



CITY COUNCIL MINUTES

Wednesday, February 14, 2024

Approved February 28, 2024

The following are the minutes of the City Council meeting of the Herriman City Council. The meeting was held on **Wednesday, February 14, 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, Steven Shields

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, Community Development Director Blake Thomas, Assistant City Attorney Matt Brooks, Management Analyst Trevor Ram, Operations Director Monte Johnson, Deputy Police Chief Cody Stromberg, and Deputy Director of Parks, Recreation and Events Anthony Teuscher, and Commander Brent Adamson.

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.

1.1. Review of this Evening's Agenda

Council and staff briefly reviewed the agenda. Mayor Palmer requested to move item 2.2 after item 2.4. The Council agreed.

1.2. Future Agenda Items

Councilmember Hodges raised a query regarding CDRA housing funds, prompting a discussion on fund allocation, project transparency and project requirements.

Councilmember Shields advocated posting the Capital Improvement Plan (CIP) online for public access and understanding. Councilmember Henderson agreed accessibility online would be beneficial to help the Council engage in project discussions with the residents. City Manager Nathan Cherpeski explained the CIP was in its infancy and was being refined. He agreed, once completed, it could be placed on the City's website. He cautioned the Council that a published list was subject to change. The Council agreed.

Community Development Director Blake Thomas shifted the conversation to Slackwater's request for incentives. Mayor Palmer indicated their request was to schedule a discussion for further deliberation regarding an incentive for them at the next council meeting. He emphasized the importance of education and transparency in decision-making processes. The Council cautioned about setting precedent and the need to implement clear policies governing incentive allocations and fee adjustments as it would need to be evaluated as to the benefit for the community.

1.3. Council discussion of future citizen recognitions

Mayor Palmer noted the Dare essay winners would be in attendance at the next meeting.

2. Administrative Reports

2.1. Discussion regarding a request to waive transportation impact fees for Mountainview Plaza – Blake Thomas, Community Development Director

Community Development Director Blake Thomas provided an overview of the Mountainview Plaza project located near Miller Crossing Drive and Main Street. The project aimed to waive future traffic impact fees in the amount of \$550,000 to allow funds for road construction within the project area, as it fell under a Public Improvement District (PID). The Council discussed the terminology, preferring terms like "transfer" or "fee in lieu" instead of "waiver." They deliberated on stipulations to ensure road construction alignment with building permits and future agreements with the PID. The Council expressed support for the proposal and instructed staff to draft a formal agreement and bring it back for consideration.

2.3. Discussion regarding Panorama, a 640 acre planned development by Development Associates, Inc., located at approximately 15000 South Mountain View Corridor – Blake Thomas, Community Development Director

Community Development Director Blake Thomas discussed the last steps before proceeding to a public hearing with the Planning Commission to initiate the process for the planned unit development. Councilmember Henderson emphasized the need for legislative decisions and ongoing discussions about the Master Development Agreement (MDA), aiming to address existing hurdles. Director Thomas mentioned the MDA had been submitted for review, with plans to address previously raised comments.

Director Thomas presented the Panorama Master Plan project map, highlighting key components and emphasizing coordination with multiple property owners to enhance roadway efficiencies. The project proposed the construction of Juniper Crest Road to Mountain View Corridor before issuing any residential permits, along with the creation of two new parks: Panorama Park and South Hills Park. Additionally, there were plans for 31.9 acres of commercial areas, originally situated along the Mountain View Corridor.

Further discussions revolved around Planning Commission deliberations regarding vertical and horizontal mixed-use developments, as well as residential road cross-sections. Councilmember Steven Shields raised concerns about concrete borders, which Director Thomas confirmed, noting the addition of notches in the driveways.

Director Thomas explained that once the Planning Commission makes recommendations, those would be brought to the Council for discussion and consideration. Concurrently, the development proposal would be accompanied by considerations for the Rosecrest MDA amendment. Councilmember Henderson inquired about the specific recommendations that would reach the Council, to which Director Thomas clarified they would primarily involve land use matters. City Planner Michael Maloy elaborated on potential MDA modifications, base zone adjustments, and memorializing amendments related to concessions and betterments specified in the MDA and its attachments, including design guideline modifications.

