



MINUTES

October 26, 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, Tom Smart; Councilmember Steve Wilmoth (Absent)

City Staff: City Recorder, Amy Rydalch; City Planner, Stephanie Woolstenhulme; City Attorney, Rob Patterson

Others in Attendance: Justin Harding, Larry Leifson, Terry Leifson, Tod Bowthorpe, Amy Regan

- 1. Mayor Woolstenhulme** Opened the meeting. **Councilmember Kimber** led the Pledge of Allegiance. **Mayor Woolstenhulme** offered the invocation.

Mayor's Report:

- The Mayor reported on the change in how monies collected by the County for road improvements will be distributed to cities going forward. He explained that historically the City was required to apply for this money through a grant. At the COG meeting a few months ago, several of the local mayors asked the County to consider distributing all the monies each year. The County Council voted in favor of this recommendation and each entity will no longer be required to apply for these monies but will receive an annual allocation. The City will be receiving its previous grant request for 2022 of \$120,000.

- 41 • Well development is progressing. The bid documents are on the street. The City has an
42 issue that it is currently working through with the USDA and Zions Bank. Because of the
43 language in a previous bond issue (2018 Water/Sewer), the City is required to get Zions
44 permission for any additional debt. The City is working to get clearance from Zions to
45 change this requirement. We are awaiting Zion’s review of the new language and bond
46 parameters. The Mayor expects to have this resolved before late December. **Recorder**
47 **Rydalch** asked Council to be prepared for additional meetings in November due to the
48 timing of the bidding documents, the need to hold a public hearing for the BANS, and
49 the new bond resolution. Dates are to be determined.
- 50 • The Christian Science Monitor visited with himself and **City Planner, Stephanie**
51 **Woolstenhulme** regarding the moratorium on new water connections. They will make
52 Council aware when the article is published.
- 53 • The Mayor has a meeting this next week with Sherriff Martinez to discuss the scheduling
54 of an officer for time in Oakley City.

55
56 **2. Approval of the Consent Calendar.**

- 57 a. Invoice Register 9/26/22 thru 10/25/2022
- 58 b. City Council Minutes
- 59 c. Rodeo Contracts
- 60 d. Monthly Financial Report
- 61 e. City Credit Card Policy
- 62 f. Travel Policy
- 63 g. Appointment of Appeals Authority

64
65 **Councilmember Smart** asked to remove item “g” from the consent calendar for further
66 discussion. *(Discussion was held in closed session as allowed by law) See end of meeting for*
67 *formal action.*

68
69 **Councilmember Frazier** made a motion to approve the consent calendar as amended.
70 **Councilmember Neff** seconded the motion.

71
72 Further Discussion regarding items on consent calendar:

73
74 **Councilmember Smart** asked what the City received for the Wilderness Circuit Rodeo Finals
75 sponsorship. He also stated that going forward this is an item that should be included in the
76 Restaurant Tax Grant application. **Recorder Rydalch** stated that this can already be considered
77 a justifiable expense for existing restaurant grant monies and applied toward promotion and
78 advertisement of the rodeo. **Councilmember Smart** expressed a desire to authorize the Rodeo
79 Committee Chair to enter contracts of a certain amount without City Council prior approval. He
80 cited the example of the NFR Convention being the time to secure services for the upcoming
81 rodeo. Contracts will be lost if the committee must wait to enter a contract for City Council

82 approval. **Councilmember Smart** also wanted it on record that the announcer contracts that are
83 on the consent calendar came about because of the voting and personalities on the rodeo
84 committee. He encouraged the Rodeo Committee to consider creating an executive committee
85 that centralizes the voting rights.

