

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

Comments may also be made by email prior to the meeting at kamascityutah@gmail.com

1 The vote was unanimous. Councilors Larry Gines, Jessica Allen Bateman,
2 Leslie Staples, David Darcey, and Monica Blazzard voted aye. Motion passed.
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4

5 **PUBLIC COMMENT – THIS IS THE PUBLIC’S OPPORTUNITY TO**
6 **COMMENT ON ITEMS NOT ON THE AGENDA**
7

8 There were no public comments.
9

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11 **VETERAN’S MEMORIAL UPDATE**
12

13 Scott Kettle distributed a design for the Veteran’s Memorial. The committee would like it
14 to represent 2,000 bricks total. There will be 6 flags for each branch of service. Scott
15 Kettle is working with an electrician for flag lighting. This will need to be included in the
16 budget.

17 Councilor Bateman asked where benches will go in the future.

18 Scott Kettle explained they are on the plan as future benches. They can be moved.

19 Councilor Gines confirmed with Terina Darcey that Oakley City donated \$5,000.

20 Councilor Staples stated at one time we talked about the bricks being laid in sand.

21 Scott Kettle explained the process of laying the bricks.

22 Councilor Staples stated this design looks like a lot more bricks and concrete and not as
23 much green as originally presented.

24 Scott Kettle explained this doesn’t all need to be constructed all at once. The plan is just
25 to show what 2,000 bricks would look like.

26 Terina Darcey stated they have sold 100 bricks so far.

27 Councilor Staples asked how this works if the estimate is \$75,000. Who funds this, the
28 city?

29 Scott Kettle stated the city committed \$60,000 and Oakley committed \$5,000.

30 Mayor McCormick stated if we get to the point for construction and there are no other
31 funds collected, someone would have to approach the council for a budget amendment.

32 Councilor Blazzard feels like with Wreath’s Across America, it will start off small and
33 grow.

34 Scott Kettle explained tonight is just to show the council the design and move forward to
35 start construction in the spring.

36 Mayor McCormick feels like we should have a phasing plan to reduce the cost. This is a
37 way to budget in future fiscal years if needed.

38 Councilor Gines feels this could be a contingency plan if needed.

39 Scott Kettle stated the biggest cost is the flags and electrical.

40 Councilor Staples feels the maintenance of this could be expensive. The flag rotation
41 could be expensive with the ongoing maintenance. If we’re putting this on city property
42 does this fall on the city?

43 Scott Kettle stated the smaller flags we’ll be using are a lot cheaper than the large flag we
44 have now.

45 Councilor Staples stated we want it to look good but we need to be cognizant of future
46 expenses in addition to the upfront cost.

1 **POSSIBLE ORDINANCE 2024-07, AN ORDINANCE GRANTING AND**
2 **ELECTRIC UTILITY FRANCHISE AND GENERAL UTILITY EASEMENT TO**
3 **ROCKY MOUNTAIN POWER**
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5 This agenda item was postponed to December 10, 2024
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8 **KAMAS VALLEY FIESTA DAYS PLANNING**
9

10 Steve Mitchell explained everything is going as planned. He is looking for a new Pioneer
11 Program director.

12 Jason Peterson stated the car show has a conflict with the proposed date. He would like to
13 move it a week earlier to July 19th.

14 Mayor McCormick feels we have multiple events that day and they draw people to each
15 of those events.

16 Peterson stated if it's not practical he can figure it out. He would just need to find another
17 emcee.

18 Mark Rummel stated Heber City is having a 3 day show next year, July 24-26.

19 Steve Mitchell stated from the feedback he got from the drivers this year only one said he
20 would be going to the Heber derby. But they have a \$200,000 pot so this may change
21 their minds.

22 Mayor McCormick asked Rummel what his recommendation would be for the derby next
23 year.

24 Rummel stated he feels the same day as the car show, the weekend before, July 19.

25 Mayor McCormick stated if the idea is to have a derby and make it successful, it would
26 seem like the right thing to do to consider the competition and what that would do to us.

27 Councilor Gines feels we wanted to go back to one weekend because a lot of people from
28 out of town have to choose which weekend they come to events.

29 Mayor McCormick stated we'll have another planning meeting in January to finalize the
30 schedule.

31 Steve Mitchell asked if we could move the rodeos to the weekend before so they'll be all
32 together and have something on the 24th.

33 Mayor McCormick stated the council decided the Caleb Bennett Invitation could not be
34 in May.

35 Kerbee stated it can't be in July, the cowboys won't be available. No matter what, it will
36 happen somewhere next year. The other rodeos will be similar to the ones we had last
37 year.

