

BOARD OF CITY COMMISSIONERS

****AMENDED****

SPECIAL MEETING

September 2, 2020

10:30 A.M.

WHEELER EVENT CENTER

103 N WHEELER

SALLISAW, OK

A G E N D A

- 1. Meeting called to order**
- 2. Declaration of a quorum**
- 3. Discuss and Consider Approval of Resolution 2020-29; a Resolution to Amend the City's Service Plan for the Territory to be Annexed by Ordinance 2020-05**
- 4. Conduct Public Hearing for the Purpose of Receiving Questions and/or Comments Concerning the Possible Annexation of Property Owned by the Sallisaw Municipal Authority**
- 5. Discuss and Consider Approval of Ordinance 2020-05; An Ordinance Providing for Annexation and Addition into the Corporate Jurisdictional Limits of the City of Sallisaw, Oklahoma, and Designating the Areas or Tracts Included in Such Annexation, all of the Real Property Described Below, Lying in Sequoyah County, Oklahoma; Providing that all Persons Residing therein and all Property Situated Thereon shall be Subject to the Jurisdiction, Control, Laws, Ordinances and Regulations of the City of Sallisaw, Oklahoma, in all Respects and Particulars; Providing that the Territory Annexed Shall be Assigned to City Ward Number 4; Providing that the Effective Date of This Annexation Shall be on and After September 2, 2020; Repealing all Ordinances or Parts of Ordinances in Conflict Herewith; Providing That if any Part or Parts Hereof be Held Invalid or Ineffective, the Remaining Portions Shall not be Affected; and Declaring an Emergency**

- 6. Consider Approval of Consent to Assignment and Assumption of Contract for CDBG Administrative Services to PSC dba Cardinal Engineering**
- 7. Discuss and Consider Approval of Purchase Order 82131, Issued to ADCOMP Systems, Inc., of Lewisville, Texas, in the Amount of \$43,636.80, for the Purchase of a JACK Payment Kiosk System, and Authorize Pre-Payment for the Kiosk and Related Equipment and Service Fees**
- 8. Consider Approval of Purchase Order No. 82132, Issued to United Rentals, of Fort Smith, Arkansas, in the Amount of \$36,272.61, for the Purchase of one (1) 2014 Ford F550 Service Truck W/Crane for the Landfill**
- 9. Consider Approval of Purchase Order No. 82133, Issued to IPS Construction of Sallisaw, in the Amount of \$25,600.00, for Airport Maintenance Hangar Roof Replacement**
- 10. Discussion and Update on COVID-19 and City Operations; and possible Direction to Staff**
- 11. Administrative Reports**
- 12. Adjourn**

Posted: AUGUST 31, 2020

Time: 9:35 A.M.

Dianna Davis

AGENDA ITEM COMMENTARY

Meeting Date: September 2, 2020
Board: Board of City Commissioners
Subject: Resolution 2020-29

ITEM TITLE: Discuss and Consider Approval of Resolution 2020-29; a Resolution to Amend the City's Service Plan for the Territory to be Annexed by Ordinance 2020-05

INITIATOR: Ken Williams for Kansas City Southern Railroad

STAFF INFORMATION SOURCE: City Attorney

BACKGROUND: Resolution 2020-29 is proposed by Kansas City Southern Railroad and is related to the annexation of the landfill property. Mr. Montgomery will review this with council at the time of the meeting.

EXHIBITS: 1. Resolution 2020-29

KEY ISSUES: N/A

FUNDING SOURCE: N/A

RECOMMENDATION: Approval of Resolution 2020-29.

RESOLUTION NUMBER 2020-29

A RESOLUTION OF THE CITY OF SALLISAW, OKLAHOMA, REGARDING PROPOSED ANNEXATION INTO MUNICIPAL LIMITS OF CERTAIN TERRITORY LOCATED IN SECTIONS 22, 23 and 24, T11N, R24E, ALL IN SEQUOYAH COUNTY, OKLAHOMA; AND DECLARING AN EMERGENCY.

WHEREAS, under 11 O.S. § 21-103, et seq., the City of Sallisaw, a municipal corporation located in Sequoyah County, State of Oklahoma ("City") has scheduled a public hearing to approve annexation of territory adjacent or contiguous to the City where the owners of at least a majority of the acres to be annexed have consented in writing to be annexed to the municipality; and

WHEREAS, Kansas City Southern Railroad is the owner of the remaining acres of the territory to be annexed; and

WHEREAS, the following described unincorporated territory is located in Sequoyah County, Oklahoma and is adjacent or contiguous to property already within the municipal limits of the City, to-wit:

TRACT I

All that part of the SW¹/₄ SW¹/₄ NW¹/₄ and all that part of the N¹/₂ NW¹/₄ SW¹/₄ and all that part of the SW¹/₄ NE¹/₄ SW¹/₄ lying South and West of the Railroad right-of-way and all that part of the SE¹/₄ SW¹/₄ and all that part of the S¹/₂ SW¹/₄ SE¹/₄ lying South of the Railroad right-of-way in Section 13, Township 11 North, Range 24 East of the Indian Base and Meridian, Sequoyah County, Oklahoma;

AND,

TRACT II

All of Section 22, Township 11 North, Range 24 East of the Indian Base and Meridian, Less the NW ¹/₄ NW ¹/₄ and Less the NE ¹/₄ NE ¹/₄ NW ¹/₄ and Less the N ¹/₂ NW ¹/₄ of the NE ¹/₄ of said Section 22;

AND,

TRACT III

All of Section 23, Township 11 North, Range 24 East of the Indian Base and Meridian, Less the E¹/₂ E¹/₂ SE¹/₄ of said Section 23;

AND,

TRACT IV

The N¹/₂ NW¹/₄ NE¹/₄ and the N¹/₂ NE¹/₄ NW¹/₄ and the S¹/₂ N¹/₂ NW¹/₄ and the S¹/₂ NW¹/₄ of Section 24, Township 11 North, Range 24 East of the Indian Base and Meridian;

