

**BOARD OF CITY COMMISSIONERS  
SPECIAL MEETING**

**December 1, 2021**

**5:00 P.M.**

**Wheeler Event Center  
103 North Wheeler  
Sallisaw, OK**

**A G E N D A**

- 1. Meeting called to order**
- 2. Declaration of a quorum**
- 3. Consider and adopt Ordinance 2021-16; an Ordinance providing for amending the purpose of an existing one-half percent (½%) sales tax to provide an aquatic/swim complex and a skateboard park and, if funds are available, improve soccer and tennis facilities within the City of Sallisaw, Oklahoma; continuing and extending the levy of the existing one-half percent (½%) sales tax; providing the effective date; providing that the provisions are cumulative; and providing for severability**
- 4. Consider and adopt Resolution 2021-23; a Resolution authorizing the calling and holding of an election on the question of amending the purpose of an existing one-half percent (½%) sales tax to provide an aquatic/swim complex and a skateboard park and, if funds are available, improve soccer and tennis facilities within the City of Sallisaw, Oklahoma; and continuing and extending the levy of the existing one-half percent (½%) sales tax**
- 5. Administrative Reports**

**6. Adjourn**

**Posted: NOVEMBER 29, 2021**

**Time: 12:05 P.M.**

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**Dianna Davis**

**ORDINANCE NO. 2021-16**

**AN ORDINANCE AMENDING THE “CITY OF SALLISAW SALES TAX ORDINANCE”, THE SAME BEING ORDINANCE NO. A-8, AS AMENDED BY ORDINANCE NO. 2013-5, BY AMENDING THE PURPOSE OF AN EXISTING ONE-HALF PERCENT (½%) CITY SALES TAX AND CONTINUING AND EXTENDING THE LEVY THEREOF; PROVIDING THE EFFECTIVE DATE; PROVIDING THAT PROVISIONS ARE CUMULATIVE; AND PROVIDING FOR SEVERABILITY**

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

**SECTION 1.** The "City of Sallisaw Sales Tax Ordinance", the same being Ordinance No. A-8, as amended, hereby is further amended by changing Section 2 of Ordinance No. 2013-5 adopted June 11, 2013, to read as follows:

**“SECTION 2.** It is hereby declared the purpose of the continued and extended one-half percent (½%) excise tax levied by this Ordinance to provide revenues for the purpose of financing the construction, design and equipment of an aquatic/swim complex and a skateboard park within the City of Sallisaw, Oklahoma and paying the principal and interest on indebtedness of not to exceed \$6,000,000.00 to be incurred on behalf of the City for said purpose by The Sallisaw Municipal Authority, providing that proceeds from said sales tax levy in excess of the amount required to pay principal and interest, when due, on the aforesaid indebtedness shall be used to provide improvements to soccer and tennis facilities within the City of Sallisaw, Oklahoma.

Such continued and extended one-half percent (½%) excise tax shall cease to be levied or collected after March 31, 2030.”

**SECTION 2.** This Ordinance shall become and be effective after its approval by a majority of the qualified electors of the City of Sallisaw, Oklahoma, voting on the proposition and approving the same in the manner prescribed by law and immediately upon the collection of sufficient sales tax proceeds to retire the Sales Tax Revenue Bonds Series 2013 of The Sallisaw Municipal Authority.

**SECTION 3.** The provisions hereof shall be cumulative and in addition to any and all other taxing provisions of City Ordinances.

**SECTION 4.** The provisions of this Ordinance are severable, and if any part or provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions hereof.

**PASSED AND APPROVED** by the Board of City Commissioners of the City of Sallisaw, Oklahoma, this 1<sup>ST</sup> day of **December, 2021**.

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

By: \_\_\_\_\_  
**Ernie Martens, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Dianna Davis, City Clerk**

**(Seal)**

STATE OF OKLAHOMA     )

) SS:

COUNTY OF SEQUOYAH    )

I, the undersigned, duly qualified and acting Clerk of the City of Sallisaw, in said County and State, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2021-16 shown by the files of my office.