86
87 **Mayor Woolstenhulme called for a vote. All voted in favor. Amended Consent Calendar Items**
88 **were approved.**

89
90
91 **3. Public Hearing Final Plat for North Star Subdivision – Applicant Justin Harding**
92

93 **Planner Woolstenhulme** summarized the application for the Council. She described the
94 location of the property and the density that is allowed under the current zoning. The zoning is
95 A-5 and eligible for 5 lots. Lot 1 has a current primary and accessory dwelling existing on the
96 property. The proper permitting for the accessory dwelling is in place. It is on a culinary well
97 and will remain on the well. The waterline that is depicted on the plat is an 8" water main and
98 will complete the loop from Boulderville through the applicant's property to New Lane Road.
99 The water main has been reviewed and approved by the City Engineer. Access to the
100 development will be from New Lane and requires a bridge over the canal to reach the additional
101 lots. Because the subdivision is under 8 lots there is no affordable housing component. The Fire
102 Marshall required a load test on the bridge, and it currently meets the Fire Marshall
103 requirements. The waterline will go under the canal. Plat notes were discussed and specifically
104 the exhaustion of density under current zoning laws, and protections of the City water system.
105 An additional plat note will be added that the HOA and CCR" s is required to be recorded.

106
107 **Mayor Woolstenhulme opened the Public Hearing.**

108
109 **Larry Leifsen, New Lane Road:** Asked about the load test of the bridge (25 ton). Mr. Leifsen
110 stated that a cement truck will not cross the bridge without a higher load test. He feels that
111 snow removal will continue to be a problem just as it was last year from the access off New
112 Lane. He asked about the drainage from the access and is concerned that it will drain to him,
113 particularly if there is an asphalt surface. He also expressed concern about the possibility of Air
114 BnB's being allowed there.

115
116 **Tod Bowthorpe, North Neighbor of the proposed right of way:** Expressed concern regarding
117 the Fire Marshall clearance form. The bridge was a concern as was the turnaround. He wanted
118 to make sure that the application addressed those concerns. He also asked about the absence
119 of the Summit County Board of Health signature block and recommended that it be added. He
120 is concerned about the size of the right of way and the location of the utility easement. Not
121 sure that it is wide enough.
122

123 **Terry Leifsen, New Lane:** Expressed concern that she was not receiving notices regarding this
124 application. **Planner Woolstenhulme** stated that there have been two public hearings and the
125 notice for this hearing was returned to the City in the mail. **Planner Woolstenhulme** advised
126 Ms. Leifsen to correct her address with the County Assessor's office as this is the database the
127 City uses for addressing public notices.

128
129 **Mayor Woolstenhulme closed the public hearing.**

130
131 **Planner Woolstenhulme** addressed questions regarding the width of the access and storm
132 water drainage.

133
134 **Councilmember Smart** asked about whether the power would be underground and what other
135 utilities would be buried in the access. It was stated that the power is coming from the north of
136 the property and will be buried. In the access it will be the waterline.

137
138 **Councilmember Smart** asked for clarification on the regulation of Air BnB's. **City Legal Counsel**
139 stated that state law does not allow for the City to prohibit anything longer than 30 days.

140 **Recorder Rydalch** stated that the new land use regulations that were adopted last year has
141 regulations that address Air BnB's.

142
143 **Councilmember Neff** asked for clarification on the load test of the bridge. **Planner**
144 **Woolstenhulme** stated that it was tested at 25 tons which is required by the Fire Marshall. It
145 was tested by Mr. Harding's engineer but reviewed by the City Engineer. The City has the
146 documentation of the load test. Any further load test requirements or rehabilitation of the
147 bridge is the responsibility of Mr. Harding.

148
149 **Councilmember Neff and Kimber** also asked about the letter of concern received by Mr.
150 Millburn. **Planner Woolstenhulme** stated that all of the concerns raised that he wanted
151 covered under CCR's are covered under City Code regulations.

152
153 General discussion that the snow removal was a "good neighbor" issue and that it is not a new
154 issue related to this application as the access has been in existence for several years.

