



MINUTES

Oakley City Council

Work Session 2:00 PM

Regular Meeting 5:00 PM

December 16, 2020

Public Attendance via Zoom Platform

Anchor Location: 960 West Center Street, Oakley UT

In Attendance:

City Administration: Mayor Wade Woolstenhulme, Councilmembers: Ron Bowen, Joe Frazier, Dave Neff, Tom Smart, Steve Wilmoth

City Staff: City Recorder, Amy Rydalch; Public Works Director, Kendell Staples; Water Operator, Dallas Hansen

Others in Attendance: Curtis Ludvigson and Megan Woolf with Rural Water

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

2. **Rural Water – Invitation to participate in National Rural Water Assessment**

Megan Woolf discussed the benefits to Oakley City of participation in a National Rural Water assessment. **Ms. Woolf** explained that each state nominates two entities from their state to participate in the study. The Utah Rural Water chapter would like Oakley City to participate in the national assessment. The assessment would identify the strengths of the city water system as well as areas that need improvement. The study involves financial, security, and sustainability assessments. The study is free and does not require a significant amount of city involvement. There would be some communication with water system and financial personnel.

There were no questions from Council. **Mayor Woolstenhulme** expressed that this could be very beneficial to the city. **General agreement that the city would participate in the assessment. No formal motion needed.**

40 **Curtis Ludvigson** gave the council some recommendations for things to consider in the upcoming
41 interviews with the Engineering firms that responded to the RFP. **Mayor Woolstenhulme** thanked
42 Mr. Ludvigson for all his help in preparing the RFP and advising the city on the process of selecting
43 an engineering firm.

44
45 **3. Request for Closed Session – Interviews with Potential Engineering Firms**

46 **Mayor Woolstenhulme** stated that he would entertain a request for a closed session to
47 interview potential engineering firms for assistance in preparing a general plan and addressing
48 water sourcing and water collection issues for the city.

49
50 **Oakley City in Accordance with Utah State Statute Sections 52-4-205(1)(a) and 63G-7-707-(9)**
51 **may vote to hold a closed session for this item on the agenda.**

52
53 **Councilmember Wilmoth** made a motion to move into closed session to interview and discuss potential
54 hiring of an engineering firm for the city. **Councilmember Bowen** seconded the motion.

55 **Roll Call Vote:**

56 Ron Bowen	Aye
57 Joe Frazier	Aye
58 Dave Neff	Aye
59 Tom Smart	Aye
60 Steve Wilmoth	Aye

61 **Motion passed. Meeting went into closed session.**

62
63 **4. **The Closed Session was adjourned, and the open session was reconvened as noticed on the**
64 **agenda for this meeting****

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66 **Councilmember Frazier** made a motion to adjourn the work session. **Councilmember Neff** seconded
67 the motion.

68
69 The Work Session was adjourned.

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71
72 **REGULAR MEETING CONVENED:**

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74 **In Attendance:**

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76 **City Administration:** Mayor Wade Woolstenhulme, Councilmembers: Ron Bowen, Joe Frazier, Dave
77 Neff, Tom Smart, and Steve Wilmoth

78
79 **City Staff:** City Recorder, Amy Rydalch; Public Works Director Kendell Staples; Water Operator, Dallas
80 Hansen

81

82 **Others in Attendance:** David Kitchen, Jack Clegg, Cindy Butterfield

83 1. **Mayor Woolstenhulme** opened the regular meeting.

84
85 2. **Public Comment for Items not on the Agenda: None.**

86
87 3. **Possible Award of City Contract to Engineering Firm – Water/Wastewater System**

