



COUNCIL MINUTES

Thursday, October 24, 2013

Approved December 12, 2013

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6:00 PM ~ WORK MEETING:

Attendance: Mayor, Clint Smith

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

Staff Present: John Brems, City Attorney
Kristi Peterson, City Recorder
Brett geo. Wood, City Manager
Gordon M. Haight II, Asst. City Manager
Shauna DeKorver, Finance Director
Monte Johnson, Operation Director
Bryn McCarty, Planner I
Justun Edwards, Water Director

WORK MEETING:

- Review of tonight's agenda – *Mayor, Clint Smith*
- Additional:
 - Building Permit Fee Study Update – *Jesse Bullock, Building Official*
 - Planning Updates – *Bryn McCarty, Planner*
 - Operations Update – *Monte Johnson, Operations Director*
 - Other

6:46 PM

*CLOSED SESSION: *(Private)*

Councilwoman Moser **MOVED** the Council adjourn into a closed session pursuant to the provisions of section 52-4-205 (1) for the purpose of (a) discussion of the character, professional competence, or physical or mental health of an individual Councilman Day **SECONDED** the motion, with the following roll call:

The vote was as follows:

Councilman Day	Yes
Councilman Robinson	Yes
Councilman Tischner	Yes
Councilwoman Moser	Yes
Mayor, Clint Smith	Yes

All City Council Members vote in support of this motion.

This motion passes unanimously.

The meeting adjourned into Closed Session at 8:40 pm.

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7:30 PM ~ GENERAL MEETING:

Attendance: Mayor, Clint Smith

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

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Herriman City Council Meeting held on October 24, 2013*

Staff Present:

John Brems, City Attorney
Kristi Peterson, City Recorder
Brett geo. Wood, City Manager
Gordon M. Haight II, Asst. City Manager
Shauna DeKorver, Finance Director
Monte Johnson, Operation Director
Bryn McCarty, Planner I
Justun Edwards, Water Director

1. Welcome:

Mayor, Clint Smith called the Herriman City Council meeting to order at [8:43:56 PM](#) and welcomed those in attendance.

- 1.1. [8:44:12 PM](#) Invocation:
Jarod Lewis offered the invocation.
- 1.2. [8:45:05 PM](#) Pledge of Allegiance:
Daniel Lewis led the pledge of allegiance.
- 1.3. [8:45:37 PM](#) Roll Call:
Mayor, Clint Smith asks for the minutes to reflect all members of the City Council are present at tonight's meeting.
- 1.4. [8:45:43 PM](#) Citizen Comments:
Mayor, Clint Smith 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.
Kevin Jacobs, County Assessor Office introduces himself to the council and offers if any of Council has any questions that he can help you with, to please call him. Mr. Jacobs gave out his business card to Mayor and Council Members.
Jamie Bergstrom, address on file. She is here on behalf of her aunt Raquel Hamilton DeLuca - please see Exhibit A that Jamie read aloud.
There were no other citizen comments tonight.
Mayor, Clint Smith declared the citizen comments closed.

2. CONSENT AGENDA:

- 2.1. [8:50:34 PM](#) Electronic/Paper Minutes: Thursday, September 12, 2013 RCCM
Thursday, October 10, 2013 RCCM
Council Member Moser **MOVED** to approve the minutes of September 12 2013 and asks that the items listed on the Notices for the budget amendments be included in the minutes.
Council Member Robinson **SECONDED** the motion.
All present voted yes.
Motion carried.
Council Member Day **MOVED** to approve the minutes for October 10, 2013.
Council Member Robinson **SECONDED** the motion.
All present voted yes.
Motion carried.

3. PRESENTATIONS:

- 3.1. [8:51:56 PM](#) International Days Committee – Ms. Shawnda Bishop
Ms. Bishop expressed her appreciation to the city for the beautiful facility that Herriman provided for them and thanked everyone that participated in the International Day at the beautiful Butterfield

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Park. Ms. Bishop also revealed that they would like to come back for many more years.

4. REPORTS:

- 4.1. [8:55:54 PM](#) Quarterly Financial - *Shauna DeKorver, Director of Finance*
Alice Winberg gave a report on the Herriman Court services in Herriman. Please see the attached power point for details.
Sandra Llewellyn delivered a report on Black ridge Reservoir. Please see the power point for details.

The recording system failed until this point in the meeting.

