HERRIMAN CITY

CITY COUNCIL

Thursday, September 12, 2013

WORK MEETING: *(Items are for discussion only)*

- ☐ Review of tonight's agenda – *Interim Mayor, Clint Smith*
- ☐ Additional:
  - Budget Amendment – *Shauna DeKorver, Finance*
  - Capital Project Update – *Gordon Haight, Assist. City Manager / Blake Thomas, City Engineer*
  - Economic Development Incentive – *Heather Upshaw, Planner*
  - Planning Updates – *Bryn McCarty, Planner*
  - Deer Issue – *Brett geo. Wood, City Manager*
  - Entrance Sign Presentation – *Brett geo. Wood, City Manager*
  - City Updates – *Brett geo. Wood, City Manager*
  - Comments from Council Members
  - Other

NOTES: _____

HERRIMAN CITY

CITY COUNCIL

Thursday, September 12, 2013

GENERAL MEETING:

1. Welcome-
   - .1 Invocation:
   - .2 Pledge of Allegiance:
   - .3 Roll Call:
   - .4 Citizen Comments: *(Citizens times to address the council with issues that are NOT listed on tonight's agenda)*

NOTES: _____

HERRIMAN CITY

CITY COUNCIL

Thursday, September 12, 2013

Item 2.1

2. CONSENT AGENDA:
   .1 Electronic/Paper Minutes: Thursday, August 22, 2013 RCCM

NOTES:

CITY COUNCIL AGENDA

Thursday, August 22, 2013

WAITING FORMAL APPROVAL

~ ~ ~ ~ ~ ~ ~

6:00 PM ~ WORK MEETING: *(Items are for discussion only)*

Attendance: Mayor Pro Tempore, Matt Robinson

Council Members Present: Mike Day, Craig B. Tischner and Coralee Wessman-Moser

Staff Present:
John Brems, City Attorney
Kristi Peterson, City Recorder
Brett Wood, City Manager
Gordon M. Haight II, Asst. City Manager
Shauna DeKorver, Finance Director
Monte Johnson, Operation Director
Justun Edwards, Water Director
Heather Upshaw, Planner
Wade Sharp, Park Manager

☐ Review of tonight's agenda – *Mayor Pro Tempore Matt Robinson*
☐ Additional:
- Rosecrest Special Assessment Area #1 Update – *Justun Edwards, Water Director*
- Capital Projects Update – *Gordon Haight, Asst. City Manager*
- City Updates –*Brett geo. Wood, City Manager*
- Comments from Council Members
- Other

~ ~ ~ ~ ~ ~ ~

6:30 PM ~ GENERAL MEETING:

Attendance: Mayor Pro Tempore, Matt Robinson

Council Members Present: Mike Day, Craig B. Tischner and Coralee Wessman-Moser

Staff Present:
John Brems, City Attorney
Kristi Peterson, City Recorder
Brett Wood, City Manager
Gordon M. Haight II, Asst. City Manager
Shauna DeKorver, Finance Director
Monte Johnson, Operation Director
Justun Edwards, Water Director
Heather Upshaw, Planner
Wade Sharp, Parks Manager
Tami Moody, PIO

1. Welcome-

Mayor Pro Tempore, Matt Robinson called the Herriman City Council meeting to order at 6:48:54 PM and welcomed those in attendance.

6:50:04 PM .1 Invocation:
David Figge offered the invocation.

6:50:54 PM .2 Pledge of Allegiance:
Todd Griffithins led the pledge of allegiance.

6:49:49 PM .3 Roll Call:

6:51:35 PM .4 Citizen Comments: *(A time for citizens to address the council with issues that is NOT listed on tonight's agenda)*
Mayor Pro Tempore, Matt Robinson opens the citizen comments portion of the agenda. He calls for any person(s) who wish to speak to the council to come to the podium, state their name and address and to speak about issues that are not listed on tonight's city agenda.

Sky Travis address on file. Mirabella need some assistance to be safer. Pedestrian can stand at the crosswalk waiting for cars to stop, sometimes for several minutes. Cars do not seem to see the pedestrians. In addition to cars not noticing the pedestrians, when cars are speeding it poses real challenges for pedestrians to clear the crosswalk fast enough. Also, the channelling of school traffic onto one sidewalk (West side of Mirabella, but North of 13400 South) is crowding the bikers, strollers, walkers etc... The children who are biking will often leave the sidewalk and dart into the road to avoid the crowded sidewalk.

