



**CITY COUNCIL MINUTES**  
**Wednesday, June 22, 2016**  
**Approved August 10, 2016**

The following are the minutes of the City Council Meeting of the Herriman City Council. The meeting was held on **Wednesday, June 22, 2016 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 Community Center, on the City's website, and delivered to members of the Council, media, and interested citizens.

- Presiding:** Mayor Carmen Freeman
- Council Members Present:** Jared Henderson, Nicole Martin, Craig B. Tischner and Coralee Wessman-Moser
- Staff Present:**
- Brett geo. Wood, City Manager
  - Gordon Haight, Assistant City Manager
  - Tami Moody, Director of Administration and Communications
  - Jackie Nostrom, City Recorder
  - John Brems, City Attorney
  - Alan Rae, Finance Director
  - Justun Edwards, Water Director
  - Clint Smith, EMS Bureau Chief
  - Dwayne Anjewierden, Chief of Police
  - Cathryn Nelson, Chief Building Official
  - Blake Thomas, City Engineer
  - Monte Johnson, Operations Director
  - Bryn McCarty, City Planner
  - Wade Sharp, Parks Manager
  - Danie Bills, Events Manager

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

**5:06:15 PM COUNCIL BUSINESS**

Mayor Carmen Freeman called the meeting to order. He informed the Council that item 6A would be continued.

**A. 5:07:39 PM 5:07:39 PM Closed Session**

1. *The Herriman City Council may temporarily recess the City Council meeting to convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonable imminent*

*litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205*

COUNCILMEMBER MOSER MOVED TO TEMPORARILY RECESS THE CITY COUNCIL WORK MEETING TO CONVENE IN A CLOSED SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, AS PROVIDED BY UTAH CODE ANNOTATED §52-4-205. COUNCILMEMBER MARTIN SECONDED THE MOTION.

The vote was recorded as follows:

Councilmember Jared Henderson	Aye
Councilmember Coralee Wessman-Moser	Aye
Councilmember Craig B. Tischner	Aye
Councilmember Nicole Martin	Aye
Mayor Carmen Freeman	Aye

The motion passed unanimously.

The Council reconvened to the work meeting by consensus at 6:21 p.m.

**B. Review of this evening's agenda**

**C. Administrative Reports**

2. [6:29:44 PM](#) Discussion pertaining to the Disc Golf Course – Wade Sharp, Parks Manager

Parks Manager Wade Sharp relayed the history behind the implementation of the Disc Golf Course, and observed the challenges with the installed design. He explained that residents offered feedback for the amenity and the City will adjust the course accordingly. Manager Sharp presented the sixth version of the course to the Council for approval. He also relayed his desire to order permanent signage outlining rules and regulations for each particular hole. Councilmember Martin expressed her appreciation to staff for welcoming feedback from residents while the amenity was being constructed. Councilmember Moser recommended that staff adjust the five holes and solicit feedback from residents for a one-month period prior to ordering permanent signage. The Council agreed.

1. [6:48:00 PM](#) Water Department Report – Justun Edwards, Water Director

Water Director Justun Edwards offered an overview of department projects: Zone 2 five-million gallon water tank, 6400 West Waterline, East Herriman Water System two million gallon water tank, culinary pump station, 24” waterline, East Herriman property acquisition, and the Rockwell Landing Development agreement. He displayed a map outlining the culinary and secondary water distribution infrastructure and availability. Mayor Freeman asked if the department has forecasted population growth to plan for future water demand. Director Edwards confirmed that the forecasting is an element of the Master Plan.

Director Edwards continued with the Hi-Country I and Hi-Country II water system that Herriman manages. Councilmember Moser confirmed that the City is not financially responsible for the dilapidating system. This was verified. Director Edwards explained the accounting and coding mechanisms put in place for the different water systems.

Director Edwards informed the Council that Algaecide has been injected into the secondary water system to reduce potential algae growth at Blackridge Reservoir as well as the entire secondary water system. He congratulated Chris Conner for his successful completion of the Operator III certification, and noted that Austin Crane is competing for the second consecutive year in the National Meter Repair Competition.

