



## CITY COUNCIL AGENDA

**Thursday, May 22, 2014**  
**Amended 5/19/2014 @ 1:00 P.M.**

NOTICE IS HEREBY GIVEN that the Herriman City Council shall assemble for a Meeting in the City Council Chambers, located at 13011 South Pioneer Street (6000 West), Herriman, Utah.

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

#### COUNCIL BUSINESS

1. Review of this evening's agenda
2. Administrative Reports
  - a. Discussion with the Jordan School District Board of Directors – Patrice Johnson, Jordan School District Superintendent & Burke Jolley, Business Manager
  - b. Needs Assessment Report from Salt Lake County Parks and Recreation – Martin Jensen, Director of Parks and Recreation & Callie Birdsall, Communications and Public Relations Manager
  - c. Discussion pertaining to the Community Development Agency – Tami Moody, Executive Administrative Manager/PIO
  - d. Report on Health Insurance Renewal – Tami Moody, Executive Administrative Manager/PIO
  - e. Select consultant for benefits study – Tami Moody, Executive Administrative Manager/PIO

### 7:00 PM - GENERAL MEETING:

#### 1. CALL TO ORDER

- A. Invocation and Pledge
- B. Approval of the Minutes
- C. Mayor's Comments
- D. Council Recognitions

April 9, April 30, May 1, and May 8, 2014

2. **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.*

#### 3. REPORTS, PRESENTATIONS AND APPOINTMENTS

- A. Recognition of the Herriman City Royalty – Jaci Thornell, Miss Herriman Pageant Director
- B. Presentation of the Parks Master Plan – Jan Steffiel, Landmark Design

#### 4. PUBLIC HEARING AGENDA

- A. Public Hearing to consider the final adoption of fiscal year 2014-2015 Herriman City Budget – Shauna DeKorver, Finance Director

#### 5. CONSENT AGENDA

- A. Consideration of an extension to the animal services contract with Salt Lake County – Gordon Haight, Assistant City Manager

## 6. DISCUSSION AND ACTION ITEMS

- A. ~~Discussion and consideration of **Resolution No. 14.17** to adopt and designate an assessment area, authorize City Officials to proceed with the acquisition and construction of the improvement, and to authorize City Officials to prepare a notice to contractors for sealed bids with respect to the construction of the improvements; and other related matters – Justun Edwards, Water Director~~
- B. Discussion and consideration of **Resolution No. 14.18** to adopt and authorize the **issuance and sale of not more than \$7,000,000 aggregate principal amount of Water Revenue Bond Anticipation Notes, Series 2014; and related matters** ~~publication of a Public Hearing for the Secondary Water Pump Station Bond Anticipation Note (BAN); and other related matters – Justun Edwards, Water Director~~
- C. *(Continued from May 8, 2014)* Discussion and consideration of **Ordinance No. 14-22**, to authorize a text change to the land use ordinance to allow monopolies on public and quasi-public property – Bryn McCarty, Planning Supervisor
- D. Consideration and Approval of **Ordinance No. 14-24**, to declare certain excess antenna capacity with respect to a communications antenna located on a Herriman water tank as surplus, establish a minimum bid, and establish a method to determine the highest and best economic return to the City – Gordon Haight, Assistant City Manager

## 7. MAYOR AND COUNCIL COMMENTS

## 8. CALENDAR

### A. Meetings

- June 5 – City Council Work Meeting, 5:00 p.m.; Planning Commission 7:00 p.m.
- June 12 – City Council Work Meeting, 5:00 p.m.; City Council Meeting 7:00 p.m.

### B. Events

- May 26 – Memorial Day, City Offices Closed; Chuck Wagon Breakfast 7:00 a.m.
- May 31 – Pedal Palooza, W&M Butterfield Park 9:00 a.m.
- June 6 & 7 – PRCA Rodeo, W&M Butterfield Park 8:00 p.m.

## 9. ADJOURNMENT

## 10. RECOMMENCE TO WORK MEETING (IF NEEDED)

## 11. CLOSED SESSION

- A. The Herriman City Council may convene in a closed session to discuss the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205

## 12. SOCIAL GATHERING: (No Action will be taken on any items)

- A. Social gathering will be at McDonald's 5018 West 13400 South, Herriman, UT

In accordance with the Americans with Disabilities Act, Herriman City will make reasonable accommodation for participation in the meeting. To request assistance, contact Herriman City at (801) 446-5323. Please Provide at least 48 hours advance notice of the meeting

### CITIZEN COMMENT POLICY AND PROCEDURE

During each regular Council meeting there will be a citizen comment time. The purpose of this time is to allow citizen's access to the Council. Citizens requesting to address the Council will be asked to complete a written comment form and present it to Jackie Nostrom, City Recorder. In general, the chair will allow an individual two minutes to address the Council. A spokesperson, recognized as representing a group in attendance, may be allowed up to five minutes. At the conclusion of the citizen comment time, the chair may direct staff to assist the citizen on the issue presented; direct the citizen to the proper administrative department(s); or take no action. This policy also applies to all public hearings. Citizens may also submit written requests (outlining their issue) for an item to be considered at a future council meeting. The chair may place the item on the agenda under citizen comments; direct staff to assist the citizen; direct the citizen to the proper administrative departments; or take no action.

### Certificate of Posting





## SPECIAL CITY COUNCIL WORK MEETING MINUTES

Wednesday, April 9, 2014

Attendance: Mayor, Carmen Freeman

Council Members Present: Mike Day, Matt Robinson, Craig B. Tischner and Coralee Wessman-Moser

Staff Present: John Brems, City Attorney  
Cindy Quick, Deputy City Recorder  
Gordon M. Haight II, Asst. City Manager  
Bryn McCarty, Planning Supervisor  
Justun Edwards, Water Director

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### 5:00 PM ~ Welcome

1. [5:11:45pm](#) Closed Session (*Private*)
  - 1.1. UTAH CODE §52-4-205 (1) (c) strategy sessions to discuss pending or reasonably imminent litigation; (d) strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of water right or water shares.

Mayor Carmen Freeman asks for a motion to adjourn to a closed meeting.  
Council Member Coralee Wessman-Moser **MOVED** the Council adjourn into a closed session pursuant to the provisions of section 52-4-205 (1) for the purpose of (c) strategy sessions to discuss pending or reasonably imminent litigation; (d) strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of water right or water shares.  
Council Member Mike Day **SECONDED** the motion.

The vote was as follows:

Councilman Mike Day	Yes
Councilman Craig B. Tischner	Yes
Councilwoman Coralee Wessman-Moser	Yes
Mayor Carmen Freeman	Yes

Vote passed.  
Motion carried.

### 2. Adjourn to Work Meeting

Council Member Mike Day **MOVED** to adjourn to the Work Meeting at [6:14:10pm](#)  
Council Member Coralee Wessman-Moser **SECONDED** the motion.  
The motion passed unanimously

### 3. [6:23:34pm](#) Items for Discussion

a) **SLR Development Agreement Discussion** ~ *Bryn McCarty, Planning Supervisor and Gordon Haight, Assistant City Manager*

Bryn McCarty begins by turning the time over to John Brems, City Attorney to begin the SLR Development Agreement Discussion.

John Brems, City Attorney gives a brief background about the annexation from SLR. To date there have been no protests so we are now going forward. This item is on the agenda for April 24<sup>th</sup>. In conjunction with the annexation petition, we have agreed to zone the property to R-2-10, to annex it and to a development agreement. The developer would like to have the development agreement approved before the annexation takes place in July. The agreement is complex because of the gap period. Annexation doesn't occur until July 1 but we are affecting the property as if it's in the city right now. Parts of the agreement will be seen twice, once before the annexation and once after the annexation. He explains that we will review by concepts rather than page by page and turns the time over to Bryn McCarty for land use.

Bryn McCarty, Planning Supervisor explains that she will talk them through the plan and that will take them through the agreement. They will see the zoning in a couple weeks. Planning Commission recommended it last week with a zoning condition in three different areas. A density is allowed for each area. That density does not move between areas. The developer is required to have an overall open space of 20%. A brief discussion about the calculation of open space took place. The city is allowing this development to count schools as open space. The open space will be dedicated to the city and the city will be maintaining it. Bryn noted that when 60% of building permits have been issued, the whole park (45 acre park) needs to be completed.

John Brems orients the council regarding being vested. This agreement will apply for essentially 30 years. There is a provision that allows the developer to go to future rules. He explains that he is still working this part of the agreement through. He doesn't want the developer to be able to pick and choose which rule to use. The developer wants to be able to use new ordinances that are approved. Bryn McCarty explains that she would like the whole subdivision to agree one way or the other. John would like to see a development application for the whole phase. A brief discussion between the developer and staff regarding this topic took place. The hope is to balance it between the city and the developer.

A brief discussion regarding exceptions to development standards developed. Coralee asks what ordinances need to change. The response from John was that we've only agreed to one and the rest are still being worked through.

Gordon Haight begins a discussion on infrastructure. He describes improvements on 11800 South, 6400 West and Herriman Parkway. He describes access for parks and residents. The developer wanted construction to begin this summer however it will more likely be next summer. A budget amendment will be needed to complete the design of this area so that phase one (widening 11800 South) can begin next spring. A sewer line/water line was also discussed.

A brief discussion about a Salt Lake County facility in this development took place. The 45 acre park was a huge commitment for the developer and there have been discussions with the county to place a facility here. This is being negotiated in the agreement. Council Member Coralee Wessman-Moser raises a concern with the length of time for the process with the county. She would like an adjustment made to show the true time line. Bryan Bayles, Manager at Suburban Land Reserve explains that he didn't want the park sitting there vacant for too long, he explains that two years should be sufficient to just have a decision. They were both fine with adding a realistic time frame here. Council Member Mike Day wonders how realistic it is that Salt Lake County will place a facility here. Gordon says, very likely. We want this park here. Gordon notes that 70% of impact fees collected on this project will be used with this park. The other 30% will go in other parks in this development. A discussion about how remaining funds from park impact fees would be used. Gordon explains that the standard is to try to use all impact fees in the area from the homes that paid for it.

Mayor Freeman asks a question regarding park impact fees on page 39 he says it reads 'not withstanding the above, impact fees will not be allocated to local parks.' John Brems explains that changed to read 'not withstanding the above, impact fees will not be allocated to local parks that are not system improvements.' He explains further that it has to be listed in the IFFP (Impact Fee Facility Plan).

Brief conversations regarding future land acquired, yard space, parking and open space were discussed and explained. A lengthy discussion about parking spaces at the apartments ensued. A decision could be made to have the city complete a study, as well as the developer and a third party could decide which study to use.

Gordon begins discussion about fees. He explains single-family and multi-family impact fees, as well as storm drain impact fees. It was noted that the fees have an eight year duration.

Fees can increase 3% per year and it's not compounded. Bryan Bayles explains that this is an average increase. It's based on a typical increase of costs over a hundred years or so. Council Member Coralee Wessman-Moser asks for some sort of clause to be included in the document that covers the idea of an inflation index. The idea of using a construction index was discussed. Bryan Bayles says he'd be glad to look at it and consider anything the city might find. He has seen that impact fees typically go down over time. John Brems added that philosophically impact fees, if you take time value to money, should be the same for everybody if they're done right. He believes that impact fees go down because of pressure from builders. Bryan Bayles adds that this is very important for them.

