



CITY COUNCIL AGENDA

Thursday, June 12, 2014
Amended Tuesday, June 10, 2014 @ 8:00 AM
Approved June 26, 2014

The following are the minutes of the City Council Meeting of the Herriman City Council. The meeting was held on **Thursday, June 12, 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.

<u>Attendance:</u>	Mayor Carmen Freeman
<u>Council Members Present:</u>	Mike Day, Craig B. Tischner and Coralee Wessman-Moser
<u>Staff Present:</u>	Gordon M. Haight II, Interim City Manager Tami Moody, Interim Assistant City Manager/PIO Jackie Nostrom, City Recorder John Brems, City Attorney Shauna DeKorver, Finance Department Representative Blake Thomas, City Engineer Wade Sharp, Parks Manager Justun Edwards, Water Director Danie Bills, Events Coordinator Dwayne Anjewierden, Chief of Police Cathryn Nelson, Building Official
<u>Excused:</u>	Councilmember Matt Robinson

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

5:06:33 PM COUNCIL BUSINESS

Mayor Freeman called the meeting to order.

- 1. Review of this evening's agenda**
- 2. Administrative Reports**

A. **5:06:33 PM** Discussion regarding the Special Assessment Area – Justun Edwards, Water Director

Water Director Justun Edwards presented a cost breakdown of the infrastructure components that the Special Assessment Area would fund. He indicated that the project would have a bid opening on June 17th for construction. Director Edwards oriented the Council of the service area the new culinary and secondary water pump stations would accommodate, and added that the capacity of the tanks could ultimately extend the designated coverage area. He offered an explanation for some property owner's that would

not be charged the assessments, and commented that as development progresses that property owners could have the levy reimbursed. Director Edwards disclosed that the intent resolution would be presented to the Council at the next meeting for consideration.

5:14:28 PM *Councilmember Mike Day arrived*

Mayor Freeman questioned the privately owned properties role in the assessment area. Director Edwards responded that those properties would help fund the project, and reiterated that they could potentially be reimbursed as development emerges. Mayor Freeman asked for clarification that the Special Assessment Area would fund the entire project. Interim City Manager Gordon Haight explained the process of the assessments and that the annual charges would not fund the complete obligation. City Attorney John Brems added that liens would be placed on properties that would cover the entire project.

B. 5:16:50 PM Discussion pertaining to the Water Revenue Bond Anticipation Notes – Justun Edwards, Water Director

Water Director Justun Edwards indicated that the closing of the revenue bond anticipation notes will be held on July 8th in order for construction to commence. He explained the anticipation of the Special Assessment Area will cover the debt obligation for the bond anticipation notes, and observed the time frame commitment. City Attorney John Brems outlined the risk involved to the City in the event that the assessment area will not be approved. Councilmember Moser asked if preliminary discussions had been conducted with property owners. Interim City Manager Haight disclosed the property owners that had been approached. Water Director Edwards interjected that historically protests have not been witnessed. Councilmember Tischner questioned the final approval and acceptance time period. Finance Department Representative Shauna DeKorver responded that it would be a six to eight month timeframe.

Water Director Edwards addressed the email concern regarding the Rosecrest Village PUD utilities. He offered an explanation that the developer had requested to alter the approved subdivision layout after the installation of the infrastructure. He oriented the Council of the layout of the water and sewer lines in respect to the recent request, and observed the existing infrastructure location in a common area abutting homes that is part of a Home Owner's Association (HOA). Director Edwards indicated that generally homes would have a meter in the park strip in front of the home, and acknowledged the exception. He indicated that the HOA had been required to maintain the water system past the main master meter, and offered a worst case scenario of a water leak ensued. The equipment would have to be driven across private property to facilitate repairs. Mayor Freeman expressed his concern of the City being liable for property damage. Director Edwards relayed that an insurance policy proposal was communicated to the developer, and noted the response from the developer indicated that the suggestion would not be in their best interest. They countered an alternative proposal suggesting that a small drain line could be installed that would make an instigated leak visible.

Director Edwards informed the Council of the initial request of the City would be to relocate the lines. Councilmember Moser requested confirmation of the developer's commitment that was rendered in a Planning Commission meeting. City Engineer Blake Thomas expressed his opinion that an arrangement had been established. Councilmember Moser offered a recommendation that a new water line be installed and decommission the old line. Interim City Manager Haight explained the additional work required to install water laterals to the rear of each home. Councilmember Day suggested that the developer present a proposal for approval. Engineer Thomas disclosed that their original proposal would be sufficient. Councilmember Moser expressed her concern that with the approval of the alternative plan the Sewer District wouldn't accept responsibility for the line, and that burden would be placed on the HOA. Interim City Manager Haight indicated that the Sewer

District would not abandon the service. Engineer Thomas added that a five year agreement is in place for the district to maintain the line. Councilmember Moser questioned the possibility that the agreement could revert. Interim City Manager Haight indicated that the option would be addressed.

Mayor Freeman suggested that construction cease until an appropriate solution is presented. Interim City Manager Haight confirmed. Councilmember Moser expressed her concern not to inconvenience the affected residents. Councilmember Day questioned the length of the insurance policy recommendation, and who would be the named beneficiary. Councilmember Moser responded that legal advice should be sought prior to acceptance of an insurance policy. City Attorney John Brems offered the idea that a special assessment be placed to secure infinite coverage. Interim City Manager Haight reiterated that the City would not be held liable in the event of a leak, and that it would be the responsibility of the HOA. Councilmember Day expressed his concern that the HOA could default to the City. Councilmember Moser observed the master meter would prevent the City from ever being liable, and the residents, in essence, would have to take legal action against their HOA in a worst case scenario. Interim City Manager entertained the option that the City could help repair the water lines, and expressed his concern of potential damage to private property. He acknowledged the best solution would be to relocate the water line. City Attorney Brems added that the plan should be altered or the developer should be responsible to help alleviate concerns. Councilmember Moser agreed and suggested to revert to the original plan. Interim City Manager Haight indicated that the developer would be disappointed. Council consensus determined to cease construction until a solution had been sought and approved.

C. [5:53:46 PM](#) Capital Project Update – Blake Thomas, City Engineer

City Engineer Blake Thomas offered a quick update of projects in the Engineering Department. He indicated that the 7530 West Roadway will accept bids for construction until June 25th. Councilmember Tischner asked about the anticipated time frame. Engineer Thomas explained that the project would be funded in the next fiscal budget year, and the paving would be conducted prior to October. He offered an explanation of the gate relocation plans. Mayor Freeman relayed some concern of potential extensions of the project. Councilmember Coralee Wessman-Moser clarified that the installation of the gate is to relocate an existing one. Engineer Thomas confirmed and communicated the property owner's request is to have the gate functional and that they did not want to be financially responsible for the relocation. Councilmember Tischner asked about the elevation concerns at the location. Engineer Thomas responded that the design had been conducted, and noted what the City would install. He offered a brief explanation that the owner paid a fee to the City in lieu of installing the infrastructure.

Engineer Thomas commented that the Butterfield Park ADA ramps had been installed except for the handrails. He observed the design phase for the Rose Creek Trails contract, and noted the three phases the project entailed. Engineer Thomas informed the Council of upcoming road closures for construction. Mayor Freeman requested that notices be disseminated throughout the affected neighborhoods informing residents of the anticipated closures. Engineer Thomas confirmed that notifications would be required as part of the elaborate traffic control plan.

Engineer Thomas observed the Master Plan updates for transportation and storm drains. He disclosed that Utah Department of Transportation had requested to receive the Ordinance for South Jordan prior to the installation of the Mountain View Corridor Noise Ordinance Sign. Engineer Thomas asked if there any questions. There were none.

~~D. Discussion of proposed amendments for sections 1-6 of the Policy and Procedures Manual—Cheeryl Jeppson, Human Resource Director~~

E. [6:04:35 PM](#) Economic Development update and International Conference of Shopping Centers – Gordon Haight, Interim City Manager

Interim City Manager Gordon Haight offered a synopsis of the International Conference of Shopping Centers (ICSC) to split the Council Members to allow half to attend the conference in San Diego, CA and the rest attend the convention in Las Vegas, NV. Councilmember Moser suggested that the Mayor attend both conferences.

Interim City Manager Haight relayed a suggestion that had been received to conduct a “Plane Ticket Presentation” that would aggressively solicit Economic Development. Councilmember Tischner recommended following up with local contacts to solicit business as an alternative to attending the annual conferences. He asked if there had been any progressions for the car dealership. Interim City Manager Haight responded that they are in negotiations, but didn’t have any specific details to relay to the Council. Councilmember Mike Day asked about the United Parcel Service request. Interim City Manager Haight confirmed that discussions have been pursued.

