



## CITY COUNCIL MINUTES

**Wednesday, October 08, 2025**

**Approved October 22, 2025**

The following are the minutes of the City Council meeting of the Herriman City Council. The meeting was held on **Wednesday, October 8, 2025, 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:** Terrah Anderson, Jared Henderson, Teddy Hodges, Sherrie Ohrn

**Staff Present:** City Manager Nathan Cherpeski, City Recorder Jackie Nostrom, Finance Director Kyle Maurer, City Attorney Todd Sheeran, Communications Manager Jonathan LaFollette, Police Chief Troy Carr, UFA Division Chief Anthony Widdison, Community Development Director Blake Thomas, City Engineer Bryce Terry, Operations Director Monte Johnson, Assistant to the City Manager Trevor Ram, Planning Manager Clint Spencer, Public Works Director Justun Edwards, Building Official Cathryn Nelson, and Deputy Director of Parks, Recreation and Events Anthony Teuscher.

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

### **1. Council Business**

Mayor Palmer called the meeting to order at 5:33 p.m.

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

Mayor and staff briefly reviewed the agenda.

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

There were no future agenda items requested.

### 1.3. Council discussion of future citizen recognitions

There was no future citizen recognitions noted.

## 2. Administrative Reports

**2.1. September 2025 City Status Report** – Trevor Ram, Assistant to the City Manager  
Assistant to the City Manager Trevor Ram presented the September city status report, which the communications department had playfully themed as a Disneyland map, with agenda items named after rides in honor.

Building permits for single family, condos, and townhome units were reported as progressing well. Assistant to the City Manager Ram noted that businesses continued to see growth. The City's population estimate had crossed over 64,000 residents, approaching 20,000 housing units. The vacancy rate stood at 4.1%.

Regarding project updates, the Main Street median was progressing well. Assistant to the City Manager Ram particularly highlighted the planter retrofit in front of city hall, praising the team for completing it on time. Sales tax generation was stabilizing, with July being a typically low generation month. The City maintained approximately 75% of sales tax revenue from population-based distributions and 25% from direct sales.

Councilmember Jared Henderson focused on tracking property tax breakdowns and expressed interest in seeing the breakdown between residential and commercial property tax, similar to how sales tax is tracked. City Manager Nathan Cherpeski explained that property tax data wasn't received monthly but could provide year-over-year comparisons. The Council emphasized the importance of understanding this balance as commercial areas come online, particularly for budgeting purposes.

### 2.2. Discussion Regarding Potentially Amending City Ordinance Concerning Road Cuts – Bryce Terry, City Engineer

City Engineer Bryce Terry presented proposed amendments to the City ordinance regarding road cuts, explaining that the City had identified gaps in protecting newly constructed roads from utility cuts. Currently, there was no ordinance preventing utility companies from cutting into roads shortly after construction.

Engineer Terry detailed the current road restoration requirements, which had evolved significantly over the years. The current standard requires a "T-patch" method with additional milling and overlay, a significant improvement from straight trench cuts used 20

years ago. He explained that in 2017, the Utah APWA chapter adopted requirements for a 2-inch mill and overlay to prevent water infiltration and road deterioration.

Engineer Terry outlined the proposed amendments:

- A three-year moratorium on cuts for newly constructed roads, with exceptions for emergencies
- Enhanced repair requirements for roads within 5 years of construction, including full-width repairs from gutter to gutter plus 25 feet in each direction
- Additional requirements for roads treated with slurry seal within the past two years

City Manager Cherpeski emphasized the importance of protecting residents' investments, citing the \$10 million Main Street reconstruction as an example. He noted that utilities are regularly informed about road construction plans and have opportunities to install infrastructure beforehand or use boring techniques to avoid cuts.

Councilmember Sherrie Ohrn expressed strong support for the amendments, sharing her frustration at seeing newly constructed roads being cut up. She acknowledged the increased costs but emphasized the need to protect the City's infrastructure investments.

Councilmember Teddy Hodges suggested clarifying restoration standards for emergency exceptions. Councilmember Terrah Anderson asked about anticipated pushback, to which Engineer Terry responded that while contractors already resist current restoration requirements due to costs, the City needed to hold those impacting roads accountable rather than passing costs to residents.

The Council expressed unanimous support for bringing the ordinance amendments to a future meeting for consideration.