38 Kerbee asked the council if they want to keep the 2 concerts after the rodeos.

39 The council felt people liked them and they were well attended.

40 Councilor Darcey asked if we had the rodeos on the 17th and 18th why would that be
41 necessary. Is it just to be in front of the Demolition Derby?

42 Kerbee explained it was suggested because it was stated people want to attend all the
43 events on the same weekend and not be split.

44 Councilor Bateman asked if we have all the events on the same weekend is it too hard on
45 the employees to get the arena ready.

46 Councilor Gines stated if the rodeos are before the derby, it's not a problem.

1 Councilor Gines feels we risk a no show for the derby if we have it the same night as the
2 Heber derby.
3 Councilor Bateman feels we can have different types of cars for the heats and still get the
4 drivers.
5 Mayor McCormick asked the Rummel's to do some outreach in the derby community
6 and get a feel from the drivers on how they feel about having the derbies on the same
7 day.
8 Steve Mitchell explained the Heber derby uses different rules as we do.
9 Councilor Gines asked how much more Heber pays out than we do.
10 Rummel stated first place is \$10,000.
11 Councilor Bateman stated if we don't do the Caleb Bennett Invitational, we could have
12 some extra money and would be willing to increase the pot.
13 Councilor Blazzard feels we should keep this Kamas. We trust the people in charge to
14 give us advice. If we put on a quality show people will come here for certain reasons and
15 won't go to Wasatch.
16 Mayor McCormick feels the outreach to the drivers will be helpful.
17 Councilor Staples feels we should also reach out to the community to see how they feel.
18 Councilor Darcey would like to reach out to the community as well and see which
19 weekend they would prefer.
20 Kerbee asked if Caleb Bennett is a no.
21 Councilor Bateman and Councilor Blazzard stated they are a no.
22 Councilor Staples stated given the expense last year it would be hard for our community.
23 Councilor Darcey stated he agreed.
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26 **COUNCIL REPORTS**

27

28 Mayor McCormick would like to move this discussion item so Councilor Bateman can
29 present the new website.
30 Councilor Bateman stated our new website is close to being done. Councilor Bateman
31 presented a demonstration of our new website.
32
33 Councilor Darcey reported that Blazzard Lumber had a significant loss. Many of the
34 family members have served the city in different positions. There was a go fund me
35 account set up to help them. If anyone feels compelled to donate it would be appreciated.
36 Councilor Staples stated they are trying to run a small piece of their business and they
37 could use support.
38 Councilor Bateman stated Blazzard's are still donating the lumber to the scouts for their
39 Eagle Scout projects.
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42 **OPEN AND PUBLIC MEETINGS ACT, CLOSED MEETING TRAINING**

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44 Mayor McCormick turned the time over to our attorney Joel Yellowhorse.
45 Joel explained he has been asked to review the Closed Meetings portion of the Open and
46 Public Meetings Act.

1 Joel explained there needs to be a public meeting called in order to have a closed
2 meeting. There needs to be a quorum and there needs to be two thirds vote to enter.
3 Before entering the closed session, you need to declare the reason and state for the record
4 the vote of each member in the record. In order to exit it just needs a majority vote. It's
5 important to call them closed sessions and not executive sessions.
6 Joel reviewed the specific purposes for closed meetings.
7 Councilor Gines asked to enter a closed meeting does it need to be on the agenda.
8 Joel stated yes, he recommends it.
9 Councilor Gines asked prior to a closed meeting how much information should the
10 council be privy to before entering into one.
11 Joel stated the council should have as much as they need to determine if they want to vote
12 to go into a closed session.
13 Joel told the council before entering into a closed meeting the council should consult him
14 to talk to him about it.
15 Councilor Gines asked if talking about an employee regarding tuition assistance, is this
16 deemed going into a closed session.
17 Joel stated he wouldn't consider that professional competence. Professional competency
18 would be talking about an employee with a possible disciplinary action as a result or
19 sharing things that would negatively impact the employee.
20 Councilor Blazzard asked if it is about an employee, do they have the right to be in the
21 closed session.
22 Joel explained if the council invites them in then yes. The majority of the council needs
23 to ask for it.
24 Councilor Blazzard stated to clarify if the agenda says closed session one of those reasons
25 needs to be listed so they can make an informed decision going into it.
26 Joel told her yes, he would recommend it.
27 Councilor Blazzard stated that's where it's hard for her because nobody likes to be
28 blindsided. She would like them to be used for the purpose they're intended to be used
29 for.
30 Councilor Blazzard asked Joel what they shouldn't be used for.
31 Councilor Bateman added can we make decisions based on the closed session
32 information.
33 Joel stated you could act on that information.
34 Councilor Staples asked if that is more administrative versus legislative?
35 Joel stated a lot of those decisions, the council is talking about policy and legislation.
36 Now, a specific situation of wrong doing maybe pertinent to the fact that you're
37 establishing a rule or an ordinance. Once you come out of the closed session, you
38 determine you don't want a general situation to happen so you pass a rule. You've
39 justified why you're engaging in that policy making.
40 Councilor Staples stated a closed session seems to be more of a discussion. Nothing
41 happens in there other than a conversation. The agenda doesn't need to be detailed as to
42 what you're going in to talk about.
43 Joel answered yes. On the agenda you're only required to state the statutory reason. You
44 can't vote inside of a closed meeting. It's for informational purposes.

