MINUTES
KAMAS CITY COUNCIL MEETING
TUESDAY, OCTOBER 11, 2022

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

Mayor McCormick opened the meeting welcoming those in attendance:
COUNCIL MEMBERS: Councilors Jessica Allen Bateman, Kevan Todd, John Blazzard, and David Darcey. Councilor Monica Blazzard was excused. Kevan Todd arrived at 6:15 p.m.

STAFF: Planner, Amanda Huffmyer; Recorder, Kim Peacock; Engineer, Scott Kettle; Public Works Director, Trevor Clegg; Attorney, Rob Patterson.

OTHERS IN ATTENDANCE: Brin Howick, Ron Sharp, Kahrin Sharp, Tony Gortat, Megan McKenna, Jodi Hoffman, Rick Brighton, Marianne Skinner, Gracia Eisman, Wanda Prescott, Julie Viar.

OPENING INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation by Councilor John Blazzard
Mayor McCormick led the public in the Pledge of Allegiance

APPROVAL OF THE SEPTEMBER 13, 2022 CITY COUNCIL MEETING MINUTES

MOTION: Councilor David Darcey moved to approve the City Council meeting minutes dated September 13, 2022 as presented.
Councilor Jessica Allen Bateman seconded the motion.
The vote was unanimous. Councilors Jessica Allen Bateman, John Blazzard, and David Darcey voted aye. Motion passed.

APPROVAL OF THE INVOICE REGISTER DATED OCTOBER 10, 2022

MOTION: Councilor John Blazzard moved to approve the invoice register dated October 10, 2022 as presented.
Councilor David Darcey seconded the motion.

The vote was unanimous. Councilors Jessica Allen Bateman, John Blazzard, and David Darcey voted aye. Motion passed.

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

Tony Gortat, commented on 100 West and 200 North there needs to be a line painted on the road showing where people need to stop because it's hard to see people coming.

PUBLIC HEARING FOR A REZONE REQUEST BY MIRROR LAKE VILLAGE/RICHARD BRIGHTON LOCATED AT 100 WEST 200 NORTH (KT-268-B-1)

Mayor McCormick asked Amanda Huffmyer to read through her staff report.
Mayor McCormick asked the council if they have questions for Amanda Huffmyer.
Councilor Darcey asked Huffmyer about the math used to figure out the AMI.
Huffmyer read the definitions of moderate-income housing and affordable from the Kamas Municipal Code.
Councilor J. Blazzard asked if the number is based on current Kamas residents.
Huffmyer stated yes, that is from Kamas City only.
Councilor Bateman took it a step further and figured out it would take $30-$40 per hour that a person would need to make to get to that annual income.

Mayor McCormick opened the public hearing.

Tony Gortat, came to the Planning Commission meeting as well. He has lived there 22 years. He's worried about the density they're trying to put in. The majority of the people that live here work somewhere else.

Mayor McCormick explained they have a vested interest in commercial because it's already zoned commercial. They presented residential because they were asked to.

Gortat asked why don't they just put regular single homes like there are surrounding them since they can't get affordable housing right now. All the lots around there are about 1/3 acre lots. If you have 48 units there will be more traffic than bigger residential lots. Gortat is in favor of commercial over residential there. It will bring more jobs and the traffic will be limited. Gortat doesn't know why the neighbors weren't notified before now.

Mayor McCormick explained we haven't made a decision. We need to see how this benefits the city. This is why we're having a public hearing.

Brin Howick, lives on the west side of this project. There weren't many people there when she purchased her lot. After the Planning Commission meeting, with the density of

the 48 units with garages, all the questions asked to the developer were answered by, it will be handled by the HOA. The HOA's are not concrete, this should not be an answer to case specific questions. Also, it's her understanding in order to have a vote in an HOA you have to own property, but the developer is maintaining the majority votes in the HOA and they would become rental properties. Howick is not in favor of having rental properties. If this is the case, she would much rather have commercial. She is grateful that it would be a PUD, but with the control of the HOA is concerning. She would rather see commercial.

Maryanne Skinner, is a neighbor of the northeast corner. She is concerned with the neighbors and their setback. Their backyard would be her side yard. If this plan was approved, she would want a 6-foot fence along her property line. She would like to see the density go down slightly, but is also not opposed to the commercial plan. There are pros and cons to both sides. She is worried about the rentals of residential. Skinner asked the developer to show the renderings of the project.

Gracia Eisman lives in the neighborhood. She would like it to be residential. The reality of affordability is not a reality. Even if there are rentals it's a way for people to have a home.