Gordon Haight reminds the council that these impact fees need to be adopted by Jordan Valley Water Conservancy District. Justun Edwards, Water Director explains that as soon as the property is annexed into the city Jordan Valley Water will bring them online with no problems.

**8:01:01pm** The next topic discussed is timing of construction. Gordon Haight begins the conversation with 11800 South. The city is to build half the width of 11800 South. This exhibit defines the right-of-way and that the developer will deed it to the city. The city needs to stub a sewer line in this road that is not for this project but will be stubbed now so we don't have to cut into the road later. No signal is needed initially on this road but we anticipate it will one day be needed so conduit lines will be installed for future use.

Council Member Matt Robinson requests that this exhibit be updated to include the same wording for each cell on the sheet when it says "same" he would like the description included. Council Member Coralee Wessman-Moser and Mayor Freeman agree. The developer agreed to this request.

The next topic discussion is design completion. Gordon noted that in the agreement it says the city will complete the design in four months from the effective date (July 1, 2014). Six months after the effective date the developer wants the city to go out to bid, which means this winter. However, no work will be done until May. There was concern with the completion date being a year from the effective date. Extensions may need to be made. Council Member Coralee Wessman-Moser would like to see a clause inserted for extensions. A lengthy discussion ensued. Bryan Bayles and John Brems said they will address it.

Gordon Haight explained that a detention is required on 6400 West and the developer has agreed to give us property to create that detention. He continues line by line briefly discussing culinary water, sewer line, traffic control and conduits for utilities. He then reviews sidewalks, curb and gutter. He notes that the developer has agreed to install new LED street lights even though it's not been officially adopted. Bryan Bayles explains that the rest of this document is the same just for different phases. Gordon noted that designs will need to be done for each of these phases. He explains about a right-of-way issue for a portion of 6400 West and a lengthy discussion developed. Gordon feels confident that the city will obtain the right-of-way from the Last Holdout.

As soon as Suburban Land Reserve obtains 450 building permits that triggers the beginning of Phase Two. At that point, fees will have been collected which will allow the city to build roads and we will go out to bid for two portions of the road. Phase Three does not have specific trigger point; however, the city may feel some pressure to build the road when the school is built.

The next discussion will be about financing. Gordon briefly reminds the council about requested capital projects that the staff brought to them for completion. He presents two options for completing a road in this development. One option could be to utilize money originally tagged for those capital projects for this development instead. He presents another option where the city will likely need to bond to build a road in this development; however, they can keep the money originally tagged for those requested capital projects. He notes that staff and the developer are fine with either option. A discussion about these two options developed. It was noted that SAA funding is no longer an option as it has been vetoed by the Governor. The council consensus was that capital projects were important and they would be willing to discuss other funding options. Gordon explains that the awarded 2 million dollars for 2019 can be switched to 2014 through a federal program. That money can be used for the road in this development and possibly capital projects as well.

A discussion about what the next steps are ensued. It was noted that emails will be sent to the council with the corrections or additions discussed and all exhibits will be attached. Gordon asks council to address any questions they may have between now and April 24. Council Member Coralee Wessman-Moser asks for a brief discussion to review this agreement one more time be allowed at the beginning of the budget work meeting on April 23<sup>rd</sup>.

Council discusses parking spots in the apartments. Council Member Mike Day is concerned having less than two parking spots in the apartments. Bryn and Coralee noted that the agreement doesn't say apartments it says in multi-family which to them brings more concern. The consensus was that council wants two parking spaces in the apartments.

Mayor Freeman asks council members to bring up any issues they are concerned with.

Council Member Craig B. Tischner is concerned with bonding for the road in this development. Craig would like the roads improved in Copper Creek but he doesn't want to bond for the road in this development. A discussion about bonding versus moving money around developed. Council Member Coralee Wessman-Moser feels like we may have to condemn and bond. Council Member Mike Day says he's okay to bond but he'd like the council united. Council Member Matt Robinson asks for staff to bring the council ideas of completing these projects without bonding. John Brems comments that there is a mechanism in the agreement that if we don't build, the developer builds and then the city pays.

Mayor Freeman comments that he was sold on this project when the developer worked so well with the residents to make them happy. Council Member Matt Robinson is still concerned with bringing apartments into the city but he realizes that this developer has adjusted the high density in this development and he appreciates it very much.

Gordon commends the council, explaining that he understands how big of a commitment it's been to go through this development agreement. He knew that the agreement wouldn't please everyone but he feels like the discussions have created a middle ground. We're not happy with everything but neither is the developer.

Council Member Coralee Wessman-Moser prefers not to bond but understands that might not be possible. She feels like the small detailed things she's requested have been fixed and worked through.

Mayor Freeman expresses thanks to Bryan Bayles and Loyal Hulme with Suburban Land Reserve for how accommodating they've been. Bryan Bayles commends the council and staff for the process they've gone through in regards to the development agreement.

#### 4. Other

#### 5. [9:24:18pm](#) Adjournment

*I, Cindy M. Quick, do hereby certify that I am the duly appointed, qualified, and acting Deputy Recorder for Herriman City, of Salt Lake County, State of Utah. I do hereby certify that the foregoing minutes represent a true, accurate and complete record of this meeting held on April 9, 2014.*



Cindy Quick, Deputy Recorder



## SPECIAL CITY COUNCIL WORK MEETING MINUTES

**Wednesday, April 30, 2014**  
**Waiting Formal Approval**

The following are the minutes of the Special City Council Work Meeting of the Herriman City Council. The meeting was held on **Wednesday, April 23, 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 Community Center, 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  
Tami Moody, Executive Administrative Manager, PIO  
Jackie Nostrom, City Recorder  
Shauna DeKorver, Finance Director  
Monte Johnson, Operation Director  
Danie Bills, Event Coordinator  
Justun Edwards, Water Director  
Debbie Radzinski, Court Clerk  
Bryn McCarty, Planning Supervisor  
Steve Brown, Information Technologies Manager  
Ed Blackett, Streets Manager

**5:00 PM - WORK MEETING:**

**1. COUNCIL BUSINESS**

Mayor Carmen Freeman called the meeting to order at 5:09 p.m.

**A. Discussion of the 2014-2015 Herriman City Budget – Shauna DeKorver, Finance Director**

**5:09:09 PM Healthy Herriman**

Mayor Carmen Freeman introduced Healthy Herriman Chair Kami Jones and turned the time over for her report. Chair Jones gave a brief overview of the committee's vision and implementation of the trail system. Councilmember Mike Day recommended discussing the idea Mr. Mike Jensen would be beneficial. Chair Jones responded that this suggestion was

initially brought to light by Mr. Jensen. She mentioned that the committee has quite a few potential projects; however, didn't know how much budget they would require. City Manager Brett Wood explained that there may be impact fee money available for the trail system implementation. Mayor Freeman requested that Ms. Jones compile the necessary funds and present the proposal to the Council, and extended his appreciation for her willingness to report on the matter.

#### 5:18:51 PM Youth Council

Councilmember Craig Tischner introduced the Youth Council Mayor Riley Elder, and Public Information Officer (PIO) Kennady Bekmezian. He noted they were asked to attend the meeting to brief the City Council on their expectation and budgeting requests. Mayor Elder informed the Council that last year the Youth Council was able to attend the Youth Summit hosted by the Salt Lake County Youth Council, and was recently elected to be the Mayor of the County Youth Council. He indicated that he will have the opportunity to coordinate the event this October. Mayor Elder and PIO Bekmezian offered a list of events that the Youth Council participated in.

Mayor Elder reported their annual budget has been \$1,000 and respectfully requested to maintain the budget. He explored the future possibility that the Youth Council to become self sustaining, and noted that the council currently need funding. Councilmember Day offered a fundraising suggestion with the Yellow Pages to deliver phone books. Mayor Freeman thanked the Mayor and Public Information Officer for attending the meeting.

#### 5:26:30 PM Economic Development Budget

Assistant City Manager Gordon Haight reviewed the proposed budget for Economic Development. He noted that the only employee that is covered under this budget is City Planner Heather Upshaw. He continued that the salary budget line would increase due to the anticipation that Planner Upshaw will receive her American Institute of Certified Planners (AICP) certification. He offered an explanation of the new budget line item "Economic Development Relations" and noted its intended use. Councilmember Coralee Wessman-Moser asked inquired as to how many business tours are anticipated. Assistant City Manager Haight noted that he is expecting to conduct three tours. He conveyed to the Council the promotion of the shop local campaign and the desire to install banners along City street lights. Councilmember Mike Day questioned the location of the banners. Assistant City Manager Haight explained that the banners would be placed across Main Street. Councilmember Day offered the suggestion to have local businesses sponsor each banner. Finance Director Shauna DeKorver reported that Logan City has banners placed throughout the jurisdiction with advertisement banners to incentivize residents to shop local. Councilmember Craig Tischner recommended the Economic Development Committee compile data and to report the success to the Council. Assistant City Manager Haight noted the request. He informed the Council that the committee has been actively engaged in recruiting business, and reported a potential business interested in locating within the City. Mayor Freeman observed the tax benefit the City would receive.

Councilmember Day asked if the United Parcel Service has been actively seeking a delivery location. Assistant City Manager Haight confirmed the search for a temporary sorting facility that could utilized for a short period of time on an annual basis. Planning Supervisor

Bryn McCarty added that they have considered to construct a temporary facility to use from October to February. Assistant City Manager Haight mentioned that staff has met with them regarding their options. Councilmember Day requested updates as they become available.

#### 5:41:42 PM **Facilities Budget**

Operation Director Monte Johnson gave an overview of the facilities budget and noted the salary increase. Mayor Freeman asked about the payroll burden enhancement. Finance Director DeKorver responded that the adjustment was due to an employee acquisition for the department. Director Johnson examined the overtime increase to cover janitorial services as needed, and to accommodate the Blackridge facility. Events Coordinator Danie Bills noted the concessions for the facility will open Memorial Day weekend.

Director Johnson noted the adjustment to the insurance budget line. Councilmember Robinson expressed his concern of the 30% increase. Director Johnson elaborated that the insurance rates increased during the current fiscal year, and that financial burden had been absorbed through different accounts. He noted an internal audit was conducted to make certain City property was covered. Councilmember Robinson asked about the process to reclaim funds after a traffic incident. City Manager Brett Wood observed the policy for reimbursement through small claims court. Mayor Freeman asked if vandalism is covered through the insurance. Director Johnson noted that it is covered; however, staff has been proactive to remove the graffiti to avoid any premium increases. Councilmember Day expressed his appreciation to those individuals who remove the graffiti in a timely manner.

Director Johnson continued the budget discussion with the capital equipment budget increase. He noted this line item is for replacement of carpet among other facility projects. He offered a brief summary of some items that are in need of replacement.

