



OAKLEY CITY COUNCIL MEETING
Wednesday
June 9, 2021
Regular Meeting 6:00 PM

DUE TO ONGOING COVID-19 PUBLIC HEALTH CONCERNS:

PUBLIC IS INVITED TO ATTEND ELECTRONICALLY VIA THE ZOOM MEETING PLATFORM. THERE WILL BE NO PHYSICAL ANCHOR LOCATION AVAILABLE TO THE PUBLIC AT THIS TIME AS PER GOVERNOR HERBERT'S EXECUTIVE ORDER 2020-5.

[Meeting ID: 820 258 4629](#)

[Passcode: 777869](#)

*Comments may also be made by email prior to the meeting: oakley@oakleycity.com

In Attendance:

City Administration: Council: Wade Woolstenhulme, Mayor (Via Zoom); Councilmembers Steve Wilmoth, Joe Frazier, Kelly Kimber, Tom Smart, Dave Neff (In Person).

City Staff: City Recorder, Amy Rydalch; Water Operator, Dallas Hansen; Public Works Director, Kendell Staples; City Attorney, Rob Patterson; Rodeo Committee Members: Gerald Young, Sam Aplanalp, Rustin Young, Brandon Bates; Planning Commissioners: Zane Woolstenhulme, Doug Evans.

Others/Public in Attendance:

Rick Shapiro, Shanna Edmunds, Denise Kimber, Jackson Clegg, Sandi Lott, Paula Anderson, Clayton Page, Brad Smith, Jon Wiberg, Lin R Chen, Jien Wu, Randall Mackey, Tracy Hannay, Lane Rockhill

1. Mayor Pro-Tempore Steve Wilmoth called the meeting to order.
 - a. Councilmember Kimber led the Pledge of Allegiance.
 - b. Councilmember Frazier offered the invocation.

2. Approval of the Payables: May 25th 2021 thru June 8th 2021

Councilmember Smart motioned to approve the payables for the respective dates. Councilmember Kimber seconded the motion. All Voted in the affirmative – Payables Approved.

3. Public Comment for Items not listed on the agenda.

Lane Rockhill, Tracy Hannay of Marion Utah Addressed the Council.

During the City Council meeting, a proposal was brought forward by a group that organized a parade the previous year. They expressed their desire to participate in the city's upcoming parade and enhance it rather than compete with it. The group explained that their previous parade had a

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substantial turnout, with hundreds of cars involved. They emphasized their intention to work alongside the existing parade and also expressed interest in joining efforts with the current Celebration parade committee.

Councilmember Smart raised concerns about the political nature of the previous parade, mentioning the presence of Confederate flags and how it became divisive. They emphasized that the Fourth of July should be about unity and supporting the United States, not promoting political agendas.

In response, the group that organized the previous parade defended their intentions, stating that their goal was to promote unity within the community, regardless of individual political beliefs. They mentioned that they wanted the American flag to be the focal point of the parade and acknowledged that they couldn't control what others displayed during the event.

The **Mayor Pro-Tempore Wilmoth** suggested holding off on making a decision and proposed discussing the matter further with the parade committee before formalizing any plans for the upcoming parade.

4. Jackson Clegg – 90 RV Extension Appeal

Jackson Clegg addressed the council. He introduced himself and mentioned that he works for Cache Valley Electric and has been staying at an RV site at the rodeo grounds. He has stayed for 90 days and would like to continue to stay at the rodeo grounds, where he had been located the previous year.

A council member inquired about the duration of his stay, and Jackson confirmed that he would not be there on a year-round basis and was willing to make concession during the celebration.

Another council member clarified that Jackson's previous 90-day approval expired in June, but he could receive an extension, and if needed, some flexibility could be provided regarding the concession period.

After a brief discussion, a council member made a motion to allow the extension for Jackson Plague to stay at the rodeo grounds and to credit him for the time he had to be out during the concession period.

Councilmember Smart motioned to approve the 90-day extension with credit to Mr. Clegg for the time he had to be out during the concession period. Councilmember Frazier seconded the motion. All voted in favor – extension approved.

5. Councilmember Items/Reports

Councilmember Kimber brought up for discussion road maintenance and feedback on speed bumps. It was mentioned that the current speed bumps might be too far apart, and there was a suggestion to add two more speed bumps to address the issue. The cost for the three existing speed

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bumps was approximately \$5,000, and there was general agreement that adding more speed bumps would be beneficial, especially for people who were concerned about speeding.

Councilmember Kimber expressed support for the idea and suggested including additional speed bump signage in the streets budget for the next year. **Councilmember Smart** questioned if it required a formal council resolution, but it was clarified that it could be handled administratively within the budget.