**WITNESS** my hand and the seal of said City, this \_\_\_\_\_ day of \_\_\_\_\_,  
2021.

\_\_\_\_\_  
Dianna Davis, City Clerk

(Seal)

## **RESOLUTION NO. 2021-23**

**A RESOLUTION AUTHORIZING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN THE CITY OF SALLISAW, COUNTY OF SEQUOYAH, STATE OF OKLAHOMA, ON TUESDAY, THE 8TH DAY OF FEBRUARY, 2022, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF SALLISAW, OKLAHOMA, THE QUESTION OF THEIR APPROVAL OR REJECTION OF ORDINANCE NO. 2021-16 RELATING TO AMENDING THE PURPOSE OF AN EXISTING ONE-HALF PERCENT (½%) CITY SALES TAX AND CONTINUING AND EXTENDING THE LEVY THEREOF**

**WHEREAS**, the Board of City Commissioners of the City of Sallisaw, Oklahoma, heretofore on the 1st day of December, 2021, enacted Ordinance No. 2021-16 which relates to continuing and extending the levy of and amending the purpose of an existing one-half percent (½%) sales tax levied pursuant to Ordinance No. 2013-05 of the City of Sallisaw, Oklahoma for the purpose of financing the construction, design and equipment of an aquatic/swim complex and a skateboard park within the City of Sallisaw, Oklahoma and, if excess funds are available, to provide improvements to soccer and tennis facilities within the City of Sallisaw, Oklahoma; and

**WHEREAS**, under the provisions of Oklahoma law, an Ordinance amending the purpose of a sales tax must be submitted to and approved by a majority of the registered voters of the City at an election called and held for such purpose before such Ordinance shall become effective;

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

**SECTION 1.** The Mayor of the Board of City Commissioners of the City of Sallisaw, Oklahoma, be and he is hereby authorized and directed to call a Special Election to be held in the City of Sallisaw, Oklahoma, on Tuesday, the 8th day of February, 2022, for the purpose of submitting to the qualified electors of the City of Sallisaw, Oklahoma, for their approval or rejection of the following proposition:

### **PROPOSITION**

Shall Ordinance No. 2021-16 of the City of Sallisaw, Oklahoma, being an Ordinance amending Ordinance No. 2013-05, which will continue and extend the levy of an existing one-half percent (½%) sales tax for the purpose of financing the construction, design and equipment of an aquatic/swim complex and a skateboard park within the City of Sallisaw, Oklahoma and paying the principal and interest on indebtedness of not to exceed \$6,000,000.00 to be incurred on behalf of the City for said purpose by The Sallisaw Municipal Authority, providing that proceeds from said sales tax levy in excess of the amount required to pay principal and interest, when due, on the aforesaid indebtedness shall be used to provide improvements to soccer and tennis facilities within the City, and providing that said tax shall cease to be levied or collected after March 31, 2030; providing the effective date; making provisions cumulative; and providing severability of provisions, be approved?

**SECTION 2.** That the call for such Special Election shall be by proclamation, signed by the Mayor of the Board of City Commissioners and attested by the City Clerk, setting forth the proposition to be voted upon and the hours of opening and closing of the polls. The ballots for the qualified electors shall set forth the proposition substantially as set out in Section 1 hereof, and the returns of such election shall be made to and canvassed by the Sequoyah County Election Board.

**PASSED AND APPROVED** this 1<sup>st</sup> day of **December, 2021.**

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

By: \_\_\_\_\_  
**Ernie Martens, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Dianna Davis, City Clerk**

**(Seal)**

I, the undersigned City Clerk of the City of Sallisaw, Oklahoma, hereby certify that the foregoing is a true, correct and complete copy of a Resolution of said City duly adopted by the governing body of said City at a meeting held on the date therein stated, as the same appears in the Minutes of said meeting on file in my office as a part of the official records thereof.

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**Dianna Davis, City Clerk**

(Seal)

## CERTIFICATE

I, the undersigned Secretary of the County Election Board of Sequoyah County, Oklahoma, hereby certify that a copy of the within and foregoing Resolution was submitted to me on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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**Secretary, County Election Board  
Sequoyah County, Oklahoma**

(Seal)