



Oakley City Council Meeting Minutes
Wednesday August 26, 2020
Oakley City Hall – Zoom Webinar
6:00 p.m.

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9 1. Invocation and Pledge of Allegiance

10 Councilmember Wilmoth opened the meeting and excused Mayor Woolstenhulme who could not attend.

11 2. Appointment and Approval of New City Staff

12 Councilmember Wilmoth proposed City Council to accept Amy Rydalch as the new City Recorder,
13 Stephanie Woolstenhulme as the new City Planner, and Tristan Vernon as the new City Treasurer.

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15 *Councilmember Frazier made a motion to appoint Amy Rydalch the City Recorder, Stephanie*
16 *Woolstenhulme as the City Planner, and Tristan Vernon as the City Treasurer. Councilmember Neff*
17 *seconded. Motion passed.*
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19 3. Ute Conference Youth Football

20 Cindy Yturalde addressed City Council concerning the use of fields for Little League Football. The
21 organization currently has September 5, 2020 and September 19, 2020 reserved. Councilmember
22 Wilmoth stated that Oakley has changed the fee schedule since the last time they booked and that was
23 the reason Cindy Yturalde was here tonight. Oakley is not charging either \$25.00 per game, or \$100 per
24 field per day. Cindy Yturalde said that was fine and will pay the office.
25

26 4. Leavitt/Niemann Breach of Memorandum of Understanding

27 Amy Rydalch, City Planner, gave a brief history of the land issue regarding property along New Lane. A
28 building permit for OT 237 was pulled in 2005 by the Niemann's, but the building was not constructed
29 with proper setbacks. The city did not catch this error at the time, and there have since been ongoing
30 disputes between the Niemann property owners and the Leavitt property owners (the property about one
31 another). The Leavitt's claim problems with access to their property and take issue with the drainage from
32 Mr. Niemann's roof onto their property. The result of the arbitration was a memorandum of
33 understanding (presented again tonight and attached). The Leavitt's are frustrated because the
34 Niemann's were supposed to provide a quit claim deed, however they provided an easement instead. Ms.
35 Rydalch spoke with Mr. Aaron Niemann via telephone and he believes that the agreement was oral but
36 not actually contained in the memorandum of understanding.
37

38 Sheri Kay Leavitt stated that they should have been granted two feet of ground. The Leavitt's moved
39 forward with installing a pip line fence under this understanding. She would like the city to help resolve
40 this issue with Mr. Niemann. Councilmember Neff clarified with Ms. Leavitt if it was a problem of access
41 or ownership. Ms. Leavitt stated that they do have access, but she would like clear ownership so there are
42 no future problems. She would like the city to pay for a survey if needed. Councilmember Wilmoth
43 suggested they wait until Mayor Woolstenhulme and former City Attorney, David Church, could be
44 included in discussions since they were present at the original meeting. Councilmember Frazier stated
45 that because there was error on the city's part, he would not be averse to contributing funds to the

46 resolution. Councilmember Bowen stated he was in the original meeting and he believes that if Mr.
47 Niemann had followed through on the original agreement they would not be involved in a dispute at this
48 time. He stated that the city needs to make sure the original agreement is followed through upon.
49 Councilmember Wilmoth agreed, but had concerns that there is not formal documentation of what
50 happened. Ms. Rydalch said that the city attorney would be willing to draft a quit claim deed. Ms. Leavitt
51 stated there is a legal description in the document, so it is possible a survey may not even be necessary.
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53 *Councilmember Neff made a motion to table the topic until the next meeting. Councilmember Bowen*
54 *seconded. Motion passed.*
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56 5. Request for Proposals – Upper Cottonwood Springs

57 Councilmember Wilmoth stated that the moratorium that was instated this summer was due primarily to
58 lack of water. Currently the city needs to move forward with securing water sources. The city needs to put
59 out an RFP for work at the Upper Cottonwood Springs. Councilmember Frazier clarified that this proposal
60 is to get an engineer to see what it would take to get things running, not to do the work.
61

62 Councilmember Bowen stated the Mr. Bob Johnson should be involved in the process since he was the
63 Oakley employee who worked at the site and has a good knowledge and history of it. The council agreed.
64

