



CITY COUNCIL MINUTES

Thursday, April 24, 2014

Approved May 8, 2014

The following are the minutes of the City Council Meeting of the Herriman City Council. The meeting was held on **Thursday, April 24, 2014 at 5:00 p.m.** in the Herriman City Community Center Council Chambers, 13011 South Pioneer Street (6000 West), Herriman, Utah. Adequate notice of this meeting, as required by law, was posted in the Civic Center and on the City's website, and delivered to members of the Council, media, and interested citizens.

Attendance:

Mayor Carmen Freeman

Council Members Present:

Mike Day, Matt Robinson, Craig B. Tischner and Coralee Wessman-Moser

Staff Present:

Brett geo. Wood, City Manager
Gordon M. Haight II, Asst. City Manager
Jackie Nostrom, City Recorder
Cindy Quick, Deputy City Recorder
Shauna DeKorver, Finance Director
Cheeryl Jeppson, Human Resource Director
Bryn McCarty, Planning Supervisor
Tami Moody, PIO

5:00 PM - WORK MEETING: *(front Conference Room)*

COUNCIL BUSINESS

1. Review of this evening's agenda
2. Administrative Reports
 - a. **5:08:33 PM** Presentation by the Benefit Committee Consultants – Cheeryl Jeppson, Human Resource Director

Human Resource Director Cheeryl Jeppson informed the Council that she had contacted nine firms to solicit a benefit compensation study, and of those companies only three offered the service the City sought. She introduced Mike Swallow with Technology Net as she turned the time over to him for his presentation.

Mr. Mike Swallow offered a brief synopsis of the interworking of Technology Net, and noted that Herriman City has been a member of the organization for years. He noted that their firm mainly is an information sharing center, and already possessed most of the information that he believed the city is requesting. He offered a demonstration of their website to compile data and to create reports and graphs for visual aid. He exhibited a checklist of available selections their firm researched, and added that data is consistently updated. He

offered a description of the parameters set forth by the Council, and asked if they had any questions.

Mayor Freeman asked if their firm offered national comparisons. Mr. Swallow responded that their company didn't have that information readily available because the request isn't common. Councilmember Moser expressed her concern that executive staff should be compared throughout the intermountain west. Councilmember Day asked about the specialized technical positions in the database. Mr. Swallow informed the Council that virtually every job title is most likely in their database. Councilmember Day asked about the number of jurisdictions on their sample group. Mr. Swallow answered that they have approximately 250 localities and special districts. He told a short anecdote of a Wyoming jurisdiction benefit study his company just produced.

Councilmember Robinson questioned the age of the data, as well as the format setup. Mr. Swallow confirmed that the numbers are up to date as of July 2013, and the data could be formatted differently to accommodate needs. Councilmember Day asked about the comparison to include health benefit package. Mr. Swallow informed the Council that would be a hard request to fill. He suggested that the Council determine what benefits they would like to compare and Tech Net would research those requests. Councilmember Robinson asked if Tech Net addressed employee paid and employer paid benefits. Mr. Swallow indicated the information could be acquired. Mayor Freeman asked how long it would take to compile the data, and the cost burden associated with the request. Mr. Swallow responded that it would take 60 days and the study would cost \$10,000 maximum. Mayor Freeman thanked Mr. Swallow for his presentation to the Council.

[5:51:32 PM](#) Human Resource Director Jeppson introduced Doug Peterson and Kim Stout from Gallagher and Associates. Mr. Doug Peterson offered a handout to the Council, and added that they are the broker for the City. He advised the Council that national data is not available on some of the requested comparisons. He offered a suggestion to compile specific parameters and they would compare the City's benefits with local municipalities. He observed the charges for the services and noted a substantial cost difference of comparing locally and nationally. Councilmember Robinson asked if the data would be from all cities or tiers of cities. Mr. Peterson responded they would be results of similar sized municipalities. He questioned the sharing of information ability in regards to confidentiality, and noted the reports would be more ambiguous. Councilmember Robinson noted he remembered reviewing a study that offered specific details. Councilmember Moser assured Mr. Peterson that the information would be considered public by the Utah Government Records Access and Management Act.