2.4. Discussion regarding an amendment to the Wasatch-South Hills Master Development Agreement – Blake Thomas, Community Development Director
Community Development Director Thomas introduced the existing Wasatch-South Hills agreement seeking an amendment. The proposed changes included revising the legal description to adjust the project boundary and updating the land use master plan with specific land uses for areas within the project. Additionally, the maximum number of dwelling units would be increased from 2,770 to 3,040, and the notice party contact information for the developer would be updated. Technical guideline modifications were also proposed for open space requirements and additional medium-density small lots.

Director Thomas highlighted the estimated unit distribution was around 1,471 units and expressed openness to suggestions, acknowledging potential issues and seeking solutions. Councilmember Henderson expressed support for the concept but noted some numbers

needed further discussion with the Council. Councilmember Shields discussed the revisions to the project, emphasizing it had undergone substantial changes, including the preservation of more units. However, he expressed concern about the discrepancy between the assertion of 4.5 units per acre and the actual developable land, cautioning against being trapped into a decision with a large contingency.

Councilmember Henderson added that amending agreements could be challenging and emphasized there was still much work to be done. Director Thomas briefly overviewed the Planning Commission discussion. Councilmember Henderson mentioned an open house held by the developer, emphasizing this wasn't a brand new development but rather a collaborative effort between developers striving for mutual benefit.

2.2. Discussion pertaining to the proposed revisions to Herriman City Code Title 5 Chapter 1 Animal Services – Todd Sheeran, City Attorney

City Attorney Todd Sheeran presented the proposed changes to Title 5 and solicited feedback from the Council. He noted staff had been working to simplify and reorganize the animal code and questioned whether to make any substantial changes. He asked the Council if the number of animals allowed should be changed from 4 animals (cats and dogs) per household. He highlighted other communities' ordinances and looked for guidance from the Council. Councilmember Shields suggested there should be a delineation between agricultural vs residential properties. The Council continued to debate whether to impose limits based on property size and considered the practicality of enforcing regulations. City Attorney Sheeran explained enforcement would be difficult if the ordinance dictated anything other than a number limit. Councilmember Henderson recommended not changing the current limit of four animals per household, with three being the same type. The Council agreed apart from Councilmember Ohrn who would like to make changes for responsible pet owners and suggested looking into the possibility of granting variances for special circumstances.

Councilmember Hodges moved to temporarily recess the work meeting at 6:58 p.m. Councilmember Ohrn seconded the motion, and all voted aye.

The Council reconvened the work meeting at 7:50 p.m.

Councilmember Ohrn sought clarification on certain options regarding dog breeding regulations, expressing concern about restrictions on breeding if someone has more than one female dog. Councilmember Henderson voiced support for restrictions to prevent dog breeding from becoming a business. Councilmember Ohrn advocated for allowing dog breeding under certain conditions and suggested exploring avenues for licensing. Mayor Palmer suggested exploring a carrier license option. City Manager Cherpeski explained the transition from animal control to business licensing and related zoning issues.

Councilmember Hodges highlighted existing codes may prohibit certain activities and emphasized the need for a decision to move forward.

The discussion shifted to leash laws, with City Attorney Sheeran presenting options based on other cities' regulations. The Council discussed different leash options and respective enforcement, expressing concerns about liability and the effectiveness of regulations. Councilmember Ohrn emphasized the importance of enforcing rules and expressed frustration over the lack of action on existing regulations. The Council debated the effectiveness of leash laws in controlling dog behavior and discussed philosophical aspects of law enforcement and rule compliance.

The Council agreed on a leash law option which requires dogs to be restrained by a leash not exceeding 6 feet in length, with exceptions for other physical enclosures and owner supervision. The Council discussed the practicality of enforcing leash length restrictions and sought clarification on retractable leash usage. The Council also looked to reduce the minimum severity of penalties for non-compliance except for severe cases or repeat offenders.

