

MINUTES
BOARD OF CITY COMMISSIONERS
REGULAR MEETING
FEBRUARY 9, 2026

The Board of City Commissioners met in a regular meeting on February 9, 2026, 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 February 6, 2026, at 9:45 a.m.; by posting on the city's website; and, by giving notice to the City Clerk.

Members present:	Ernie Martens, Josh Bailey, Julian Mendiola, Brad Hamilton,	Mayor Member, Ward 2 Member, Ward 3 Member, Ward 4
Members absent:	Kenny Moody,	Member, Ward 1
Staff present:	Brian Heverly, Jordan Pace, Kim Jamison, Robin Haggard, Chris Carter, Gene Martin, Blakely Smith,	City Manager City Attorney City Clerk Director of Finance Senior Code Inspector Director - Fleet Services Director - Electric
Others present:	Lynn Adams; Tim A. Foote; Marley Abell; Mike Hogan; Fourth Scoufos; Tony Fiorentine; Anthony Armstrong; Chrissy Armstrong; 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. Pledge of Allegiance

The City Manager led everyone in the Pledge.

4. Discussion and possible action on removal of any item from the consent agenda

None.

5. Consent agenda

a Possible action on minutes of regular meeting of January 12, 2026

b Possible action on Invoice Paid Report for January 2026

Motion was made by Bailey, seconded by Mendiola, for approval of the Consent Agenda.
Vote: Bailey aye; Mendiola aye; Hamilton aye; Martens aye. Motion carried 4-0.

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

None.

7. Recognize retiree Anthony Armstrong

The City Manager presented Anthony Armstrong with a retiree watch from the City, recognizing his 30 years of service to the Sallisaw Fire Department. He served as a volunteer and ended his career as Fire Chief. He served seventeen (17) years in that position.

8. Hear from Attorney Fourth Scoufos regarding the City potentially being a Plaintiff in a multi-state class action lawsuit against manufacturers of various firetrucks; discussion and possible action

Mr. Scoufos addressed the Council and advised that he is working with a group of attorneys from across the country who are pursuing nationwide class action litigation against several fire truck manufacturers. He explained that the case involves alleged antitrust violations, including price fixing and monopolistic practices that created barriers to entry for other manufacturers, thereby limiting competition and reducing purchasing options for fire departments.

Mr. Scoufos stated that the City purchased a fire truck in 2022 manufactured by REV Group, specifically an E-ONE Typhoon pumper. He advised that complaints have been prepared and will be filed in federal courts throughout the country.

He further stated that there would be no cost to the City for legal services related to participation in the litigation.

After further discussion, motion was made by Mendiola, seconded by Bailey, to engage with Fourth Scoufos for this lawsuit. Vote: Mendiola aye; Bailey aye; Hamilton aye; Martens aye. Motion carried 4-0.

- 9. Discussion and possible action on the Supplemental Watershed Plan and Environmental Assessment for the Sallisaw Watershed (Hydrologic Unit Number 11110104), a supplement to the original watershed plan for rehabilitation of Sallisaw Creek Floodwater Retarding Structure (FWRS) No. 36; included supplemental watershed agreement No. 9, Sequoyah County, Oklahoma (removing the City of Sallisaw as a sponsor)**

Motion was made by Hamilton, seconded by Bailey, to remove Sallisaw as a sponsor from the Watershed Plan. Vote: Hamilton aye; Bailey aye; Mendiola aye; Martens aye. Motion carried 4-0.

- 10. Discussion and possible action on Purchase Order No. 107963, issued to Northwest Transformer of Oklahoma City, Oklahoma, in the amount of \$35,897.00 for Repairs and/or Replacement of Various Sized Transformers**

Motion was made by Hamilton, seconded by Bailey, for approval of Purchase Order No. 107963 issued to Northwest Transformer of Oklahoma City in the amount of \$35,897.00 for repairs and/or replacement of various sized transformers. Vote: Hamilton aye; Bailey aye; Mendiola aye; Martens aye. Motion carried 4-0.

- 11. Discussion and possible action on Ordinance No. 2026-01; An Ordinance Providing For The Closing Of The Existing 20 Foot Alley And Utility Easement Situated In And Along The Alley Running East And West From Poplar Street To Holly Street Between Lots 1, 2, 3, 4, 5, And 6 On The North Side Of The Alley And Lots 7, 8, 9, 10, 11, And 12 On The South Side Of The Alley In Block 15 Of Quesenbury #1 To The City Of Sallisaw, Oklahoma, and Declaring an Emergency**

Motion was made by Hamilton, seconded by Bailey, for approval of Ordinance No. 2026-01. Vote: Hamilton aye; Bailey aye; Mendiola aye; Martens aye. Motion carried 4-0.

Motion was made by Hamilton, seconded by Bailey, for approval of the emergency clause. Vote: Hamilton aye; Bailey aye; Mendiola aye; Martens aye. Motion carried 4-0.