Councilmember Robinson asked how many Utah jurisdictions are covered. Mr. Peterson responded that they have information presently for about 40-50 entities. Councilmember Moser asked if the City requested data from an agency that wasn't in Gallagher's database. Mr. Peterson answered that they would solicit the information. He continued that the firm currently has an overview of some items the Council has requested, and he would send the information free of charge to the City.

Mr. Peterson continued with the salary and planning budget study and noted the information is shared with their clients. He gave a sample of the salary analysis that the firm has already compiled. Councilmember Robinson asked if this was an unusual request. Mr. Peterson indicated that this comparison study is not common practice. Councilmember Day asked for clarification of the cost to conduct a total compensation analysis. Mr. Peterson explained that the analysis cost would range from \$1,000-\$5,000, and could narrow it down if he could receive the exact information the City would like to compare.

b. [6:11:57 PM](#) **Presentation of the SLR Master Development Agreement** – Gordon Haight, Assistant City Manager & Bryn McCarty, Planning Supervisor
City Attorney John Brems presented the Council with the master development plan for the SLR annexation. He indicated that the annexation, zoning designation, and development agreement would be in front of the Council for consideration on Monday, April 28th.

Attorney Brems reviewed changes to the development agreement with the Council. He advised them that the open space in the master development agreement would be for the school. Councilmember Robinson observed the negotiation point. Assistant City Manager Gordon Haight acknowledged it would be a benefit to the school; however, if the Council allowed them six acres as open space there may be a community objection. Councilmember Day asked for advisement on how to tie public use with the open space. Attorney Brems noted that the property will be considered open space and not a park. Assistant City Manager Haight explained to the Council that it would be to their discretion if they could use that as a portion of their open space requirement. He added that the public can utilize the area, but couldn't plan to use it. Councilmember Robinson suggested that if the property is donated to the school they could count the area as a portion of the requirement, but not if the property is sold.

Assistant City Manager Haight noted that this plan incentivizes the developer to let the school build, and the community could utilize the property after hours. Councilmember Robinson asked of the possibility more than one school is constructed on the property. Assistant City Manager Haight responded that they could. City Manager Wood briefed the Council on the benefit of sharing the open space and the reduction of the cost burden for the school. Attorney Brems warned the Council that if someone gets injured at the park he could see the district closing the space down after hours. Councilmember Robinson asked how well the district maintains their open space. City Manager Wood recommended having the City enter into an agreement with the school district to address that concern. Assistant City Manager Haight reminded the Council that the Silver Crest facility is co-operated effectively. He explained that the County owns the parking area, and the school has the open space. Councilmember Robinson asked about priority scheduling. Assistant City Manager noted that the City could have to recognize that the school has control, and added that this gesture is in attempt to help the school. Councilmember Robinson observed the remainder of the required open area, and requested that be protected. Councilmember Moser recommended limiting the open space waiver to one school.

Attorney Brems briefed the Council of abutting County Facility, and presented the list of projects the County needs to do in order of maintaining the facility. He expressed his concern of having the completion date of the facility December 31, 2014. Councilmember Moser responded that the project is under construction and are required to have it completed by the end of the year. She suggested the caveat to indicate upon completion date of the County's master plan. City Manager Wood explained that if the County has not completed the project by the deadline, they won't receive funding or be eligible for another ten years. Mr. Bayles indicated that it would be in the County's best interest to finish because Herriman City is installing services to the site.

Attorney Brems continued with the milestones, and noted that the City is taking a "leap of faith" by installing the improvements prior to the development. He warned the Council that if the developer backs out after the improvements are in place, there will be a road to nowhere. Assistant City Manager Haight elaborated on the budget amendment that will be presented to the Council this evening, and amendment would be to commence the survey and geotechnical study for the project. He informed the Council that he will prepare options to the Council at a future Council meeting to get a clear direction on how to proceed.

Attorney Brems explained the parking allowances for the development. Councilmember Moser expressed her concern with the town home parking. Councilmember Tischner identified that two parking locations could be an issue. Planning Supervisor McCarty informed the Council that the City's ordinance only requires two, and informed them a text change would be required. Mayor Freeman requested to adjourn the work meeting and reconvene after the general meeting.

7:00 PM - GENERAL MEETING:

1. 7:03:06 PM CALL TO ORDER

Mayor Freeman called the meeting to order and welcomed everyone in attendance.

