

<u>FUND</u>	<u>AMOUNT</u>	<u>DAYS</u>	<u>MATURITY</u>	<u>QUOTE</u>
General Fund	\$116,922.03*	245	Sept 17, 2025	4.29%
		329	Dec 10, 2025	4.18%

Quotes will be received by the City Clerk via e-mail; kjamison@sallisawok.org and must be received by 10:00 a.m., January 7, 2025. Quotes will then be reviewed. Recommendation for award will be presented at the regular meeting of the Board of City Commissioners beginning at 6:00 p.m., January 13, 2025.

Please ensure that your facility has sufficient collateral pledged, should you be the successful bidder.

Kim Jamison, City Clerk

Submitted by:

Armstrong Bank
(Print Bank Name)

Date: 1-3-2025

By:

*Estimated



115 East Choctaw P.O. Box 525 Sallisaw, OK 74955
Ph. 918-775-6241 Fax 918-775-9550 www.sallisawok.org

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<u>FUND</u>	<u>AMOUNT</u>	<u>DAYS</u>	<u>MATURITY</u>	<u>QUOTE</u>
General Fund	\$116,922.03*	245	Sept 17, 2025	<u>4.59%</u>
		329	Dec 10, 2025	<u>4.29%</u>

Quotes will be received by the City Clerk via e-mail; kjamison@sallisawok.org and must be received by 10:00 a.m., January 7, 2025. Quotes will then be reviewed. Recommendation for award will be presented at the regular meeting of the Board of City Commissioners beginning at 6:00 p.m., January 13, 2025.

Please ensure that your facility has sufficient collateral pledged, should you be the successful bidder.

Kim Jamison, City Clerk

Submitted by:

National Bank
(Print Bank Name)

Date:

1/7/25

By:

*Estimated



115 East Choctaw P.O. Box 525 Sallisaw, OK 74955
Ph. 918-775-6241 Fax 918-775-9550 www.sallisawok.org

The City of Sallisaw requests quotes on time deposits of idle funds for the time specified below beginning on January 15, 2025:

<u>FUND</u>	<u>AMOUNT</u>	<u>DAYS</u>	<u>MATURITY</u>	<u>QUOTE</u>
General Fund	\$116,922.03*	245	Sept 17, 2025	<u>4.57%</u>
		329	Dec 10, 2025	<u>4.76%</u>

Quotes will be received by the City Clerk via e-mail; kjamison@sallisawok.org and must be received by 10:00 a.m., January 7, 2025. Quotes will then be reviewed. Recommendation for award will be presented at the regular meeting of the Board of City Commissioners beginning at 6:00 p.m., January 13, 2025.

Please ensure that your facility has sufficient collateral pledged, should you be the successful bidder.

Kim Jamison, City Clerk

Submitted by:

LOCAL BANK
(Print Bank Name)

Date: 01-06-2025

By:

*Estimated



115 East Choctaw P.O. Box 525 Sallisaw, OK 74955
Ph. 918-775-6241 Fax 918-775-9550 www.sallisawok.org

The City of Sallisaw requests quotes on time deposits of idle funds for the time specified below beginning on January 15, 2025:

<u>FUND</u>	<u>AMOUNT</u>	<u>DAYS</u>	<u>MATURITY</u>	<u>QUOTE</u>
General Fund	\$116,922.03*	245	Sept 17, 2025	<u>3.90%</u>
		329	Dec 10, 2025	<u>3.79%</u>

Quotes will be received by the City Clerk via e-mail; kjamison@sallisawok.org and must be received by **10:00 a.m., January 7, 2025**. Quotes will then be reviewed. Recommendation for award will be presented at the regular meeting of the Board of City Commissioners beginning at 6:00 p.m., January 13, 2025.

Please ensure that your facility has sufficient collateral pledged, should you be the successful bidder.

Kim Jamison, City Clerk

Submitted by:

Firststar Bank
(Print Bank Name)

Date: 1-2-2025

By: Er Kam, SUP

*Estimated

AGENDA ITEM COMMENTARY

Meeting Date: January 13, 2025
Board: Board of City Commissioners
Subject: Modification of Traffic Signals

ITEM TITLE: Discussion and possible action on Resolution 2025-01; Approving an Agreement Between the City of Sallisaw and the Oklahoma Department of Transportation for Federal-Aid Program Project; Project Number NHPP-168N(179)FP, Job Piece No. 23107(07) for the modification of the traffic signals at US-59 North and US-64 in the City of Sallisaw, Sequoyah County

INITIATOR: Oklahoma Department of Transportation

STAFF INFORMATION SOURCE: ODOT
CITY MANAGER
ASSISTANT CITY MANAGER

BACKGROUND: Approval of this project will allow for modification of the traffic signals at US 59 North and US 64.

EXHIBITS: 1. LETTER AND AGREEMENT

KEY ISSUES: None.

FUNDING SOURCE: N/A

RECOMMENDATION: Approval of Agreement between the City of Sallisaw and the Oklahoma Department of Transportation for Federal-Aid Federal-Aid Program Project; Project Number NHPP-168N(179)FP, Job Piece No. 23107(07)

December 17, 2024

Robin Haggard
City of Sallisaw
PO Box 525
Sallisaw, Oklahoma 74955

RE: Project No NHPP-168N(179)FP, JP #23107(07), Modification of Traffic Signals at US-59 North & US-64 in the City of Sallisaw, Sequoyah County.

Ms. Haggard:

Enclosed is the maintenance agreement for the above referenced project. At this time, we ask that you have the agreement executed by the appropriate City officials and **return the signed copy to this office.** Upon receipt, we will forward it the appropriate ODOT officials for signature. We will then return one fully executed copy for your file.

If an outside organization will be performing the maintenance on the City's behalf, we would recommend setting up any necessary contracts/agreements at this time with that organization.

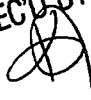
Your cooperation in the development and implementation of this project is greatly appreciated.

Sincerely,



Lauren January, P.E.
State Traffic Engineer

Enclosures:
Traffic Signal Maintenance Agreement

DATE REC'D
1/6/25
REC'D BY


PROJECT

MAINTENANCE AGREEMENT

FOR

FEDERAL-AID PROGRAM PROJECT

PROJECT NUMBER NHPP-168N(179)FP
JOB PIECE NO. 23107(07)

FOR THE

MODIFICATION OF TRAFFIC SIGNALS AT US-59 NORTH & US-64

IN THE CITY OF SALLISAW

SEQUOYAH COUNTY

BY AND BETWEEN

THE CITY OF SALLISAW

AND

THE OKLAHOMA DEPARTMENT OF TRANSPORTATION

AGREEMENT

This AGREEMENT, made the day and year last written below, by and between the CITY OF SALLISAW, herein after referred to as the CITY, and the Department of Transportation of the State of Oklahoma, herein after referred to as the DEPARTMENT, for the following intents and purposes and subject to the following terms and conditions, to wit:

WITNESSETH:

THAT the DEPARTMENT proposes to make certain traffic improvements as directed by the Oklahoma Transportation Commission at their meeting of February 2006, authorizing State apportioned Federal-aid Project funds for participation in the project for a Traffic Signal in the CITY OF SALLISAW designated as Federal-aid Project NHPP-168N(179)FP, JP#23107(07) consisting of the actual traffic improvements as follows:

1. MODIFICATION OF TRAFFIC SIGNALS AT US-59 NORTH & US-64

All construction is to be in accordance with the plans and by reference made a part of this AGREEMENT. Such plans are to be in accordance with the Oklahoma Standard Specifications for Highway Construction, Edition of 2019 and current updates.