4. **Additional Items**

D. **7:03:09 PM Adjournment**

COUNCILMEMBER MARTIN MOVED TO ADJOURN THE CITY COUNCIL WORK MEETING. COUNCILMEMBER MOSER SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

**7:00 PM - GENERAL MEETING:**

1. **7:06:59 PM CALL TO ORDER**

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

A. **7:07:14 PM Invocation and Pledge**

The Invocation was offered by Jeff Morton, and the Pledge of Allegiance was led by Scout Dallin Ewel with Troop #1223.

B. **7:08:49 PM Approval of Minutes**

**June 8, 2016**

COUNCILMEMBER MOSER MOVED TO APPROVE THE MINUTES JUNE 8, 2016 AS WRITTEN. COUNCILMEMBER TISCHNER SECONDED THE MOTION, AND ALL VOTED AYE.

C. **7:09:09 PM Mayor's Comments**

Mayor Freeman commented that Miss Herriman Tanesha Bland has been competing in the 2016 Miss Utah pageant and has represented Herriman well.

D. **7:09:47 PM Council Recognitions**

Councilmember Moser thanked staff and the Youth Council for their enormous undertaking of the Town Days celebration.

2. **7:10:28 PM PUBLIC COMMENT**

There was no public comment offered.

3. **7:11:09 PM MAYOR AND COUNCIL COMMENTS**

A. **City Council Board and Committee Reports**

Councilmember Henderson reported that the Community Garden has been doing very well.

Councilmember Tischner reported that the Wasatch Front Waste and Recycling District has vacancies on the board for a regional position. A resolution has been initiated with the Salt Lake County Commission to appoint a representative.

Councilmember Moser noted that the Unified Fire Authority budget had been approved with a small budget increase; however, there was no property tax increase. She relayed her appreciation for their fantastic service.

Mayor Freeman endorsed the July Clean Air Challenge to improve air quality in Utah by eliminating unnecessary vehicle trips. He encouraged participation by utilizing public transportation, bike, walk or carpool when possible. Mayor Freeman also reported that the South Valley Sewer Treatment Plant noted that there has been a high concentration of salt in the system due to over usage of water softeners.

Mayor Freeman informed the audience that item 6A would be continued to a future meeting.

4. **REPORTS, PRESENTATIONS AND APPOINTMENTS**

**A. 7:14:20 PM Recognition of Services for Planning Commissioner Blayde Hamilton - Tami Moody, Director of Administration and Communications**

Director of Administration and Communications Tami Moody recognized Planning Commissioner Blayde Hamilton for his 16 years of service. Commissioner Hamilton's level of dedication during his tenure will have a life-long impact to the community. Planning Commission Chair Clint Smith thanked Commissioner Hamilton for his many years of devotion to the City. He explained that Commissioner Hamilton had been a life-long resident of Herriman, and that his "roots run deep". He always brought a sense of calm to the Planning Commission, and always would stick to his core values. Audience applause was offered.

City Manager Brett Wood explained that Commissioner Hamilton empowered people to become involved in the community. He has set the bar very high for developers, but always explained his position. City Manager Wood noted that Commissioner Hamilton's level of service is extremely high as he is a 24-year military veteran, and a lifetime volunteer to the community. City Manager Wood thanked Commissioner Hamilton for his service, his friendship, and his commitment. Applause was offered.

Commissioner Hamilton thanked the Council, Commission, and staff for their support. He concluded with the saying "Issues are issues, and people are people" Councilmember Moser expressed her appreciation for Commissioner Hamilton's perspective to maintain opportunities for youth to participate in 4-H, and for his integrity. Mayor Freeman expressed his admiration for Planning Commissioner Blayde Hamilton for his service. The Council agreed.

**B. 7:31:51 PM Consideration of a resolution appointing members to the Planning Commission – Bryn McCarty, City Planner**

City Planner Bryn McCarty presented a resolution to the City Council requesting the reappointment of two Planning Commissioners Wade Thompson and Jessica Morton. Chris Berbert has been moved from an alternate status to a regular member of the Commission.

COUNCILMEMBER MOSER MOVED TO APPROVE RESOLUTION NO. R22-2016 APPOINTING MEMBERS TO THE PLANNING COMMISSION. COUNCILMEMBER MARTIN SECONDED THE MOTION.

The vote was recorded as follows:

Councilmember Jared Henderson	Aye
Councilmember Coralee Wessman-Moser	Aye
Councilmember Craig B. Tischner	Aye
Councilmember Nicole Martin	Aye
Mayor Carmen Freeman	Aye

The motion passed unanimously.