1 Councilor Darcey asked if you can have a closed session and can it be held spur of the
2 moment. For example, if the discussion leans towards a specific employee can we enter
3 into a closed session to finish talking about their competency.
4 Joel stated this would be a valid reason to go into a closed session.
5 Joel stated a lot of cities include a closed meeting item on their agendas in case they do
6 need to go into a closed session. Just state the reason on the record.
7 Councilor Gines asked if the employee knows they're going to be talked about in a closed
8 session can they request they are talked about in the public meeting and not the closed
9 meeting.
10 Joel stated if the employee wants to talk about it to the public they can. They can't
11 request the council to talk about it in public.
12 Councilor Gines asked if the employee knows the council is going into a closed meeting
13 to talk about them can they say no, they want this public knowledge?
14 Joel explained they can't command the council to disclose that in public. They can go out
15 in to the public or speak during public comment about their situation.
16 Councilor Bateman asked if the council doesn't want the employee in the closed session,
17 they would have to adhere to that too.
18 Joel state yes. That would be a majority vote.
19 Councilor Staples asked Joel if there is exposure for the city if we had a conversation
20 about an individual employee in a public meeting that could potentially open us up to
21 liability.
22 Joel state yes, that's why he would like to be involved if there was a sensitive situation.
23 Councilor Staples expressed she wouldn't feel comfortable even if the employee signed a
24 waiver.
25 Joel stated he would like to draft the waiver if there was a waiver.
26 Mayor McCormick stated many of the closed meetings deal with finances which is a
27 council decision. This particular item deals a lot more with the administrative side. Could
28 you discuss the roles.
29 Joel explained the administrators, the supervisors, the employees, the mayor, you're not
30 bound by the public meetings act. You're acting as your own entity, you're not acting as
31 a council.
32 Mayor McCormick asked if you go into a closed session for character, the decisions
33 council make are limited to policy and legislative, not administrative actions.
34 Joel stated there's definitely a separation there. The council makes the rules and decides
35 how the city wants to be run. You can use closes session to help with that. The executive
36 side of the city administers the rules the way that they're written.
37 Councilor Staples stated without the councils input?
38 Joel stated you can give suggestions.
39 Councilor Bateman asked if an ordinance does come out if this. You can't adopt an
40 ordinance right after because it wouldn't be on the agenda.
41 Joel stated if a policy is being changed, he would like to review it before a decision is
42 made.
43 Councilor Blazzard confirmed the council creates the policy, the mayor enforces the
44 policy the council creates.
45 Joel stated that's correct.

1 Councilor Blazzard asked if the employee wants to appeal the decision who do they go
2 to?

3 Joel explained there's an administrative grievance procedure.

4 Councilor Blazzard stated small towns don't have HR. Who do they go to?

5 Joel stated it goes up the chain of command from their supervisor up to the city council.

6 Once it goes through all the decision makers in the city it would go to district court.

7 Councilor Bateman stated in a performance review this is where a lot of this can be
8 resolved.

9 Mayor McCormick asked what kind of things can be appealed. If an employee doesn't
10 like the answer to something, can they appeal or does the boss have to break policy or
11 law for the appeal to be valid?

12 Joel explained anyone acting as an appeal authority has to apply the policy or the law.

13 You're not acting as the decision maker you're acting as a fact finder and judge. If a
14 decision is appealed the appeal has to be based on a violation of policy or rule. If all the
15 policies or rules are followed the appeal has to be denied.

18 **WORK SESSION: PERSONNEL POLICIES AND PROCEDURES MANUAL**

20 Mayor McCormick asked the council for questions.

22 Councilor Gines would like to look at the three girls in the office regarding hours and
23 their work schedule. Are there enough people on the council that would like to discuss
24 this and willing to listen to his proposals.

