



MINUTES

February 22, 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 Pro-Tempore: Joe Frazier; Councilmembers Kelly Kimber, Dave Neff, Steve Wilmoth; Councilmember Tom Smart attended via Zoom. Absent: Mayor Zane Woolstenhulme

City Staff: City Recorder, Amy Rydalch;

**Other City Contracted Personnel in Attendance: Heather Christopherson, Ulrich and Associates (Auditor)
– Via Zoom**

**Members of the Public: Annie Crowther, Todd Crowther, Chris Dillman; David Scott, William (last name omitted from attendance sheet), Caitlin Scott, Jordan Scott, Allison, Scott, Amanda Porter, Corey Dutton.
Via Zoom: Pat Cone, Justin Harding; Via Speakerphone/Iphone: Howard Sorensen**

1. Mayor Pro-Tempore Frazier Opened the meeting.

- Pledge of Allegiance: Mayor Pro-Tempore, Joe Frazer**
- Invocation: Councilmember Kelly Kimber**

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

No comments received.

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3. APPROVAL OF THE CONSENT CALENDAR.

- a. Minutes 12-14-2022.
- b. Invoice Register 1/25/2023 thru 2/20/2023
- c. Initial Approval for Summit County Public Health Dpt. Signage at Ballpark Complex
- d. Approval of Electronic Funds Transfer Vendors for Accounts Payable
- e. Monthly Financial Report

Councilmember Wilmoth motioned to approve the consent calendar. Councilmember Kimber seconded the motion.

No Further Discussion.

Mayor Pro-Tempore Frazier called for a vote. All voted in favor. Consent Calendar Items were approved.

4. OAKLEY EXTENSION OF MOUNTAIN BIKE PARK – HOWARD SORENSEN Via Phone

Mayor Pro Tempore Frazier directed the Council to the email from Mr. Sorensen and suggested that the Council address the proposals individually.

The extension of the existing bike park was introduced as the first item of discussion. Two downhill trails are to be added to the existing trail system on the east side of Boulderville Road. (Orange Trails in Map).

Discussion regarding the concerns of the City’s insurance provider regarding no “gap jumps” on the course. The City Attorney wants signage at the location with language indicating it is a ride at your own risk amenity.

Councilmember Neff motioned to approve the addition of the two downhill trails on the existing mountain bike park. Councilmember Kimber seconded the motion. No further discussion.

All voted in favor. Motion carried.

Mayor Pro-Tempore Frazier introduced for discussion the perimeter trail on the City property on the West side of Boulderville Road.

Councilmember Neff raised concern regarding the lease that is in place on the land and considerations affecting the staging area needed for well construction. He believes the well and staging area takes priority over the trails & permanent structure (bathroom) amenities.

Recorder Rydalch stated that she had clarified with Aqua Engineering that the pull-out location on the west side of Boulderville will be used this Spring, Summer and into Late fall for construction supplies for both Phase 1 (drilling) and Phase 2 (well house & outbuildings).

84 She discussed the issue of Aqua Engineering will also have a lot of water refuse from drilling that
85 will potentially be a problem and in the way of bike park construction. The timing of when bike
86 park construction would commence, and Aqua Engineering drilling be finished could overlap.

87
88 **General discussion:** Aqua Engineering staging area concerns and different bathroom options.
89 Honey buckets, or tying into the sewer or current septic tank? Will there be water access? There
90 are still more details about these items that need to be figured out before jumping in and
91 making decisions. The group asked about the time constraints on the project. To which Howard
92 Sorensen answered that he has a grant of \$50,000 and donations that combined, equal to
93 \$100,000 that needs to be used in 2023.

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95 **Mayor Pro Tempore Frazier:** Questioned who owns the property where the proposed perimeter
96 trail would run that is not along Pinion Lane.

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98 **General discussion:** The group discussed different parts of the trail and who owns the property
99 surrounding it. Councilmember Smart didn't think any of the trail would affect Lad Dicks lease.

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101 **Councilmember Smart:** Doesn't think that the Perimeter Trail would take longer than a day to
102 cut, and that it shouldn't be a problem and wouldn't affect any other ongoing construction.

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104 **Councilmember Neff:** Introduced the idea of approving certain portions of the proposed new
105 trails in order for the Trails Foundation to be able to move forward with the grants that they
106 have approved.

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108 **Howard Sorensen:** Brought up the idea that if the Perimeter Trail could be approved with the
109 understanding that it wouldn't interfere with any of the current construction with Aqua
110 Engineering, or the lease of Lad Dicks land. Members of the council agree that as long as either
111 of those items weren't affected by the construction of the Perimeter trail, that both parties
112 could be satisfied.

