



## CITY COUNCIL MINUTES

**Wednesday, January 24, 2024**

**\*Amended January 22, 2024 @ 5:00 p.m.\***

**Approved February 14, 2024**

The following are the minutes of the City Council meeting of the Herriman City Council. The meeting was held on **Wednesday, January 24, 2024, at 5:30 p.m.** in the Herriman City Council Chambers, 5355 West Herriman Main Street, Herriman, Utah. Adequate notice of this meeting, as required by law, was posted in the City Hall, on the City's website, and delivered to members of the Council, media, and interested citizens.

**Presiding:** Mayor Lorin Palmer

**Councilmembers Present:** Jared Henderson, Teddy Hodges, Sherrie Ohrn

**Staff Present:** City Manager Nathan Cherpeski, Assistant City Manager Wendy Thomas, City Recorder Jackie Nostrom, Finance Director Kyle Maurer, City Attorney Todd Sheeran, Communications Manager Jonathan LaFollette, City Planner Michael Maloy, Police Chief Troy Carr, Unified Fire Authority Assistant Chief Anthony Widdison, City Engineer Bryce Terry, Building Official Cathryn Nelson, Public Works Director Justun Edwards, City Engineer Blake Thomas, Assistant City Attorney Matt Brooks, Management Analyst Trevor Ram, Operations Director Monte Johnson, Events Manager Lorren Mitchell, and Deputy Director of Parks, Recreation and Events Anthony Teuscher.

**Councilmembers Excused:** Steven Shields

**5:30 PM – WORK MEETING:** (Fort Herriman Conference Room)

**1. Council Business**

Mayor Lorin Palmer called the meeting to order at 5:31 p.m. He excused Councilmember Steven Shields from the meeting and noted Councilmember Jared Henderson would be participating remotely.

### **1.1. Review of this Evening's Agenda**

Council and staff briefly reviewed the agenda.

### **1.2. Future Agenda Items**

Mayor Palmer suggested the Council consider a policy change to procedures requesting items not be required to go to a work session prior to being heard in a general session as it would be more efficient. The Council agreed.

Councilmember Teddy Hodges asked about updates provided during the legislative session. City Attorney Sheeran planned to give legislative updates regularly throughout the session. Councilmember Ohrn proposed a presentation on the fluoride initiative and requested to have it scheduled for the second meeting in February.

### **1.3. Council discussion of future citizen recognitions**

Mayor Palmer noted Meals on Wheels volunteers would be in attendance along with the Herriman High School and Mountainview High School girls' soccer teams. Police Chief Troy Carr indicated the Dare program essay winners would attend a future meeting to be recognized.

## **2. Administrative Reports**

### **2.1. Blackridge Reservoir Operations 2024 – Wendy Thomas, Assistant City Manager**

Assistant City Manager Thomas offered an overview of the Blackridge Reservoir operations and suggested implementing a parking fee. The Council contemplated whether to charge a fee for parking, discussed potential rates as well as days that should be considered.

Assistant City Manager Thomas presented a spreadsheet created by Management Analyst Trevor Ram, illustrating the financial implications of different parking fee scenarios. The Council discussed the likelihood of reaching full parking capacity, potential challenges, and the impact on mountain biking enthusiasts.

Councilmember Hodges inquired about the logistics of daily operations, to which Assistant City Manager Thomas outlined the potential shared revenue variations with an independent contractor based on previous usage patterns at the reservoir. The Council debated the idea of charging fees only on weekends and holidays versus daily. Councilmember Ohrn expressed support for a parking fee and emphasized the need to cover associated costs. Councilmember Hodges suggested a reduced fee during weekdays to accommodate regular users and reduce potential impacts on other areas.

Assistant City Manager Thomas turned the discussion to the parking permit area and asked if the Council had a desire to eliminate the \$25 fee for residential parking permits and make

them free to the residents who reside within the area. She also looked to solicit direction from the Council if there was a need to begin the process to expand the parking permit area.

Assistant City Attorney Matt Brooks highlighted the maximum parking fine that could be charged. Councilmember Ohrn inquired about the current fine and the state code, to which Assistant City Attorney Brooks explained the fine amount would be \$100 maximum within the permit area. Councilmember Ohrn expressed concerns about the effectiveness of lower fines and suggested a higher deterrent. Councilmember Hodges asked about the percentage of paid tickets to which Assistant City Attorney Brooks explained the challenges with tracking down individuals for parking violations.