Annie Clayton, address on file. Ditto to what Sky said... The intersection of Mirabella and 13400 South needs more attention. Pedestrian could stand there for several minutes before a car will stop for them to cross on the crosswalk. There are also many cars speeding and that poses a real danger in that section where the crosswalk is.

Michelle Baguley, address on file. This is a duplicate of the letter Mrs. Baguley submitted.

Honorable Herriman City Council,

My quest today is to assist the taxpayers of Herriman to find some palatable solutions to educating our children.

Our city is blessed with an average youthful demographic. The development of parks, trails and family sized homes has not only welcomed but has also accommodated the need of growing families.

In the past Herriman was active player at the table in securing school sites. The Planning department has been diligent in identifying locations and facilitating conversation between developers and the Jordan School District.

Although this is commendable, it is not longer enough. Our District is in a housing crisis mode and the response is to float a $500M bond. Taxpayers are outraged and the School District is left with few tools to accommodate our growing population.

Municipalities have been granted the right to leverage impact fees to build parks, roads and storm drains. Make no mistake that this is also a tax burden upon development however, it is a tax that responds to growth and is a one-time fee that does not continue in perpetuity.

One practice of Herriman City has been to exact impact fees for parks, trail and open space. There are formulas for calculating the impact, need and level of participation. Sometimes development has built the parks or given money in lieu to build a park at a different location. Development has also been granted density bonuses when they contribute a certain percentage of open space to the project. This is how Herriman has been successful in providing for recreational needs.

Using these tools, I am recommending three steps to reduce the tax burden for schools and patrons.

1. Herriman city should revise its ordinance to include school sites in the density bonus calculation, giving full credit to the calculation, with the caveat that the land must be DONATED to the school district.
2. That a condition be placed on the transaction requiring an inter-local agreement with the school district and Herriman city for JOINT usage of fields and facilities.
3. Herriman and the school district must recognize that this is NOT THE ONLY WAY to reduce the burden on taxpayers. We must stop doing things in the same fashion, expecting different results.

What are the benefits?

1. The donation of property will lessen the overall cost of building.
2. Partnering with the school district will avoid double taxation.
3. Development will be more responsive to the impact of density.
4. Herriman will be a leader in seeking solutions to educating our children.

This will require some planning, negotiating and scheduling changes but I believe that we should use our resources wisely.

I offer this in behalf of Herriman and her children.

Michelle Baguley
Herriman Mayoral Candidate

There were no other citizen comments from the public tonight.
Mayor Pro Tempore, Matt Robinson declared the citizen comments closed.

2. CONSENT AGENDA:

7:08:09 PM .1 Electronic/Paper Minutes: Thursday, August 8, 2013

Council Member Coralee Wessman-Moser **MOVED** to approve the electronic and draft written minutes of Thursday, August 8, 2013.
Council Member Mike Day **SECONDED** the motion.
Mayor Pro Tempore, Matt Robinson asked if there are any questions, comments or concerns regarding the motion.
Being none, he calls for a vote.
All present members voiced a unanimous yes to approve the written and electronic minutes as set forth.

3. PUBLIC HEARING: – *Gordon Haight, Asst. City Manager*

7:08:42 PM .1 Storm Drain Impact Fee Enactment

Mayor Pro Tempore, Matt Robinson declares the public hearing portion of the agenda open and calls for any persons wishing to express their concerns on this item to come to the podium to address the City Council members.
There were no public remarks on this item.
Mayor Pro Tempore, Matt Robinson declared this public hearing closed.

4. PLANNING MATTERS: – *Heather Upshaw, Planner*

Rezoning:

7:10:48 PM .1 Discussions and consideration of **Ordinance No. 13-27** "10Z13 – Barlow – 13867 S 7300 W – rezone from A-1 to A .25"

Council Member Mike Day **MOVED** to adopt ordinance n. 13-27 file 10Z13 - Barlow - 13867 South 7300 West rezone from A-1 to A .25.
Council Member Coralee Wessman-Moser **SECONDED** the motion.
Mayor Pro Tempore, Matt Robinson asked if there were any questions on the motion.
Being none, he calls for a roll call vote.

Councilman Mike Day	Yes
Councilman Matt Robinson	Yes, the council is sharing the equal topic future work session
Councilman Craig B. Tischner	No
Councilwoman Coralee Wessman-Moser	Yes, this is something we didn't want to do but...

This voting was unanimous; the motion carried.