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114 **Councilmember Neff:** Asked what portions of the trail are most important to be approved right
115 now in order to move forward with grants.

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117 **Howard Sorensen:** Stated that in order for funds to be raised they have to know that the
118 expansion of the park as drawn on his proposed map is approved, with the understanding that
119 no construction would take place until the lease was expired, sometime in 2024.

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121 **Councilmember Smart:** Made a motion to approve the perimeter fence as long as it doesn't
122 interfere with the construction of the well or the lease. **Councilmember Neff** seconded the
123 motion. No further discussion. **All voted in favor. Motion carried.**

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125 **Mayor Pro Tempore Frazier:** Brought up the idea of approving the entire trail expansion with
126 the understanding that there is going to be some back and forth.

127
128 **Councilmember Neff:** Discussed that the issues with the bathroom needs to be addressed and
129 that Oakley City will still have rights and ownership of the property the bathroom would
130 potentially sit. Potential of changing what has been proposed in favor of a better option.

131
132 **Recorder Rydalch:** Advised the council to details of the future change in property use re:
133 bathroom and other amenities and advised the council to be involved in further discussions
134 about these items. A written agreement may need to be put in place with these specifics.

135
136 **General discussion:** About the importance in approving the proposed expansion even though
137 details of bathroom, construction, etc. aren't yet set in stone. Grant money and funding cannot
138 be applied for without approval of the expansion project. Stipulations that those details would
139 be worked out in the spring of 2024.

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141 **Councilmember Neff:** Made a motion that they approve of the Bike trail Expansion with
142 stipulations of the construction company being complete and restrooms design will be discussed
143 at a later date. **Councilmember Kimber** seconded the motion. No further discussion. **All voted in**
144 **favor. Motion carried.**

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146 **Howard Sorensen:** Asked the council if he could get information about the viability of tying into
147 the current septic system.

148
149 **Recorder Rydalch** said there isn't any current record about the septic system. It was originally
150 put in without Summit County input. She directed H. Sorensen to work with Summit County
151 Health Department to get information about his septic questions.

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153 **5. Mayor Pro-Tempore Frazier introduced ordinance 2023-02 about noise restrictions.**

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155 **Opened meeting for public comment.** No public comment received.

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157 **Councilmember Smart:** Made a motion to approve Ordinance 2023-02. **Councilmember**
158 **Willmoth** seconded the motion. **Councilmember Neff** raised the question "how do we decide
159 how we check for the levels of noise?" **Recorder Rydalch** answered with her understanding that
160 it will be complaint driven. There will not be enforcement officers that will measure the noise
161 levels. **General discussion** about how and where the noise meter would be taken. **All voted in**
162 **favor. Motion carried.**

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164 **6. 2022 Financial Report – Audit findings: Heather Christopherson, Ulrich & Associates**

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166 **Heather Christopherson:** Presented the June 30th, 2022 financial report, thanking those who
167 were involved in making her job possible. Her clean opinion is presented correctly as far as they
168 can see materially. They are not giving opinions of fraud, although they don't think there is, it is
169 simply based on materials presented. If anyone wants to read the report at any time, she
170 suggests going to the Management Discussion and Analysis section of the audit.

171
172 Within her report she highlighted the Statement of Activity which breaks down the City by
173 function. The Balance Sheet of Governmental Funds is to see if your equity number falls within
174 state parameters. Oakley City falls within those numbers. Heather continued to cover each of
175 the pages of the report explaining what they mean and how they apply to Oakley City. Opened
176 up to questions.

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178 **Recorder Rydalch:** Reiterated information given by Heather Christopherson to make sure
179 Council members understood.

180
181 **Heather Christopherson:** Continued summary of her report pointing our specific items that are
182 of note to Oakley City. Opened to questions, there were none. So she began talking about
183 Findings of her report. The purchase of a snow plow was not in the original budget, this isn't a
184 big deal and can be fixed going forward. Not of concern for her. The other finding was the Rodeo
185 fund that is in a deficit position. Her management recommendations are the timely submittal
186 and approval of Minutes. The 2nd recommendation is that the payroll module needs to be
187 updated to be able to reflect vacation/sick pay. 3rd item is the current portion of payroll as of the
188 end of the year was not accrued it wasn't material but recommended in future years it be
189 accrued by Pelorus so that it is consistent year to year.

190
191 **Recorder Rydalch:** Again reiterated the information given in Heather's report and that these are
192 issues that have happened every year, but with the introduction of the new finance software,
193 Pelorus, these things will not be issues going forward. Entries going forward will show that they
194 have been corrected for the 2023 year.