**C. 7:33:11 PM 2016 Independence Week Proclamation – Destiny Skinner, Administrative Technician**

Administrative Technician Destiny Skinner turned the time over to Youth Councilmember Quaid Green to present the 2016 Independence Week Proclamation. He reminded the Council of the Utah State Youth Council Conference challenge to proclaim the week of July 4<sup>th</sup> – 8<sup>th</sup> Independence week in honor of America's 240<sup>th</sup> anniversary.

COUNCILMEMBER MOSER MOVED TO APPROVE THE 2016 INDEPENDENCE WEEK PROCLAMATION. COUNCILMEMBER HENDERSON SECONDED THE MOTION, AND ALL VOTED AYE.

5. [7:36:29 PM](#) CONSENT AGENDA

- A. **Approval of the Monthly Financial report** – Alan Rae, Finance Director  
COUNCILMEMBER HENDERSON MOVED TO APPROVE THE CONSENT AGENDA AS WRITTEN. COUNCILMEMBER MARTIN SECONDED THE MOTION, AND ALL VOTED AYE.

6. DISCUSSION AND ACTION ITEMS

- A. **Discussion and consideration of an ordinance for a proposed one lot subdivision for Mittelstaedt located at 7083 West Gina Road (08S16)** – Bryn McCarty, City Planner  
This item was continued to a future meeting.

- B. [7:37:25 PM](#) **Discussion and consideration of a proposed text change to the Land Use Ordinance to create an Agricultural Low Density Zone (09Z16)** – Bryn McCarty, City Planner

City Planner Bryn McCarty explained to the Council that the City is proposing a new Agricultural Low Density zone, and had made several changes in the last few months to the A-.25 zone. Additional changes were being considered; however, in order to not create non-conforming uses in current subdivisions, staff created a new zone. This zone will be used for properties that have the General Plan designations of “Agricultural Residential”.

The new proposed zone would have a maximum density of 2.6 units per acre, and would allow agricultural uses that have been approved by the City Council. The base density in the zone would be 1.8 units per acre with the additional requirements to be as follows:

1. Ten-percent of all of the lots in new Planned Unit Developments (PUDs) shall be one-half acre lots.
2. Max of ten-percent of all of the lots shall be at or within 500 square feet of the smallest lot size possible.
3. PUDs that are less than 300 acres shall consist of single family dwellings only.
4. PUDs that are 300+ and larger may include multifamily dwellings, but not to include apartments. Maximum of ten-percent of the units in the PUD shall be multifamily dwellings.
5. All PUDS of 100 acres and greater shall have a development agreement that has been reviewed and approved by the City Council.

Councilmember Moser questioned the 7,500 square foot minimum lot size. Planner McCarty explained that ten-percent of the development could be 7,500 square foot lot sizes; however, ten-percent of the development would be required to be one-half acre. Councilmember Moser suggested that the requirement should be increased. Councilmember Henderson agreed. Planner McCarty indicated that she would clarify the request in the ordinance. Mayor Freeman expressed his concern that a 100-acre PUD is of substantial size and recommended that developments of 50-acres or larger should have an approved development agreement with the City Council. The Council agreed. Councilmember Moser indicated that the ordinance identify coverage for accessory buildings, swine for 4-H projects, as well as permitted uses. Planner McCarty confirmed the requests.

COUNCILMEMBER MOSER MOVED TO CONTINUE THE ORDINANCE. COUNCILMEMBER MARTIN SECONDED THE MOTION, AND ALL VOTED AYE.

C. **7:52:47 PM** Discussion and consideration of a resolution approving an Interlocal Cooperative Agreement between Salt Lake County and Herriman City with respect to the transfer of up to \$2,000,000 of County Transportation Funds to the City – Gordon Haight, Assistant City Manager

City Attorney John Brems informed the Council that the presented resolution would be to enter into an Interlocal Cooperative Agreement with Salt Lake County for transportation funds. He explained that during the 2015 General Session, the State Legislature provided that the transfer of certain funds from the County Highway Projects Fund to legislative body can be used for certain transportation purposes. The County and the City would like to utilize the County Transportation Funds to further regional transportation. The Agreement would provide for the transfer of \$2,000,000 of County Transportation Funds to the City to reimburse for certain transportation costs incurred.