2.5. Legislative Update – Todd Sheeran, City Attorney

City Attorney Sheeran offered a legislative update encompassing a couple of bills he felt were important. HB 13 focused on infrastructure financing districts, and HB 289, concerning property rights ombudsman and consequential damages. Attorney Sheeran highlighted concerns about the impact on developers and cities. Additionally, HB 306, related to residential housing amendments, was mentioned, along with SB 47 addressing local government business license amendments. He noted concerns were raised about children selling sodas at city events. SB 91, concerning municipal officer compensation amendments, prompted discussions about transparency and public hearings for compensation changes. Lastly, Attorney Sheeran mentioned SB 185, which addressed residential building amendments and third-party inspections, sparking debate about neutrality and potential conflicts of interest.

3. Adjournment

Councilmember Ohrn moved to adjourn the City Council work meeting. Councilmember Shields seconded the motion, and all voted aye.

7:00 PM – GENERAL MEETING:

4. Call to Order

Mayor Palmer called the meeting to order at 7:06 p.m.

4.1. Invocation/Thought/Reading and Pledge of Allegiance

Private Aiden Bailey led the audience in the Pledge of Allegiance.

4.2. City Council Comments and Recognitions

To celebrate Valentine's Day, two young men attended the meeting as a "singing telegram," serenading the Council and offering them roses as a kind gesture.

Councilmember Hodges highlighted the Senior Bingo event and thanked staff for their efforts.

Councilmember Shields extended his appreciation to Administrative Assistant Shelly Peterson for her amazing work.

Mayor Palmer highlighted the Recognition received from the Jordan Valley Water Conservancy District Board for the contributions made by Councilmember Sherrie Ohrn. Mayor Palmer thanked her for her service.

5. Public Comment

There were no comments offered.

6. City Council Reports

6.1. Councilmember Jared Henderson

Councilmember Henderson, representing the Unified Fire Authority board, noted he and other City leaders recently met with UFA leadership and said the base service fee for UFA will go down slightly for the coming year. He acknowledged there would likely still be inflationary increases and wage increases though; however, the initial base budget would decrease.

6.2. Councilmember Teddy Hodges

Councilmember Hodges reported he had been selected as the chair of the South Valley Sewer District Board.

6.3. Councilmember Sherrie Ohrn

Councilmember Ohrn said she was at the Jordan Valley Water Conservancy District Board meeting, noting the board was working on forming a water use budget. She expressed state leadership does not generally have a firm grasp on current water resource demand versus supply and noted concern about rapid statewide growth without fully understanding water impact.

Councilmember Ohrn also reported from the Utah League of Cities and Towns Legislative Policy Committee and expressed concern about some legislation being proposed and encouraged residents to pay attention and give their representatives feedback. She said even though legislators generally act with good intent, there can be unintended negative consequences of decisions.

6.4. Councilmember Steven Shields

There was no report.

7. Mayor Report

Mayor Palmer reported on a Council of Governments meeting and noted some processes for applying for road corridor preservation funding grants would be changing. He indicated he was now one of a few municipal leader representatives on the Sports Salt Lake Advisory Committee.

8. Reports, Presentations and Appointments

8.1. Herriman High School Junior ROTC Service Project – Brendan Morris, Cadet Sergeant First Class

The Herriman High School Junior ROTC program cadets presented an idea for their annual community service project to the City Council, which would be a City-sanctioned community event to teach about U.S. flag etiquette and proper retirement of unserviceable flags. The Council agreed to the idea, and asked staff to coordinate with the cadets to coordinate the event in conjunction with the local Girl Scouts troop who has placed a flag retirement box in the lobby of City Hall.

9. Public Hearings

9.1. Public Hearing and consideration of a proposed amendment to the Herriman City Annexation Declaration Plan – Jackie Nostrom, City Recorder

City Recorder Jackie Nostrom indicated the proposed amendment to the Annexation Declaration Plan was a requirement of State Code. The plan outlines the process for annexing land into the city and identifies which areas the City would entertain annexation requests. All annexation petitions are required to be initiated by property owners, and it was noted there were no current plans for annexations.

