



MINUTES

January 11, 2023

Oakley City Council
Regular Session 7:00 PM
Public Hearing
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, Tom Smart, Steve Wilmoth

City Staff: City Recorder, Amy Rydalch; Event Specialist, Karylyn Bliss; Public Works Director, Kendell Staples

Other City Administration: Planning Commissioners Richard Bliss and Cliff Goldthorpe.

Members of the Public: Pat Cone, Rob Jones, Jan Perkins, Lloyd Behunin, Margaret Olsen.

Mayor Woolstenhulme opened the meeting.

- Pledge of Allegiance: Councilmember Joe Frazier
- Invocation: Mayor Zane Woolstenhulme

1. PUBLIC COMMENT: MEMBERS OF THE PUBLIC MAY ADDRESS THE CITY COUNCIL. COMMENTS LIMITED TO 3 MINUTES.

No comments received.

2. APPROVAL OF THE CONSENT CALENDAR.

- a. City Business – Approval of the Minutes
- b. Ethics Statement

Councilmember Frazier motioned to approve the consent calendar. Councilmember Smart seconded the motion.
No Further Discussion.
All voted in favor. Consent Calendar Items were approved.

3. OPEN MEETINGS ACT TRAINING; Presented by Margaret Olsen, Summit County Attorney's Office.

Mayor Woolstenhulme introduced the state requirement for annual training for governing bodies, introduced Ms. Olsen and turned the time over to her for her training presentation.

Ms. Olsen introduced herself and her responsibilities with the County Attorney's Office and her role in the Open Meetings Act enforcement and training. She summarized the purpose of the Act and the obligations of open meetings. She touched on six items:

- 1- Notice
- 2- Location
- 3- Conduct
- 4- Emergencies
- 5- Record Keeping
- 6- Enforcement.

Various Councilmembers asked for clarification on when closed sessions are permissible, when roll call voting is required, quorum distinctions, and meeting formalities.

Ms. Olsen stated that she would make her presentation materials available to the Council for reference after the meeting.

4. PUBLIC HEARING: DISPOSAL OF CITY PROPERTY ORDINANCE 2023-01 (POSSIBLE ACTION)

Mayor Woolstenhulme summarized the City's progress on updating the City Ordinance for the Disposal of City Property. He discussed that the previous ordinance was more restrictive than what the state requires. City legal counsel has drafted new language that allows for flexibility and is aligned with the Utah State Code. As part of the alignment the City needs to define a significant parcel of property. He reminded the public that the language that is being proposed tonight was approved as a second reading by the Council at their last meeting. He then invited the public to comment on the proposed ordinance and opened the public hearing.

Patrick Cone, 4410 N Millrace Road: Asked for clarification on whether Council had approved the ordinance. Mayor Woolstenhulme stated that the language had been approved for a

84 second reading which is a draft and moved the document to the Public for their comment during
85 a public hearing. **Mr. Cone** is concerned that this is moving too quickly. He stated that a group of
86 concerned citizens have come together and have had an attorney draft alternative language for
87 the city ordinance. He is asking Council to defer their vote until a later session and have further
88 discussion with the public.

89
90 **Jan Perkins, 1190 West 4960 North:** asked the Council to pause and take some time to review
91 what Mr. Cone presented. She believes it is worth it to the community. She asked if disposing
92 of City property is in the public's best interest? The attorney that Mr. Cone has had reviewing
93 the recent City lease agreements believes the leases may have created an illegal separation. She
94 stated that the City only gets one chance to get the City Center right. She referenced the public
95 hearing in August and stated that people are not in favor of selling off city property. She asked
96 Council to go back and review minutes. She warned about gentrification and cutting out the
97 public voice. She believes selling off property now is premature. **Ms. Perkins** stated that the
98 Planning Commission was off to a great start soliciting public input and then it fizzled out. She is
99 concerned that the City does not have a design idea first and is concerned about being dictated
100 to by a developer.