A. 7:03:48 PM Invocation and Pledge

Mr. Andrew McNeill offered the invocation. Mr. Erick Pacheco with Scout Troop #1402 led the audience in the Pledge of Allegiance.

B. 7:05:55 PM Approval of the Minutes

Councilmember moved to approve the minutes of March 13, 2014 as written. Councilmember Robinson seconded the motion, and all voted aye.

C. 7:06:30 PM Mayor's Comments

Mayor Freeman extended condolences to the Martin Barker family. He thanked everyone who participated in the Easter Egg Hunt, and expressed his appreciation to staff that took the extra initiative to make the experience amazing for everybody. He offered details to the audience of the "Buy Local" campaign and encouraged everyone to participate.

D. Council Recognitions

There were no recognitions.

2. REPORTS, PRESENTATIONS AND APPOINTMENTS

A. 7:07:53 PM Consideration of **Resolution 14.12** Appointing the City Recorder as provided by §1-7-3(A), Herriman City Code – Tami Moody, PIO/Interim City Recorder Interim City Recorder Tami Moody preformed the City Recorder Oath of Office to swear-in Jackie Nostrom.

Councilmember Moser moved to approve **Resolution No. 14.12** appointing the City Recorder as provided by Herriman City Code §1-7-3(A) naming Jackie Nostrom to be appointed as the City Recorder. Councilmember Matt Robinson seconded the motion, and all voted aye.

B. 7:12:00 PM Arbor Day 2014 Proclamation - Wade Sharp, Parks Manager

Parks Technician Jake Ernest introduced himself to the Council and highlighted the accomplishments of the department that allowed the City to receive the title of Tree City USA. He presented awards Herriman City has received and noted that the City was recognized as Tree City USA. He informed the Council that the City has implemented software that gives a description of every tree owned by the City including the age, name, and size of the tree. Technician Ernest recited the 2014 Arbor Day Proclamation.

Councilmember Moser moved to approve the 2014 Arbor Day Proclamation. Councilmember Robinson seconded the motion, and all voted aye.

3. PUBLIC COMMENT: *Audience members may bring any item not on the agenda to the Mayor and Council's attention. Comments will be limited to two or three minutes, at the discretion of the Mayor. State Law prohibits the Council from acting on items that do not appear on the agenda.*

There was no public comment.

4. PUBLIC HEARING AGENDA

A. [7:28:47 PM](#) **Public Hearing and consideration of Resolution No. 14.13 Opening and Amending the Fiscal Year 2013-2014 Herriman City Budget** – Shaunna DeKorver, Finance Director

Finance Director Shauna briefed the Council on the recommended amendments to the budget as she turned the time over to Human Resource Director Cheeryl Jeppson. Director Jeppson explained one of the amendment requests would be to cover the financial cost for the total compensation and employee surveys. She added that she didn't have concrete numbers of what the services will cost, but anticipated that they would be less than the proposed figure.

Assistant City Manager Gordon Haight offered an overview of the budget amendments that were specifically identified to start the Suburban Land Reserve development. Councilmember Moser asked if any public comment had been received. Assistant City Manager Haight responded no.

[7:31:32 PM](#) Mayor Freeman opened public hearing.

No public comment was offered.

[7:32:00 PM](#) Councilmember Robinson moved to close the public hearing. Councilmember Moser seconded the motion, all voted aye.

B. **Public Hearing regarding the Suburban Land Reserve Annexation** – John Brems, City Attorney

[7:32:20 PM](#) City Attorney John Brems informed the Council that the City received a petition requesting annexation into Herriman. He added that state statute mandates a public hearing on the annexation.

[7:33:16 PM](#) Mayor Freeman opened public hearing.

[7:17:40 PM](#) Pete Shelton, 12557 South Liberty Hill Court, stated that he understood that the development will abut his community. He expressed his appreciation of the collaborative approach of the City, developer and the community.

[7:20:58 PM](#) Resident Brett Glassey, 12513 Heritage Hill Court, explained his apprehension to the Council of the potential traffic hazard. He noted that his wife presented a survey to the Planning Commission on April 2, 2014 from the residents within the neighborhood. The results of the survey indicated that the residents are worried about the main connection to 6400 West and respectfully request that the road remain closed. Councilmember Robinson clarified his request to keep Heritage Hills road closed permanently. Mr. Glassey confirmed.

