

# STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

## CERTIFICATE OF ANNEXATION

I, Deidre M. Henderson, Lieutenant Governor of the State of Utah, hereby certify that there has been filed in my office a notice of annexation known as the BALLERINA FARM ANNEXATION located in KAMAS CITY, dated DECEMBER 23, 2024, complying with §67-1a-6.5, Utah Code Annotated, 1953, as amended.

Now, therefore, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of annexation, referred to above, on file with the Office of the Lieutenant Governor pertaining to the BALLERINA FARM ANNEXATION located in SUMMIT COUNTY, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 21<sup>st</sup> day of January, 2025 at Salt Lake City, Utah.



A handwritten signature in black ink, reading "Deidre M. Henderson".

DEIDRE M. HENDERSON  
Lieutenant Governor



## KAMAS CITY COUNCIL MEETING AGENDA TUESDAY NOVEMBER 12, 2024

6:00 P.M.  
Kamas City Hall  
170 N. Main  
Kamas, UT 84036

The meeting will be streamed on the Kamas City YouTube channel: <https://www.youtube.com/channel/UCfvdAe2TE8PKHFJcPRpMMzA>  
Comments may also be made by email prior to the meeting at [info@kamascityut.gov](mailto:info@kamascityut.gov)

1. Call to Order  
Invocation: Mayor Matt McCormick  
Pledge of Allegiance
2. Approval of the October 8, 2024 City Council Meeting Minutes
3. Approval of the Invoice Register dated November 7, 2024
4. Public Comment – This is the public’s opportunity to briefly comment on items not on the agenda
5. Eagle Scout project proposal and potential contribution decision
6. Subdivision Ordinance discussion
7. Henderson Development to discuss conceptual PUD plans for Kamas Commons lots 7 and 8
8. Ballerina Farm Property Annexation Agreement discussion and possible approval
9. A Resolution authorizing the incorporation of recommendations from the salary step range analysis and job description creation into City Policies.
10. Possible Executive Session
11. Department Reports
12. Adjournment

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**MINUTES**  
**KAMAS CITY COUNCIL MEETING**  
**TUESDAY, NOVEMBER 12, 2024**

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Kamas City Hall  
170 N. Main  
Kamas, UT 84036

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Mayor McCormick opened the meeting welcoming those in attendance:  
**COUNCIL MEMBERS:** Councilors Larry Gines, Jessica Allen Bateman, Leslie Staples, David Darcey, and Monica Blazzard.

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**STAFF:** City Recorder, Kim Peacock; City Planner, Amanda Curtis; Public Works Director, Trevor Clegg; City Engineer, Scott Kettle.

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**OTHERS IN ATTENDANCE:** Jay Springer, Terina Darcey, JR McRay, Paul Berg, Kellie Smith, Zakk Smith, Cheree Frandsen, Austin Frandsen, Hunter Bednarik, Matt Lee, Jeremy Anderson, Bridger Anderson, Tristan Anderson, Rean Nickerson, Tim Gines, Blake Henderson.

**OPENING INVOCATION AND PLEDGE OF ALLEGIANCE**

Invocation by Mayor Matt McCormick  
Mayor McCormick led the public in the Pledge of Allegiance

**APPROVAL OF THE OCTOBER 8, 2024 CITY COUNCIL MEETING MINUTES**

**MOTION:** Councilor David Darcey moved to approve the City Council meeting minutes dated October 8, 2024 as presented.  
Councilor Leslie Staples seconded the motion.  
The vote was unanimous. Councilors Larry Gines, Jessica Allen Bateman, Leslie Staples, David Darcey, and Monica Blazzard voted aye. Motion passed.

**APPROVAL OF THE INVOICE REGISTER DATED NOVEMBER 7, 2024**

**MOTION:** Councilor Monica Blazzard moved to approve the invoice register dated November 7, 2024 as presented.  
Councilor Jessica Bateman seconded the motion.  
The vote was unanimous. Councilors Larry Gines, Jessica Allen Bateman, Leslie Staples, David Darcey, and Monica Blazzard voted aye. Motion passed.

1 **PUBLIC COMMENT – THIS IS THE PUBLIC’S OPPORTUNITY TO**  
2 **COMMENT ON ITEMS NOT ON THE AGENDA**

3  
4 Terina Darcey informed the council about Winterfest on November 30 held at the Kamas  
5 City Event Center from noon to 5:00p.m. There will be live music and performances,  
6 festive food and drink, and Santa Claus will be there at 3:00. There will also be a tree  
7 lighting at 5:15 at the City Hall. There will be a gingerbread house decorating contest and  
8 a corporate tabletop tree decorating challenge.  
9

10  
11 **EAGLE SCOUT PROJECT PROPOSAL AND POTENTIAL CONTRIBUTION**  
12 **DECISION**

13  
14 Matt Lee, Kamas Valley Scout Master, stated there are 4 scouts trying to complete their  
15 Eagle Scout projects. The city has asked them to build tables and benches for the new  
16 pavilion at the City Hall Park. Blazzard Lumber is donating wood for the benches, Home  
17 Depot may donate some table kits. They will fundraise for the tables if needed. The table  
18 kits are \$70 per table, and they are building 5 tables. The cost would be \$350 if Home  
19 Depot doesn’t donate them. The benches can be made of wood or Trex. Blazzard is  
20 donating all the wood for the benches. If we want Trex they would need to be purchased  
21 at a cost of \$325 per bench. The scouts may need help from the city for some of the  
22 supplies.

23 Mayor McCormick stated they have talked about using money from buildings and  
24 grounds so if Home Depot doesn’t donate the tables, we have money for those as well.  
25 Councilor Bateman explained this came about from a RAP Tax grant. We applied for  
26 enough money for a pavilion, tables and benches. We were only awarded enough for the  
27 pavilion. She talked to the scout master about the project to see if it would be a  
28 possibility.

29 Councilor Bateman invited the scouts to the podium to introduce themselves and they  
30 explained what they have each been working on for the project.

31 Mayor McCormick stated the approval is for the concept. We can work on the details  
32 later.

33 Matt Lee stated these projects will be completed within 2 weeks. Currently they have 20  
34 active scouts in the program. There will be another 15 scouts within the next year looking  
35 for projects. He would like to partner with the city and have the scouts help with different  
36 projects if needed.

37 Mayor McCormick stated he is committed to working with the scouts in the future and  
38 trying to help.

39 Councilor Darcey thanked the scouts for going through the program to complete their  
40 projects for their Eagle Scout.

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43 **SUBDIVISION ORDINANCE DISCUSSION**

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45 Jay Springer, attorney with Smith Hartvigsen. He has been contracted through the State  
46 with the City to bring the subdivision ordinance into compliance with 2 pieces of

1 legislation, 2023 SB 174 and 2024 HB 476. We have until the end of 2024 to comply  
2 with this.

3 Springer explained this will be paid for from the State. Springer needs direction from the  
4 council on some of the items. Springer distributed a questionnaire to review with the  
5 council for optional decisions. This includes ideas of what the city can do within the  
6 scope of what the legislature has decided. The two major concerns that need to be talked  
7 about are the Administrative Land Use Authority, which is the approval body, and the  
8 other is subdivision improvement plans and the approval process. The legislator made it  
9 clear that those qualifying subdivisions can no longer go to the council for approval. The  
10 Planning Commission can be involved in the preliminary approval, which can have one  
11 public hearing, but the Planning Commission cannot be the final approval.

12 Springer discussed the different public hearing requirements, the timelines for the  
13 improvement plans, and preliminary plan requirements.

14 Springer explained this ordinance will go to the Planning Commission at their next  
15 meeting and then back to the council for final approval in December.

16 Councilor Bateman asked the applicant still needs to come to a pre planning meeting with  
17 staff.

18 Springer explained there will need to be a checklist available with all the requirements for  
19 the applicant available so a pre meeting is not necessary.

20 Mayor McCormick asked if we need to have this checklist ready to be adopted with this  
21 ordinance.

22 Springer stated it should be reflected in the code already. If there are different standards  
23 needed, they will be written with the new code.

24 Mayor McCormick would like to make sure everything we feel like is needed is included  
25 in the new code. Mayor McCormick asked if Springer would provide the council with  
26 some ideas from the different city's he has already helped.

27 Councilor Bateman asked if an applicant has a substantial change can we add verbiage to  
28 have the process start over.