AND,

TRACT V

A 100.0 foot wide parcel of land comprising of 35.22 acres, more or less, being 50 feet on either side of the existing centerline of the Kansas City Southern Railroad. The side lines of said parcel are to begin and terminate at the respective section line and 1/4 section line called for and are to be shortened or prolonged along the parcel to meet at angle corners. The centerline being situated in a part of the SW¹/₄ NW¹/₄ and a part of the SE¹/₄ NW¹/₄ and a part of the NW¹/₄ SW¹/₄, and part of the N¹/₂ NE¹/₄ SW¹/₄ and part of the SE¹/₄ of Section 10, and part of the SW¹/₄ SW¹/₄ of Section 11, and part of the N¹/₂ NW¹/₄ and part of the N¹/₂ NE¹/₄ and part of the SE¹/₄ NE¹/₄ of Section 14, and a part of the SW¹/₄ NW¹/₄ and a part of the SW¹/₄ of Section 13, all in Township 11 North, Range 24 East of the Indian Base and Meridian, Sequoyah County, Oklahoma. The basis of bearing for the described parcel is N00°07'41"E along the West line of the NW¹/₄ of said Section 10. The existing centerline of said Kansas City Southern Railroad is more particularly described as:

Commencing at the SW corner of said SW¹/₄ NW¹/₄ of said Section 10; thence along the West line thereof N00°07'41"E 221.53 feet to the point of beginning, said point being on the centerline of the Kansas City Southern Railroad; thence along said Centerline the following courses: S78°58'55"E 1076.83 feet; thence along a 1° curve to the right having a radius of 5729.65 feet, an arc length of 2190.64 feet and a chord bearing and distance of S68°01'44"E 2177.32 feet; thence S57°04'33"E 3260.29 feet; thence along a 1°30' curve to the left having a radius of 3819.83 feet, an arc length of 1325.50 feet and a chord bearing and distance of S67°01'01"E 1318.86 feet; thence S76°57'28"E 1571.00 feet; thence along a 1°12' spiral curve to the right 120.00 feet having a chord bearing and distance of S76°33'28"E 120.00 feet; thence along a 2° curve to the right having a radius of 2864.93 feet, an arc length of 1526.74 feet and a chord bearing and distance of S60°29'28"E 1508.74 feet; thence along a 1°12' spiral curve to the right 120.00 feet having a chord bearing and distance of S44°25'28"E 120.00 feet; thence S44°03'05"E 1321.36 feet; thence along a curve to the left having a radius of 7162.03 feet, an arc length of 546.67 feet and a chord bearing and distance of S46°14'17"E 546.54 feet; thence S48°25'29"E 1340.00 feet; thence along a 2°42' spiral curve to the left 180.00 feet having a chord bearing and distance of S49°19'29"E 179.98 feet; thence along a curve to the left having a radius of 1835.28 feet, an arc length of 766.99 feet and a chord bearing and distance of S61°31'46"E 761.42 feet to the point of termination, said point being on the East line of the SW¹/₄ of Section 13; and

WHEREAS, Kansas City Southern Railroad has agreed not to object to the proposed Annexation on a condition precedent that the City of Sallisaw include in its annexation ordinance a prohibition and covenant that the City of Sallisaw shall not now or in the future seek to condemn or utilize eminent domain to acquire any portion of Tract V for any municipal or public purpose; and

WHEREAS, the City of Sallisaw accepts and agrees to the condition precedent required by Kansas City Southern Railroad in order to annex Tract V; and

WHEREAS, after due consideration of the facts and being sufficiently advised, the City Council hereby finds that its Service Plan for the territory to be annexed adopt by reference and incorporate the condition precedent required by Kansas City Southern Railroad.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SALLISAW, OKLAHOMA, AS FOLLOWS:

Section 1. The City of Sallisaw shall not now or in the future seek to condemn or utilize eminent domain to acquire title to any portion of Tract V, of the territory to be annexed, for any municipal or public purpose.

Section 2. That an emergency is hereby declared to exist for the preservation of the public peace, health and safety, by reason whereof this Resolution shall be in full force and effect immediately from and after its adoption and approval as provided by law.

Section 3. Should any provision of this resolution be declared or determined by any Court to be invalid or unenforceable, the validity of the remaining parts, terms or provisions shall not be affected thereby and such invalid provision shall not be deemed to be a part of this resolution.

ADOPTED by the Board of Commissioners of the City of Sallisaw, Oklahoma this 2nd day of September, 2020, with emergency measure separately voted upon.

ERNIE MARTENS, Mayor

Attest:

APPROVED AS TO FORM:

DIANNA DAVIS, City Clerk

JOHN ROBERT MONTGOMERY, City Attorney

AGENDA ITEM COMMENTARY

Meeting Date: September 2, 2020
Board: Board of City Commissioners
Subject: Public Hearing

ITEM TITLE: Conduct Public Hearing for the Purpose of Receiving Questions and/or Comments Concerning the Possible Annexation of Property Owned by the Sallisaw Municipal Authority

INITIATOR: City Attorney

STAFF INFORMATION SOURCE: City Attorney

BACKGROUND: A public hearing will be held for the purpose of receiving any questions and/or comments concerning the proposed annexation of the landfill property.

EXHIBITS: 1. Public Hearing Notice

KEY ISSUES: N/A

FUNDING SOURCE: N/A

RECOMMENDATION: Conduct public hearing.