F. [6:00:55 PM](#) Discussion regarding neighborhood meetings – Tami Moody, Interim Assistant City Manager/PIO

Interim Assistant City Manager/PIO Tami Moody requested opinions from the Council of any concerns or comments regarding the first neighborhood meeting. She informed the Council that the next meeting would be scheduled for the first part of August if any changes are warranted. Chief of Police Dwayne Anjewierden explained an idea to limit where attendees could enter the event. Mayor Freeman suggested that signage be posted to remind residents of the meeting. Chief Anjewierden acknowledged the suggestion, and added that it would be addressed. Councilmember Day expressed his appreciation of having the principal of the elementary schools in attendance. Councilmember Moser explained why the invitation was extended to him, and added that she liked to have the educational advisors available for discussions. Mayor Freeman recommended that the invitation be extended to Providence Hall advisors as well. Councilmember Moser confirmed.

G. [6:10:58 PM](#) Discussion pertaining to the Butterfield Scholarship contribution – Shauna DeKorver, Finance Department

Finance Department Representative Shauna DeKorver informed the Council that this item would be presented to the Council at the June 26th meeting to approve an additional \$1,000 scholarship contribution. Interim City Manager Gordon Haight explained that the City is currently in the required noticing period for the donation.

3. Other Updates

Interim City Manager informed the Council that a discussion pertaining to the abundance of deer would be conducted on June 26th.

ADJOURNMENT

COUNCILMEMBER TISCHNER MOVED TO ADJOURN THE CITY COUNCIL WORK MEETING AT 6:11 PM. COUNCILMEMBER DAY SECONDED THE MOTION, AND ALL VOTED AYE.

4. [6:12:30 PM](#) CLOSED SESSION:

A. The Herriman City Council may convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, as provided by Utah Code Annotated §52-4-205

CRAIG TISCHNER MOVED TO ADJOURN THE CITY COUNCIL MEETING AND CONVENE IN A CLOSED SESSION TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL, AS PROVIDED BY UTAH CODE ANNOTATED §52-4-205. COUNCILMEMBER DAY SECONDED THE MOTION. THE VOTE IS RECORDED AS FOLLOWS:

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

The motion passed unanimously with Councilmember Robinson being absent.

7:00 PM - GENERAL MEETING:

1. 7:07:05 PM CALL TO ORDER

Mayor Freeman called the meeting to order, and welcomed everyone in attendance. He excused Councilmember Matt Robinson from the meeting.

A. 7:07:45 PM Invocation and Pledge

Former Mayor Lynn Crane offered the invocation. Scout Troop #1516 led the audience in the Pledge of Allegiance.

B. 7:20:47 PM Approval of the Minutes

May 15, 2014 & May 22, 2014

COUNCILMEMBER MOSER MOVED TO APPROVE THE MINUTES OF MAY 15, 2014 AND MAY 22, 2014 AS WRITTEN. COUNCILMEMBER TISCHNER SECONDED THE MOTION, AND ALL VOTED AYE.

C. 7:11:13 PM Mayor's Comments

Mayor Freeman asked former Mayor Lynn Crane to present the Resolution from the Jordan School District Board of Education that had been recently approved. Mr. Crane presented the Council with a copy of the Resolution as he recited its contents. Mayor Freeman asked if a presentation would be conducted in each jurisdiction. Mr. Crane confirmed. Councilmember Day asked if an elected official had been actively involved advocating the split within the school district. Mr. Crane offered a brief history of the proposal to conduct a feasibility study, and added that a decision would be rendered about whether the proposal would appear on the ballot in November. He explained that the district works collaboratively with the City Council in order to provide the youth with quality public education. Mayor Freeman extended his appreciation to former Mayor Lynn Crane for his presentation.

D. 7:21:05 PM Council Recognitions

Mayor Freeman extended condolences to the family of Riverton City Councilmember Roy Tingey. He also expressed his appreciation for everyone's involvement of the breakfast and cemetery over Memorial Day weekend.

2. 7:21:54 PM PUBLIC COMMENT:

Betsy Goodwin, 13592 Rose Hill Drive, Riverton, addressed the concern of the newly approved City Rules and Regulations for the Cemetery, and informed the Council that her son had been buried in the Herriman City Cemetery. She referred to an article that was published in the *South Valley Journal* that indicated that interested parties offer their input regarding the regulations. Ms. Goodwin indicated that she provided a letter outlining her concerns.

Ms. Goodwin informed the Council that she visited the Cemetery on the morning of June 3rd and explained her distress to find that flowers in the entire cemetery had been disposed. She disclosed that she visited the City Offices to inquire about the policy that had not been followed. During a conversation with a City Employee the question was continually asked why my family was upset, and what we wanted. Ms. Goodwin requested from the Council of their motivation behind the newly implemented regulations, and asked that signs be placed at the entrances to educate families as to when decor will be removed from the gravesites, and to have a collection bin placed near the Sexton's shed to accommodate retrieval of decorations by family members. She expressed the mourning of individuals due to hand-made items that had been discarded from graves, and advised that her concerns to be

addressed. Mayor Freeman extended his appreciation to Ms. Betsy Goodwin for her comments.

Chris Jones, 5721 West Cuchara, voiced his opinion of similar concerns that Ms. Goodwin provided. He extended his appreciation to the Council for their service. Councilmember Moser asked if items have been removed from loved ones gravesites as well. Mr. Jones confirmed. Councilmember Moser indicated that there is an awareness of personal items being removed, and inquiries to the Parks Department Staff notated that City employees have not been removing items. She acknowledged that items come up missing, and acknowledged that these concerns will continually be addressed. Councilmember Moser expressed her compassion that no one wants to cause harm, and assured the audience that staff had tried to delineate between live and silk flowers prior to removal.

Jinette Blood, 5516 Varena Street, indicated that she was following up from a Planning Commission meeting that recommended having the property on 5600 West zoned commercially. Planning Supervisor Bryn McCarty responded that the applicant withdrew their application so the project will not move forward; however, the property is zoned commercial.

Rob Ninow -12462 South Luzerne Court, expressed his appreciation about the 5600 West withdrawal of the application. He suggested the property would be prime commercial property abutting two major roadways. Mr. Ninow enlightened the Council that the majority of the residents that surround the area would prefer economic development. Mayor Freeman applauded the residents for their engagement in the community by speaking at the meetings. He congratulated the Goodwin Family on their upcoming wedding.

3. PUBLIC HEARING AGENDA

A. [7:33:22 PM](#) **Public Hearing to consider a Resolution amending the fiscal year 2013-2014 Herriman City Budget** – Alan Rae, Finance Director

Finance Department Representative Shauna DeKorver informed the Council that the public hearing is to allow the public to comment on the amendment to the fiscal year 2013-2014 Herriman City budget. She was pleased to report that the projected expenses were budgeted well, and the remaining expenditures and revenues will be monitored for the next two weeks for the approval on June 26th. Mayor Freeman asked when the Council would have a report of the fiscal budget year. Representative DeKorver responded that it would be provided in the middle of July.

[7:41:56 PM](#) Mayor Freeman opened public hearing.

No public comment was offered.

[7:42:07 PM](#) Mayor Freeman closed the public hearing.

4. DISCUSSION AND ACTION ITEMS

A. [7:42:39 PM](#) *(Continued from June 5, 2014)* **Discussion and consideration of Ordinance No. 14-25 to adopt a final budget; making appropriations for the support of Herriman City for the fiscal year beginning July 1, 2014, and ending June 30, 2015; and determining the rate of tax and levying taxes upon all real and personal property within Herriman City, Utah** – Alan Rae, Finance Director

Finance Department Representative Shauna DeKorver offered a brief overview of the minor changes to the tentative budget. Councilmember Moser asked about the pending recommendation for the Emergency Preparedness budget line item. Chief Anjewierden explained that the budget had been requested for the purchase of trailers, facilitating drills, and emergency response kits. He added that a percentage of the money is collected through

a grant from the state. Councilmember Moser suggested allocating funds equal to the received grant. Councilmember Tischner questioned the cost to conduct drills. Chief Anjewierden responded that the cost varies dependent on the exercise. Councilmember Tischner recommended presenting a budget amendment to the Council for consideration. Chief Anjewierden updated the Council of the cost estimates for each item described, and requested \$5,000 to be allocated in the budget would be helpful. He reported that grants have ranged from \$3,000 to \$18,000 depending on what the state has available. Councilmember Moser expressed her support of the allocation, and noted the emergency response kits need to be updated. Councilmember Tischner agreed, and requested to have Council approve the allocation of funds prior to the purchase of trailers.

Representative DeKorver continued with the reduction of the Christmas decoration fund, as requested. She informed the Council about the increase of retirement contributions for elected officials as discussed at the previous meeting. Interim City Manager Haight indicated that the liability insurance premium would require an additional \$3,600 to cover the cost. Mayor Freeman asked about the capital project allocations. Interim City Manager Haight responded that the line item is for road maintenance throughout the City.

Mayor Freeman reported that although Councilmember Robinson was not present, he had contracted him earlier and requested that his support of the budget was made public.