#### 6:04:41 PM **Fleet Budget**

Director Monte Johnson expressed his desire to hire a part time employee to specifically acquire vehicle parts for vehicles citywide. City Manager Wood reported that a previous councilmember suggested hiring an entry level employee to complete simple tasks to alleviate responsibilities from supervisors. Director Johnson added that the fleet department could utilize the additional employee and noted the benefit it would bring to other departments as well.

Director Johnson explained to the Council that the Mechanic has spent a substantial amount of time to diagnose vehicle engine codes, and requested authorization to purchase a computerized diagnostic unit for that reason. Councilmember Robinson asked if the City utilized dealership mechanics. Director Johnson confirmed. He added that the City does use dealership if the problem is something the City mechanic doesn't have the means to repair. He told a short story of a single repair that saved the City a large amount of money. Councilmember Moser asked what the annual maintenance update would cost for the unit. Director Johnson answered that the update would cost approximately \$3,000 annually. He informed the Council of the workload of the City Mechanic. Councilmember Robinson asked about the condition of the fleet vehicles. Director Johnson offered a short presentation to address fleet management.

Mayor Freeman asked about the vehicle replacement of the City fleet. Director Johnson informed the Council that the replacement recommendation is formulated by the age, mileage, and use of each vehicle. Streets Manager Ed Blackett relayed the amount of energy that is put into preserving the equipment. He offered a narrative of the amount of work put into the larger equipment to extend its usage. City Manager Brett Wood expressed his appreciation of the fleet crew for their expertise they bring the City.

#### 6:54:18 PM **Street Lights Budget**

Operations Director Monte Johnson gave a summary of the street light budget. He examined the overtime budget increase is for anticipation of traffic accidents involving street lights at night, and noted that crews would be called to the scene in order to neutralize the situation. He added that staff would return during normal business hours to reduce overtime costs. Councilmember Robinson questioned the salary burden increase. Finance Director Shauna DeKorver responded that a new addition to the department utilizes the health care benefit where the previous employee did not.

Operations Director Johnson continued the discussion with contracted services budget and noted that Salt Lake County applied an increase due to additional traffic signals throughout the City. He conveyed to the Council the reduced fuel burden by altering the procedure to repair damaged street lights. Councilmember Robinson observed the increase due to an employee transfer, and asked if a reduction will show in another budget. Finance Director DeKorver confirmed.

#### 7:01:54 PM **Court Budget**

Court Clerk Debbie Radzinski presented a handout to the Council outlining the costs associated with the cost of providing the Court to the community. She noted the decreases were in-line with the recession. Court Clerk Radzinski observed the major change of electronically filing traffic tickets this fiscal year. She informed the Council that some issues have risen about some tickets not being uploaded to the database. Councilmember Tischner asked if the database error was rectified. Court Clerk Radzinski responded that she occasionally does come across an error, but it has improved dramatically.

City Manager Wood noted that the Police Officer presence has decreased due to the population increase in the City, and added that discussions are being held with the Unified Police Department to address the concern. Mayor Freeman expressed his anxiety of Officers not being held accountable. City Manager Wood informed the Council that the City monitors the activeness of the officers. Unfortunately, with the additional call volume the majority of time has been spent reacting to situations. Councilmember Tischner observed the revenue from the court is solely dependent on ticket issuance, and worried about the public perception that portrayed. City Manager Wood confirmed that the City does not have a quota for the officers. He elaborated on the City's expectations of the officers. Councilmember Day asked if the judge can use discretion to lower state mandated fines. Court Clerk Radzinski responded that the judge has the ability; however, he offers alternatives like community service in lieu of the fines.

#### 7:14:10 PM **Information Technologies Budget**

Information Technology Manager Steve Brown offered a short detail of the department budget. He noted the proposed increase of the overtime to accommodate City events, and the increase for the training to allow Laserfiche training for employees. Manager Brown examined the proposal for a replacement department vehicle, and added that if the vehicle proposal is denied the maintenance budget would increase. Councilmember Robinson questioned the use of the department vehicle. Manager Brown informed the Council that the vehicle is used for Global Positioning System data tracking and surveying.

Manager Brown continued with the purchase of the plotter and the supply cost for the equipment. He informed the Council that the machine has been utilized to print banners for events, which allowed a reduction of services that had been outsourced. Manager Brown noted the increase of the telephone budget and offered an explanation of the discrepancy.

Manager Brown indicated that the software purchase budget would increase in order to upgrade the hosted exchange server. He explained that the City had been operating the 2003 version of the software, and observed the cost to complete the conversion. Councilmember Moser asked about the possibility of using Gmail as a host. Manager Brown responded that both operating systems are priced similarly; however, the current operating system is exchange and suggested to not add additional training expense. Manager Brown expressed the need to upgrade the phone system for the park, and added that the replacement of the system is considerably cheaper than repairing the system where parts are difficult to obtain.

Councilmember Day asked who was responsible for the website content. Manager Brown responded that Public Information Officer Tami Moody, Administrative Services Coordinator Destiny Skinner and Information Technologies Specialist Paul Hemara are the individuals responsible for uploading content to the website. Councilmember Day expressed his appreciation for the improvement of the website. Manager Brown offered details of some additional changes to the website that will be implemented.

Director Brown noted a project that will be implemented in the near future to allow residents to interface with the City database which would allow a resident to take and upload a photo from their phone to open a service request. He added that the program will allow for a texting option for emergency situations.

#### 7:38:46 PM **Streets Budget**

Streets Manager Ed Blackett offered a clarification of the increase to the budget to include new roads, additional fleet vehicles, cost increase of salt, and the cost increase of equipment. He explained the training increase because of the department herbicide certified employee terminated employment with the City and that would require another individual to obtain the proper certifications.

Manager Blackett communicated to the Council of the additional burden of maintaining the roads and sidewalks throughout the community. Director Johnson expressed his concern of the time associated with the removal of tumble weeds. Councilmember Robinson asked if the City is responsible to clear the sidewalk along Mountain View Corridor. Manager

Blackett confirmed. Councilmember Moser advised the Council that the budget line for Fall and Spring Cleanup would need to be increased due to additional advertising costs.

#### [7:55:48 PM](#) **Storm Drain Budget**

Operations Director Monte Johnson conveyed the budget increase for additional maintenance of the aging sweeper and vactor trucks. He added that has been conducting demonstrations of replacement vehicles. Director Johnson described the proactive approach Parks Manager Wade Sharp has taken by coordinating with Manager Blackett any potential hazards and then requires developers to address the issue rather than wait for the problem to arise. Manager Blackett examined the budget increase for the state mandate of Storm Water Prevention Protection Plan to accommodate the costs associated with landfill fees, trainings, and rules and regulations.

#### [8:01:13 PM](#) **Street Signs Budget**

Manager Blackett observed the changes of the street sign budget due to a new employee.

#### [8:04:44 PM](#) **Administration Budget**

Assistant City Manager Gordon Haight notified the Council that the proposed increase is to incorporate the City Recorder's budget with the Administration budget. He noted that overall the increase to the budget is 6% to accommodate the certifications and raises.

#### [8:13:48 PM](#) **Capital Projects**

Assistant City Manager Haight offered a brief overview of the capital projects. He mentioned the completion of 5600 West, and added that the developer contributed \$2.9 million dollars to the project which, in essence, would mean that the City will receive a \$3.6 million dollar road for \$750,000. He expressed his feeling of the benefit the road will bring to the community after the July 2014 completion.

#### [8:15:39 PM](#) **Road Maintenance Budget**

Assistant City Manager Haight offered a short presentation of the cost to maintain the roads over the next few years' compared to the cost of replacement. Director Johnson explained to the Council that chip sealing would preserve the road in its current condition for the next ten years. Mayor Freeman asked if the project is essential. Assistant City Manager Haight responded that a plan should be drafted and carried out within the next two to three years. Councilmember Robinson requested a proposed budget amount to facilitate the annual requirement for road maintenance. Assistant City Manager Haight responded that having \$500,000-\$550,000 budgeted would be adequate.

Assistant City Manager Haight observed the commitment to complete 5600 West. City Manager Brett Wood reiterated to the Council that the City would receive a four million dollar road for \$750,000, and added that the completion of the critical road would help preserve 6000 West. Assistant City Manager Haight noted the construction time-frame to alleviate traffic congestion when Silver Creek Elementary School would recommence. Councilmember Moser confirmed the dates. Councilmember Robinson requested a funding recommendation for the project. Assistant City Manager Haight examined the funding mechanism. Mayor Freeman expressed his concern of the negative public perception if the road remained in its current state.

City Manager Brett Wood extended his gratitude to Finance Director Shauna DeKorver for her diligent work to have the budget prepared for adoption. Mayor Freeman thanked Director DeKorver for her efforts.

Manager Wood asked the Council when they would like to have a discussion regarding fleet vehicles and additional employment needs of the City. Councilmember Tischner expressed his feeling that the discussion should be presented prior to the formal adoption of the budget. The Council agreed.

**9:09:03 PM Benefits Meeting Discussion**

Administrative Services Manager Tami Moody updated the Council about the consultant search to conduct the benefit study. She stated the information received would be distributed to the Council, and added that the out of state companies would not be able to present to the Council unless they were awarded the contract. The Council consensus determined to have presentations from the consulting groups at the next City Council meeting.

**ADJOURNMENT**

**9:19:16 PM** Councilmember Craig Tischner moved to adjourn the City Council meeting. Councilmember Mike Day seconded the motion, and all voted aye.

*This document constitutes the official minutes for the  
Herriman City Council Meeting held on Thursday, April 30, 2014.*

*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 Wednesday, April 30, 2014.*

  
\_\_\_\_\_  
Jackie Nostrom, City Recorder



## CITY COUNCIL WORK AGENDA MINUTES

**Thursday, May 1, 2014**

**Waiting Formal Approval**

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

<u>Attendance:</u>	Mayor, Carmen Freeman
<u>Council Members Present:</u>	Mike Day, Matt Robinson, Craig B. Tischner and Coralee Wessman-Moser
<u>Planning Commissioners Present:</u>	Blayde Hamilton, Tony DiConza, Robyn Shakespear and Clint Smith
<u>Staff Present:</u>	John Brems, City Attorney Cindy Quick, Deputy City Recorder Brett geo. Wood, City Manager Gordon M. Haight II, Asst. City Manager Justun Edwards, Water Director Blake Thomas, City Engineer Danie Bills, Event Coordinator Tami Moody, PIO Executive Administrative Manager

### 1. CLOSED SESSION

- A. The Herriman City Council may convene in a closed session to discuss the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205

Brett Wood, Matt Robinson, John Brems, Craig Tischner, Coralee Wessman-Moser, Gordon Haight, Mayor Carmen Freeman, Bryn McCarty, Cindy Quick

5:04:45 PM Mayor Carmen Freeman asks for a motion to adjourn to a closed meeting.

Council Member Coralee Wessman-Moser **MOVED** the Council adjourn into a closed session pursuant to the provisions of section 52-4-205 (1) for the purpose of (d) strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of water right or water shares.

Council Member Craig B. Tischner **SECONDED** the motion.

