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MINUTES
Oakley City Council
Regular Meeting 6:00 PM
March 10, 2021

10 DUE TO ONGOING COVID-19 PUBLIC HEALTH CONCERNS: PUBLIC IS INVITED TO ATTEND ELECTRONICALLY
11 VIA THE ZOOM MEETING PLATFORM. THERE WILL BE NO PHYSICAL ANCHOR LOCATION AVAILABLE TO
12 THE PUBLIC AT THIS TIME AS PER GOVERNOR HERBERT'S EXECUTIVE ORDER 2020-5

13 **Anchor Location: 960 West Center Street, Oakley UT**

14
15 **City Administration in attendance:** Mayor Wade Woolstenhulme, Councilmembers Steve
16 Wilmoth, Joe Frazier, Tom Smart, Dave Neff and via Zoom Kelly Kimber

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18 **City Staff:** City Recorder Amy Rydalch, City Planner Stephanie Woolstenhulme

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20 **Others/Public in Attendance:** Cheryl Fox, Kelly Edwards, Ann Gendaszek, Brett Shuemaker, Camille
21 Osguthorpe, Shawn Ferrin, Doug Evans, Jameson Norton, Jan Manning, Jim Adams, Joe Procopio, Justin
22 Harding, Karma Bonner, Lorin Broadbent, Mike Vernon, Whitney Weiss, Jack Walkenhorst, Josh
23 Peterson, Don Lund, Christopher, Walker, Jack Livingood, Cliff Goldthorpe, Alex Cramer, Shawn Luna

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25 **1. Mayor Woolstenhulme** Opened the meeting. The invocation was offered by **Councilmember**
26 **Frazier. Councilmember Wilmoth** led the Pledge of Allegiance.

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28 **2. Public Comment for Items not listed on the Agenda:**

29 **Kelly Edwards** addressed the Council regarding Campground Security. He volunteered to patrol
30 the city campground during the summer months to discourage nuisance or criminal behavior at
31 the campground. **Mayor Woolstenhulme** thanked Mr. Edwards for his offer and stated that the
32 City would give the item consideration. **Councilmember Smart** stated that he felt there was
33 more the City could do to prevent unwanted or nuisance activity at the campground.

34
35 **3. Summit Land Conservancy – Good Neighbor Status Update, Cheryl Fox**

36 **Cheryl Fox** addressed the Council regarding a potential "green burial" site in the Oakley City
37 annexation area. The Conservancy is under contract for a 15-acre parcel located off Boulderville
38 Road. The plan for the property is a natural reserve with public access for trails like Stevens
39 Grove. In addition, it is planned as a green or natural burial site. **Ms. Fox** discussed the method

40 of green burial and how it does not utilize hardwood caskets nor embalming measures. A
41 reception center is planned for this site as well for funerals and ceremonies.

42
43 General discussion regarding the location of the property and the process of natural burial. **Ms.**
44 **Fox** explained that it will not look like a cemetery as there are no headstones, lawn, or other
45 landscaping features. It will appear very much as a riparian area.

46
47 **Councilmember Frazier** stated his concern over the natural burial and our mountain valley
48 location where there is the presence of animals that forage and could disturb the natural burial
49 sites.

50
51 **Ms. Fox** indicated this unearthing is considered a natural part of the natural burial process.
52 There is management onsite that will assure that burial sites will not be unearthed in an
53 untimely manner.

54
55 **Councilmember Neff** asked about State licensing and requirements. **Ms. Fox** stated that state
56 regulations are a little different for this type of burial. It is limited on the number of gravesites
57 available and has less than a traditional cemetery.

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59 **Mayor Woolstenhulme** thanked Ms. Fox for her comments and appreciates her communication
60 with the Council regarding this property.

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63 **4. Oakley City Property Request/Parking Agreement – Kelly Edwards**

64 **Mr. Kelly Edwards** addressed the Council regarding a recent Parking Agreement drafted by the
65 City to address the Parking along State Road 32 and on the City Property adjacent to the Post
66 Office. Mr. Edwards stated that he agreed to the terms and would bring in gravel to help with
67 the area on City property designated for their parking.

68
69 Mr. Edwards stated that in the near future the service station will need to replace the old fuel
70 tanks. He is concerned that when this happens it would be beneficial to expand his station. He
71 expressed an interest in securing a first right of refusal or option to purchase a portion of the
72 City property located in the City Center block.

73
74 **Mayor Woolstenhulme** appreciates Mr. Edwards concerns but stated that legally the City is
75 unable to grant such a request but is willing to consider his interest as part of a bidding process
76 at such a time when the City considers development or sale of the property.

77
78 **Mayor Woolstenhulme** informed Council that the City has entered into a parking agreement
79 with Kelly and Dutch's Service Station. Mr. Edwards is paying the City for an area on to park cars
80 that are being serviced on City property. The agreement limits the number of vehicles parked in
81 front of and behind the berm and the condition of the vehicles that are to be parked there.

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Councilmember Wilmoth asked who is responsible for enforcing the agreement. It was discussed that the City was responsible for enforcement and City staff would contact Mr. Edwards if there were additional problems.