29 Springer stated this goes into effect December 31, which means this needs to be adopted  
30 in December.

31 Mayor McCormick would like the council to see updates and be able to comment as  
32 we're going along.

33 Springer will narrow down the draft. The draft that will be going to the Planning  
34 Commission can be sent to the council. The updates will then be reported to the council  
35 as needed.

36 Councilor Gines feels this is a lot to get done within a short amount of time.

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39 **HENDERSON DEVELOPMENT TO DISCUSS CONCEPTUAL PUD PLANS**  
40 **FOR KAMAS COMMONS LOTS 7 AND 8**

41 Amanda Curtis read her staff report.

42 Blake Henderson with Henderson Development introduced himself and explained he  
43 would like to have a discussion regarding if there is a possibility of a PUD. Henderson  
44 presented a power point of his proposed project and told the council of different projects  
45 he has developed.  
46

1 Councilor Blazzard explained she was here in 2016. The only other time a parapet was  
2 approved was the library next door. She is familiar with the project and remembers there  
3 being a good discussion.  
4 Henderson explained the parapets help hide some of the mechanical on the roofs that help  
5 make it look more attractive.  
6 Councilor Gines was on Planning Commission when this came to the city. The height  
7 was an issue, and the parking is an issue. The lot that is being set aside for a hotel, is  
8 there a demand for two in the valley. Francis is putting one in right now as well. Are the  
9 apartments owned by the developer and rented?  
10 Henderson stated yes.  
11 Councilor Gines asked how much would the rent be for the apartments that would be low  
12 income?  
13 Henderson hasn't figured the number with the AMI yet. In the PUD process it keeps it  
14 mixed use and keeps one building as residential and one building as commercial. It's  
15 easier to run if it were this way.  
16 Councilor Gines stated the height requirement is going to be a nonstarter for him because  
17 we've turned others away. To be fair we need to stay with the height requirement.  
18 Henderson feels this is a strong location and if they build the right development this will  
19 be very successful.  
20 Councilor Gines asked if Henderson would consider helping with the low income for first  
21 responders, teachers, etc.  
22 Henderson is willing to include this.  
23 Councilor Darcey feels this is a good location but is very concerned about the parking.  
24 Anything that shows a hotel without the oversized parking spaces is a nonstarter for him.  
25 Councilor Darcey feels strongly that there needs to be access from Hwy 248 for the hotel  
26 traffic.  
27 Henderson explained the shared parking will be between the residential and businesses  
28 because they are there at different times of the day.  
29 Councilor Darcey is willing to hear about the shared parking. He would like to see  
30 oversized parking stalls at the hotel. The hotel height is the highest building. He is against  
31 a 44-foot height parallel to highway 248. Councilor Darcey stated there is no way he  
32 would ever consider giving approval without water.  
33 Henderson understands the need for water, but the usage in the small apartment would be  
34 much less than a normal single-family home. The number of water shares required for the  
35 project as is would be a deal breaker.  
36 Councilor Darcey would like sufficient sidewalks and crosswalks for pedestrian safety.  
37 Would the lot 7 wetlands be dedicated open space?  
38 Henderson stated it's not dedicated but as it stands right now there are wetlands. They are  
39 having the Army Corps of Engineers coming to look at the lot and may possibly have the  
40 wetlands mitigated.  
41 Councilor Staples has concerns. We need to be sensitive to the neighbors, the density is  
42 too high.  
43 Henderson asked which is too high, commercial or residential.  
44 Councilor Staples feels it looks like a lot of parking and a lot of buildings. The residential  
45 is too much. The water shares are a concern. Councilor Staples agrees with the height

1 restriction comments. She is not opposed to reciprocal parking, but feels there's not  
2 enough presented. She doesn't know if the PUD is enough to bring this all in.  
3 Councilor Bateman follows in line with the rest of the comments. She likes the hotel up  
4 front, but also would like to see a better visual impact. Snow removal was not mentioned.  
5 This is another concern. Councilor Bateman doesn't want to adjust on the long trailer  
6 parking. If there is residential, there may be kids. She doesn't want to see not having a  
7 place for the kids to hang out. She would like to see some green space available. Possibly  
8 move the hotel to the other lot owned. The density doesn't scare her, it's the placement. If  
9 it's not affordable the older generation will not want to be in this type of development.  
10 Councilor Bateman asked if the project could be phased so the water requirement can be  
11 reached.

12 Mayor McCormick commented we haven't addressed rentals in the moderate-income  
13 housing ordinance. Also, the uses asked for are already allowed. It has been asked to  
14 make concessions from the city to make this happen. What is the benefit to Kamas City?  
15 There has been no mention of a benefit to Kamas City for the concessions asked.

16 Henderson feels the commercial services are a benefit to the city. The concessions help to  
17 allow them to build a better development.

18 Mayor McCormick doesn't disagree that we need some of those services. We have been  
19 very strict about water shares, parking and height restrictions. Mayor McCormick would  
20 like a defined set of benefits for Kamas City to justify the possibility of thinking about  
21 making any concessions. There needs to be enough benefit that it makes sense to our  
22 community.

23 Henderson asked if the apartment issue is the number of apartments or the rental.

24 Mayor McCormick explained there are some things the council needs to do regarding  
25 rentals before we can give an answer on the PUD. The city needs to be able to explain to  
26 the residents what the benefit will be.

## 27 28 29 **BALLERINA FARM PROPERTY ANNEXATION AGREEMENT DISCUSSION** 30 **AND POSSIBLE APPROVAL**

31  
32 Amanda Curtis asked Mayor McCormick if we needed to go through his redlines to start  
33 the discussion.

34 Mayor McCormick replied yes, this is a good start.

35 Amanda Curtis reviewed the agreement with the council and discussed the concerns.

36 Scott Kettle explained the late comer's agreement has a bunch of unknowns, the attorney  
37 has drafted it. Once we know actual cost of everything, we will include it. The late  
38 comer's agreement will be for 12 years.

39  
40 **MOTION:** Councilor David Darcey moved to approve the Ballerina Farm Property  
41 Annexation Agreement subject to the following changes. The plat map is  
42 changed to record the Ballerina Farm consolidated parcel of CD-582-A, the  
43 note is added in recital A. to identify parcel CD-582-A, that we are changing  
44 6.d.ii. as far as we're striking the payment in fee in lieu of dedication, for the  
45 water dedication, in paragraphs 2.b. and 8.c. changing and adding subject to  
46 Joel's advice and additions we're adding in there notification in case federal

1 or state laws change, and lastly in paragraph 8.h.ii. changing experts to  
2 representatives.

3 Councilor Monica Blazzard seconded the motion.

4 Mayor McCormick asked for a roll call vote:

5 Councilor Gines voted "yes"

6 Councilor Bateman voted "yes"

7 Councilor Staples voted "yes"

8 Councilor Darcey voted "yes"

9 Councilor Blazzard voted "yes"

10 The vote was unanimous. Motion passed.

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13 **A RESOLUTION AUTHORIZING THE INCORPORATION OF**  
14 **RECOMMENDATIONS FROM THE SALARY STEP RANGE ANALYSIS AND**  
15 **JOB DESCRIPTION CREATION INTO CITY POLICIES**  
16

17 Mayor McCormick stated he sent the council an email containing 4 documents. One of  
18 those documents was the salary study revised to include the Police Officer 1 that Chief  
19 Brad Smith had requested. Also to include the evaluation of Summit County in the salary  
20 structure. The second document was a breakdown of what the difference in those salaries  
21 meant for each job category adding Summit County as an evaluator. The third document  
22 was a white paper on salary studies to help everyone better understand salary studies and  
23 what goes in to those. The fourth was answers to questions from our City Attorney.

24 Mayor McCormick stated for this particular discussion as far as salary study  
25 incorporation only the first 3 documents apply. This is what we'd be talking about in this  
26 particular conversation.

27 Mayor McCormick asked if there were any questions on the salary study.

28 Councilor Gines stated it looks like after Spencer did the comparison with the County, he  
29 recommended being cautious in implementing that because of the difference in jobs.

30 Mayor McCormick explained because there's such a difference in job duties, and the  
31 other thing brought up in conversations is the county is looking at some major increases  
32 and they have the funding to do that. The concern tied to that is that we're obligated to  
33 follow that and that now becomes prohibited for the city.

34 Councilor Gines feels the county one is a nonstarter. He is not interested in looking at  
35 that any further.

36 Kim Peacock asked Mayor McCormick if these items could be put in Dropbox so  
37 everyone could follow along and she can have them for the minutes.