NOTICE OF PROPOSED ANNEXATION

PURSUANT TO 11 O.S. §§ 21-101, et seq., NOTICE is hereby given that the Board of Commissioners of the City of Sallisaw, Oklahoma, shall hold a public hearing on the 2nd day of September, 2020, beginning 10:30 o'clock a.m. in the Wheeler Event Center, located at 103 North Wheeler Avenue, Sallisaw, Oklahoma. The public hearing will be on the question of annexing into the municipal limits the following described property adjacent to the City of Sallisaw, to-wit:

TRACT I

All that part of the SW¹/₄ SW¹/₄ NW¹/₄ and all that part of the N¹/₂ NW¹/₄ SW¹/₄ and all that part of the SW¹/₄ NE¹/₄ SW¹/₄ lying South and West of the Railroad right-of-way and all that part of the SE¹/₄ SW¹/₄ and all that part of the S¹/₂ SW¹/₄ SE¹/₄ lying South of the Railroad right-of-way in Section 13, Township 11 North, Range 24 East of the Indian Base and Meridian, Sequoyah County, Oklahoma;

AND,

TRACT II

All of Section 22, Township 11 North, Range 24 East of the Indian Base and Meridian, Less the NW ¹/₄ NW ¹/₄ and Less the NE ¹/₄ NE ¹/₄ NW ¹/₄ and Less the N ¹/₂ NW ¹/₄ of the NE ¹/₄ of said Section 22;

AND,

TRACT III

All of Section 23, Township 11 North, Range 24 East of the Indian Base and Meridian, Less the E¹/₂ E¹/₂ SE¹/₄ of said Section 23;

AND,

TRACT IV

The N¹/₂ NW¹/₄ NE¹/₄ and the N¹/₂ NE¹/₄ NW¹/₄ and the S¹/₂ N¹/₂ NW¹/₄ and the S¹/₂ NW¹/₄ of Section 24, Township 11 North, Range 24 East of the Indian Base and Meridian, comprising of 1,408.62 acres;

AND,

TRACT V

A 100.0 foot wide parcel of land comprising of 35.22 acres, more or less, being 50 feet on either side of the existing centerline of the Kansas City Southern Railroad. The side lines of said parcel are to begin and terminate at the respective section line and 1/4 section line called for and are to be shortened or prolonged along the parcel to meet at angle corners. The centerline being situated in a part of the SW¹/₄ NW¹/₄ and a part of the SE¹/₄ NW¹/₄ and a part of the NW¹/₄ SW¹/₄, and part of the N¹/₂ NE¹/₄ SW¹/₄ and part of the SE¹/₄ of Section 10, and part of the SW¹/₄ SW¹/₄ of Section 11, and part of the N¹/₂ NW¹/₄ and

part of the N¹/₂ NE¹/₄ and part of the SE¹/₄ NE¹/₄ of Section 14, and a part of the SW¹/₄ NW¹/₄ and a part of the SW¹/₄ of Section 13, all in Township 11 North, Range 24 East of the Indian Base and Meridian, Sequoyah County, Oklahoma. The basis of bearing for the described parcel is N00°07'41"E along the West line of the NW¹/₄ of said Section 10. The existing centerline of said Kansas City Southern Railroad is more particularly described as:

Commencing at the SW corner of said SW¹/₄ NW¹/₄ of said Section 10; thence along the West line thereof N00°07'41"E 221.53 feet to the point of beginning, said point being on the centerline of the Kansas City Southern Railroad; thence along said Centerline the following courses: S78°58'55"E 1076.83 feet; thence along a 1° curve to the right having a radius of 5729.65 feet, an arc length of 2190.64 feet and a chord bearing and distance of S68°01'44"E 2177.32 feet; thence S57°04'33"E 3260.29 feet; thence along a 1°30' curve to the left having a radius of 3819.83 feet, an arc length of 1325.50 feet and a chord bearing and distance of S67°01'01"E 1318.86 feet; thence S76°57'28"E 1571.00 feet; thence along a 1°12' spiral curve to the right 120.00 feet having a chord bearing and distance of S76°33'28"E 120.00 feet; thence along a 2° curve to the right having a radius of 2864.93 feet, an arc length of 1526.74 feet and a chord bearing and distance of S60°29'28"E 1508.74 feet; thence along a 1°12' spiral curve to the right 120.00 feet having a chord bearing and distance of S44°25'28"E 120.00 feet; thence S44°03'05"E 1321.36 feet; thence along a curve to the left having a radius of 7162.03 feet, an arc length of 546.67 feet and a chord bearing and distance of S46°14'17"E 546.54 feet; thence S48°25'29"E 1340.00 feet; thence along a 2°42' spiral curve to the left 180.00 feet having a chord bearing and distance of S49°19'29"E 179.98 feet; thence along a curve to the left having a radius of 1835.28 feet, an arc length of 766.99 feet and a chord bearing and distance of S61°31'46"E 761.42 feet to the point of termination, said point being on the East line of the SW¹/₄ of Section 13.

(all as shown on the map attached hereto as Exhibit A and collectively referred to herein as the "Territory")

The owners of Tracts 1 through IV within the Territory proposed to be annexed consent to and have requested annexation of the Territory by signing and filing with the Board of Commissioners a Petition for Annexation to the City of Sallisaw, Oklahoma.

CITY OF SALLISAW

By:

Dianne Davis
DIANNA DAVIS, City Clerk

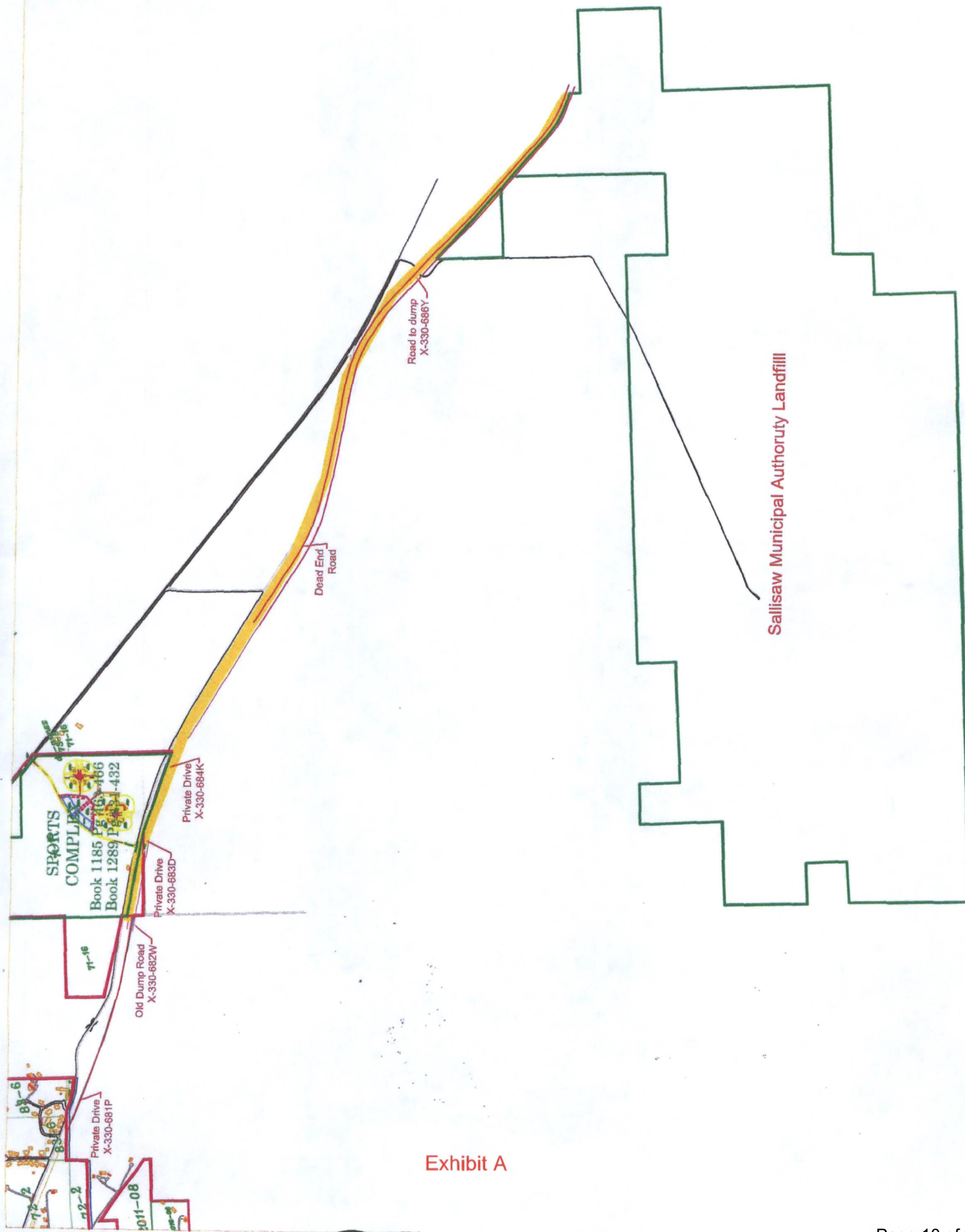


Exhibit A

AGENDA ITEM COMMENTARY

Meeting Date: September 2, 2020
Board: Board of City Commissioners
Subject: Ordinance 2020-05

ITEM TITLE: Discuss and Consider Approval of Ordinance 2020-05; An Ordinance Providing for Annexation and Addition into the Corporate Jurisdictional Limits of the City of Sallisaw, Oklahoma, and Designating the Areas or Tracts Included in Such Annexation, all of the Real Property Described Below, Lying in Sequoyah County, Oklahoma; Providing that all Persons Residing therein and all Property Situated Thereon shall be Subject to the Jurisdiction, Control, Laws, Ordinances and Regulations of the City of Sallisaw, Oklahoma, in all Respects and Particulars; Providing that the Territory Annexed Shall be Assigned to City Ward Number 4; Providing that the Effective Date of This Annexation Shall be on and After September 2, 2020; Repealing all Ordinances or Parts of Ordinances in Conflict Herewith; Providing That if any Part or Parts Hereof be Held Invalid or Ineffective, the Remaining Portions Shall not be Affected; and Declaring an Emergency

INITIATOR: City Attorney

STAFF INFORMATION SOURCE: City Attorney

BACKGROUND: Approval of Ordinance 2020-05 will complete the annexation of the landfill property. Mr. Montgomery will review this with council at the time of the meeting.

EXHIBITS: 1. Ordinance 2020-05

KEY ISSUES: None

FUNDING SOURCE: N/A

RECOMMENDATION: Approval of Ordinance 2020-05.

Approval of emergency clause.

ORDINANCE NO. 2020-05

AN ORDINANCE PROVIDING FOR ANNEXATION AND ADDITION INTO THE CORPORATE JURISDICTIONAL LIMITS OF THE CITY OF SALLISAW, OKLAHOMA, AND DESIGNATING THE AREAS OR TRACTS INCLUDED IN SUCH ANNEXATION, ALL OF THE REAL PROPERTY DESCRIBED BELOW, LYING IN SEQUOYAH COUNTY, OKLAHOMA; PROVIDING THAT ALL PERSONS RESIDING THEREIN AND ALL PROPERTY SITUATED THEREON SHALL BE SUBJECT TO THE JURISDICTION, CONTROL, LAWS, ORDINANCES AND REGULATIONS OF THE CITY OF SALLISAW, OKLAHOMA, IN ALL RESPECTS AND PARTICULARS; PROVIDING THAT THE TERRITORY ANNEXED SHALL BE ASSIGNED TO CITY WARD NUMBER 4; PROVIDING THAT THE EFFECTIVE DATE OF THIS ANNEXATION SHALL BE ON AND AFTER SEPTEMBER 2, 2020; REPEALING ALL ORDINANCES, OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING THAT IF ANY PART OR PARTS HEREOF BE HELD INVALID OR INEFFECTIVE, THE REMAINING PORTIONS SHALL NOT BE AFFECTED; AND DECLARING AN EMERGENCY.

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

SECTION 1 That the Board of Commissioners ("Board") finds it has caused to be prepared a notice of the annexation enacted by this Ordinance, all in accord with Oklahoma Statutes 11 O.S. §21-103 and §21-105.

