



CITY COUNCIL MINUTES

Wednesday, December 9, 2015

Approved January 13, 2016

The following are the minutes of the Regular City Council Meeting of the Herriman City Council. The meeting was held on **Wednesday, December 9, 2015 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.

Presiding:

Mayor Carmen Freeman

Council Members Present:

Mike Day, Matt Robinson, Craig B. Tischner, Coralee Wessman-Moser, Council-Elect Jared Henderson, and Council-Elect Nicole Martin

Staff Present:

Brett geo. Wood, City Manager
Gordon Haight II, Assistant City Manager
Jackie Nostrom, City Recorder
John Brems, City Attorney
Alan Rae, Finance Director
Danie Bills, Events Manager
Blake Thomas, City Engineer
Dwayne Anjewierden, Chief of Police
Clint Smith, Fire Chief
Cathryn Nelson, Chief Building Official
Justun Edwards, Water Director
Monte Johnson, Operations Director
Travis Dunn, Human Resources Manager

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

5:06:14 PM COUNCIL BUSINESS

Mayor Freeman called the meeting to order.

A. **5:07:34 PM Closed Session**

1. The Herriman City Council will temporarily recess the work meeting to convene in a closed session to discuss pending or reasonably imminent litigation and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205

COUNCILMEMBER DAY MOVED TO TEMPORARILY RECESS THE CITY COUNCIL WORK MEETING TO CONVENE IN A CLOSED SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, AND TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION AS PROVIDED BY UTAH CODE ANNOTATED §52-4-205. COUNCILMEMBER MOSER SECONDED THE MOTION.

The vote is recorded as follows:

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

The motion passed unanimously.

The work meeting reconvened at 6:46 p.m.

B. [6:46:47 PM](#) Review of this evening's agenda

Mayor Freeman reviewed the agenda for the evening. He informed the Council that due to the lack of time, the administrative reports during the work meeting would be continued.

C. Administrative Reports

- 1. Discussion relating to the Policy and Procedures Manual amendments** – Travis Dunn, Human Resource Manager
This discussion was continued due to the lack of time.
- 2. Discussion regarding the Parking Permit Program** – John Brems, City Attorney
This discussion was continued due to the lack of time.
- 3. Revised Reporting on Building Permit Activity** – Cathryn Nelson, Building Official
This discussion was continued due to the lack of time.
- 4. Planning Update** – Bryn McCarty, City Planner
This discussion was continued due to the lack of time.
- 5. Engineering Update** – Blake Thomas, City Engineer
This discussion was continued due to the lack of time.
- 6. Other Updates**

D. [6:49:54 PM](#) Adjournment

COUNCILMEMBER ROBINSON MOVED TO ADJOURN THE WORK MEETING. COUNCILMEMBER MOSER SECONDED THE MOTION, AND ALL VOTED AYE.

7:00 PM - GENERAL MEETING:

1. [7:01:57 PM](#) CALL TO ORDER

Mayor Freeman called the meeting to order and welcomed those in attendance.

A. [7:02:21 PM](#) Invocation and Pledge

The Invocation was offered by Mr. Easton Brooks. The Pledge of Allegiance was led by Scout Troop #1324.

B. [7:03:51 PM](#) Mayor's Comments

Mayor Freeman congratulated the Herriman High football team for their 5A state championship.

C. [7:04:35 PM](#) Council Recognitions

There were no Council Recognitions.

2. [7:04:39 PM](#) PUBLIC COMMENT

There was no public comment offered.

3. REPORTS, PRESENTATIONS AND APPOINTMENTS

A. [7:05:13 PM](#) Jordan School District Report – J. Lynn Crane, Jordan School District Board of Education Member

Board Member J. Lynn Crane thanked the Council for the opportunity to speak. He reminded the Council of the agreement that was approved by members of the District that was designed to collaborate with one another. The Board of Education and cities has approved a draft five year building construction plan. The plan is tentative and may change as the District consistently reviews needs, and the Board will annually present an updated plan to the members of the District.

