



## CITY COUNCIL MINUTES

**Wednesday, September 11, 2024**  
**Approved October 9, 2024**

The following are the minutes of the City Council meeting of the Herriman City Council. The meeting was held on **Wednesday, September 11, 2024, at 5:00 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, and Steven Shields

**Staff Present:** City Manager Nathan Cherpeski, Assistant City Manager Wendy Thomas, City Recorder Jackie Nostrom, Finance Director Kyle Maurer, Communications Manager Jonathan LaFollette, Public Works Director Justun Edwards, Community Development Director Blake Thomas, City Attorney Todd Sheeran, Management Analyst Trevor Ram, City Planner Michael Maloy, City Engineer Bryce Terry, HPD Police Chief Troy Carr, Operations Director Monte Johnson

**Planning Commissioners Present:** Terrah Anderson, Andy Powell, Preston Osberg, Darryl Fenn, Brody Rypien, Forrest Sickles

### **5:00 PM – WORK MEETING: (Community Room)**

Mayor Lorin Palmer called the meeting to order at 5:01 p.m.

#### **1. Council Business**

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

Council and staff briefly reviewed the agenda.

## 1.2. Future Agenda Items

Mayor Palmer inquired if the Council was available to hold the City Council meeting on October 23, 2024. Council consensus determined there would be a quorum.

## 1.3. Discussion of future citizen recognitions

Mayor Palmer noted the Kite Festival would be recognized this evening.

The Council discussed the recognition of the Salt Lake Academy boys' soccer team for winning their regional championship.

The Council debated the criteria for recognitions, considering how to manage the many potential achievements from various school and activities. The Council noted higher criteria may need to be established for future recognitions.

## 2. Administrative Reports

### 2.1. Follow up to City brainstorming session – City Council Roundtable

City Manager Nathan Cherpeski started the brainstorming session to focus on prioritizing city projects and initiatives. Each Council member was encouraged to select their four top priorities, the top 10 priorities included: staffing needs, water, financial stability, public safety, Council vision, economic development, transit infrastructure, community engagement, disconnect between residents and City, and what is Herriman.

City Manager Cherpeski further asked the Council to narrow down the list with the top four priorities being financial stability. Disconnect between residents and the City, infrastructure, and Council vision. City Manager Cherpeski emphasized that simply stating a goal, like achieving financial stability, wasn't enough. It would require actionable steps, thorough discussions, and clear definitions. The Council shared perspectives on what financial stability means; primarily ensuring that revenues meet the City's obligations without overburdening taxpayers. They highlighted the significance of economic development, suggesting that growing the tax base is vital for offsetting residential property taxes.

City Manager Cherpeski highlighted the necessity of defining specific terms used in their discussions to ensure everyone was aligned, which would help to draft a strategic plan that would meet the expectations of the Council.

### 2.2. Discussion regarding a proposed commercial development at 13400 South – Blake Thomas, Community Development Director

Note: The Planning Commission was welcomed as part of the discussion.

Community Development Director Blake Thomas highlighted the long-anticipated development as part of the Herriman Towne Center and emphasized its strategic location near Mountain View Corridor and the existing housing developments. He referenced the land use plan from 2014 and detailed the layout which included access points from the corridor as

well as local roads. He noted there would be a traffic study conducted which would accompany the development agreement for the project.

Director Thomas further explained the amenities planned within the project which included retail and restaurant spaces that would integrate into the residential apartments. He noted the necessity of including the housing component to comply with recent legislation for receiving incentives from the Community Development Project Area, which required a portion of affordable housing. The Council asked whether residential and commercial spaces could be integrated, with Director Thomas clarifying the design would incorporate both uses effectively.

Director Thomas turned the time over to Elevated Property Company Acquisitions Vice President Sean Harty to speak to the group. Vice President Harty introduced his team and provided a brief overview of the company. He highlighted their involvement in the project The Commons at Herriman Towne Center and showcased similar developments his team participated in creating. Vice President Harty outlined the timeline to secure approvals and construction, targeting tenant openings by October 2026.

Planning Commissioner Terrah Anderson inquired about the decision-making process to incorporate apartments over condos. The development team responded apartments were better suited to meet the affordable component required by the legislature. City Manager Cherpeski reported he has been working with the Utah League of Cities and Towns to address the unintended consequences of the legislation.

The group raised concerns about traffic flow and pedestrian safety, suggesting potential modifications like elevated walkways. The goal of creating a timeless design rather than a trendy one was emphasized. Vice President Harty highlighted the pedestrian-friendly features and parking arrangements of the proposed development, noting that overall parking exceeded requirements; however, observed some single tenant spaces slightly fell short.

