



MINUTES
Oakley City Council
Work Session 7:00 PM

August 17, 2022
Zoom Meeting Platform
Meeting ID 820 258 4629
Passcode 777869

Anchor Location: 960 West Center Street, Oakley UT

In Attendance:

City Administration: Mayor Zane Woolstenhulme, Councilmembers: Joe Frazier, Kelly Kimber, Dave Neff, Steve Wilmoth, Tom Smart. Planning Commissioner Lane Livingston.

City Staff: City Recorder, Amy Rydalch; Public Works Director, Kendell Staples;

Others in Attendance: Nick Graue, Project Engineer for Aqua Engineering

Members of the Public: Kelly Edwards, Dallas Thacker (Oakley Residents)

1. **Mayor Woolstenhulme** Opened the meeting. **Councilmember Neff** led the Pledge of Allegiance. **Councilmember Frazier** offered the invocation.

Mayor's Report:

- Interlocal Agreement with Summit County for Emergency Manager – Kathryn McMullin - to be placed on consent calendar for 8/24/2022
- Recognize the formal appointment of Wade Woolstenhulme as the Rodeo Committee Chair, with **Councilmembers Dave Neff and Steve Wilmoth** as the City Councilmember representatives. **Councilmember Wilmoth** will serve as a voting member of the Rodeo Committee.
- Pickleball Courts- Renner Sports still having trouble getting concrete. Two projects ahead of Oakley City. Estimate for concrete pour is mid-September.
- Food Pantry – Grand Opening on Wednesday August 24th at 6:00 PM. Would like to have Councilmembers in attendance.

- Reminder of two public hearings- Utah Taxpayers Association should be in attendance and indicated that they will speak in favor of the proposed property tax increase. As a formality there will be a hearing regarding the sale of City Property. Mayor stated that there is no intention of selling city center property without an approved development agreement in hand. The hearing is a formality and fulfills a legal requirement to allow the City Council to consider the disposal of property.

General Discussion regarding communication and procedure for the Public Hearings.

2. Proposed Extension of Farmers Market Dates:

Mayor Woolstenhulme summarized Mr. David Diehl's request to continue the Oakley Farmer's Market into the Fall and maybe indoors in the winter. Mr. Diehl is asking for two Saturdays in September and potentially the use of a City facility for an indoor market in the Winter. They've been very pleased with the turn-out. Some discussion of regarding winter market possibilities and the scheduling around rentals at the Red Barn and Cattlemen's Hall. **Councilmember Kimber** stated that he had reached out to Larry Devey of Ken's Kash for his perspective on the Farmer's Market but had yet to hear back from him. **Councilmember Kimber**, based on his observations, expects to hear that it has been good for business for Kens Kash. **Councilmember Smart** suggested that the food trucks that have been coming on Friday evenings may do better if they were there on Saturday's during the Farmer's Market instead of the night before. **Councilmember Wilmoth** stated that the feedback he has received has been positive. **Councilmembers Frazier and Neff** also commented favorably. **Councilmember Frazier** suggested that they try to avoid the first Saturday in September to avoid conflict with Francis Frontier Days. Consensus to move forward on 2nd and 4th Saturday dates for September.

3. Aqua Engineering Update, Nick Graue – Project Engineer

Nick Graue updated Council on the status of the Well Project. He spoke to the requirements that have been met to qualify for the USDA financing, i.e., the environmental protection study, approval from indigenous tribes, and the drafting of interim financing documents. He expects to go to bid within the next few weeks. As with all federal monies, there are several layers of approval that are required that slow the process down some. He reported that the City is locked in at a rate of 2.5% which is very favorable based on current market conditions. Bidding documents for drilling companies are ready for publication as soon as USDA gives the approval. Anticipates this approval within the next week or two. Once approval is received Aqua plans to advertise the RFP for 3-4 weeks. Concurrently, they will reach out to their contacts to invite vetted drilling companies to bid the project. **Mr. Graue** spoke to the technically challenging logistics due to the site of the new well i.e., drilling tanks, limited access, existing structures etc.

Councilmember Neff asked about how to attract drilling companies – can it be more regional to attract more interest? **Mr. Graue** spoke to the bid software that does allow a request for bids to

82 expand to incorporate a larger regional area. That is the intention, as well as to leverage their
83 contacts as well as those of Loughlin & Associates to bring in more competitive bids.