5. PLANNING MATTERS: *Bryn McCarty, Planner*

Rezoning:

- 5.1. [9:17:01 PM](#) Discussions and consideration of **Ordinance No. 13-34** "File #: 12Z13 – Johnson – 13792 S 7300 W Rezone from A-1 to A-.50"
Ms. Bryn McCarty, orients the council and audience with a maps that she has prepared,.
This is a rezone on 7300 West, this is being rezoned from A-1 to A .50. It will be a one and a half acres. The Planning commission approved the two lot subdivision. It's a father and a son building houses next door... This density is one an acre.
Mayor, Clint Smith called for any comments, questions or concerns on the motion.
Council Member Moser **MOVED** to adopt ordinance no. 13-34 file #: 12Z13 Johnson 13792 South 730 West Rezone from A-1 to A .50
Councilman Tischner **SECONDED** the motion.
Being none, Mayor, Clint Smith called for a vote as follows;
Councilman Day Yes
Councilman Robinson Yes
Councilman Tischner Yes
Councilwoman Moser Yes
Mayor, Clint Smith Yes
The vote was unanimous, the motion carried.

Text Change:

- 5.2. [9:19:07 PM](#) Discussions and consideration of **Ordinance No. 13-35** "File #: 07Z13 – Herriman City text change to the land use ordinance regarding section 10-20-9 preservation of open space
Ms. Bryn McCarty; orients the council and audience with maps of the area within she has prepared.
The PUD requires twenty percent (open space). We are making a couple of changes to the open space as required by the PUD. First, it defines what the open space is, and then it also allows for open space to be provided outside of the development and also the fee in lieu of the open space. So, what counts as open space, basically before (in the current ordinance), it was just open space. We are looking to define that (in the proposed change to the ordinance) a little bit more by saying detention basins, the park strips will only count if they provide amenities. Then we tried to define that a little better – playgrounds, gazebos if they're big enough for a field, then you can count it.
Councilman Robinson indicates acreage hillside slopes only count at 50% toward open space requirement and asks for clarification how that percentage was selected.
Bryn McCarty confirms this was previously established by the county and later adopted by the city.
Councilman Robinson suggests the council look at that percentage in the future.
Bryn McCarty continues, so, again some examples, these will no longer count as open space: a hole in the ground detention pond. These do clearly; this is Rose Creek. Clearly a huge detention pond, this is Rosecrest Park. It's clearly big enough it should count as open space, so that's the difference. Park strips do not count as open space. Trails do, with amenities. Then it talks about open space outside of your PUD following these requirements, it has to be done upfront with the original planning commission approval. We don't want it to come back two years later after the subdivision is built after half the people are moved in, now you want to move the park. It's got to be done upfront, so everyone knows what they are getting. Again, the 50% is the same language as before, we have to know where the open space is coming from not "we'll do ten acres somewhere else," it all has to be nailed down as part of the approval.
Councilman Day asks the city legal department the following question; Detention basins and park strips merely count as open space if they provide recreational amenities? Couldn't I make the legal argument that every detention basin provides recreation amenities?

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John N. Brems; I was just having a discussion with Gordon about...

Bryn McCarty; we're going to continue this.

Councilman Day; as soon as I saw it I thought, that could go both ways.

Bryn McCarty; We just wanted to make sure you were okay, then we would have John do his thing and then we'll bring it back. Again we may require a portion of the open space to be within the PUD; we don't want all one hundred acres going somewhere else and then there is nothing within the subdivision. All this will happen upfront as part of the approval. Second part of it is basically the same with the fee in lieu of open space; again it has to happen upfront with planning commission. The actual fee in lieu amount would be approved by council. The money obviously has to be designated as park money and this is actually helpful because, if you remember our park impact fee does not buy property it only pays for improvements. This would be a good way to get some money in the fund to actually buy some property. Then again a portion of open space may still have to stay inside; you just can't buy out of all of it. So that is that ordinance in a nut shell—

Councilman Robinson; clarifies his understanding that as written there are no restrictions on the fee in lieu of open space, we could purchase property or improve property.

Bryn McCarty; no we didn't. We just said it had to be put in the fund for parks basically, but we didn't put it specifically, no. We could certainly define that better if you'd like.

Councilman Robinson; notes that we want to make sure, with John's perception, as we've had restrictions on impact fees and where we use them and the types of land uses that they'll go towards or projects that they go towards so, if we accept as open space the "fee in lieu" of are we tied to a certain use of the fee in lieu?

John N. Brems; I'd say yes. And that is what you want to do.

Councilman Robinson; yes agree.

John N. Brems; you wouldn't want to run to pay the power.

Councilman Robinson; exactly, but we can purchase park property somewhere else. We can improve park property somewhere else or open space property somewhere else. We can add amenities.