The discussion continued, highlighting that the budget for the current year was already allocated, and any changes might need to be considered for the following year. Some council members emphasized the importance of completing the project rather than doing it halfway, believing that the speed bumps would act as a deterrent to speeding.

There was a consideration to expedite the process and include the additional speed bumps in the current year's budget, but concerns were raised about the time frame and whether the company could install them in time. Ultimately, the decision was made to increase the budgeted amount for speed bumps for the following year and proceed with the plan. **Mayor Pro Tempore Wilmoth** asked if there were any other items for Councilmembers to report on or address.

Councilmember Kimber proposed a suggestion regarding the city's development and growth. The idea was to gather a group of individuals with strong business backgrounds, including residents, business owners, and individuals and bring them together for a brainstorming session. The purpose was to seek advice and tap into their expertise to gain valuable insights and direction for the city's development plans. The council agreed that it sounded like a good idea and expressed interest in exploring this concept further.

Councilmember Smart mentioned an email they had received that seemed relevant to the topic and suggested forwarding it to the others for consideration during a work session. It was agreed that looking into this email and taking a course for \$150 per person might be a useful exercise from a municipal standpoint.

6. Commissary Agreement Policy- Councilmember Frazier

Councilmember Frazier presented a proposal for a Commissary Kitchen at the indoor arena concessions area. The idea was to accommodate food trucks that now require running water due to a new state law. The council had previously discussed this matter a few months ago, and now there were people interested in renting the space. The presentation included some initial cost estimates, but it was emphasized that everything was negotiable, considering similar offerings in Park City and Salt Lake.

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Councilmember Frazier mentioned that a party was interested in utilizing the space for storage and food preparation. There was a discussion about the potential rental fees, with examples given of other places charging anywhere from \$100 to over \$300 per month, depending on the services provided, such as refrigeration and storage options.

Councilmember Smart expressed interest in knowing how much the interested party might offer for the rental. However, it was agreed that a decision should not be rushed, and the council members should have an opportunity to thoroughly review the proposal and provide feedback. The suggestion was made to put the discussion on the agenda for the next meeting to allow for further consideration and input from all members.

The general consensus among the council was to gather more feedback and input before making any decisions about the Commissary Kitchen rental. They wanted to ensure that everyone had a chance to review the proposal and consider various options before moving forward.

- 7. PUBLIC HEARING FOR RESOLUTION 2021-06 CULINARY WATER RATES
- 8. PUBLIC HEARING FOR RESOLUTION 2021-07 CULINARY WATER CONNECTION FEES

Mayor ProTempore Wilmoth addressed the public and Council and simultaneously opened both public hearings as the content is related.

Public Comment: None.

Mayor ProTempore Wilmoth closed the public hearings and directed a roll call vote on both resolutions.

Councilmember Frazier motioned to approve Resolution 2021-06 Culinary Water Fees. **Councilmember Smart** seconded the motion.

- Roll Call Vote:**
Councilmember Frazier – Yes
Councilmember Smart – Yes
Councilmember Kimber -Yes
Councilmember Neff – Absent

Councilmember Smart motioned to approve Resolution 2021-07 Culinary Water Connection Fees. **Councilmember Frazier** seconded the motion.

- Roll Call Vote:**
Councilmember Frazier – Yes
Councilmember Smart – Yes
Councilmember Kimber -Yes
Councilmember Neff – Absent

Resolutions 2021-06 and 2021-07 Culinary Water Fees & Connection Fees are adopted.

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9. Celebration/Rodeo Discussion

Recorder Rydalch raised the item of concession pricing for this year's Celebration event. General discussion about the pricing for concessions and how the prices had been increased. It was mentioned that they had approached Bill White to supply beef this year but they had yet to hear back. City administration appreciated that the concessions organizers had eliminated the coin pricing, making it simpler for volunteers to work at the concessions.

The topic of cheeseburgers came up, and there was a suggestion to add \$1 for a cheeseburger. **Mayor Pro-Tempore and other Councilmembers** were strongly in favor of adding a cheeseburger to the menu.

Councilmember Smart motioned to approve the concessions pricing including the addition of a cheeseburger for an additional \$1.00. **Councilmember Frazier** seconded the motion. **All voted in favor – motion carries.**

The discussion then shifted to the Lions Club's involvement in concessions during the celebration. It was suggested that Lions Club finances should be separated from the city's and that they should manage their own finances. The council discussed the need for better accounting and a paperless, point-of-sale system to track sales accurately. There were different opinions on how to approach this issue, with some council members suggesting separation, while others proposed working together with improved accounting for the current year and revisiting the issue next year. It was decided to work with the Lions Club for this year and strive for better accounting and inventory management.