### **2.3. Discussion of a budget amendment to fund the Stampede Bowl Trail – Anthony Teuscher, Deputy Director of Parks, Recreation and Events**

Deputy Director of Parks, Recreation and Events Anthony Teuscher requested a budget amendment to reallocate \$36,500 from the trails maintenance budget to construct the Stampede Bowl Trail, a half-mile multi-use primitive trail south of Black Ridge Reservoir. The trail was approved for construction in May 2024, but anticipated grant funding had not materialized.

Deputy Director Teuscher explained that a contractor currently building the Bonneville Shoreline Trail nearby could construct this trail immediately after completing their current project. He emphasized the difficulty of securing contractors for small projects like this,

noting that five contractors had been contacted with no responses with the exception of the current contractor on location.

Deputy Director Teuscher noted the funding would come from the \$70,000 trails maintenance budget, specifically from funds allocated for seal coating, crack sealing, and mastic work that couldn't be completed due to staffing shortages. The department had recently hired a third maintenance worker who would start the following Monday, but most staff time was spent on weed mitigation in urban areas rather than trail maintenance.

The Council expressed significant concerns about deferring maintenance to fund new construction. Councilmember Henderson argued that taking money from maintenance would create a deficit that compounds over time. He emphasized that the maintenance work would still need to be done, and the \$36,500 wouldn't be replaced in future budgets.

Mayor Palmer agreed with the assessment, noting the City was already falling behind on maintenance while adding more trail miles to maintain. Deputy Director Teuscher revealed that the City maintained approximately 45-50 total miles of trails (including 15-16 miles of primitive trails) with only three maintenance staff members.

When asked about projected usage, Deputy Director Teuscher noted the trail system was highly used during spring, summer, and fall. Regarding cost savings from having the contractor already mobilized, he estimated less than 5% savings but emphasized the real benefit was contractor availability.

The Council unanimously opposed the budget amendment. Councilmember Ohrn suggested the City should be able to maintain amenities prior to expanding. Councilmember Hodges requested pursuing grants more aggressively in the spring and finding alternative contractors. Deputy Director Teuscher confirmed he would continue to pursue grant funding for the trails construction.

*Councilmember Hodges moved to temporarily recess the City Council work meeting to convene in a closed session to discuss pending, or reasonable imminent litigation, the purchase, exchange, or lease of real property, and the deployment of security personnel, devices, or systems, as provided by Utah Code Annotated §52-4-205 at 6:13 p.m. Councilmember Anderson seconded the motion.*

*The vote was recorded as follows:*

*Councilmember Terrah Anderson                      Aye*

*Councilmember Jared Henderson                      Aye*

<i>Councilmember Teddy Hodges</i>	<i>Aye</i>
<i>Councilmember Sherrie Ohrn</i>	<i>Aye</i>
<i>Mayor Lorin Palmer</i>	<i>Aye</i>

The motion passed unanimously.

The Council reconvened the Council work meeting at 7:00 p.m.

### 3. Adjournment

*Councilmember Ohrn moved to adjourn the Council work meeting at 7:00 p.m. Councilmember Hodges seconded the motion, and all voted aye.*

7:00 PM – GENERAL MEETING:

### 4. Call to Order

Mayor Palmer called the meeting to order to 7:08 p.m.

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

Mr. Andrew Lawrence led the audience in the Pledge of Allegiance.

#### 4.2. City Council Comments and Recognitions

Councilmember Hodges reported on the Herriman Howl event held Monday night, describing it as amazing with significant attendance throughout the evening. The weather was beautiful, and the event featured many new additions and opportunities for participation. Councilmember Hodges thanked the events staff and noted that police, fire, parks, and all departments were present to support the event.

Councilmember Sherrie Ohrn thanked Executive Assistant Shelly Peterson for helping with a tour that morning for South Valley School.

Mayor Palmer highlighted the groundbreaking ceremony for Fire Station 103 and noted the station was expected to take approximately 14 months to build, with completion anticipated by the end of next year.