7:34:00 PM .2 Discussions and consideration of **Ordinance No. 13-28** "02Z13 – Anthem Development – 12000 S 5600 W – Proposed Zone Change from C-2 to C-1 and R-2-10"

Council Member Coralee Wessman-Moser **MOVED** to adopt ordinance no. 13-28 file 02Z13 Anthem Development 12000 South 5600 West proposed zone change from C-2 to C-1 and R-2-10
Council Member Mike Day **SECONDED** the motion.
Mayor Pro Tempore, Matt Robinson asked if there were any questions on the motion.
Being none, he calls for a roll call vote.

Councilman Mike Day	Yes
Councilman Matt Robinson	Yes
Councilman Craig B. Tischner	Yes
Councilwoman Coralee Wessman-Moser	Yes

This voting was unanimous; the motion carried.

7:39:12 PM .3 Discussions and consideration of **Ordinance No. 13-29** "03Z13– Anthem Development – Text change to add "Congregate Living Facility" as a conditional use in the C-2 zone and the term to the definition section of the land use regulations"

Council Member Mike Day **MOVED** to adopt ordinance no. 13-29 03Z13, Anthem Development- text change to add Congregate Living facility as a conditional use in the C-2 zone
Council Member Coralee Wessman-Moser **SECONDED** the motion.
Mayor Pro Tempore, Matt Robinson asked if there were any questions on the motion.
Being none, he calls for a roll call vote.

Councilman Mike Day	Yes

Councilman Matt Robinson	Yes
Councilman Craig B. Tischner	Yes
Councilwoman Coralee Wessman-Moser	Yes

This voting was unanimous; the motion carried.

7:46:00 PM Mayor Pro Tempore makes comment for the record, We're talking about planning in an area that is specifically for density park and major traffic corridors, eventually a light rail "TRAX" will go there or close by it, giving greater and greater options to people living in that area. This is a great place if we are going to have density; it's a great place to have it. As well as bringing an element to our community that today I think we lack, which is amazing experience that will be a tremendous value to us.

5. DISCUSSION /ACTION MATTERS:

7:46:56 PM .1 Discussions and consideration of **Ordinance No. 13-26** "Ordinance reaffirming the adoption of the 2013 Storm Drain Impact Fee Facility Plan and the Herriman Storm Water Impact Fee Analysis (June 2013); Adopting an impact fee enactment that imposes a Storm Water, Drainage, and Flood Control Facilities Impact Fee; providing for the calculation and collection of such fee; and providing for appeal, accounting, severability of the same, and other related matters". – *Gordon Haight, Asst. City Manager*

Council Member Coralee Wessman-Moser **MOVED** to adopt ordinance no. 13-26 an ordinance reaffirming the adoption of the 2013 Storm Drain Impact Fee Facility Plan and the Herriman Storm Water Impact Fee Analysis (June 2013)' Adopting an impact fee enactment that imposes a storm water, drainage and flood control facilities impact fee, providing for calculation and collection of such fee; and providing for appeal, accounting, severability of the same and other related matters.
Mayor Pro Tempore, Matt Robinson states we have a motion do we have a second.
Council Member Mike Day **SECONDED** the motion.
Mayor Mills asks the Council Members if they have any questions.
Being none.
Mayor Mills asks for a roll call vote.

Councilman Mike Day	Yes
Councilman Matt Robinson	Yes
Councilman Craig B. Tischner	Yes
Councilwoman Coralee Wessman-Moser	Yes

This motion carried.

7:48:15 PM .2 To set a date for the public hearing for the discussion and consideration of **Resolution No. 13.36** "A resolution of the Herriman City Council approving an amendment to the 2013-2014 fiscal year budget". – *Shauna DeKorver, Finance Shauna, Sept. 12,*

Council Member Craig B. Tischner **MOVED** to setting the date of September 12, 2013 for the public hearing.
Mayor Pro Tempore, Matt Robinson states we have a motion do we have a second.
Council Member Coralee Wessman-Moser **SECONDED** the motion.
Mayor Mills asks the Council Members if they have any questions.
Being none.
Mayor Mills asks for a roll call vote.

Councilman Mike Day	Yes
Councilman Matt Robinson	Yes
Councilman Craig B. Tischner	Yes
Councilwoman Coralee Wessman-Moser	Yes

This motion carried.