COUNCILMEMBER HENDERSON MOVED TO APPROVE RESOLUTION NO. R23-2016 APPROVING AN INTERLCOAL COPERATIVE AGREEMENT BETWEEN SALT LAKE COUNTY AND HERRIMAN CITY WITH RESPECT TO THE TRANSFER OF UP TO \$2,000,000 OF COUNTY TRANSPORTATION FUNDS TO THE CITY. COUNCILMEMBER TISCHNER SECONDED THE MOTION.

The vote was recorded as follows:

Councilmember Jared Henderson	Aye
Councilmember Coralee Wessman-Moser	Aye
Councilmember Craig B. Tischner	Aye
Councilmember Nicole Martin	Aye
Mayor Carmen Freeman	Aye

The motion passed unanimously.

D. **7:54:01 PM** Discussion and consideration of a modification application to the Amended Master Development Agreement for Rosecrest regarding the width of Juniper Crest Road – Gordon Haight, Assistant City Manager

Assistant City Manager Gordon Haight informed the Council that the May 9, 2016 the developer submitted an application for an administrative amendment to reduce the width of Juniper Crest Road from 116 feet to 90 feet. City Engineer Blake Thomas explained that the developer submitted a traffic study that was completed by Hales Engineering which demonstrated that a three-lane roadway would be adequate along Juniper Crest Road based on the anticipated traffic volumes. The only location where a five-lane section would be required is on the east end where the property is zoned for commercial use. Juniper Crest currently ends as a 116 foot right-of-way (ROW) that was constructed with additional park strip area and therefore functions as a 106 foot ROW. The proposed three-lane section would be constructed within a 90 foot ROW, but would include additional park strip area to function as an 80 foot ROW. Engineer Thomas noted that the main concern would be the transitioning road at each end, and noted that staff would work with the developer on a layout and design. The additional right-of-way would need to be repurposed as well.

Mayor Freeman inquired if the right-of-way could be maintained in the event that the City would need to widen the road. Councilmember Moser agreed, and added that she was not confident that the modelling had taken the REAL Stadium traffic into account. Engineer Thomas confirmed that Hales Engineering did take the REAL Stadium into consideration in their study. Councilmember Moser recommended to keep the right-of-way, but to build the road as needed.

Councilmember Henderson suggested that the planned use for the south mountain could drastically change the traffic on the road, and recommended continuation of the item. Councilmember Tischner agreed. Developer Mike Bradshaw expressed his frustration with maintaining a large right of way when, based on the study, indicated that it would not be necessary. He asked the Council what their plans would entail with requiring the additional right-of-way. Councilmember Moser responded that the trail system could be implemented in the area to ensure preservation of the right-of-way in case of potential incorrect modelling. Councilmember Henderson added that there could be a possibility that the right-of-way could be needed in the future. Councilmember Moser requested to review the original development agreement.

COUNCILMEMBER HENDERSON MOVED TO CONTINUE THE MODIFICATION APPLICATION. COUNCILMEMBER MOSER SECONDED THE MOTION, AND ALL VOTED AYE.

E. [8:19:14 PM](#) Discussion and consideration of an ordinance banning the use of fireworks and any open flame fires within certain areas of Herriman City – Brett Wood, City Manager

City Manager Brett Wood informed the City Council that the requested amendment to the fireworks and open flame fire ordinance is to include the recently annexed Dansie property, and recommended approval. Mayor Freeman requested that fire danger education be disseminated to the public.

COUNCILMEMBER MARTIN MOVED TO APPROVE **ORDINANCE NO. 2016-22** BANNING THE USE OF FIREWORKS AND ANY OPEN FLAME FIRES WITHIN CERTAIN AREAS OF THE CITY. COUNCILMEMBER MOSER SECONDED THE MOTION.

The vote was recorded as follows:

Councilmember Jared Henderson	Aye
Councilmember Coralee Wessman-Moser	Aye
Councilmember Craig B. Tischner	Aye
Councilmember Nicole Martin	Aye
Mayor Carmen Freeman	Aye

The motion passed unanimously.

7. [8:23:22 PM](#) CALENDAR

A. Meetings

- June 28 – Neighborhood Meeting; Heritage Place Park 6:30 p.m.
- June 30 – Joint Planning Commission/City Council meeting 6:00 p.m.
- July 7 – Planning Commission Meeting 7:00 p.m.
- July 13 – City Council work meeting 5:00 p.m.; City Council meeting 7:00 p.m.