### 5. Public Comment

Andrew Lawrence addressed the Council regarding agenda item 9.2, the Master Development Agreement (MDA) for the Crescent property. Mr. Lawrence noted that he resides adjacent to the site and shared feedback gathered from the recent neighborhood meeting concerning the proposal. He stated that while residents were encouraged by the prospect of a responsible development partner with reasonable operating hours and minimal neighborhood

impact, several concerns remained. Mr. Lawrence requested clarification regarding the proposed landscaping buffer, specifically whether it would include a berm or solely plantings, and what its dimensions would be. He also expressed uncertainty about future development plans for the remainder of the Crescent property and whether the landscaping buffer would extend throughout the site. Mr. Lawrence's primary concern, shared by many neighboring residents, pertained to the contaminated soil on the property, which reportedly contains lead and arsenic originating from materials imported by developers from Kennecott. He described confusion regarding jurisdictional responsibility for the site, noting that various agencies have referred oversight back to Herriman City. Mr. Lawrence further observed inconsistencies between Environmental Protection Agency (EPA) standards and the City's original soil safety standards, which were later amended in emergency meetings to align with EPA requirements. Citing a previous incident involving Rocky Mountain Power's noncompliance with required soil-handling procedures, Mr. Lawrence expressed apprehension about ensuring proper remediation practices. He urged the Council to include specific provisions within the MDA requiring that all soil remediation activities be conducted safely and in accordance with applicable regulations, given Herriman City's jurisdiction over the property. Mr. Lawrence concluded by thanking the Council for providing residents the opportunity to participate in the public process.

## **6. City Council Reports**

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

Councilmember Henderson had nothing to report at this time.

### **6.2. Councilmember Teddy Hodges**

Councilmember Hodges had nothing to report at this time.

### **6.3. Councilmember Sherrie Ohrn**

Councilmember Ohrn had nothing to report at this time.

### **6.4. Councilmember Terrah Anderson**

Councilmember Anderson had nothing to report at this time.

## **7. Mayor Report**

Mayor Palmer had nothing to report at this time.

## **8. Consent Agenda**

- 8.1. Review and approval of the August 2025 financial summary – Kyle Maurer, Director of Finance and Administrative Services**

**8.2. Approval of the September 10, 2025, and September 24, 2025 City Council meeting minutes**

*Councilmember Ohrn moved to approve the consent agenda as written. Councilmember Hodges seconded the motion.*

*The vote was recorded as follows:*

<i>Councilmember Terrah Anderson</i>	<i>Aye</i>
<i>Councilmember Jared Henderson</i>	<i>Aye</i>
<i>Councilmember Teddy Hodges</i>	<i>Aye</i>
<i>Councilmember Sherrie Ohrn</i>	<i>Aye</i>
<i>Mayor Lorin Palmer</i>	<i>Aye</i>

The motion passed unanimously.

**9. Discussion and Action Items****9.1. Discussion and consideration of amendments to Herriman City Commercial Zoning Code Sections 10-3-6: Land Use Categories Definitions, 10-12: Commercial and Office Zones, 10-15-7: Major Corridor Sign Overlay Zone, and 10-16: Table of Uses – Blake Thomas, Community Development Director**

Community Development Director Blake Thomas presented the proposed amendments to the Land Use Ordinance. He explained that the amendments were needed to address several undeveloped commercial properties in the City that face challenges such as topography, visibility, and unmotivated owners. The proposals also looked to address an intensity gap between the mixed-use zone and technology manufacturing zone.

The goals included providing opportunities for home occupations to grow beyond home-based businesses, addressing the gap in commercial uses, providing cost-effective options, and enticing maker space or micro-flex developments. Director Thomas noted that Herriman had a large number of home occupations, and when they grow, they need affordable spaces which could be potentially 1,000 square feet rather than the 3,000-5,000 square feet typically available.

The amendments included adding definitions for new uses not previously in the code, creating a C-F (Commercial Flex) zone with specific purpose statements, and allowing self-storage as an accessory use. Drive-up self-storage would be limited primarily to users of the flex space, while indoor self-storage would be open to anyone. Properties would need to be at least five acres to include storage uses.



Development standards would follow closely to C-2 requirements but with allowances to keep costs down. The front of buildings facing streets would need to be dressed up, while the back areas used for deliveries could have reduced aesthetic requirements. The amendments also addressed parking requirements, setbacks, and landscaping standards.

The proposal included changes to the Major Corridor Sign Overlay, increasing spacing requirements from 200 to 500 feet and decreasing minimum acreage from 20 to 8 acres to make the overlay more usable along Mountain View Corridor. Director Thomas recalled the Planning Commission had recommended approval with a 5-1 vote, with the dissenting vote concerning self-storage uses.