38 Mayor McCormick stated yes, he would get them to her.

39 Councilor Darcey explained regarding wanting to look at Summit County wages in this  
40 study. In our personnel policy it states the wage study is to be updated every three years.  
41 We talk about looking at comparisals out there as far as private and public. He felt not  
42 including Summit County is leaving out a potential place employees could go. The  
43 impact is not significant at this time.

44 Councilor Gines agrees, if in three years the county implements a huge increase then we  
45 can look at it.



1 Councilor Darcey stated implement of adjustments are subject to availability of funds.  
2 The budget is the council's responsibility. The council approves an amount for the  
3 mayor to implement.  
4 Mayor McCormick told the council Councilor Darcey has asked that he present the raises  
5 in the budget in a different format. In the past it has just been a percent. Councilor Darcey  
6 has asked the Mayor McCormick to calculate the percent to what it costs the city.  
7 Councilor Darcey stated he just wants to be informed. It's the only way to keep it  
8 equitable to our employees.  
9 Councilor Gines feels if we can keep it simple and straight forward in policy, the next  
10 people on council can jump in and understand it.  
11 Councilor Gines has concern with the policy regarding the employees in the office that  
12 are less than 40 hours. How this is going to be dictated with their work and their benefits  
13 that they earn.  
14 Councilor Bateman asked Councilor Gines for clarification, is this employment policy?  
15 Councilor Gines stated yes, what he would like to propose is a long-term strategy for both  
16 hiring down the road and current employees.  
17 Mayor McCormick stated that may be different policy changes. This is just the salary  
18 study. He's ok to have this discussion but would like to finish this one first. They are  
19 different conversations.  
20 Councilor Staples asked Councilor Darcey if he thinks we should include Summit County  
21 in the study this year and in three years when we revise it, we are setting a precedent that  
22 they should always be included. The job descriptions are somewhat different at a county  
23 level. Councilor Staples agrees that we need to be competitive with the places around us.  
24 Her concern is Summit County is different enough from small municipalities and there  
25 are benefits working at a small municipality that you don't get working for a county. Her  
26 concern is if we approve them now and they do something drastic to keep employees are  
27 we setting it up so we have to always include them.  
28 Councilor Darcey shared how the study was used for a company he worked for. Because  
29 it was done continuously nobody questioned the data. He doesn't feel like there's  
30 precedent. He wants to make sure every time we do this study we have the freshest  
31 information. We're not burdened by what we did three years ago.  
32 Councilor Staples agrees it should be the best available information.  
33 Councilor Blazzard agrees with Councilor Darcey and feels the more information we  
34 have to make decisions and stay competitive to keep our employees.  
35 Councilor Gines asked if this is strictly for the numbers not for the implementation.  
36 Mayor McCormick stated these numbers would contain that portion to applying this.  
37 Councilor Gines asked if we're going to do what the school district does which is once  
38 every year or as they get in to the graduated steps.  
39 Mayor McCormick stated in his opinion the only issue is those that are outside in the step  
40 range. As far as bumping those folks up that have been identified as being a higher salary  
41 range. Our budget has some cushion built into it with not hiring our engineer at the first  
42 of the year and only paying engineer fees. There's room from an administrative  
43 standpoint where he needs to look to see if he can just do these. There are some above the  
44 range they should be we would need to look at.  
45 Councilor Gines stated nobody loses. We need to implement those that are underpaid to  
46 get them caught up.

1 Mayor McCormick stated he will look at those from an administrative standpoint and see  
2 what that looks like. No one is going backwards in the steps. It would just shorten the  
3 time it takes to get them to the end of their range.

4  
5 **MOTION:** Councilor David Darcey moved to adopt Resolution 2024-07, A Resolution  
6 authorizing the incorporation of recommendations from the Salary Step Range  
7 Analysis dated October 2024 and job description creations into city policies.  
8 Also describe what this resolution says. It says we're going to adopt this  
9 analysis and we're going to follow the recommendations that are in that  
10 analysis. Those recommendations are in section 6 of the analysis. They are  
11 we're going to do a phased implementation plan with a short term and long-  
12 term adjustments, we're going to have a clear and transparent strategy to be  
13 followed to communicate with all employees, thirdly we're going to handle  
14 conversations with overpaid employees tactfully and address underpaid  
15 employees quickly, fourth we're going to eventually bring all employees in  
16 line with the salary ranges in this report which will allow Kamas' pay  
17 structure to experience consistency.

18 Councilor Larry Gines seconded the motion.

19 Mayor McCormick asked for a roll call vote:

20 Councilor Darcey voted "yes"

21 Councilor Staples voted "yes"

22 Councilor Bateman voted "yes"

23 Councilor Gines voted "yes"

24 Councilor Blazzard voted "yes"

25 The vote was unanimous. Motion passed.

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27 Mayor McCormick stated he is going to swap the next two agenda items.

## 28 29 30 **DEPARTMENT REPORTS**

31  
32 Amanda Curtis reported there was a stakeholder meeting for the TAP Grant. They toured  
33 the city centers in the valley and looking for potential and existing issues. The review was  
34 sent out and the next step will be a community open house in January.

35  
36 Scott Kettle reported the new park restroom will be delivered in December. The RAP Tax  
37 pavilion will be laid out to coordinate with that.

38 Scott Kettle reported the EV chargers will be finalized in December as well.

39  
40 Trevor Clegg reported he has been working with the State on a lead and galvanized water  
41 line upgrade.

42 Trevor Clegg reported the public works department has been working on cross  
43 connection training during their slow times.

44  
45 Scott Kettle reported the fish hatchery project is out to bid so we'll get some numbers  
46 soon. We need to come up with an agreement with them.

1 Mayor McCormick reported he would like to have a public hearing in December for the  
2 CDBG project and come up with a potential project.

3  
4 Chief Brad Smith reported they had a slow month. They only had 35 calls.

5  
6 Councilor Bateman asked Trevor Clegg about residents pumping flood water from homes  
7 into our sewer system.

8 Trevor Clegg doesn't want it pumped into our sewer system, possibly the storm drains.  
9

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11 **EXECUTIVE SESSION**

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13 **MOTION:** Councilor Leslie Staples moved to enter into an Executive Session to discuss  
14 the character, professional competence, or physical or mental health of an  
15 individual.

16 Councilor David Darcey seconded the motion.

17 Mayor McCormick asked for a roll call vote:

18 Councilor Darcey voted "yes"

19 Councilor Staples voted "yes"

20 Councilor Bateman voted "yes"

21 Councilor Gines voted "no"

22 Councilor Blazzard voted "no"

23 Motion failed for lack of a two-thirds vote  
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26 **ADJOURN**

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28 **MOTION:** Councilor Leslie Staples moved to adjourn at 9:40 p.m.

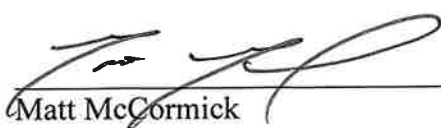
29 Councilor David Darcey seconded the motion.


30 Councilors David Darcey, Leslie Staples, and Jessica Bateman voted aye.

31 Councilors Larry Gines, Monica Blazzard voted no. Motion passed 3-2.  
32

33  
34 *The content of the minutes is not intended, nor are they submitted, as a verbatim*  
35 *transcription of the meeting. These minutes are a brief overview of what occurred at*  
36 *the meeting.*