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. The DEPARTMENT agrees to provide the plans, specifications, and construction cost estimates for this project.
2. The DEPARTMENT shall appoint competent supervision of the construction work to the end of obtaining work strictly in accordance with the approved plans and specifications.
3. The CITY shall, by resolution or letter of concurrence, duly authorize the execution of this AGREEMENT by proper officials, and attach copies of such resolution or letter of concurrence to this AGREEMENT.
4. It is understood and agreed that the roadway improvements and all devices specified herein shall not be altered, removed, or cease to be operative without mutual written consent

of the DEPARTMENT and the CITY.

5. The CITY agrees that upon completion of construction of said project, final inspection, and acceptance of the project by the DEPARTMENT, the CITY will be responsible for the maintenance and cost of operation of all traffic signal equipment erected and installed pursuant to this agreement and all the devices, as per Oklahoma Admin Code §730:35-1-11b1C.
6. The CITY and the DEPARTMENT hereby agrees to periodically review the adequacy of the aforesaid project to ensure the safety and efficiency of the traveling public and should the DEPARTMENT determine that further modifications or improvement are required to achieve said goals as traffic patterns and volumes change over time, the CITY shall take such actions as are necessary to make such modification or improvement. When maintenance and/or operational modifications are required which in the opinion of the DEPARTMENT exceed the capabilities of the CITY staff, the CITY agrees to retain, at the sole expense of the CITY, competent personnel for the purpose of bringing the improvement up to the proper standard of operation.
7. In the event that any hardware installed hereunder is no longer needed for the purposes designated herein, then the hardware installed hereunder shall not be removed by the CITY to any point other than that which is approved by the DEPARTMENT prior to such removal.
8. If the CITY should fail to fulfill its responsibilities under this AGREEMENT, the DEPARTMENT will evaluate the improvements on a case-by-case basis and take appropriate steps, which may result in complete removal of the system.
9. The DEPARTMENT'S TRAFFIC DIVISION shall be notified of any major modifications within 7 days to the operational parameters of the signal implemented by the CITY/CONTRACTED PERSON.

IN WITNESS WHEREOF, the Deputy Director of the Department of Transportation, pursuant to authority vested in her by the Transportation Commission, has hereunto subscribed her name as Deputy Director of the Department of Transportation, and the CITY has executed same pursuant to authority prescribed by law.

SIGNED by the CITY on _____ / _____ / 20____

and the STATE on _____.

THE CITY OF SALLISAW

BY: _____
Mayor or CITY Manager

ATTEST:

APPROVED AS TO FORM AND LEGALITY

BY: _____
CITY Attorney

Title

STATE OF OKLAHOMA
DEPARTMENT OF TRANSPORTATION

BY: _____
Division Engineer

BY: _____
State Traffic Engineer

By: _____
Deputy Director

APPROVED AS TO FORM AND LEGALITY

BY: _____
General Counsel

AGENDA ITEM COMMENTARY

Meeting Date: January 13, 2025
Board: Board of City Commissioners
Subject: Prohibiting Camping on City Owned Land

ITEM TITLE: Discussion on Proposed Ordinance prohibiting unauthorized camping on City owned land; possible direction to staff

INITIATOR: Code Enforcement

STAFF INFORMATION SOURCE: City Attorney

BACKGROUND: The proposed Ordinance closely follows recently a passed Oklahoma bill. This will prohibit camping on city property that has not been designated as a campsite.

EXHIBITS: 1. 20241230080901791

KEY ISSUES:

FUNDING SOURCE: N/A

RECOMMENDATION: Guidance and/or suggestions.

An Ordinance relating to the use of City-owned lands; defining term; prohibiting certain use of City-owned lands; designating certain action as a misdemeanor; allowing for certain process for first violations; providing for codification; and providing an effective date.

SUBJECT:

Unauthorized camps on City-owned lands

BE IT ENACTED BY THE BOARD OF CITY COMMISSIONERS OF SALLISAW:

SECTION 1.

NEW
Ordinance

A.

As used in this section, "unauthorized camp" means any tent, shelter, or bedding constructed or arranged for the purpose of or in such a way to permit overnight use on a property not designated as a campsite.

B.

Persons may not use City-owned lands for the purposes of establishing an unauthorized camp.

C. Any person who violates the provisions of this section shall, upon conviction, be guilty of a misdemeanor punishable by a fine not to exceed Fifty Dollars (\$50.00) or by imprisonment in the county jail not to exceed fifteen (15) days, or by both such fine and imprisonment. However, a person who commits a first violation of this section shall be issued a warning, and a citation may not be issued unless the person refuses any assistance offered to them by the arresting officer. Such assistance may include, but is not limited to, transportation to a shelter, food pantry, or other place where resources are made available to assist the indigent and homeless.

SECTION 2. This act shall become effective February 1, 2025.

AGENDA ITEM COMMENTARY

Meeting Date: January 13, 2025
Board: Board of City Commissioners
Subject: Re-Plat Presentation

ITEM TITLE: Discussion and possible action on Planning Commission Case No. PC2024-009; Replat presentation of Riggs Duplex Addition by Stirrup Creek Properties, LLC

INITIATOR: Osburn Land Surveyors, LLC

STAFF INFORMATION SOURCE: Building Development Staff

BACKGROUND: Kelly Osburn, agent for Stirrup Creek Properties, LLC, is requesting a replat to Riggs Duplex Addition for consideration. The replat takes tracts 1-17 and condenses them into one Lot. The property is located on the North side of Avalon between Maple and Cedar. The Planning Commission heard this item on January 7th and recommend approval.

EXHIBITS: 1. PC2024-009 App
2. PC2024-009 Map

KEY ISSUES: None

FUNDING SOURCE: N/A

RECOMMENDATION: Approval of the replat of Riggs Duplex Addition.

PC2024-009

ADMINISTRATIVE APPROVAL OF LOT REPLAT

Application is hereby made to the Building Development Director for ADMINISTRATIVE approval of a Single Lot Replat. Recommendation to the Sallisaw Board of Commissioners for approval of the following said action will take place at the next regularly scheduled meeting .

*Legal Description: See the attached Deed of Dedication B/L 1402 Pg 539
*Local Street Address or Block: 501 W Avalon St., Sallisaw
*Present Use of Property: Residential
*Proposed Use of Property: Resident. 9C
*Record Owner of Property: Stump Creek Prop.

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

The information submitted is complete, true and accurate. False or misleading information shall result in forfeiture of fee and application denial.

Address of responsible party: P.O. Box 1406
Owner Signature: _____ Agent Signature: [Signature]

If other than Owner, both Owner and Agent signatures are required.

APPLICANT - DO NOT WRITE IN THIS AREA

Application Received by: Chris Carter Fee Received: \$200

Administrative Reviewer: _____ Present Zoning: R-3

Administrative Approval: YES ☐ NO ☐ Rezoning Required: YES ☐ NO ☐

Planning Commission Action : YES ☐ NO ☐ City Council Approval: YES ☐ NO ☐

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That We, Stirrup Creek Properties, 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 5391 in the Sequoyah County Clerk's office, to-wit:

A 1.04-acre parcel of land, more or less, less public road right of way and being subject to any easements of record, being situated in the Replat of the Replat of Lot 6 & Part of Lot 7 to Stirrup Creek Addition to the City of Sallisaw, Sequoyah County, Oklahoma. The described parcel being created by Kelly Osburn, Oklahoma PLS #1628 on October 2, 2024. The basis of bearing for the described parcel is N89°33'00"E along the North line of said Replat of the Replat of Lot 6 & Part of Lot 7 to Stirrup Creek and is more particularly described as: Beginning at the SW Corner of Lot 7, also being the SE Corner of Lot 6; Thence along the South line of said Lot 6 along a curve to the Left with a Radius of 761.43 feet, an arc length of 18.67 feet and a chord bearing and distance of S74°47'12"W 18.67 feet; Thence S74°02'00"W 100.00 Feet; Thence along a curve to the right with a Radius of 711.43 feet, an arc length of 28.59 feet and a chord bearing and distance of S75°09'17"W 28.59 feet; Thence N00°10'00"W 235.58 Feet to the North line of the Replat of the Replat of Lot 6 and Part of Lot 7 of Stirrup Creek; Thence along the North line thereof N89°33'00"E 220.00 Feet to the NE corner of Replat of the Replat of Lot 6 and Part of Lot 7 of Stirrup Creek; Thence along the East line thereof S00°10'00"E 182.00 Feet to the South line of Replat of the Replat of Lot 6 and Part of Lot 7 of Stirrup Creek; Thence along said South line along a curve to the Left with a Radius of 761.43 feet, an arc length of 81.61 feet and Chord bearing and distance of S75°33'30"W 81.67 feet to the point of beginning.