Councilmember Ohrn questioned the definition of reselling versus pawn shops, which Director Thomas clarified were defined separately. Councilmember Anderson asked about self-storage limitations and HOA fees. Councilmember Henderson emphasized that the Council's role was to provide zoning tools, not control business operations or pricing. He focused on ensuring the language didn't overly restrict who could use the drive-up storage units. The Council agreed that policing owner-occupancy requirements would be difficult and should be left to HOA or property management rather than City enforcement.

*Councilmember Hodges moved to approve Ordinance No. 2025-21 amending the Herriman City Land Use Code to adopt the C-F Commercial Flex Zone and associated standards with the modification to strike the section requiring drive-up storage units be restricted only to owners or lessees of the primary use tenant space. Councilmember Henderson seconded the motion.*

*The vote was recorded as follows:*

<i>Councilmember Terrah Anderson</i>	<i>Aye</i>
<i>Councilmember Jared Henderson</i>	<i>Aye</i>
<i>Councilmember Teddy Hodges</i>	<i>Aye</i>
<i>Councilmember Sherrie Ohrn</i>	<i>Aye</i>
<i>Mayor Lorin Palmer</i>	<i>Aye</i>

The motion passed unanimously.

- 9.2. Review and consider a proposal by Larry Myler, Herriman 73 Partners LLC, to amend the Crescent Commercial Development Master Development Agreement (MDA) to allow Warehousing and General Wholesale activities as a conditional land use, modify buffer requirements between commercial and residential land**



**uses, and require compliance with architectural standards for commercial construction within the MDA for ±15.5 acres of property located approximately at 5452 W Herriman Boulevard in the C-2 Commercial Zone (City File No M2025-110) – Michael Maloy, City Planner**

Planning Manager Clint Spencer presented the proposal for amendments to the Crescent Commercial MDA, explaining that the 15.5-acre site is currently zoned C-2 and is surrounded by residential properties on the north and east sides. The conceptual site plan showed a building with loading docks on the backside and access roads, with Herriman Boulevard to the east. He outlined three key elements of the proposed amendments: adding warehousing and wholesale uses, modifying landscape buffer requirements, and addressing architectural standards.

Manager Spencer explained that the first amendment would add warehousing and wholesale uses as conditional uses, which were not currently permitted in the C-2 zone. This would be limited to the Crescent piece through the MDA and wouldn't apply to other C-2 zoned properties. He noted that a portion of the building would be utilized by the main occupant for warehousing, while the remainder would be office-type uses, retail, and other uses.

Regarding the buffer requirements, Manager Spencer detailed that instead of the standard 15-foot buffer with a 6-foot masonry wall required between commercial and residential uses, the proposal would provide increased setbacks: approximately 98 feet to the building on the east side, 66 feet on the north side, and 24 feet on the south side. The proposal would eliminate the masonry wall in favor of increased landscaping on a berm between the residential and commercial properties. He noted this approach was similar to what was approved for the Lifetime Fitness building.

For architectural standards, Manager Spencer explained that the building would be tilt-up concrete, which was not permitted in the C-2 zone but is allowed under the AMSD zone provisions already established in the existing MDA. He noted the Planning Commission had recommended approval on September 17, 2025.

Councilmember Henderson expressed concern about the need to consider future uses of the property beyond the current proposed user. He noted that while there has been considerable enthusiasm regarding the potential occupant, the Council's focus should remain on the overall land use and its impact on surrounding residents. Councilmember Henderson also emphasized the importance of receiving detailed information about the proposed buffer. He noted that uncertainty regarding the degree of the incline presents a significant issue and clarified that an inclined area does not serve the same purpose as a constructed berm designed to provide separation between different uses.

Councilmember Ohrn raised concerns regarding the design of the proposed buffer, observing that it appeared more like a ramp leading into adjacent backyards rather than an elevated berm intended to restrict traffic movement. She cautioned against focusing too heavily on the prospective user instead of the permitted uses being approved, noting the importance of maintaining flexibility should the proposed tenant not materialize. Councilmember Ohrn also emphasized the need to consider potential impacts on nearby residents, particularly with respect to operating hours and delivery truck activity.