Councilmember Ohrn suggested raising awareness about increased fines for parking violations. Councilmember Hodges suggested a tiered system with escalating fines, and Police Chief Carr proposed an initial fine of \$40 and \$75 for subsequent violations. Assistant City Attorney Brook observed the challenge with logistics in tracking prior violations to accommodate escalating fines. Councilmember Henderson proposed posting signs with the maximum fine as a deterrent. The Council concurred.

Councilmember Ohrn emphasized the need for fines to act as deterrents, not merely inconveniences. Assistant City Attorney Brooks stressed the importance of deterring violations by setting fines at an appropriate level.

The Council debated various fine amounts, with Councilmember Hodges proposing \$100, Mayor Palmer suggesting up to \$150, and Councilmember Ohrn advocating for discretion based on factors like first-time offenses. Councilmember Henderson recommended a \$100 fine, and the council agreed to include a provision for discretion based on specific circumstances.

Assistant City Manager Thomas shifted the conversation to signage and suggested a maximum fine amount to be written on the signs. The Council debated the visibility and wording of the signs, considering public communication and awareness. The Council reviewed proposed signs for Black Ridge Reservoir, addressing safety regulations, and discussing potential changes in parking permit policies. Assistant City Manager Thomas presented the idea of limiting permit requirements to weekends and holidays.

Lastly, the Council discussed reservations for the large pavilion at Blackridge Reservoir. The Council recommended incorporating parking fees into the pavilion rental cost. The Council agreed.

**2.2. Discussion of the Fiscal Year 2025 and 2026 Debt Service and Community Development and Renewal Agency of Herriman City (CDRA) Budgets – Kyle Maurer, Finance Director**

Finance Director Kyle Maurer highlighted the debt service and Community Development and Renewal Agency (CDRA) funds and emphasized that the Council and CDRA Board hold authority over these budgets and noted there were existing obligations within the funds.

Mayor Palmer acknowledged the significance of addressing these funds early in the budget process. Finance Director Maurer clarified the purpose of the discussion was to provide a reminder of the contents of these funds, as they are not frequently discussed. He began with a review of the Debt Service Fund, which had outstanding bonds, including the 2015 Sales Tax bond used for constructing City Hall, Herriman Boulevard, and the Crane Park project.

**2.3. Fleet Management Policy Discussion – Monte Johnson, Operations Director**

Operations Director Monte Johnson expressed gratitude for the time to discuss the proposed fleet policy. He noted the Fleet Committee, which was formed at the request of Council, was tasked with outlining procedures related to fleet services. The committee, comprising members from various departments, was established to oversee all aspects, from vehicle purchase to disposal.

Director Johnson elaborated on the comprehensive fleet policy and looked at different aspects in creating the policy such as budget preparation, vehicle acquisition, upfitting, maintenance, and the point system used for replacement consideration. The policy also covered reassignment or disposal of vehicles.

Director Johnson illustrated a lifecycle costing example comparing bids from Dodge Ram, Chevrolet, and Ford. He provided detailed insights into the methodology and assumptions underlying the total cost of ownership calculations. Councilmember Hodges raised the question of the optimal point to sell a vehicle for maximum value, and Operations Director Johnson explained the impact of mileage on costs. Councilmember Ohrn expressed appreciation to the thoroughness of the report.

Director Johnson discussed extended warranties and presented data from the City's fleet breakdowns over the last six years. The analysis concluded that purchasing extended warranties might not be cost-effective. Instead, Operations Director Johnson recommended establishing a contingency fund for potential major repairs. In essence, the City would be self-funding extended warranties. The Council agreed. Director Johnson noted the policy would be placed on the next meeting for consideration.

**2.4. 2024 Rodeo Ticket Prices – Lorren Mitchel, Events Manager**

Events Manager Lorren Mitchell discussed rodeo prices with the addition of a third-day rodeo and the associated costs. Finance Director Maurer highlighted the need for the Council to formally adopt the pricing, which would be included in the Master Fee Schedule.

Events Manager Mitchell proposed a \$5 discount on both adult and kids' tickets for Thursday night, aiming to offer a more affordable family option. The pricing for Friday and Saturday nights would remain the same as the previous year. Manager Mitchell presented a comparison with other rodeos in the region for context.

Manager Mitchell proposed additional bleachers for the event, with the cost of one set estimated at \$6,700, providing 250 extra seats. The idea was to offer premium seating at a higher price point, potentially including additional perks. Finance Director Maurer emphasized the importance of bringing the pricing proposal back to show the City's subsidy, revealing an estimated \$53,000 subsidy under the proposed ticket prices. Events Manager Mitchell highlighted the importance of gaining sponsorships to help fill the gap.