COUNCILMEMBER DAY MOVED TO APPROVE ORDINANCE NO. 14-25 TO ADOPT A FINAL BUDGET; MAKING APPROPRIATIONS FOR THE SUPPORT OF HERRIMAN CITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2014, AND ENDING JUNE 30, 2015; AND TO DETERMINE THE RATE OF TAX AND LEVYING TAXES UPON ALL REAL AND PERSONAL PROPERTY WITHIN HERRIMAN, UT, ALSO THE PROPERTY TAX REVENUE YIELD \$477,382. THEREFORE THE CERTIFIED TAX RATE SHALL BE THE CERTIFIED TAX SET AT .000384 AS DETERMINED BY THE SALT LAKE COUNTY AUDITOR, AND SUBJECT TO THE \$5,000 TO BE ALLOCATED TO THE EMERGENCY PREPAREDNESS FUND AND AN ADDITIONAL \$3,600 FOR INSURANCE COSTS. COUNCILMEMBER MOSER SECONDED THE MOTION, AND THE VOTE IS RECORDED AS FOLLOWS:

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

The motion passed unanimously with Councilmember Robinson being excused.

B. 7:56:46 PM (Continued from December 12, 2013) Discussion and consideration of Ordinance No. 14-26 (Previously Numbered Ordinance No. 13-35), amending the Herriman City Code Section 10-20-9 regarding the preservation of open space – Bryn McCarty, Planning Supervisor

Planning Supervisor Bryn McCarty informed the Council that this Ordinance would clarify the definition of “Open Space”. She offered an explanation that in a Planned Unit Development park strips cannot be part of the open space requirement and in order for the development to count their required detention basins as open space only if recreational amenities are provided. Councilmember Moser asked for verbiage inclusion to state Planning Commission would have the authority to interpret and approve what is constituted as recreational amenities. Supervisor McCarty confirmed. Councilmember Day asked if the 50% allocation requirement had always been in place. Supervisor McCarty verified, and relayed the Planning Commission recommendation of this Ordinance. She observed the Hillside requirement stipulation would have to be addressed on a case by case scenario.

[8:02:59 PM](#) Mayor Freeman asked the audience to offer public comment.

Resident David Watts, 14461 South Windom Road expressed his support of removing park strip out of the open space requirements.

COUNCILMEMBER DAY MOVED TO APPROVE **ORDINANCE NO. 14-26** (PREVIOUSLY NUMBERED ORDINANCE NO. 13-35), AMENDING THE HERRIMAN CITY CODE SECTION 10-20-9 REGARDING THE PRESERVATION OF OPEN SPACE AND ADDING STIPULATION UNDER 10-29 TO INCLUDE VERBIAGE AUTHORIZING THE PLANNING COMMISSION TO INTERPRET THE INCLUSIONS OF RECREATIONAL AMENITIES. COUNCILMEMBER TISCHNER SECONDED THE MOTION, AND THE VOTE IS RECORDED AS FOLLOWS:

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

The motion passed unanimously with councilmember Robinson being absent.

- C. [8:04:44 PM](#) **Discussion regarding the 2025 General Plan amendments to add recently annexed property and make other alterations** – Bryn McCarty, Planning Supervisor
Planning Supervisor Bryn McCarty presented the update of the General Plan, and noted that the Ordinance will be presented to the Council in July for formal adoption. She observed the recent annexation to the City that will be included in the amendments. Supervisor McCarty oriented the Council of the property on the corner of 5600 West and Herriman Parkway, and noted that the Planning Commission recommended that the property be zoned residential. Interim City Manager Haight educated the Council that the zoned use may not be the best use of the area, and requested feedback from the Council. He informed the Council that the property possessed contaminated material and would require comprehensive overhaul to remove the soil and bring in clean materials.

Supervisor McCarty observed the Planning Commission recommendation to remove trail connections, and notated that they should be required. Mayor Freeman asked for comparison of density percentage changes. Supervisor McCarty offered a brief synopsis of the changes.

[8:15:53 PM](#) Mayor Freeman opened public comment.

Rob Ninow -12462 South Luzerne Court, requested clarification of the residential lots that had been proposed. Supervisor McCarty indicated that they would be quarter acre lots. Mr. Ninow observed the good solution after the 5600 West road had been completed. Mayor Freeman commented that a lot of good discussions with the Planning Commission have been conducted as the City will move forward with the vision of resident requests.

[8:19:00 PM](#) Mayor Freeman closed public comment.

- D. [8:19:10 PM](#) **Discussion and consideration of Ordinance No. 14-27 to ban the use of fireworks and any open flame fires within certain areas of Herriman City** – Gordon Haight, Interim City Manager
Interim City Manager Gordon Height offered the map to orient the Council and indicated that the map is identical to the one that was presented last year. He disclosed that the map would be posted at each firework station. Councilmember Day questioned the citations for repeat offenders. Chief Anjewierden offered a brief summary of the protocol for fire safety. Mayor Freeman asked if the Ordinance could be more restrictive with respect to open fields within the area not restricted for fireworks. Councilmember Tischner responded that the map can be altered at the discretion of the Council. Council consensus determined to

increase the distance on the map indicating 200 feet from any undeveloped or agricultural property, and to notate on the map that other limitations apply as directed below.

COUNCILMEMBER MOSER MOVED TO APPROVE **ORDINANCE NO. 14-27** TO BAN THE USE OF FIREWORKS AND ANY OPEN FLAME FIRES WITHIN CERTAIN AREAS OF HERRIMAN CITY AND UPDATE MAP TO INDICATE 200 FEET PLUS ADDITIONAL RECOMMENDATIONS AS NOTED. COUNCILMEMBER DAY SECONDED THE MOTION, AND THE VOTE IS RECORDED AS FOLLOWS:

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

The motion passed unanimously with Councilmember Matt Robinson being excused.

Councilmember Day requested to have the map and ordinance available through social media.

- E. [8:28:56 PM](#) Discussion and consideration of **Ordinance No. 14-28** to amend the **Herriman City Cemetery Rules and Regulations** – Gordon Haight, Interim City Manager
Interim City Manager Gordon Haight updated the Council of the amendment to the City Cemetery Rules and Regulations that pertained to the cost of infant burials. He observed the current Ordinance indicated that all infant burials were free of charge, and requested that resident infant burials are free; whereas non-resident infant burials would have a cost set at \$750.

Councilmember Moser extended her appreciation to Ms. Goodwin for her comments, and observed the safety concern related to gravesite decorations. She noted that staff would be reminded to not remove any items, and would request that staff look into placement of notification signs as well as a retrieval bin for family members. She offered a short anecdote of a temporary gravesite marker that had been removed, and how the City and family worked collaboratively to resolve the issue. She extended her condolences to those families who have lost a loved one. Mayor Freeman thanked Ms. Goodwin for her remarks to the Council, and noted the sensitivity related to the cemetery and the solace that families seek who have lost loved ones from visiting their grave.

Councilmember Day relayed the perception about raised headstone in the Ordinance. Interim City Manager Haight indicated that all areas in the cemetery are dedicated to allow raised headstones, and that the Ordinance allows for a designated area to not have raised headstones. Councilmember Moser suggested communicating the intent of the Ordinance more appropriately through the City website for clarity.

COUNCILMEMBER MOSER MOVED TO APPROVE **ORDINANCE NO. 14-28** TO AMEND THE HERRIMAN CITY CEMETERY RULES AND REGULATIONS. COUNCILMEMBER DAY SECONDED THE MOTION, AND THE VOTE IS RECORDED AS FOLLOWS:

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

The motion passed unanimously.

- F. [8:37:03 PM](#) **Report regarding request for investigation** – John Brems, City Attorney
City Attorney John Brems updated the Council of the requested investigation from November 19, 2013, and reported that a formal investigation had been conducted and appropriate action had been implemented.

5. [8:39:16 PM](#) **MAYOR AND COUNCIL COMMENTS**

Councilmember Moser extended her appreciation to Water Director Justun Edwards and Water Supervisor Luke Sieverts for offering her a tour of the water system and answering questions she posed.

Mayor Freeman reported that he attended the Healthy Community meeting with Salt Lake County. He announced that he would be posting in subsequent quarterly newsletters a brief article to encourage fitness and wellness in the community. Mayor Freeman extended his gratitude to those involved with the Pedal Palooza, and explained how fun the event was. He indicated that he attended the open house at the Copper Rim Cafe to provide public awareness for domestic violence.

Mayor Freeman thanked everyone for their support of the neighborhood meeting. He reported that he attended Leadership Day at Butterfield Canyon Elementary. Sixth grade students taught the “7 Habits of Highly Effective People”. He noted that those who taught the sessions offered instruction on leadership qualities. Mayor Freeman expressed his appreciation to everyone involved with the successful Herriman rodeo, and the upcoming Fort Herriman Days. He informed the audience that he had to opportunity to attend the Special Olympics at Herriman High School, and expressed his enjoyment of the event. Mayor Freeman offered an update of City Manager Brett Wood, and extended his appreciation to Interim City Manager Gordon Haight and Interim Assistant Manager Tami Moody for their efforts in his absence.