Developer Larry Myler provided clarification regarding the proposed site design, explaining that the intended user, Black Clover, preferred the building to be situated closer to street level rather than atop the existing elevated soil. He stated that the development team planned to remove all contaminated soil down to the original grade, resulting in the finished building elevation being approximately two to four feet above sidewalk level, compared to the current elevation of about twelve feet.

Developer Myler confirmed that the developer has engaged Earthtouch to prepare a soil removal plan, which would be reviewed and approved by the City. He emphasized the importance of proper soil remediation and concurred with Councilmember Henderson's recommendation to adhere to the more stringent of the City's or EPA's soil safety standards.

Regarding the berm, Developer Myler suggested a 5-foot berm above the driving area with landscaping on top to provide both a physical barrier and decorative element. He confirmed that the entire property would be remediated in the first phase, not just the building area, and that there would be a proctor on-site daily during soil removal to monitor toxicity levels and ensure safety standards were met.

Director Thomas clarified that Herriman has institutional controls over contaminated soils in operable unit 3 per EPA's record of decision. The City's standard is 4,000 parts per million for lead in commercial development, as specified in city code section 10-15-1. He explained that the City has adopted standards and processes outlined in engineering standards, and reports to the EPA every five years on cleanup activities.

After extensive discussion about buffer specifications, soil remediation standards, and operational restrictions, the Council worked with the City Attorney Todd Sheeran to craft specific conditions. These included requirements for soil remediation to meet the more restrictive of city standards or any regulatory agency standards, specific buffer requirements including a 5-foot berm with landscaping, and provisions for operational restrictions on warehousing and wholesale activities to be addressed during the conditional use process.

*Councilmember Henderson moved to approve Ordinance No. 2025-22 approving the first amendment to the crescent commercial development Master Development Agreement to permit warehouse and wholesale land uses and modify architectural design and buffer requirements with the following conditions:*

*1. Berm and Landscaping*

*1.1. The berm shall be at least five (5) feet higher than the adjacent drive or parking area and include trees and other landscaping. Landscaping shall, at a minimum, comply with the standards of the C-2 zone, but the City may require additional landscaping as part of a conditional use permit review.*

*2. Contamination*

*2.1. The applicant shall ensure that soil contamination levels meet or exceed the remediation standards established in City Code Section 10.15.1, or any higher remediation level recommended by a regulatory agency.*

*3. Elevation Height*

*3.1. The finished floor elevation shall be no more than five (5) feet above the top back of curb (TBC).*

*4. Conditional Use Standards*

*4.1. The conditional use permit (CUP) standards and any conditions of approval shall run with the land and shall not terminate upon expiration or termination of any related agreement.*

*5. Administrative Authority to Finalize Conditions*

*5.1. The City Attorney and City Manager are authorized to make any modifications necessary to effectuate these conditions and to finalize the language of the approval documents consistent with the Council's direction.*

*The vote was recorded as follows:*

<i>Councilmember Terrah Anderson</i>	<i>Aye</i>
<i>Councilmember Jared Henderson</i>	<i>Aye</i>
<i>Councilmember Teddy Hodges</i>	<i>Aye</i>
<i>Councilmember Sherrie Ohrn</i>	<i>Nay</i>
<i>Mayor Lorin Palmer</i>	<i>Aye</i>

*The motion passed with a vote 4:1.*

*Councilmember Ohrn expressed concern with the process used to present the proposed Master Development Agreement. She stated that while she supports the project and hopes it moves forward, she was uncomfortable with receiving new information and making revisions*

so close to the meeting. She emphasized the importance of having adequate time to review all language in the MDA before voting, noting that even small wording changes could have significant consequences. She reiterated her support for seeing development progress but stated she could not vote to approve the agreement without sufficient time to review and understand all details.

Councilmember Hodges thanked City Manager Cherpeski for his expertise and professional recommendation. He expressed appreciation for staff efforts in working through the details during the meeting rather than delaying the discussion to a later date.

## 10. Future Meetings

10.1. Next Planning Meeting: October 15, 2025

10.2. Next City Council Meeting: October 22, 2025

## 11. 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

The closed session was conducted during the work session.

## 12. Adjournment

*Councilmember Ohrn moved to adjourn the Council meeting at 8:57 p.m. Councilmember Hodges seconded the motion, and all voted aye.*

## 13. 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 October 8, 2025. This document constitutes the official minutes for the Herriman City Council Meeting.*



Jackie Nostrom, MMC  
City Recorder