84
85 General discussion regarding the construction that happens post-drilling. This will be managed
86 as a separate bidding package occurring after the successful drilling of the well.

87
88 **Councilmember Kimber** asked about the chlorination and whether the new well would have to
89 be chlorinated. **Mr. Graue** stated that Oakley City has very good source water and does not
90 have to chlorinate at the source. However, the State is requiring the city to maintain a very
91 small level of chlorination of our residual water (storage in the tanks and lines). The chlorination
92 that is required is to treat any contamination that occurs in the city's water piping etc. He
93 clarified that we will be chlorinating at the site – meaning that the water from the springs and
94 the new well will be run through the chlorination system at the Cottonwood site before it goes
95 into the storage tank. Discussion that the City will be changing to gas chlorination which is
96 considered a better product due to smell, taste, storage, and administration.

97
98 **Councilmember Frazier** asked about the drilling time. **Mr. Graue**, with input from **Mr. Lindon**
99 from Loughlin & Associates, indicated that drilling would be around the clock and at least six
100 weeks or longer. Discussion regarding noise levels from generators and pressure release.
101 Specifications regarding 16" casing and intention to oversize the well and undersize the pump so
102 that when future growth arrives the pump should easily be replaced with one of a larger
103 pumping capacity. General discussion of anticipated yield and the experience and reliability of
104 Loughlin & Associates predictions. Anticipates enough yield to create redundancy in case of
105 failure of the Humbug Well etc. One anticipated benefit of the anticipated redundancy is the
106 ability to allow for repairs to the Humbug Well shaft. Councilmembers expressed appreciation
107 for the communication from Aqua.

108 109 110 **4. PUBLIC SAFETY DISCUSSION**

111 **Mayor Woolstenhulme** reminded the council of previous discussions regarding utilizing
112 captured revenue from the proposed property tax increase to fund a public safety officer
113 presence in the City. He pointed to a contract provided by the Summit County Sheriff Justin
114 Martinez regarding event pricing for a deputy. The Mayor indicated he wanted to get
115 clarification from the Sheriff regarding the hourly rate but wanted to get a general feeling from
116 the Council of their interest in pledging funds toward a public safety officer for Oakley City.

117
118 Poll amongst Councilmembers was very favorable and there is a unanimous desire to pursue this
119 option. The Mayor will look into combining our fee for public safety services during the rodeo
120 with a monthly contract with the county. Council would also like the Mayor to look into
121 whether there is a possibility of sharing in the revenue from traffic citations.

122
123

124 **5. WEBER RIVER ALTERATION**

125 **Councilmember Smart** summarized the City's recent successful efforts to secure a stream
126 alteration permit for the Weber River near the City's River Bend Conservation area.

127 **Councilmember Smart and Matt Lindon** from Loughlin Water Associates presented slides to the
128 Council depicting the affected area and renderings of the proposed alteration project (the
129 proposed redirection of the path of the river etc.) **Kelly Edwards**, neighboring property owner
130 and community member, commented regarding the flooding history after the private party
131 alteration of the area several years ago by a previous landowner. **Councilmember Smart** stated
132 that he believes this re-alteration is important to ensure public access to the River. He pointed
133 to the original path of the river pre-alteration in the early 2000's and how it followed the River
134 Bend conservation area. **Mr. Lindon** discussed the flood control benefits both upstream and
135 downstream of the proposed re-alteration of the River. Discussed putting the river back in the
136 natural channel and how best to accomplish this. The State Engineer wanted to make sure both
137 channels were respected, particularly for flood mitigation. **Mr. Lindon** showed renderings of the
138 dike/dam with material that allowed for some flow through to Edwards property, particularly
139 during high water. The proposed dam, while allowing for some flow to the Edwards channel, will
140 move a considerable amount of the river water back to the pre-alteration channel along the
141 River Bend area. He stated that the proposed meander stabilizes the river upstream and
142 downstream regarding potential flooding.

143
144 **Mr. Edwards** addressed the Council regarding existing stream frontage and made an argument
145 to leave the river unaltered. Stating that leaving the River unaltered still leaves the City with
146 considerable river frontage.

147
148 **Councilmember Smart** pointed out that this project will also clean the River Bend area up
149 considerably by removing the dead trees and wood that are currently encumbering the river and
150 property in this location.