6. **CALENDAR**

A. **Meetings**

- June 19 – City Council Work Meeting 5:00 p.m.; Planning Commission 6:00 p.m.
- June 26 – City Council Work Meeting 5:00 p.m.; City Council Meeting 7:00 p.m.

B. **Events**

- June 13 & 14 – UJRA Jr. Rodeo, W&M Butterfield Park 5:00 p.m.; Saturday 9:00 a.m.
- June 15 - Father’s Day
- June 20 & 21 – Fort Herriman Days

7. [8:44:10 PM](#) **ADJOURNMENT**

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

8. **RECOMMENCE TO WORK MEETING (IF NEEDED)**

9. **SOCIAL GATHERING:** (No Action will be taken on any items)

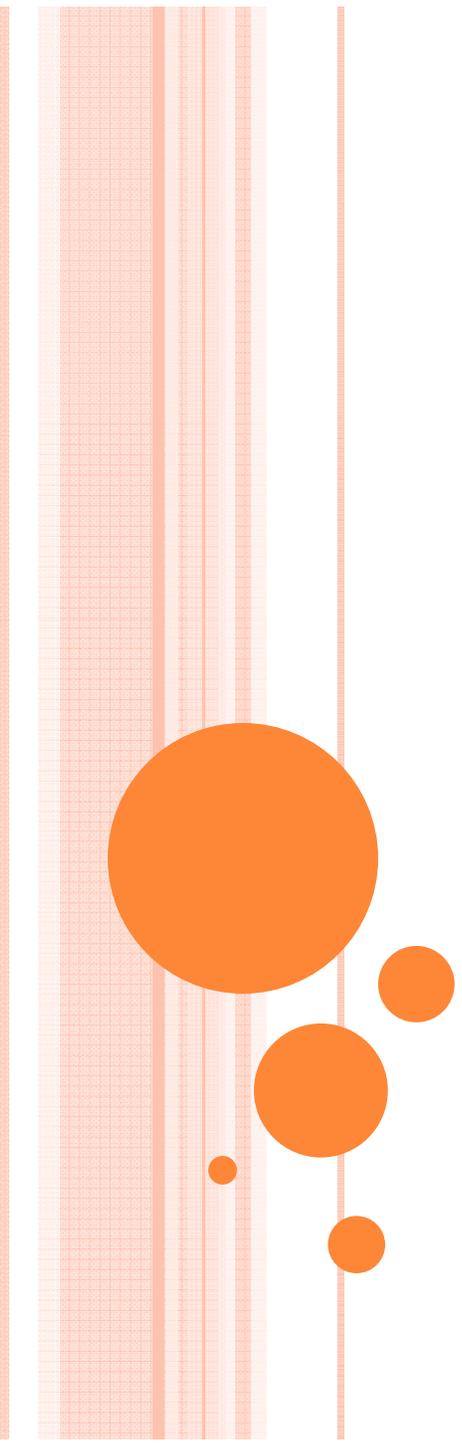
- A. Social gathering will be at Wendy’s 5600 West 13400 South, Herriman, UT

*This document constitutes the official minutes for the
Herriman City Council Meeting held on Thursday, June 12, 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, June 12, 2014.



Jackie Nostrom, City Recorder



EAST HERRIMAN SAA/BAN DISCUSSION

June 12, 2014

Herriman City Municipal Water Department

INFRASTRUCTURE

Culinary

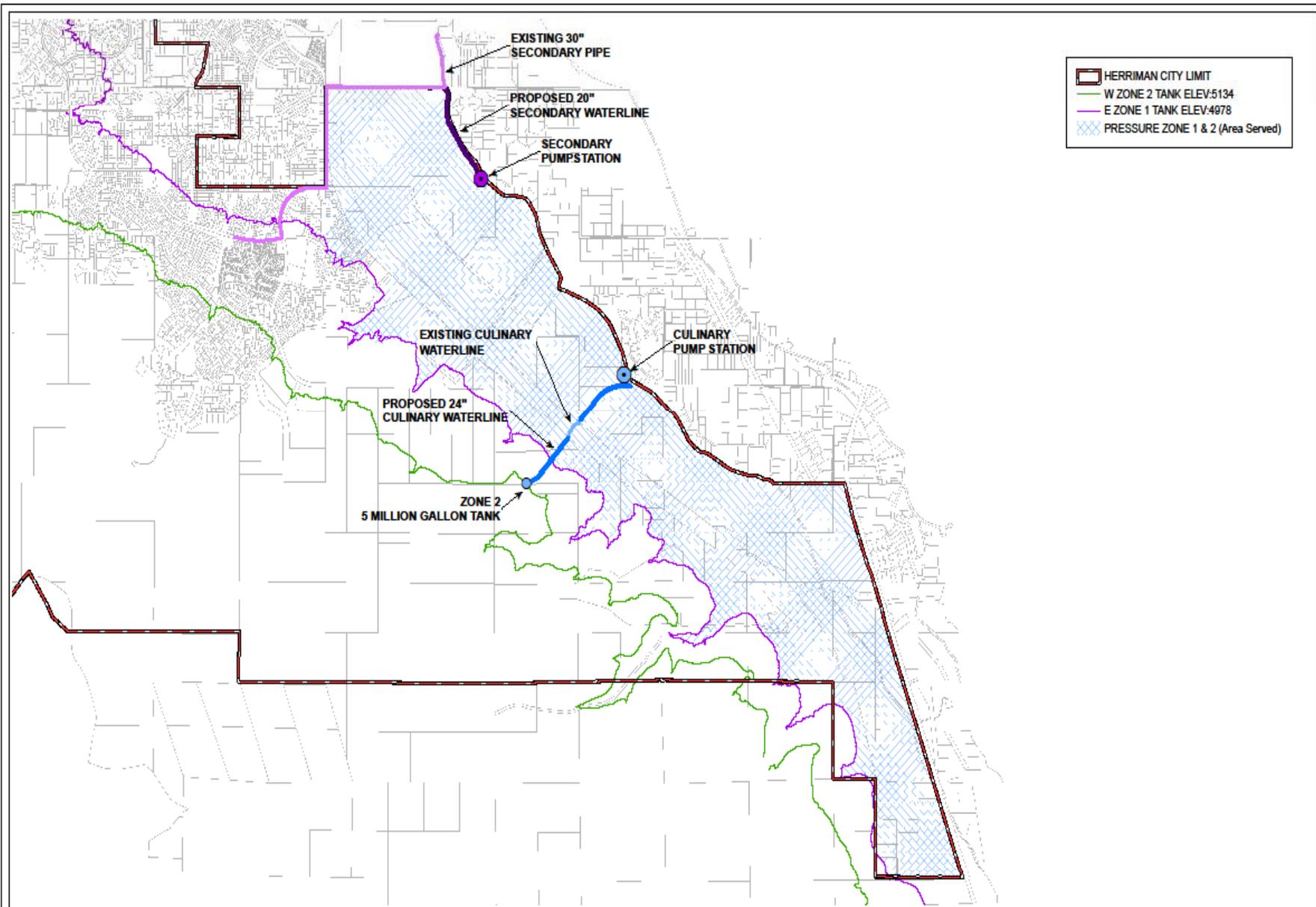
- Pump Station-\$4.9 Mill
- 5 Million Tank-\$4.2 Mill
- 24" Water Line-\$2.15 Mill

Secondary

- Pump Station-\$4.9 Mill
- 20" Water Line-\$530 K
- Project Bid Opening June 17th