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5. RV Rental 90 Day Extension Appeal – Walsh

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Shawn Luna addressed the Council regarding a 90-day extension for her shared RV rental with Mr. Clark Walsh. Their current stay expires in April. **Ms. Luna** indicated that her partner Mr. Walsh is not well and has had a difficult time getting set-up with Social Security. Their truck that they use to pull their trailer is also currently inoperable. **Christopher Walker**, a friend of the couple has been helping the Walsh's with transportation and getting connected with human services. **Mr. Walker** asked Council to consider granting them an extension. **City Recorder Rydalch** stated the City has not received any complaints regarding the Walsh's and the Public Works staff has also not reported any issues. Tenants have paid their monthly rent in a timely manner. The 90-extension would grant them permission to stay through July 18th. **Mayor Woolstenhulme** recommended that the Council consider approving the extension through June 18th which would allow them to vacate just prior to the required time to leave for the City's Rodeo event.

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Councilmember Wilmoth made a motion to grant the Walsh party an extension to stay at the RV site until June 18th. **Councilmember Neff** seconded the motion. All voted in favor. **Extension thru June 18th granted.**

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6. Pasture Lease – Bid Opening/Award

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Mayor Woolstenhulme opened the sealed bids for the Oakley Pasture lease for City property located on Boulderville Road (OT-270-X). Two bids were received by two parties, Ladd Dick and Cody Thornton. Mr. Dick's bid was the higher amount.

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Councilmember Frazier made a motion to accept the bid offer from Ladd Dick of \$2,601 per year for the pasture lease of City Property OT-270-X with terms as discussed in the lease agreement. **Councilmember Wilmoth** seconded the motion. All voted in favor. **Motion passes and bid accepted.**

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7. Pickle Ball Court – Bid Opening/Award

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Mayor Woolstenhulme summarized and reviewed each of the bids submitted for the construction and installation of Pickleball Courts at the Recreation Complex.

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Councilmember Smart indicated that he had checked references on all four contractors and that all had received positive recommendations. He then summarized the project specifications and the grant monies available for the project. He recommended meeting with Kendell, Dallas, and the awarded party, to review the specifics and timeline of the project.

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Mayor Woolstenhulme recommended that Council award the contract but select an alternative bid in case the winning bid cannot be honored due to significant changes in material costs.

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120 **Councilmember Wilmoth** expressed concern regarding the 30-day time contingency for bid
121 validity given the current conditions in the construction market.

122 **Councilmember Smart** made a motion to award the bid to Renter, inc. with the option to award to an
123 alternative contractor, Courts Unlimited, should the contract terms with Renter not be favorable to the
124 City. **Councilmember Frazier** seconded the motion. All voted in favor. **Motion passes.**

125 **8. Newport Academy – Discussion and Introduction of CUP application for property formerly**
126 **known as the Oakley School.**

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128 **Mayor Woolstenhulme** acknowledged the public interest for this agenda item and reminded
129 members of the public that this was not a public hearing. The item on the agenda tonight was
130 for the benefit of the City Council to ask questions and become informed of an application
131 coming to the Planning Commission for a conditional use permit. The public hearing for this
132 application is being held in front of the Planning Commission in a meeting scheduled for the
133 following Wednesday. Public comment will be welcomed at that time. The Mayor then turned
134 the time over to Newport Academy for their presentation.

135
136 **Mr. Joe Procopio** addressed the Council. He introduced himself as the CEO and other members
137 of the Newport management team. Mr. Procopio shared his screen with Council and members
138 of the public. His presentation included the following points:

- 139 • Newport Academy operates 5 outpatient programs in California, Washington,
140 Connecticut, Pennsylvania, and Virginia approx. 300 beds. (Soon to open Minnesota,
141 Texas, and Georgia).
- 142 • Programs provide treatment for teens and young adults suffering from depression,
143 anxiety, substance abuse, and other mental health issues that do not require the
144 intensity of an inpatient hospital stay.
- 145 • Family therapy is a critical component of the treatment program.
- 146 • National epidemic of mental health issues for adolescents and young adults. Less than
147 half of those individuals that have had a major depressive episode have received mental
148 health assistance.
- 149 • Utah ranks last in the US for mental health support. In Utah it is the leading cause of
150 death in those ranging in age from 10-24.
- 151 • Average age of those seeking treatment from Newport is 16-18 years. Patients being
152 treated for a depressive disorder is make up 63.9% of the Newport patient population.
- 153 • Plans for the Oakley School Campus include 40-60 residential treatment beds serving
154 both males and females ages 13-18 and employing approximately 200 individuals at full
155 optimization.

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157 **Mr. Procopio** asked Council for any discussion items or questions regarding the Newport
158 Academy and their plans for the Oakley facility.

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160 **Mayor Woolstenhulme** asked about the security issues that are often posed by young
161 adults and teenagers leaving campus un-supervised or without permission. He stated that
162 Oakley City does not have a municipal public safety department.