151
152 **Councilmember Smart** asked the Council to move forward with the project and appropriate
153 \$4,000 to fund Loughlin Water and Associates time and labor to manage the project. Funding
154 for the remainder of the project is expected to be obtained through various grant programs or
155 State agencies. **Councilmember Neff seconded the motion.**

156
157 **Councilmember Discussion:**

158 **Councilmember Neff** expressed concern for private property owners and their access to the
159 water but stated that the option that has been proposed tonight considers both the public
160 access as well as still allowing river frontage/access for the private property owners in the area.
161 Feels like this is a good compromise with the two channels receiving water and minimal financial
162 investment from the City.

163

164 **Councilmember Frazier** stated that he is on board with the proposal if the City can acquire
165 grants to pay for the project. If the City is unsuccessful in obtaining outside funding, then the
166 project should not be done.

167
168 **Councilmember Wilmoth** is not in favor of the project but is appreciative of the efforts of the
169 individuals involved to look at this area. He believes the river meander should stay as is. He is
170 concerned that the alteration would not necessarily prevent flooding of this area during high
171 water. He believes the River is in its natural course and does not require interference or
172 alteration.

173
174 **Councilmember Neff** stated that the river had been altered from its natural path by a private
175 property owner and that the aerial photographs show strong evidence of the river having been
176 altered by this owner from its natural course.

177
178 **Councilmember Wilmoth** believes the City has higher priority areas that require City funding.

179
180 **Councilmember Smart** reiterated that he is asking for \$4,000 for project management from the
181 City. The residual funding for the project will come from grant/partnership monies.

182
183 **Councilmember Kimber** stated that his understanding, based on the presentation, is that if the
184 City doesn't act there will be problems of erosion and bank stability further upstream. Feels like
185 there is a need to control and mitigate future problems but agrees with **Councilmember Frazier**
186 and would like to minimize the City's obligation for funding.

187
188 **Mayor Woolstenhulme** restated the motion and called for a vote:

189 **Councilmembers Smart, Kimber, Neff, and Frazier** voted Aye

190 **Councilmember Wilmoth** voted nay

191 **Motion Passes 4-1**

192

193

194 **6. Bolt Ranch Apparel Contract Amendments**

195 **City Recorder Rydalch** summarized the current contract with Bolt Ranch for Oakley City apparel.
196 The current contract was arranged in conjunction with their Oakley Rodeo sponsorship. The
197 terms that apply to the apparel sales are an agreement to sell Oakley City apparel at the rodeo
198 for a 25/75% net revenue share with the City (City share is 75%). Bolt Ranch handled all sales
199 and is responsible for the sales tax payment to the state. At the conclusion of the rodeo, Bolt
200 Ranch was to purchase up to \$10,000 of our residual product at cost to sell throughout the year
201 in their store or at next years rodeo.

202

203 Bolt Ranch is proposing that in place of purchasing the residual product, they will collect residual
204 apparel and sell it throughout the year on an on-going basis, paying the city quarterly under the
205 same revenue sharing arrangement. In addition, they will continue to be responsible for the

206 sales tax collection and payment. On a quarterly basis they will provide the city with sales
207 reports and payment for merchandise sold during the quarter.

208
209 **Recorder Rydalch** believes this proposal is beneficial to the City. If Bolt purchases the residual
210 product from the City as specified in the original contract, they are not required to sell Oakley
211 product throughout the year. They can retain the Oakley product and reintroduce it next year at
212 the rodeo thus creating a situation where the City is competing against its own product and not
213 benefitting from all the Oakley product sales. Additionally, there is a significant amount of
214 residual apparel over and above the product to be purchased by Bolt, that staff needs to
215 determine how to market and sell. The proposed ongoing relationship with Bolt shifts that
216 burden to Bolt Ranch as opposed to City staff. As this is the City's maiden voyage into
217 merchandising and it is clear with sizing and product design, the City could benefit from an on-
218 going relationship with Bolt Ranch in assessing, designing, producing, and marketing product.
219 All areas where the city lacks some skill and experience. **Staff Recommendation** is in favor of
220 amending the apparel agreement with the proposed changes suggested by Bolt Ranch.