Total of \$16,680,000.00

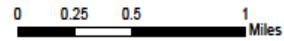


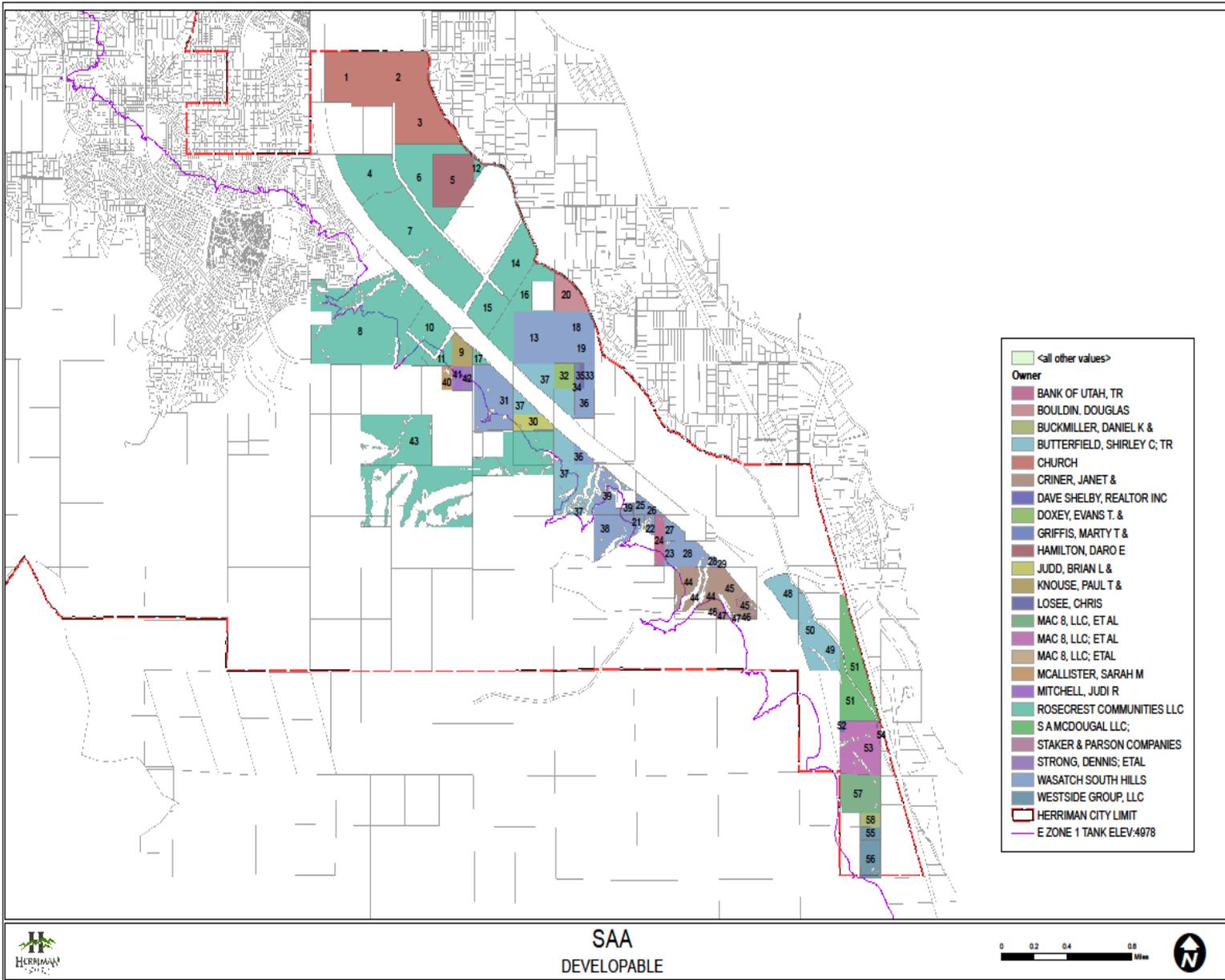


-  HERRIMAN CITY LIMIT
-  W ZONE 2 TANK ELEV:5134
-  E ZONE 1 TANK ELEV:4978
-  PRESSURE ZONE 1 & 2 (Area Served)



**EAST HERRIMAN
SAA INFRASTRUCTURE**





FUNDING:

SAA

- ❖ Fund Total Project
- ❖ Intent Resolution June 26th Council Meeting
 - ❖ Repaid By Property Assessments
- ❖ Impact Fees Are Also Eligible For Reimbursement Of Upsize
- ❖ Zions Bank Currently Has A Buyer

Bond Anticipation Note

- ❖ Secondary infrastructure only
 - ❖ July 8th Closing
- ❖ Repayment is Included in SAA
 - ❖ 2 Yr Term 1.02% Base Interest Rate
 - ❖ 1.59% All Inclusive Cost
 - ❖ Total Cost W/ Interest \$5.6 Million

ROSECREST VILLAGE UTILITY CONCERNS



ENGINEERING DEPARTMENT UPDATE

June 12, 2014

Capital Projects

- 7530 West Roadway:
 - Construction plans are out for bid (Bid closes June 25th)
 - All signatures have been obtained
 - Working with High County to finalize gate relocation plans

- W&M Butterfield Park ADA Ramps:
 - Project is 98% Complete
 - Only remaining item is to install handrails

- Rose Creek Trails
 - Consultant is under contract to complete designs
 - Phase 1 (North of 13400 South) will be out to bid by July 1st
 - Phase 2 (South of 13400 South/East of 6400 West) will be out to bid by July 15th
 - Phase 3 (Trail to the Cove Pond) will be out to bid by August 1st

- 6400 West Waterlines & Roadway (SLR)
 - Consultant is under contract to complete survey of the area

- 5600 West
 - Road will be open to traffic by August 1, 2014
 - Upcoming closures
 - Salerno will be closed for approximately 2 weeks beginning June 16th to pave the intersection
 - Westbound Main Street will be closed for approximately 14 days in mid-July for storm drain tie-ins

Other Projects

1. Transportation Master Plan and Storm Drain Master Plan Updates
 - Working through the IFFP and IFA

2. Mountain View Corridor Noise Ordinance Sign Coordination with UDOT

RESOLUTION

JORDAN SCHOOL DISTRICT BOARD OF EDUCATION



RESOLUTION: Jordan School District Opposes the South Jordan City Proposal to Create a Separate School District Within the Boundaries of South Jordan City.

WHEREAS, the South Jordan City Council is considering adding a question concerning a possible split from the Jordan School District to the November, 2014 ballot; and

WHEREAS, the Jordan School Board unanimously agrees that such a split will be damaging to the educational quality for students and employees throughout the District; and

WHEREAS, increasing student achievement for every student demographic group should be the primary goal of public education institutions; and

WHEREAS, opportunities for broad student educational experiences would be limited for South Jordan students by a much smaller secondary school population; and

WHEREAS, many South Jordan elementary students would lose access to dual immersion programs currently sponsored by Jordan School District; and

WHEREAS, a possible South Jordan School District would effectively duplicate all administrative services now paid by the taxpayers of Jordan District, thereby increasing the amount of all taxpayer dollars necessary to support two districts; and

WHEREAS, said split could affect the seniority and benefits of current employees; and

WHEREAS, mandated special education programs would necessarily look different and offer fewer opportunities for optimum physical and cognitive development among this student population; and

WHEREAS, Jordan District school employees in South Jordan are concerned about limited job mobility or advancement opportunities should the said split take place; and

WHEREAS, a separate South Jordan school district might create unintended consequences which could be avoided if the Jordan School District and the South Jordan City Council work together to find solutions to individual problems; and

WHEREAS, a South Jordan split from Jordan School District would be very divisive for the southwest valley; and

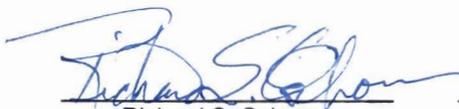
WHEREAS, residents of Jordan School District living outside the South Jordan City boundaries would have no voice in a possible split; and

WHEREAS, the Jordan Board of Education believes a separate South Jordan District is not in the best interests of students, parents, and taxpayers; and

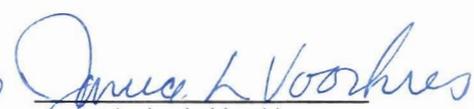
WHEREAS, the Jordan School Board desires and looks forward to working with South Jordan City to continue to increase student achievement for all students in Jordan School District;

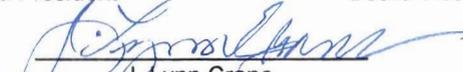
THEREFORE, LET IT BE RESOLVED that the Jordan School District Board of Education unanimously opposes the City of South Jordan proposal to create its own school district and wishes to express our continued desire to give all students within the current boundaries of Jordan School District an exceptional education worthy of a world-class community.

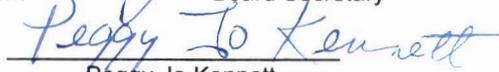
Adopted by the Jordan School District Board of Education this tenth day of June, 2014.


Richard S. Osborn
Board President


Susan K. Pulsipher
Board Vice President


Janice L. Voorhies
Board Secretary


J. Lynn Crane
Board Member


Peggy Jo Kennett
Board Member



Betsy Goodwin
13592 Rose Hill Dr.
Riverton, UT 84096
June 12, 2014

Mayor Carmen Freeman
Herriman City Council
13011 S. Pioneer St.
Herriman, UT 84096

Dear Mayor Freeman and Members of the Herriman City Council,

On February 13, 2014, an article appeared in the South Valley Journal regarding decorations at the Herriman City Cemetery. In the last paragraph, Councilwoman Wessman-Moser was quoted as saying, "As we update guidelines for the cemetery, our goal as a council will be to ensure the cemetery is a peaceful and beautiful place for loved ones to visit. We hope our residents and families who visit the cemetery will provide suggestions to help us reach this result." On February 21, I sent a letter to the Councilwoman, responding to her invitation. A copy of this letter is provided to the clerk for each of you. I never received any acknowledgment that this letter was received.