Councilmember Smart motioned to work with the Lions Club and implement a more organized system for the concessions. **Councilmember Frazier** seconded the motion. **All voted in favor-motion carries.**

Council turned their attention back to the request by **Lane Rockhill and Tracy Hannay** regarding the parade. Various individuals discussed the organization of the upcoming parade. **Oakley City Parade Chair Denise Kimber** expressed concern regarding manageability and liability. **Chairperson Kimber** suggested that the parade should be limited to 100 entries due to logistical reasons and concerns about safety with an influx of people during the holiday weekend. They emphasized the need for organization and control to ensure the parade's integrity.

Councilmember Smart expressed concerns about the potential for divisive messages during the parade and preferred a more patriotic theme. They suggested that participants should sign up and follow the city's rules to participate.

The city council discussed the feasibility of limiting the number of entries and ensuring that participants adhere to certain guidelines. They also addressed logistical issues related to road closures and access during the parade.

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Councilmember Frazier motioned to limit the parade entries to 100 and noted that entries must adhere to the city approved theme of the parade. **Councilmember Smart** seconded the motion. **Councilmember Kimber Abstained. All other Councilmembers voted in favor – Motion Carries.**

There was a recognition that the parade has seen a decrease in participants over the years, and they hope to bring more participants while maintaining safety and organization.

Mayor Pro-Tempore Wilmoth turned the discussion toward the issue of fireworks for the Fourth of July celebrations. The speaker mentioned that there have been discussions about the fireworks and that they currently have \$16,000 allocated for them.

He expressed his personal opinion that they are leaning towards not having fireworks this year due to the ongoing water situation and potential risks. They mentioned the need to find out more about storage possibilities and stated that they might need to consider alternatives in case they conditions are not good for lighting the fireworks.

The decision on whether to have fireworks for the event remains uncertain at this point, pending further information and considerations about safety and water availability.

10. MAPLE RIDGE BUILDING PERMIT – BRAD SMITH, ORIGINAL MAPLE RIDGE DEVELOPER

Brad Smith addressed the council on behalf of Dave Ashton, a property owner in the Maple Ridge development. He mentions the moratorium on building permits due to the severe water situation in the town. He represents the Ashtons, who wish to build on a lot in Maple Ridge but were informed that they couldn't apply for a building permit due to the moratorium.

Mr. Smith summarized the development agreement from the early 2000's between Maple Ridge and the City that included a contribution of funds and development of the water system in the development. He argued that the historical situation should persuade the Council to consider an exception to the moratorium and allow a building permit for the Ashton's to move forward. He pointed out that the home would not be online in the water system for at least a year.

A discussion among the council members ensues, with different opinions expressed. **Councilmember Neff** feels that since they turned away others in the past due to the moratorium, it would be unfair to make an exception for this lot. They express concerns about the town's water situation and the uncertainty of having enough water in the future to support additional construction.

Councilmember Smart suggested the possibility of allowing the lot to proceed with building if they use alternative water sources or if they transfer an existing water hookup from another property. However, some members emphasize the need to stick to the previous decision and maintain the moratorium to be fair to all residents.

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Councilmember Frazier motioned to deny the petition for a building permit. **Councilmember Wilmoth** seconded the motion. **Councilmembers Frazier, Neff, Wilmoth and Kimber vote aye. Councilmember Smart opposed. Motion Carries – Petition denied.**

11. OAKLEY ARTESIAN – PETITION

Attorneys Randall Mackey and Gifford Price represented Oakley Artesian in the City's consideration of terminating an agreement. Oakley Artesian is seeking a discussion about some concerns they have regarding the termination of their services and the outstanding balances they owe to the city. The company states that they have made efforts to resolve the issues and have prepared a cashier's check to pay a substantial sum towards the outstanding balance. They express their desire to avoid legal disputes and work towards an amicable solution that benefits both parties. They emphasize their commitment to being good citizens and contributing positively to the community.

Councilmembers express appreciation for the company's presentation and indicate that they will consider the information provided. They state that they will discuss the matter further in a private executive session to address legal matters and pending litigation.

Councilmember Frazer motions to enter a closed session to discuss reasonably imminent litigation matters. Councilmember Smart seconds the motion. Roll Call Vote:


- Councilmember Kimber – yes
- Councilmember Frazier – yes
- Councilmember Neff – yes
- Councilmember Smart – yes
- Councilmember Wilmoth – yes

7:52 PM Council went into closed session.

9:33 PM Council adjourned the closed session.

The council did not reconvene in open session – no further action was taken.

Approval is to form this 23 day of August, 2023.



Zane Woolstenhulme, Mayor



Amy Rydalch, City Recorder