owner-managing member Dusty Riggs

STATE OF OKLAHOMA SS
COUNTY OF SEQUOYAH

Before me, the undersigned, a Notary Public in and for said County and State on this _____ day of _____, 2024, personally appeared Dusty Riggs, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same on 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 Replat of the Replat of Lot 6 & Part of Lot 7 to Stirrup Creek, as described on this plat and that existing monuments have been found or set with caps have been placed at all property corners and that the described plot is a true representation of said survey. This survey meets the requirements of the Oklahoma Minimum Standards.

Certificate of Authorizations: #5391; Expires 6-30-2025

Witness my hand this the _____ day of _____, 2024.

Kelly Osburn, P.L.S. 1628

STATE OF OKLAHOMA SS
COUNTY OF SEQUOYAH

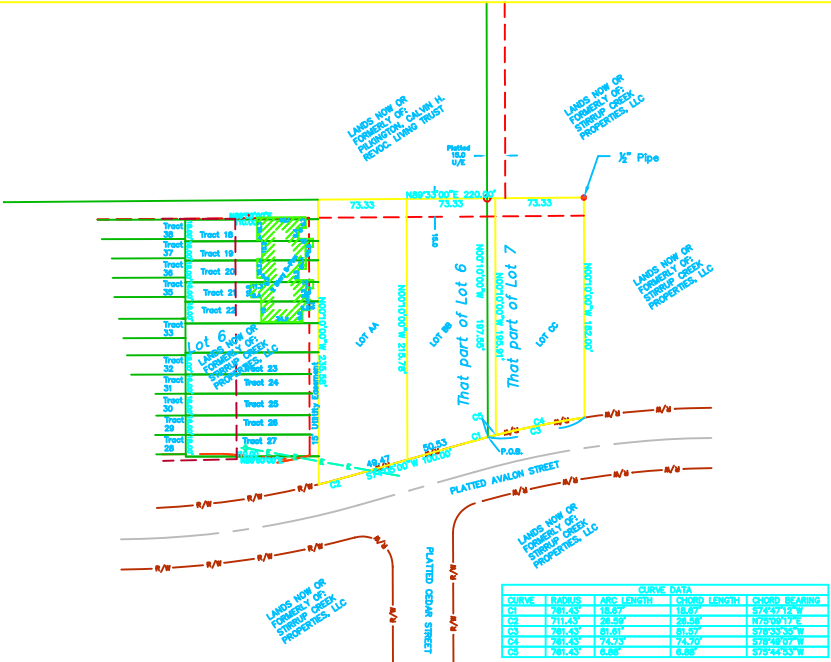
Before me, the undersigned, a Notary Public in and for said County and State on this _____ day of _____, 2024, personally appeared Kelly Osburn, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same on his free and voluntary 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)



APPROVAL OF PLAT

The Board of Commissioners of the City of Sallisaw, Oklahoma hereby approve this plat of "Replat of Part of the Replat of the Replat of Lot 6 & Part of Lot 7 to Stirrup Creek as Riggs Duplex Addition", an addition to the City of Sallisaw, Oklahoma, and except all streets and easements shown thereon.

Dated this _____ day of _____, 2024.

CITY OF SALLISAW

MAYOR

ATTEST:

CITY CLERK

(SEAL)

The Planning Commission of the City of Sallisaw, Oklahoma recommends approval of plat "Replat of Part of the Replat of the Replat of Lot 6 & Part of Lot 7 to Stirrup Creek as Riggs Duplex Addition", an addition to the City of Sallisaw, Oklahoma and the streets and easements as shown thereon.

Recommended Approval on _____ day of _____, 2024.

CHAIRMAN

SECRETARY

TREASURER'S CERTIFICATE

I, Angela Glet, as Treasurer of Sequoyah County, Oklahoma, do hereby certify that all taxes on the property herein 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.

Easements affecting this property which may exist prior to the filing of this plat have not been shown.

Any and all building set backs shall be enforced by the City of Sallisaw code enforcement and shall be dictated by the applicable zoning ordinance for which this subdivision is currently zoned.

Basis of Bearing is N89°33'00"E along the North line of the Replat of the Replat of Lot 6 & Part of Lot 7 of Stirrup Creek Addition to the City of Sallisaw.

All Lot measurements are to Lot Corners.

All Lot measurements on Curves are as shown in chart

PRELIMINARY RIGGS DUPLEX ADDITION

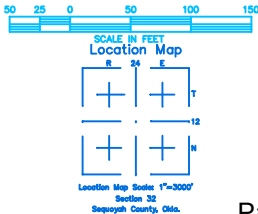
(REPLAT OF Tracts 1-17 OF THE REPLAT OF THE REPLAT
OF LOT 6 & PART OF LOT 7 OF STIRRUP CREEK AS)

An addition to the City of Sallisaw, being a part of the NE/4 of Section 32, Township 12 North, Range 24 East, Sequoyah County, Oklahoma.

Date: 10-2024 Scale: 1"=50'

Owner/Developer: Stirrup Creek Propertie, LLC
Osburn Land Surveyors, LLC.

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



AGENDA ITEM COMMENTARY

Meeting Date: January 13, 2025
Board: Board of City Commissioners
Subject: Replat of Fairview Addition

ITEM TITLE: Discussion and possible action on Planning Commission Case No. PC2024-010; Replat presentation of Fairview Addition by 55 Properties, LLC

INITIATOR: Austin Carrigan, agent for 55 Properties, LLC

STAFF INFORMATION SOURCE: Building Development Staff

BACKGROUND: Austin Carrigan, agent for 55 Properties, LLC, is requesting a replat of Fairview Addition for consideration. The intent is for smaller sized lots in order to meet the requirements for tiny homes. Planning Commission heard this item at their January 7th meeting and recommend approval.

EXHIBITS: 1. PC2024-010 App
2. 24-1046 55 PROPERTIES, LLC SURVEY

KEY ISSUES: None.

FUNDING SOURCE: N/A

RECOMMENDATION: Approval of the replat of Fairview Addition.

PLANNING COMMISSION

APPLICATION FOR REPLAT APPROVAL

Application is hereby made to the Planning Commission for consideration of a recommendation to the City Council for Replat from R-2 to RT-1

General Location 900 Blk SE 1m / 900 Blk S Locust

Present Use of Property R-2 Res

Proposed Use of Property RT-1

Record Owner of Property 55 proprietors

If Applicant is other than owner, indicate interest: Purchaser, Lessee, Agent for, _____
other, _____

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

no

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

Signed [Signature]

Address 475241 E 1053 Rd

Phone (918) 774-2020

muldrow, ok 74948

APPLICANT - DO NOT WRITE BELOW THIS LINE

Application Received by: Chris Cook

Date: 11-18-24

Fee Receipt: \$200

Present Zoning: _____

Application No.: _____

Requested: _____

PC Action: _____

Date: _____

City Action: _____

Date: _____

Ordinance No.: _____



DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That I, _____, being the (SOLE OWNER, PRESIDENT, CORPORATE CEO) of the fee simple and to the following described real estate situated in the County of Sequoyah, State of Oklahoma, to-wit:

Parent Tract Description (west tract): Lots 11 & 12, block 12, Fairview Addition to the city of Sallisaw, in Sequoyah County, Oklahoma, as shown on this survey plat (surveyed by Cornerstone Surveying for 55 Properties, LLC, on 10-24-2024, job# 24-1046), containing 0.30 acres more or less, subject to any easements or rights of way of record.