In May, the newly adopted cemetery regulations were posted on Herriman City's Facebook page. My husband and I modified our son's headstone to ensure compliance with the new rules. On Tuesday, June 3, we visited the cemetery and were distressed to find that every flower in the entire cemetery, including silk arrangements in permanent vases, had been removed and disposed of, as well as most all other decorations from gravesites.

On Wednesday, June 4, my husband and I visited the city offices to ask why the new policy was not followed. In the course of a five minute conversation we were told twice by the city employee that she did not want to call us a liar but that that was not what she was told took place. We asked if she had visited the cemetery today. We asked about the passage of the new regulations and inquired what citizen input there was. She stated there was no input. When I told her I had written a letter to Councilwoman Wessman-Moser, she said, "Oh, she did mention there was one comment, but that it was an insignificant representation of Herriman's more than 30,000 residents." She then asked us twice why we were upset and what we wanted. Here is our request.

1. Please provide your motivation for the new regulations. Is it to assist in maintenance and lawn mowing or is it to have no decorations at the cemetery?
2. Explain why silk flowers were removed from permanent vases, against the new policy.
3. In the future, place large signs at each exit stating, "All decorations will be removed on June 3."
4. Place a bin near the sexton's shed in which ALL decorations removed from graves that are not live flowers are placed for retrieval by family members.
5. Address how families who have either been unable to afford, or have not yet had time, to have a headstone placed can remember their loved one.

Finally, I would like to share why I am upset. Those of us who have lost children and spouses have a bond of understanding and empathy for one another. In the week following the complete clean up the following occurred. A teenager mourned the loss of the hand-made item that was

discarded from their parent's grave, a teacher visited the cemetery on their way to school and upon finding the items removed from their child's grave went into their first period class and cried, and a family who has been financially unable to purchase a headstone and who scrimped to afford a silk bouquet for their son found it gone and disposed of. These actions caused harm to grieving citizens, and it would seem that when a policy is causing harm to the community it intends to serve, it is time for the Council to look at needed revisions.

Thank you for your time,

A handwritten signature in black ink that reads "Betsy Goodwin". The signature is written in a cursive, slightly slanted style.

Betsy Goodwin

Betsy Goodwin
13592 Rose Hill Dr.
Riverton, UT 84096
February 21, 2014

Coralee Moser
c/o Herriman City Offices
13011 S. Pioneer St.
Herriman, UT 84096

Dear Mrs. Moser,

In the most recent issue of the South Valley Journal, there was an article regarding possible new regulations regarding the Herriman City Cemetery. In the article you asked that interested parties offer their input. It is for this purpose that I am writing to you. I should preface my remarks by stating that I am not a citizen of Herriman. My family and I have lived for the past twelve years in the Autumn Hills subdivision just south of Smith's and my back fence lies adjacent to 5600 West.

Last year in March my oldest son passed away unexpectedly. As our family met to discuss his final arrangements, we all agreed that although we were residents of Riverton, the Herriman Cemetery felt more like ours. We purchased three plots at that time, gladly paying the higher fees for non-residents. Prior to the loss of our son, I can honestly say that I spent little time in the cemetery; however since last March I can safely say that either I or one of my family members has been a daily visitor there. With this background I hope you will understand my concern about this issue.

The north portion of the cemetery seems to be predominately the resting place for many of the long-term residents of the Herriman area. Names such as Butterfield, Freeman, Bowles and Dansie are commonplace. In the center section the dynamics seem to change. Many of the graves are for children or for young parents. These families, like mine, spend a lot of time visiting the cemetery. I have become friends with many of the families who's loved one lie near my son. It is an interesting club to belong to for sure, but I feel safe in saying that many of us share similar feelings. For us, we no longer have the ability to purchase a birthday present or a Christmas gift, or to send a Valentine. We celebrate the memory of our family member by visiting and leaving a decoration or a small token of remembrance at their grave. Although I certainly understand the need of the city staff to be able to mow and maintain the grass, I do not personally see a problem with decorations either directly adjacent to or on the concrete pad on which the headstones rest. I know that my husband hand trims the grass around our son's headstone so that the city workers do not have to bother getting in too close. The ability we have to celebrate the life of our family member in this way has definitely been a part of the grieving process for my family and I would be upset were this not allowed.

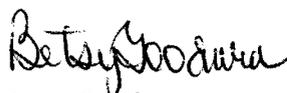
The article in the paper talked about a woman whose husband had passed away. She was concerned that items left by her family had been removed. It would seem to me that the only items that would need to be removed are live flowers that have died or decorations that have blown off the grave where they were placed. I feel saddened that a child could leave an item that was special to them and have someone decide it was inappropriate. I know that in the last year I have not seen anything which I feel is inappropriate or which detracts from the peaceful beauty of the cemetery. I would hope that as this

issue is discussed, the City Council will take into account both the need for a reverent, beautiful cemetery and the needs of the surviving family members to feel connected to their loved ones who lie there.

Finally, I would ask that a discussion be held regarding the excavation equipment that is used to dig graves during the winter months. It has been distressing to see deep tire tracks left over the top of graves by the equipment. In the center section there is at least one headstone that has tipped due to the tire grooves and, in the instance of Michael Beard, his temporary marker and solar light were damaged and a large tire track lies right over his grave. I am not sure how this problem can be resolved although I know that Riverton City lines the pathway to the grave with large sheets of plywood on which the excavator drives. It is certainly an issue that I hope you will discuss.

I appreciate your willingness to consider our input and would be more than happy to discuss any questions you might have.

Sincerely,

A handwritten signature in black ink that reads "Betsy Goodwin". The signature is written in a cursive, flowing style.

Betsy Goodwin

Kel2bets@aol.com

City Council

June 12, 2014



Ordinance 14-26

Preservation of Open Space

- All Planned Unit Developments (PUDs) are required to provide 20% open space.
- The proposed text change:
 - Better defines what counts as open space
 - Allows open space to be provided outside of the development
 - Allows a fee in lieu instead of open space



What counts as Open Space?

At least twenty percent (20%) of the planned unit development must be preserved as permanent open space or provided for ~~otherwise~~ as required in 10-20-9 (A) and (B). One-half ($1/2$) of the permanent open space required must be maintained in one contiguous parcel. Open space that is unbuildable because of, among other things, slope, wetlands, flood drainage or contamination, may only be counted at fifty percent (50%) of the actual acreage to satisfy applicable open space requirements. Detention basins may only count as open space *if they provide recreational amenities*, including, but not limited to, playgrounds, gazebos, exercise stations, or sports fields i.e. football, soccer, lacrosse. *Park strips do not count as open space.*