101
102 **Mayor Woolstenhulme** responded by stating that there will be no sale of property until there is
103 a development agreement in place and that development agreement will entail the public
104 process that has been referred to by members of the public tonight.

105
106 **Pat Cone**, referred to the acreage and terms of the leases with the diner. He stated that a term
107 of 99 years is the equivalent of a sale. He also stated that the ground leased to the diner party is
108 not a lot of record.

109
110 **Mayor Woolstenhulme** clarified that it does not have to be a lot of record for a lease
111 agreement. The City is allowing partial use of a parcel.

112
113 Further discussion regarding encumbered property and how it is recognized and whether the
114 lease encumbers a property so as to imply change of ownership and subdivision. No consensus
115 was reached.

116
117 **Mayor Woolstenhulme closed the public hearing.**

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119 **Councilmember Smart** asked to have included in the record that **Pat Cone** stated in a public
120 meeting that **Councilmember Smart** had communicated that the sale of the property was a
121 "done deal." **Councilmember Smart** refutes the claim by Mr. Cone and stated that he never
122 made such a statement.

123
124 **Mayor Woolstenhulme** asked for Councilmembers thoughts on the ordinance.
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Councilmember Kimber stated that he was interested in looking at the information presented by Mr. Cone this evening and having more conversation.

Councilmember Kimber motioned to table the ordinance for further review. **Councilmember Smart** seconded the motion.

Further Discussion on the Motion:

Councilmember Neff indicated that he was not present for the last meeting when this was reviewed. He believes it is important that what is put in place is not only good for the near term but also for the long term under another city council and Mayor. He asked about the previous requirement in the older ordinance that bound the city to RFP's and asked for clarification that the new language does not require an RFP but allows the Council to decide whether to utilize an RFP if they so choose.

Mayor Woolstenhulme confirmed his understanding.

Councilmember Frazier stated that he would prefer to act on the ordinance this evening. The City is following State Law.

Councilmember Wilmoth would like to see the item tabled. He believes the proposed ordinance is too loose. He likes the idea of required RFP's and wants to do what is right for the future.

Further discussion amongst councilmembers providing hypothetical examples of how the older ordinance could be employed to be too restrictive or beneficial.

Mayor Woolstenhulme called for a vote on the motion on the table:

Councilmember Frazier	Nay
Councilmember Kimber	Aye
Councilmember Neff	Aye
Councilmember Smart	Aye
Councilmember Wilmoth	Aye

Motion Carries. Vote 4-1. Item Tabled until next meeting.

5. RESOLUTION 2023-01 PARAMETERS FOR OAKLEY CITY WATER/SEWER BOND ANTICIPATION NOTES AND SETTING DATE OF January 30, 2023 at 7:00 PM FOR A PUBLIC HEARING (POSSIBLE ACTION)

MAYOR WOOLSTENHULME introduced the Parameters Resolution and informed Council that the Resolution is part of the financing requirements through Zions Bank for the new well. The

Resolution lays out the basic terms of the new financing i.e., the upper limit and rate of the financing. The proposed ceiling issuance is \$4.3 million with an upper limit of 5% on the interest rate. The Parameters Resolution and issuance of debt requires a separate public hearing which will need to be set and scheduled by the City Council.

Mayor Woolstenhulme updated the Council on where things stand with the USDA and the need to apply for a cost overrun to account for the increased costs of drilling. The new parameters resolution includes room for cost overrun.

General discussion regarding the timing of the drilling and anticipated completion of the drilling process. Anticipate drilling complete this summer. Additional discussion about worst case scenario and USDA not coming through with financing for the project cost overrun. Capital reserves and sale of city property were mentioned as possibilities if USDA financing does not come through. Reminder that the second phase still needs to go bid and the costs are unknown. Discussion regarding the various professional fees such as legal, financial advisor, and engineering fees that are wrapped into the financing.