Mayor Palmer opened the public hearing.

There were no comments.

Councilmember Henderson moved to close the public hearing. Councilmember Hodges seconded the motion, and all voted aye.

Councilmember Henderson moved to approve Resolution No. R03-2024 approving an amendment to the Herriman City Annexation Declaration Plan. Councilmember Shields seconded the motion.

The vote was recorded as follows:

Councilmember Jared Henderson Yes

Councilmember Teddy Hodges Yes

<i>Councilmember Sherrie Ohrn</i>	<i>Yes</i>
<i>Councilmember Steven Shields</i>	<i>Yes</i>
<i>Mayor Lorin Palmer</i>	<i>Yes</i>

The motion passed unanimously.

9.2. Public Hearing and Consideration of a Resolution Approving Amendments to the City of Herriman Master Fee Schedule – Kyle Maurer, Finance Director

Finance Director Kyle Maurer presented the proposed master fee schedule amendments. Rodeo ticket pricing offered a \$5 discount for purchasing a 3-day ticket bundle. Secondly, the rental rate for the Blackridge Pavilion change included the elimination of half-day rentals, and an increase in full-day rental fees to cover costs and the associated parking. Director Maurer noted the rental was restricted to weekends and holidays only. Lastly, the fee schedule would include a contract administration fee for the Olympia Public Infrastructure District contract which would cover staff time and credit card processing fees.

Mayor Palmer opened the public hearing.

There were no comments.

Councilmember Henderson moved to close the public hearing. Councilmember Ohrn seconded the motion, and all voted aye.

Councilmember Shields moved to approve Resolution No. R04-2024 approving amendments to the Master Fee Schedule. 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>Yes</i>
<i>Mayor Lorin Palmer</i>	<i>Yes</i>

The motion passed unanimously.

10. Consent Agenda

- 10.1. Approval of the January 10, 2024 and January 24, 2024 City Council meeting minutes**
- 10.2. Approval of a resolution granting local consent for the Utah Warriors Events for Levy Restaurants**
- 10.3. Approval of the Columbus Adult Education Agreement**

- 10.4. 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.
- 10.5. Approval of the Fleet Management Policy
- 10.6. Review and Approval of the December 2023 Financial Summary
- 10.7. Approval of a Local Consent for Good 2 Go Stores, LLC, to be issued and regulated by the Utah Department of Alcoholic Beverage Control

Councilmember Shields moved to approve the consent agenda as written. Councilmember Ohrn 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>Yes</i>
<i>Mayor Lorin Palmer</i>	<i>Yes</i>

The motion passed unanimously.

11. Discussion and Action Items

- 11.1. Discussion and consideration of a request by Kylie Monroe (authorized agent) to amend the Herriman City Zoning Map by removing a Zoning Condition (ZC) that requires Lots 718, 752, 753, and 754 along the northern boundary of Phase 7A and 7B in the Estates at Rose Creek Subdivision located generally at 5702 W Karalynn Court have a minimum lot area of one-half acre in the A-1-10 Agricultural Single Family Zone (City File No. Z2023-121) – Michael Maloy, City Planner

This item was moved to a future meeting at the request of the applicant.

12. Future Meetings

- 12.1. Next Planning Meeting: February 21, 2024
- 12.2. Next Special City Council Meeting: February 21, 2024
- 12.3. Next City Council Meeting: February 28, 2024

13. Events

- 13.1. February 19 – Presidents’ Day; City Offices Closed
- 13.2. February 27 – Trails Open House; City Hall Community Room 6:00 p.m.

14. 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

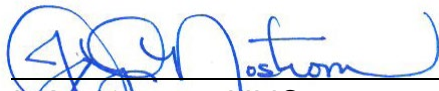
There was no closed session.

15. Adjournment

Councilmember Ohrn moved to adjourn the City Council meeting at 7:44 p.m. Councilmember Henderson seconded the motion, and all voted aye.

16. 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 February 14, 2024. This document constitutes the official minutes for the Herriman City Council Meeting.



Jackie Nostrom, MMC
City Recorder