155
156 **Mayor Woolstenhulme called for a motion.**

157
158 **Councilmember Smart** motioned to approve the Final Plat of the North Star Subdivision including the
159 proposed CC&R requirement as recommended by the City Planner in the staff report. **Councilmember**
160 **Neff** seconded the motion. **All voted in favor. Motion carried.**

161
162 **4. Public Hearing for Ordinance 2022-02 Oakley Historic Preservation**

163 **Councilmember Frazier** summarized for the Council the purpose behind the historic
164 preservation ordinance, the formation of a committee to identify properties that are of

165 significance to the community's heritage. This ordinance and committee will assist in getting
166 grant monies in the future.

167 **Mayor Woolstenhulme opened the Public Hearing.**

168

169 **No Public Comment Received.**

170

171 **Mayor Woolstenhulme closed the Public Hearing.**

172

173 **Councilmember Smart** motioned to adopt Ordinance 2022-02 Oakley Historic Preservation.

174 **Councilmember Frazier** seconded the motion.

175

176 **Roll Call Vote:**

177 **Councilmember Smart** Aye

178 **Councilmember Neff** Aye

179 **Councilmember Kimber** Aye

180 **Councilmember Frazier** Aye

181 **Councilmember Wilmoth** Absent

182

183 **Majority voted in the affirmative. Ordinance 2022-02 Adopted.**

184

185 **5. 2022 Annual Fraud Assessment Report**

186 **Recorder Rydalch** explained that the State of Utah annually requires the Fraud Assessment.

187 Government entities review a series of questions regarding financial separation of duties,

188 policies, processes to determine areas where the entity may be at risk.

189 **Recorder Rydalch** described the separation of duties for Oakley City. City Treasurer is all monies

190 in, and the Recorder is all monies out for the City. Bank reconciliations, electronic payments,

191 and check authorization all require multiple sets of eyes on the reports as an additional

192 mitigating control measure.

193

194 Further discussion regarding mitigating controls that the city employs because of the small size

195 of the City it is sometimes difficult to maintain separation of duties entirely.

196

197 Discussion regarding the actual evaluation and that Oakley City has improved in its risk with the

198 addition of new policies, the credentials of the new mayor, and training. Discussion to perform

199 the fraud assessment in Spring of 2023. **Mayor Woolstenhulme** asked the City Attorney to draft

200 an ethical statement for City Officials to sign. The City Attorney also suggested that we use his

201 contact as the fraud hotline number which will also improve our fraud risk assessment.

202 **Councilmember Kimber** also stated that he knows of a service where an entity can hire

203 accountants, CFO's etc. by the hour for consultation etc.

204

205 **Councilmember Frazier** motioned to approve the 2022 Annual Fraud Risk Assessment. **Councilmember**
206 **Smart** seconded the motion. No further discussion. All voted in favor. **Motion carried. 2022 Fraud**
207 **Risk Assessment Approved.**

208

209 **6. Road Maintenance Expenditures and Additional Appropriation Request**

210 **Mayor Woolstenhulme** asked Recorder Rydalch to display a report showing Road money
211 expenditures and fund balances. Based on these numbers, administration would like Council to
212 consider additional appropriations of road monies for fiscal 2023. He then turned time over to
213 Recorder Rydalch to present the road money figures.

214

215 **Recorder Rydalch** stated that our anticipated 2022 fund balance for roads is approximately
216 \$202,000. This is the approximate starting balance as of July 1st of 2022. She then reviewed the
217 monies that have been received in our state allocation year to date, approximately \$30,000. She
218 reported that the City will be receiving an additional \$120k from the County in the small city grant
219 monies for roads. She then reviewed the FY 2023 year to date expenditures: the overlay of Cow
220 Alley, 1000 West, and the County chip seal project on Center Street and North Bench Road.
221 Currently the City has exhausted the FY 2023 budget appropriation for this year and is \$39k over
222 budget due to the unanticipated County chip seal project. Discussion as to this miscommunication
223 being a "one-off" happening due to staffing changes at the County. The City would like the Council,
224 based on the expected monies available in the fund balance and committed monies to be received,
225 to consider additional appropriations for the County chip seal project and for shouldering the
226 overlay areas on Pinion, Cow Alley, and 1000 West. If agreeable to Council these appropriations
227 would be finalized with a budget amendment toward the end of fiscal 2023.