John N. Brems; another thing I want to think about... does that mean improvements or does that only mean underlining real property? That's how you got the money is for the open space or can you use the money for improvements.

Councilman Day; Can we legally do that?

Councilman Robinson; that's exactly my question.

Councilman Day; the only question that I have is what Matt mentioned, --with the 50% and I just don't know. I think what I heard you say to Matt was that came in from the County?

Bryn McCarty; that just the way it's always been. We've never looked at it; we certainly could.

Councilman Day; this whole thing looks wonderful, the only question that raised... about the 50% and...

Bryn McCarty; are you thinking numbers?

Councilman Robinson; the point is will we have the grade, for example. A developer can come in and say; my open space is in the grade, because it's not buildable and there is my open space. And we would agree that is right, it isn't buildable and it is good to preserve that as open space. However, that can also be taken to the extreme and say let all the grade be open space and then the rest of the density in the development is really dense and it lacks the open space amenities that Herriman City is known for and we like to perpetuate. I don't have a number but I think it's a worthy conversation. We should include in that some of our developers...

Bryn McCarty; and maybe it's not a number, maybe it's just like you said, that it all can't be above 50%.

Councilman Robinson; we've said 50% can be and 50% cannot be, so I would look at if there is a difference algorithm or a different percentage, what would it be? Again, that would be in council with the developers so it's not taking advantage of them where we've had a good relationship with them in the past.

Councilman Day; Matt are you in the space of applauding the idea that a small little pocket retention basin is no longer open space?

Councilman Robinson; absolutely.

Councilman Day; as soon as I read that I thought that is wonderful.

Councilman Robinson; that is a necessity.

Bryn McCarty; actually a lot of other cities already do that. I don't think it's out of line to do that.

Councilman Day; I'm thrilled, with that.

Councilman Robinson; I wouldn't increase the percentage - is my point - that would be in that unbuildable space. There would be a decrease in that, to somewhat lesser percentage than perhaps 50%, but I don't know what we're comparing to, so what's realistic and fair?

Bryn McCarty; we can certainly look at that.

Mayor Clint Smith; having been part of the discussion on the planning commission side this is, like Bryn mentioned this has been a long and difficult process trying to make sure we're covering all aspect of this, to do what is best for the city. That's why you see some of the language that we've tried to cover all those bases in there in terms of what amenities should count towards that inclusion into open space. I think the planning commission has done a good job and really working through this ordinance and presenting something that, while it may not have addressed everything that we may think it should, it gives us a very good starting point—to understand how this will best serve the city.

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Councilman Robinson; compliments to planning commission and planning staff for the work to get to here. Mayor, Clint Smith called for any comments, questions or concerns on the motion.

Council Member Robinson **MOVED** to continue ordinance no. 13-35.

Councilwoman Moser **SECONDED** the motion.

Being none, Mayor, Clint Smith called for a vote as follows;

Councilman Day Yes

Councilman Robinson Yes

Councilman Tischner Yes

Councilwoman Moser Yes

Mayor, Clint Smith Yes

The vote was unanimous, the motion carried.

5.3. 9:29:15 PM Discussion and consideration of **Ordinance No. 13-19** “File #:05Z13 – Herriman City text change to the use ordinance regarding construction signs and temporary signs”

Ms. Bryn McCarty; references a presentation which includes the text change to the ordinance as well as some visual examples of the signs under discussion.

Mayor Clint Smith; comments that this did come to council about three months ago. There was some discussion at the Council level as far as not being a 100% on board with what the planning commission has recommended. So in an effort trying to keep these items moving on a positive course, Bryn and I spoke this week and we decided to bring to bring this back, without any changes from the last time that we'd seen it, but allowed to have that dialog again, then hopefully if we want to see specific changes in this particular ordinance that we give staff specific direction and allow us to move this forward in some manner so it doesn't just sit in purgatory.

Bryn McCarty; so here is the ordinance again, the same as last time. If you remember, last time we changed the size, we looked at the height, we allowed greater heights and size if there were multiple builders, we talked about the distance that they have to be away from each other, and how long they can have them up, a variety of things. I guess I would like to ask for your feed-back, like I said. The ordinance hasn't changed since the last time you saw it.

Councilwoman Moser; we mentioned the last time the signs that you just clicked thru on an image that were four high, were about twenty feet? Is that right?

Bryn McCarty; Yes, I believe that's what we figured, four sheets of plywood.

Councilwoman Moser; what I would like to see with respect to the height, in an adjustment is where it says, “In no case more than sixteen feet,” I would like to suggest that we start out with twenty feet.