65 *Councilmember Frazier made a motion to grant authority to Amy Rydalch to make a request for proposal.*
66 *Councilmember Neff Seconded. Motion passed.*
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68 6. Discussion regarding various projects, prioritization and timelines

69 Councilmember Wilmoth turned attention to the list of projects and priorities that were discussed in a
70 previous meeting. He believes that water needs to be the top priority and the General Plan re-write can
71 come later. Councilmember Bowen pointed out that many of the items on the list are interconnected.
72 There was discussion about the water and how the tanks had been performing for the last two weeks.
73 Councilmember Frazier stated that water is extremely important, but he thinks it would be helpful to
74 prioritize other projects for Kendell Staples while Dallas works on water. Councilmember Bowen said he
75 would like to look at a list of proposed projects. Councilmember Frazier stated that with the current
76 problems facing the city and a new city staff, it may prove helpful if there is more collaboration between
77 city staff and city council. Councilmember Bowen stated his concern that there is not enough for three
78 full-time parks staff members to do in the winter. Councilmember Neff stated that he didn't want to
79 overload city staff and lead to burnout. Ms. Morrison stated that it would be helpful to staff to know what
80 their top priorities are and for the governing body to also know what staff is working on so both sides can
81 be accountable. Councilmember Frazier asked what is left do at the campground. Ms. Morrison stated
82 that the only items she is aware of are signs, payment lock boxes, picnic tables, fire rings, and routine
83 maintenance. Councilmember Bowen stated that he would like to know more about the budget earlier in
84 the year and have more discussion around it throughout the year. The City Council agreed.

85 Councilmember Wilmoth asked about COVID aid. Ms. Rydalch stated that she and Mayor Woolstenhulme
86 participated in a call with the county and that Oakley is eligible for \$49,000 in three payments. Items such
87 as lost ticket revenues are eligible. She is working now to provide documentation to receive the
88 payments. Ms. Rydalch also stated that Mayor Woolstenhulme would like to do a work session before the
89 regular meeting on September 9, 2020 at 5:00 PM regarding water. Councilmember Bowen stated he
90 could not attend, but other councilmembers will be there. Councilmember Frazier stated he had received
91 a call regarding speeding on North Bench. Councilmember Wilmoth said he did not know what else the
92 city could really do at this point. Councilmember Frazer stated that one option would be to contract with
93 the police department and pay them to patrol the area for specific amounts of time. The council discussed
94 it but did not make a final decision. Councilmember Neff asked if any follow up needed to take place
95 regarding the discussion about Weber Wild from the last meeting. Councilmember Wilmoth stated that
96 Shane Moore has taken action to organize residents and has sought out an attorney to help form an HOA.
97

98 Councilmember Frazier asked if the city will need to put out an RFP for the corner of Pinion Lane. Ms.
99 Rydalch stated that this is something the city needs to take action on. The city has \$8,500 available for
100 immediate use. She asked for a city councilmember to look over that and help. Councilmember Frazier
101 stated he would. Councilmember Neff said it may be helpful to take a field trip up to look at the road so
102 that they could all understand the issues. City Council agreed. Councilmember Wilmoth said that the
103 fencing issue with Mr. Wheelwright would also need to be resolved soon. Ms. Rydalch stated that the plat
104 is recorded at the county level, and that it is possible that the fence is simply in the wrong area. Ms.
105 Rydalch clarified that the road is a Class D Summit County Road because it provides access to public land.
106 The city is not responsible for maintenance.
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108 7. Regular business

109 a. Approval of Minutes

110 *Councilmember Frazier made a motion to approve the bills for June 24, 2020, July 22, 2020, and*
111 *August 12, 2020. Motion passed.*
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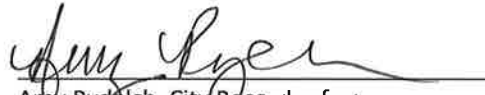
113 b. Approval of Payables

114 *Councilmember Bowen made a motion to pay the bills. Councilmember Neff seconded. Motion*
115 *passed.*
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118 *Meeting was adjourned*
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121 Approval is to form this 11 the day of November 2020
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129 Wade Woolstenhulme, Mayor

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129 Amy Rydalch, City Recorder for:
Abigail Morrison, Recorder at time of meeting