228

229 **Councilmember Neff** asked that staff bring estimates for additional road projects back to Council for
230 further consideration before end of fiscal 2023. He also asked for clarification on the County's
231 involvement in the Chip Seal project.

232

233 **Councilmember Frazier** addressed the relationship between the County and the City. Previously,
234 the County would reach out to see if the City wanted to join with them in their annual road projects
235 to benefit from economy of scale etc. Due to a changing of the guard at the County, the chip seal
236 project did not get communicated to the City for budgeting purposes.

237

238 Further discussion regarding Roberts Rules of Order, timing of appropriation, and whether to
239 include additional projects next Spring.

240 **Councilmember Frazier** motioned to approve the additional shouldering as requested. **Councilmember**
241 **Smart** seconded the motion. All voted in favor. **Motion carried.**

242

243 **7. Noise Ordinance Discussion – 1st Reading**

244 **Mayor Woolstenhulme** summarized the need to consider a noise ordinance. He expressed that
245 this may assist the City with issues arising from the rentals of our facilities. He asked the City
246 Attorney to present the draft.

247 **Atty. Patterson** stated that this draft is based upon an ordinance for Salt Lake County. He stated
248 that one problem with noise ordinances is that they often reference “unreasonable” noise but
249 defining unreasonable is subjective. To be effective an effective ordinance the City needs to
250 consider how they want to define “unreasonable.” He reviewed definitions from the ordinance.
251 He discussed that measurement of the sound is not at the source but where the person is
252 receiving the sound. He reviewed the parameters of the ordinance, daytime vs. nighttime
253 hours, allowed decibel levels, stationary sources of sound and how to address the difference.
254 He described decibel levels and that as they increase it the noise increases exponentially. He
255 reviewed exceptions to the ordinance, emergency services, HVAC, fireworks, City events, snow
256 removal, construction, etc.

257 **Councilmember Neff** asked to include farm equipment and operation to the exceptions list.
258 Discussion that this is a “right to farm” community.

259 **Mayor Woolstenhulme** asked for additions or changes that can be incorporated for the next
260 reading.

261 Additional discussion regarding daytime/nighttime hours and how to define. More discussion
262 regarding City Rentals. If City allows an event to rent the facility it becomes a City-approved
263 event and is exempt from the noise ordinance. However, it can be included in the rental
264 contract what the allowed decibel level would be for the City-approved event. Discussion
265 around determining reasonable decibel levels modifying hours to make allowances on
266 weekends, and how to measure.

267 **Attorney Patterson** recommends getting a formal decibel reading equipment for enforcement
268 purposes. He also recommends getting base ambient decibel readings prior to adoption of the
269 ordinance.

270 **Councilmember Kimber** suggested that we get decibel readings at the Rodeo and post these
271 readings on our website so patrons with small babies will know before hand and can make
272 accommodations.

273 **Mayor Woolstenhulme** asked the attorney to make changes based upon the discussion.

274 Brief discussion regarding enforcement responsibilities.

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8. Water Plant Discussion

Mayor Woolstenhulme informed council that he has been approached by an interested party regarding the bottling plant. He asked the Council whether they would like to entertain a conversation.

Councilmember Smart indicated that he would like to have a conversation.

Councilmember Neff asked if Public Works is need of a building. **Mayor Woolstenhulme** stated that they could get by with what they are currently using but that it is not ideal. Prior to being approached he had directed Public Works to clean up the building and prepare for their use.

Councilmember Neff expressed apprehension as it has not been a historically worthwhile investment for the City to be involved in the bottling business.