Bryn McCarty; the planning commission actually had it at twenty feet and then dropped it to sixteen.

Councilwoman Moser; ok, simply because I think that is reflecting the intent, which is to combine the signs, and clearly that's the space necessary to do that adequately.

Mayor Clint Smith; I was part of the discussion when this came through planning commission. Again I think the planning commission as a whole really wrestled with this; it was on our agenda how many different times? Enough that Bryn was urging us to move it along on the planning commission side as well. So there was a lot of thought that was put into it. Now you see in here “three hundred feet from existing;” this was not based on anything scientific, it was just a number that was decided upon. Really this is our city and this ordinance is designed to help govern the look of our city when it comes to temporary signage. So if I can speak for the planning commission since I sat on that commission when we discussed it, our idea there was to encourage developers to work together, to put multiple signs in one location and we would give them a benefit, but not allow them to basically stack one after another along the road side, and again this is how we want the look and feel of the city to be. So, we were trying to come up with an ordinance that still allowed them to advertise their product and to draw people into their developments but we wanted to encourage them to do that in a manner in which kept the look and feel of the city the way we wanted it, but encourage them to work together in a manner that we didn't feel like it was harming them in any manner to still be able to get their signage out there. The planning commission worked diligently on this, long and hard, they put a lot of thought into it. So, I want to emphasise the fact that there may be tweaks on it from the council, like we mentioned with the last one, I think we have a very good starting point that we need to build upon it. If the council sees that there needs to be improvements or changes made to that, we do that but move it along and allow us to have an ordinance that we are comfortable with going out and enforcing.

Councilman Robinson; in this particular instance – the sign ordinance feels to me like an art, less of a science, so we really will be tweaking this one for years to come. For right now, we have a near term problem that needs to be addressed and I think this helps us move down this road a little bit. I support what you are saying, the planning commission has done a good job vetting this, and these tweaks we're making will even make it better and I suspect there will be more coming in the next six months.

Mayor Clint Smith; I believe with a lot of things that once you put it out there, you find that some of them don't work the way you thought or intended them to work and so you come back and revisit it. I believe that's anticipated with this

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ordinance as well, that we will see how it works and we will find those trickle-down effects that we may not have planned on and then we will need to revisit the ordinance, but it does give us a very good place to start the process.

Bryn McCarty: the other part of this ordinance is the temporary banners, we started enforcing the banners and it actually has been working very well. People have been coming and getting the applications and they put them up for a week. But, the one thing we have heard, and now that we've actually had the ordinance longer, this is becoming more clear, the seven days that we allow right now is not enough time for people who want to put their signs up. The change on this one is twenty one days that they can have their signs up. But again, only once in three months, four times during the year. So I think that will work out well. Like I said they've been coming in and getting their applications; people who put them up without the application, Dave goes out there and gives them the application and they come in and pay for it. It's been working pretty well.

Councilman Day: what's the cost on that?

Bryn McCarty: \$25, it's not much.

Councilman Tischner: the last time when we didn't move forward on this – our last conversation on this - we were talking about the current ordinance was never enforced.

Bryn McCarty: we didn't start enforcing this until like six months ago.

Councilman Tischner: okay.

Mayor Clint Smith: Craig, are you speaking, (to Bryn)? You're talking about the banners specifically right now, as far as enforcement goes?

Bryn McCarty: yes. The construction signs are not enforced, until today.

Councilman Tischner: okay.

Mayor Clint Smith: in order to make sure, I think we're talking two different things there...

Bryn McCarty: yeah.

Mayor Clint Smith: we're you talking about the temporary signs Craig?

Councilman Tischner: actually it was the whole...

Mayor Clint Smith: everything?

Bryn McCarty: yeah. The banner signs are being enforced now, the construction has really never been. They're supposed to come in and get a permit, they don't. They put them up. It's very hard to keep track of.

Mayor Clint Smith: As we've looked at changing the ordinance, one of the reasons that we've looked at changing the ordinance was because enforcement of the old ordinance seemed very ineffective.

Bryn McCarty: enforcing the old ordinance would have force me to take these down, and I don't think that's what we want; it's not the intent of what we want to do.

Mayor Clint Smith: right. So we are looking to create an ordinance that preserves the look and feel of the community and still allows our developers to advertise their product in an effective manner, but creates some tighter limitations for them to do so.

Bryn McCarty: yes. Allow them to just come in and get a permit. I don't even want to charge them, I just want them to come in so I can see where they want to put it, make sure it's not on city properties because unfortunately at times they are. Make sure all the things are right and then go put it up. Once we do something, we'll send letter to all the builders and let them know what the new ordinance is and make a big push to keep them aware of what going on.