Julie Viar, at the Planning Commission meeting one of the members was concerned with keeping them affordable. How many would be affordable would be a factor, as well as rentals. If it is residential, she would like to see less density. They would prefer to see commercial.

Megan McKenna, housing advocate for the new housing resource center that Mountainlands Community Housing Trust just started. The east side of the county has felt the impact of the west side housing crisis for a long time. It is challenging to live here. More and more people are being driven out and this is why she became a housing advocate. It is possible to have some affordability. You can't have affordability without density. You need to incentivize developers. She is offering their services. She would support a preliminary rezone for housing and would offer help with this project.

Mayor McCormick closed the public hearing.

Mayor McCormick turned the time over to Rick Brighton and Jody Hoffman.
Jody Hoffman is the attorney for this project. These homes are duplexes that will match the footprint of the homes next door. This type of project isn't currently available in Kamas. The height of the commercial buildings will be 27', which is allowed in the current zone. The streets are 64' wide platform.
Hoffman explained when they originally planned this, they weren't going to do lots at all. They were going to do a condominium project, but the mayor told them he didn't like that. This new proposed project will hit a price point in the market that Kamas doesn't currently have.

Mayor McCormick explained the reason he didn't like the proposal for condo units was because everyone's backyard was common ground. There were no individual backyards.

Hoffman explained this proposal now is a better marketing strategy with the individual lots. Hoffman explained there are places for the snow in the 26% open space and they will haul it if they have to. The setbacks are 25, 15, and 10. The back fence will be 6 feet. They will put in the development agreement whatever the city directs them to do. The retention pond will be an engineered system that will be approved by the city. The Provo River Water Users canal will not return their calls. They will keep trying. They feel it would be safer if the canal was capped. The view will be compromised regardless, because each proposed project is 27'. The HOA concerns mentioned, in a true subdivision as long as the owner owns one unit, common ground, or parking space, Utah law allows them to maintain control of the HOA. It maintains the value of the property if it is well controlled. All concerns can be addressed in a development agreement.
This architect does beautiful projects. The city should feel fortunate to have this project in Kamas.

Mayor McCormick clarified that Hoffman stated it's not your intention or do you believe you can comply with our moderate-income housing.
Hoffman replied there's not way they can do this and feels she has been transparent about that in all the discussions.

Councilor Darcey asked what the price range will be for these units.
Hoffman explained their costs will be around $600,000-$700,000 to build. The price of construction is high. They will sell above their cost.

Councilor Todd is a little shocked and confused. At the Planning Commission meeting public hearing the comments were it should not be commercial. Tonight, the public comments they want it to be commercial. The comment that stuck out the most was we have a moderate-income housing plan and Hoffman told us they can't meet that. The council needs to address this. Our code states "no zone change that includes an increase of residential density will be granted by the city council unless at least 20 percent of the increased density is dedicated to moderate income housing". This explains where we're at right now. The increased density of 48 units is off the table until 20 percent of the increased density can be moderate income housing.

Hoffman stated she reads it differently than staff. She doesn't agree this is an increase in density. She can have 48 units in the CG zone currently.

Councilor Todd has read the code and feels he is going to deny this and they are welcome to do what they can do in the commercial zone. They can't come to an agreement for the moderate income.

Councilor J. Blazzard asked the council what the benefit to the city is to rezone this from commercial.

Councilor Todd feels the condominium project is really nice and it's a need for Kamas City. For us to rezone they would have to commit to 20% moderate income and they can't do this.

Mayor McCormick agrees with Councilor Todd regarding the housing and the code. The other side of this is housing doesn't support the city. Commercial is a tax base that provides income for the city. There's a benefit for commercial and a benefit to residential if the moderate-income housing is met.

Councilor J. Blazzard stated that's the point he's trying to make. We have talked a lot about Kamas being the commercial hub of the valley.

Councilor Todd stated when he came tonight he was planning on looking at residential then was confused when everyone wanted commercial.

Councilor Darcey likes the townhome concept on 200 East and 200 South. It's 18 units on 2 acres. If we extrapolate that out to 4 acres it's 36 units. Is that what we should be doing, 36 units instead of 48?
Councilor Darcey agrees there are designated zones for commercial. He came to this meeting thinking this should be residential with a development agreement.

Councilor J. Blazzard feels this will really impact 100 West and 100 North. He doesn't see anything wrong with supporting commercial. We're going to have growth and development.

