



Oakley City Council Meeting
Wednesday, August 14, 2019 6:00 PM
Oakley City Town Hall, 960 W. Center Street, Oakley UT

Attending: Mayor Wade Woolstenhulme, Councilmembers Joe Frazier, Lorrie Hoggan, Steve Wilmoth, Craig Rydalch, and Tom Smart

1. **City Staff:** Amy Rydalch, City Planner, Abigail Morrison, City Recorder,

2. **Others Attending:** Kent Leavitt, Robert Branca, Don Branca, Jeff Bousson, Marlo Bennett

3. **Call to Order and Roll Call**

4. **Preliminary Items**

a. **Welcome and Introductions**

b. **Pledge of Allegiance and Prayer from Councilmember Frazier**

c. **Approval of Minutes**

i. *Councilmember Wilmoth noted that the only change he noticed was a discrepancy on his attendance.*

ii. *Councilmember Wilmoth made a motion to approve the minutes from May 20, 2019. Councilmember Hoggan seconded the motion. Motion passed (5:0).*

iii. *Councilmember Frazier made a motion to approve the minutes from April 22, 2019. Councilmember Hoggan seconded the motion. Motion passed (5:0).*

iv. *Councilmember Wilmoth made a motion to pass the minutes for June 10, 2019. Councilmember Frazier seconded the motion. Motion passed (5:0).*

v. *Councilmember Wilmoth made a motion to approve the minutes for June 24, 2019 with a changes to Councilmember Wilmoth's attendance. Councilmember Frazier seconded. Motion passed (5:0).*

5. **New Business:**

Branca Property

Mayor Woolstenhulme informed the Branca Party that if they can get the fire marshal to sign off on not installing the required fire hydrants, the city will approve. If they cannot get that approval they will be required to come back to the city council. Mayor Woolstenhulme stated that the box next to "special requirements" on the permit was not checked off and the council feels that they should have gotten it checked off and signed. He also stated that the past city planner, Tami Stevenson, never actually signed the document. Mr. Don Branca referred to a past

35 conversation with the fire marshal, Kent Leavitt, who told them that the hydrant was not
36 required, but that it would be unwise to build without one. Mr. Don Branca stated that there are
37 many homes in Oakley that do not have fire hydrants. Mayor Woolstenhulme stated that if the
38 fire department will provide a letter to the Brancas and the city saying that it is not required for
39 the Branca property, they can move forward without it with the understanding that the city will
40 not be held liable. Mr. Robert Branca stated that the checkmark does not explain anything about
41 requirements. There was discussion about the water line and ownership of that line. The city
42 owns the meter, but the rest of the line back to the house belongs to the landowner. Mayor
43 Woolstenhulme asked if the Brancas have been asked to do this in other towns where they have
44 built. The Brancas stated that it is unreasonable to insinuate that they thought that Oakley
45 officials were ignorant and would not catch it. Mr. Branca clarified that they had no intention to
46 slide anything across. The Brancas stated that they simply feel that it is unfair to ask them to
47 accept the responsibility for the city's mistakes. Mayor Woolstenhulme asked Ms. Rydalch, city
48 planner, what her thoughts were. Ms. Rydalch stated that the Brancas were caught in the
49 crosshairs of changes within the administration. She stated that it would be a goodwill gesture
50 on the city's part to waive some of the fees and absorb some, but not all, cost. She stated that
51 there are no outstanding permits that face the same issues so this would hopefully be the last
52 scenario of its kind.

53 Mayor Woolstenhulme stated that it is understood that the city has some culpability. He
54 suggested that the Brancas approach the fire marshal then come back to the council. The
55 Brancas and the council discussed what other steps would be necessary. Councilmember
56 Wilmoth commented that he sees multiple sides and that going forward the best solution is to
57 meet with the fire marshal and that the council can hold a special meeting because the issue is
58 time sensitive.

59 Councilmember Wilmoth stated that it is an understandably time sensitive issue. He stated his
60 support for the council and recommended moving forward with the plan. Councilmember
61 Wilmoth asked what will happen if the fire marshal comes back to the city.

62 Ms. Rydalch stated that Kent Leavitt, fire marshal, will likely reach out about the issue. She
63 stated that in the past Mr. Leavitt has felt that there was not support from the city government
64 to enforce the code. In this case, Mr. Leavitt stated that he told them it was required, but the
65 Brancas disagree.

66 Ms. Rydalch, City Planner, will reach out to Kent Leavitt, the Fire Marshal, then contact the
67 Brancas.

68 ***4th of July Ticketing***

69 *This item was not discussed because the ticketing company was not present.*

70 ***Renewable Energy Act Presentation***

71 Renewable Energy Act Representative: Jeffery Bousson, with Utah Clean Energy,
72 presented on alternative energy options for the city. Mr. Bousson works with Summit
73 County with the goal to make renewable energy affordable and available for residents
74 and businesses in Summit County. Mr. Bousson stated that Summit County has a
75 website, scpw.org where anyone can view this information. Presently the county is
76 running a solar energy bulk purchase rooftop solar program for private residences and
77 small businesses. Those who sign up before the end of 2019 get a preliminary bid, a
78 contractor will then visit the home to provide a detailed bid, and then the resident
79 would contract with the solar provider. There are multiple payback opportunities right
80 now. Mr. Bousson shared information about the HB411 Community Renewable Energy
81 Act. The legislation was developed in partnership between Summit County, Park City,
82 Salt Lake City, Rocky Mountain Power, Officer of Consumer Services, and Division of
83 Public Utilities. The act provides a pathway for communities served by Rocky Mountain
84 Power to achieve net-100% renewable energy by 2030.