12. Discussion and possible action on Ordinance No. 2026-02; An Ordinance Amending Chapter 78, Article 1, Section 78-16 of the Sallisaw Code of Ordinances by Repealing Section 78-16 of Chapter 78, Article 1 and Adopting and Enacting a New Section 78-16 of Chapter 78, Article 1 to the Sallisaw Code of Ordinances; and Declaring an Emergency

Motion was made by Hamilton, seconded by Bailey, for approval of Ordinance 2025-02. Vote: Hamilton aye; Bailey aye; Mendiola aye; Martens aye. Motion carried 4-0.

Motion was made by Hamilton, seconded by Bailey, for approval of the emergency clause. Vote: Hamilton aye; Bailey aye; Mendiola aye; Martens aye. Motion carried 4-0.

13. Hear from Mr. Tony Fiorentine concerning Manufactured Homes in residential zoned areas, and possible discussion

Mr. Fiorentine addressed the Council regarding manufactured homes recently purchased by the Cherokee Nation for eligible tribal members. He explained that one such member resides within the city limits and, during the process of obtaining permits to place the home, it was determined that the placement was not permitted under the current manufactured home ordinance.

Mr. Fiorentine stated that he attended a zoning meeting in approximately 2011 during which the placement of manufactured homes within the city limits was discussed. He recalled that, at that time, it was agreed manufactured homes would be permitted only in designated manufactured home parks or manufactured home subdivisions. However, he further stated there was also discussion that if an individual owned an existing manufactured home and wished to replace it with a newer and improved unit, they would be allowed to do so, provided the replacement occurred within a reasonable timeframe, which he recalled as approximately thirty (30) days.

He advised that it was a surprise to learn that the replacement option discussed at that meeting was not incorporated into the adopted ordinance. Mr. Fiorentine requested that the Council consider amending the ordinance to include such a provision, applicable to all residents and not limited to participants in the Cherokee Nation housing program.

Additional discussion occurred between the Council, Mr. Fiorentine, and City staff regarding the current ordinance requirements and potential amendment options.

14. Discussion and possible action on Ordinance No. 2026-03; An Ordinance Amending the Code of Ordinances by Adopting and Adding Section 82-207 to Article V of Chapter 82, and Declaring an Emergency

- a. Option 1: Make no changes to Chapter 82
- b. Option 2: Ordinance 2026-03: Allows for replacement of a

- manufactured/mobile home that was on residential property prior to 2010**
- c. Option 3: Ordinance 2026:03: Allows for replacement of a manufactured/mobile home as part of the Cherokee Nation's Housing Authority Programs**

Motion was made by Bailey, seconded by Hamilton, to send to the Planning Commission (for their review and recommendations). Vote: Bailey aye; Hamilton aye; Mendiola aye; Martens aye. Motion carried 4-0.

- 15. Discussion and possible action on Purchase Order No. 107978, issued to Megalodon Consulting Group, LLC, in an amount not to exceed \$98,000.00 for full repairs of the Brushy Lake intake structure repair**

Motion was made by Bailey, seconded by Hamilton, for approval of Purchase Order No. 107978. Vote: Bailey aye; Hamilton aye; Mendiola aye; Martens aye. Motion carried 4-0.

- 16. Receive update on current and future projects**

The Senior Code Inspector gave an update, for informational purposes only.

- 17. 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.

- 18. Administrative reports**

The City Manager reminded residents that Election Day is tomorrow and encouraged voter participation in the mayoral race.

He thanked City crews, including Streets, Electric, and DiamondNet, for their extended efforts during the recent winter storm and reported that grant funding is being pursued for additional equipment.

Electric meter replacements are ongoing citywide, and approximately one-third of water meters are being replaced at this time. A testing process is available for customers who question meter accuracy; costs are borne by the customer if the meter is functioning properly and by the City if a defect is found.

Sidewalk projects funded through TSET and TAP are delayed due to federal funding timing but have not been canceled. The water treatment plant basin liner project is

nearing bid stage.

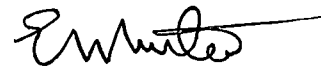
The pool project is progressing, with freeze-related repairs underway. Staff are implementing an online reservation system for facility and RV rentals at Brushy Lake Park, and a website refresh through CivicPlus is scheduled for April. A service update for DiamondNet is also in development.

Cable television services have been discontinued. Staff are addressing minor billing issues and evaluating additional safety measures near the pool walkway.

19. Adjourn

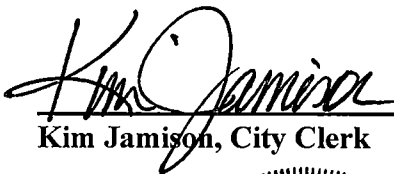
Motion was made by Bailey, seconded by Hamilton, to adjourn the meeting. Vote: Bailey aye; Hamilton aye; Mendiola aye; Martens aye. Motion carried 4-0. The meeting ended at 7:02 p.m.

Approved this 9th day of March, 2026.



Ernie Martens, Mayor

ATTEST:



Kim Jamison, City Clerk

(SEAL)