Councilor Bateman explained she lives in close proximity to this parcel. She doesn't want commercial in a residential area. She is confident we can make an agreement with them for what the city needs. This is a step in the right direction, but she's against HOA's overall. This takes less of the affordability out of it. She doesn't see commercial being a good fit there.

Councilor Darcey asked when looking at the actions tonight are we granting approval of the project.
Mayor McCormick explained this is to only approve the rezone to a residential PUD, not approval of the project.

Councilor Todd asked in a PUD do we have to stick to our increased density of 20%? It's in our code.

Rob Patterson stated it's in your code. It talks about residential density increase. Even with the most favorable for the developers it's not feasible. It doesn't meet the code which is a reason the council can use to deny it. This is a legislative matter, you could decide for whatever reason to not follow the code and say we find as the city council that this meets a need that addresses the interest of the moderate income housing for reasons listed.

Councilor Todd feels the problem is it is setting a precedent for the next developer.

Patterson stated yes, but because this is legislative the council has a lot more discretion. To Councilor Todd's point, you would have a developer coming in asking if they got it why shouldn't I.

Scott Kettle stated the hard thing with this parcel is it's zoned commercial and they paid a commercial price for this which is higher.

Rick Brighton explained the reasoning for moving forward with residential.

MOTION: Councilor Kevan Todd moved to deny preliminary approval to the Mirror Lake Village PUD rezone.
Councilor John Blazzard seconded the motion.

Councilor Bateman stated we have enough storage units in our community. Do we really need more. No.
Mayor McCormick stated it can't be storage units.
Councilor Bateman stated this is the way they look.
Mayor McCormick stated storage units are not allowed.
Councilor Bateman exclaimed a metal building is a metal building. That's what it's going to look like. There are storage units across from this. She can't have more commercial in a residential area.

Mayor McCormick asked for a roll call vote:
Councilor Darcey voted "nay"
Councilor J. Blazzard voted "aye"
Councilor Todd voted "aye"
Councilor Bateman voted "nay"

Mayor McCormick explained normally he doesn't vote but because of the legislative action made by the council, he votes in a tie breaker.

Mayor McCormick voted "aye" on the motion simply because we need to follow code.
Motion passed 3-2

Councilor Todd feels we need to address moderate income housing in our code. He is in favor of rezoning this residential, but the residents came in wanting commercial. There are things the council needs to further address.

5-minute recess

POWERS AND DUTIES TRAINING BY CITY ATTORNEY ROB PATTERSON

Rob Patterson provided a training for the mayor and city council regarding their powers and duties.

KAMAS CITY EVENT CENTER ACOUSTICS, CAMERA SYSTEM, TABLES, AND TABLE CARTS DECISION

Mayor McCormick reviewed 3 options for the sound paneling to help with the acoustics for the event center.
Councilor J. Blazzard feels we need to have this installed because the echo and noise is very obnoxious.
Councilor Bateman asked if the number of panels and locations are the engineers recommendation.
Mayor McCormick stated yes. They went in to the event center and tested the sound to come up with this.
Councilor Darcey feels we should install the maximum amount because it is needed.

MOTION: Councilor John Blazzard moved to move forward with option 3 for acoustic panels and expedite it as quickly as possible.
Councilor David Darcey seconded the motion.
The vote was unanimous. Councilors Jessica Allen Bateman, Kevan Todd, John Blazzard, and David Darcey voted aye. Motion passed.

Chief Brad Smith feels there needs to be a couple more cameras installed for security. We already have had the electrician wire so it saved money.

MOTION: Councilor John Blazzard moved to install 4 additional cameras in the event center for approximately $1,500.
Councilor Jessica Bateman seconded the motion.
The vote was unanimous. Councilors Jessica Allen Bateman, Kevan Todd, John Blazzard, and David Darcey voted aye. Motion passed.

Mayor McCormick explained at the last meeting Darrell Thomas brought up the need for a few more tables, chairs and carts. This is something that can wait if needed. There are other things we can finish before we buy more.

DEPARTMENT REPORTS

Amanda Huffmyer reported she has been talking to some people on annexation requests.

Scott Kettle reported the roads have been pulverized. One of the roads was mistakenly pulverized by the contractor but we have worked out a solution for this. They hope to asphalt next week.
Scott Kettle reported the park probably won't be completed until next spring.

Trevor Clegg reported they have had a state water inspection that passed. They have been working on the event center, and sewer maintenance.

ADJOURN

MOTION: Councilor Kevan Todd moved to adjourn at 9:20 p.m.

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

Approved on the 8th day of November, 2022.

_____	_____
Matt McCormick	Kim Peacock
Mayor	City Recorder