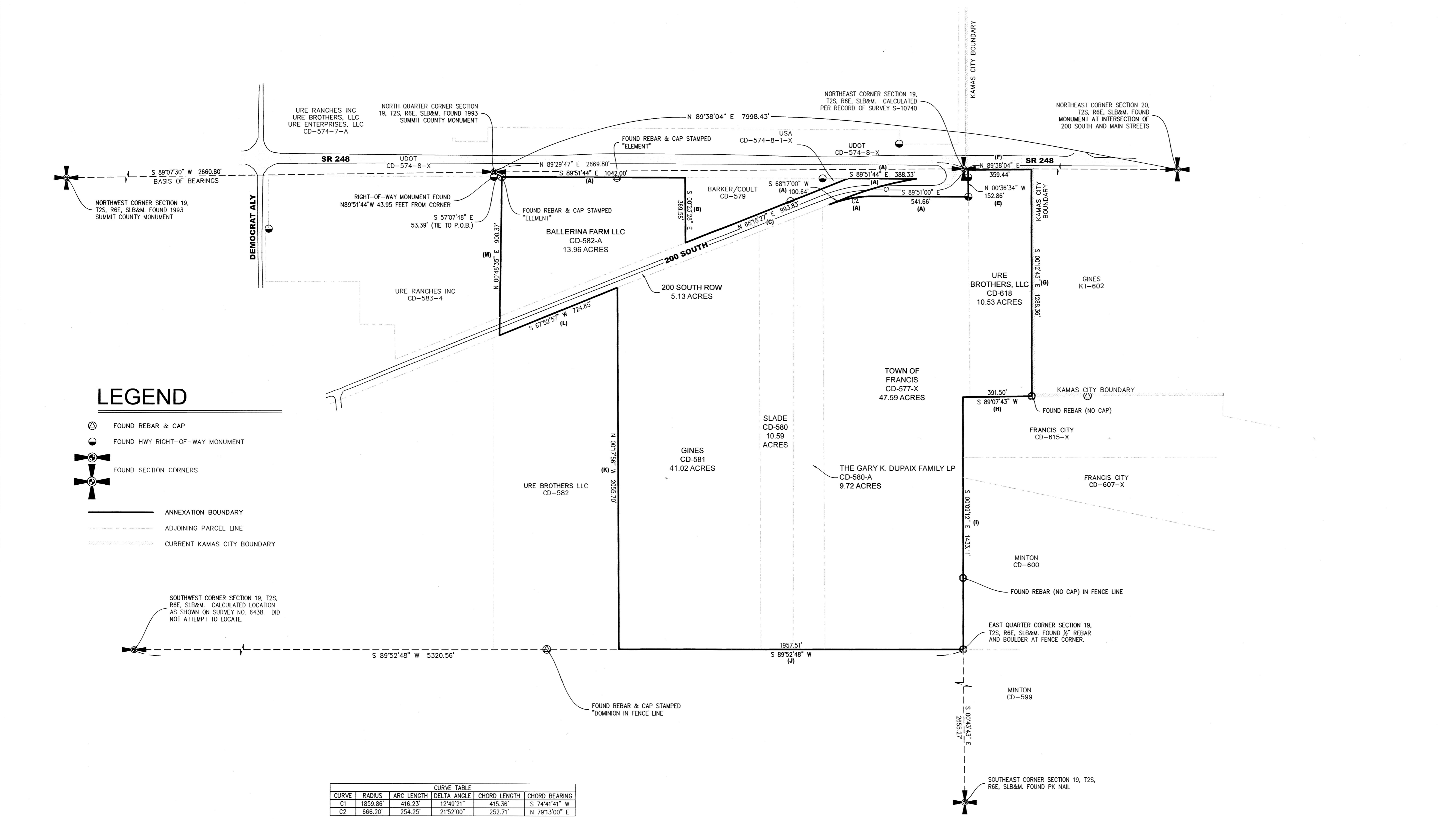
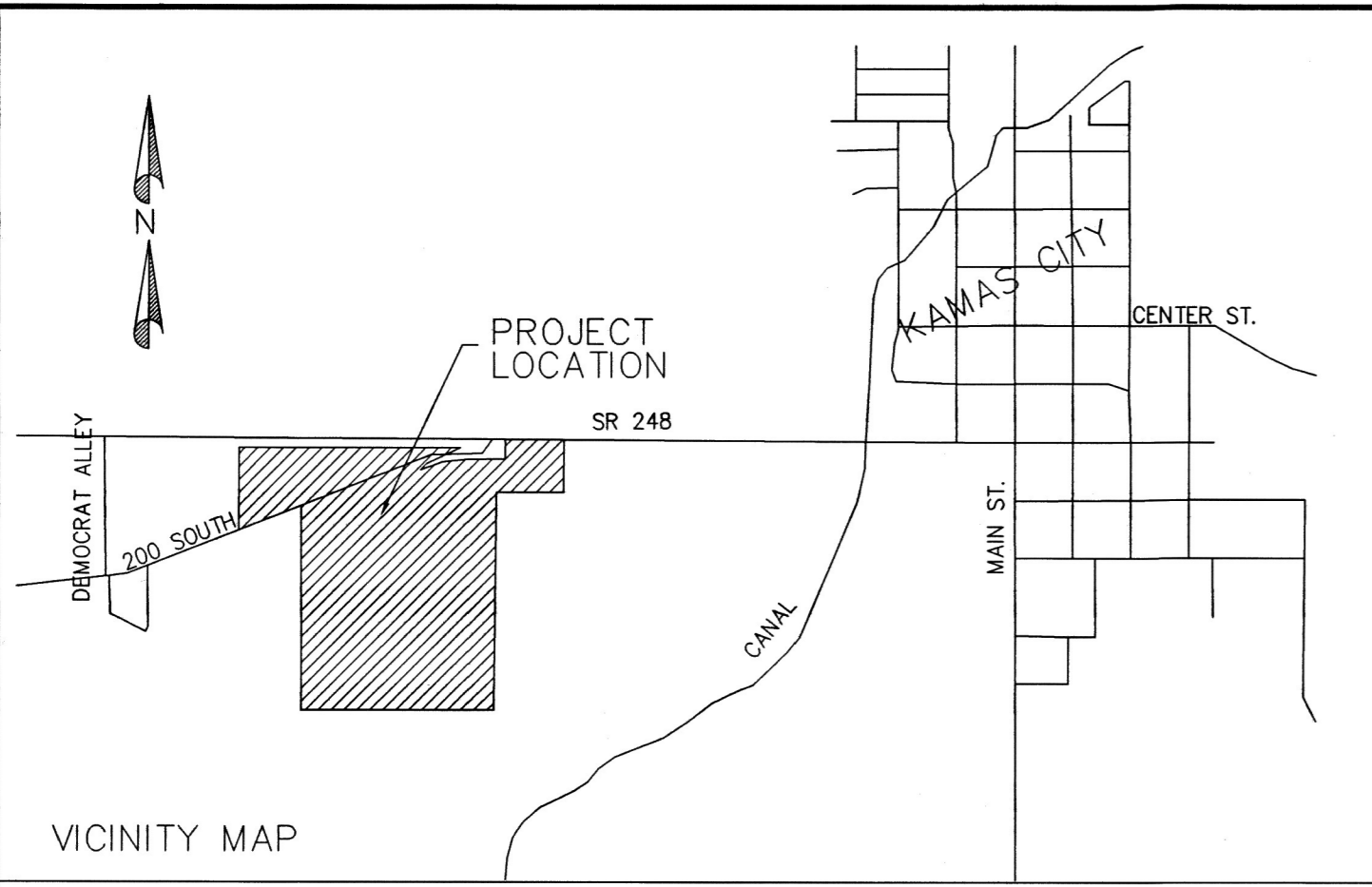
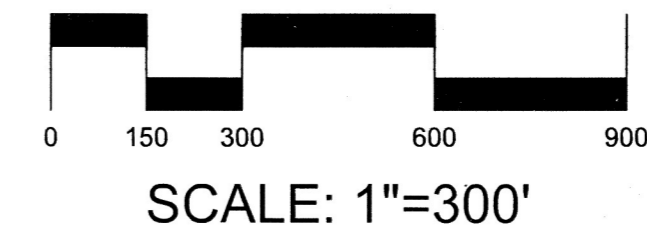
37  
38 Approved on the 26<sup>th</sup> day of November, 2024.  
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45 Matt McCormick  
Mayor

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45 Kim Peacock  
City Recorder

# BALLERINA FARM ANNEXATION

LOCATED IN THE NORTHEAST QUARTER OF SECTION 19, AND THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN



## LEGEND

- FOUND REBAR & CAP
- FOUND HWY RIGHT-OF-WAY MONUMENT
- FOUND SECTION CORNERS
- ANNEXATION BOUNDARY
- ADJOINING PARCEL LINE
- CURRENT KAMAS CITY BOUNDARY

SOUTHWEST CORNER SECTION 19, T2S, R6E, SLB&M, CALCULATED LOCATION AS SHOWN ON SURVEY NO. 6438, DID NOT ATTEMPT TO LOCATE.

CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH
C1	1859.86	416.23	12°49'21"	415.36
C2	666.20	254.25	21°52'00"	252.71

## BASIS OF BEARING

BASIS OF BEARING FOR THIS SURVEY IS S89°07'30"W 2660.80 BETWEEN THE FOUND 1993 SUMMIT COUNTY MONUMENTS MARKING THE NORTHWEST AND NORTH QUARTER CORNERS OF SECTION 19, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN

## BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SR 248, SAID POINT BEING S57°07'48"E 53.39 FEET FROM THE NORTH QUARTER CORNER OF SECTION 19, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN (BASIS OF BEARINGS BEING S89°07'30"W 2660.80 FEET BETWEEN THE NORTH QUARTER AND NORTHWEST CORNERS OF SAID SECTION 19); THENCE S89°51'44"E 1042.00 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE; THENCE S00°23'28"E 369.58 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 200 SOUTH STREET; THENCE N89°15'27"E 393.33 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO A POINT ON SAID SOUTHERLY RIGHT-OF-WAY LINE OF SR 248; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF SR 248 THE FOLLOWING SIX COURSES: (1) S89°51'44"E 388.33 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1859.86 FEET, AND TO WHICH POINT A RADIAL LINE BEARS N08°53'39"W; (2) 416.23 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°49'21", WITH A CHORD BEARING AND DISTANCE OF S74°41'41"W 415.36 FEET; (3) S68°17'00"W 100.64 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 666.20 FEET, AND TO WHICH POINT A RADIAL LINE BEARS N21°43'00"W; (4) 254.25 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 21°52'00", WITH A CHORD BEARING AND DISTANCE OF N79°30'00"E 252.71 FEET; (5) S89°51'00"E 541.66 FEET; (6) N00°36'34"W 152.86 FEET TO A POINT ON THE KAMAS CITY BOUNDARY (SEE ANNEXATION PLAT ENTRY NO. 735242); THENCE ALONG SAID KAMAS CITY BOUNDARY THE FOLLOWING TWO COURSES: (1) N89°38'04"E 359.44 FEET; (2) S00°12'43"E 1288.36 FEET TO A POINT ON THE SOUTHERLY LINE OF PARCEL CD-618; THENCE S89°07'43"W 391.50 FEET ALONG SAID SOUTHERLY BOUNDARY OF PARCEL CD-618 TO A POINT ON THE APPARENT SECTION LINE; THENCE S00°09'12"E 1433.11 FEET ALONG SAID SECTION LINE TO A FENCE CORNER ON THE QUARTER SECTION LINE AS SHOWN ON RECORD OF SURVEY NO. 6438; THENCE S89°52'48"W 1957.51 FEET ALONG SAID QUARTER SECTION LINE; THENCE N00°17'56"W 2055.70 FEET ALONG THE WESTERLY BOUNDARY LINE OF PARCEL CD-581, SAID COURSE BEING COINCIDENT WITH AN EXISTING FENCE LINE TO A POINT ON THE APPARENT SOUTHERLY RIGHT-OF-WAY LINE OF 200 WEST STREET; THENCE S67°52'57"W 724.85 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE; THENCE N00°48'35"E 900.37 FEET ALONG THE WESTERLY BOUNDARY LINE OF PARCEL CD-582-A TO THE POINT OF BEGINNING. PARCEL CONTAINS 138.54 ACRES

## SURVEY NARRATIVE

CURRENT UTAH CODE REQUIRES THAT ANNEXATION PETITIONS BE ACCOMPANIED BY "AN ACCURATE AND RECORDABLE MAP, PREPARED BY A LICENSED LAND SURVEYOR, OF THE AREA PROPOSED FOR ANNEXATION" (SEE UTAH CODE 10-2-403-1-2-1) UNDER NO CIRCUMSTANCE SHOULD THIS PLAT AND ITS ACCOMPANYING BOUNDARY DESCRIPTION BE INTERPRETED AS REPRESENTING THE RESULTS OF AN ACTUAL SURVEY CONDUCTED BY ME IN CONFORMANCE WITH SECTION 17-23-20 OF THE UTAH CODE. FURTHERMORE, THE BOUNDARY DESCRIPTION AS SHOWN HEREON MAKES NO ATTEMPT TO RECONCILE OR UNIFY, EITHER BY SURVEY OR OTHERWISE, THE SEPARATE BASIS OF BEARINGS AND POINTS BEGINNING OF ALL THE OFFICIALLY RECORDED ANNEXATION PLATS FOR THE TOWN OF KAMAS REFERENCED THEREIN. SECTION CORNERS, LONG STANDING FENCE LINES, AND OTHER MONUMENTS WERE USED TO AID IN IDENTIFYING THE BOUNDARY WHERE POSSIBLE.

PARCELS TO BE ANNEXED INTO KAMAS CITY: CD-618, CD-577-X, CD-580-A, CD-580, CD-581, CD-582-A, PORTIONS OF 200 SOUTH STREET.

- BOUNDARY NOTES:
- SIDE (A): FOLLOWS ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SR 248 AS EVIDENCED BY FOUND HWY RIGHT-OF-WAY MONUMENTS.
  - SIDE (B): FOLLOWS ALONG THE EAST PROPERTY LINE OF PARCEL CD-579-A AS SHOWN ON AN UNFILED SURVEY PROVIDED TO ME BY ELEMENT LAND SURVEYING.
  - SIDE (C): FOLLOWS ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF 200 SOUTH AS EVIDENCED BY FOUND RIGHT-OF-WAY MONUMENTS AND RECORD OF SURVEY FILE NO. 9315.
  - SIDE (E): FOLLOWS ALONG HWY RIGHT-OF-WAY LINE TO A POINT ON THE EXISTING KAMAS CITY ANNEXATION LINE (SEE FILING NUMBER 735242).
  - SIDE (F)-(G): FOLLOWS ALONG SAID KAMAS CITY ANNEXATION LINE TO A POINT ON AN EXISTING FENCE LINE (SEE FILING NO. 735242). SAID ANNEXATION WAS ROTATED 00°21'56" IN THE CCW DIRECTION TO ACHIEVE BEARINGS FOR THIS SURVEY.
  - SIDE (H): FOLLOWS ALONG THE SOUTHERLY BOUNDARY LINE OF PARCEL CD-618, SAID COURSE BEING COINCIDENT WITH AN EXISTING FENCE LINE TO A POINT ON THE APPARENT SECTION LINE.
  - SIDE (I): FOLLOWS ALONG SAID APPARENT SECTION LINE, SAID COURSE BEING COINCIDENT WITH AN EXISTING FENCE LINE.
  - SIDE (J): FOLLOWS ALONG THE QUARTER SECTION LINE, SAID COURSE BEING COINCIDENT WITH AN EXISTING FENCE LINE, MORE OR LESS, AND RECORD OF SURVEY FILE NO. 6438.
  - SIDE (K): FOLLOWS ALONG THE WEST BOUNDARY LINE OF PARCEL CD-581, SAID COURSE BEING COINCIDENT WITH RECORD OF SURVEY FILE NO. 10740 TO A POINT ON THE APPARENT SOUTHERLY RIGHT-OF-WAY LINE OF 200 SOUTH.
  - SIDE (L): FOLLOWS ALONG THE APPARENT SOUTHERLY RIGHT-OF-WAY LINE OF 200 SOUTH. SAID LINE IS AN EXTENSION OF THE RIGHT-OF-WAY LINE ESTABLISHED BY THE SPRING MEADOWS SUBDIVISION, ALSO BEING, MORE OR LESS, COINCIDENT WITH AN EXISTING FENCE LINE.
  - SIDE (M): FOLLOWS ALONG THE WESTERLY BOUNDARY LINE OF PARCEL CD-582-A, SAID COURSE BEING COINCIDENT WITH RECORD OF SURVEY FILING NO. 9315, AND AN EXISTING FENCE LINE.

## FINAL LOCAL ENTITY PLAT APPROVAL

APPROVED AS TO FORM SUMMIT COUNTY SURVEYOR	COUNTY SURVEYOR FILING, STATE OF UTAH, COUNTY SUMMIT
APPROVED IN COMPLIANCE WITH SECTION 17-23-20 OF UTAH CODE ON THE 25 <sup>TH</sup> DAY OF <u>Jan.</u> , 20 <u>25</u> .	SURVEYORS SEAL
ACTING SUMMIT COUNTY SURVEYOR	

## SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 10-9a-603 OF THE UTAH CODE, I, DEREK KOHLER, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 11725351 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT

12/10/2024  
SURVEYOR DATE

SURVEYOR'S SEAL

## ACCEPTANCE BY LEGISLATIVE BODY

THIS IS TO CERTIFY THAT WE, KAMAS CITY COUNCIL, HAVE RECEIVED A PETITION SIGNED BY THE MAJORITY OF THE OWNERS OF THE TRACT OF LAND SHOWN HEREON REQUESTING THAT SAID TRACT OF LAND BE ANNEXED BY KAMAS CITY; AND THAT A COPY OF THE ORDINANCE HAS BEEN PREPARED FOR FILING HERewith. ALL IN ACCORDANCE WITH THE UTAH CODE ANNOTATED 10-2-401 AND 10-2-428 AS REVISED; AND THAT WE HAVE EXAMINED AND DO HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT OF LAND SHOWN AS PART OF KAMAS CITY; AND THAT SAID TRACT OF LAND IS TO BE KNOWN HEREAFTER AS THE BALLERINA FARM ANNEXATION.