The group expressed eagerness to see the development materialize and highlighted the unique identity it would bring to the community. Vice President Harty explained the layout of the project was crafted to take advantage of the site's topography, ensuring that residential units offered attractive views. He discussed the traffic flow and future transit plans, with a focus on integrating shopping and accessibility into the development.

### **2.3. August 2024 City Status Report – Trevor Ram, Management Analyst**

Management Analyst Trevor Ram highlighted the importance of understanding local population metrics and the impact they have on sales tax and community spending habits. Councilmember Henderson emphasized the need for more detailed data, particularly per capita sales tax, to gain insights into buying behaviors. Councilmember Ohrn expressed concern about a significant drop in building permits, highlighted the need for staffing flexibility.

Analyst Ram expressed excitement about the new implementation of a software tool, Alpha Maps, which was expected to enhance data analysis and reporting. Councilmember Ohr concurred.

**2.4. Discussion regarding the Panorama, South Hills, and Rosecrest Developments – Blake Thomas, Community Development Director**

Community Development Director Blake Thomas oriented the Council to the location of the Panorama South Hills and Rosecrest developments, referring to the area collectively as the South Mountain development. He explained each development had its own master development agreement (MDA) and noted amendments would be required. Director Thomas indicated that Panorama encompassed several parcels, including some near the community college and the Herriman Business Center. He mentioned recent amendments to the South Hills project and the necessity of updating agreements to reflect changes in land use and ownership. The discussion also touched on the Rosecrest development, which was currently held by a landowner rather than a developer, necessitating amendments to its agreement due to overlapping changes with the Panorama project.

DAI Legal Counsel Chase Andrizzi offered a detailed breakdown of the Panorama master plan, highlighting that the area was projected to accommodate approximately 3,476 units. Of these, around 2,800 units were already entitled under existing agreements, with approximately 660 new units being proposed. He pointed out that coordinating among 14 different landowners in the Panorama project has been a complex but successful effort, resulting in a cohesive development plan.

The Council raised important questions regarding the adequacy of programmed recreational spaces in relation to the projected population density. Councilmember Shields expressed concern about whether the planned open spaces would sufficiently meet the needs of the community, particularly regarding facilities like soccer and baseball fields. In response, Legal Counsel Andrizzi acknowledged the challenges of building on the side of a mountain but emphasized the commitment to exceed the City's open space requirements through improvements to existing areas. Plans for amenities, including parks, trails, and dog parks, were discussed, with a focus on enhancing community access to these spaces.

Legal Counsel Andrizzi offered an overview of the timeline for the developments. City Manager Cherpeski indicated that water infrastructure issues were currently a significant factor affecting progress. The goal would be to complete the Wasatch portion by the end of 2027, although this may be contingent on resolving water tank issues. Legal Counsel Andrizzi requested to schedule upcoming meetings to facilitate further discussions on the various applications and agreements needed to move the projects forward.

### 3. Adjournment

*Councilmember Shields moved to adjourn the City Council work meeting at 7:05 p.m. Councilmember Ohrn seconded the motion, and all voted aye.*

7:00 PM – GENERAL MEETING:

### 4. Call to Order

Mayor Palmer called the meeting to order at 7:22 p.m.

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

Mayor Palmer asked the audience to participate in a Moment of Silence for victims and emergency personnel affected by the terrorist attacks on September 11, 2001.

The Herriman Police Department conducted the Color Guard ceremony.

#### 4.2. City Council Comments and Recognitions

Councilmember Ohrn expressed her deep emotions regarding September 11, reflecting on the profound impact of hatred toward liberty that resulted in the loss of innocent lives. She emphasized the lasting sense of unity and camaraderie that emerged among Americans in the aftermath of the tragedy, highlighting the love for the country and the values of freedom and liberty. However, she acknowledged that such feelings can be fleeting. To honor the memory of those who perished, she urged the importance of standing together as Americans, focusing on shared values while addressing differences with understanding and compassion. She called for a collective movement away from hatred and toward embracing diversity positively.

Mayor Palmer recognized Captain Zarigueya for his contributions to the community highlighting his involvement in organizing the City's first kite festival, which attracted hundreds of children and fostered a sense of community through music and vendors. The Mayor praised him for his broader efforts to unite diverse communities across the valley, celebrating both local and cultural heritages.

### 5. Public Comment

Antonio Valbuena informed the Council Ms. Adriana Meijer was eager to teach our community about a form of art that has helped her manage depression and anxiety. He believed it would be beneficial to connect her with Columbus, to support her initiative. Facilitating this connection could provide an excellent resource for our community and enhance mental health awareness through the power of art.

Avery Price shared his positive views about the City, noting that he has no concerns. He mentioned his experience playing soccer. Mr. Price suggested that the City could benefit from new soccer fields, highlighting the ample space available, including a large field across from the neighborhood. Mayor Palmer agreed that it was a good idea and expressed interest in

exploring the possibility of developing soccer fields, while also acknowledging the need to find funding for the project.