B. Events

- July 8-19– Summer Theatre Production *Mary Poppins*; Butterfield Park 7:30 p.m.

8. CLOSED SESSION (IF NEEDED)

A. *The Herriman City Council may temporarily recess the City Council meeting to convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual,*

*pending or reasonable imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205*

There was no closed session.

9. [8:24:47 PM](#) ADJOURNMENT

COUNCILMEMBER MOSER MOVED TO ADJOURN THE CITY COUNCIL MEETING. COUNCILMEMBER MARTIN SECONDED THE MOTION, AND ALL VOTED AYE.

10. RECOMMENCE TO WORK MEETING (IF NEEDED)

3. [8:38:04 PM](#) Discussion regarding Salt Lake Valley Law Enforcement Service Area (SLVLESA)

Mayor Freeman explained that the SLVLESA Board meeting would be held August 18, 2016 to finetune the tax percentage increase in the silo model. He turned the time over to Councilmember Henderson to relay his concerns. Councilmember Henderson indicated that he had questioned the validity of the numbers in the modelling. The numbers were based on the fund balance. He explained that he met with SLVLESA Administrator Andrew Keddington and the numbers drastically changed the fund balance. Councilmember Henderson questioned what was comprised in the indirect revenue and expenditures for future modelling, and noted that the response was that assumptions are made for the market value adjustments. There was a significant annual difference between indirect revenue and expenditures for new growth, and showed that Herriman City's fund balance was decreasing. He concluded that based on the silo model, Herriman City would not require a tax increase. Councilmember Moser suggested that the Council should be mindful of the City's partners and not place the District in financial risk.

Unified Police Chief Dwayne Anjewierden noted that the District had been conservative looking forward, and not taking into account an increasing population. He reviewed the realistic and overall allocations. The new growth is what the District is still trying to allocate and place accurate manpower that is consistent with the demographic. Councilmember Henderson explained that the current financial shape of Herriman, led to scepticism. He relayed his desire to keep up a high level of service and to stay on top of call volume. With the SLVLESA model, Herriman City may have the balance to receive additional allocations, but may not get the resources due to District fund balance. City Manager Brett Wood relayed his desire to capture the allocation resources; however, did not want to hurt partners in the process.

Councilmember Henderson acknowledged that the proposed tax inflation increase is a necessity to fund cost of living adjustments and other benefits. New growth should pay for new officers. Mayor Freeman noted that the Council could not legally bind a future Council, and there is no guarantee that SLVLESA would consider another tax increase for several years. Herriman City's growth and surplus would be required to take on the additional burden. Councilmember Henderson indicated that based off that information, SLVLESA would not work for Herriman. City Manager Wood explained the City's neutral position if the Council decided to leave SLVESA. Councilmember Tischner reviewed the hypothetical tax increase that could ultimately be ratified by the majority of the Board. Councilmember Martin agreed.

Police Chief Anjewierden reviewed the advantages and disadvantages of being in the District. Councilmember Henderson suggested that the Council discuss the options and know the background. Police Chief Anjewierden confirmed that the City would need to look at what is best for the community, and not make a short sighted decision. Mayor Freeman asked for each Council Member's position, as he relayed his comfort level with the 9.5-percent increase. Council consensus determined that they would support a 9.5 tax increase if the



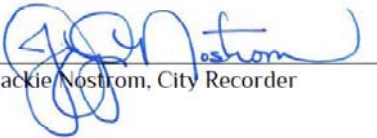
District would agree to Herriman receiving the outlined allocations: three officers in 2016, two officers in 2017, one officer in 2018 and two officers in 2019. Councilmember Moser suggested working with the district and offer support.

**E. 10:19:22 PM Adjournment**

COUNCILMEMBER MOSER MOVED TO ADJOURN THE CITY COUNCIL MEETING. COUNCILMEMBER MARTIN SECONDED THE MOTION, AND ALL PRESENT VOTED AYE.

*This document constitutes the official minutes for the  
Herriman City Council Meeting held on Wednesday, June 22, 2016*

*I, Jackie Nostrom, the duly appointed, qualified, and acting City Recorder for Herriman City, of Salt Lake County, State of Utah do hereby certify that the foregoing minutes represent a true and accurate, and complete record of this meeting held on Wednesday, June 22, 2016.*

  
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Jackie Nostrom, City Recorder