The vote was as follows:

Councilman Craig B. Tischner	Yes
Councilwoman Coralee Wessman-Moser	Yes
Mayor Carmen Freeman	Yes

Vote passed.

Motion carried.

5:05:56 PM Council Member Matt Robinson and City Attorney John Brems arrived

5:07:09 PM Council Member Mike Day arrived

### Adjourn to Work Meeting

Council Member Coralee Wessman-Moser **MOVED** to adjourn to the Work Meeting.

Council Member Matt Robinson **SECONDED** the motion.

The closed session adjourned at 5:20:59 PM

The motion passed unanimously

## 2. COUNCIL BUSINESS

### A. [5:23:49 PM](#) Discussion pertaining to a General Plan amendment – Bryn McCarty, Planning Supervisor

Mayor thanks Planning Commission for attending and turns time over to Bryn McCarty, Planning Supervisor who shows the council the existing General Plan and the proposed changes. She shows areas with high density that would change to single family. She proposed changing a mixed use area to commercial. The area 5600 West and the Parkway has been changed to medium density. Here is an applicant who has submitted for high density in that area. The area south of 11800 South and west of the high school was single family and medium with high density on the corner and she's proposing agricultural, single family and medium density on the corner instead of high density.

Council Member Matt Robinson questions the change to the area by the corridor from high density to single family. Bryn McCarty responds that she felt fine about adjusting that area but that's what she originally heard from the council because it's a large entrance to the city. That would allow for little homes here. Consensus from council was it could change if it's needed.

The high density by Porter Rockwell has been changed to light industrial / business park. Around the community college is medium density. Council Member Mike Day is concerned about the zoning near the community college. Council Member Matt Robinson explains that when the school comes then we can change it to high density. Bryn McCarty responds - Medium density is still pretty high and reminds the council that she heard them saying get rid of high density everywhere.

Bryn McCarty outlines percentages and then shows adjusted amounts.

Council Member Mike Day explains that the perception of residents is that of what is built out and the density of what is developed right now is higher than these percentages shown. A discussion about that perception took place. Council Member Mike Day says that the perception is that high density is in the 20% range right now. Bryn McCarty continues showing Future Land Use including SLR and what the difference would be with the proposed changes. She shows buildable area and explains that the changes would basically take open space out. Council Member Mike Day requested that this slide be emailed to the council. Bryn responded affirmatively. Council Member Mike Day asks if Juniper is above 4.0 per acre and if that is medium density. The response was yes, small lots big houses.

Bryn McCarty shows proposed PUD Text Change. This proposal would basically say that you can't do apartments in a PUD. She explains that it was taken out about 10 years ago and she just added it back in.

Council Member Matt Robinson presents a scenario where a builder sees that an area allows for medium density which is 4-8 units per acre. He of course wants to put in 8 units per acre and then he comes to Planning Commission and they can say no. Bryn McCarty explains that she added language to the general plan that shows all the ranges and states that you can have the higher density if you do the PUD and include a range of lot sizes in close proximity to the corridor and the transit. PUD's generally do not include apartments. Council Members Coralee Wessman-Moser, Mike Day and Mayor Freeman voice that they really like this text.

Bryn explains that apartments can be part of the PUD if each pod is zoned that way.

Bryn explains that a plan has been submitted for a "horse area" but they have to zone it first. Bryn has explained to the developer that the density needs to be on the low end.

John Brems, City Attorney says zoning is the best thing you can work with.

Council Member Matt Robinson explains that what he hears from residents is that they don't like high density but they are okay with commercial.

A discussion between council and commissioners regarding zoning and density took place. They discussed a plan that has been submitted and the changes that might be made to that plan due to these proposed changes. Density was the main change.

City Manager Brett Wood asks about property for a high school.

Assistant City Manager Gordon Haight asks Bryn to show the council that the area in the mountains shows as open space only with no development. He explains that the property owner may come back with a development plan, but right now the General Plan shows no development in that area.

Council Member Matt Robinson asks when the noticing for the 5 acres next to Lafayette goes out. Bryn responds that the noticing goes out Monday and that she will post a sign and that it goes out to residents that are within 300 feet. Council Member Matt Robinson requests that notices go out to a larger area. Bryn said she will. Mayor Freeman asks about the medium density around the cemetery / fire station. Bryn expresses that medium density does not allow for apartments or town homes. This proposal for changes to the General Plan is scheduled for a public hearing on May 15, 2014.

Council Member Matt Robinson discussed 6000 and Herriman Parkway explaining that this area is all single family residential. He adds that typically intersections are great for commercial but in this case south of Herriman parkway is not that way. He wants single family residential here. Blayde Hamilton says he feels we should stay low and then we can always go higher. Council Members Matt Robinson, Craig B. Tischner and Mayor Freeman agree.

Assistant City Manager Gordon Haight feels like this discussion gave staff better direction as to what they'd like see for the General Plan. He feels like by early July we can adopt this plan. A brief discussion regarding opinions for the proposed changes between staff, council and commission took place.

Commissioner Tony DiConza asks for a map that shows Riverton City's zoning around our borders. Bryn McCarty responds that would be a good idea.

Mayor Freeman requests a minor change to the trax line. Bryn will email to planning commission – council has it. Planning Commission exits to their work meeting and City Manager Brett Wood asks for permission to be excused.

**B. [6:00:28 PM](#) Discussion of a Neighborhood Meeting Schedule – Carmen Freeman, Mayor**

Mayor Freeman begins the discussion with the council regarding neighborhood meetings and whether or not they want to continue the meetings. The consensus from the council was to continue the neighborhood meetings. Mayor Freeman asked the council if the meetings could be kept on a Thursday night to avoid an extra night out. Council Member Coralee Wessman-Moser explains that Monday is a family night and it seems like a better night to get people involved. Council Member Matt Robinson agrees that Monday night seems like a better choice. Mayor Freeman is not comfortable with Monday night. Council Member Craig B. Tischner feels like any night will have a conflict and suggests cancelling the work meeting for the neighborhood meeting. A brief discussion regarding which night would work better ensued. Council Member Mike Day states that he would rather not do it on Monday night.

Public Information Officer Tami Moody proposes an outline for neighborhood meetings beginning with District 2 and District 4 because they didn't have one last year. Council Member Coralee Wessman-Moser suggests Mirabella for her district. Council Member Craig B. Tischner suggest the park by the Butterfield Elementary in Hamilton Farms for his district. If Monday's would work District 2 would be on June 2. District 4 would be June 30. No meetings in July. District 1 would be Aug. 11 and district 3 would be Aug. 25. If there is a conflict with any of those dates, Sept 8 could work.

Council Member Matt Robinson asks the council members to solidify a date for the district they are over. Council Member Coralee Wessman-Moser likes June 2 because graduations will come just after during that first week of June.

Mayor Freeman has real heart burn over having these meetings on Monday night. Council Member Coralee Wessman-Moser explains that Thursdays would not work and goes through each one. Mayor Freeman asks if May 29 will work. Tami explains that there is Memorial Day and Pedal Palooza that weekend so too many events in a row.

Council Member Coralee Wessman-Moser suggests that August 7 and 21 and September 4 could potentially work.

Council Member Mike Day explains that he's okay not to have a neighborhood meeting in his district.

Council Member Craig B. Tischner would like to schedule a neighborhood meeting on August 7 for district 3.

Council Member Coralee Wessman-Moser would like to hold a neighborhood meeting in her district for June 2.

Council Member Matt Robinson requests a neighborhood meeting in his district later in the year, possibly the week of September 8.

Assistant City Manager Gordon Haight suggests utilizing scouts to advertise for these meetings.

Council Member Mike Day says Monday is for his family. He states that he feels fine not having a neighborhood meeting in his district. Mayor Freeman directs the council and staff to have three meetings. A brief discussion about what time to have the meetings took place and Mayor Freeman recommends 6:00pm.

C. [6:21:15 PM](#) Discussion of RECON (The Global Retail Real Estate Convention) – Gordon Haight, Assistant City Manager

Public Information Officer Tami Moody quickly talks about Fort Herriman Day's and the information booth there, she'd like the booth set up like they do for neighborhood meetings. She asks for an okay to go ahead. Council Member Craig B. Tischner requests including youth council. Council Member Coralee Wessman-Moser asks for 10 x 20 and would like the banners with the grommets so they can tie them down. City Events Director, Danie Bills explains that Steve can print those out.

Gordon Haight, Assistant City Manager hands out information for the ICSC event. This packet will be the information they can hand out. He orients the council regarding promotional products they will be giving out at the event. The first product is lunch/cooler bag that can also include information packets. The second product is a little bank that will include LEGOs that have a logo that says 'Herriman the Key to Building Your Future.' The third product is a sunglass case with a logo that says 'Herriman's Future is so Bright you Gotta Wear Shades' and it will contain colored sunglasses with Herriman City's name.

Next he outlines a list of people who have agreed to meet with the city. Wendy's have voiced that they may want to open a second restaurant here. Next is a list of people the city has tried to schedule a meeting with but they've been difficult to get in touch with. A brief discussion about the list took place. The next list is people who were unwilling to make an appointment with city staff. He explains that Suburban Land Reserve will also be attending this event. Mayor Freeman asks for direction on a schedule for the council. Gordon explains that each council member will be given a list of specific businesses to target. Council Member Craig B. Tischner states that the last day is generally the best day to get a walk-in appointment.

Gordon reviews a municipal development report card from the Commercial Real Estate Development Association. The pros the city received are: good customer service, information available and fees easily calculated. The cons are: high development fees, slow permitting process and remote location.

He doesn't feel that the cons are devastating. We certainly need to do better and make sure that the perception is that we are not remote; we have a Trax line and the Mountain View Corridor. This report card is not set yet but it gives valuable information on how we can improve.

Council Member Craig B. Tischner asks Gordon to review the agenda for this event. A discussion about the opportunities the city has during this event took place. Mayor Freeman explains that he hears concerns about commercial growth are just as big of an issue as high density. He would like the message and talking points to be synergized. Gordon explains that he will and explains that the big talking points for Herriman are: demographics, high income, high growth and the freeway. Council Member Matt Robinson explains that the selling points aren't as important as the data. A brief discussion ensued.

Mayor Freeman reports that UDOT will be going to 4100 South instead of 2100 South which lead to a brief discussion about streets and traffic.

A brief discussion about travelling to this event took place. Council Members thank Gordon.

Council Member Mike Day reports that he has been given a free trip but it's during Fort Herriman Days. The council was excited for his opportunity and they would be able to cover Fort Herriman Days.

