



MINUTES

November 9, 2022

**Oakley City Council
Regular Session 7:00 PM
Oakley City Hall**

**Zoom Meeting Platform
Meeting ID 820 258 4629
Passcode 777869**

Anchor Location: 960 West Center Street, Oakley UT 84055

In Attendance:

City Administration: Mayor Zane Woolstenhulme, Councilmembers: Joe Frazier, Kelly Kimber, Dave Neff, Steve Wilmoth; Councilmember Tom Smart (Absent)

City Staff: City Recorder, Amy Rydalch; Water Operator, Dallas Hansen

Others in Attendance: Bob Allen, Mountainland Association of Governments, Justin Martinez, Summit County Sheriff; Carl Miller, Summit County; Adam Brown, member of the public.

1. **Mayor Woolstenhulme** Opened the meeting. **Councilmember Wilmoth** led the Pledge of Allegiance. **Councilmember Neff** offered the invocation.
2. **Approval of the Consent Calendar.**
 - a. City Council Minutes 10/26/2022 and 9/22/2021
 - b. Rodeo Contract: Specialty Act
 - c. Ulrich & Associates – Letter of Engagement (Auditor)

Councilmember Wilmoth motioned to approve the consent calendar. **Councilmember Kimber** seconded the motion. Motion Carried. Consent Calendar Items Approved.

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3. SUMMIT COUNTY SHERIFF, Oakley Enforcement Plan – Officer Tim Berger & Sheriff Justin Martinez

Mayor Woolstenhulme summarized for the Counsel a recent meeting with Sheriff Martinez, Officer Berger, City Recorder Rydalch, and himself where possible terms were discussed regarding the City’s desire to retain a public safety presence within Oakley City.

Sheriff Martinez addressed the Council in support of their efforts to have a more visible public safety presence in Oakley. He has inferred from conversations with the Mayor, that the desire is to have assistance with speed patrol, event presence, and crime deterrence. He believes in these efforts of overall presence in a community and particularly in enforcement education. He cautioned that communities often ask for this type of presence and that once it commences the same community members often become frustrated with the effects of the presence. He feels that an enforcement education approach tends to work better.

Officer Berger presented the Council with a schedule consisting of a three-hour shift during the week, placed sporadically as to day, time, and location and a second shift scheduled for six hours on Saturdays. Shifts have already been picked up through December. (Oakley shifts are posted as optional overtime shifts for off-duty officers.)

General discussion regarding cost of \$78/hour that covers wage, benefit, insurance, risk and waives the equipment charge (vehicle). An activity report will accompany the monthly invoicing for the City’s review.

Councilmember Kimber asked Council if as a body the speed limit of 25 mph should be reconsidered. **General Discussion** regarding the recent speed limit signage change and consensus to leave the 25 mph in place for now.

Further discussion as to citations and the allocation of funds received from this source. All funds go to the state for the court system. The Summit County Sheriff’s office does not retain any of the funds received through the issuance of citations.

4. Presentation: Mountainlands Association of Governments- Interlocal Agreement for a Wasatch Back Rural Planning Organization. Presented by Karl Miller and Bob Allen

Mr. Allen introduced himself to the Council and discussed the program and how it originated through COG and the County Council. He presented the desire for a formalized process for communities along the Wasatch back, primarily Wasatch County and Summit County, to aid one another in their transportation planning issues. Because so many of these communities are connected by the same roads and are experiencing similar growth patterns it is believed that coherency in management of this growth is best done when these communities are working

84 together to meet those goals. The formation of this interlocal group also allows communities to
85 benefit from professional services that alone a community may not have access to. This regional
86 planning also allows for MAG to advocate for specific projects at a State and Federal level and
87 for these projects to receive more consideration because of the interconnectivity of the
88 communities. They are asking for Oakley's participation in this community group. This allows
89 Oakley a voting seat and participation in planning that affects Oakley City. Membership costs are
90 covered by the annual fee for MAG. The County Council is encouraging Summit County
91 communities to participate.

92
93 General discussion as to frequency of meetings and representation.

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95 **Councilmember Frazier** motioned to execute the Interlocal Agreement for the Wasatch Back
96 Rural Planning Organization as presented. **Councilmember Kimber** seconded the motion.
97 **Motion was unanimous. Agreement Approved.**

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99 **5. Noise Ordinance Discussion**

100 **Mayor Woolstenhulme** summarized the progress of the council from previous discussion. The
101 City Attorney has taken the input from Council and revised the draft ordinance for their review.

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103 **Recorder Rydalch** reported on the additions of the weekend hours to be extended, language
104 related to the "right to farm," and language that relates to the County ordinance for animal
105 related noise. This passes the burden of enforcement of this part of the ordinance on to the
106 County. The County has a rigorous process to address animals, i.e., bark logs and other
107 documentation requirements. The City Attorney is also recommending that prior to adoption
108 the City get decibel measuring equipment and attain baseline ambient noise readings.