Councilwoman Moser: I'm in the space of approving this right now. I don't see any glaring flaws. I'd just like to change the maximum height to twenty in both the construction offsite and construction onsite, unless you have a different recommendation if it just pertains to one or the other, because they'll have both types of property.

Bryn McCarty: no because think it would be fine either way.

Councilwoman Moser **MOVED** to adopt ordinance no. 13-19, File #05Z13 Herriman City text change to the use ordinance regarding construction signs and temporary signs with the amendments to change that to twenty feet maximum height under both construction offsite and onsite signs.

Councilman Robinson **SECONDED** the motion.

Being none, Mayor, Clint Smith called for a vote as follows;

Councilman Day	No
Councilman Robinson	Yes
Councilman Tischner	Yes
Councilwoman Moser	Yes
Mayor, Clint Smith	Yes

The vote was unanimous, the motion carried.

NOTE:

Councilwoman Moser: please let us know, as these are changed, if there is something we need to address. Let us know because this is a priority, so we can address it rather than make people wait and be frustrated for another year.

Councilman Day: great work, by the way.

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John N. Brems; one comment about signs, I've been on a taskforce for the Utah League of City and Towns and we've been trying to write a sign ordinance, a draft or model one and we been at it for three years and been unable to because it is just a quagmire.

Councilman Robinson; so do you think this, John, is helping get us out of the quagmire?

John N. Brems; I think this is an improvement, but the whole thing needs some major revision. But, it's better than it was.

Mayor Clint Smith; this is a starting point. We continually address it as need arises.

Councilman Robinson; and we ask our developers and realtors to know that the door is open for that conversation so we can have that good partnership, ensuring that we protect Herriman and keep that development where we need it to be.

Mayor Clint Smith; thank you.

6. DISCUSSION /ACTION MATTERS:

- 6.1 [9:40:46 PM](#) Discussion and consideration of **Ordinance No. 13-24** "An ordinance amending the street trees and park strip planting ordinance"- *Ty Nielsen, Arborist*
- Ty Nielsen, City Arborist, references a slide presentation and some documents which include some text changes to the ordinance and diagrams of tree placement.
- Ty Nielsen; as we are learning and growing, as our city grows, we've come to the conclusion that there were things in the ordinance that were lacking. The ordinance that was passed in 2008 describes a suggested street tree list and we had a list in the ordinance, and it was horrible, it was hard to read, and there were a bunch of trees we needed to change and switch to prohibited. I found out the building department had a list they were handing out – they called this their "grade packet" so they wouldn't create a flood in their backyard or to their neighbours yard to flood their basements - and included in the packet was a list of trees, so basically all we are doing is matching what approved trees are acceptable and removed the trees that has no reason to listed in our ordinance. Basically, we just cleaned up the ordinance. Ty noted that previously it was difficult to locate the approved tree list on the city website.
- Councilman Day Part D, "trees are located within the park strip must be 30 feet from any traffic sign." What are we doing about that? I know we have a few violations there.
- Ty Nielsen, comments they have to be removed, but notes there aren't enough city arborists.
- Councilwoman Moser; we have a list of Herriman City prohibited trees that was included in our council packet. I didn't find reference within the ordinance to whether that list is specific to just the street planting or if it's inclusive of their entire yard?
- Ty Nielsen; No, that is one this we have straightened up. This ordinance is specifically for street trees, trees that are in the right-of-ways and in the park strips. This has no reference to their backyard, that's theirs.
- Councilwoman Moser; okay. With respect to that list, just as we work on getting that put on the website, if we can identify specifically that when we say, 'Herriman City prohibited trees,' that is referencing park strips trees, so that's clear that people can still plant those in their backyard.
- Ty Nielsen; oh, yes. We do have in the front 'acceptable street trees' but on the prohibited list, it didn't. So, yes. Good catch.
- Councilman Robinson, the Salix species has been one of those problem trees; they're great in yards but not in park strips. I noticed that the document references "Salix species" and then in parentheses indicates all trees with the willow family. It would be good to be more specific there and call out globe willow, weeping willow, and maybe there are a few others that are common names that can be listed there.
- Councilman Day; asks if the trees which are prohibited in the park strips should also be prohibited in any line-of-sight areas where the ordinance references pruning, within 30 feet of street signs?
- Ty Nielsen; clarifies no matter where a tree is planted originally, if, as it grows, it encroaches into the area within 30 feet of the signs or the park strips, it is within the authority of the street tree ordinance to enforce pruning or maintenance of the tree. He encourages owners to take care of the matter. As the city arborist, he will consult with them in their yard, but if a tree is in the right of way or in the park strip, he can take care of it.
- Councilman Robinson; requests an article be submitted around February by the city arborist to educate residents. He requests Tami Moody work with Ty to determine the best time for this article, based on when it is the proper time to plant.
- Ty Nielsen; notes he would like to add new trees to the list of approved trees and requests suggestions from the council, staff and residents.
- Council Member Robinson **MOVED** to adopt ordinance no. 13-24 an ordinance amending the street trees and park strip-planting ordinance, with the adjustment of prohibited trees to prohibited "street" trees.
- Councilman Day **SECONDED** the motion.
- Being none, Mayor, Clint Smith called for a vote as follows;
- | | |
|---------------------|-----|
| Councilman Day | Yes |
| Councilman Robinson | Yes |