88 Moved to the end of all agenda items.

89
90 4. **Water Overage Relief**

91 a. **David Kitchen Delinquent Utility Billing.**

92 **Mayor Woolstenhulme** asked Mr. Kitchen to address the Council and explain the significant
93 increase in his water usage during the 2020 summer months compared to the previous
94 summer usage. **Mr. Kitchen** stated that he moved to the community in March of 2020 and
95 at that time, called the city to set-up his account. He thought his account had been set up on
96 auto-pay during this initial call. **Mr. Kitchen** stated that it was an oversight on his part that
97 he did not double check to verify that monthly billings were being deducted from his bank
98 account. The water usage is confusing to him as well as he has an average sprinkling system
99 and standard household water usage. General discussion as to the location of his home and
100 property. **Mayor Woolstenhulme** asked if he was watering the agricultural fields around his
101 home with culinary water. **Mr. Kitchen** stated that they did water the fields with a hose
102 occasionally to try to curb the dryness of the vegetation. **Councilmember Wilmoth** asked
103 Mr. Kitchen to address the drop in water usage from September to October. **Mr. Kitchen**
104 stated that is when he turned off the sprinkling system. He also stated that he had not
105 received billing statements from the city until he received the shut-off notice from **Water**
106 **Operator Hansen**. **Councilmember Smart** stated that he was concerned that it appeared
107 there were more than two people living in the home. **Mr. Kitchen** stated that there were
108 renters for a portion of the summer. **Councilmember Wilmoth** asked Mr. Kitchen if he used
109 continuous water outdoors for livestock. It was determined that Mr. Kitchen did not.
110 **Water Operator Hanson** stated that it is possible that there is a leak related to the sprinkling
111 system. This would account for the significant drop in water usage this fall after the
112 sprinkling system was turned off for the season.

113
114 **Mayor Woolstenhulme** proposed the council consider a payment plan toward the
115 outstanding balance and consider further assistance if a leak is discovered and remedied as
116 soon as weather allows. **Councilmembers Smart, Frazier, and Neff** expressed a willingness
117 to work with Mr. Kitchen.

118
119 ***Council proposed, and it was agreed to by Mr. Kitchen, that he would be responsible for an***
120 ***additional \$150 per month to be applied toward his outstanding water billings. This***
121 ***amount is to be paid in addition to the monthly utility billing amount. In return, the city***
122 ***agrees to waive additional penalties and fees going forward until such time that there is***
123 ***discovery of suspected leak or non. Reinstatement of penalties and fees shall apply if a***

124 *monthly utility payment is not made in a timely manner. This discovery of potential leak is*
125 *to take place in the spring of 2021, weather permitting. If a leak is discovered and*
126 *remedied in a timely manner the city will consider further financial assistance.*
127

128 b. **Oakley City Cemetery Delinquent Utility Billing – Jack Clegg**

129 **Recorder Rydalch** informed council that meter readings for the “New Oakley City
130 Cemetery,” prior to May of 2020, were from a census meter. In May of 2020 that meter was
131 replaced with the new Neptune radio read meter. Billings since that time have been based
132 upon the readings from the Neptune meter. Prior to this date the billings and readings were
133 the base rate of \$20.00 per month due to manual or non-readings of the census meter. The
134 cemetery district, a public service entity, is concerned about the significant jump in water
135 usage and billings in the summer of 2020 compared to 2019 summer billings. The cemetery
136 district would like to propose, in exchange for the City’s continued use of the triangular
137 parcel located on the corner of SR 32 and North Bench Road (landmark Oakley City Entry
138 area), a reduced water usage rate or subsidy.
139

140 General discussion between **Operator Hansen** and **Mr. Clegg** regarding meter readings.
141 **Operator Hansen** stated that the readings are correct. **Mr. Clegg** objects to the difference in
142 water usage for the two cemeteries given their proximity. **Operator Hansen** stated that the
143 difference in grass type, soil bed, grading, and presence of trees can account for
144 discrepancies. **Councilmembers Wilmoth and Smart** asked Mr. Clegg about watering
145 schedules and potential leaks.
146

147 **Mayor Woolstenhulme** asked about the annual budget appropriation from the county for
148 the cemetery district. **Mr. Clegg** replied that they are appropriated 0.0001 mil from the
149 annual tax levy. **Mr. Clegg** also stated that the district is planning to connect to the North
150 Bench Ditch Company for secondary watering of the cemeteries in Oakley. They expect to
151 move on this project in 2021. **Mayor Woolstenhulme** expressed a preference to work with
152 the cemetery as they provide a public service to the community and are a district of local
153 government.
154

155 *Council and Mr. Clegg agreed to charge the cemetery for the summer months of 2020 and*
156 *the summer months of 2021 the comparable water charges from the summer months of*
157 *2019 conditioned upon the cemetery district verifying there are no significant leaks on the*
158 *watering system and that they move forward with their connection to the North Bench*
159 *Ditch Co. for secondary water by fall of 2021.*
160

161 **Councilmember Neff** asked Mr. Clegg and Ms. Butterfield to follow up with a couple of
162 complaints the city had recently received regarding motor vehicle tracks on gravesites and
163 difficulty in reaching cemetery contacts. **Mr. Clegg** stated that he was aware of the
164 complaints. He informed council that the tire tracks were not cemetery staff but members
165 of the public that were not observing posted rules.

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Operator Hansen asked Council for clarification on the city’s shut-off and overdue account policy. General discussion regarding when to involve council or the mayor. Further discussion on how to best be consistent in enforcing the delinquent and shut-off utility policy.