Parent Tract Description (east tract): Lots 6, & 7, block 12, Fairview Addition to the city of Sallisaw, in Sequoyah County, Oklahoma, as shown on this survey plat (surveyed by Cornerstone Surveying for 55 Properties, LLC, on 10-24-2024, job# 24-1046), containing 0.45 acres more or less, subject to any easements or rights of way of record.

have caused the same to be surveyed, staked and platted and have caused the same to be named and designated "Fairview Addition, Lots 6, 6A, 7, 7A, 11, 11A, 12, & 12A", 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

STATE OF OKLAHOMA
COUNTY OF SEQUOYAH

Before me, the undersigned, a Notary Public in and for said County and State on this _____ day of _____, 2022, 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:

SURVEYOR'S CERTIFICATE

I, James E. Higby, P.S., a competent surveyor and a Professional Surveyor under Registration No. 1979, do hereby certify that I have carefully and accurately surveyed and staked the property located on a part of Fairview Addition, 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: #8140

Witness my hand this the 24th day of October, 2024.

JAMES E. HIGBY, PS 1979

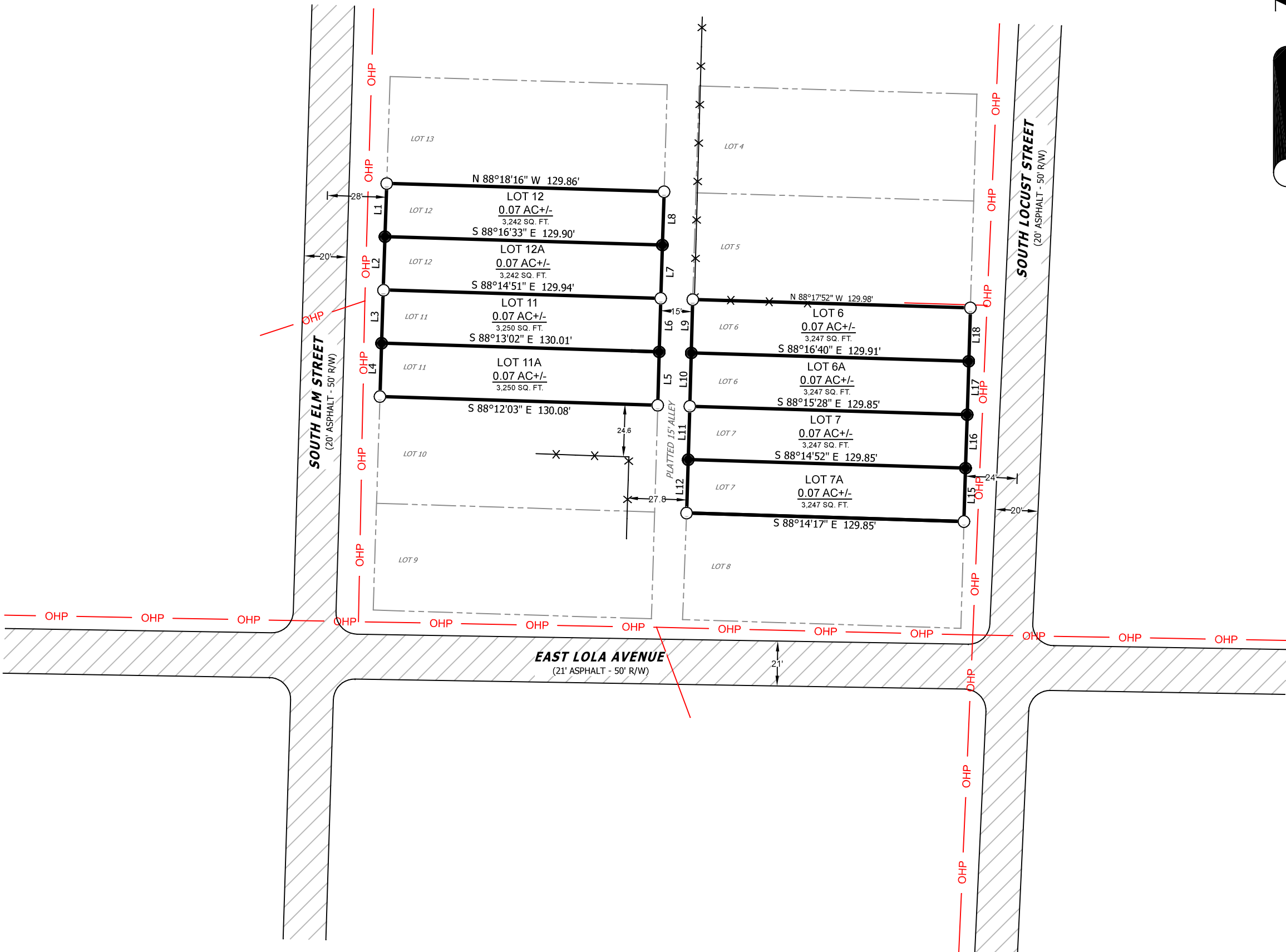
STATE OF OKLAHOMA
COUNTY OF SEQUOYAH

Before me, the undersigned, a Notary Public in and for said County and State on this _____ day of _____, 2024, personally appeared _____, 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:



PRELIMINARY

REPLAT OF PART OF LOTS 6, 7, 11, & 12, BLOCK 12

FAIRVIEW ADDITION

An addition to the City of Sallisaw, being a part of the SE 1/4 SW 1/4 of Section 5, Township 11 North, Range 24 East, in Sequoyah County, Oklahoma.

Date: 10-24-2024 Scale: 1"=100'

Owner/Developer: 55 PROPERTIES, LLC

CORNERSTONE SURVEYING

3501 S. GARY STREET

FORT SMITH, AR

Office - (479) 763-1414

www.cornerstone-surveying.com

APPROVAL OF PLAT

The Board of City Commissioners of the City of Sallisaw, Oklahoma hereby approve this plat of "Fairview Addition, Lots 6, 6A, 7, 7A, 11, 11A, 12, & 12A", 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

The Planning Commission of the City of Sallisaw, Oklahoma recommends approval of plat "Fairview Addition, Lots 6, 6A, 7, 7A, 11, 11A, 12, & 12A", 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, _____, 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

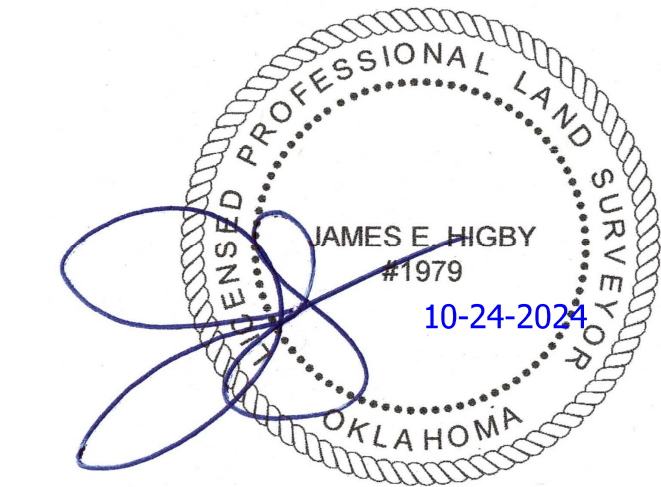
BASIS OF SURVEY: THIS IS A PARTIAL SURVEY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1567, PAGE 710-711, OF THE SEQUOYAH COUNTY RECORDS. SEE ALSO A PRIOR PLAT OF FAIRVIEW ADDITION NO. 2 TO THE CITY OF SALLISAW.