Councilmember Kimber voiced concern that the public works staff needs a better facility. He read in a statement he received from Public Works Director Kendell Staples regarding the need for the building as a public works facility. Not interested in bottling company.

Councilmember Frazier is not interested in further discussion regarding bottling.

Councilmember Neff more inclined to allow public works to take over the building.

Mayor Woolstenhulme concluded there is no interest at this time and will communicate Council's sentiments to the inquiring party.

9. Committee Assignment Review

Mayor Woolstenhulme directed the Council's attention to the Committee Assignments and spoke to the change in assignments after **Councilmember Wilmoth** was reassigned to the Rodeo Committee. The Mayor moved **Councilmember Smart** to the Land Use and Planning with Councilmember Neff. **Mayor Woolstenhulme** reviewed the current councilmember assignments and asked the Council if there were any other changes they would like to recommend.

Councilmember Neff volunteered to be assigned to City Ordinance review with Councilmember Frazier as there was only one member assigned. **Mayor Woolstenhulme** stated that he would like this to be a priority as there are outdated ordinances still on the books. He pointed out that the City is currently violating our own ordinance regarding Alcohol on City property by allowing alcohol for rental events.

It was noted that **Councilmember Frazier** was the only one assigned to the Emergency Preparedness. **Councilmember Kimber** volunteered to sit on the committee as well.

318 **Councilmembers Kimber and Wilmoth** are currently assigned to infrastructure. **Councilmember**
319 **Kimber** commended **Councilmember Frazier's** past efforts and suggested that the Mayor
320 consider placing **Councilmember Frazier** back on infrastructure because of his experience.
321 **Councilmember Frazier** agreed to assist with infrastructure as needed and act as a liaison with
322 the County.

323
324 **Councilmember Smart** volunteered to help with the 4th of July Celebration. As part of the
325 broader discussion around the Celebration, **Councilmember Smart** would like the Council to
326 consider a payment of \$1,000 to the people that head up the concessions effort each year. It
327 was discussed that **Recorder Rydalch** will bring net income figures from concessions to a future
328 City Council meeting for further discussion and consideration.

329
330 **Councilmember Kimber** volunteered to join **Councilmember Frazier** on the heritage and
331 beautification committee.

332
333 Upon completion of the review, **Councilmember Kimber** asked the Mayor what the
334 Councilmember's roles are within these areas of responsibility. **The Mayor** views the areas of
335 responsibility as an avenue to involve community members in the forms of committees that are
336 then overseen or chaired by councilmembers. These committees are subcommittees of the City
337 Council. He encouraged the council to involve the community. He referenced the list of
338 volunteers that expressed interest at the open house held earlier this year. **The Mayor** advised
339 the Council to communicate with the Recorder if more than two City Councilmembers will be
340 present at any subcommittee activity or meeting to allow for proper noticing.

341
342 **Councilmember Kimber** asked for the level of involvement the Mayor wanted to have in the
343 Business and Economic Development Committee. **Councilmember Kimber** expressed a need for
344 clarification. **The Mayor** stated that for this committee he would like to have more oversight.
345 He has reached out to some individuals already. **Councilmembers Kimber and Smart** will be
346 submitting additional names for approval.

347
348 **10. Councilmember Reports:**

349 **a. Renewable Energy Update – Councilmember Frazier**
350 **Councilmember Frazier** reviewed the timeline for the program. Items that will be
351 coming soon for Council consideration are the utility agreement and an ordinance for
352 adoption. Adoption of the ordinance will commit the City to participation. The program
353 application has four parts, the determination of the base rate for those users that
354 participate in the program (yet to be published), the ordinance, Utility Agreement, and a
355 low-income plan for community members. Every community is required to have a low-
356 income plan. Emily Quinton, the County Sustainability Manager, has offered to help
357 with our program. **Council** agrees that the City accept her offer. Summary of the
358 benchmarks to qualify for the low-income plan were reviewed. **Councilmember Frazier**
359 reminded the council that participating in the program means that customers in the

360 municipality automatically are enrolled in the program and if they wish not to
361 participate, they will need to “opt -out.” There is significant noticing, and educational
362 requirements prior to the program going into effect. Customer’s can opt out at any
363 time, however if a community elects not to participate in the program, it’s residents will
364 not have the option of participating.