Board Member Crane reviewed the draft construction timeline that includes two elementary schools during 2016-2017, two middle schools in 2017-2019, two elementary schools in 2018-2019, one high school 2017-2020, and another middle school during 2019-2021. He reminded the Council that plans beyond the first year (2015-2016) are tentative and will be reviewed annually. The construction plan is based on a successful bond election in 2016.

B. [7:25:16 PM](#) Update on the Sales and Franchise Bond – Brett Wood, City Manager

City Manager Brett Wood expressed his excitement about recent events and was happy to report on the bond market. He noted that Herriman City was able to maintain the bond rating of AA- as he turned the time over to Vice President of Zions Public Finance Johnathan Ward. Vice President Ward informed the Council that the timing to go to the bond market couldn't have been better, and offered a summary of the recent market. The interest rate on the bond was 3.13% and sold higher than face value. He observed the total savings of the refinancing bond in the amount of \$632,000, and thanked Finance Director Alan Rae for his diligent work. City Manager Brett Wood recognized the great finance team in Herriman. Mayor Freeman observed the taxpayer money saved through dedicated work of Finance Director Alan Rae and Zions Bank Vice President Johnathan Ward.

C. [7:39:52 PM](#) Appreciation presentation for outgoing Council Members – Travis Dunn, Human Resource Director & Tami Moody, Director of Administration and Communications

Human Resource Manager Travis Dunn expressed his appreciation to the Council for the opportunity to participate in the presentation for the outgoing Council Members. He informed the Council that Director of Administration Tami Moody sends her sincere apologies for not being able to attend. Manager Dunn extended his gratitude to Councilmember Mike Day and Councilmember Matt Robinson for the high level of leadership they portrayed and their lasting legacy to Herriman City.

City Manager Brett Wood thanked the Council for what they have done for the City and personnel. He reiterated Director Moody's apologies for not attending. City Manager Wood presented a video of events that displayed contributions offered by Councilmember Day and Councilmember Robinson. (Due to technical difficulties, there was no sound during the video presentation.)

City Manager Brett Wood thanked the Council Members for their continued effort of standing up for the community and the employees as he presented the members with Street Signs and Plaques in honor of their service to the City. Mayor Freeman expressed his appreciation to the Council Members and spouses for their support. Councilmember Moser reflected on the Meet the Candidates' Night eight years ago and how impressive they were. She highlighted one statement made that night, "If you don't vote for me, vote for him." This demonstrated integrity then, and that carried through their service. Councilmember Tischner thanked the Council Members for their service and selflessness, and asked the audience to join him to offer the outgoing Council Members a standing ovation.

Councilmember Mike Day expressed his appreciation to City Manager Brett Wood and staff for their willingness to collaborate. He noted that he would like to see the Arts Council continue and to continue pushing for economic development. Councilmember Day stated that voting to begin the Towne Center/City Hall Project was the right decision, and explained that every decision made also comes with a risk. He expressed his gratitude for the ACUB funding in order to purchase trails, and strongly encouraged to keep Blackridge Reservoir open to the public.

Councilmember Matt Robinson agreed with Councilmember Day. He continued with the thought that the Council stands on the shoulders of those who came before, and that they inherited a great legacy and continued with the vision of what the City can become. Councilmember Robinson expressed his appreciation for the employees of the City, and noted they are the best in the state, if not, the country. He explained that being elected to serve the people of the City is a great honor and takes a tremendous amount of trust, and added that Elected Officials feel that burden. He recognized and thanked his family for their support as he completed his service. Councilmember Robinson expressed his immense appreciation and gratitude to be able to represent Herriman in this capacity.