SECTION 2 That the Board finds the notice of the annexation enacted by this Ordinance was published on August 12 and 19, 2020, in the Sequoyah County Times, a legal newspaper of general circulation in the territory to be annexed, within fourteen (14) days following the date the Board directed the notice to be published.

SECTION 3 That the Board finds that the notice of the annexation was mailed:

A. By first-class mail to all owners of property to be annexed as shown by the current year's ownership rolls, according to the records of the Sequoyah County Treasurer; and

B. By first-class mail to all owners abutting any public right-of-way that forms the boundary of the territory to be annexed and to the Sales and Use Tax Division of the Oklahoma Tax Commission; and

C. By certified mail to every person who owns a parcel of land five (5) acres or more and uses that property for agricultural purposes; and

D. That the owner of at least three-fourths (in value) of the property in the territory to be annexed has requested this annexation by signing and filing its petition with the Board and that there are no registered voters in the territory to be annexed; all in accord with Oklahoma Statutes 11 O.S. §21-103 and §21-105.

SECTION 4 That the Board finds it properly held a public hearing on the annexation enacted by this Ordinance on September 2, 2020, a date no earlier than fourteen (14) days nor more than thirty (30) days following the publication and mailing of notice of the hearing, where the City's proposed Service Plan was explained for the benefit of the property owners within the annexed territory, all in accord with Oklahoma Statute 11 O.S. §21-103.

SECTION 5 That the Board finds that the City has prepared a plan to extend municipal services (the "Service Plan"), including fire protection, police protection, electric line and sewer, and that the cost of such services is included in existing capital improvement plans for the annexed territory; that water service is currently being provided and services the territory to be annexed; and that the Service Plan has been made available for public inspection in the City Clerk's Office, all in accord with Oklahoma Statute O.S. §21-103.

SECTION 6 That the City's Service Plan, shall be and is hereby incorporated into and made a part of this Ordinance.

SECTION 7 That the corporate limits of the City of Sallisaw, Oklahoma, be and the same are hereby extended to include the following described tracts of land, and henceforth, for all purposes, shall be considered a part of the City of Sallisaw, Oklahoma:

TRACT I

All that part of the SW¹/₄ SW¹/₄ NW¹/₄ and all that part of the N¹/₂ NW¹/₄ SW¹/₄ and all that part of the SW¹/₄ NE¹/₄ SW¹/₄ lying South and West of the Railroad right-of-way and all that part of the SE¹/₄ SW¹/₄ and all that part of the S¹/₂ SW¹/₄ SE¹/₄ lying South of the Railroad right-of-way in Section 13, Township 11 North, Range 24 East of the Indian Base and Meridian, Sequoyah County, Oklahoma; AND,

TRACT II

All of Section 22, Township 11 North, Range 24 East of the Indian Base and Meridian, Less the NW ¹/₄ NW ¹/₄ and Less the NE ¹/₄ NE/ ¹/₄ NW ¹/₄ and Less the N ¹/₂ NW ¹/₄ of the NE 1/4 of said Section 22; AND,

TRACT III

All of Section 23, Township 11 North, Range 24 East of the Indian Base and Meridian, Less the E¹/₂ E¹/₂ SE¹/₄ of said Section 23; AND,

TRACT IV

The N¹/₂ NW¹/₄ NE¹/₄ and the N¹/₂ NE¹/₄ NW¹/₄ and the S¹/₂ N¹/₂ NW¹/₄ and the S¹/₂ NW¹/₄ of Section 24, Township 11 North, Range 24 East of the Indian Base and Meridian, comprising of 1,408.62 acres; AND,

TRACT V

A 100.0 foot wide parcel of land comprising of 35.22 acres, more or less, being 50 feet on either side of the existing centerline of the Kansas City Southern Railroad. The side lines of said parcel are to begin and terminate at the respective section line and 1/4 section line called for and are to be shortened or prolonged along the parcel to meet at angle corners. The centerline being situated in a part of the SW¹/₄ NW¹/₄ and a part of the SE¹/₄

NW¹/₄ and a part of the NW¹/₄ SW¹/₄, and part of the N¹/₂ NE¹/₄ SW¹/₄ and part of the SE¹/₄ of Section 10, and part of the SW¹/₄ SW¹/₄ of Section 11, and part of the N¹/₂ NW¹/₄ and part of the N¹/₂ NE¹/₄ and part of the SE¹/₄ NE¹/₄ of Section 14, and a part of the SW¹/₄ NW¹/₄ and a part of the SW¹/₄ of Section 13, all in Township 11 North, Range 24 East of the Indian Base and Meridian, Sequoyah County, Oklahoma. The basis of bearing for the described parcel is N00°07'41"E along the West line of the NW¹/₄ of said Section 10. The existing centerline of said Kansas City Southern Railroad is more particularly described as:

Commencing at the SW corner of said SW¹/₄ NW¹/₄ of said Section 10; thence along the West line thereof N00°07'41"E 221.53 feet to the point of beginning, said point being on the centerline of the Kansas City Southern Railroad; thence along said Centerline the following courses: S78°58'55"E 1076.83 feet; thence along a 1° curve to the right having a radius of 5729.65 feet, an arc length of 2190.64 feet and a chord bearing and distance of S68°01'44"E 2177.32 feet; thence S57°04'33"E 3260.29 feet; thence along a 1°30' curve to the left having a radius of 3819.83 feet, an arc length of 1325.50 feet and a chord bearing and distance of S67°01'01"E 1318.86 feet; thence S76°57'28"E 1571.00 feet; thence along a 1°12' spiral curve to the right 120.00 feet having a chord bearing and distance of S76°33'28"E 120.00 feet; thence along a 2° curve to the right having a radius of 2864.93 feet, an arc length of 1526.74 feet and a chord bearing and distance of S60°29'28"E 1508.74 feet; thence along a 1°12' spiral curve to the right 120.00 feet having a chord bearing and distance of S44°25'28"E 120.00 feet; thence S44°03'05"E 1321.36 feet; thence along a curve to the left having a radius of 7162.03 feet, an arc length of 546.67 feet and a chord bearing and distance of S46°14'17"E 546.54 feet; thence S48°25'29"E 1340.00 feet; thence along a 2°42' spiral curve to the left 180.00 feet having a chord bearing and distance of S49°19'29"E 179.98 feet; thence along a curve to the left having a radius of 1835.28 feet, an arc length of 766.99 feet and a chord bearing and distance of S61°31'46"E 761.42 feet to the point of termination, said point being on the East line of the SW¹/₄ of Section 13.