25 Councilor Darcey stated we need to get this resolved.

26 Mayor McCormick stated this may be a legal issue Joel may need to address because
27 whatever is applied has to apply to all employees.

28 Joel stated when creating policy you don't want to discriminate unnecessarily. Unless
29 there's a good reason to single out a person or department.

30 Councilor Gines stated the reason is for the fiscal responsibility for the city.

31 Councilor Gines would like to add a line in section 14, that the office workers would
32 work 24 hours per week, 3 days for benefits because the work load justifies this. He
33 would like to find a way to word this. If they can accomplish their tasks in 3 days, we
34 should let them work less days.

35 Councilor Bateman stated there are 4 categories and she suggested adding a fifth,
36 possibly a hybrid. This came about from the adoption of a pay study. The new section
37 could have flexibility and having remote work. It would be put into their job offer letter
38 depending on which department they are in.

39 Joel feels there could be section with remote work and reduced hours. He would have to
40 think about the scope of work regarding the departments. He would be more comfortable
41 if it was in the policy with requirements listed as criteria.

42 Councilor Blazzard asked if you could add certain hours are required to be on call.

43 Mayor McCormick stated the administrative side still has to have the latitude to say yes
44 or no based on administrative review.

45 Joel stated that would be wise to include whomever is directing the employees to have a
46 say in this process since he spends more time with the employees.

1 Joel he will draft something for the council to review.
2 Councilor Darcey asked if we are okay with the benefits. Benefits right now are at 20
3 hours and we have some time where there's only enough work for 24 hours. Are we
4 going to reclassify that.
5 Councilor Bateman doesn't feel we can change that right now. It's just future employees.
6 Councilor Staples stated you have to look at that going forward. This policy was put into
7 place several years ago when they were looking for employees and doing whatever they
8 could to incentivize them to work for the city.
9 Councilor Bateman asked if there can be a grandfathered clause added in policy for the
10 current employees.
11 Councilor Blazzard asked if we can add grandfathered clauses into policy. It's not the
12 employees' fault, that's what they were hired at.
13 Councilor Gines asked if we can adjust the positions with the hours worked if someone
14 quits.
15 Councilor Blazzard stated a new employee would have to start with the new policy and
16 the old employees would have a clause and continue with the hours they were hired on.
17 We need to define full time and we need to grandfather these employees in that that's
18 what they were hired in and that's what they agreed to. We need to hold up to our
19 agreement. For the new employees we need to define full time.
20 Joel stated time of hire would represent the difference and he will come up with a draft to
21 incorporate.
22 Councilor Darcey asked if the council agrees full time could be 30 hours.
23 Councilor Blazzard stated the school district employees are full time at 30 hours.
24 Mayor McCormick stated 30 hours is less than four 8-hour days. This leads down the
25 road of less than four days. A hire letter would change that correct?
26 Joel stated yes, you want to honor the hire letter.
27 Councilor Gines asked what takes precedence, policy or hire letter?
28 Joel stated it would be policy at the end of the day that decides.
29 Councilor Staples stated if we change policy we have to go with policy. How does that
30 affect grandfathering?
31 Joel stated grandfathering simplifies things. These are at will employees. At certain
32 points you can demote them or fire them, change their scope of work, or reassign them.
33 If the policy changes, we make adjustments to their positions. A provision in the policy
34 will be added for current employees.
35 Councilor Staples wants to make sure she understands. If the council changes policy and
36 says an employee has to work 32 hours a week to get full benefits, if we have employees
37 that are under a different arrangement, we can account for that?
38 Joel stated we will put a provision in the policy that people hired after this date it doesn't
39 apply. If they have employee contracts, we can't violate the contracts.
40
41 Councilor Bateman would also like to explore having a council member involved in the
42 evaluations.
43 Joel stated a council would only be able to listen, not be involved in the conversation.
44 Councilor Staples feels the less information we have in our policy the better.
45 Joel stated there's a possibility but the supervisor may have something to share that the
46 council member shouldn't hear.

1 **ADJOURN**

2
3 **MOTION:** Councilor Leslie Staples moved to adjourn at 8:30 p.m.
4 Councilor David Darcey seconded the motion.
5 The vote was unanimous. Councilors Larry Gines, Jessica Allen Bateman,
6 Leslie Staples, David Darcey, and Monica Blazzard voted aye. Motion passed.
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9 *The content of the minutes is not intended, nor are they submitted, as a verbatim*
10 *transcription of the meeting. These minutes are a brief overview of what occurred at*
11 *the meeting.*
12

13 Approved on the 10th day of December, 2024.
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19 _____
20 Matt McCormick
 Mayor

Kim Peacock
City Recorder