DATED THIS 19 <sup>TH</sup> DAY OF <u>December</u> , 20 <u>24</u>	RECORDER'S SEAL
MAYOR	DATE <u>12/19/2024</u>
CITY ATTORNEY	DATE <u>12/18/2024</u>
CITY ENGINEER	DATE <u>12/18/2024</u>
ATTEST:  CITY RECORDER	DATE <u>12/19/2024</u>

COUNTY RECORDER

# BALLERINA FARM ANNEXATION

**ORDINANCE NO. 2024-06**

**AN ORDINANCE APPROVING THE BALLERINA FARM ANNEXATION AND DESIGNATING ZONING TO APPLY TO THE ANNEXATION PROPERTY**

WHEREAS, the owners of certain real property, described below, have petitioned to annex such real property into the corporate limits of Kamas City, Summit County, Utah; and

WHEREAS, said real property is an unincorporated area contiguous to the boundaries of Kamas City and the annexation thereof will not leave or create an unincorporated island or peninsula; and

WHEREAS, on June 25, 2024, the Kamas City Council accepted such petition for annexation for further consideration in accordance with Section 10-2-405(1)(a)(i)(B) of the Utah Code; and

WHEREAS, on July 15, 2024, the Kamas City Clerk certified such petition for annexation in accordance with Section 10-2-405(2) of the Utah Code; and

WHEREAS, on July 15, 2024, a copy of the public notice of the certification of such petition for annexation was mailed to the Summit County Council and the Summit County Clerk in accordance with Section 10-2-405(2)(c)(i) of the Utah Code; and

WHEREAS, public notice of the certification of such petition for annexation was published on the Utah Public Notice website on July 15, 2024; and

WHEREAS, public notice of a meeting of the Kamas City Council on August 27, 2024, in order to hold a public hearing regarding such petition for annexation was published on the Utah Public Notice website, Kamas Post Office, Kamas City Hall, and Kamas City website on August 14, 2024; and

WHEREAS, an agenda for the August 27, 2024 Kamas City Council meeting was posted on the Utah Public Notice website, Kamas Post Office, Kamas City Hall, and Kamas City website at least twenty-four hours prior to such meeting, which agenda included the holding of a public hearing and consideration of such petition for annexation by the Kamas City Council; and

WHEREAS, on August 27, 2024, the Kamas City Council held a public hearing regarding such petition for annexation; and

WHEREAS, the Kamas City Clerk did not receive any timely protests to such petition for annexation in accordance with Section 10-2-407(2) of the Utah Code;

NOW THEREFORE, be it ordained by the Kamas City Council as follows:

Section 1: The real property, more particularly described in Section 2 below, is hereby annexed to Kamas City, Utah, and the corporate limits of Kamas City are hereby extended accordingly.

Section 2: The real property, which is the subject of this Ordinance namely Ballerina Farm is described as follows:

SEE EXHIBIT A ATTACHED HERETO

Section 3: The real property described in Section 2 above shall be classified as listed below as set forth in the Kamas Municipal Code.

CD-618, CD-580-A, CD-580, and CD-581: A-5 Agriculture

CD-577-X: Public Facility

CD-582-A: Agricultural Tourism

Section 4: A certified copy of this Ordinance and an original plat describing the real property so annexed shall be recorded in the office of the Summit County Recorder within thirty (30) days after the date this Ordinance is adopted.

Section 5: The annexation set forth herein is subject to the following conditions:

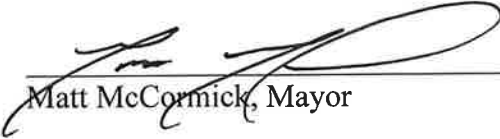
The Neeleman's, Ballerina Farm, connect to city sewer and pay the cost to bring it to their property, they would also have to get it designed correctly with a 12-year pioneering agreement. In addition, they bring the water line that would be extended to their property line with the same 12-year pioneering agreement. We provide Francis City with same entitlements to their public facility property as they currently have and we work with them to have an agreement with them to keep those in place, we work with the Neeleman's and Ballerina Farms on the road maintenance and plowing considerations and the overall width of the road and make sure it provides safety and travel for all people visiting their creamery, and we get the final wetland delineation site plan approval, the Planning Commission see the overall site plan approval for the creamery once we get to that point, and this proposal and this annexation be based on a formal annexation agreement and any other considerations determined by Kamas City staff and engineer, and we exclude the property owners that are part of this annexation from the 12-year pioneering water and sewer agreement. However, those 5 parcels are excluded from the pioneering agreement except for if they were to increase density or change their zone.

THIS ORDINANCE shall take effect as and when provided by Utah Code Title 10, Chapter 2, Part 4.


PASSED and ADOPTED by the Kamas City Council on the 10<sup>th</sup> day of September, 2024.

	AYE	NAY	
Councilor Monica Blazzard	_____	_____	N/A
Councilor David Darcey	X	_____	
Councilor Leslie Staples	X	_____	
Councilor Jessica Bateman	X	_____	
Councilor Larry Gines	_____	_____	Abstained

KAMAS CITY

  
Matt McCormick, Mayor

ATTEST:

  
Kim Peacock, City Recorder



## EXHIBIT A

### BALLERINA FARMS ANNEXATION BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SR 248, SAID POINT BEING S57°07'48"E 53.39 FEET FROM THE NORTH QUARTER CORNER OF SECTION 19, TOWNSHIP 2 SOUTH, RANGE 6 EAST, SALT LAKE BASE AND MERIDIAN (BASIS OF BEARINGS BEING S89°07'30"W 2660.80 FEET BETWEEN THE NORTH QUARTER AND NORTHWEST CORNERS OF SAID SECTION 19); THENCE S89°51'44"E 1042.00 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE; THENCE S00°23'28"E 369.58 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 200 SOUTH STREET; THENCE N68°18'27"E 993.83 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF 200 NORTH STREET TO A POINT ON SAID SOUTHERLY RIGHT-OF-WAY LINE OF SR 248; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF SR 248 THE FOLLOWING SIX COURSES: (1) S89°51'44"E 388.33 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1859.86 FEET, AND TO WHICH POINT A RADIAL LINE BEARS N08°53'39"W; (2) 416.23 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°49'21", WITH A CHORD BEARING AND DISTANCE OF S74°41'41"W 415.36 FEET; (3) S68°17'00"W 100.64 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 666.20 FEET, AND TO WHICH POINT A RADIAL LINE BEARS N21°43'00"W; (4) 254.25 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 21°52'00", WITH A CHORD BEARING AND DISTANCE OF N79°13'00"E 252.71 FEET; (5) S89°51'00"E 541.66 FEET; (6) N00°36'34"W 152.86 FEET TO A POINT ON THE KAMAS CITY BOUNDARY (SEE ANNEXATION PLAT ENTRY NO. 735242); THENCE ALONG SAID KAMAS CITY BOUNDARY THE FOLLOWING TWO COURSES: (1) N89°38'04"E 359.44 FEET; (2) S00°12'43"E 1288.36 FEET TO A POINT ON THE SOUTHERLY LINE OF PARCEL CD-618; THENCE S89°07'43"W 391.50 FEET ALONG SAID SOUTHERLY BOUNDARY OF PARCEL CD-618 TO A POINT OF THE APPARENT SECTION LINE; THENCE S00°09'12"E 1433.11 FEET ALONG SAID SECTION LINE TO A FENCE CORNER ON THE QUARTER SECTION LINE AS SHOWN ON RECORD OF SURVEY NO. 6438; THENCE S89°52'48"W 1957.51 FEET ALONG SAID QUARTER SECTION LINE; THENCE N00°17'56"W 2055.70 FEET ALONG THE WESTERLY BOUNDARY LINE OF PARCEL CD-581, SAID COURSE BEING COINCIDENT WITH AN EXISTING FENCE LINE TO A POINT ON THE APPARENT SOUTHERLY RIGHT-OF-WAY LINE OF 200 WEST STREET; THENCE S67°52'57"W 724.85 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE; THENCE N00°48'35"E 900.37 FEET ALONG THE WESTERLY BOUNDARY LINE OF PARCEL CD-582-A TO THE POINT OF BEGINNING.  
CONTAINS 138.54 ACRES





## KAMAS CITY COUNCIL MEETING AGENDA TUESDAY SEPTEMBER 10, 2024

6:00 P.M.