6. UPCOMING EVENTS IN THE CITY:

SEPTEMBER:

24th Senior Social Fire Station 123 12:00pm
19th-21st & 23rd Children's Theatre Production "Forever Disney" W & M Butterfield Park 7:30pm

7. FUTURE MEETINGS:

Special Board of Canvassers Meeting: Tuesday, August 27, 2013 @ 6:00pm

Special City Council Meeting:	Tuesday, August 27, 2013 @ 6:30pm
General Plan Draft Open House:	Wednesday, August 28, 2013 @ 6:00pm
Next Regular Planning Commission Meeting:	Thursday, September 5, 2013 @ 7:00pm
Next Regular City Council Meeting:	Thursday, September 12, 2013 @ 7:30pm

Anthem Open House -August 29, 6 to 7pm plan for the open house.

8. ADJOURNMENT:

Mayor Mills states if there is no additional business to come before the Herriman City Council tonight, he asks for a motion to adjourn to recommence back into the work meeting

Council Member Mike Day **MOVED** to adjourn this meeting at 7:54:56 PM
Council Member Craig B. Tischner **SECONDED** the motion.
All City Council Members voted in support of this motion.
Motion carried.

9. RECOMMENCE TO WORK MEETING:

.1 City Council Discussions on City Priorities – *Brett geo. Wood, City Manager*
Meeting ended at 11:56:27 PM

10. SOCIAL GATHERING: *(Social)*

Will take place at Arctic Circle, 13162 South 5600 West, Herriman, UT

I, Kristi Peterson, 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 this date of Thursday, August 22, 2013.

Kristi Peterson, MMC
Herriman City Recorder

HERRIMAN CITY

CITY COUNCIL

Thursday, September 12, 2013

Item 3.1

3. **PRESENTATIONS:**
   .1 Jordan School District Bond Review - *Superintendent Patrice Johnson*

NOTES:

HERRIMAN CITY

CITY COUNCIL

Thursday, September 12, 2013

Item 3.2

3. **PRESENTATIONS:**
   .2 Economic Development Committee Incentive Recommendations – *Tony Diconza*

NOTES:

HERRIMAN CITY

CITY COUNCIL

Thursday, September 12, 2013

Item 4.1

4. PUBLIC HEARING:
   .1 Budget Amendments – *Shauna DeKorver, Finance Director*

NOTES: _____

Herriman City
Public Hearing Notice

NOTICE IS HEREBY GIVEN that the Herriman City Council will hold a Public Hearing on Thursday, September 12, 2013 at 7:30 pm at the Herriman Community Center, City Council Chambers located at 13011 South Pioneer Street (6000 West) Herriman, Utah. The purpose of the hearing is to consider amendments to the current year's budget for the period of July 1, 2013 through June 30, 2014. All interested persons shall be given the opportunity to be heard. In accordance with the Americans with Disabilities Act, Herriman City will make reasonable accommodations to participate in this meeting. Requests for assistance can be made by calling (801) 446-5323, at least 48 hours in advance of the meeting to be attended.

Ordered for notice by the finance department on this 28th day of August 2013

/s/Kristi Peterson, MMC

Herriman City Recorder

HERRIMAN CITY

CITY COUNCIL

Thursday, September 12, 2013

Item 5.1

5. FINANCIAL MATTERS:

.1 Discussions and consideration of **Resolution No. 13.36** "A resolution of the Herriman City Council approving an amendment to the 2013-2014 fiscal year budget".
–Shauna DeKorver, Finance

NOTES:

HERRIMAN, UTAH
RESOLUTION NO. 13.36

A RESOLUTION OF THE HERRIMAN CITY COUNCIL APPROVING AN AMENDMENT TO THE 2013-2014 FISCAL YEAR BUDGET

WHEREAS, the Herriman City Council ("*Council*") met in regular meeting on September 12, 2013, to consider, among other things, approving an amendment to the 2013-2014 fiscal year budget; and

WHEREAS, the Council has determined it necessary to amend the budget to reflect various changes; and

WHEREAS, the Council determines that the amendment presented to the Council is necessary and appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Council that the budget for the period of July 1, 2013, through June 30, 2014, is hereby amended as set forth on the attached amended budget.

This Resolution, assigned No. 13.36, shall take effect immediately upon passage and acceptance as provided herein.

PASSED AND APPROVED by the Council of Herriman, Utah, this 12th day of September 2013.

HERRIMAN COUNCIL

_____
Clint Smith, Interim **Mayor**

ATTEST:

_____
Kristi Peterson, MMC
City Recorder

VOTING:

Mike Day	Yea ____	Nay ___
Craig B. Tischner	Yea ____	Nay ___
Coralee Wessman-Moser	Yea ____	Nay ___
Matt Robinson	Yea ____	Nay ___

PRESENTED to the Interim Mayor of Herriman City for approval this 12th day of September, 2013

APPROVED this 12th day of September, 2013.