FLOOD STATEMENT: THE DESCRIBED PROPERTY LIES IN FLOOD ZONE "X" OF THE FIRM MAP #40135C0408F, EFFECTIVE ON 09-29-2010, AS PER FEMA.

TITLE RESEARCH NOTE: IN ADDITION TO THE INITIAL DOCUMENTS RECEIVED BY THE CLIENT, OR THEIR REPRESENTATIVE, ONLY LIMITED DEED RESEARCH WAS PERFORMED BY THIS COMPANY DURING THIS SURVEY. THEREFORE, PLEASE HAVE A REPUTABLE TITLE COMPANY CONFIRM THE SURVEYED PROPERTY AND THE ACREAGE SHOWN.

EASEMENTS: EASEMENTS OR RIGHTS OF WAY COULD EXIST THAT AFFECT THE INTENDED USE OF THIS PROPERTY. TO PROTECT YOUR INTEREST, YOU CAN CALL OKLAHOMA ONE CALL TO HAVE ALL UTILITIES MARKED ON THE GROUND. YOU CAN CONSULT THE TITLE COMPANY FOR ANY EASEMENTS OF RECORD, OR YOU CAN UPGRADE THIS SURVEY TO AN A.L.T.A., LAND TITLE SURVEY. THIS ALLOWS US TO COORDINATE WITH THE TITLE COMPANY AND OKLAHOMA ONE CALL, AND THEN SUBSEQUENTLY PLOT ANY RELEVANT EASEMENTS ON THE SURVEY PLAT FOR YOUR REVIEW.

LINE	BEARING	DISTANCE
L1	S 01°53'06" W	24.92'
L2	S 01°53'06" W	24.92'
L3	S 01°45'39" W	24.97'
L4	S 01°45'39" W	24.97'
L5	N 01°35'57" E	25.01'
L6	N 01°35'57" E	25.04'
L7	N 01°47'59" E	24.98'
L8	N 01°47'59" E	24.98'
L9	S 01°34'28" W	24.97'
L10	S 01°34'28" W	24.97'
L11	S 01°43'21" W	24.99'
L12	S 01°43'21" W	24.99'
L13	S 01°49'10" W	50.00'
L14	N 01°43'21" E	50.00'
L15	N 01°43'21" E	25.01'
L16	N 01°43'21" E	25.01'
L17	N 01°43'21" E	25.01'
L18	N 01°43'21" E	25.01'



○ FOUND IRON PIN	⊗ FOR. SERV. MONUMENT	⊙ COMPUTED POINT	HVA/E HIGH VOLTAGE A/E	Ⓜ WATER METER
⊙ FOUND IRON PIPE	⊗ CORP MARKER	⬇ SET POST ON LINE	R/W RIGHT OF WAY	Ⓜ WATER VALVE
△ FOUND IRON SPIKE	⊗ FND. ALUM. CAP OR MON.	POB POINT OF BEGINNING	—G— UNDERGROUND GAS LINE	Ⓜ WATER LINE
□ FOUND SET STONE	■ FENCE CORNER POST		U/P UNDERGROUND PHONE	Ⓜ GAS METER
⊠ R/W MARKER	● SET 1/2" REBAR		UGE UNDERGROUND ELEC.	Ⓜ FIRE HYDRANT
◇ FOUND "I" POST	⊙ SET 2" CAP-1/2" REBAR	×× FENCE LINE	—S—S— SANITARY SEWER	Ⓜ UTILITIES ESMT.
◇ FOUND R.R. SPIKE	◆ SET R.R. SPIKE	(xxx.xx) RECORD DISTANCE	Ⓜ MANHOLE	--- SET BACK LINE
		—OHP— OVERHEAD POWER		

AGENDA ITEM COMMENTARY

Meeting Date: January 13, 2025
Board: Board of City Commissioners
Subject: Rezone Request

ITEM TITLE: Discussion and possible action on Planning Commission Case No. PC 2024-011; rezoning request from Residence District (R-2) to Medium Density Residential District (RT-1) by 55 Properties, LLC; and Ordinance 2025-01 with emergency clause

INITIATOR: Austin Carrigan, agent for 55 Properties, LLC

STAFF INFORMATION SOURCE: Building Development

BACKGROUND: Austin Carrigan, agent for 55 Properties, LLC, is requesting a rezoning from Residence District (R-2) to Medium Density Residential District (RT-1). The properties are located on South Elm and South Locust closest to East Iola Ave. The intent is to build single family dwellings (tiny homes). The planning commission heard this item on January 7th. The Planning Commission recommend rezoning to RT-2.

EXHIBITS:

1. PC2024-011 App
2. PC2024-011 Notice of Hearing
3. PC2024-011 Publication Map
4. Ordinance 2025-01

KEY ISSUES:

- It was noted during the Planning Commission meeting that the correct zoning is RT-2, High Density Residential District.
- The item was published, included in notices mailed, and presented to Planning Commission as a request to rezone to to RT-1, Medium Density Residential District. Therefore, the item must be presented to the Planning Commission again with the corrected zoning request.

FUNDING SOURCE: N/A

RECOMMENDATION:

1. Strike Planning Commission Case No. 2024-11 and Ordinance 2025-01

PLANNING COMMISSION

REQUEST TO REZONE

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 _____

RT-1 Medium Density Residential Dist.
900 Blk south elm / south Locust.
lots 11, 12 lots 6, 7.
 General Location 900 Blk S Elm / 900 Blk S Locust.
 (Street Address)

Present Use of Property R-2 Res

Proposed Use of Property RT-1

Record Owner of Property SS properties

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

☐ agent for, _____ ☐ other _____

Are there any Private or Deed Restrictions controlling the use of this property? no

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

Signed [Signature]

Address 475741 E 1053 Rd

Phone 918-774-2020

muldrow, OK, 74948

APPLICANT - DO NOT WRITE BELOW THIS LINE

Application Received by: Chris Carter Date 11-18-24

Application No.: _____ Requested: _____

Fee Receipt: \$200 P.C Recommendation: Approval _____ Denial _____

City Council: _____ Date: _____

Date: _____

Ordinance No.: _____

NOTICE OF PUBLIC HEARING **ON APPLICATION FOR REZONING**

Notice is hereby given that the undersigned, as owner(s) or agent for the owner(s) of the following described property in the Sallisaw City Limits, Sequoyah County, **Oklahoma, to wit:**

has filed with the Sallisaw Planning Commission a written application # **PC 2024-011** pursuant to the Zoning Ordinance as adopted by the City of Sallisaw, Oklahoma, to **rezone from Residence District (R-2) to Medium Density Residential District (RT-1)**.

LOT 6, OF THE REPLAT OF PART OF LOTS 6, 7, 8, 11, & 12, BLOCK 12, FAIRVIEW ADDITION TO THE CITY OF SALLISAW, IN SEQUOYAH COUNTY, OKLAHOMA (SURVEYED BY CORNERSTONE SURVEYING FOR 55 PROPERTIES, ON 10-24-2024, JOB# 24-1046), CONTAINING 0.07 ACRES MORE OR LESS, SUBJECT TO ANY EASEMENTS OR RIGHTS OF WAY OF RECORD.

LOT 6A, OF THE REPLAT OF PART OF LOTS 6, 7, 8, 11, & 12, BLOCK 12, FAIRVIEW ADDITION TO THE CITY OF SALLISAW, IN SEQUOYAH COUNTY, OKLAHOMA (SURVEYED BY CORNERSTONE SURVEYING FOR 55 PROPERTIES, ON 10-24-2024, JOB# 24-1046), CONTAINING 0.07 ACRES MORE OR LESS, SUBJECT TO ANY EASEMENTS OR RIGHTS OF WAY OF RECORD.