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Councilman Tischner Yes
Councilwoman Moser Yes
Mayor, Clint Smith Yes
The vote was unanimous, the motion carried.

- 6.2 [9:54:40 PM](#) Discussion and consideration of **Ordinance No. 13-36** “An ordinance of Herriman City Council amending the name of the Lake Ridge Subdivision to Lake Ridge at Rosecrest Subdivision”
– *Bryn McCarty, Planner*
Bryn McCarty, the county already said they we already have a Lake Ridge Subdivision, and they required an ordinance from the Council to change it to Lake Ridge at Rosecrest Subdivision.
Mayor, Clint Smith called for any comments, questions or concerns on the motion.
Council Member Robinson **MOVED** to adopt ordinance no. 13-36 an ordinance amending the name of Lake Ridge Subdivision to Lake Ridge at Rosecrest Subdivision.
Councilwoman Moser **SECONDED** the motion.
Being none, Mayor, Clint Smith called for a vote as follows;
Councilman Day Yes
Councilman Robinson Yes
Councilman Tischner Yes
Councilwoman Moser Yes
Mayor, Clint Smith Yes
The vote was unanimous, the motion carried.

- *6.3 [9:55:33 PM](#) Discussions and consideration of **Resolution No. 13.33** “A resolution designating and appointing poll workers to serve in the 2013 municipal general election” –
Kristi Peterson, City Recorder
There was no dialog on this item.
Mayor, Clint Smith called for any comments, questions or concerns on the motion.
Council Member Moser **MOVED** to approve resolution no. 13.33 a resolution appointing poll workers for the 2013 municipal general election on November 5, 2013
Councilman Tischner **SECONDED** the motion.
Being none, Mayor, Clint Smith called for a vote as follows;
Councilman Day Yes
Councilman Robinson Yes
Councilman Tischner Yes
Councilwoman Moser Yes
Mayor, Clint Smith Yes
The vote was unanimous, the motion carried.

7. UPCOMING EVENTS IN THE CITY:

December

2nd Holiday Sing A Long Herriman City Hall 6:30pm
9th Holiday Concert Fort Herriman Middle School 7:00pm

8. FUTURE MEETINGS:

Next Regular Planning Commission Meeting:	Thursday, November 7, @ 7:00pm
City Council Work Meeting	Thursday, November 7, @ 7:00pm
Next Regular City Council Meeting:	Thursday, November 14, @ 7:30pm
City Council Work Meeting	Thursday, December 5, @ 7:30pm

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9. ADJOURNMENT:

Mayor, Clint Smith comments, "if there is no additional business to come before the Herriman City Council tonight", I ask for a motion to adjourn to the work meeting
Council Member Moser **MOVED** to adjourn this meeting at [9:57:28 PM](#)
Council Member Day **SECONDED** the motion.
All City Council Members voted in support of this motion.
Motion carried.

10. RECOMMENCE TO WORK MEETING:

Engineering Update – *Blake Thomas, City Engineer*
Councils Top Five Updates – *Brett geo. Wood, City Manager*
Comments from Council Members
Iron Will at Camp Williams
Sanitation Board
Association of Municipal Government
Legislative Policy Meeting
Valley Emergency Communications Center (VECC)
Discussion of Surplus Property - *Gordon Haight, Asst. City Manager*
Suburban Land Reserve (SLR) Development Agreement – *Gordon Haight, Assist. City Manager*
Update of Healthy Herriman Committee – *Gordon Haight, Asst. City Manger*