Clint Smith, Interim Mayor

ATTEST:

Kristi Peterson, MMC
City Recorder

DEPOSITED in the office of the City Recorder this 12th day of September, 2013.

RECORDED this 12th day of September, 2013.

Certificate of Passage

STATE OF UTAH)
)SS
COUNTY OF SALT LAKE)

I, Kristi Peterson, the duly appointed, qualified and acting City Recorder for Herriman City, State of Utah, certify that the attached

RESOLUTION NO. 13.36

A RESOLUTION OF THE HERRIMAN CITY COUNCIL APPROVING AN AMENDMENT TO THE 2013-2014 FISCAL YEAR BUDGET

Was adopted by the Herriman City Council at a meeting duly called and held in Herriman, Utah on the 12th day of September 2013 at 7:30pm.

I certify that after its passage I caused the Resolution to be filed in office of the City Recorder.

K Peterson

Kristi Peterson, MMC
Herriman City Recorder

HERRIMAN CITY

CITY COUNCIL

Thursday, September 12, 2013

Item 6.1

6. **PLANNING MATTERS:**

Text Change:

.1 Discussions and consideration of **Ordinance No. 13-31** "17S12 – Herriman City – Text Change to Chapter 11-7-8, Curbs, Gutters, Sidewalks and Park Strips"
– *Bryn McCarty, Planner*

NOTES: _____

HERRIMAN, UTAH
ORDINANCE NO. 13-31

17S12 – HERRIMAN CITY – TEXT CHANGE TO CHAPTER 11-7-8, CURBS, GUTTERS, SIDEWALKS AND PARK STRIPS

WHEREAS, the City of Herriman, pursuant to state law, may enact a land use ordinance establishing regulations for land use and development; and

WHEREAS, pursuant to state law, the Planning Commission shall prepare and recommend to the City Council the proposed land use ordinance amendment; and

WHEREAS, pursuant to City of Herriman Land Use Ordinance, the Planning Commission shall hold a public hearing and provide reasonable notice at least 10 days prior to said public hearing to prepare and recommend to the City Council the proposed land use ordinance text changes; and

WHEREAS, notice of the Planning Commission public hearing on the land use ordinance text change was published on October 22, 2012, noticing of the November 1, 2012, public hearing at 7:00 p.m.; and

WHEREAS, the Planning Commission recommended approval of the land use ordinance text change in the meeting held on August 1, 2013, at 7:00 p.m. in the Community Center; and

WHEREAS, pursuant to City of Herriman Ordinance, the City Council must hold a public meeting allowing public input at said public meeting; and

WHEREAS, the City Council public meeting on September 12, 2013, was held at 7:30 p.m.; and

WHEREAS, the City Council finds that it is in the best interest of the citizens of the City of Herriman to adopt the land use ordinance text change as recommended by the Planning Commission;

NOW THEREFORE, be it ordained by the Herriman City Council that the following text change be adopted as a change to the land use ordinance of the City: (*the underlined text is the new wording and the strikethrough text is to be deleted*)

11-7-8: CURBS, GUTTERS, SIDEWALKS AND PARK STRIPS:

F. Exceptions: The improvements required by this section shall not apply to those properties where the Land Use Authority determines that conditions exist which make it unfeasible or impractical to install the required public improvements~~, which meet all of the following conditions:~~

~~1. Property that fronts along existing, paved, public roads.~~

~~2. Property shall meet either of the requirements listed below:~~

~~a. Property one and one-half ($1^1/_2$) acres or smaller shall be allowed to subdivide according to the applicable zone;~~

~~b. Property larger than one and one-half ($1^1/_2$) acres shall only subdivide one lot per year according to the applicable zoning.~~

~~3. Property that has been subdivided and recorded prior to the date of this approval or legally subdivided by the city after this date.~~

PASSED AND APPROVED this 12th day of September, 2013.

HERRIMAN CITY COUNCIL

By:_____
Clint Smith, Chairman

VOTING:

Clint Smith	____ Yes	____ No
Mike Day	____ Yes	____ No
Matt Robinson	____ Yes	____ No
Craig B. Tischner	____ Yes	____ No
Coralee Wessman-Moser	____ Yes	____ No

PRESENTED to the Interim Mayor of Herriman City for approval this 12th day of September 2013

APPROVED this 12th day of September 2013.