LOT 7, OF THE REPLAT OF PART OF LOTS 6, 7, 8, 11, & 12, BLOCK 12, FAIRVIEW ADDITION TO THE CITY OF SALLISAW, IN SEQUOYAH COUNTY, OKLAHOMA (SURVEYED BY CORNERSTONE SURVEYING FOR 55 PROPERTIES, ON 10-24-2024, JOB# 24-1046), CONTAINING 0.07 ACRES MORE OR LESS, SUBJECT TO ANY EASEMENTS OR RIGHTS OF WAY OF RECORD.

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LOT 8, OF THE REPLAT OF PART OF LOTS 6, 7, 8, 11, & 12, BLOCK 12, FAIRVIEW ADDITION TO THE CITY OF SALLISAW, IN SEQUOYAH COUNTY, OKLAHOMA (SURVEYED BY CORNERSTONE SURVEYING FOR 55 PROPERTIES, ON 10-24-2024, JOB# 24-1046), CONTAINING 0.15 ACRES MORE OR LESS, SUBJECT TO ANY EASEMENTS OR RIGHTS OF WAY OF RECORD.

LOT 11, OF THE REPLAT OF PART OF LOTS 6, 7, 8, 11, & 12, BLOCK 12, FAIRVIEW ADDITION TO THE CITY OF SALLISAW, IN SEQUOYAH COUNTY, OKLAHOMA (SURVEYED BY CORNERSTONE SURVEYING FOR 55 PROPERTIES, ON 10-24-2024, JOB# 24-1046), CONTAINING 0.07 ACRES MORE OR LESS, SUBJECT TO ANY EASEMENTS OR RIGHTS OF WAY OF RECORD.

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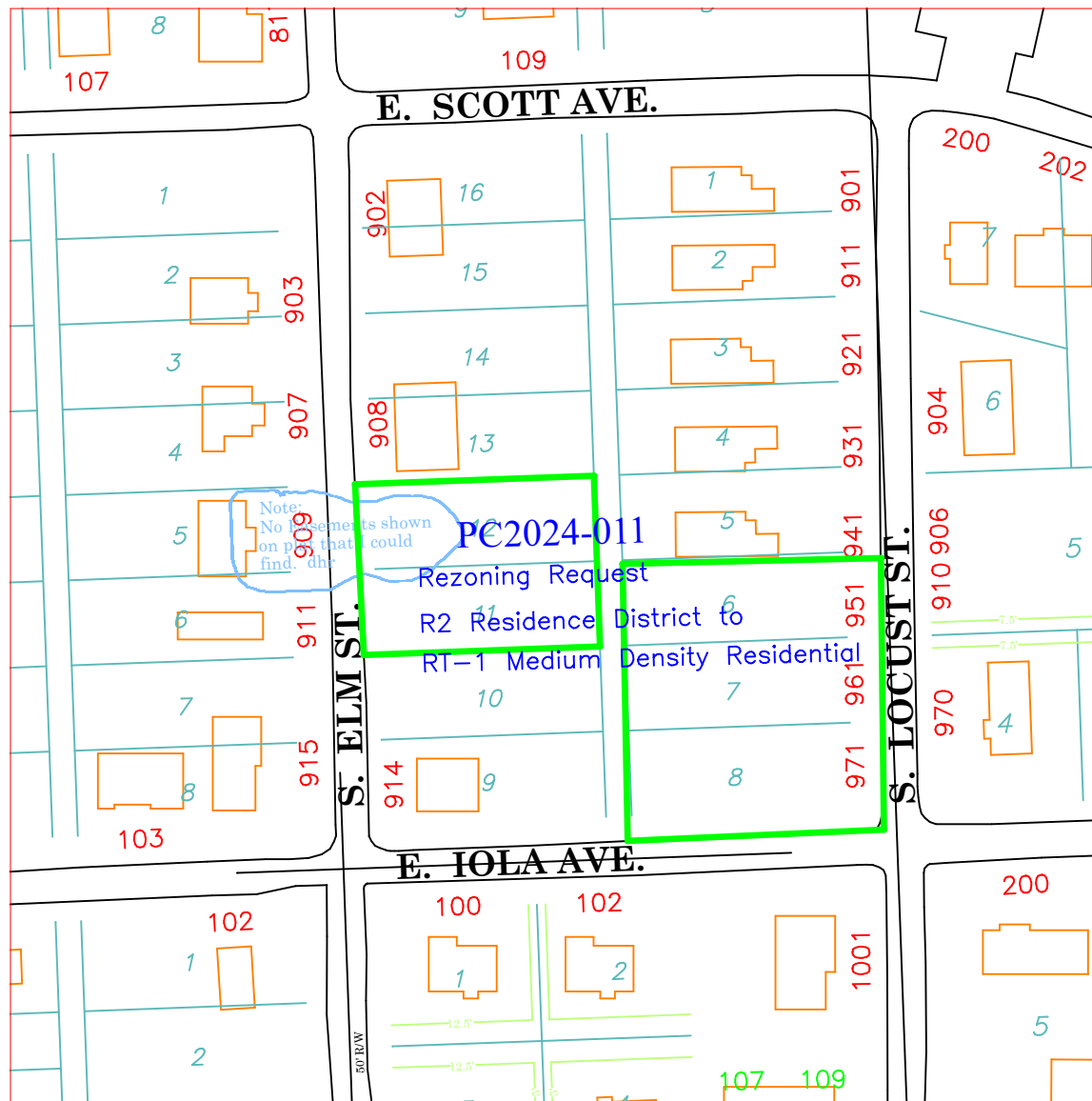
The undersigned will present said application to the Sallisaw Planning Commission on **January 7, 2025**, at **113 N. Elm, beginning at 5:30 pm**, at which time the Sallisaw Planning Commission will conduct a public hearing on said application. All interested persons are entitled to be heard and are invited to attend. Notice is published this **18th** day of December, **2024**.

By: **55 Properties, LLC**
Owner(s)

Or By: **Austin Carrigan**
Agent

By: **Crystal Sides**
Secretary, Sallisaw Planning Commission

Bill To:
55 Properties, LLC
475741 E 1053 RD
Muldrow, OK 74948



ORDINANCE NO. 2025-01

**AN ORDINANCE AMENDING THE ZONING MAP
OF SALLISAW AND DECLARING AN EMERGENCY**

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

SECTION 1.

That the zoning map of the City of Sallisaw, which is part of Section 102-172 of the Code of Ordinances, City of Sallisaw, Oklahoma, is hereby amended in the following particulars, to-wit:

That the following described real estate situated in the City of Sallisaw, County of Sequoyah, State of Oklahoma, to-wit:

LOT 6, OF THE REPLAT OF PART OF LOTS 6, 7, 8, 11, & 12, BLOCK 12, FAIRVIEW ADDITION TO THE CITY OF SALLISAW, IN SEQUOYAH COUNTY, OKLAHOMA (SURVEYED BY CORNERSTONE SURVEYING FOR 55 PROPERTIES, ON 10-24-2024, JOB# 24-1046), CONTAINING 0.07 ACRES MORE OR LESS, SUBJECT TO ANY EASEMENTS OR RIGHTS OF WAY OF RECORD.

LOT 6A, OF THE REPLAT OF PART OF LOTS 6, 7, 8, 11, & 12, BLOCK 12, FAIRVIEW ADDITION TO THE CITY OF SALLISAW, IN SEQUOYAH COUNTY, OKLAHOMA (SURVEYED BY CORNERSTONE SURVEYING FOR 55 PROPERTIES, ON 10-24-2024, JOB# 24-1046), CONTAINING 0.07 ACRES MORE OR LESS, SUBJECT TO ANY EASEMENTS OR RIGHTS OF WAY OF RECORD.