195
196 **Heather Christopherson:** Concluded her report and was excused from the meeting.

197
198 **General Discussion:** Recorder Rydalch explained the reason for the discrepancy on the report
199 from Heather. She was unaware of 1 entry that needed to be input in a specific way and it was
200 not which threw the report off. Councilmembers discussed the accounting audit company and
201 how reports are read and understood. A discussion of whether another staff member would be
202 necessary to help with accounting? Who else, besides the Recorder, can help with the ins and
203 outs of accounting? Perhaps Treasurer Tristin could use more training on debt management,
204 otherwise, she seems adept at managing all accounting in the absence of Recorder Rydalch.
205 There is enough support through the accounting software help team that should one or the
206 other of Tristin or Amy leave, they would have enough support to get by.

207

208 **General Discussion:** Council discussed the hard work of our Public Works Department and their
209 good job with snow removal over the past several months of continued snow.

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211 **7. Mayor Pro-Tempore Frazier** introduced discussion on Resolution NO. 2023-02 the policy of
212 selling city real property subject to master plan development procedures. His stance is the same
213 as two meetings ago. He opened the item for discussion.

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215 **General Discussion** about what exactly saying “Yes” to Resolution NO. 2023-02 is and what
216 qualifies under this resolution and what does not. All council members weighed in on their
217 understanding of the resolution. Because of the zoning of the Oakley City Center, it requires an
218 MPD process, not all properties are zoned similarly. After some further explanation from
219 Recorder Amy, council members became better informed on the zoning requirements of the
220 MPD process.

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222 **Council Member Smart** made a motion to approve Resolution NO. 2023-02 **Council member**
223 **Kimber** seconded the motion. No further discussion. **All voted in favor. Motion carried.**

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225 **8. Mayor Pro-Tempore Frazier** introduced discussion regarding USDA loan resolutions for
226 financing of well.

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228 **General discussion** regarding the previously approved resolution by the USDA. This resolution is
229 what Oakley City was previously approved for. Original loan amount, \$3.165 million. Funds have
230 already been earmarked and expected from USDA. The second resolution being for the cost
231 overrun. This resolution will approve the additional amount required to finance the well.
232 Approving the resolution will not obligate the City to use the full amount of the additional loan,
233 but will simply make it available to use should it be necessary.

234

235 **Council Member Neff** made a motion to approve the first resolution of a \$3.5 million dollar loan
236 from USDA **Council Member Wilmoth** seconded the motion. No further discussion. **All voted in**
237 **favor. Motion carried. Council Member Wilmoth** made a motion to approve the second
238 resolution of a \$1.5 million dollar loan. **Council member Neff** seconded the motion. No further
239 discussion. **All voted in favor. Motion carried.**

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241 **9. Mayor Pro-Tempore Frazier** introduced the UDOT TAP grant application revision for the New
242 Lane trail extension.

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244 **General discussion** Part of the trail has been approved; however, council would like to see
245 another 2922 ft on the north end of what’s already approved. It is more expensive because
246 there is a little more excavation and tree/shrub removal that would need to be done. Another
247 3,550 ft on the south end of what is already approved would be less expensive. The scope of
248 work was introduced, and costs were considered, total grant would be for \$60,000 with an

249 additional \$40,000 that would need to be covered by the City. Where and how do we come up
250 with the \$40,000?

251
252 **Council Member Smart** made a motion to approve resolution to actively pursue a grant to put a
253 pathway across the entire New Lane connecting with the current county's pathway. **Council**
254 **Member Neff** seconded the motion. No further discussion. **All voted in favor. Motion carried.**


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256 **10. COUNCIL MEMBER REPORTS**

- 257 a. Councilmember Neff
 - 258 i. Rodeo ticket sales – **(POSSIBLE ACTION)**
- 259 b. Mayor Pro-Tempore Frazier
 - 260 i. Celebration committee working on some Saturday activities being more
261 locally branded – information item
- 262 c. Councilmember Smart – Logo does not need to be redone – information item
- 263 d. Other Councilmember Reports as needed
- 264 e. Staff Items – nothing

265
266 **In accordance with the Utah State Code Annotated: The Oakley City Council may enter a**
267 **closed session to discuss the character, professional competence, or physical or mental health**
268 **of an individual. UCA 52-4-205(a).**

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271 **11. Adjournment**

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275 Approval is to form this 24 day of April, 2023.

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278 _____
279 Zane Woolstenhulme, Mayor
Mayor Pro Tempore



Amy Rydalch, City Recorder