163
164 **James Norton, Management Newport Academy**, reviewed the overall Newport security
165 plan, including a robust screening process of patients, individualized care teams, low faculty
166 to patient ratios, strategic surveillance, and a consistent review processes for measures to
167 improve security and safety of patients, caregivers, and the local community.

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169 **Councilmember Wilmoth** stated concern regarding the faculty patient ratio for night-time
170 hours.

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172 **Mr. Norton** stated that it can go as high as 1:6 at night however, this is largely due to the
173 availability of continuous observation, alerts on doors for movement, and video
174 surveillance.

175
176 **Councilmember Wilmoth** asked about the employment opportunities and whether the
177 Academy will be importing individuals from outside of the area to fill staffing needs.

178
179 **Mr. Norton** stated that they have been careful to operate in areas that can absorb and
180 sustain an employment supply of professionals. They are comfortable with the proximity of
181 resources located within a 60-mile radius.

182
183 **Councilmember Frazier** asked for the average length of stay for a patient.

184
185 **Mr. Procopio** stated that Newport Academy is not a long-term program and the average
186 length of stay in 2020 was 49 days.

187
188 **Councilmember Frazier** asked if the Academy would consider employee housing as there is
189 a current housing shortage in Summit and Salt Lake Counties.

190
191 **Mr. Procopio** stated that this was an item they would consider if there was a material need.

192
193 **Councilmember Neff** asked about the geographic demographic from which the Academy
194 expects to draw patients.

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196 **Mr. Procopio** stated that, based upon experience in their other markets, that majority of
197 patients will come from a 3-hour radius of the facility. However, they would not turn away a
198 patient from outside the local demographic if a bed is available.

199
200 General statements of favorability were offered by **Councilmembers Wilmoth and Neff**
201 during the discussion. **Mayor Woolstenhulme** thanked the management team from

202 Newport Academy and reminded Councilmembers and the public that the Public Hearing for
203 the conditional use permit would be in front of Planning Commission next Wednesday.
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206 **9. Financial Report of 2020 Audit – Ulrich & Associates, Heather Christopherson:**

207 **Heather Christopherson** introduced herself as the representative from Ulrich and Associates
208 who are the independent auditors of Oakley City. She informed Council that she is reporting on
209 the 2020 fiscal year and that completion of the audit was delayed this year due to Covid-19,
210 staffing changes, and delays in getting information from Pelorus. Ms. Christopherson reviewed
211 the financial statements and the findings with the Mayor and Council. She stated that the city
212 has been affected by the multiple turn-over in staff. Most of the findings are repeat findings but
213 are easily remedied. Repeat findings that were reviewed and discussed were: Training regarding
214 the Open and Public Meetings needs to be done annually and documented. Public meetings and
215 accompanying agendas and minutes need to be posted within the state requirements. Financial
216 reporting and budgeting reports should be done in Council meeting at least quarterly. **Ms.**
217 **Christopherson** summarized by stating that the recommendation letter is for management to
218 assist with remedying findings.
219

220 **10. Water Discussion**

221 **Recorder Rydalch** reported that Water Operator Hansen asked her to communicate with
222 Council his concern over water supply for this summer's watering season. He wants to ensure
223 that Council understands that the water that is to be saved from not watering the Recreation
224 Complex with culinary water is enough to allow for approximately 7-10 new homes. He is
225 concerned about needing to implement water conservation measures, including a conservation
226 rate structure for the Maple Ridge area, or imposing another development moratorium.

227 **Recorder Rydalch** suggested a subcommittee be formed to focus on a full water conservation
228 plan, including adoption of a moratorium on outside water features, proposed new rate
229 structures, community outreach regarding the City's water supply, conservation measures, and
230 future projects that the city will be undertaking to improve the water situation.

231
232 General discussion of the priority of projects discussed with Aqua Engineering.
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234 **Councilmember Wilmoth** voiced concern over consideration of another moratorium. He
235 prefers to push forward aggressively with water conservation and sourcing issues.
236

237 General sentiments expressed in favor of public engagement and communication and adoption
238 of a moratorium on water features. A draft will be prepared for the next council meeting.
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240 **Councilmember Wilmoth** expressed that these water features should require a building permit.
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242 **Mayor Woolstenhulme** stated that he would like to meet with **Councilmember Kimber** and
243 **Recorder Rydalch** to review possible water rate scenarios and then propose to Council.

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Recorder Rydalch gave an update on the South Bench Ditch agreement and the additional revision of terms requested by the Ditch Co. including discussion surrounding the increase in the annual delivery charge, the pro-rated refund of the delivery charge if delivery of water was inhibited or prevented, and the guaranty of delivery of City water.

11. Regular Business


- a. **Review of City Council & Mayor Assignments**
- b. **Councilmember Reports/Items**
- c. **Approval of the Payables 2-22-2021 thru 3-9-2021**

Councilmember Frazier made a motion to approve the payables 2-22-2021 thru 3-9-2021.

Councilmember Smart seconded the motion. All voted in favor. **Payables approved.**

Councilmember Neff made a motion to adjourn.

Approval is to form this 14 day of April, 2021



Wade Woolstenhulme, Mayor



Amy Rydalch, City Recorder