SECTION 8 The Board finds that the above described tracts of land are adjacent and/or contiguous to the present city limits of the City of Sallisaw.

SECTION 9 All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 10 That, if any part or parts hereof be held invalid or ineffective, the remaining portions shall not be affected.

SECTION 11 That on and after September 2, 2020, the territory described in SECTION 7 of this Ordinance shall be a part of the City of Sallisaw, Oklahoma, and all persons residing and property situated within the subject territory shall be and are hereby declared to be subject to the jurisdiction, laws, ordinances, and regulations of the City of Sallisaw, Oklahoma, in all respects and particulars.

SECTION 12 That the territory described in SECTION 7 of this Ordinance shall be part of Ward Number 4 of the City of Sallisaw, Oklahoma.

SECTION 13 **WHEREAS**, it being immediately necessary for the preservation of the peace, health, safety and protection of the citizens of Sallisaw and the inhabitants thereof that the provisions of this Ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this Ordinance shall take effect and be in full force immediately from and after its passage, as provided by law.

PASSED AND APPROVED by the Board of Commissioners of the City of Sallisaw on this 2nd day of September, 2020.

**BOARD OF COMMISSIONERS OF THE
CITY OF SALLISAW, OKLAHOMA**

By: _____
ERNIE MARTENS, Mayor

ATTEST:

DIANNA DAVIS, City Clerk

[SEAL]

AGENDA ITEM COMMENTARY

Meeting Date: September 2, 2020
Board: Board of City Commissioners
Subject: Assignment and Assumption of Contract

ITEM TITLE: Consider Approval of Consent to Assignment and Assumption of Contract for CDBG Administrative Services to PSC dba Cardinal Engineering

INITIATOR: Millie Vance

STAFF INFORMATION SOURCE: City Manager, Millie Vance

BACKGROUND: The City of Sallisaw currently has a contract with Millie Vance for consultant services related to the CDBG grant for the Wastewater Treatment Plant project. Mrs. Vance notes that Cardinal Engineering, LLC, Lemke Land Surveying, LLC, and Millie Vance Incorporated have merged and assets were acquired by PSC, including the transfer of assignable client contracts. She further notes that the contract amount will not change and she will continue to be our project manager.

Staff notes that this project is nearing completion and will be ready for closeout soon.

EXHIBITS: 1. Sallisaw, City of -Assignment MVI Project

KEY ISSUES: N/A

FUNDING SOURCE: N/A

RECOMMENDATION: Approval of Consent to Assignment and Assumption of Contract of CDBG administrative services.

July 28, 2020

City of Sallisaw
115 East Choctaw Avenue
Sallisaw, OK 74955-4629

Re: Consent to Assignment and Assumption of Contract

Cardinal Engineering, LLC (“Cardinal”) / Lemke Land Surveying, LLC (“Lemke”) / Millie Vance Incorporated, (“Millie Vance”) is pleased to announce our merger with **Parkhill, Smith, and Cooper, Inc. dba Cardinal Engineering / Lemke Land Surveying (“PSC”)**. Our entire group of professionals will remain intact at our current locations, with the goal of providing the same quality services that you, **the City of Sallisaw** are accustomed to receiving.

The merger will allow us to offer more comprehensive engineering, landscape, and architectural services through a network of over 400 professionals located in 14 offices throughout Oklahoma, Texas, and New Mexico. PSC looks forward to expanding our geographic presence and suite of services to our growing and loyal clientele.

On June 25, 2020, the assets of Cardinal / Lemke / Millie Vance were acquired by PSC including the transfer of assignable client contracts. The terms of your existing contracts will be honored including pertinent scope, budget and fee schedule, and insurance commitments. The same Project Manager and a team of professionals are available to respond to your questions and comments.


Millie Vance, Projects Manager

PARKHILL, SMITH, COOPER, INC.

RE:
(Consent to Assignment and Assumption of Contract)

July 28, 2020

Page 2 of 2

Consent to Assignment and Assumption of Contract

Client: City of Sallisaw

Contract: 01031920.00 / SALC191190 – Administrative Services – WWTP FEB Project

[PSC]

Parkhill Smith & Cooper, Inc.
4222 85th Street
Lubbock, TX 74923

By:

Jay M. Edwards, P.E.
President

(Signature)

07/28/2020

(Date)

[Cardinal/Lemke/Millie Vance]

Cardinal Engineering, LLC
525 Central Park Drive, Suite 500
Oklahoma City, Oklahoma 73105

By:

Millie J. Vance
President

(Signature)

7-28-2020

(Date)

Approved By:

Ernie Martens

(Name)

Mayor

(Title)

(Signature)

(Date)

AGENDA ITEM COMMENTARY

Meeting Date: September 2, 2020
Board: Board of City Commissioners
Subject: Purchase of Payment Kiosk

ITEM TITLE: Discuss and Consider Approval of Purchase Order 82131, Issued to ADCOMP Systems, Inc., of Lewisville, Texas, in the Amount of \$43,636.80, for the Purchase of a JACK Payment Kiosk System, and Authorize Pre-Payment for the Kiosk and Related Equipment and Service Fees

INITIATOR: City Manager
Director of Finance

STAFF INFORMATION SOURCE: ADCOMP Systems

For 29 years, AdComp Systems has developed self service payment technologies that accept in-person cash, check and credit card payments for municipalities and private businesses worldwide

<https://www.adcompsystems.com/index.html>

BACKGROUND: Staff has recently explored the purchase of a payment kiosk to provide another avenue for customer utility payments. This equipment will allow customers to drive up to the kiosk and pay their utility and DiamondNet billing statements from their car.