Councilmember Wilmoth made a motion to set the date for a public hearing on January 30, 2023, at 7:00 PM to receive public comment on Resolution 2023-01 Parameters for Oakley City Water/Sewer Bond Anticipation Notes. **Councilmember Neff** Seconded the motion. **All voted in Favor. Motion carried. Date for Public Hearing Set.**

6. MONSTER TRUCK EVENT – Lloyd Behunin

Mr. Behunin is from Grantsville, Utah. He purchased his first Maverick Monster truck five years ago and has been running monster truck events for the last couple of years. He would like to propose holding a Monster Truck event here at the Oakley Rodeo Complex. He presented the number of shows, region, social media following, and marketing plan to the Council.

Various council members and **Public Works Director Kendell Staples** asked questions regarding logistics i.e., getting vehicles into the arena, noise levels, impact on the arena blend, modifications to the arena etc.

Several Councilmembers voiced concern about the impact on Rodeo production or issues with the arena that could affect the annual PRCA rodeo.

Consensus of council that it was not compatible with the Council's vision for the City.

Various councilmembers thanked Mr. Behunin for his time.

The council took a five-minute recess.

210 **7. COMMITTEE & CITY ACTIVITY DISCUSSION** –rescheduled for a future meeting.

211
212 **8. MAYORS REPORT**

- 213 a. Staffing Changes – Karylyn is now the rodeo secretary and large event coordinator. Cut
214 her hours and hired Britta Herbert to be the administrative assistant/reservation
215 specialist.
- 216 b. Planning Commission opening. Commissioner Livingston has resigned. The opening has
217 been noticed and will need to schedule interviews with members of Council shortly.
218 Anticipate having a recommendation for the vacancy by end of February.
- 219 c. Summit County dispatch report – appears to be going well.
- 220 d. Public Comment as permanent part of the agenda.

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222 **9. COUNCILMEMBER REPORTS:**

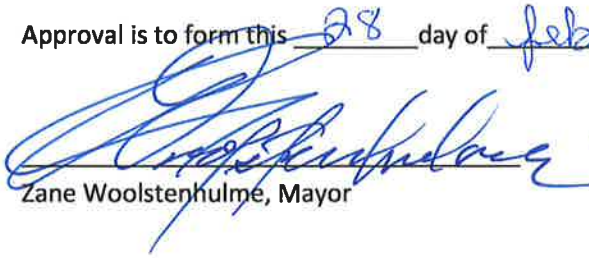
- 223 a. **UORG Grant – Councilmember Smart** informed Council of the plan to pursue additional
224 grant monies for the Riverbend/ Weber River Corridor trail improvements.
- 225 b. **Councilmember Wilmoth** asked the Councilmembers to review the Oakley City
226 Committee Ordinance and the separation of responsibilities between the Rodeo
227 Committee and City. **Councilmember Wilmoth** asked the Council to consider that a
228 Councilmember should be involved with the negotiation of merchandise since the City is
229 financially taking on this cost. Discussion on the percentage of merchandise sales and
230 profit sharing with Bolt Ranch as the sponsor.
- 231 c. **Councilmember Kimber** asked about the training on the new ticketing system.
232 Preliminary training occurred with staff in the previous week.
- 233 d. **Councilmembers** thanked Public Works Director Kendell Staples for all the efforts his
234 team has been making with snow removal.
- 235 e. **Mayor Woolstenhulme** spoke with Kelly Edwards about assisting with a spring clean-up
236 with inoperable vehicles.
- 237 f. **City Recorder Rydalch** clarified a couple of items included on the rentals report
238 prepared by K. Bliss. Some revenue is not reflected as there were donations from the
239 South Summit Girls Softball team for maintenance on the fields even though they were
240 not charged field rental fees. In addition, there was information presented to council
241 regarding the outcome from the benefit concert and the cost to the city to inform future
242 discussions regarding 501C3 partnerships.

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244 General discussion regarding problems of cars parked on city roads and plowing roads.

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246 **10. Adjournment**

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Approval is to form this 28 day of February, 2024.


Zane Woolstenhulme, Mayor


Amy Rydalch, City Recorder