[7:25:02 PM](#) Mark Place, 6389 Heritage Hills Drive, extended his gratitude to Herriman City and the developer for allowing him to be part of the development process. He noted that a good compromise was achieved. Mr. Place relayed his concern of increasing density moving forward. He offered a suggestion to solicit economic development as opposed to residential development, and asked that the City be mindful of the existing density.

[7:33:36 PM](#) Mayor Freeman closed the public comment.

5. DISCUSSION AND ACTION ITEMS

A. 7:34:01 PM Discussion pertaining to an agreement with Vivint – Gordon Haight, Assistant City Manager

Assistant City Manager Gordon Haight conveyed to the Council that at the May 8, 2014 City Council meeting there will be an Ordinance amendment to approve an agreement with Vivint to provide wireless service in Herriman. He observed the placement of the equipment around the City, and added that it would allow for 99% of residents to use internet service with the provider.

6. 7:36:37 PM MAYOR AND COUNCIL COMMENTS

Mayor Freeman recognized Utah State Legislature Representative Dan McCay and thanked him for attending the City Council meeting.

Councilmember Robinson expressed his appreciation for the individuals who worked on the annexation process, and thanked the developer and land owner for their understanding. Councilmember Moser agreed.

Councilmember Moser informed the audience that there is a need for volunteers with upcoming events, and noted that all help was greatly appreciated.

Mayor Freeman extended his gratitude to those involved with the annexation process. He informed the audience that County Health Department has recognized the increase use of electronic cigarettes, and asked that they spread the word to discourage use of the product. Mayor Freeman was pleased to report that the Wasatch Front Regional Council officially approved the 11800 South Mountain View Park. He congratulated Engineering Coordinator Jory Howell and Assistant City Manager Gordon Haight for their work to receive the funds for 13200 South and thanked them for their efforts.

7. CALENDAR

A. Meetings

- April 28 – Special Planning Commission 6:00 p.m.; Special City Council Meeting 6:15 p.m.
- April 30 – Budget Retreat Meeting 5:00 p.m.
- May 1 – City Council Work Meeting, 5:00 p.m.; Planning Commission 7:00 p.m.
- May 8 – City Council Meeting 5:00 p.m.
- May 15 – City Council Work Meeting, 5:00 p.m.; Planning Commission 7:00 p.m.
- May 22 – City Council Meeting 5:00 p.m.

B. Events

- April 25 – Miss Herriman Scholarship Pageant, Herriman High School 8:00 p.m.
- April 26 & 27 – Wrangler Jr. High Rodeo, W&M Butterfield Park 5:00 p.m.
- April 28 – Community Fisheries Class
- ~~May 1 & 2 – Tentative Emergency Drill, TBA Cancelled~~
- May 10 – Herriman Enduro Challenge, W&M Butterfield Park 6:00 p.m.
- May 11 – Mother's Day
- May 12 – Community Fishing
- May 17 – Camp Williams Iron Will
- May 26 – Memorial Day, City Offices Closed

8. ADJOURNMENT

7:45:44 PM Councilmember Craig Tischner moved to adjourn the City Council meeting to reconvene to the work meeting. Councilmember Coralee Wessman-Moser seconded the motion, and all voted aye.

9. [8:07:04 PM](#) RECOMMENCE TO WORK MEETING (IF NEEDED)

b. **Presentation of the SLR Master Development Agreement** – Gordon Haight, Assistant City Manager & Bryn McCarty, Planning Supervisor

City Attorney John Brems asked for the Council to address their concern regarding parking. Mayor Freeman asked of the location of the parking requirements in the agreement. Planning Supervisor Bryn McCarty responded that they are in the design guidelines not the development agreement. Councilmember Mike Day asked if the Council could request three parking spaces. Supervisor Bryn observed the parking conditions of the development and noted it would address the alley loaded or one-car garage town homes. Mayor Freeman asked if that would set a precedent for other developments. Supervisor McCarty agreed. Attorney Brems informed the Council that current Ordinance only requires parking for two vehicles, and would want the master development agreement to indicate that they will conform to a future standard.