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110 **Councilmember Kimber** stated that before adoption Council needs to decide how this is going
111 to be enforced and who will be charged with that responsibility. He asked if there was a way to
112 employ technology and have remote readings to monitor sound levels.

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114 **Discussion** that the reading to base the possible violation is at the point of receiving the sound
115 and not the point of origination. Additional discussion on weekend hours and whether 10:00 PM
116 is too late, realistic, or needs to be adjusted for summer vs. winter hours. More concern
117 expressed about the enforcement and how to implement.

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119 **Mayor Woolstenhulme** suggested that the City ask the contracted police officer to keep an eye
120 on the event. Council has previously discussed having the rental patron pay for additional
121 security, council could consider having the rental patron pay for the additional presence of the
122 public safety officer for their event. This satisfies security and possible enforcement of the noise
123 ordinance if needed.

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126 **Recorder Rydalch** for purposes of the discussion, drew council’s attention to the exceptions
127 noted in the draft ordinance, specifically the exception of city approved events.

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129 **Discussion** around the definition and distinction of “city approved” vs. “city sponsored” and how
130 to allow for exceptions such as the High School Rodeo, but still restrict other private events.

131 **Recorder Rydalch** to get City Attorney to assist with appropriate language.

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133 **Councilmember Wilmoth** asked about repetitive noise that is not above a certain decibel level
134 but is still problematic. i.e., amplified bass.

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136 ***Council tabled item for further revision and discussion before approved for second reading.***

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139 **6. Disposal of City Property Ordinance – Discussion and 1st Reading**

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141 **Mayor Woolstenhulme** prefaced the discussion by stating the ordinance currently in place has
142 language that is more in line with selling personal property i.e., a truck more than if the City
143 were interested in selling real property. Something that the City has probably never done
144 before. He asked the City Attorney to draft an ordinance that meets the requirements of State
145 law but does not overcomplicate things for the City. The current draft allows the City the
146 flexibility to consider a proposal and make a decision that the council believes is in the best
147 interest of the City.

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149 **Councilmember Neff** asked when the Planning Commission becomes involved in the sale of real
150 property to which the **Mayor** responded that the disposal of City Property is not a Planning
151 Commission decision but that if the Council would like their recommendation it could be sought
152 at any time in the process.

153

154 **Recorder Rydalch** stated that the Planning Commission does become involved when the City
155 considers the sale of property in the mixed-use zone as this zone requires an approved master
156 plan development agreement that goes through planning commission.

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158 **Discussion** regarding when this is triggered, the absence of soliciting bids and hence
159 competition, and whether this solicitation of bids ties the city’s hands and allows for best value.

160 **Additional discussion** regarding checks and balances and whether this new language is
161 sufficient; how property is determined to be of “significant value;” land use regulations that
162 establish development rights; the process for development within the mixed-use zone; public
163 hearing requirements.

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165 **Councilmember Neff** asked if it made sense to have a member of the community that has
166 significant commercial real estate experience to review the draft of this ordinance for further
167 suggestions.

168 **Mayor Woolstenhulme** suggested that the City Attorney be invited to attend a Council meeting
169 to review this first reading to help with any questions and implications of the language. The
170 Mayor stated that he would like our city ordinance to be no more restrictive than current state
171 law. The current city ordinance is much tighter than state regulations.

172
173 **Discussion** regarding how this ordinance works if the City is in receipt of a proposal, posts
174 regarding the possible sale, and then receives an additional proposal from another party – the
175 **Mayor** re-stated that the city will not sell anything until a party brings us an approved
176 development agreement that has been through Planning Commission. **Additional discussion** by
177 Council that the proposed language does allow for a sale without an approved development
178 agreement and whether this is problematic. Discussion that flexibility is good when the sale of
179 property is conducted because the City needs to raise money. A development agreement does
180 not necessarily need to be required or is relevant in all situations (using the example of City
181 property located near the Humbug well and Public Works building – not zoned mixed use).
182 Discussion that Council wants to be able to entertain multiple offers should the situation
183 present.