365 **Councilmember Kimber** asked what the benefits are to being in this program.

366 **Councilmember Frazier** stated that currently, if a customer wants to do renewable
367 energy, the customer must make all the arrangements. They must secure a vendor for
368 the energy (ex: solar), the related equipment, install and make modifications to their
369 property to secure the renewable source. This program allows customers to participate
370 in renewable energy without the significant accommodation. The communities that opt-
371 in will enjoy economies of scale. **Councilmember Kimber** stated that this is an item that
372 needs public input. It was discussed that noticing is required – 2 mailings per customer
373 and noticing for a public hearing regarding the ordinance.

374 **b. City Appreciation 2023** – Recommendation to come in future Council meeting.

375 **City Appreciation 2022** - First Friday in December. The boutique has moved to Kamas
376 which is requiring a re-address for the City Appreciation/Christmas Lighting Celebration.
377 Discussion regarding Santa visit, hayrides and possible food trucks for the Christmas
378 Celebration. **Recorder Rydalch** pointed out that a City subsidized food-truck could get
379 expensive as this event last year attracted several families and patrons that were from
380 the larger Kamas Valley. She reviewed the budget for the appreciation event is \$2,500.
381 Discussion about volunteers and how to best reach them. **Mayor Woolstenhulme**
382 stated that he does not mind spending money to have the large tree lit for Christmas. It
383 has historically been an icon of the City. He will pursue getting this accomplished.
384 **Councilmember Kimber** believes the city should do both, a Christmas activity and a
385 summer event. He likes the idea of serving dinner to the public and having the
386 interaction. Food Trucks limit that interaction. Based upon discussion it was decided
387 that a recommendation would be brought to Council by the “Activities Committee” to
388 the next City Council meeting.

389

390 **c. Request to Re-Address: Rodeo Ticket Pricing**

391 **Councilmember Smart** motioned to open the 2023 Rodeo Ticket Pricing for
392 reconsideration. **Councilmember Kimber** seconded the motion. **All voted in favor of**
393 **reconsideration.**

394

395 **Councilmember Smart** referred to an email sent by the Rodeo Secretary, Karylyn Bliss,
396 regarding ticketing options for 2023 and stated that he liked several of her ideas. He
397 likes the local presale idea. He would like to discuss a graduated ticket pricing approach.

398

399 **Councilmember Kimber** reached out to the Rodeo Chair as well as other members of
400 the Rodeo Committee and all communicated, they are in favor of graduated ticket
401 pricing but would prefer that city wait until the North bleachers have been replaced.
402

403 **Councilmember Neff** likes the simplicity of the one ticket price. He is partial to a local
404 pre-sale that benefits Oakley residents and believes it is a nice concession to locals and
405 could offset local discomfort with the raised ticket price. He thinks it is difficult to
406 determine where the best seats are as there are so many differing opinions.
407

408 **Councilmember Frazier** is in favor of the one ticket price but with an allowance for a
409 local only discount option or presale.
410

411 **Councilmember Kimber** wants to communicate with the public about why the ticket
412 price is increasing and believes that by doing so this will alleviate some of the
413 displeasure regarding the ticket price especially among locals.
414

415 **Mayor Woolstenhulme** is recommending that we stay with the \$30 ticket price as
416 decided in the previous meeting but add a local only rate of \$25 with a presale period.
417 With the discount for locals and the ticketing fee now being included in the price of the
418 ticket, locals are paying what they were paying last year. He does not believe that much
419 needs to be done to publicize the reasoning behind the ticket price increase.
420

