



## MINUTES

August 23, 2023

### Oakley City Council Regular Meeting 7:00 PM

#### Oakley City Hall

Anchor Location: 960 West Center Street, Oakley UT 84055

#### In Attendance:

**City Administration:** Mayor Zane Woolstenhulme, Councilmembers: Joe Frazier, Kelly Kimber, Tom Smart; Steve Wilmoth; Councilmember Dave Neff

**City Staff:** City Recorder, Amy Rydalch.

**Members of the Public in Attendance:** Tyke Walsh, Chris Hansen, Jane Patten, Pete Nixon, Lori Haslem, Amber Nelson, Brent Turner, Joanne Aplanalp, Dave Aplanalp, Robert Beck, Rick Shapiro, Ryan Gowdy

#### 1. Mayor Woolstenhulme Opened the meeting.

- a. Councilmember Neff offered the invocation.
- b. Councilmember Wilmoth led the Pledge of Allegiance.
- c.

At the beginning of the meeting Mayor Woolstenhulme took a moment of personal privilege to address a couple of items of interest to the Council.

- A letter from former US National Security Adviser Robert C. O'Brien was received, expressing gratitude for tickets to the Oakley Rodeo provided by the City. The letter was shared by the Mayor.
- A special meeting announcement for the Oakley City Council scheduled for the upcoming Thursday at 7 o'clock. The meeting will involve Fire Commissioner Dave Ure and County Manager Shane Scott, discussing plans for 911 Emergency and EMS services. These updates will impact the community.
- A moment was given to Councilmember Frazier, who mentioned an upcoming event involving a Smithsonian traveling exhibit. The exhibit, titled "Crossroads: Change in Rural America," will be held for six weeks starting September 16 until the end of October at the fairgrounds. It focuses on the evolving rural landscape and the preservation of rural

community values. A ribbon-cutting ceremony is set for September 16 at 10 o'clock, and the information will be made available on the website.

2. **PUBLIC COMMENT:** Mayor Woolstenhulme opened the meeting for public comment and explained the parameters under which members of the public were welcome to participate.

**Public comment received:**

Pete Nixon, resident 983 Roundup Way, Oakley UT brought up an issue related to traffic in the vicinity of SR 32 and Roundup Way. Mr. Nixon addressed the council regarding the increasing traffic in their neighborhood. They described the hill on SR 32 where truck traffic has grown substantially over time. Pete highlighted two concerns: first, the current speed limit of 35 mph was frequently exceeded, leading to noise and safety concerns; second, the noise generated by trucks using engine brakes when descending the hill was becoming problematic. Pete expressed interest in installing a sound wall to mitigate the noise but found that the city's Planning Commission wasn't favorably disposed towards exceptions to the six-foot height limit on fences.

Pete had also approached the Utah Department of Transportation (UDOT) to lower the speed limit and restrict engine brakes, but UDOT indicated that such changes would require a request from the city. Pete pointed out that the noise issue could affect the new City Center as well. They suggested that a 25mph speed limit might be more suitable for the stretch of road in question.

Mayor Woolstenhulme encouraged Mr. Nixon to send their concerns via email to the city for further discussion.

**3. APPROVAL OF THE CONSENT CALENDAR**

- A. Invoice Register
- B. Minutes
- C. Contracts – Summit County Sheriff's Office
- D. Approval of Rodeo Committee decision to secure 2024 Contracts

Councilmember Frazier motioned to approve the consent calendar. Councilmember Wilmoth seconded the motion. All voted in favor. Consent Calendar Items were approved.

**4. GOVERNOR'S OFFICE CENTER FOR RURAL DEVELOPMENT, Lori Haslem- Outreach Manager**

Ms. Haslem, the Outreach Manager, discussed recent efforts from the Governor's Office of Economic Opportunity to provide more individualized assistance and guidance. They mentioned the presence of five outreach managers covering various areas in Utah, with a representative focusing on Summit County, Wasatch County and Duchesne. The Outreach Manager expressed willingness to assist and meet with the attendees, particularly Councilmember Smart, who was recognized for his grant writing efforts.

The Outreach Manager highlighted the upcoming Rural Communities Opportunity Grant, released on September 7th, offering up to \$600,000 for economic development projects within cities' regions. They offered to help navigate the grant process and shared information about tax incentives available for businesses. Contact information was provided for further assistance.

## **5. PRESENTATION OF 2023 WATER/SEWER UTILITY RATE STUDY FINDINGS, Mayor Woolstenhulme**

**Mayor Woolstenhulme** summarized the retention of Lewis Young Robertson Birmingham over a year ago to conduct a review of the water/sewer utility rates and each system's financial sustainability. LRB's role extended beyond bond financing to include consulting services, such as analyzing water rates and assessing impact fees. The goal was to ensure that revenue from fees covered operational costs, maintenance, and future infrastructure needs. The city's water and sewer systems were evaluated in this context, and the findings indicated a lack of self-sustainability.

The sewer fund was particularly noted to be struggling, with some inter-fund borrowing, and no reserves for capital improvements. The report highlighted the need for adequate revenue to cover expenses and provide for future infrastructure needs. The situation was exacerbated using property tax money to meet operational requirements, affecting the city's credit standing. The presentation acknowledged that these findings were not unexpected.

To address these concerns, it was proposed to adjust utility rates. A gradual increase was suggested to ensure operational costs were met and funds were set aside for future improvements. The details of the proposed rate adjustments were outlined, and it was emphasized that these changes were aimed at maintaining financial stability. The increase was estimated at \$18.80 per month initially, with incremental increases over a five-year period. The goal was to achieve self-sufficiency and financial stability within the given timeframe.

The presentation was made during a public hearing, and attendees were invited to provide comments on the proposed rate adjustments.