By:_____
Clint Smith, **Interim Mayor**

ATTEST:

_____
Kristi Peterson, MMC
City Recorder

DEPOSITED in the office of the City Recorder this 12th day of September 2013.

RECORDED this 12th day of September 2013.

CERTIFICATE OF POSTING

STATE OF UTAH)
) SS:
COUNTY OF SALT LAKE)

I, Kristi Peterson, do hereby certify that I am the duly appointed, qualified and acting City Recorder for Herriman, State of Utah, and do further certify that the foregoing is a true and correct copy of

ORDINANCE NO. 13-31

17S12 – HERRIMAN CITY – TEXT CHANGE TO CHAPTER 11-7-8, CURBS, GUTTERS, SIDEWALKS AND PARK STRIPS

Herriman City Council duly adopted this Ordinance at a meeting duly called and held in Herriman, Utah on the September 12, 2013 at the hour of 7:30 o'clock P.M. of said day, and I certify that after its passage I caused to be posted a copy of the Ordinance in the following location:

1. Herriman Community Center bulletin board, main floor - 13011 S Pioneer Street (6000 West)
2. Public Notice Website at http://www.utah.gov/pmn/index.html
3. Herriman City Website: www.Herriman.org

K Peterson

Kristi Peterson, MMC
Herriman City Recorder

HERRIMAN CITY

CITY COUNCIL

Thursday, September 12, 2013

Item 6.2

6. **PLANNING MATTERS:**

Text Change:

.2 Discussions and consideration of **Ordinance No. 13-23** File #: 16S13 – Herriman City – Text Change to chapter 11-7-17, Performance Bonds". *Bryn McCarty, Planner*

NOTES: _____

HERRIMAN, UTAH
ORDINANCE NO. 13-23

16S13 – HERRIMAN CITY – TEXT CHANGE TO CHAPTER 11-7-17, PERFORMANCE BONDS

WHEREAS, the City of Herriman, pursuant to state law, may enact a land use ordinance establishing regulations for land use and development; and

WHEREAS, pursuant to state law, the Planning Commission shall prepare and recommend to the City Council the proposed land use ordinance amendment; and

WHEREAS, pursuant to City of Herriman Land Use Ordinance, the Planning Commission shall hold a public hearing and provide reasonable notice at least 10 days prior to said public hearing to prepare and recommend to the City Council the proposed land use ordinance text changes; and

WHEREAS, notice of the Planning Commission public hearing on the land use ordinance text change was published on July 8, 2013, noticing of the July 18, 2013, public hearing at 7:00 p.m.; and

WHEREAS, the Planning Commission recommended approval of the land use ordinance text change in the meeting held on July 18, 2013, at 7:00 p.m. in the Community Center; and

WHEREAS, pursuant to City of Herriman Ordinance, the City Council must hold a public meeting allowing public input at said public meeting; and

WHEREAS, the City Council public meeting on September 12, 2013, was held at 7:30 p.m.; and

WHEREAS, the City Council finds that it is in the best interest of the citizens of the City of Herriman to adopt the land use ordinance text change as recommended by the Planning Commission;

NOW THEREFORE, be it ordained by the Herriman City Council that the following text change be adopted as a change to the land use ordinance of the City: (*the underlined text is the new wording and the strikethrough text is to be deleted*)

11-7-17: PERFORMANCE BONDS:

A. The city may allow a sub divider to proceed with subdivision plat recording or "development activities", as defined in this subsection, before completing improvements listed in this chapter, if the sub divider files with the city a cash bond, or an escrow bond, ~~or an irrevocable letter of credit bond~~ as an "improvement assurance warranty", as defined in this subsection, in a form approved by the city attorney and in an amount specified by the city engineer to assure actual construction of the improvements listed in this chapter within two (2) years after the date such bond is posted....

PASSED AND APPROVED this 12th day of September, 2013.

HERRIMAN CITY COUNCIL

By:_____
Clint Smith, Interim Mayor

VOTING:

Clint Smith	____Yes	____No
Mike Day	____ Yes	____ No
Matt Robinson	____ Yes	____ No
Craig B. Tischner	____ Yes	____ No
Coralee Wessman-Moser	____ Yes	____ No

PRESENTED to the Interim Mayor of Herriman City for approval this 12th day of September 2013

APPROVED this 12th day of September 2013.

By:_____
Clint Smith, **Interim Mayor**

ATTEST:

_____
Kristi Peterson, MMC
City Recorder

DEPOSITED in the office of the City Recorder this 12th day of September 2013.