221
222 **Recorder Rydalch** reported the gross sales of product from the 2022 Rodeo including staff and
223 sponsorship product. Reviewed total and outstanding cost of the apparel product.

224
225 **Councilmember Wilmoth** asked for clarification, on the amount that Bolt Ranch was to purchase
226 at the end of the rodeo. He understood that it was to be all residual product. He does believe
227 that Bolt is a good partner and is in favor of amending the contract and moving forward with
228 them. He feels that we should sweeten the pot for Bolt and give them a 40% share because of
229 the increased services that they will provide the city.

230
231 **Councilmember Kimber** expressed concern that if the contract is amended it shuts the door on
232 the city with using other wholesale providers or online sales. **Recorder Rydalch** clarified that
233 Bolt Ranch is agreeable to using other wholesale providers.

234
235 **Councilmember Neff** expressed that this was an experimental year and is generally in favor of
236 an ongoing relationship with Bolt.

237
238 **Councilmember Frazier** wants to ensure that this contract is non-binding and does not lock the
239 city into an exclusive long-term relationship. **Recorder Rydalch** discussed that we can formalize
240 whatever terms the city finds to be most favorable in a proposed contract.

241
242 **Mayor Woolstenhulme** stated that he does not want City staff to be manning a store front or
243 online sales and is very content with the proposed changes and would like to structure it so it
244 can be reviewed on an annual basis.

245

246 **Councilmember Smart** indicated that he thought the rodeo sponsorship contract was a three-
247 year contract and that whatever arrangement was worked out regarding the apparel should
248 probably mirror the time frame of that rodeo contract.

249
250 **Mayor Woolstenhulme** asked to table this conversation until a contract could be prepared and
251 added to the consent calendar.

252
253

254 **7. Building/Facility Rental Moratorium Discussion**

255 **Mayor Woolstenhulme** addressed the Council with his reasoning behind issuing the Mayoral
256 order regarding the moratorium on facility rentals in July of 2022. Rentals at the Red Barn and
257 Cattlemen's Hall are restricted to no rentals after 6:00 PM to anyone that is not a resident of
258 Oakley City. Exceptions to this policy are for weddings and business/organization rentals.

259 **Recorder Rydalch** has prepared some information for the Council to review and consider for
260 purposes of discussion. The Mayor stated that there are no intentions of changing the order any
261 time soon.

262

263 **Recorder Rydalch** presented the rental policy pre-mayoral order and possible staff
264 recommendations for changes to the pre-order rental policy to address some of the problems
265 that led to the issuance of the order. A four-year revenue and general expenditure report for the
266 rental facilities was also presented. The proposed changes included:

- 267 ● Increase Fees/security deposits for non-residents (significantly)
- 268 ● Cattlemen's Hall – because of proximity to residential properties
 - 269 ○ Do not rent – take off the calendar or
 - 270 ○ Rent to Locals only or for specific type of events
 - 271 ○ Restrict to no music after 8:00 PM
- 272 ● No Alcohol – or must have Private Security
- 273 ● Increase Security Deposit and Collect at time of Reservation - \$1,000
- 274 ● Retain Services of Professional Cleaners -Require for groups of a certain number

275

276 **Councilmember Smart** likes the idea of locals, including Kamas Valley residents, and
277 business/organizations still having access for rentals of the facilities. Believes there should be an
278 allowance for music but have a time limit. Lose deposit of heard after a certain time – maybe
279 link it to a decibel level. Red Barn should be open to everyone because of RAP tax money.

280

281 **Councilmember Kimber** expressed disappointment with executive order and would've preferred
282 to have had this conversation prior to the issuance of the order. He views the rentals as a nice
283 source of revenue for the city and believes we can control the behavior based on pricing. Is
284 concerned about the competition once Kamas' building comes online. Would like to find a
285 solution and keep the facilities open to rentals.

286

287 **Councilmember Neff** expressed agreement with Councilmember Kimber's thoughts. He feels
288 that with reasonable changes, the issues that led to the order, can be resolved. Believes that
289 music should be allowed as it impacts weddings and weddings are an important part of the Red
290 Barn rentals. He expressed openness to more restrictions on Cattlemen's Hall. Likes raising fees
291 and the mandatory cleaning fee.