The kiosk will be placed in the gravel parking area at the corner of Wheeler and Choctaw. We will place the kiosk on the west side of the property with an entry way coming off of Choctaw. We plan a concrete drive along with a cover for the kiosk to keep it and customers out of the weather.

EXHIBITS: 1. Sallisaw OK PFI Revised PI 2211 20200826
2. Kiosk Location and Photos

KEY ISSUES: The payment kiosk will allow another protection for our customers and city staff during the COVID-19 virus event.

Other services that come with the payment kiosk will be helpful for other city operations in the future.

The kiosk will accept payments for utility and telecommunications services.

The kiosk is a custom build specifically for the City of Sallisaw. Due to this, the company requires pre-payment for the purchase.

FUNDING SOURCE: City Budget 030-801-57711
State of Oklahoma CARES Funding (100% reimbursable)

Delivery is expected before December 1, 2020.

RECOMMENDATION: Staff recommends approval of PO# 82067 issued to ADCOMP Systems, Inc. in the amount of \$43,636.80 and authorize pre-payment of the purchase.

ADCOMP SYSTEMS, INC

1720 S EDMONDS LN.
STE 201
LEWISVILLE, TX 75067

Proforma Invoice

DATE	Proforma Invoice No.
8/26/2020	2211

NAME / ADDRESS
City of Sallisaw 115 East Choctaw Sallisaw, Oklahoma 74955

Ship To
City of Sallisaw 115 East Choctaw Sallisaw, OK 74955

P.O. NO.	TERMS	REP	PROJECT
	100% ADVANCE	BS	

DESCRIPTION	QTY	UNIT PRICE	TOTAL
Special Order Outfacing Payment Kiosk The BASIC KIOSK includes One Application. Also includes TouchScreen, Receipt Printer, Cabinet, Bill Acceptor, CC Reader. The BASIC KIOSK PAYMENT SOFTWARE is applied for each Department Application. Kiosks designed to accept payments by cash ,credit cards and checks.	1	16,546.00	16,546.00T
ADDITIONAL DEPARTMENTS - The BASIC KIOSK PAYMENT SOFTWARE extended to include additional departments (Utility and Telecommunications)	1	2,700.00	2,700.00T
ADVANCED KIOSK PAYMENT SOFTWARE enables account lookup and payment/balance update using client software API or lockbox file.	2	4,300.00	8,600.00T
CHECK READER -Imager	1	2,390.00	2,390.00T
BARCODE READER - scans and reads barcode on account remit stub	1	785.00	785.00T
OUTSIDE ENCLOSURE / Weatherizing	1	3,000.00	3,000.00T
SECURITY CAMERAS	1	1,143.00	1,143.00T
SETUP, CONFIGURATION, TRAINING - Two days max. Travel not included. Could be onsite or remote.	1	1,200.00	1,200.00T
			TAX (0.00)
			TOTAL

CUSTOMER'S SIGNATURE*

ADCOMP SYSTEMS, INC

1720 S EDMONDS LN.
STE 201
LEWISVILLE, TX 75067

Proforma Invoice

DATE	Proforma Invoice No.
8/26/2020	2211

NAME / ADDRESS
City of Sallisaw 115 East Choctaw Sallisaw, Oklahoma 74955

Ship To
City of Sallisaw 115 East Choctaw Sallisaw, OK 74955

P.O. NO.	TERMS	REP	PROJECT
	100% ADVANCE	BS	

DESCRIPTION	QTY	UNIT PRICE	TOTAL
The Annual Remote Support and Reporting Services (ARRS) are provided through a section of our website which may be logged into using the password assigned to the Customer.	1	7,272.80	7,272.80T
TERMS: 100% ADVANCE			
Delivery schedule is dependant on receiving all required information from the customer and it's software vendors.			
Shipping and handling not included. Delivery approximately 10 to 12 weeks after payment is received. On site installation not included. One year warranty on all parts.			
TAX (0.00)			
TOTAL			

CUSTOMER'S SIGNATURE*

ADCOMP SYSTEMS, INC

1720 S EDMONDS LN.
STE 201
LEWISVILLE, TX 75067

Proforma Invoice

DATE	Proforma Invoice No.
8/26/2020	2211

NAME / ADDRESS
City of Sallisaw 115 East Choctaw Sallisaw, Oklahoma 74955

Ship To
City of Sallisaw 115 East Choctaw Sallisaw, OK 74955

P.O. NO.	TERMS	REP	PROJECT
	100% ADVANCE	BS	

DESCRIPTION	QTY	UNIT PRICE	TOTAL
ACH/Wire Instructions: Company name: Adcomp Systems Inc Company Address: 1720 S Edmonds Ln., Suite 201 Lewisville, TX 75067 Bank Name: JP Morgan Chase Bank Bank Address: 2301 Valley View Lane Farmers Branch, TX 75234 Account # : 846005384365 ABA# 111000614 FedEx Account Number: 260945840 (For Mailing Checks)			

TERMS AND CONDITIONS:

1. Interest will be charged at 2% per month on past due invoices. Returned checks are subject to \$30.00 fee. Customer will be responsible for all collection costs and attorney fees, whether suit is filed or not. Shipping and Taxes are extra, if not included. Items & services not included above will be charged extra.
2. Returns are subject to 25% restocking fee and will not be accepted without authorization, original invoice and packaging.
3. No returns of cables, connectors, softwares and special orders. No refunds only credit for future purchases. No cash refunds.
4. Deposits are non-refundable.
5. Warranty on all items limited to those provided by the manufacturer.
6. Service charges are non-refundable.