Councilmember Hodges inquired about the public's perception of ticket pricing from the previous year, and Manager Mitchell explained that while there was some feedback, introducing a more affordable Thursday option would be well-received. She suggested potential discounts for veterans and seniors could also be an option to consider. The Council expressed interest in testing the addition of one set of bleachers this year and considering layout adjustments for the added VIP seating.

*Councilmember Hodges moved to temporarily recess the City Council work meeting at 7:01 p.m. Councilmember Ohrn seconded the motion, and all voted aye.*

The Council reconvened the work meeting at 8:12 p.m.

**2.5. Authorizing the Mayor to sign an Interlocal Agreement with the Olympia Public Infrastructure District (OPID) for the collection of a “contract fee” as authorized in the governing documents – Todd Sheeran, City Attorney**

City Attorney Todd Sheeran clarified this was a discussion and not an immediate authorization to sign the agreement. He explained the agreement pertained to a contract fee paid to the City for collecting taxes and remitting them to the developer.

Finance Director Maurer highlighted this also would be placed in the Master Fee Schedule including an administrative fee and a credit card fee of \$288. Councilmember Ohrn expressed concerns about the high credit card fee and the inability to charge different fees for cash payments. City Attorney Sheeran explained that the fee covered costs, and Finance Director Maurer mentioned there would be an annual reevaluation of the fee, anticipating a possible reduction.

The Council touched on the impact of the fee on builders and affordability. City Manager Cherpeski emphasized the need for the PID to cover its own costs and not be subsidized by the rest of the community. It was noted this item would be brought back to the next meeting for consideration.

### **3. Adjournment**

*Councilmember Ohrn moved to adjourn the work meeting at 8:17 p.m. Councilmember Hodges seconded the motion, and all voted aye.*

## **7:00 PM – GENERAL MEETING:**

### **4. Call to Order**

Mayor Palmer called the meeting to order at 7:09 p.m.

#### **4.1. Invocation/Thought/Reading and Pledge of Allegiance**

Ms. Adaline Hill led the audience in the Pledge of Allegiance.

#### **4.2. City Council Comments and Recognitions**

The Council recognized a group of community members who volunteer to serve elderly residents through the County's Meals on Wheels program. The group, led by resident Wendy Hill, worked together to establish a Herriman driving route to deliver healthy meals and visit with elderly community members.

The Council also recognized the girls' soccer teams from Mountain Ridge High School and Herriman High School. In their effort to be involved and do good in their community, the cross-town rivals came together last fall in a friendly competition to raise nearly \$10,000 to support a local family going through a fight against cancer.

### **5. Public Comment**

Johnnie Bobo expressed appreciation to the Council for the Main Street project and specifically thanked staff members for making and keeping promises regarding property acquisition and providing a driveway access on his property.

Grant Howarth provided an electronic comment highlighting that Governor Cox declared January 16, 2024, as "Religious Freedom Day".

### **6. City Council Reports**

#### **6.1. Councilmember Jared Henderson**

There was no report.

## **6.2. Councilmember Teddy Hodges**

Councilmember Hodges, representing the South Valley Sewer District board, noted he is now the chair of the board and reported some upcoming sewer projects, including a major project along 11800 South.

Councilmember Hodges noted the recent State of the County address by Mayor Jenny Wilson and the many positive things happening throughout the area. There was a focus on supporting growth in the western part of the county, including in Herriman.

## **6.3. Councilmember Sherrie Ohrn**

Councilmember Ohrn, representing the Wasatch Front Waste and Recycling District board, reported on recent budgetary discussions and that the district is doing well despite economic and industry challenges.

Councilmember Ohrn noted the Youth Council's visit to the State Capitol with Representatives Pierucci and Cobb earlier in the day. The group had exceptional on-site experience learning about the legislative process and meeting with local leaders. Councilmember Ohrn commended the youth for taking the initiative to be civically involved and educated.

## **6.4. Councilmember Steven Shields**

There was no report.

## **7. Mayor Report**

Mayor Palmer reported on various committee meetings surrounding the state legislative session. He noted he was recently placed on the Transportation Coordinating Committee, which gives Herriman a seat on the policy advisory board for the Wasatch Front Regional Council's short-range transportation planning and programming.