292
293 **Councilmember Frazier** expressed agreement with several of the staff recommendations. He is
294 in favor of the Cattlemen's Hall recommendations, would like to see Kamas Valley Residents
295 having access to rent facilities, believes Cattlemen could still have music if done by 8-9:00.
296 Believes the City should not allow alcohol. He is in favor of raising the deposit and has no issue
297 with out of valley using Cattlemen's Hall during the day. He feels the Red Barn is different, has
298 not received any complaints regarding Red Barn and believes it should be open to full rentals.

299
300 **Councilmember Wilmoth** believes that raising fees will not have the desired impact as he
301 believes groups will pool funds to meet the increased fees and deposit. He is in favor of
302 Cattlemen's Hall being reserved for locals only and for day use. He is concerned about allowing
303 the same type of activities that have been booking Cattlemen's Hall into the Red Barn.
304 Expressed that the facilities are not being respected by the patrons and does not want to see
305 further destruction or abuse of the City's facilities.

306
307 **Mayor Woolstenhulme** asked for input from members of the public in attendance that are
308 affected by the recent problems with rentals of city facilities in the area.

309
310 **Tom Schulz, Oakley City Resident,** believes the problem is the lack of an enforcement officer to
311 handle the time restrictions etc. Does not have a problem with the music before 10:00. Likes
312 many of the proposed changes. The amplification and base are the problem. Residents do need
313 to realize that we are in the City Center area where there will be commercial development that
314 will bring in different ambient noise, but there needs to be better management and
315 enforcement of rental policies.

316
317 **Lane Livingston** stated that it seems like the Council is referring to a specific type of event that
318 are causing most of the issues with the building rentals. He's very familiar with the cultural
319 customs related to these events and believes that these can be managed. Suggested
320 contracting with private security for these types of events. Stated that raising the security
321 deposit and fees significantly will reduce many of the issues. He spoke to the cultural
322 importance of these events.

323
324 **Dallas Thacker** suggested the police officer retained by the City could incorporate event security
325 as part of their duties.

326
327 **Mayor Woolstenhulme** addressed the Council by stating that he fails to see how making these
328 facilities available to all fits the City's mission. He understands it generates revenue, but he is

329 not convinced that is enough of a justification to continue making our facilities available at large.
330 He cited the workload for staff to manage the rentals from beginning to end and for the impact
331 he is not certain that the net financial result is worth the investment. He does not see how the
332 rentals serve the purposes of local government, public health & safety, infrastructure, and a
333 sense of community. He is in favor of residents having access to the facilities and does not want
334 to see an increase in fees for residents. He proposes to take Council's comments under
335 advisement and come up with a formal proposal for Council to consider. In the meantime, the
336 current order will remain in place.

337

338 **Current Rental Policy:**

339 ***No non-resident rentals after 6:00 PM. Weddings may proceed. No music at Cattlemen's Hall***
340 ***after 6:00 PM. Businesses and Organizations are allowed. No restrictions are in place for***
341 ***resident rentals – music falls under the former rental policy parameters 10:00 PM.***

342

343 **Mayor Woolstenhulme** summarized his experience of renting Cattlemen's Hall for a family
344 reunion this summer and the state of the facility upon their arrival to set up for their event. The
345 refuse, vomit, and lack of cleanliness was the impetus to the executive order which after
346 verifying with city legal counsel he is allowed to issue.

347

348 **Councilmember Wilmoth** stated that he looks at the revenue figures for the last five years and
349 is pleased and commends the City staff for the improvement. The fees, policies, and efforts of
350 staff and Council have played into the success of the rental facilities, and he believes that
351 Council needs to "tweak" current policy to make it work.

352

353 **Mayor Woolstenhulme** would like to have a noise ordinance in place before the Council revisits
354 the policy on rentals. A proposal and draft of noise ordinance will be forthcoming.

355

356

357 **8. Meeting was Adjourned.**

358

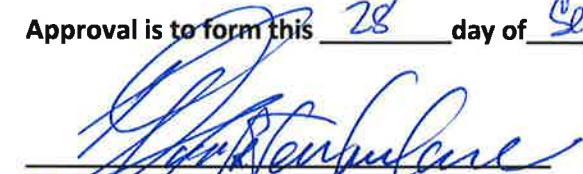
359 Approval is to form this 28 day of September, 2022

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361

362

363



Zane Woolstenhulme, Mayor



Amy Rydalch, City Recorder