LOT 7, OF THE REPLAT OF PART OF LOTS 6, 7, 8, 11, & 12, BLOCK 12, FAIRVIEW ADDITION TO THE CITY OF SALLISAW, IN SEQUOYAH COUNTY, OKLAHOMA (SURVEYED BY CORNERSTONE SURVEYING FOR 55 PROPERTIES, ON 10-24-2024, JOB# 24-1046), CONTAINING 0.07 ACRES MORE OR LESS, SUBJECT TO ANY EASEMENTS OR RIGHTS OF WAY OF RECORD.

LOT 7A, OF THE REPLAT OF PART OF LOTS 6, 7, 8, 11, & 12, BLOCK 12, FAIRVIEW ADDITION TO THE CITY OF SALLISAW, IN SEQUOYAH COUNTY, OKLAHOMA (SURVEYED BY CORNERSTONE SURVEYING FOR 55 PROPERTIES, ON 10-24-2024, JOB# 24-1046), CONTAINING 0.07 ACRES MORE OR LESS, SUBJECT TO ANY EASEMENTS OR RIGHTS OF WAY OF RECORD.

LOT 8, OF THE REPLAT OF PART OF LOTS 6, 7, 8, 11, & 12, BLOCK 12, FAIRVIEW ADDITION TO THE CITY OF SALLISAW, IN SEQUOYAH COUNTY, OKLAHOMA (SURVEYED BY CORNERSTONE SURVEYING FOR 55 PROPERTIES, ON 10-24-2024, JOB# 24-1046), CONTAINING 0.15 ACRES MORE OR LESS, SUBJECT TO ANY EASEMENTS OR RIGHTS OF WAY OF RECORD.

LOT 11, OF THE REPLAT OF PART OF LOTS 6, 7, 8, 11, & 12, BLOCK 12, FAIRVIEW ADDITION TO THE CITY OF SALLISAW, IN SEQUOYAH COUNTY, OKLAHOMA (SURVEYED BY CORNERSTONE SURVEYING FOR 55 PROPERTIES, ON 10-24-2024, JOB# 24-1046), CONTAINING 0.07 ACRES MORE OR LESS, SUBJECT TO ANY EASEMENTS OR RIGHTS OF WAY OF RECORD.

LOT 11A, OF THE REPLAT OF PART OF LOTS 6, 7, 8, 11, & 12, BLOCK 12, FAIRVIEW ADDITION TO THE CITY OF SALLISAW, IN SEQUOYAH COUNTY, OKLAHOMA (SURVEYED BY CORNERSTONE SURVEYING FOR 55 PROPERTIES, ON 10-24-2024, JOB# 24-1046), CONTAINING 0.07 ACRES MORE OR LESS, SUBJECT TO ANY EASEMENTS OR RIGHTS OF WAY OF RECORD.

LOT 12, OF THE REPLAT OF PART OF LOTS 6, 7, 8, 11, & 12, BLOCK 12, FAIRVIEW ADDITION TO THE CITY OF SALLISAW, IN SEQUOYAH COUNTY, OKLAHOMA (SURVEYED BY CORNERSTONE SURVEYING FOR 55 PROPERTIES, ON 10-24-2024, JOB# 24-1046), CONTAINING 0.07 ACRES MORE OR LESS, SUBJECT TO ANY EASEMENTS OR RIGHTS OF WAY OF RECORD.

LOT 12A, OF THE REPLAT OF PART OF LOTS 6, 7, 8, 11, & 12, BLOCK 12, FAIRVIEW ADDITION TO THE CITY OF SALLISAW, IN SEQUOYAH COUNTY, OKLAHOMA (SURVEYED BY CORNERSTONE SURVEYING FOR 55 PROPERTIES, ON 10-24-2024, JOB# 24-1046), CONTAINING 0.07 ACRES MORE OR LESS, SUBJECT TO ANY EASEMENTS OR RIGHTS OF WAY OF RECORD.

Be and the same is hereby changed from R-2 to RT-2, which is owned by 55 Properties, LLC.

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 declared to exist by reason whereof this ordinance shall be in full force and effect from and after its passage and approval.

Approved this 13th day of January 2025.

CITY OF SALLISAW, OKLAHOMA

BY:

ERNIE MARTENS, Mayor

ATTEST:

KIM JAMISON, City Clerk

[SEAL]

AGENDA ITEM COMMENTARY

Meeting Date: January 13, 2025
Board: Board of City Commissioners
Subject: Rezone Request

ITEM TITLE: Discussion and possible action on Planning Commission Case No. PC 2024-012; rezoning request from One-Family Residence District (R-1) to Multi-Family Residence District (R-3) by Brian Sinyard, Big Sky Investments; and Ordinance No. 2025-02 with emergency clause

INITIATOR: Daneo One, LLC

STAFF INFORMATION SOURCE: Building Development

BACKGROUND: Daneo One, LLC, agent for Brian Sinyard, Big Sky Properties, LLC, has requested a rezoning from One-Family Residence District (R-1) to Multi-Family Residence District (R-3). The property is located approximately 3/10 mile West of Kerr Blvd. on the North side of Drake Road. The intent is to build multifamily apartments. The Planning Commission heard this item on January 7th and recommend to deny rezoning request.

EXHIBITS:

1. PC2024-012 App
2. PC2024-012 Notice of hearing
3. PC2024-012 Publication map
4. Ordinance 2025-02

KEY ISSUES: Property is no longer owed by Big Sky Investments and cannot proceed as presented.

FUNDING SOURCE: N/A

RECOMMENDATION: Deny Planning Commission Case No. PC 2024-0012 and Ordinance 2025-02.

PC2024-012

PLANNING COMMISSION

REQUEST TO REZONE

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 R-3 Multifamily Residence

1800-1900-2000 Blocks of West Drake Road
Sallisaw, OK 74955

General Location Adjacent to Prairie Fire Dr/Drake Rd, Sallisaw, Oklahoma

(Street Address)

Present Use of Property R-1 One-Family Residence District

Proposed Use of Property Multifamily Residences-Apartments

Record Owner of Property Brian Sinyard, Big Sky Investments

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

☐ agent for, ☐ other

Are there any Private or Deed Restrictions controlling the use of this property? No

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

Signed Roger Dickerson Address 99855 Hwy 82
Phone 918-773-7127 Vian, Oklahoma 74962

APPLICANT - DO NOT WRITE BELOW THIS LINE

Application Received by: Chris Gale Date 11-26-24

Application No.: _____ Requested: _____

Fee Receipt: _____ P.C Date: _____

City Council: _____

Date: _____

Ordinance No.: _____

NOTICE OF PUBLIC HEARING **ON APPLICATION FOR REZONING**

Notice is hereby given that the undersigned, as owner(s) or agent for the owner(s) of the following described property in the Sallisaw City Limits, Sequoyah County, **Oklahoma, to wit:**

A part of Lot 4 in Section 7, Township 11 North, Range 24 East of the Indian Base and Meridian, Sequoyah County, Oklahoma being more particularly described as follows:

Commencing at the SW Corner of said Lot 4; thence along the South line thereof N89°43'50"E ~~634.00~~ 655 Feet to the Point of Beginning; thence N00°00'48"E 165.00 Feet; thence N89°43'50"E 11.00 Feet; thence N00°00'48"E 980.00 Feet; thence N89°E 36.39 Feet; thence N00°00'48"E 175.88 Feet to the North line of Lot 4; thence along said North line N89°40'40"E 249.92 Feet; thence S19°41'03"E 688.36 Feet; thence S25°35'40"W 381.82 Feet; Thence S00°00'48"W 328.31 Feet to the South line of said Lot 4; thence along said South line S89°43'50"W ~~364.46~~ 343.46 Feet to the Point of Beginning.