Council asked staff to adhere and enforce the current policy as defined by city code. Under the current policy a customer is eligible for shut-off when their account is 60 days past due. Staff is to notify them of the 60-day delinquency with a shut-off notice included in the current billing statement. A Shut-off notice will give the customer 2-2 ½ weeks to make payment before the date of actual utility shut-off. Sometime during the 2-2 ½ week period, city staff will hand-deliver to the property a second notice of shut-off reminding the customer of the actual shut-off date. Water will be shut-off if no payment or agreement has been reached with the city on the shut-off date. If a customer is unable to bring the account current staff is to notify the mayor of the properties to be shut off.

General discussion regarding the Agricultural exemption registry for water overages during the winter months. Council was informed that the need to register was posted on the water billing statements beginning in November.

5. Approval/Adoption of City Council Meeting Schedule for 2021 Calendar Year.

Council reviewed the proposed dates for their regularly scheduled meetings in the calendar year 2021.

Councilmember Wilmoth made a motion to approve the City Council meeting schedule for 2021. **Councilmember Smart** seconded the motion. All voted in favor. Motion passes.

6. Regular Business:

a. Approval of Meeting Minutes

Councilmember Bowen made a motion to approve the City Council meeting minutes from the regular meeting dated November 11, 2020. **Councilmember Frazier** seconded the motion. All voted in favor.

Councilmember Smart made a motion to approve the City Council meeting minutes from the work session meeting dated November 16, 2020. **Councilmember Wilmoth** seconded the motion. All voted in favor.

Councilmember Wilmoth made a motion to approve the City Council meeting minutes from the regular meeting dated November 23, 2020. **Councilmember Bowen** seconded the motion. All voted in favor.

Councilmember Frazier made a motion to approve the City Council meeting minutes from the closed session dated November 23, 2020. **Councilmember Wilmoth** seconded the motion. All voted in favor.

208 All Minutes approved.
209 **b. Approval of the Payables 11-10-2020 thru 12-10-2020**
210 **Councilmember Wilmoth** made a motion to approve the payables dated 11-10-2020 thru 12-10-2020.
211 **Councilmember Smart** seconded the motion. All voted in favor. Payables approved.

212
213 **c. Other Council Items**

214 **i. Christmas Bonuses for City Employees**
215 **Mayor Woolstenhulme** proposed paying Christmas bonuses to city employees.
216 General discussion regarding funds available.

217 **Councilmember Wilmoth** made a motion to approve a Christmas bonus of \$500 for full-time city
218 employees and \$250 for part-time city employees. **Councilmember Frazier** seconded the motion. All
219 voted in favor. Motion passes.

220
221 ***Continuation of Agenda Item #3.**

222 **Oakley City in Accordance with Utah State Statute Sections 52-4-205(1)(a) and 63G-7-707-(9)**
223 **may vote to hold a closed session for this item on the agenda.**

224
225 **Councilmember Wilmoth** requested a closed session for further discussion of RFP Engineering
226 candidates. **Councilmember Frazier** seconded the motion.

227 **Roll Call Vote:**

228	Ron Bowen	Aye
229	Joe Frazier	Aye
230	Dave Neff	Aye
231	Tom Smart	Aye
232	Steve Wilmoth	Aye

233 **Motion passed. Meeting went into closed session.**

234
235 **Councilmember Wilmoth** made a motion to leave the closed session and reconvene the regular open
236 meeting. **Councilmember Frazier** seconded the motion.

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238 **Mayor Woolstenhulme** stated that he would entertain a motion to select an engineering firm from the
239 candidates interviewed previously.

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241 **Councilmember Frazier** made a motion that the city engage the services of Aqua Engineering.
242 **Councilmember Neff** seconded the motion. **Councilmembers Frazier, Neff, Smart** voted in favor.
243 **Councilmembers Bowen and Wilmoth** opposed the motion. **Vote was 3-2. Motion passes.**

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245 **Councilmember Bowen** made a motion to adjourn the regular meeting. **Councilmember Wilmoth**
246 seconded the motion.

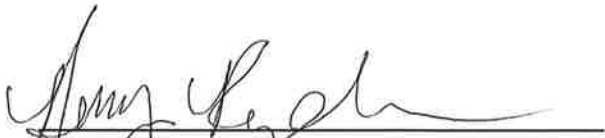
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248 **Approval is to form this _____ day of _____, 2020**

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Wade Woolstenhulme, Mayor



Amy Rydalch, City Recorder