RECORDED this 12th day of September 2013.

CERTIFICATE OF POSTING

STATE OF UTAH)
) SS:
COUNTY OF SALT LAKE)

I, Kristi Peterson, do hereby certify that I am the duly appointed, qualified and acting City Recorder for Herriman, State of Utah, and do further certify that the foregoing is a true and correct copy of

ORDINANCE NO. 13-23

16S13 – HERRIMAN CITY – TEXT CHANGE TO CHAPTER 11-7-17, PERFORMANCE BONDS

Herriman City Council duly adopted this Ordinance at a meeting duly called and held in Herriman, Utah on the September 12, 2013 at the hour of 7:30 o'clock P.M. of said day, and I certify that after its passage I caused to be posted a copy of the Ordinance in the following location:

1. Herriman Community Center bulletin board, main floor - 13011 S Pioneer Street (6000 West)
2. Public Notice Website at http://www.utah.gov/pmn/index.html
3. Herriman City Website: www.Herriman.org

K Peterson

Kristi Peterson, MMC
Herriman City Recorder

HERRIMAN CITY

CITY COUNCIL

Thursday, September 12, 2013

Item 7.1

.1 Discussions and consideration of **Resolution No. 13.38** "A resolution appointing alternate members to the Planning Commission" – *Bryn McCarty, Planner*

NOTES:

HERRIMAN, UTAH
RESOLUTION NO. 13.38

RESOLUTION APPOINTING ALTERNATE MEMBERS OF THE PLANNING COMMISSION

WHEREAS, the Herriman Council (the "*Council*") met in regular session on September 12, 2013, to consider, among other things, appointing _____ and _____ as alternate members of the planning commission; and

WHEREAS, the Council has amended the ordinance creating the planning commission; and

WHEREAS, the revised ordinance creating a planning commission provides that members of the planning commission shall be appointed by the mayor with the advice and consent of the Council; and

WHEREAS, the mayor hereby nominates _____ and _____ as alternate members of the Planning Commission; and

WHEREAS, the Council has given advise regarding the appointment of such members and hereby consents to such appointment; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of Herriman to consent to such appointment.

NOW, THEREFORE, BE IT RESOLVED that the Council consents to the appointments set forth below and the terms set forth opposite each name:

NAME	TERM	DATE TERM EXPIRES
_____ (alternate)	3 years	July 2016
_____(alternate)	3 years	July 2016

PASSED AND APPROVED this 12th day of September, 2013.

HERRIMAN COUNCIL

By: _____
Clint Smith, Interim Mayor

VOTING:

Clint Smith	Yea ____	Nay ___
Mike Day	Yea ____	Nay ___
Matt Robinson	Yea ____	Nay ___
Craig B. Tischner	Yea ____	Nay ___
Coralee Wessman-Moser	Yea ____	Nay ___

PRESENTED to the Interim Mayor of Herriman City for approval this 12th day of September, 2013

APPROVED this 12th day of September, 2013.

_____

Clint Smith, Interim Mayor

ATTEST:

_____

Kristi Peterson, MMC
City Recorder

DEPOSITED in the office of the City Recorder this 12th day of September, 2013.

RECORDED this 12th day of September, 2013.

Certificate of Passage

STATE OF UTAH)
)SS
COUNTY OF SALT LAKE)

I, Kristi Peterson, the duly appointed, qualified and acting City Recorder for Herriman City, State of Utah, certify that the attached

RESOLUTION NO. 13.38

RESOLUTION APPOINTING ALTERNATE MEMBERS OF THE PLANNING COMMISSION

Was adopted by the Herriman City Council at a meeting duly called and held in Herriman, Utah on the 12th day of September 2013 at 7:30pm.

I certify that after its passage I caused the Resolution to be filed in office of the City Recorder.

K Peterson

Kristi Peterson, MMC
Herriman City Recorder

HERRIMAN CITY

CITY COUNCIL

Thursday, September 12, 2013

Item 7.2

.2 Discussions and consideration of **Resolution No. 13.37** "A resolution appointing a City Treasurer, Alice Winberg."- *Shauna DeKorver, Finance* – Oath to follow, if resolution is passed.