### 3. MAYOR AND COUNCIL COMMENTS

none

### 4. ADJOURNMENT AT 6:50 P.M.

Meeting Adjourned [6:53:19 PM](#)

13011 S. Pioneer Street • Herriman, Utah 84096

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*I, Cindy M. Quick, do hereby certify that I am the duly appointed, qualified, and acting Deputy Recorder for Herriman City, of Salt Lake County, State of Utah. I do hereby certify that the foregoing minutes represent a true, accurate, and complete record of this meeting held on May 1, 2014.*

*Cindy Quick*

Cindy Quick, Deputy Recorder



## CITY COUNCIL MINUTES

**Thursday, May 8, 2014**  
**Waiting Formal Approval**

The following are the minutes of the City Council Meeting of the Herriman City Council. The meeting was held on **Thursday, May 8, 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 Community Center, 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  
Shauna DeKorver, Finance Director  
Cheeryl Jeppson, Human Resource Director  
Bryn McCarty, Planning Supervisor  
Cathryn Nelson, Building Official  
Blake Thomas, City Engineer  
Monte Johnson, Operations Director

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

**5:04:34 PM COUNCIL BUSINESS**

Mayor Freeman called the meeting to order.

**2. Administrative Reports**

**a. 5:34:46 PM Presentation from the Historical Committee**

Councilmember Matt Robinson introduced the Historical Committee members and requested they present recent accomplishments and budget proposals for the next fiscal year. Committee Member Stephaine Johnson disseminated a status report for the Historical Committee. She observed the four items of concentration, and highlighted the fluctuation of committee members. She informed the Council of the history book creation and the advantageous entities utilized in order to receive accurate historical backgrounds.

Ms. Johnson explained to the Council of the crucial funds to complete the book. She offered a tentative timeline for the hardback, and summarized its contents. Councilmember Robinson confirmed the date for publication. Ms. Johnson responded that the committee can't commit to a hard completion date, and reiterated the dedication of the committee to finish the piece. Mr. Lynn Crane asked for quantity suggestions to achieve a priced reduced

publication. Mayor Freeman expressed his desire to have a survey conducted to find resident interest of the book. Councilmember Robinson asked about the cost of publishing. Mr. Crane reported that the publisher is compiling cost estimates for printing different quantities.

Mayor Freeman expressed his appreciation of the wonderful efforts that have gone into the creation of the book, and encouraged it's retention for long term availability. Historical Committee President Karalynn Freeman informed the Council that the committee does not have the resources to archive the novel. City Manager Wood explained that the City could archive the history in an electronic database that is backed up off-site. President Freeman asked the Council to solicit their request to find old photographs that could be included.

Councilmember Coralee Wessman-Moser reiterated the publishing timeline. Ms. Johnson explained that the committee is anxious for the completion of the book. Councilmember Moser expressed her concern of budgeting for this project until it is ready for publication. She suggested if the budget for publication was not included, but the committee was ready for book publication, they could work with Councilman Robinson to request a budget amendment.

b. [5:05:25 PM](#) **Presentation of potential companies to oversee benefits study** – Cheeryl Jeppson, Human Resource Director

Human Resource Director Cheeryl Jeppson presented the list of companies that received the request for services. She examined the consultants who were available to conduct the study, and noted that at the discretion of the Council could solicit additional companies. Mayor Freeman indicated that the Hay Group was in line with the request. Director Jeppson confirmed. Councilmember Moser asked if the Hay Group would present recommendations to the Council. Director Jeppson concluded that they would analyse the information and present results to the Council. Councilmember Robinson questioned if their significant cost increase for their service would be worth the results. Councilmember Moser asked if the first groups were offered the revised proposal for service. Director Jeppson responded that they did not receive the updated request. Councilmember Robinson noted he would be interested to see if those groups would submit additional documentation. The Council agreed. Director Jeppson informed the Council she would extend the updated request to those entities. Councilmember Robinson suggested contacting references.

c. [6:17:28 PM](#) **Report on the employee recognition benefit** – Cheeryl Jeppson, Human Resources Director

Human Resource Director Cheeryl Jeppson offered an explanation of benefits to the Council that Herriman City Employees receive in addition to their annual salary. She observed the attendance trends of the awards dinner and employees that utilized the Lagoon pass. Councilmember Robinson asked how the percentages were identified. Director Jeppson responded that she requires reservations from the employees to track their attendance. City Manager Brett Wood explained that the attendance decrease for the awards dinner in 2010 was because of the date change from December to January. Director Jeppson provided a list of ways to boost morale, and asked for suggestions. Councilmember Robinson asked for recommendations to be presented to the Council. Director Jeppson confirmed.

d. [5:21:04 PM](#) **Discussion of long-term staffing needs** – Mayor Carmen Freeman

Finance Director Shauna DeKorver reminded the Council of the financial plan analysis that was conducted in 2011, and offered a brief overview on the outcome of the study. She compared the projected analysis with current data, and explained that the City is providing more service with fewer resources. Councilmember Robinson reviewed the graph and observed the projected employment needs based on growth. Assistant City Manager Gordon

Haight added that the study would consider additional infrastructure needs along with the employment needs for maintenance. City Manager Brett Wood informed the Council that the analysis has been updated annually.

Councilmember Robinson explored the benefit of discussing the staffing needs simultaneously with benefits. Mayor Freeman added that the benefit study could help grasp the reality of required facility space.

e. [6:00:58 PM](#) **Discussion of long-term fleet vehicle needs** – Mayor Carmen Freeman

Mayor Freeman informed the Council that he had directed Operations Director Monte Johnson to offer a synopsis of the vehicle strategy in order to economise vehicle use. Director Johnson conveyed the projected plan to the Council and compared it to the analysis from 2011. He observed the leaner fleet and staff capacity that was notated in the previous study. Mayor Freeman questioned the significant difference between the projected needs versus the actual resources. City Manager Wood responded that Herriman City is running extremely tight, and reiterated the study had been updated on an annual basis. Councilmember Robinson observed the mirrored revenue between the actual and projected comparison. City Manager Wood explained that the study took into consideration historical data. Assistant City Manager Haight examined the difficulty to have projects completed without the additional resources. Councilmember Robinson acknowledged the deteriorated roads. Director Johnson explained to the Council that repercussions from the recession still have an effect due and are observed through the lack of road maintenance.

Director Johnson displayed the change in the vehicle fleet policy. He explained the thought process behind each vehicle request, and would assist the manager to determine the best suited vehicle for their department needs. Mayor Freeman questioned the previous purchase of nicer vehicles. Manager Wood explained the safety packages that could only be purchased on upgraded vehicles. Director Johnson added that under current policy; the City does not purchase upgraded vehicles.

1. [6:34:57 PM](#) **Review of this evening's agenda**

Planning Supervisor Bryn McCarty informed the Council of the text change regarding the monopole ordinance and recommended continuation of the agenda item. She explained the applicant had withdrawn applications that required the text change, and would like to receive public feedback prior to the amendment. Assistant City Manager Haight examined the benefit to the City in obtaining wireless internet in the public parks through the monopole installation. He explained the requirements for collocating monopoles, and added that the City is not legally able to restrict installation. Councilmember Moser asked for additional information regarding the fees charged for collocation to be included when the request was made to the City Council. Assistant City Manager Haight indicated this information would be included.

Assistant City Manager Haight distributed RECON Academy itinerary to the Council, and requested them to determine which seminars would be beneficial to them.

Mayor Freeman asked Water Director Justun Edwards to update the Council about the secondary water pump station. Director Edwards informed the Council that the facility design will be completed by the end of this month, and will present a bond anticipation note to the Council for consideration. City Manager Wood observed the placement timeline.

[6:48:15 PM](#) Mayor Freeman Moved to adjourn the work meeting.

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

**1. [7:03:44 PM](#) CALL TO ORDER**

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

**A. [7:04:12 PM](#) Invocation and Pledge**

City Engineer Blake Thomas offered the invocation. Mr. John Sears led the audience in the Pledge of Allegiance.

**B. [7:06:13 PM](#) Approval of the Minutes**

Councilmember Robinson moved to approve the minutes of March 27, April 3, April 23, April 24, and April 28, 2014, as written. Councilmember Moser seconded the motion, and all voted aye.

**C. [7:08:16 PM](#) Mayor's Comments**

Mayor Freeman mentioned the continuation of the buy local campaign.

**D. [7:06:27 PM](#) Council Recognitions**

Councilmember Moser recognized Providence Hall School in becoming a full K-12 status school. She observed their authorization of being the first school in the state of Utah and the 12 school in the nation.

Councilmember Robinson extended his appreciation to the Planning Division and their effort in being overly transparent for the zone change.

**2. [7:08:36 PM](#) PUBLIC COMMENT**

No Public Comment was offered.

**3. REPORTS, PRESENTATIONS AND APPOINTMENTS**

**A. [7:09:23 PM](#) Consideration of Resolution No. 14.15, to appoint Jeramy Burkinshaw as a member of the Planning Commission and Adam Jacobsen as an alternate member of the Planning Commission – Bryn McCarty, Planning Supervisor**

Planning Supervisor Bryn McCarty gave a brief overview of the Planning Commission vacancies, and recommended approval of the appointments.

Councilmember Moser moved to approve Resolution No. 14.15 to appoint Jeramy Burkinshaw as a member of the Planning Commission and Adam Jacobsen as an alternate member of the Planning Commission. Councilmember Tischner seconded the motion.

The vote is recorded as follows:

Councilmember Mike Day	Yes
Councilmember Matt Robinson	Yes
Councilmember Craig B. Tischner	Yes
Councilmember Coralee Wessman-Moser	Yes
Mayor Carmen Freeman	Yes

The motion passed unanimously.

Councilmember Robinson expressed his appreciation of those individuals who applied for the vacancies, and noted the qualified group of interviewees. He suggested having a condensed planning course for interested individuals. Supervisor McCarty noted a class could be conducted.

#### 4. DISCUSSION AND ACTION ITEMS

- A. [7:14:50 PM](#) Presentation and Approval of **Resolution No. 14.16**, to adopt the tentative Fiscal Year 2014-2015 Herriman City budget, and a request to schedule a Public Hearing on May 22, 2014 for formal adoption of the final budget on June 5, 2014 – Shauna DeKorver, Finance Director

Finance Director Shauna DeKorver presented the tentative Herriman City Budget. She informed the Council of the General Fund Budget and the Water Fund Enterprise Budget. She noted that the budget does not contain any capital projects in the proposed budget, and added that the tentative budget is not binding and changes can be submitted. Director DeKorver observed the May 22, 2014 public hearing to receive any public comment regarding the final budget prior to adoption. She noted a copy would be made available for citizen review.

Mayor Freeman questioned the bank charges for credit card usage. Director DeKorver responded that government agencies are allowed to charge a convenience fee at the discretion of the Mayor and Council through an ordinance adoption. Councilmember Day suggested this service could be a benefit for the city. Director DeKorver noted she would report to the Council of the transaction amounts used monthly.

Councilmember Moser moved to approve **Resolution No. 14.16** to adopt the tentative fiscal year 2014-2015 Herriman City Budget and request to schedule a public hearing on May 22, 2014 for the adoption of the final budget on June 5, 2014 and change the proposed budget, as contained in the packet, to remove any payout of vacation and PTO and allocate those funds to street maintenance until further adjustments are considered. Councilmember Day seconded the motion.

The vote is recorded as follows:

Councilmember Mike Day	Yes
Councilmember Matt Robinson	No
Councilmember Craig B. Tischner	Yes
Councilmember Coralee Wessman-Moser	Yes
Mayor Carmen Freeman	No

The motion passed with a vote 3:2.