The basis of bearing being the N89°43'50"E along the South line of the SW/4 of Section 7, Township 11 North, Range 24 East of the Indian Base and Meridian, Sequoyah County, Oklahoma.

has filed with the Sallisaw Planning Commission a written application # **PC 2024-012** pursuant to the Zoning Ordinance as adopted by the City of Sallisaw, Oklahoma, to **rezone from One-Family Residence District (R-1) to Multi-Family Residence District (R-3)**.

The undersigned will present said application to the Sallisaw Planning Commission on **January 7, 2025**, at **113 N. Elm, beginning at 5:30 pm**, at which time the Sallisaw Planning Commission will conduct a public hearing on said application. All interested persons are entitled to be heard and are invited to attend. Notice is published this 18th day of December, 2024.

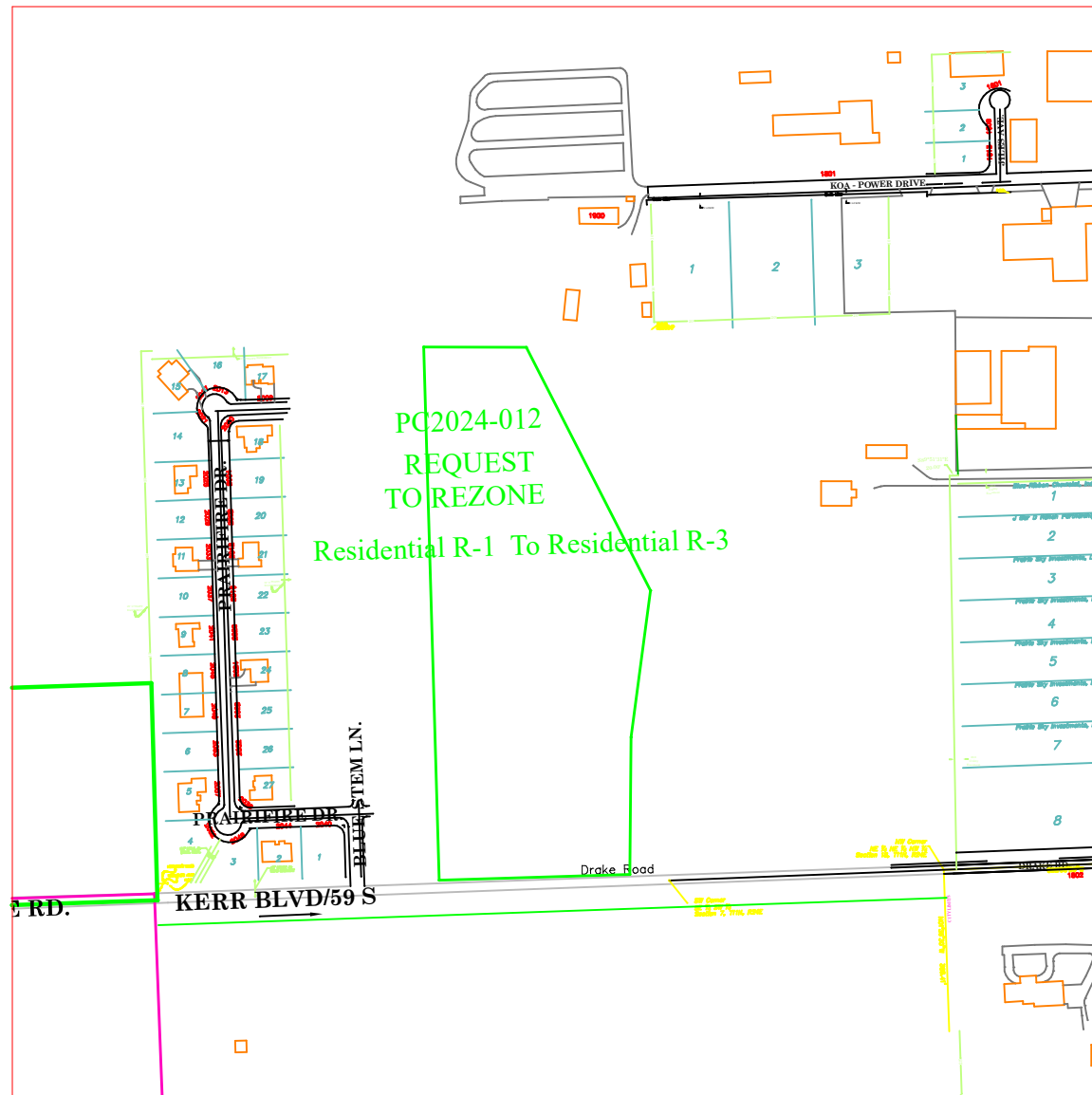
By: **Brian Sinyard, Big Sky Investments**
Owner(s)

Or By: **Daneo One, LLC**
Agent

By: **Crystal Sides**
Secretary, Sallisaw Planning Commission

Bill To:

Tyler Choate
99855 Hwy 82
Vian, OK 74962
918-773-7127



ORDINANCE NO. 2025-02

**AN ORDINANCE AMENDING THE ZONING MAP
OF SALLISAW AND DECLARING AN EMERGENCY**

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

SECTION 1.

That the zoning map of the City of Sallisaw, which is part of Section 102-172 of the Code of Ordinances, City of Sallisaw, Oklahoma, is hereby amended in the following particulars, to-wit:

That the following described real estate situated in the City of Sallisaw, County of Sequoyah, State of Oklahoma, to-wit:

A part of Lot 4 in Section 7, Township 11 North, Range 24 East of the Indian Base and Meridian, Sequoyah County, Oklahoma being more particularly described as follows:

Commencing at the SW Corner of said Lot 4; thence along the South line thereof N89°43'50"E 634.00 Feet to the Point of Beginning; thence N00°00'48"E 165.00 Feet; thence N89°43'50"E 11.00 Feet; thence N00°00'48"E 980.00 Feet; thence N89°E 36.39 Feet; thence N00°00'48"E 175.88 Feet to the North line of Lot 4; thence along said North line N89°40'40"E 249.92 Feet; thence S19°41'03"E 688.36 Feet; thence S25°35'40"W 381.82 Feet; Thence S00°00'48"W 328.31 Feet to the South line of said Lot 4; thence along said South line S89°43'50"W 364.46 Feet to the Point of Beginning.

The basis of bearing being the N89°43'50"E along the South line of the SW/4 of Section 7, Township 11 North, Range 24 East of the Indian Base and Meridian, Sequoyah County, Oklahoma.

Be and the same is hereby changed from R-1 to R-3, which is owned by Big Sky Investments, LLC.

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 declared to exist by reason whereof this ordinance shall be in full force and effect from and after its passage and approval.

Approved this 13th day of January 2025.

CITY OF SALLISAW, OKLAHOMA

BY:

ERNIE MARTENS, Mayor

ATTEST:

KIM JAMISON, City Clerk

[SEAL]

ADMINISTRATIVE REPORTS

Meeting Date:	January 13, 2025
Board:	Board of City Commissioners
Subject:	

Upcoming Events:

- February 10th-Regular Meeting
- March 10th - Regular Meeting

City Manager Reports:

- VA Center Ribbon Cutting expected for Feb 21st.
- AMI Water Meters-Materials still outstanding.
- Electric AMI Meters are not scheduled to be available until March 2025.
- Drake/Lenington Water Loop (OWRB Grant)-Construction underway. Making good progress.
- Still in discussions with Jodie on the mitigation credits needed to move forward.
- Country Club Lift Station- has been advertised and bids will be opened on Feb 4th.
- Traffic signs for Redwood-Supplies were scheduled to ship on the 7th.
- PDG Civil Engineering complete for soccer fields; Will open bids Jan 14th
- Landfill Cell 8A- The remainder of the project will include the leachate line and sand. Project still ongoing.

City Projects:

- LED has been installed and is actively displaying messages.