Upon conclusion of the presentation the Mayor opened the Public Hearing for comment on the proposed utility rate adjustments.

## **6. PUBLIC HEARING FOR CONSIDERATION OF WATER AND SEWER UTILITY RATE INCREASE.**

**Pete Nixon, resident, 983 Roundup Way, Oakley UT;** asked about the distinction between residential and commercial rates. The City indicated that commercial properties paid the same rate but were assigned an Equivalent Residential Unit (ERU) based on factors such as square footage. **Mr. Nixon** raised concerns about higher commercial rates potentially affecting business investment.

118 The discussion then shifted to growth projections. The city's growth was noted as moderate compared  
119 to other communities in the valley and Summit County. The participant inquired about impact fees for  
120 new developments, and it was confirmed that new developments would indeed have impact fees  
121 allocated to the funds discussed.

122 There were further questions about the capacity of the existing sewer plant and its potential expansion.  
123 The conversation touched on the need for funds to address infiltration issues and potential expansion of  
124 the sewer plant. It was clarified that the proposed rate adjustments primarily aimed to address  
125 operational costs and build reserves, while a future impact fee study would address the impact of  
126 growth-related improvements.

127 **Mr. Nixon** expressed concerns about the feasibility of the proposed rate adjustments achieving financial  
128 stability within five years and avoiding the need for additional increases in the future. The need for  
129 adequate reserves and preparedness for large developments impacting the sewer system was  
130 highlighted.

131 Various Councilmembers thanked Mr. Nixon for his thoughtful questions and points for consideration.

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133 **Joanne Aplanalp, resident 4337 N River Road, Oakley UT**, asked for clarification on the usage rate and  
134 the different tiers. It was clarified that the usage rates are applied per 1,000 gallons.

135 **Tyke Walsh, resident 4286 N New Lane Road, Oakley UT**, expressed support for infrastructure  
136 improvements and acknowledged the need for such projects. He asked about the possibility of changes  
137 to the water usage allotment, specifically inquiring whether the current allotment of 7,000 gallons per  
138 month might increase or revert to the previous 20,000 gallons. The **Mayor** indicated that there were no  
139 plans to change the current allotment.

140 **Mr. Walsh** shared personal experiences with water usage, mentioning instances of exceeding the  
141 allotted amount during winter and discussing their participation in car shows that involved water usage.  
142 They sought clarification on potential consequences for exceeding the allotted usage and whether they  
143 might face water shut-off. The participant's concerns were met with reassurance that there were no  
144 immediate plans for such extreme measures, and it was indicated that communication and  
145 understanding would likely be the initial approach if any water conservation issues arose.

146 **Recorder Rydalch** clarified that there are no specific regulations or ordinances in place regarding usage  
147 beyond the current allotment.

148 The public comment segment concluded, and the meeting moved forward.

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151       **7. RESOLUTION 2023-07 AMENDMENT OF FEE SCHEDULE TO CHANGE OF WATER AND SEWER**  
152       **UTILITY RATE INCREASE.**

153       **Councilmember Smart** motioned to approve Resolution 2023-07 with an effective date of September 1,  
154       2023. **Councilmember Neff** seconded the motion. **All voted in favor. Resolution is adopted.**

156       **8. MORATORIUM DISCUSSION:**

157       **Mayor Woolstenhulme** provided information about the progress of the well drilling project, stating that  
158       the drilling had reached a depth of 2,003 feet out of a planned 2,000 feet. The well was in the process of  
159       being prepared for testing to ensure its functionality.

160       The second phase of the project involves the construction of a well house and installing lines to  
161       transport water from the well to the tanks. However, the City is still awaiting approval from the USDA  
162       for the cost overrun amounts before the construction documents for this phase could be released for  
163       bidding. He clarified that certain federal funding requirements did not apply to this project, potentially  
164       saving costs and allowing for faster progress in finalizing construction documents.

165       The timeline for the project's completion was discussed. While the exact timeline depended on various  
166       factors, including potential weather conditions, it was estimated that it might be about six months  
167       before water would be in the tanks.

168       The main question addressed during the discussion was related to the moratorium that was in place and  
169       proposed timeframe for lifting of the moratorium. **Mayor Woolstenhulme** asked for feedback from each  
170       Councilmember.

171       **Councilmember Wilmoth** is in favor of the moratorium staying in place until the construction is  
172       complete, and water is delivered into the system. Concerned about possible unforeseen issues with  
173       construction and development of the full well.

174       **Councilmember Frazier** would like to wait for second phase bids to be returned so the city has an idea  
175       of a timeline. Would hate to allow for building only to discover the City is out of water because  
176       construction hasn't progressed as quickly on the well as expected.

177       **Councilmember Smart** recalls discussing waiting until the City secured the source and then possibly  
178       lifting the moratorium. He feels that once the City has success with the drilling and the second phase  
179       construction bids are in, that the moratorium could be lifted with restrictions on landscaping until the  
180       well is online.

181       **Councilmember Neff** shares Councilmember Smarts thoughts especially because there is a surplus of  
182       water in the winter months. Ultimately, he prefers to play it safe and keep the moratorium in place until  
183       a better timeline can be established.

184       **Councilmember Kimber** is in favor of Councilmember Smarts sentiments.

185 **Mayor Woolstenhulme** expressed concern about granting exceptions to the moratorium and would like  
186 to table further discussion of lifting the moratorium until second phase bids are received and a timeline  
187 is better established. Hoping this is in the next 6-8 weeks.

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189 **9. Meeting Adjourned.**  
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192 Approval is to form this 27 day of September, 2023.  
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196 Zane Woolstenhulme, Mayor

  
Amy Rydalch, City Recorder