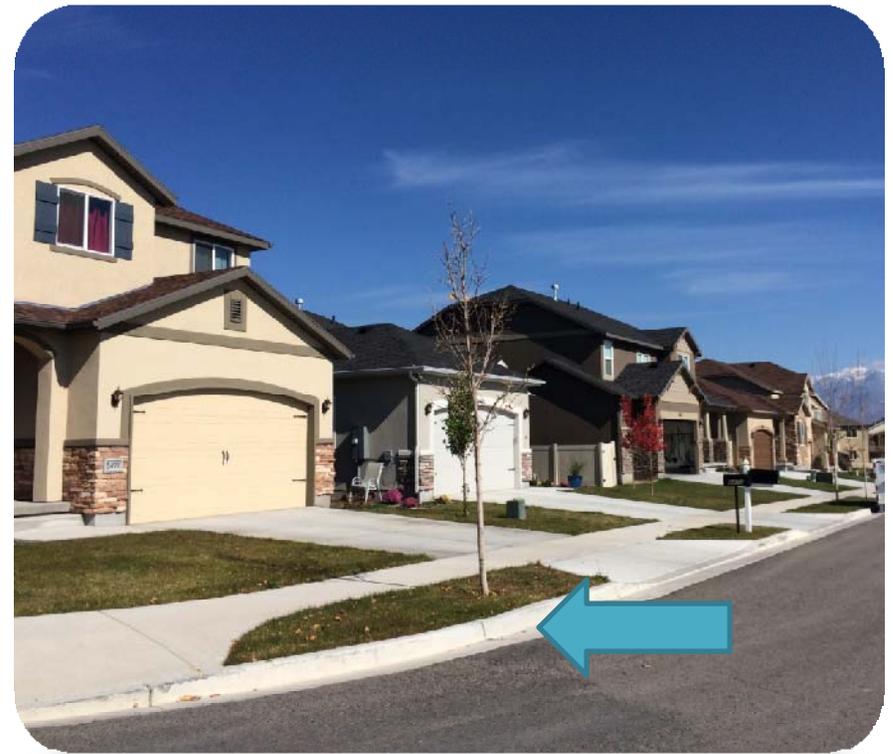
Detention Basins - NOT Open Space



Detention Basins - Open Space



Parks Strips - NOT Open Space



Trails – Open Space



Trails – Open Space



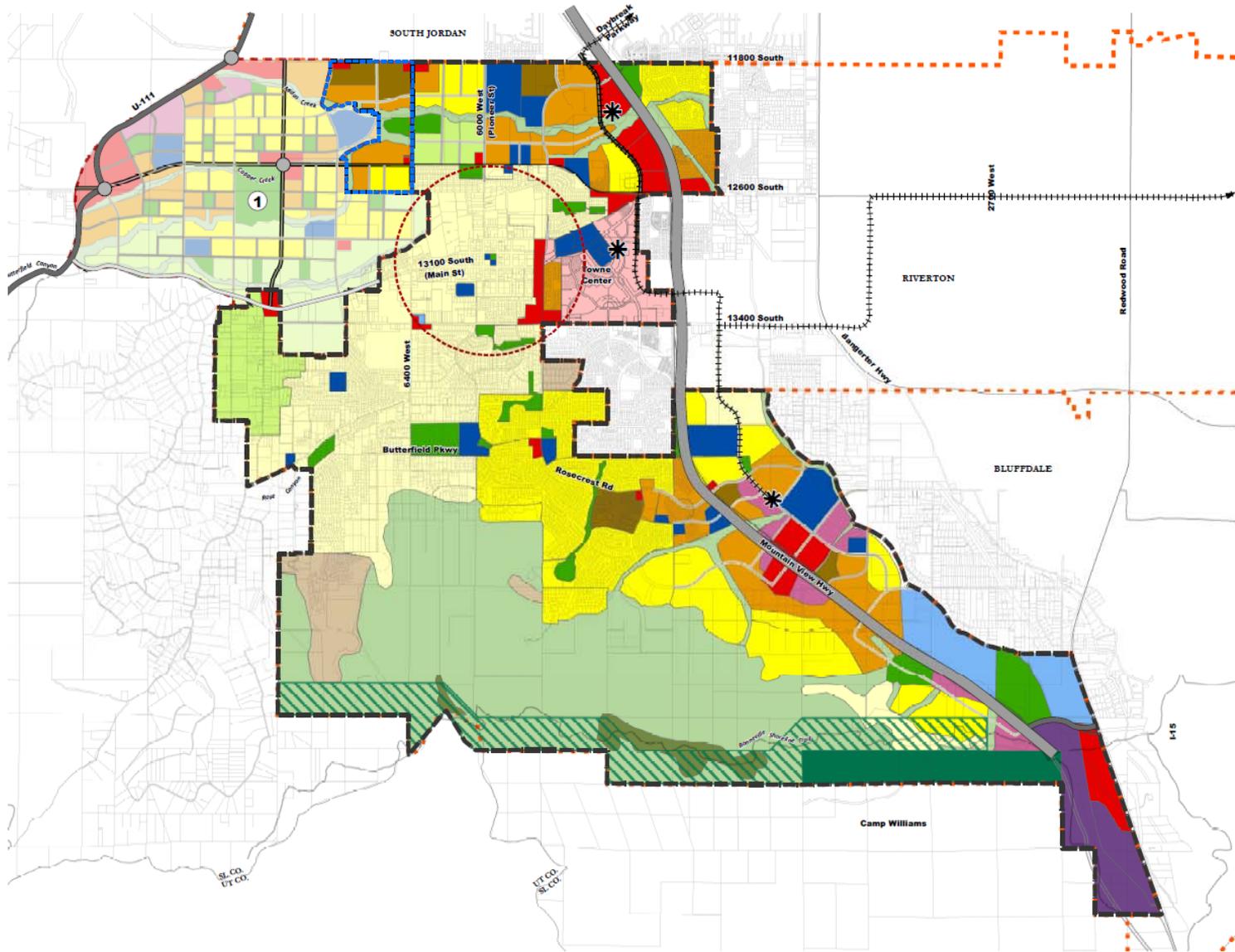
Off-Site Open Space

- A. Open space may be provided in a location outside of the boundaries of the PUD, if the following requirements are met:
 - a. The off-site open space must be located within Herriman City limits.
 - b. Open space that is unbuildable because of, among other things, slope, wetlands, flood drainage or contamination, may only be counted at fifty percent (50%) of the actual acreage to satisfy applicable open space requirements. Detention basins may only count as open space if they provide recreational amenities.
 - c. The location **and amenities** of all the required open space shall be reviewed and approved by the Planning Commission as part of the PUD process.
 - d. A portion of the open space may be required to remain within the boundaries of the PUD.

Fee In Lieu of Open Space

- B. A fee in lieu of required open space may be provided if the following requirements are met:
- a. The amount of acreage that is required as open space shall be reviewed and approved by the Planning Commission as part of the PUD process.
 - b. The fee in lieu of shall be determined by an appraised price per acre and the amount shall be approved by the City Council.
 - c. The fee shall be designated as parks funds and shall be used to purchase or improve property for parks in other areas of the City.
 - d. A portion of the open space may be required to remain within the boundaries of the PUD.

General Plan Amendment



- Future Land Use 2025
Modified
- Hillside/ Rural Residential (0.5 - 1.7 du/acre)
 - Agricultural Residential (1.8 - 3.0 du/acre)
 - Low Density Residential (1.8 - 2.5 du/acre)
 - Single Family Residential (2.6 - 4.5 du/acre)
 - Medium Density Residential (4.6 - 8 du/acre)
 - High Density Residential (8 - 20 du/acre)
 - Mixed Use
 - Mixed Use - Towne Center
 - Commercial
 - Light Industrial Park/ Business Park
 - Public/ Institutional/ Cultural/ Schools
 - Quasi-Public/ Utilities
 - Military Operational
 - Resort/ Recreational
 - Open Space
 - Parks and Recreation
 - 1 Northwest Regional Park
 - Herriman City Boundary
 - SLR Annexation
 - Northwest Annexation Area
 - Municipal Boundaries
 - Military Compatibility Overlay
 - Light Rail
 - * Transit Station
 - Roundabout
 - Historic District Conservation Zone
- (final boundary to be determined by special committee)