4. PUBLIC HEARING AGENDA

A. **8:14:15 PM Public Hearing and consideration of a resolution to amend the Herriman City 2015-2016 fiscal year budget** – Alan Rae, Finance Director

Finance Director Alan Rae offered the background of the proposed budget amendment beginning with the Youth Council request. At the previous meeting it was proposed that an increase to the Youth Council budget by \$6,200 to provide for the USU Youth Council Conference, scholarships and travel expenses. The next request is for City Hall expenses not funded by the bond. In the next few months, it is anticipated that some impact fee revenue will be received, and request permission to set that money aside to fund the Herriman Towne Center/City Hall project in the amount of \$2,000,000.

New projects and economic development arising from the East Herriman development are requiring the City to retain additional legal and consulting to facilitate and manage the projects. The requested amendment was for the Economic Development budget is increased by \$90,000. Herriman City was awarded an Army Compatible Use Buffer (ACUB) grant to buy land on the hillside to create a buffer to Camp Williams. This portion of the budget amendment recognizes the receipt of the funds as well as the expenditure in the amount of \$2,706,360.

It is anticipated that the City will received a prepayment of park impact fees to be used to purchase property in east Herriman in the amount of \$3,000,000. The associated land purchase expenditure is \$3,468,000. A reimbursement agreement would be drafted to cover the remaining amount of the expenditure as impact fees are collected. The Utah Department of Transportation will transfer \$1,700,000 to complete 11800 South at Mountain View

Corridor. The budget amendment is for the receipt of the anticipated money. The money will be used to purchase a tract of land in the amount of \$2,200,000.

The City has been awarded \$580,000 from the Corridor Preservation, and this request is to receive the funds. The money will be combined with the previously acquired \$600,000 budgeted to purchase right-of-way property for the Herriman Parkway extension. It will also need an additional budget amendment in the amount of \$647,384 for land acquisition.

The next request is to receive a prepayment of impact fees of \$12,000,000 that will be used for infrastructure construction in east Herriman and the repayment of the Bond Anticipation Note (BAN) 2014. The final proposed amendment is to budget for projects proposed and continuing projects for the Water Department. The projects have been anticipated by the Capital Facilities Plan and Impact Fees are sufficient to cover the costs.

Mayor Freeman opened the public hearing at 8:23 p.m.

There were no comments offered.

COUNCILMEMBER ROBINSON MOVED TO CLOSE THE PUBLIC HEARING. COUNCILMEMBER DAY SECONDED THE MOTION, AND ALL VOTED AYE.

COUNCILMEMBER TISCHNER MOVED TO APPROVE RESOLUTION NO. R35-2015 APPROVING AN AMENDMENT TO THE 2015-2016 FISCAL YEAR BUDGET WITH AMENDMENTS AS NOTED. COUNCILMEMBER MOSER SECONDED THE MOTION.

The vote is recorded as follows:

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

The motion passed unanimously.

5. **8:24:58 PM** CONSENT AGENDA

- A. **Approval of a resolution approving an Interlocal agreement with Salt Lake County for Corridor Preservation** – Jory, Howell, Engineering
- B. **Approval of a resolution adopting the 2016 Annual Meeting Schedule** – Jackie Nostrom, City Recorder
- C. **Approval of a resolution authorizing various changes to the Policy and Procedures Manual** – Travis Dunn, Human Resources Manager
- D. **Approval of the monthly Financial Report** – Alan Rae, Finance Director
- E. **Approval of a resolution approving the Mutual Aid Interlocal Agreement for Utah Public Works Emergency Management** – Monte Johnson, Operations Director
- F. **Approval of a resolution appointing the Herriman Representative to the South Valley Sewer District** – John Brems, City Attorney

G. Approval of an ordinance readopting the Community Development Project Area Plan Entitled “Herriman Business Center Community Development Project Area Plan,” Dated January 2015 – John Brems, City Attorney

COUNCILMEMBER MOSER MOVED TO APPROVE THE CONSENT AGENDA AS WRITTEN AND NOTED THAT MAYOR FREEMAN WOULD BE THE APPOINTED HERRIMAN REPRESENTATIVE TO THE SOUTH VALLEY SEWER DISTRICT.