This meeting adjourned at approximately **11:58pm**

11. SOCIAL GATHERING: *(Social)*

Will take place at Cafe Rio – 5506 West 13400 South, Herriman, Utah

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, October 24, 2013



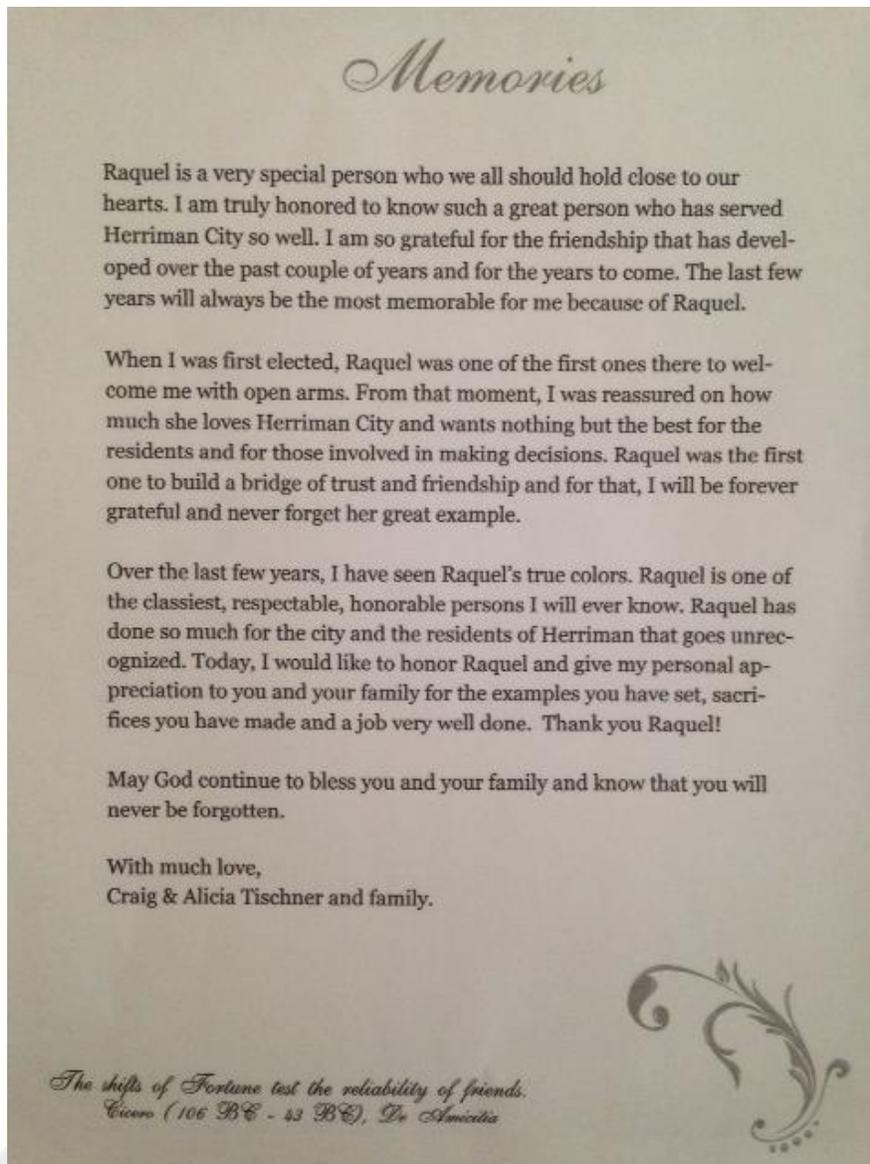
Kristi Peterson, MMC
Herriman City Recorder

*This document along with the digital recording constitute the official minutes for the
Herriman City Council Meeting held on October 24, 2013*

"Exhibit A"

Honorable Mayor,

I am addressing you tonight with a formal complaint against council member Craig Tischner. I am concerned with Mr. Tischner's unethical campaign tactics; I feel he has breached the intent of fair campaign practices, for which he signed a pledge to conduct a fair campaign. His unethical conduct has now brought on personal attacks towards me, Raquel DeLuca, as well as my husband's company, Deluca Inc. His attempt to bring up the KSL news story to better his campaign, has again harmed my character and reputation and caused slander to my name. I am now seeking legal advice against Mr. Craig Tischner and Herriman City as to what action to take. Attached is a letter I received from Mr. Craig Tischner regarding our time served on the council together. Please read this letter, I am confused by his words in the letter and his recent actions during his campaign today.