## **8. Consent Agenda**

**8.1. Consideration to Award the Construction Contract for the 7300 West Roadway Reconstruction Project – Bryce Terry, City Engineer**

**8.2. Approval of a Resolution Appointing Councilmember Steven Shields as the Herriman Representative to the South Salt Lake Valley Mosquito Abatement District**

**8.3. Consideration to Award the Construction Contract for the Whisper Rose PRV Replacement**

**8.4. Consideration and Approval of a Single Event Permit for Local Consent for the February 24, 2024, Utah Warriors Rugby Pre-season game (Levy Restaurant)**

*Councilmember Ohrn moved to approve items 8.1, 8.2, and 8.4 and moved to deny item 8.3 on the Consent Agenda. Councilmember Hodges seconded the motion.*

*The vote was recorded as follows:*

<i>Councilmember Jared Henderson</i>	<i>Yes</i>
<i>Councilmember Teddy Hodges</i>	<i>Yes</i>
<i>Councilmember Sherrie Ohrn</i>	<i>Yes</i>
<i>Councilmember Steven Shields</i>	<i>Absent</i>
<i>Mayor Lorin Palmer</i>	<i>Yes</i>

*The motion passed unanimously with Councilmember Steven Shields being absent.*

**9. Discussion and Action Items**

**9.1. Discussion and consideration of amendments to Herriman City's Title 10 Land Development Code to comply with updated subdivision review and public notice procedures required in the 2023 Utah State Municipal Land Use, Development, and Management Act (City File No. Z2023-148) – Michael Maloy, City Planner**

City Planner Michael Maloy led the discussion outlining amendments to Herriman City Title 10, Land Development Code. The amendment aimed to align the code with the updated subdivision review and public notice procedures mandated by the 2023 Utah State Municipal Land Use Development and Management Act.

City Planner Maloy turned the time over to Lisa Baskin from Smith Hartvigsen to provide an overview of the proposed amendments and answer any questions.

Ms. Lisa Baskin, under a contract with the Direct Legal and Planning Assistant Coalition Pool, explained the State had allocated funding to assist cities in amending their subdivision review processes. She outlined Senate Bill 174, which aimed to streamline the land use and development process, reduce delays, and clarify procedures. The bill introduced changes such as a pre-application meeting, eliminating concept plans, and defining a streamlined administrative process.

City Planner Maloy acknowledged the benefits of the amendments, providing clearer guidelines for both the City and developers. He mentioned the possibility of further refinements and staff training in the future.

The Council expressed that the proposed changes aligned with existing practices for the City. Ms. Lisa Baskin and City Planner Maloy clarified the nuances of the amendments,

emphasizing the cooperation needed between the state and cities to evaluate the effectiveness of the new process.

Councilmember Hodges moved to approve Ordinance No. 2024-02 amending Title 10 of the Herriman City Land Development Code to comply with updated subdivision review and public notice requirements in the 2023 Utah State Land Use, Development, and Management Action. Councilmember Ohrn seconded the motion.

The vote was recorded as follows:

Councilmember Jared Henderson	Yes
Councilmember Teddy Hodges	Yes
Councilmember Sherrie Ohrn	Yes
Councilmember Steven Shields	Absent
Mayor Lorin Palmer	Yes

The motion passed unanimously with Councilmember Steven Shields being absent.

~~9.2. Authorizing Eminent Domain Proceedings with Respect to the 7300 West Road Widening Project – Todd Sheeran, City Attorney~~

**10. Future Meetings**

10.1. Next Joint City Council/Planning Commission Meeting: January 31, 2024

10.2. Next Planning Meeting: February 7, 2024

10.3. Next City Council Meeting: February 14, 2024

**11. Events**

11.1. Senior Bingo: February 8, 2024 @ 10:00 a.m.: Herriman City Hall

**12. Closed Session**

The Herriman City Council may temporarily recess the City Council meeting to convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending, or reasonable imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205.

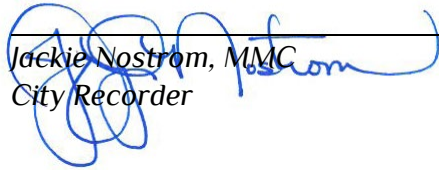
There was no closed session.

**13. Adjournment**

*Councilmember Hodges moved to adjourn the City Council meeting at 8:12 p.m. Councilmember Ohrn seconded the motion, and all voted aye.*

**14. Recommence to Work Meeting (If needed)**

*I, Jackie Nostrom, City Recorder for Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on January 24, 2024. This document constitutes the official minutes for the Herriman City Council Meeting.*

  
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Jackie Nostrom, MMC  
City Recorder