COUNCILMEMBER MOSER AMENDED THE MOTION TO CONTINUE ITEM NUMBER 5.C. TO A FUTURE CITY COUNCIL MEETING. COUNCILMEMBER ROBINSON SECONDED THE MOTION.

The vote is recorded as follows:

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

The motion passed unanimously.

6. DISCUSSION AND ACTION ITEMS

A. [8:27:40 PM](#) Discussion and consideration of an ordinance declaring property located at or near 6400 West Herriman Parkway as surplus – John Brems, City Attorney

City Attorney John Brems informed the Council that this ordinance authorizes a property exchange.

COUNCILMEMBER DAY MOVED TO APPROVE ORDINANCE NO. 2015-41 DECLARING APPROXIMATELY 49.22 ACRES OF REAL PROPERTY, LOCATED AT OR NEAR 6400 WEST HERRIMAN PARKWAY (12400 SOUTH), SALT LAKE COUNTY, UTAH, AS SURPLUS, ESTABLISHING A MINIMUM BID, AND ESTABLISHING A METHOD TO DETERMINE THE HIGHEST AND BEST ECONOMIC RETURN TO THE CITY. COUNCILMEMBER TISCHNER SECONDED THE MOTION.

The vote is recorded as follows:

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

The motion passed unanimously.

B. [8:28:40 PM](#) Discussion and consideration of a resolution approving an amendment to the Master Development Agreement for the South Hills Master Planned Community – John Brems, City Attorney

City Attorney John Brems indicated that the development agreement with South Hills and Rosecrest does two things. First, removes the requirement of needing South Hills Boulevard because the installation of Mountain View Corridor satisfied the requirement and secondly, moves some density into a different part of the development designated for apartments. Councilmember Moser asked about any clauses associated with the amendment. Attorney Brems indicated that the conditions would be addressed with the Planning Commission.

COUNCILMEMBER ROBINSON MOVED TO APPROVE RESOLUTION NO. R36-2015 APPROVING THE FIRST AMENDMENT TO THE MASTER DEVELOPMENT AGREEMENT FOR THE SOUTH HILLS MASTER PLANNED COMMUNITY. COUNCILMEMBER DAY SECONDED THE MOTION.

The vote is recorded as follows:

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

The motion passed unanimously.

C. **8:30:23 PM** Discussion and consideration of a resolution declaring intent to purchase certain property located at or near 14199 South 4800 West from the Jordan School District that has been declared surplus– John Brems, City Attorney

City Attorney John Brems informed the Council that the Jordan School District approved to surplus this property on December 8, 2015. To approve this resolution is one of the steps in the process to obtain the property. Councilmember Moser asked if the appraisal has been completed and is in compliance. Attorney Brems confirmed.

COUNCILMEMBER MOSER MOVED TO APPROVE RESOLUTION NO. R37-2015 DECLARING INTENT TO PURCHASE CERTAIN PROPERTY LOCATED AT OR NEAR 14199 SOUTH 4800 WEST FROM THE JORDAN SCHOOL DISTRICT THAT HAS BEEN DECLARED SURPLUS BY THE DISTRICT. COUNCILMEMBER DAY SECONDED THE MOTION.

The vote is recorded as follows:

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

The motion passed unanimously.

D. **8:32:00 PM** Discussion and consideration of an ordinance notifying the public of a pending sign ordinance – Bryn McCarty, City Planner

City Attorney John Brems reminded the Council of the previous meeting the Council directed staff to begin the process to amend the sign ordinance. To address any unintended consequences this ordinance would notify the public that the City is initiating a change to the sign ordinance and no new signs will be approved while the new ordinance is being processed.

COUNCILMEMBER MOSER MOVED TO APPROVE ORDINANCE NO. 2015-42 TO NOTIFY THE PUBLIC OF A PENDING ORDINANCE WITH RESPECT TO SIGNS. COUNCILMEMBER ROBINSON SECONDED THE MOTION.

The vote is recorded as follows:

Councilmember Mike Day	Aye
Councilmember Matt Robinson	Aye
Councilmember Craig B. Tischner	Aye



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