Mayor Freeman explained that a benefit study should be completed prior to adoption of the budget in order not to convey a negative connotation to staff. Councilmember Robinson agreed. Councilmember Tischner commented that several items could be changed prior to the adoption of the final budget.

- B. [7:23:22 PM](#) Discussion and consideration of **Ordinance No. 14-22**, regarding a text change to the land use ordinance to allow monopoles on public and quasi public property – Bryn McCarty, Planning Supervisor

Planning Supervisor Bryn McCarty offered an explanation of the text change to the land use ordinance to allow monopoles on public property. She noted the ordinance currently allows their installation in some zones, and recommended continuing the item in order to receive public feedback. Supervisor McCarty observed the application withdrawal from the applicant in the areas that the current ordinance does not allow. She informed the Council that the applicant will collocate on an existing tower. Mayor Freeman expressed his appreciation to Supervisor McCarty and Councilmember Day for their efforts regarding this consideration.

[7:25:18 PM](#) Mayor Freeman opened public comment

Kenny Thomas, 4872 Desert Sage Drive, requested that impacted residents be involved in the dialogue for the text change. He expressed his concern of the close proximity of the proposed towers to the location of homes, and suggested that the original development should take precedence. Councilmember Day extended his sincere apology for the lack of noticing to the Homeowners Association Boards. He agreed with the Mr. Thomas on first possession. Mayor Freeman suggested an open house with the applicant and residents to collaborate and establish guidelines. Councilmember Tischner agreed. Councilmember Robinson added that those discussions could alleviate any health concerns of the residents.

Jerry Rechtenbach, informed the Council that he was representing the property owner. He expressed his appreciation of the Council and residents, and encouraged the Council to examine the position of the towers carefully the how their impact could hinder an abutting neighborhood. He agreed that the amendments should benefit the entire city rather than catering to a sole business.

David Watts, informed the Council that several residents are excited about having an affordable broad band provider to the community. He expressed his concern of not encouraging new technologies strictly due to aesthetics.

Councilmember Day expressed his appreciation for the service that would be provided through the text change proposal, and explained that he would like to have the residents' best interest in mind. He offered the suggestion of having City Council hold the approval authority for highly sensitive issues to balance decisions. He extended his gratitude for the Planning Commission and their hard work and diligence. Councilmember Robinson questioned the delegation change, and added that decision warranted further discussion. Mayor Freeman agreed, and noted the discussion should take place in the presence of the Planning Commission.

John Sears, thanked the Council of having more openness for the residents. He noted he would support having the Council approve issues that could encumber the residents' quality of life, and that would allow for public input. He mentioned the highly valued volunteers on the Planning Commission, and noted differing values between appointed commissioners and elected Council Members.

[7:44:00 PM](#) Mayor Freeman closed public comment

Councilmember Day moved to continue **Resolution No. 14.15**, to amend the land use ordinance to allow monopolies on public and quasi-public property. Councilmember Robinson seconded the motion.

The vote is recorded as follows:

Councilmember Mike Day	Yes
Councilmember Matt Robinson	Yes
Councilmember Craig B. Tischner	Yes
Councilmember Coralee Wessman-Moser	Yes
Mayor Carmen Freeman	Yes

The motion to continue the resolution carried unanimously.

C. [7:44:34 PM](#) Discussion and consideration of Ordinance No. 14-23, amending a text change to Title 6, Chapter 2, Part 6 Engine Compression Brake Devices Prohibited or Restricted – Blake Thomas, City Engineer

City Engineer Blake Thomas explained the proposed text change to remove the speed limit restriction to comply with Utah Department of Transportation standard in order to place engine brake restriction signs along Mountain View Corridor. Councilmember Day asked for clarification of streets that restrict engine brakes. Engineer Thomas explained that restrictions are enforced only if signs are placed.

Councilmember Day moved to approve Ordinance No. 14-23 to amend a text change to Title 6, Chapter 2, Part 6 Engine Compression Brake Devices Prohibited or Restricted. Councilmember Robinson seconded the motion.

The vote is recorded as follows:

Councilmember Mike Day	Yes
Councilmember Matt Robinson	Yes
Councilmember Craig B. Tischner	Yes
Councilmember Coralee Wessman-Moser	Yes
Mayor Carmen Freeman	Yes

The motion passed unanimously.

5. **MAYOR AND COUNCIL COMMENTS**

Councilmember Day reminded the audience of the Herriman Enduro Challenge and encouraged everyone to attend.

Mayor Freeman informed the Council that a committee will be formed to request a transportation bill at the next legislative session. He expressed how impressed he was with the Miss Herriman Scholarship Pageant and noted that the royalty will be recognized in a future Council meeting. He explained that he had assisted with a beautification project at Herriman Elementary school, and contributed to an Arbor Day celebration at Silver Crest. Mayor Freeman extended his appreciation to Events Coordinator Danie Bills for her involvement in Farm Field Days. He noted that he attended a Utah Department of Transportation meeting to discuss transportation needs in the county.

Councilmember Day asked City Manager Brett Wood to highlight the volunteer service project. Manager Wood expressed his appreciation of the Chick-Fil-A volunteers for an impressive service project in Butterfield Park. He thanked Events Coordinator Bills for her quick outreach to the 92 volunteers that contributed 184 hours of service. Councilmember Day thanked everyone involved to make the project a success. Mayor Freeman extended his appreciation to the staff, Council and residents.

6. **CALENDAR**

A. **Meetings**

- May 15 – City Council Work Meeting, 5:00 p.m.; Planning Commission 7:00 p.m.
- May 24 – City Council Meeting 5:00 p.m.

B. **Events**

- May 10 – Herriman Enduro Challenge, W&M Butterfield Park 6:00 p.m.
- May 11 – Mother’s Day
- May 12 – Community Fishing
- May 13 – Copper Mountain Middle School Dedication 7:00 p.m.

- May 17 – Camp Williams Iron Will

7. 7:57:58 PM ADJOURNMENT

Councilmember Robinson moved to adjourn the City Council meeting. Councilmember Day seconded the motion, and all voted aye.

*This document constitutes the official minutes for the  
Herriman City Council Meeting held on Thursday, May 8, 2014*

*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, May 8, 2014.*

  
\_\_\_\_\_  
Jackie Nostrom, City Recorder



**HERRIMAN CITY  
AGREEMENT FOR ANIMAL SERVICES  
AMENDMENT #8**

---

THIS AGREEMENT for Animal Control services ("Agreement") is entered into on this 1<sup>st</sup> day of July, 2014, by and between SALT LAKE COUNTY ("County"), a body corporate and politic of the State of Utah, for and in behalf of its Animal Services Division ("Animal Services"), and the CITY OF HERRIMAN, ("City"), a municipal corporation of the State of Utah, and it amends a prior agreement of the parties entered into on the 1<sup>st</sup> day of July, 2013.

**AGREEMENT**

1. The original agreement of the parties, regarding Term, Paragraph 14, is hereby amended to reflect that the term of the Agreement between the parties shall be from July 1<sup>st</sup>, 2014, and unless sooner renewed or terminated as provided in the original agreement of the parties, shall terminate at 11:59:59 p.m. on June 30<sup>th</sup>, 2015.

2. The original agreement of the parties, regarding contract price, Paragraph 17 (b), is hereby amended to reflect the following changes *"Throughout the term of this Agreement, Herriman City shall pay the total amount (the "Contract Price") of \$15,392 per month (i.e., \$184,704 annually) for the Animal Control Services. Animal Services shall not be entitled to any reimbursement of any expenses incurred in providing the Animal Control Services. If the Parties intend to renew this Agreement pursuant to Section 15 above, then in the Renewal Acceptance, Animal Services shall notify Herriman City of the revised Contract Price for the succeeding one-year period in*

*accordance with the uniform policies and procedures for the determination of such rate as adopted by Animal Services. This sum shall be due and payable for the period of July 15th, 2014 through June 30, 2015.”*

3. All of the remaining terms and conditions of the original agreement of the parties, not hereby amended, shall remain in full legal force and effect.

4. The parties acknowledge that this Amendment is subject to the provisions and procedures contained in the Interlocal Cooperation Act and they agree to process, approve, manage, and archive this Agreement in accordance with the provisions of that Act.

*(The remainder of this page left blank.)*

IN WITNESS WHEREOF, Herriman City, by resolution duly adopted by its city Council, a certified copy of which is attached hereto, caused this Agreement to be signed by its Mayor and attested by its City Recorder; and Animal Services, caused this Agreement to be signed by its Mayor and attested by its City Recorder.

HERRIMAN CITY

By:

\_\_\_\_\_  
Mayor

Date signed:

\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
City Recorder

Date signed:

\_\_\_\_\_

APPROVED AS TO FORM:

HERRIMAN CITY ATTORNEY

By \_\_\_\_\_  
City Attorney

SALT LAKE COUNTY

By:

\_\_\_\_\_  
Mayor or Designee

Date signed:

\_\_\_\_\_

APPROVED AS TO FORM:

ANIMAL SERVICES ATTORNEY

By: Garin J. Anderson 8 April 2014  
Deputy County Attorney



CITY COUNCIL  
Thursday, May 22, 2014

# Item 6

**6. Discussion and Action Items**

- B. Discussion and consideration of **Resolution No. 14.18** to adopt and authorize the issuance and sale of not more than \$7,000,000 aggregate principal amount of Water Revenue Bond Anticipation Notes, Series 2014; and related matters – Justun Edwards, Water Director

NOTES: \_\_\_\_\_  
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\_\_\_\_\_

Herriman, Utah

May 22, 2014

The City Council (the "Council") of Herriman City, Utah (the "City"), met in regular public session at the regular meeting place of the Council in Herriman City, Utah on May 22, 2014, at the hour of 7:00 p.m., with the following members of the Council being present:

Carmen Freeman	Mayor
Mike Day	Councilmember
Matt Robinson	Councilmember
Craig B. Tischner	Councilmember
Coralee Wessman-Moser	Councilmember

Also present:

Jackie Nostrom	City Recorder
John Brems	City Attorney
Shauna DeKorver	Finance Director

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the Deputy City Recorder presented to the Council a Certificate of Compliance with Open Meeting Law with respect to this May 22, 2014, meeting, a copy of which is attached hereto as Exhibit A.

The following resolution was then introduced in written form, was fully discussed, and pursuant to motion duly made by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_, was adopted by the following vote:

AYE:

NAY:

The resolution is as follows:

RESOLUTION NO. 14.18

A RESOLUTION OF THE CITY COUNCIL OF HERRIMAN CITY, UTAH (THE "ISSUER"), AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$7,000,000 AGGREGATE PRINCIPAL AMOUNT OF WATER REVENUE BOND ANTICIPATION NOTES, SERIES 2014; FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF THE NOTES, THE MAXIMUM NUMBER OF YEARS OVER WHICH THE NOTES MAY MATURE, THE MAXIMUM INTEREST RATE WHICH THE NOTES MAY BEAR, AND THE MAXIMUM DISCOUNT FROM PAR AT WHICH THE NOTES MAY BE SOLD; DELEGATING TO CERTAIN OFFICERS OF THE ISSUER THE AUTHORITY TO APPROVE THE FINAL TERMS AND PROVISIONS OF THE NOTES WITHIN THE PARAMETERS SET FORTH HEREIN; PROVIDING FOR THE PUBLICATION OF A NOTICE OF NOTES TO BE ISSUED AND THE RUNNING OF A CONTEST PERIOD; AUTHORIZING AND APPROVING THE EXECUTION OF A SUPPLEMENTAL INDENTURE OF TRUST, A NOTE PURCHASE AGREEMENT AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS.