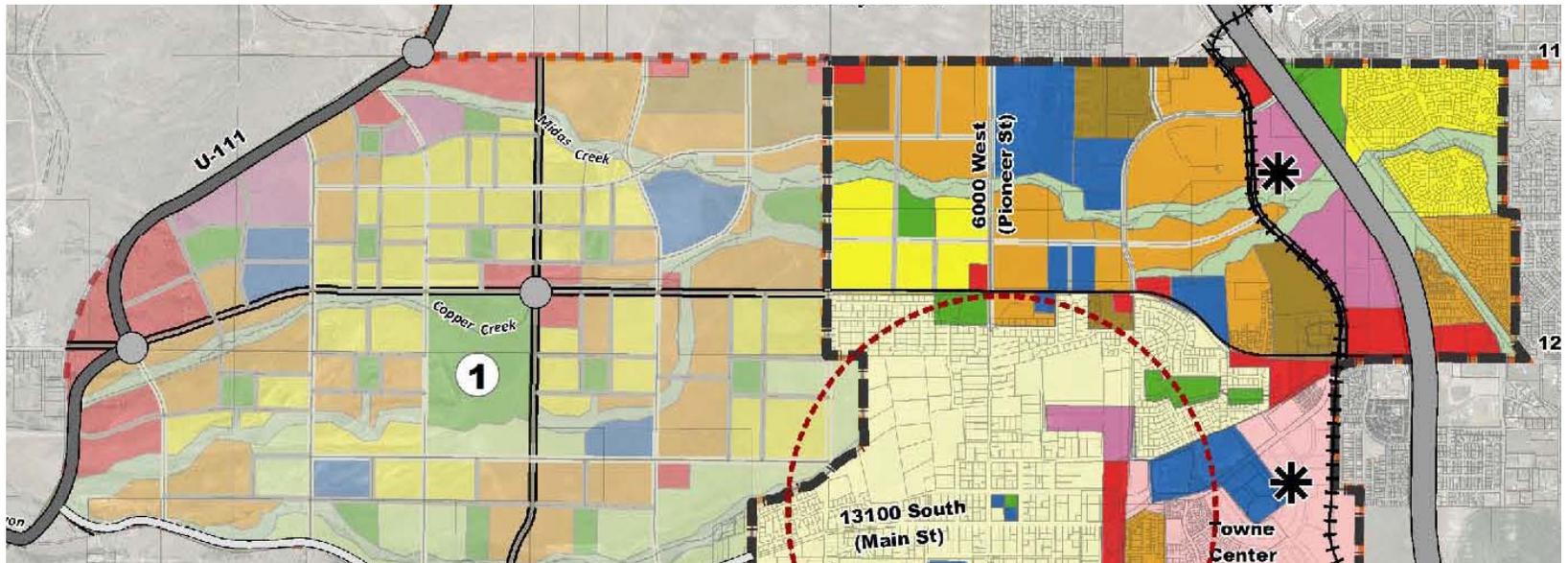
HERRIMAN
GENERAL PLAN
AMENDMENT

0 0.25 0.5 1 Miles

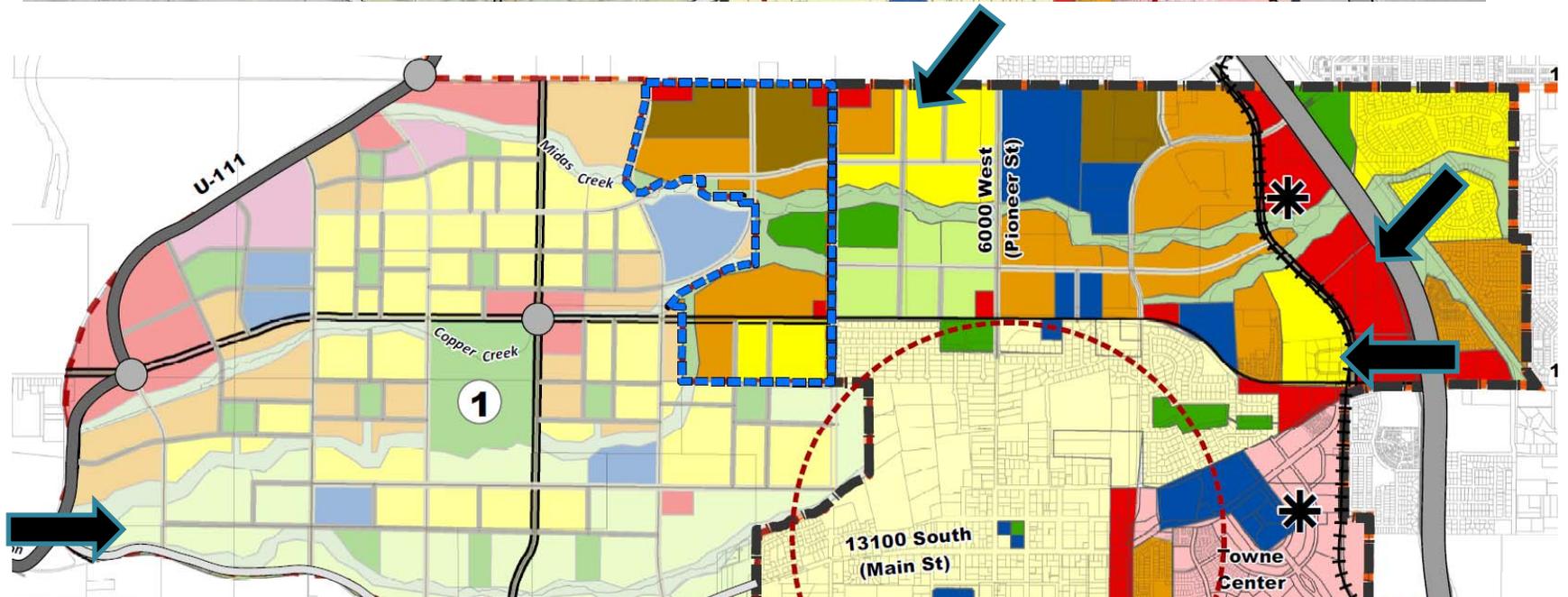



General Plan Amendment

Current Plan



Proposed Plan



Future Land Use

Rural Residential	324	2.3%
Agricultural Residential	436	3.3%
Low Density Residential	2555	19.4%
Single-Family Residential	1987	15.0%
Medium Density Residential	1101	8.3%
High Density Residential	208	1.6%
Mixed-Use	214	1.6%
Mixed-Use (Towne Center)	317	2.4%
Commercial	492	3.7%
Light Industrial/Business Park	334	2.5%
Public	455	3.4%
Quasi-Public	332	2.5%
Parks	433	3.3%
Open Space	3577	27.1%
Resort/Recreational	154	1.2%
Military Operation	317	2.4%
Vacant/Agric.		0.0%
TOTAL	13236	100.0%

- Low Density Residential:

Higher densities are achievable as part of PUDs that include one-half acre lots suitable for agricultural uses, and a range of other lot sizes

- Single Family Residential:

Higher densities are achievable as part of PUDs that include one-half acre lots suitable for agricultural uses, and a range of other lot sizes

- Medium Density Residential

Higher densities are achievable as part of PUDs that include a range of lot sizes, and on property that is in close proximity to major transportation corridors and proposed transit lines.

PUDs in this area should generally not include apartments.

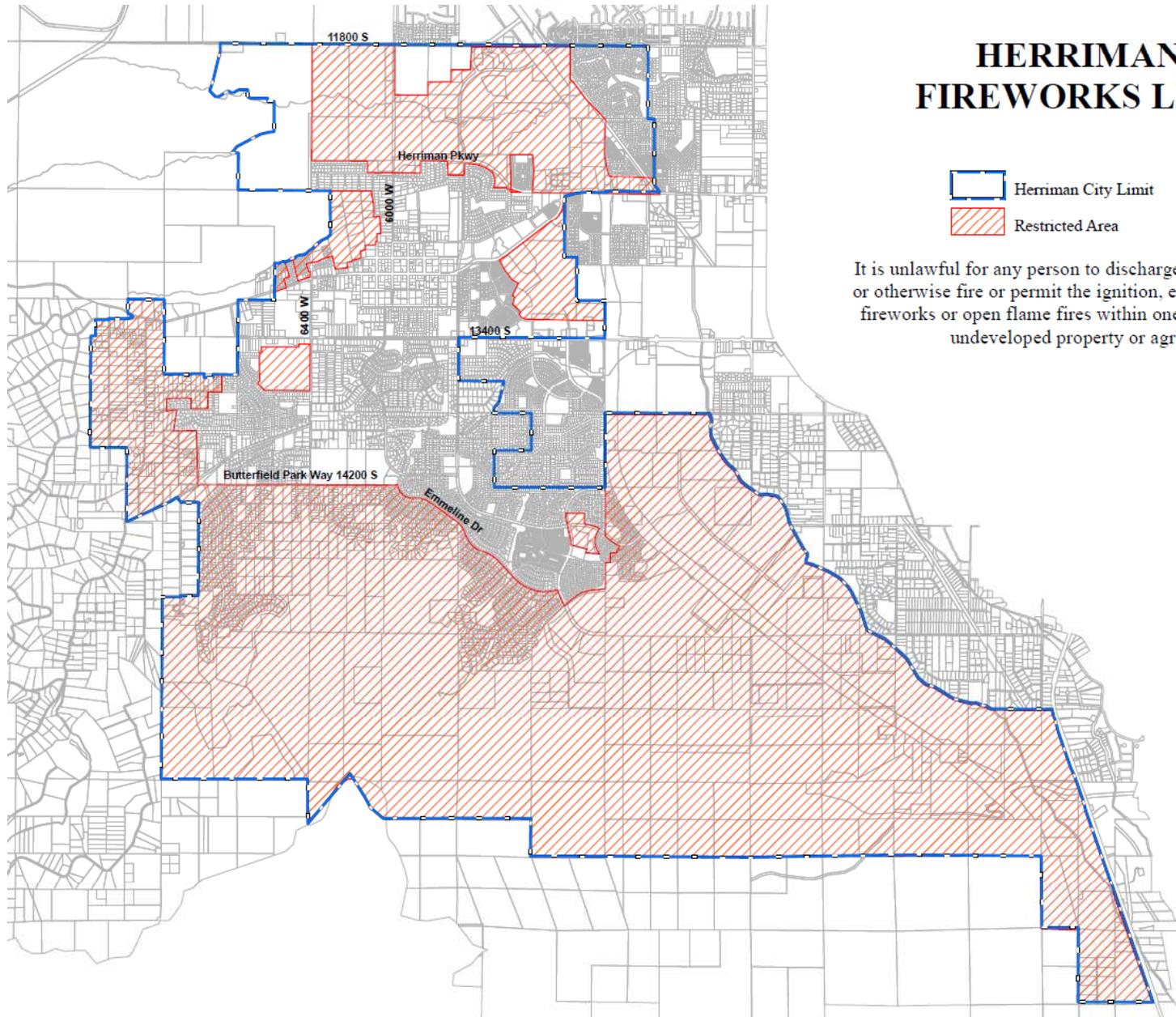
- High Density Residential

Only density on the low end of the range will be considered, unless the property is directly adjacent to a major transportation corridor or a transit line, and provides amenities such as additional open space or *trail connections*.

Camp Williams

Fireworks

HERRIMAN CITY FIREWORKS LIMIT 2014



-  Herriman City Limit
-  Restricted Area



It is unlawful for any person to discharge, ignite, explode, project, or otherwise fire or permit the ignition, expulsion projection of any fireworks or open flame fires within one hundred (100) feet of an undeveloped property or agricultural field.