Kamas City Hall  
170 N. Main  
Kamas, UT 84036

The meeting will be streamed on the Kamas City YouTube channel: <https://www.youtube.com/channel/UCfvdAe2TE8PKHFJcPRpMMzA>  
Comments may also be made by email prior to the meeting at [kamascityutah@gmail.com](mailto:kamascityutah@gmail.com)

1. Call to Order  
Invocation: Councilor Leslie Staples  
Pledge of Allegiance
2. Approval of the Invoice Register dated September 9, 2024
3. Public Comment – This is the public’s opportunity to briefly comment on items not on the agenda
4. Clarification and amendment to the motion made on August 27, 2024 for Ordinance 2024-06, An Ordinance approving the Ballerina Farm annexation and designating zoning to apply to the annexation property
5. Approval of the August 27, 2024 City Council Meeting Minutes
6. Veteran’s Memorial location decision
7. Department Reports
8. Adjournment

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**MINUTES**  
**KAMAS CITY COUNCIL MEETING**  
**TUESDAY, SEPTEMBER 10, 2024**

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6:00 P.M.

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Kamas City Hall  
170 N. Main  
Kamas, UT 84036

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The meeting will be streamed on the Kamas City YouTube channel:

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<https://www.youtube.com/channel/UCfvdAc2TE8PKHFJcPRpMMzA>

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Comments may also be made by email prior to the meeting at [kamascityutah@gmail.com](mailto:kamascityutah@gmail.com)

Mayor McCormick opened the meeting welcoming those in attendance:

**COUNCIL MEMBERS:** Councilors Larry Gines, Jessica Allen Bateman, Leslie Staples, and David Darcey. Councilor Monica Blazzard participated electronically.

**STAFF:** City Recorder, Kim Peacock; City Planner, Amanda Curtis; Engineer, Scott Kettle; Public Works Director Trevor Clegg.

**OTHERS IN ATTENDANCE:** Terina Darcey, Boyd Mitchell, Diane Atkinson, Vicki Atkinson, Kate Wynn, Paul Wynn.

Mayor McCormick stated Councilor Blazzard is participating electronically tonight.

**OPENING INVOCATION AND PLEDGE OF ALLEGIANCE**

Invocation by Councilor Leslie Staples

Mayor McCormick led the public in the Pledge of Allegiance

**APPROVAL OF THE INVOICE REGISTER DATED AUGUST 26, 2024**

**MOTION:** Councilor David Darcey moved to approve the invoice register dated August 26, 2024 as presented.

Councilor Leslie Staples seconded the motion.

The vote was unanimous. Councilors Larry Gines, Jessica Bateman, David Darcey, and Leslie Staples voted aye. Motion passed.

**PUBLIC COMMENT – THIS IS THE PUBLIC’S OPPORTUNITY TO COMMENT ON ITEMS NOT ON THE AGENDA**

There were no public comments.

1 **CLARIFICATION AND AMENDMENT TO THE MOTION MADE ON AUGUST**  
2 **27, 2024 FOR ORDINANCE 2024-06, AN ORDINANCE APPROVING THE**  
3 **BALLERINA FARM ANNEXATION AND DESIGNATING ZONING TO APPLY**  
4 **TO THE ANNEXATION PROPERTY**

5  
6 Mayor McCormick explained we made the motion designating zoning to the annexation  
7 property but we did not properly address the ordinance and did not properly insert the  
8 approved wording for the amendment of the motion that was made regarding the  
9 exemption from the pioneering agreement and when that applies.

10  
11 **MOTION:** Councilor Leslie Staples moved to approve Ordinance 2024-06, An Ordinance  
12 approving the Ballerina Farm annexation and designating zoning to apply to  
13 the annexation property. The proposed annexation by Ballerina Farm for  
14 Parcels CD-582-A, CD-581, CD-577-X, CD-618, CD-580, CD-580-A with  
15 CD-577-X being Public Facility, CD-582-A being Agricultural Tourism, and  
16 the remaining 4 parcels being A-5 Agriculture with the following  
17 considerations. The Neeleman's, Ballerina Farm, connect to city sewer and  
18 pay the cost to bring it to their property, they would also have to get it  
19 designed correctly with a 12-year pioneering agreement. In addition, they  
20 bring the water line that would be extended to their property line with the  
21 same 12-year pioneering agreement. We provide Francis City with same  
22 entitlements to their public facility property as they currently have and we  
23 work with them to have an agreement with them to keep those in place, we  
24 work with the Neeleman's and Ballerina Farms on the road maintenance and  
25 plowing considerations and the overall width of the road and make sure it  
26 provides safety and travel for all people visiting their creamery, and we get the  
27 final wetland delineation site plan approval, the Planning Commission see the  
28 overall site plan approval for the creamery once we get to that point, and this  
29 proposal and this annexation be based on a formal annexation agreement and  
30 any other considerations determined by Kamas City staff and engineer, and  
31 we exclude the property owners that are part of this annexation from the 12-  
32 year pioneering water and sewer agreement however those 5 parcel owners  
33 are excluded from the pioneering agreement as long as those land owners do  
34 not attempt to increase their development rights, change their zoning, or  
35 change the current ownership.

36  
37 Councilor Gines asked if on the change the current ownership, if he deeds 5 acres for his  
38 daughter to build on, is that changing the deed?

39 Mayor McCormick stated the way the motion is presented that would change ownership  
40 of those 5 acres, so yes.

41 Scott Kettle stated we talked about how the property is currently zoned A-10 in the  
42 county. As long as the zoning doesn't increase from A-5 it wouldn't apply.

43 Amanda Curtis felt like that's what they agreed to. We had talked about the change of  
44 ownership but decided against it because we didn't want that to be the case.

45 Councilor Gines asked if there's anyway to delineate.

1 Mayor McCormick doesn't remember us saying we weren't interested in the change of  
2 ownership. The exemption from the pioneering agreement the way he understood it was  
3 for the current owners at the current zoning.

4 Scott Kettle stated as long as it's not changed from A-5 you'll be okay.

5 Councilor Gines states it's not fair to the Neelemen's if he sold to a developer and they  
6 kept it at A-5, but he feels it's fair if he deeds some of it to his family that they stay under  
7 the same pioneering agreement. There are two separate things there.

8 Scott Kettle stated he doesn't know how you differentiate between that. As long as the  
9 zoning stays at A-5, once the density increases that's when it would change.

10 Councilor Staples asked who's going to oversee that.

11 Mayor McCormick stated that's the problem, it's pretty hard to regulate. It has to be one  
12 way or the other.

13 Councilor Bateman stated it doesn't matter who owns it, it just needs to stay in that  
14 zoning.

15 Councilor Staples stated we need to figure out if it's an increased development, a zone  
16 change, or a whether it's change of ownership.

17 Councilor Darcey asked if it would work with just the increased development and zone  
18 change.

19 Mayor McCormick wonders if development is the right word or if it should be density.  
20 The council agreed it should be density.

21 Mayor McCormick stated it needs to have zone changes because that could apply to  
22 housing or commercial.

23 Councilor Darcey stated let's go with those two points, density and zone change.

24

25 **MOTION:** Councilor Leslie Staples amended her first motion to approve Ordinance  
26 2024-06, An Ordinance approving the Ballerina Farm annexation and  
27 designating zoning to apply to the annexation property. The proposed  
28 annexation by Ballerina Farm for Parcels CD-582-A, CD-581, CD-577-X,  
29 CD-618, CD-580, CD-580-A with CD-577-X being Public Facility, CD-582-  
30 A being Agricultural Tourism, and the remaining 4 parcels being A-5  
31 Agriculture with the following considerations. The Neeleman's, Ballerina  
32 Farm, connect to city sewer and pay the cost to bring it to their property, they  
33 would also have to get it designed correctly with a 12-year pioneering  
34 agreement. In addition, they bring the water line that would be extended to  
35 their property line with the same 12-year pioneering agreement. We provide  
36 Francis City with same entitlements to their public facility property as they  
37 currently have and we work with them to have an agreement with them to  
38 keep those in place, we work with the Neeleman's and Ballerina Farms on the  
39 road maintenance and plowing considerations and the overall width of the  
40 road and make sure it provides safety and travel for all people visiting their  
41 creamery, and we get the final wetland delineation site plan approval, the  
42 Planning Commission see the overall site plan approval for the creamery once  
43 we get to that point, and this proposal and this annexation be based on a  
44 formal annexation agreement and any other considerations determined by  
45 Kamas City staff and engineer, and we exclude the property owners that are  
46 part of this annexation from the 12-year pioneering water and sewer

1 agreement. However, those 5 parcels are excluded from the pioneering  
2 agreement except for if they were to increase density or change their zone.  
3 Councilor Jessica Bateman seconded the motion.  
4

5 Mayor McCormick stated he doesn't know how to handle this. Councilor Blazzard voted  
6 before the meeting started but then she just texted and said she can't get into the live  
7 stream so she's out of the meeting.