WHEREAS, pursuant to the provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended (the "Act"), the City Council (the "Council") of Herriman City, Utah (the "Issuer"), is authorized to issue bond anticipation notes payable, in part, from the net revenues of its existing water system (the "System") for the municipal purposes set forth therein; and

WHEREAS, subject to the limitations set forth herein, the Issuer desires to issue its Water Revenue Bond Anticipation Notes, Series 2014 (the "Series 2014 Notes") (to be issued in one or more series and with such other series or title designation(s) as may be determined by the Issuer) to (a) finance the acquisition and construction of improvements to the System and related water improvements (collectively, the "Project"), (b) fund a deposit to a debt service reserve fund, if necessary, and (c) pay costs of issuance of the Series 2014 Notes, pursuant to this Resolution, an Amended and Restated General Indenture of Trust dated as of July 1, 2005 between the Issuer and Zions First National Bank, as trustee (the "Trustee"), as previously supplemented and amended (the "General Indenture") and a Supplemental Indenture of Trust between the Issuer and the Trustee (the "Supplemental Indenture," and together with the General Indenture, the "Indenture"), in substantially the forms presented at the meeting at which this Resolution was adopted and which are attached hereto as Exhibit B; and

WHEREAS, the Act provides that prior to issuing notes, an issuing entity may give notice of its intent to issue such notes and the Issuer desires to publish such notice of notes to be issued, in compliance with the Act; and

WHEREAS, there has been presented to the Council at this meeting a form of a Note Purchase Agreement (the “Note Purchase Agreement”) to be entered into between the Issuer and the purchaser selected by the Issuer for the Series 2014 Notes (the “Purchaser”), in substantially the form attached hereto as Exhibit C; and

WHEREAS, in order to allow the Issuer flexibility in setting the pricing date of the Series 2014 Notes, the Council desires to grant to any two of the [Mayor or Mayor pro tem (collectively, the “Mayor”), the City Administrator (the “City Administrator”) or the Finance Director (the “Finance Director”)] of the Issuer (collectively, the “Designed Officers”) the authority to select the Purchaser, and approve the final interest rates, principal amounts, terms, maturities, redemption features, and purchase price at which the Series 2014 Notes shall be sold, to determine whether the Series 2014 Notes should be sold, and any other changes with respect thereto from those terms which were before the Council at the time of adoption of this Resolution, provided such terms do not exceed the parameters set forth for such terms in this Resolution (the “Parameters”);

NOW, THEREFORE, it is hereby resolved by the City Council of Herriman City, Utah, as follows:

Section 1. For the purpose of (a) financing the Project, (b) funding a deposit to a debt service reserve fund, if necessary, and (c) paying costs of issuance, the Issuer hereby authorizes the issuance of the Series 2014 Notes which shall be designated “Herriman City, Utah Water Revenue Bond Anticipation Notes, Series 2014” (or with such other series or title designation as may be determined by the Issuer) in the initial aggregate principal amount of not to exceed \$7,000,000. The Series 2014 Notes shall mature in not more than two (2) years from their date or dates, shall be sold at a price not less than ninety-eight percent (98%) of the total principal amount thereof, shall bear interest at a maximum net effective rate or rates of not to exceed three percent (3.0%) per annum, as shall be approved by any two of the Designated Officers, all within the Parameters set forth herein. The issuance of the Series 2014 Notes shall be subject to the final approval of Bond Counsel and to the approval of the City Attorney for the Issuer.

Section 2. The Indenture and the Note Purchase Agreement, in substantially the forms presented to this meeting and attached hereto as Exhibits B and C respectively, are hereby authorized, approved, and confirmed. The Mayor and the City Recorder or Deputy City Recorder (the “City Recorder”) are hereby authorized to execute and deliver the Indenture and the Note Purchase Agreement, in substantially the forms and with substantially the content as the forms presented at this meeting for and on behalf of the Issuer, with final terms as may be established by the Designated Officers within the Parameters set forth herein, and with such alterations, changes or additions as may be necessary or as may be authorized by Section 3 hereof. The Designated Officers are each hereby authorized to select the Purchaser, to specify and agree as to the final principal amounts, terms, discounts, maturities, interest rates, redemption features, and purchase price with respect to the Series 2014 Notes for and on behalf of the Issuer, provided that such terms are within the Parameters set by this Resolution. The execution of the Note Purchase Agreement will signify the approval of the Designated Officers.

Section 3. The appropriate officials of the Issuer are authorized to make any alterations, changes or additions to the Indenture, the Series 2014 Notes, the Note Purchase Agreement, or any other document herein authorized and approved which may be necessary to conform the same to the final terms of the Series 2014 Notes (within the Parameters set by this Resolution), to conform to any applicable bond insurance or reserve instrument or to remove the same, to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, or to conform the same to other provisions of said instruments, to the provisions of this Resolution or any resolution adopted by the Council or the provisions of the laws of the State of Utah or the United States.

Section 4. The form, terms, and provisions of the Series 2014 Notes and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption, and number shall be as set forth in the Indenture. The Mayor and the City Recorder are hereby authorized and directed to execute and seal the Series 2014 Notes and to deliver said Series 2014 Notes to the Trustee for authentication. The signatures of the Mayor or Mayor pro tem and the Deputy City Recorder may be by facsimile or manual execution.

Section 5. The appropriate officials of the Issuer are hereby authorized and directed to execute and deliver to the Trustee the written order of the Issuer for authentication and delivery of the Series 2014 Notes in accordance with the provisions of the Indenture.

Section 6. Upon their issuance, the Series 2014 Notes will constitute special limited obligations of the Issuer payable solely from and to the extent of the sources set forth in the Series 2014 Notes and the Indenture. No provision of this Resolution, the Indenture, the Series 2014 Notes, or any other instrument, shall be construed as creating a general obligation of the Issuer, or of creating a general obligation of the State of Utah or any political subdivision thereof, or as incurring or creating a charge upon the general credit of the Issuer or its taxing powers.

Section 7. The appropriate officials of the Issuer, and each of them, are hereby authorized and directed to execute and deliver for and on behalf of the Issuer any or all additional certificates, documents (including, but not limited to, tax compliance procedures) and other papers and to perform all other acts they may deem necessary or appropriate in order to implement and carry out the matters authorized in this Resolution and the documents authorized and approved herein.

Section 8. After the Series 2014 Notes are delivered by the Trustee to the Purchaser, and upon receipt of payment therefor, this Resolution shall be and remain irrevocable until the principal of, premium, if any, and interest on the Series 2014 Notes are deemed to have been duly discharged in accordance with the terms and provisions of the Indenture.

Section 9. In accordance with the provisions of the Act, the Issuer shall cause the following "Notice of Notes to be Issued" to be (i) published one (1) time in The Daily Herald, a newspaper of general circulation in the Issuer, (ii) posted on the Utah Public

Notice Website (<http://pmn.utah.gov>) and (iii) posted on the Utah Legal Notices website ([www.utahlegals.com](http://www.utahlegals.com)) created under Section 45-1-101, Utah Code Annotated 1953, as amended, and shall cause a copy of this Resolution and the Indenture to be kept on file in the City Recorder's office in Herriman City, Utah, for public examination during the regular business hours of the Issuer until at least thirty (30) days from and after the date of publication thereof. The "Notice of Notes to be Issued" shall be in substantially the following form:

## NOTICE OF NOTES TO BE ISSUED

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended, that on May 22, 2014, the City Council (the "Council") of Herriman City, Utah (the "Issuer"), adopted a resolution (the "Resolution") in which it authorized the issuance of the Issuer's Water Revenue Bond Anticipation Notes, Series 2014 (the "Series 2014 Notes") (to be issued in one or more series and with such other series or title designation(s) as may be determined by the Issuer).

The Series 2014 Notes will be issued for the purpose of (a) financing the acquisition and construction of improvements to the Issuer's water system and related improvements (collectively, the "Project"), (b) funding a deposit to a debt service reserve fund, if necessary, and (c) paying costs of issuance of the Series 2014 Notes.

The Series 2014 Notes are special limited obligations of the Issuer payable from the net revenues of the Issuer's water system and the anticipated issuance of water revenue bonds as described in the Indenture (defined below).

The Issuer intends to issue its Water Revenue Bond Anticipation Notes, Series 2014 in the aggregate principal amount of not more than Seven Million Dollars (\$7,000,000), to mature in not more than two (2) years from their date or dates, to be sold at a price not less than ninety-eight percent (98%) of the total principal amount thereof, and bearing interest at a rate or rates not to exceed three percent (3.0%) per annum. The Series 2014 Notes are to be issued and sold by the Issuer pursuant to the Resolution, including as part of said Resolution, a General Indenture of Trust (the "General Indenture"), and a Supplemental Indenture of Trust (the "Supplemental Indenture" and together with the General Indenture, the "Indenture") which were before the Council and attached to the Resolution in substantially final form at the time of the adoption of the Resolution and said Supplemental Indenture is to be executed by the Council in such form and with such changes thereto as shall be approved by the Mayor or Mayor pro tem; provided that the principal amount, interest rate or rates, maturity, and discount of the Series 2014 Notes will not exceed the maximums set forth above.

### OUTSTANDING BONDS SECURED BY WATER REVENUES

The Issuer has \$\_\_\_\_\_ of Water Tax Revenue Bonds (other than the Series 2014 Notes) currently outstanding that are secured by Revenues (as more fully described in the Indenture).

### OTHER OUTSTANDING BONDS OF THE ISSUER

Additional information regarding the Issuer's outstanding bonds may be found in the Issuer's financial report (the "Financial Report") at: <http://auditor.utah.gov/lgReports.html>. For additional information, including any information more recent than as of the date of the Financial Report, please contact Gordon Haight, Assistant City Manager at (801) 446-5323.

### TOTAL ESTIMATED COST

Based on the Issuer's current plan of finance and a current estimate of interest rates, the total principal and interest cost of the Series 2014 Notes if held until maturity is \$\_\_\_\_\_.

A copy of the Resolution and the Indenture are on file in the office of the Herriman City Recorder, 13011 South Pioneer Street, Herriman, Utah, where they may be examined during regular business hours of the City Recorder from 7:30 a.m. to 5:30 p.m., Monday through Friday, for a period of at least thirty (30) days from and after the date of publication of this notice.