**6. City Council Reports**

**6.1. Councilmember Jared Henderson**

There was no report.

**6.2. Councilmember Teddy Hodges**

There was no report.

**6.3. Councilmember Sherrie Ohrn**

There was no report.

**6.4. Councilmember Steven Shields**

There was no report.

**7. Mayor Report**

Mayor Palmer mentioned a recent meeting with officials from Riverton and Bluffdale, discussing plans to open 13800 South around October 1, 2024. The street construction was nearly complete, but a pedestrian tabletop traffic calming feature needed to be redone due to an error in installation.

He informed the Council that a stoplight at the intersection of 13800 South and Sentinel was expected to be installed within a couple of weeks, pending coordination with Rocky Mountain Power. This stoplight would facilitate traffic flow through Bluffdale and Riverton.

Mayor Palmer announced his appointment to the board of directors for the Utah League of Cities and Towns, beginning a two-year term. Councilmember Ohrn noted that this could provide the City with additional representation, if desired.

**8. Consent Agenda**

**8.1. Approval of the August 14, 2024 City Council meeting minutes**

**8.2. Approval of the Herriman City Banner Policy**

*Councilmember Shields moved to approve the consent agenda as written. Councilmember Henderson seconded the motion.*

*The vote was recorded as follows:*

<i>Councilmember Jared Henderson</i>	<i>Yes</i>
<i>Councilmember Teddy Hodges</i>	<i>Absent</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.*

## 9. Discussion and Action Items

### 9.1. Consideration to Approve an Amendment to the Reimbursement Agreement for 6400 West Phase 1 with Olympia – Jonathan Bowers, Public Utilities Engineering Manager

Public Utilities Engineering Manager Jonathan Bowers addressed the Council about a proposed reimbursement agreement amendment concerning Phase One of the 6400 West project, emphasizing that the developer initially sought reimbursement for interest but has since rescinded that request. Instead, they are now asking for payment for engineering costs and sewer expenses. Manager Bowers recommended denying this request, stating that it does not align with the original reimbursement agreement established in accordance with the master development agreement (MDA).

Mayor Palmer highlighted that the issue was brought back for discussion after the developer's previous request for funding from the sewer board was denied. Councilmember Ohrn expressed concern about approving expenditures for which the City was not contractually obligated, stressing that they have existing obligations for reimbursements under the MDA, but this request falls outside of those commitments.

Attorney Todd Sheeran provided insight into the differing interpretations of the reimbursement agreement, explaining that while it mentions infrastructure reimbursement, the City's obligations primarily cover roadways rather than sewer infrastructure, which was managed by the Jordan Basin Sewer District. He noted that this difference in interpretation may have prompted the developer's request for sewer cost reimbursement.

City Manager Cherpeski expressed a willingness to consider funding the engineering costs, as engineering is essential for road construction. He pointed out that while the City has obligations to build specific roads, there was no requirement to fund sewer infrastructure, which was the responsibility of the Jordan Basin Sewer District. He further clarified that if the City were to fund the sewer costs, it would need to be sourced from the general fund, as there are no available funds for such expenses.

Manager Cherpeski concluded that, based on his discussions with the developer, the request for reimbursement may not be critical for them. He indicated that the Council has the discretion to consider the engineering costs while firmly stating that there is no obligation to cover sewer costs, reinforcing the need for a clear understanding of contractual responsibilities and the appropriate funding sources for infrastructure projects.

*Councilmember Ohrn moved to deny an amendment to a reimbursement agreement with Olympia Land, LLC for the 6400 West Phase 1 Roadway project. Councilmember Henderson seconded the motion.*

*The vote was recorded as follows:*

<i>Councilmember Jared Henderson</i>	<i>Yes</i>
<i>Councilmember Teddy Hodges</i>	<i>Absent</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. Future Meetings**

**10.1. Next Planning Meeting: September 18, 2024**

**10.2. Next City Council Meeting: September 25, 2024**

## **11. Events**

**11.1. Hungry Herriman and Farmer’s Market: September 16, 2024 and September 23, 2024; Crane Park 5:00 p.m.**

**11.2. Finding Nemo Kids & The Little Mermaid Jr: September 19, 2024 – September 23, 2024; W&M Butterfield Park**

**11.3. Senior Resident Activity ‘Lunch with Lee’s’: September 19, 2024; RSVP Required**

## **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 Henderson moved to adjourn the City Council meeting at 7:49 p.m. Councilmember Shields 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 September 11, 2024. This document constitutes the official minutes for the Herriman City Council Meeting.*



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Jackie Nostrom, MMC  
City Recorder