421 **Councilmember Smart** wants to consider offering the same locals only discount to
422 anyone in the valley that volunteered at the celebration. **Recorder Rydalch** mentioned
423 that at this point it is difficult to manage for this year as city staff does not have the
424 volunteer lists of who participated. Discussion that these records need to be provided
425 to the City in the future. Further discussion of how to define local only benefit. Decided
426 that it was to be official city limits.
427

428 **Councilmember Frazier** motioned to keep the 2023 rodeo ticket price at \$30 per ticket
429 but to add an in-person presale event for locals as defined by Oakley City Municipal
430 boundaries at \$25 per ticket. **Councilmember Smart** seconded the motion. **All voted in
431 favor. Motion Carried.**
432

433 **d. Other Councilmember Reports:**

434 **Councilmember Smart** asked Council for approval to submit RAP Tax applications for
435 project monies to assist the City with the Victor trail easement for the Weber River
436 Corridor Trail. This is a significant section of the trail that will provide larger
437 connectivity. In addition, he would like to include in the application, funds to purchase
438 materials for the Weber River Alteration project for the River Bend conservation area.
439 Both projects are part of the broader Weber River Corridor Trail. Councilmember Smart
440 discussed fencing, bridgework, and a service road for these areas. He will break the

441 application into two parts. **No objection noted to the application proposal. Consensus**
442 **from Council was to proceed with application as presented.**

443
444 **Councilmember Kimber** asked that now that the Weber Wild staging area is being
445 remedied, could Public Works re-install the street sign. **Councilmember Smart** also
446 asked about replacing the STOP sign at the intersection of New lane and Boulderville
447 Road. **Recorder Rydalch** stated that she would get with Public Works on these items.

448
449
450 **11. In accordance with the Utah State Code Annotated: The Oakley City Council may elect to enter**
451 **a closed session to discuss the purchase, exchange, or lease of real property and to discuss the**
452 **character, professional competence, or physical or mental health of an individual UCA 52-4-**
453 **205.**

454
455 **Councilmember Frazier** motioned that the City Council move into closed session for the purposes cited
456 on the agenda. **Councilmember Neff** seconded the motion.

457
458 **Councilmember Frazier** **Aye**
459 **Councilmember Kimber** **Aye**
460 **Councilmember Neff** **Aye**
461 **Councilmember Smart** **Aye**
462 **Councilmember Wilmoth** **Absent**

463
464 **9:44 PM The Oakley City Council went into Closed Session**

465 **11:03 PM The Oakley City Council moved back into Open Session**

466
467 **Revisit item "g" from the Consent Calendar – Appointment of Appeals Authority**

468 **Councilmember Frazier** motioned to appoint Doug Clyde as the Appeal Authority for Oakley City.

469 **Councilmember Kimber** seconded the motion. **All voted in favor. Appointment Approved.**

470
471 **12. Use of City Property for Diner Expansion**

472
473 **Councilmember Neff** motioned to approve Letter of Use Agreement No.1 with Deere Meadows
474 Enterprises LLC for the 0.16 acres as defined in the agreement. **Councilmember Smart** seconded the
475 motion. **No further discussion. All voted in favor. Agreement No. 1 approved.**

476
477 **Councilmember Frazier** motioned to approve the Letter of Use Agreement No. 2 with Deere Meadows
478 Enterprises LLC for the 1.16 acres as defined in the agreement. **Councilmember Smart** seconded the
479 motion. **No further discussion. All voted in favor. Agreement No. 2 approved.**

480
481 **Councilmember Kimber** motioned for a formal statement that states "The Oakley City Council is in favor
482 of working with Deer Meadow Enterprises LLC on the development of the City owned property on the

483 north side of Center Street. Councilmember Smart seconded the motion. No Further discussion. All
484 voted in the affirmative of the formal statement.

485

486 **13. Meeting Adjourned.**

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488


489 Approval is to form this 9 day of November, 2022

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Zane Woolstenhulme, Mayor



Amy Rydalch, City Recorder