NOTICE IS FURTHER GIVEN that a period of thirty (30) days from and after the date of the publication of this notice is provided by law during which any person in interest shall have the right to contest the legality of the Resolution, the Indenture (but only as it relates to the Series 2014 Notes), or the Series 2014 Notes, or any provision made for the security and payment of the Series 2014 Notes, and that after such time, no one shall have any cause of action to contest the regularity, formality, or legality thereof for any cause whatsoever.

DATED this May 22, 2014.

\_\_\_\_\_  
/s/  
City Recorder

Section 10. The Council hereby declares its intention and reasonable expectation to use proceeds of tax-exempt notes to reimburse itself for initial expenditures for costs of the Project, in an amount not to exceed \$7,000,000. The Series 2014 Notes are to be issued, and the reimbursements made, by the later of 18-months after the payment of the costs or after the Project is placed in service, but in any event, no later than three years after the date the original expenditure was made.

Section 11. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall be in full force and effect immediately upon its approval and adoption.

APPROVED AND ADOPTED this May 22, 2014.

(SEAL)

By: \_\_\_\_\_  
Mayor

ATTEST:

By: \_\_\_\_\_  
City Recorder

(Other business not pertinent to the foregoing appears in the minutes of the meeting.)

Upon the conclusion of all business on the Agenda, the meeting was adjourned.

(SEAL)

By: \_\_\_\_\_  
Mayor

ATTEST:

By: \_\_\_\_\_  
City Recorder

STATE OF UTAH )  
 : ss.  
COUNTY OF SALT LAKE )

I, Jackie Nostrom, the duly appointed and qualified City Recorder of Herriman City, Utah (the "City"), do hereby certify according to the records of the City Council of the City (the "City Council") in my official possession that the foregoing constitutes a true and correct excerpt of the minutes of the meeting of the City Council held on May 22, 2014, including a resolution (the "Resolution") adopted at said meeting as said minutes and Resolution are officially of record in my possession.

I further certify that the Resolution, with all exhibits attached, was deposited in my office on May 22, 2014, and pursuant to the Resolution, there was published a Notice of Notes to be Issued: (a) one time in the Salt Lake Tribune a newspaper having general circulation within the City, the affidavit of which publications are hereby attached, (b) on the Utah Public Notice Website created under Section 63F-1-701 Utah Code Annotated 1953, as amended and (c) on the Utah Legal Notices website (www.utahlegals.com) created under Section 45-1-101, Utah Code Annotated 1953, as amended.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of said City, this May 22, 2014.

(SEAL)

By: \_\_\_\_\_  
City Recorder

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH  
OPEN MEETING LAW

I, Jackie Nostrom, the undersigned City Recorder of Herriman City, Utah (the “City”), do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the May 22, 2014, public meeting held by the City Council of the City (the “City Council”) as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the principal offices of the City on May \_\_\_\_, 2014, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to the Salt Lake Tribune on May \_\_\_\_, 2014, at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be posted on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2014 Annual Meeting Schedule for the City Council (attached hereto as Schedule 2) was given specifying the date, time, and place of the regular meetings of the City Council to be held during the year, by causing said Notice to be (a) posted on \_\_\_\_\_, at the principal office of the City Council, (b) provided to at least one newspaper of general circulation within the City on \_\_\_\_\_, and (c) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this May 22, 2014.

(SEAL)

By: \_\_\_\_\_  
City Recorder

SCHEDULE 1  
NOTICE OF MEETING

SCHEDULE 2

ANNUAL MEETING SCHEDULE

(attach Proof of Publication of  
Notice of Notes to be Issued)

EXHIBIT B

FORM OF INDENTURE

[See Transcript Document Nos. \_\_\_\_ and \_\_\_\_]

EXHIBIT C

FORM OF NOTE PURCHASE AGREEMENT

[See Transcript Document No. \_\_\_\_]



CITY COUNCIL  
Thursday, May 22, 2014

# Item 6

**6. Discussion and Action Items**

- C. *(Continued from May 8, 2014)* Discussion and consideration of Ordinance No. 14-22, regarding a text change to the land use ordinance to allow monopoles on public and quasi public property – Bryn McCarty, Planning Supervisor

NOTES: \_\_\_\_\_  
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**HERRIMAN, UTAH**  
**ORDINANCE NO. 14-22**

**05Z14– HERRIMAN CITY – TEXT CHANGE TO THE LAND USE ORDINANCE TO  
ALLOW MONOPOLES ON PUBLIC AND QUASI-PUBLIC PROPERTY**

**WHEREAS**, the City of Herriman, pursuant to state law, may enact a land use ordinance establishing regulations for land use and development; and

**WHEREAS**, pursuant to state law, the Planning Commission shall prepare and recommend to the City Council the proposed land use ordinance amendment; and

**WHEREAS**, pursuant to City of Herriman Land Use Ordinance, the Planning Commission shall hold a public hearing and provide reasonable notice at least 10 days prior to said public hearing to prepare and recommend to the City Council the proposed land use ordinance text changes; and

**WHEREAS**, notice of the Planning Commission public hearing on the land use ordinance text change was published on April 20, 2014, noticing of the May 1, 2014, public hearing at 7:00 p.m.; and

**WHEREAS**, the Planning Commission recommended approval of the land use ordinance text change in the meeting held on May 1, 2014, at 7:00 p.m. in the Community Center; and

**WHEREAS**, pursuant to City of Herriman Ordinance, the City Council must hold a public meeting allowing public input at said public meeting; and

**WHEREAS**, the City Council public meeting on May 8, 2014, was held at 7:00 p.m.;  
and

**WHEREAS**, the City Council finds that it is in the best interest of the citizens of the City of Herriman to adopt the land use ordinance text change as recommended by the Planning Commission;

**NOW THEREFORE**, be it ordained by the Herriman City Council that the following text change be adopted as a change to the land use ordinance of the City: *(the underlined text is the new wording and the strikethrough text is to be deleted)*

Conditional Uses: (add to A-.25, C-2, all R zones, and all FR zones)

Monopole, on a public or quasi-publicly owned utility site, and not in public parks unless an exception is granted by the Planning Commission, subject to section 10-19-30 of this title

10-19-30: MONOPOLES:

In addition to the other provisions of this title, monopoles are allowed in the zones in which they are listed, subject to the conditions set forth in this section:

A. Monopoles must be constructed so as to allow a collocation of a second user on the base or original pole.

B. The height of the pole is limited to fifty (50') feet ~~one hundred feet (100')~~ above grade, unless approved by the Planning Commission for a greater height, but in no case greater than one hundred feet (100') above grade.

C. The planning commission shall determine the distance between a monopole and residential ~~zones~~ uses. The suggested distance is one hundred fifty feet (150').

D. The applicant shall submit images or drawings of the proposed monopole to show what it will look like when built. The images or drawings shall show two (2) vantage points as determined by the staff.

E. Property owners within six hundred feet (600') of the monopole shall be given notice of the public meeting before the planning commission granting conditional use.

F. Every effort should be made to keep the pole one hundred feet (100') from a public street.

G. Each telecommunication company requesting a monopole must submit a general master plan of the proposed number of poles projected within the city limits over the subsequent three (3) years.

H. The monopole and the site the pole occupies is to be properly maintained. The pole must be removed within sixty (60) days after the communications use is discontinued.

I. Poles may be required to be designed to blend into their surroundings.

**PASSED AND APPROVED** this 22<sup>nd</sup> day of May, 2014.

**HERRIMAN**

**ATTEST:**

\_\_\_\_\_  
**Mayor Carmen Freeman**

\_\_\_\_\_  
**Jackie Nostrom, City Recorder**

**VOTING:**

Mayor Carmen Freeman	Yea _____	Nay _____
Councilmember Mike Day	Yea _____	Nay _____
Councilmember Matt Robinson	Yea _____	Nay _____
Councilmember Craig B. Tischner	Yea _____	Nay _____
Councilmember Coralee Wessman-Moser	Yea _____	Nay _____



CITY COUNCIL  
Thursday, May 22, 2014

# Item 6

**6. Discussion and Action Items**

- D. Consideration and Approval of Ordinance No. 14-24 to declare certain excess antenna capacity with respect to a communications antenna located on a Herriman water tank as surplus, establish a minimum bid, and establish a method to determine the highest and best economic return to the – Gordon Haight, Assistant City Manager

NOTES: \_\_\_\_\_  
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\_\_\_\_\_

**HERRIMAN, UTAH**  
**ORDINANCE NO. 14-24**

**AN ORDINANCE DECLARING CERTAIN EXCESS ANTENNA CAPACITY WITH  
RESPECT TO A COMMUNICATION ANTENNA LOCATED ON A HERRIMAN  
WATER TANK THAT IS LOCATED AT OR NEAR 5411 WEST ROSE SUMMIT  
DRIVE, AS SURPLUS; ESTABLISHING A MINIMUM BID; AND  
ESTABLISHING A METHOD TO DETERMINE THE HIGHEST AND BEST  
ECONOMIC RETURN TO THE CITY**

**WHEREAS**, the Herriman City Council (“*Council*”) met in regular meeting on May 22, 2014, to consider, among other things, declaring certain excess antenna capacity with respect to a communication antenna located on a Herriman water tank located at or near 5411 West Rose Summit Drive, as surplus; establishing a minimum bid; and establishing a method to determine the highest and best economic return to the City; and

**WHEREAS**, a portion of the communication antenna located on a Herriman water tank located at or near 5411 West Rose Summit Drive is not needed for City purposes; and

**WHEREAS**, the staff has proposed to lease a portion of the communication antenna to Vivint Wireless, Inc., (“*Vivint*”) pursuant to the terms and conditions of that certain lease agreement, a copy of which is attached hereto (“*Lease*”); and

**WHEREAS**, the staff has informed the Council that the reasonable yearly rental value of the antenna is less than \$50,000 and therefore is not a significant parcel of real property as that term is defined in Section 1-10-15 of the Herriman Code of Ordinances; and

**WHEREAS**, after careful consideration, the Council has determined that it is in the best interest of the health, safety, and welfare of the citizens of the City to declare the Subject Property as surplus, to establish a minimum bid, and to establish a method to determine the highest and best economic return to the City.

**NOW, THEREFORE, BE IT ORDAINED** that certain excess antenna capacity with respect to an antenna located on a Herriman water tank located or near 5411 West Rose Summit Drive is declared surplus and that the highest and best economic return to the City shall be a lease with Vivint pursuant to the terms and conditions of the Lease.

**BE IT FURTHER ORDAINED** that the Mayor and Recorder are hereby authorized and directed to execute and deliver the Lease.

This Ordinance, assigned Ordinance No. 14-24, is effective upon passage.

**PASSED AND APPROVED** this 22<sup>nd</sup> day of May, 2014.

**HERRIMAN COUNCIL**

By: \_\_\_\_\_  
Carmen Freeman, Mayor

**ATTEST:**

\_\_\_\_\_  
Jackie Nostrom, City Recorder

**VOTING:**

Carmen Freeman	Yea	___	Nay	___
Mike Day	Yea	___	Nay	___
Matt Robinson	Yea	___	Nay	___
Craig B. Tischner	Yea	___	Nay	___
Coralee Wessman-Moser	Yea	___	Nay	___