NOTES:

HERRIMAN, UTAH
RESOLUTION NO. 13.37

A RESOLUTION APPOINTING A CITY TREASURER

WHEREAS, the Herriman City Council ("*Council*") met in regular session on September 12, 2013 to consider, among other things, appointing a City Treasurer, and

WHEREAS, Cheeryl Jeppson is the current City Treasurer and has submitted her resignation as City Treasurer; and

WHEREAS, such resignation is effective on appointment of a successor; and

WHEREAS, UTAH CODE ANN. § 10-3-916 provides that the mayor shall appoint with the advise and consent of Council a qualified person to the offices of City Treasurer; and

WHEREAS, the Interim Mayor hereby nominates Alice Winberg as the City Treasurer; and

WHEREAS, the Council has given advise for such appointments and hereby consents to such appointments; and

WHEREAS, after careful consideration the Council hereby determines that it is in the best interest of the health, safety and welfare of the citizens of Herriman to consent to the appointments of Alice Winberg as the City Treasurer; and

NOW, THEREFORE, BE IT RESOLVED by the Council that Alice Winberg be appointed as the City Treasurer.

This Resolution, assigned no. 13.37, shall take effect immediately on passage and acceptance as provided herein.

PASSED AND APPROVED by the Council of Herriman, Utah this 12th day of September, 2013.

HERRIMAN CITY COUNCIL

_____

Clint Smith, **Chairman**

JNB\H\881

VOTING:

Clint Smith	Yes___	No ___
Mike Day	Yes ___	No ___
Matt Robinson	Yes ___	No ___
Craig B. Tischner	Yes ___	No ___
Coralee Wessman-Moser	Yes ___	No ___

PRESENTED to the Interim Mayor of Herriman City for approval this 12th day of September, 2013

APPROVED this 12th day of September, 2013.

_____

Clint Smith, Interim Mayor

ATTEST:

_____

Kristi Peterson, MMC
City Recorder

DEPOSITED in the office of the City Recorder this 12th day of September, 2013.

RECORDED this 12th day of September, 2013.

JNB\H\881

Certificate of Passage

STATE OF UTAH)
)
COUNTY OF SALT LAKE)

I, Kristi Peterson, the duly appointed, qualified and acting City Recorder for Herriman City, State of Utah, certify that the attached

RESOLUTION NO. 13.39

A RESOLUTION APPOINTING A CITY TREASURER

Was adopted by the Herriman City Council at a meeting duly called and held in Herriman, Utah on the 12th day of September 2013 at 7:30pm.

I certify that after its passage I caused the Resolution to be filed in office of the City Recorder.

Dated this 12th day of September 2013.

K Peterson

Kristi Peterson, MMC
Herriman City Recorder

HERRIMAN CITY

September 5, 2013

City Council and City Recorder

Re: Resignation

I hereby tender my resignation as the Herriman City Treasurer, effective on appointment of my successor.

Cheeryl Jeppson

Cheeryl Jeppson

HERRIMAN CITY

City Treasurer Appointment
Oath of Office

I,_____, do solemnly swear that I will support, obey, and defend the Constitution of the United States, and the Constitution of this State, and that I will discharge the duties as City Treasurer for Herriman City with fidelity.

Dated this 12th day of September, 2013.

Signature:_____
Alice Winberg, City Treasurer

State of Utah }
County of Salt Lake} SS: Oath of Office for City Treasurer of Herriman City
Herriman City }

Subscribed and sworn to before me this 12th day of September, 2013.

Signature _____
Administering Oath, Kristi Peterson, MMC
Herriman City Recorder

Seal

HERRIMAN CITY

CITY COUNCIL

Thursday, September 12, 2013

8. **UPCOMING EVENTS IN THE CITY:**

September:

24th Senior Social Fire Station 123 at 12:00pm

19th-21st & 23rd Children's Theatre Production "Forever Disney" W & M Butterfield Park at 7:30pm

October:

1st Meet the Candidates Night, Copper Mountain Middle School at 7:00pm

12th Pumpkin Festival W & M Butterfield Park at 5:00pm

9. **FUTURE MEETINGS:**

Next Regular Planning Commission Meeting: Thursday, September 19th @ 7:00pm

Next Regular City Council Meeting: Thursday, September 26th @ 7:30pm

10. **ADJOURNMENT:**

NOTES: _____

HERRIMAN CITY

CITY COUNCIL

Thursday, September 12, 2013

11. RECOMMENCE TO WORK MEETING:

.1 Human Resources Presentation, Employee Satisfaction Survey – *Cheeryl Jeppson, Human Resources Director*

.2 Trail Rules – *Wade Sharp, Parks Manager*

.3 Anthem Development Agreements – *Gordon Haight, Asst. City Manager*

.4 Council's Top Five Update – *Brett geo Wood, City Manager*

NOTES: _____