Your SIGNATURE* confirms your agreement to the terms and prices listed in this Proforma Invoice.
For Billing Inquiries Call (972) 436 3900

TAX (0.00)	\$0.00
TOTAL	\$43,636.80

CUSTOMER'S SIGNATURE*

SALLISAW JACK PAYMENT KIOSK
“JUSTIFIED AUTOMATED COLLECTIONS KIOSK”

Location



Altus, OK



Ottawa, KS



Example of kiosk cover



AGENDA ITEM COMMENTARY

Meeting Date: September 2, 2020
Board: Board of City Commissioners
Subject: Purchase of Landfill Service Truck

ITEM TITLE: Consider Approval of Purchase Order No. 82132, Issued to United Rentals, of Fort Smith, Arkansas, in the Amount of \$36,272.61, for the Purchase of one (1) 2014 Ford F550 Service Truck W/Crane for the Landfill

INITIATOR: Solid Waste Superintendent

STAFF INFORMATION SOURCE: Solid Waste Superintendent

BACKGROUND: Funds are appropriated in the current budget for this purchase. Staff has examined the truck and believes it would serve the needs of the landfill. This truck has a crane, welder, generator, air compressor, and greaser. It also has a hydraulic tank, oil take and waste oil tank. This truck will be more efficient for servicing and repairs of landfill equipment.

EXHIBITS: 1. Quote - Landfill Service Truck
2. IMG_2013
3. IMG_2015

KEY ISSUES: None.

FUNDING SOURCE: Captial Improvement Fund 030-504-57710; \$45,000 budgeted

RECOMMENDATION: Approval of Purchase Order No. 82132, Issued to United Rentals, of Fort Smith, Arkansas, in the Amount of \$36,272.61, for the purchase of one (1) 2014 Ford F550 service truck w/crane.

United Rentals

BRANCH Q38
3616 TOWSON AVENUE
FORT SMITH AR 72901
479-785-1966



EQUIPMENT SALE QUOTE

185106523

Customer # : 2071092
Quote Date : 08/19/20

UR Job Loc : 1 MAIN STREET, SALLI
UR Job # : 6
Customer Job ID:
P.O. # : QUOTE
Ordered By : CASEY ROGERS
Written By : MICHAEL GILBERT
Salesperson : BILLY RUSSOW

Job site

CITY OF SALLISAW

1 MAIN STREET

x:MAIN@64

SALLISAW OK 74955

Office: 479-263-3249 Cell: 918-315-4019

Q38

3616 TOWSON AVE

FORT SMITH AR 72901

**This is not an invoice
Please do not pay from this document**

Qty	Equipment #	Price	Amount
1	0617025 CC: 061-7025 SERVICE TRUCK 1T-19500LB W/CRANE	33000.00	33000.00
Sub-total:			33000.00
Tax:			3272.61
Total:			36272.61

CONTACT: CASEY ROGERS
CELL#: 918-315-4019

TO SCHEDULE EQUIPMENT FOR PICKUP, CALL 800-UR-RENTS (800-877-3687)
WE ARE AVAILABLE 24/7 TO SUPPLY YOU WITH A CONFIRMATION #
IN ORDER TO CLOSE THIS CONTRACT

2014 Ford F-550

Note: This proposal may be withdrawn if not accepted within 30 days.

THIS IS NOT AN EQUIPMENT SALE AGREEMENT/INVOICE. THE SALE OF EQUIPMENT AND ANY OTHER ITEMS LISTED ABOVE IS SUBJECT TO AVAILABILITY AND ACCEPTANCE OF THE TERMS AND CONDITIONS OF UNITED'S EQUIPMENT SALE AGREEMENT/INVOICE, WHICH MUST BE SIGNED PRIOR TO OR UPON DELIVERY OF THE EQUIPMENT AND OTHER ITEMS.

Page: 1





AGENDA ITEM COMMENTARY

Meeting Date: September 2, 2020
Board: Board of City Commissioners
Subject: Roof Replacement - Airport Maintenance Hangar

ITEM TITLE: Consider Approval of Purchase Order No. 82133, Issued to IPS Construction of Sallisaw, in the Amount of \$25,600.00, for Airport Maintenance Hangar Roof Replacement

INITIATOR: Building Development Director
City Manager

STAFF INFORMATION SOURCE: Building Development Director

BACKGROUND: Approval of this item will provide much needed maintenance on one of our airport buildings. This project consists of removal of the existing metal roof on the airport maintenance hangar and replacement with new 26-gauge metal with vinyl face insulation.

This project will be 100% reimbursed via CARES funding through the FAA.

EXHIBITS: 1. Quote - Airport Maintenance Hangar Roof

KEY ISSUES: Provide much needed maintenance to the hangar roof.

FUNDING SOURCE: GL No. 118-403-57799
CARES Funding via the FAA

RECOMMENDATION: Approval of Purchase Order No. 82133, issued to IPS Construction of Sallisaw, in the amount of \$25,600.00.

PROPOSAL

IPS Construction
PO Box 1612
Sallisaw, OK 74955

August 7, 2020

City of Sallisaw
Sallisaw, OK 74955
RE: Maint. Bldg. at airport

PRICE INCLUDES LABOR & MATERIALS

Remove existing metal roof
Install new 26-gauge metal roof with vinyl face insulation

TOTAL	\$25,600.00
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Respectfully submitted
Lance Calhoun

AGENDA ITEM COMMENTARY

Meeting Date: September 2, 2020
Board: Board of City Commissioners
Subject: COVID-19 and City Operations

ITEM TITLE: Discussion and Update on COVID-19 and City Operations; and possible Direction to Staff

INITIATOR: City Manager

STAFF INFORMATION SOURCE: City Manager
State of Oklahoma

BACKGROUND: Staff continues to monitor the COVID-19 situation in Sallisaw, Sequoyah County and the State of Oklahoma. Staff will provide any updates available during the meeting.

EXHIBITS:

KEY ISSUES:

FUNDING SOURCE: NA

RECOMMENDATION: Discussion and possible direction to staff.