SLR Representative Bryan Bayles expressed his concern of alleviating problems that are nonexistent. He reiterated that the problem is regarding the town home development area. He suggested a requirement of two parking spaces for town homes. Councilmember Day asked if the developer was seeking to construct single car garages for town homes. Mr. Bayles confirmed, and offered an alternative recommendation of two and a half parking stalls per unit to accommodate the development with different options that would allow some units to have a one car garage and others have the two car garages. Supervisor McCarty expressed the enforcement frustration with parking in a town home development. Councilmember Day reiterated the problem with one car garages. Mayor Freeman added that requiring more off street parking won't solve the enforcement issue. Mr. Bayles informed the Council that they could consider conceding to two and a half parking spaces for the town homes. Councilmember Moser suggested requiring three parking spaces for alley way loaded garages and two and a half for any other driveways, and to have the Codes, Covenants, and Restrictions control govern. Councilmember Day expressed his approval.

Attorney Brems continued with the vested laws. Mayor Freeman asked for clarification. Supervisor McCarty informed the Council that this development would be granted to develop under Herriman City's standards that are in place today. Mr. Bayles added that the design guidelines would not affect any future parcels obtained for this development. The Council asked what the developer would gain from the vested law. Mr. Bayles responded that the majority of the benefits would be the infrastructure and reduced impact fees. Councilmember Day asked if those could be negotiated costs. Assistant City Manager explained the typical development process to the Council. Councilmember Robinson expressed his opinion that the vested laws are adequate, and added that a collaborative working relationship would go along with the agreement.

Mayor Freeman asked about the expense of the 45 acre parcel. Assistant City Manager Haight answered that the City will have to commit to the two million dollars. Mayor Freeman asked the Council of their feelings regarding the expense. City Manager Brett Wood mentioned to the Council that this burden would be covered by collected impact fees. Mr. Bayles expressed his understanding that the City currently had the money collected from impact fees for the project. Councilmember Moser observed the value of the park in the area. She asked about the completion date being stated in the agreement, and the associated liability to the City. Mr. Bayles informed the Council that the agreement would be to incentivize the City to nudge the County for completion. Councilmember Moser recommended striking the date from the agreement and replace with "upon completion". Mayor Freeman extended his appreciation to Mr. Bayles for this effort.

Councilmember Moser identified some inconsistencies in the agreement with City requirements, and offered suggested changes. Mr. Bayles acknowledged some of the errors brought to his attention and would have the document altered to address those concerns.

Assistant City Manager Haight explained the future Special City Council meeting to approve the annexation and the development agreement, and asked if the Council had any questions. Mr. Bayles clarified changes discussed in the agreement to include the parking and the donated property for the school to count as open space.

Mr. Bayles asked the Council if the developer had their support. The Council communicated their support and extended their appreciation for their concessions. The Council also made mention of their concerns regarding bonding for the project.

a. [8:48:13 PM](#) **Presentation by the Benefit Committee Consultants** – Cheryl Jeppson, Human Resource Director

Mayor Freeman asked the Council if they would like to have more presentations from potential consultants. Council consensus desired additional potential consultants. Councilmember Tischner expressed his opinion of getting specific criteria to the firms. Councilmember Day agreed. City Manager Brett Wood indicated that looking at the entire package was healthy. Councilmember Moser expressed her concern of the different approach each firm offered and wondered if a miscommunication ensued. Councilmember Robinson asked why firms had declined to conduct the survey. City Manager Wood informed the Council that the solicited vendors asked to collect data nationwide. Mayor Freeman interjected and expressed his hesitation of comparing nationally, and the possibility of receiving skewed data. Councilmember Moser made a valid point to look at executive position throughout the intermountain west. She added that all cities in Utah with a population between 20,000-50,000, as well as jurisdictions in Utah, Salt Lake, and Davis counties. Mayor Freeman asked how many more consultants the council would like to interview. Council consensus was three.

ADJOURNMENT

[9:01:54 PM](#) Councilmember Coralee Wessman-Moser moved to adjourn the work meeting of the City Council. Councilmember Matt Robinson seconded the motion, and all voted aye.

I, Jackie Nostrom, do hereby certify that I am the duly appointed, qualified, and acting City Recorder for Herriman City, of Salt Lake County, State of Utah. I do hereby certify that the foregoing minutes represent a true and accurate, and complete record of this meeting held on Thursday, April 24, 2014.



Jackie Nostrom, City Recorder