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A PERFORMANCE REPORT OF HERRIMAN COURT

Presented by
Alice Winberg

October 24, 2013



Court Revenue Sources

- ▣ Traffic Citations
- ▣ Criminal Offenses
- ▣ Small Claims
- ▣ Traffic School
- ▣ Forfeited Bail Funds



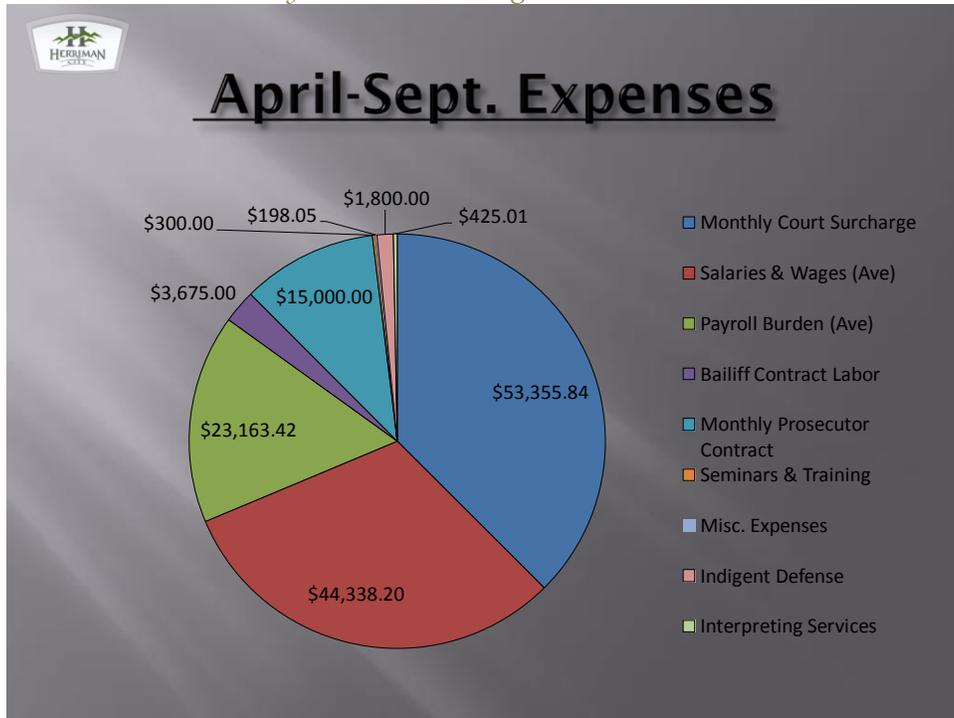
Court Expenses

- ▣ Monthly State Surcharge
- ▣ **Salaries & Wages**
- ▣ **Payroll Burden**
- ▣ Bailiff Contract Labor
- ▣ **Monthly Prosecutor Contract**
- ▣ Subscriptions/Membership/Dues
- ▣ Seminars & Trainings
- ▣ General Supplies
- ▣ Employee Relations
- ▣ Interpreting Services
- ▣ Indigent Defense



April-Sept. Revenue

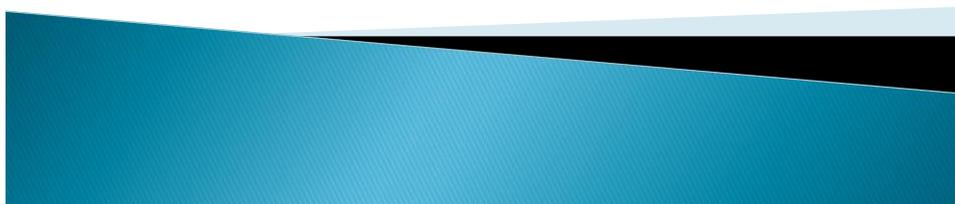




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BLACKRIDGE RESERVOIR

First Year Operations Report
June 22nd thru September 7th 2013



- ▶ 17 part time employees
- ▶ Hours of operation 10am–9pm
- ▶ Two 5 ½ hour shifts with 2 employees per shift
- ▶ Average pay is \$10.00 per hour



Expenditures

June 22nd–September 7th

- ▶ Hours worked- 1547
- ▶ Concessions labor – \$15,457.00
Total Payroll Burden – \$1,314.00
- ▶ Concessions Supplies – \$4950.00
- ▶ Average Labor Cost per day – \$220.00



Revenue

June 22nd–September 7th

- ▶ Concessions – \$4271.00
Sales Tax – \$274.00
- ▶ Average per day – \$50.00
- ▶ Total NET Revenue – \$3998.00



The Bottom Line

- ▶ Total Labor Costs – \$16,771.00
- ▶ Total Supplies/Food Costs – \$4,950.00
- ▶ Total Revenue – \$3,998.00
- ▶ Expenditure over Revenue – (\$17,723.00)