85 Mr. Bousson presented a 4-part Plan if the community is interested:

- 86 1. The City adopts a resolution. The resolution does not bind the city on a legal basis,
87 but it sets the stage for eligibility in the future. The resolution also helps identify
88 communities that are seriously interested which would help the program determine
89 needs and resources.
- 90 2. The City's governing body signs Agreement with Rocky Mountain Power to
91 determine renewable energy demand, determine renewable resources needed, pay
92 costs of regulatory services and fees. This would be enacted in 2020.
- 93 3. Rocky Mountain Power files renewable Energy Program Regulatory Filing with Public
94 Service Commission (PSC).
- 95 4. Projected Rates and Terms defined by the PSC and estimated rate impacts to
96 customers determined.
- 97 5. If projected rates are agreeable, the City adopts an ordinance to obtain net 100%
98 clean, renewable electrical energy for all customers in the community. This is a
99 decision to be made by the elected officials within the community. The ordinance
100 would need to be adopted within 90 days after the Utah Public Services Commission
101 issues an order approving the Community Renewable Energy Program that
102 establishes local participation in the program, is consistent with the agreement
103 entered with Rocky Mountain Power, and complies with the terms and conditions
104 required by the Utah Public Services Commission.
- 105 6. Every Customer would have the choice to proceed with the standard electricity rate
106 or the standard renewable energy rate.

107 Councilmember Frazier asked if the city would be required to opt in for utilities if they proceed
108 with the plan. Mr. Bousson stated that they would have the choice between the two standards:
109 standard rate or standard renewable energy rate.

110 Mr. Bousson stated that all of the information is online and there was discussion amongst the city
111 council about how to get word out to citizens about it.

112

113 ***Formation of City Code Committee***

114 Ms. Rydalch stated that she will need support as she assembles a committee to review and rewrite city
115 code. Mayor Woolstenhulme asked for there to be an enforcement clause in there. Ms. Rydalch asked
116 for a member of the council to join the committee. Ms. Rydalch would like a representative from
117 Planning Commission and City Council in hopes that it will simplify the process. She anticipates meetings
118 taking place approximately once a month. Mayor Woolstenhulme and Councilmember Wilmoth stated
119 that they will share the responsibility. Ms. Rydalch stated that the entire process will be a long-term
120 commitment lasting at least a year.

121

122 Ms. Rydalch also informed the council that she and Chad Kramer delivered notice to a property that is
123 operating a business without a license. Two citizens had filed complaints with the city concerning the
124 existing business that involves a yurt used for a wellness camp. Ms. Rydalch and Mr. Kramer left a letter
125 on the property informing the residents that their current situation is in violation of city code.

126

127 ***Town Appreciation Dinner***

128 The council discussed the dates and logistics for the yearly town appreciate dinner. They chose
129 September 9, 2019. It will be held in the Red Barn.

130 As the council were discussing dates, they also discussed the reservation system and the recent double-
131 booking of the Red Barn. Councilmembers stated that future incidents need to be avoided and residence
132 also needs to be established to rent at the local rate.

133 *Councilmember Hoggan made a motion that anyone who comes in to reserve a city building needs to*
134 *present a water bill or mail, and if it is found that they are renting for someone who is not immediate*
135 *family: defined as children or parents, they must pay the full rental price. Councilmember Wilmoth*
136 *seconded. Motion passed (5:0).*

137 ***Marlo Bennett: North Bench Farms HOA Board***

138 Mayor Woolstenhulme stated that safety in North Bench has been a concern due to cars being parked in
139 the streets especially during the winter. Marlo Bennett, North Bench Farms HOA Vice President, stated
140 that they have actively been trying to educate their community with emails, flyers, etc. Ms. Bennett
141 stated that North Bench Farms HOA would like to establish a relationship with the city so that they could
142 contact the city to have vehicles towed. Councilmember Wilmoth asked why the HOA does not contract
143 directly with the towing company themselves. Ms. Bennett stated that they would be willing to do that,

144 but they would like to know that they have the support of the city. The council and Ms. Bennett
145 discussed different towing companies. Mayor Woolstenhulme authorized Ms. Bennett to establish
146 towing rules on Oakley City Streets. Councilmember Wilmoth stated that when people are upset, they
147 should go to the HOA directly and not to the city. It will be the responsibility of the HOA to inform and
148 enforce.

149

150 *Steve Wilmoth made motion to pay the bills. Councilmember Hoggan seconded the motion. Motion*
151 *passed (5:0).*

152

153 There was discussion of the letter to be sent to Oakley residents concerning the well repair. Ms.
154 Morrison was asked to send the letter as soon as possible.

155

156 *Councilmember Frazier made a motion to adjourn the meeting. Councilmember Wilmoth seconded.*
157 *Motion passed (5:0).*

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159 **Minutes accepted as to form this 28 day of August, 2019**

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Mayor Wade Woolstenhulme


City Recorder, Abigail Morrison

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