8 Kim Peacock stated Councilor Blazzard just texted her and said she can't get the internet  
9 to work, I approve the minutes, I just texted the mayor that I'm out of the meeting.

10 Mayor McCormick stated he's going to take the vote without her vote because she's out  
11 of the meeting. If it makes a difference, we'll consider it.  
12

13 Mayor McCormick asked for a roll call vote:

14 Councilor Darcey voted "aye"

15 Councilor Staples voted "aye"

16 Councilor Bateman voted "aye"

17 Councilor Gines abstained because he has property in the annexation  
18 boundary.

19 Motion passed 3-0.  
20

21 Mayor McCormick stated Councilor Gines is abstaining because his family owns  
22 property there. By rule he doesn't have to abstain and I can't ask him to abstain. The only  
23 thing he's required to do is identify his conflict. He's choosing to abstain on his own  
24 accord and he appreciates that.  
25

## 26 **APPROVAL OF THE AUGUST 27, 2024 CITY COUNCIL MEETING MINUTES**

27  
28  
29 **MOTION:** Councilor Leslie Staples moved to approve the City Council meeting minutes  
30 dated August 27, 2024 with the amended motion.  
31 Councilor Jessica Bateman seconded the motion.  
32 The vote was unanimous. Councilors Larry Gines, Jessica Bateman, Leslie  
33 Staples, and David Darcey voted aye. Motion passed.  
34  
35

## 36 **VETERAN'S MEMORIAL LOCATION DECISION**

37  
38 Mayor McCormick turned the time over to Terina Darcey.  
39 Terina explained the committee met and talked about several other options for the  
40 memorial. Scott Kettle and Amanda Curtis provided site plans with different options. The  
41 committee liked the idea of coming out on an angle because there could be two other sets  
42 of brick area in the corner.  
43

44 Councilor Bateman clarified the location of the memorial. Is it going to be in the corner  
45 or under the flagpole?

1 Councilor Gines explained the access would angle in from the northwest corner and the  
2 memorial will be placed under the flagpole.

3  
4 Councilor Darcey asked what the highest priority would be for the memorial.

5 Councilor Gines stated having it on Main Street.

6 Terina stated this community is very patriotic. They want it to be seen and don't feel  
7 having it off Main Street would be patriotic.

8 Councilor Gines stated the noise isn't as much as an issue as the location on Main Street  
9 is.

10  
11 Councilor Bateman stated on option 2 and 3 there is an information center.

12 Scott Kettle explained this was just talked about at the last meeting so they put it on there  
13 as an option.

14 Terina stated these could be phased in the future.

15  
16 Councilor Gines feels we need to remove the trees that are out there now because the flag  
17 touches it. We can plant new trees.

18  
19 Terina told the council they need to get this project started so they'll be able to apply with  
20 the county for a grant.

21 Mayor McCormick questioned why we would need to have this started before they could  
22 apply.

23 Terina stated she was told to have the project done then the city could apply for a grant to  
24 add on.

25 Councilor Gines asked if this is approved tonight could they break ground on Veteran's  
26 Day?

27 Terina would like to break ground before Veteran's Day.

28  
29 Councilor Darcey stated it seems we are having this discussion because the space at the  
30 flagpole could be used for expansion. Councilor Darcey is in favor of putting the  
31 memorial under the flag. One of his assumptions is we will never build a 7,800 sq ft  
32 police station. Looking at something more reasonable for this city a new smaller building  
33 could be built in the back of the City Hall. If we need to move the flag to build, it's going  
34 to cost a lot of money.

35 Councilor Staples stated the memorial's she has seen have typically been next to  
36 cemeteries. Something that should be considered is if there is a Veteran's Day program  
37 having it next to the Event Center and utilize the building as well.

38 Terina explained the committee visited the event center and they felt the space there was  
39 utilized for Fiesta Days and they don't want it to interfere with the celebration.

40 Councilor Gines feels the memorial would be more secure next to the City Hall.

41 Councilor Bateman thanked the committee for their patience while deciding where this  
42 should be located.

43  
44 **MOTION:** Councilor Jessica Bateman moved to approve the City Hall location and the  
45 recommendation from the committee to angle it from the northwest corner as  
46 they see fit and continue to work with Councilor Gines as a liaison.

1 Councilor David Darcey seconded the motion.  
2 The vote was unanimous. Councilors Larry Gines, Jessica Bateman, Leslie  
3 Staples, and David Darcey voted aye. Motion passed.  
4  
5

6 **DEPARTMENT REPORTS**  
7

8 Amanda Curtis stated she has nothing new to report.  
9

10 Scott Kettle asked the council if that's the direction for the memorial does he need to start  
11 working with the committee on the design.

12 Councilor Gines asked Terina Darcey to set up a meeting with Scott Kettle and Trevor  
13 Clegg to get this started. Tereina suggested September 19 at 1:00 p.m.  
14

15 Scott Kettle reported they have been working on the CDBG sewer project. He has been  
16 working with Trevor Clegg on the sidewalk and getting the new restroom by the park.

17 They will be putting in a new parking lot behind the sidewalk for the police to park.

18 Councilor Darcey stated the RAP tax grant applications are due September 30 if we want  
19 to apply for something for the parks.

20 Trevor Clegg would like to install the new turf at the park next to the rodeo grounds  
21 instead of having bark.

22 Mayor McCormick asked if moving the announcer's booth would qualify for this grant.

23 Councilor Darcey feels this could be an option.  
24

25 Trevor Clegg reported they have been working on the new park a lot. They are hoping to  
26 have the sidewalk poured within the next week. They are going to start running the power  
27 for the new bathroom and EV chargers on Thursday. Sod will be delivered tomorrow for  
28 the ball diamond area.  
29

30 Councilor Bateman asked Trevor Clegg if he's had complaints about the gravel going in  
31 the neighborhood roads.

32 Trevor Clegg stated he hasn't had any complaints but it's driving him nuts. They have  
33 been trying to go around once a week to sweep the road with the sweeper.  
34  
35

36 **ADJOURN**  
37


38 **MOTION:** Councilor Larry Gines moved to adjourn at 6:50 p.m.


39 Councilor Jessica Bateman seconded the motion.

40 The vote was unanimous. Councilors Larry Gines, Jessica Bateman, Leslie  
41 Staples, and David Darcey voted aye. Motion passed.  
42  
43  
44  
45

1 ***The content of the minutes is not intended, nor are they submitted, as a verbatim***  
2 ***transcription of the meeting. These minutes are a brief overview of what occurred at***  
3 ***the meeting.***

4  
5 Approved on the 24<sup>th</sup> day of September, 2024.  
6

7  
8  
9  
10  
11   
12 Matt McCormick  
Mayor

  
Kim Peacock  
City Recorder





**NOTICE OF IMPENDING BOUNDARY ACTION  
BALLERINA FARM ANNEXATION**

To the Lieutenant Governor, State of Utah:

I am the City Recorder of Kamas City. I am submitting this Notice of Impending Boundary Action regarding the Ballerina Farm Annexation. This annexation was accomplished by Ordinance 2024-06, which was passed by the Kamas City Council on September 10, 2024 and an Annexation Agreement approved November 12, 2024.

I hereby certify that all legal requirements applicable to this boundary action have been met.

Enclosed herewith are (1) a copy of the Ordinance 2024-06, and (2) a copy of the approved final local entity plat.

Please contact me with any questions at (435)783-4630.

Signed,

Kim Peacock, Kamas City Recorder  
170 N. Main  
Kamas, UT 84036  
kpeacock@kamascityut.gov

December 23, 2024  
Date