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185 **Councilmember Wilmoth** made a motion to approve the Draft Ordinance for the Disposal of City
186 Property for a first reading. **Councilmember Frazier** seconded the motion. **Motion was unanimous.**
187 **First Reading Approved. Second Reading scheduled for December meeting and public hearing for the**
188 **work session in January.**

189 **7. Mayor's Report**

- 191 a. **Well Financing Update:** A couple of issues have presented that require a revision to the
192 schedule. Bids for the drilling contract will be opened on November 16th. The contract
193 will not be awarded until a later date. In the pre-bid meeting, it was brought to the
194 City's attention that the budgeted project scope for drilling services was 18 months old
195 and probably not a realistic figure. The budget is for \$1.5 million. The contractors in the
196 pre-bid meeting implied that it could be double those initial estimates. This poses a
197 problem for not only the USDA final financing amount but also for the City's interim
198 financing as this could increase the amount of financing required beyond what has been
199 approved. USDA has indicated that they will work with the City if we need to revise our
200 financing amount. We are working through the interim financing issues with our
201 Financial Advisor, Lewis Young. City has decided to postpone the parameters resolution
202 and public hearing until there is a better understanding of how much the City will need
203 to finance. The City will know upon receipt and opening of bids next week.

204 **Discussion** that Councilmembers are welcome at bid opening but need to let Recorder
205 know for noticing of possible quorum. Aqua will qualify/vet the bids and then make a
206 recommendation to Council. Discussion as to timing of awarding contract etc. Hopeful
207 to award in the December 14th meeting.

208 **b. Public Works Report:** Referred Council to Public Works director Staples report in their
209 meeting materials for a report of status and progress on public works projects.
210 **Operator Hansen** addressed Council with the Utilities report. He has been working on a
211 few random census and problem meters. The leaking valve on Millrace is scheduled for
212 repair next week. Areas affected by the repair will be Millrace, River Road, SR 32, Cow
213 Alley and possibly Steven’s Lane. Sewer Plant is still having some SCADA issues. Hoping
214 to have that resolved in the next few weeks with an update/upgrade to the SCADA
215 system. Water usage has been very good and required storage levels have been
216 maintained. **Operator Hansen** discussed the plans for getting the city owned locations
217 all metered as required by the USDA financing i.e., Red Barn, Arena, Softball Complex
218 etc. **Council** expressed appreciation for Operator Hansen.

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220 **c. Mayor Woolstenhulme** presented the Council with staff’s draft of the first Newsletter.
221 He discussed that this has been an item that has been considered for some time. Staff
222 has taken the initiative to produce an initial draft. They are proposing that for a first
223 distribution that it be sent to all property owners in Oakley City using the Summit
224 County Assessor’s record. Included in this newsletter will be instructions on how to
225 enroll for subsequent issues that will be sent digitally. Citizens will enroll by visiting the
226 City website and filling out a form for contact information and distribution. **Council** is in
227 support of the effort and asked staff to follow through with the recommendation and
228 send the first newsletter out and get it in the public’s hands.

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230 **8. Councilmember Reports**

231 **a. Christmas Appreciation Activity – Councilmember Frazier**
232 Reported that he had met with City staff to discuss the City Appreciation event for
233 December. Due to time constraints the following plan is being put forward:
234 • Christmas Card mailed to every resident
235 • Civic Club will do Reindeer Games
236 • City to provide donuts from Chevron – cost to do food trucks is too
237 expensive.
238 • Wagon rides and hot chocolate

239 The evening is scheduled for December 2nd beginning with Reindeer games at 3:30.

240 **Recorder Rydalch** reviewed the historical spending on appreciation activities. The
241 rodeo fund is no longer paying for the appreciation activities. Since 2018 it has been
242 coming from the general fund. **Discussion** regarding the possibility of getting the large
243 tree lit for the event and the sorry state of the tree in general. Reference to multiple
244 bids to get the tree professionally lit.

245 **Councilmember Frazer** made assignments for the Christmas Lighting Appreciation event

- 246 **Mayor Woolstenhulme – Wagon Ride Coordination**
- 247 **Councilmember Smart – Photo for Christmas Card**
- 248 **Councilmember Kimber & Neff – Donuts for Public**
- 249 **Councilmember Frazier – Publicity**
- 250 **City Staff – Santa and Santa Treats**

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252 **August 4th, 2023, Proposed date for City Appreciation Activity next year.**

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254 **b. Other Reports as Needed**

255 **Councilmember Kimber** asked about having a staff holiday party. General discussion of
256 past City Administrative holiday parties, appreciation for employees etc. It was decided
257 that there would be a City Council and City employee lunch date scheduled for a
258 Thursday in December.

259 **Councilmember Wilmoth & Neff** reported on the Rodeo Committee meeting. General
260 assignments were made for various rodeo committee members. Bids were opened for
261 Stock Contractors. Nothing has been awarded as of yet regarding the stock contract.

262 **Recorder Rydalch** asked for clarification from Council regarding the local's only portion
263 of ticket sales. It was decided that locals only would be available for a week before and
264 stagger staff work ours for availability later in the day and to accommodate phone sales
265 if possible.

266 **9. Meeting Adjourned**

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268 Approval is to form this 14 day of December, 2022

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Zane Woolstenhulme, Mayor


Amy Rydalch, City Recorder