



CITY COUNCIL MINUTES

Wednesday, April 26, 2017
Approved May 24, 2017

The following are the minutes of the City Council Meeting of the Herriman City Council. The meeting was held on **Wednesday, April 26, 2017 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 Pro Tempore Coralee Wessman-Moser

Council Members Present: Mayor Carmen Freeman (via phone), Jared Henderson, Nicole Martin, and Craig B. Tischner.

Staff Present: City Manager Brett geo. Wood, Assistant City Manager Gordon Haight (via phone), City Recorder Jackie Nostrom, City Attorney John Brems, Director of Administration and Communications Tami Moody (via phone), Finance Director Alan Rae, Water Director Justun Edwards, Operations Director Monte Johnson, Parks and Recreation Director Wendy Thomas, City Engineer Blake Thomas, Planner I Sandra Llewellyn, Unified Fire Chief Riley Pilgrim, Chief Building Official Cathryn Nelson, Parks Manager Wade Sharp, Events and Recreation Manager Kevin Schmidt, Human Resources Manager Travis Dunn, Unified Police Department Lieutenant Troy Carr, Events Supervisor Karen Nukaya, Events Technician III Kristi Gunn, Events Technician II Laura Twitchel and Communications Tech Destiny Skinner.

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

1. 5:04:30 PM Council Business

Mayor Pro Tempore Coralee Wessman-Moser called the meeting to order, and indicated that Mayor Freeman would be participating in the meeting through electronic means.

- 1.1. **Review of this Evening's Agenda**
- 1.2. **Future Agenda Items**

2. Administrative Reports

2.2. **5:05:06 PM Informational City Manager Updates** – Brett Wood, City Manager
City Manager Brett Wood indicated the rock had been completed for the Danie Bills Park and is ready for placement. He asked the Council for a date to attend the unveiling. Council consensus was for an evening event.

City Manager Wood informed the Council about a property owner who encroached on city property to extend their rear yard. The resident would like to meet with the City Manager and present his case to the City Council to gain ownership of the property. Council requested the resident meet with staff, and would not extend support of transferring ownership.

2.7. [5:10:58 PM](#) Purchasing Card Policy Discussion – Alan Rae, Finance Director

Finance Director Alan Rae proposed an addition to the Purchasing Card Policy as a result of legislation that passed. Herriman City does not permit cardholders to use the cards for personal use. Any intentional use of the cards for personal use will require the employee to repay 100-percent of the personal expenditure and a 50-percent administrative penalty. Additional, criminal provisions may apply. Mayor Pro Tempore Moser stated it could be helpful to reference the state code in the policy. Director Rae agreed. Mayor Freeman asked if there was a timetable for reimbursements. Director Rae responded the reimbursement would be done with the monthly reconciliation. Mayor Pro Tempore Moser asked if the City could legally deduct the repayment from an employee paycheck. City Attorney Brems indicated he would have to research the statute. Councilmember Tischner noted if there was an intentional purchase there should be documented disciplinary action. Director Rae referenced the state statute penalty of a second degree felony.

2.6. [5:17:29 PM](#) Events and Recreation Update – Kevin Schmidt, Events & Recreation Manager

Events and Recreation Manager Kevin Schmidt offered an update of upcoming events to the Council for 2017.

[5:18:53 PM](#) *Councilmember Jared Henderson arrived*

He indicated that the department had been working to implement a way for residents to provide feedback on the various events to create a more engaged community and offered some examples.

[5:23:30 PM](#) *Councilmember Nicole Martin arrived*

Manager Schmidt reviewed the reservation program system that will be implemented to consolidate reservations and allow online requests. City Manager Wood acknowledged huge improvements that had been implemented. Councilmember Craig B. Tischner asked about the security for credit card information. Manager Schmidt responded the system is the same as utility billing.

Events Technician III Kristi Gunn reported the start time of the rodeo had been moved forward to 7:30 p.m. She reviewed the list of volunteers that come to help with the performances, parking and ticket sales. Mayor Pro Tempore Moser asked if the volunteer list included any of the Youth Council. Technician Gunn noted the list did not include the Youth Council. Mayor Pro Tempore Moser indicated the Youth Council would participate and support the rodeo as well as the Kiddie Korral. Technician Gunn stated the Kiddie Korral and the Special Needs Roundup would be part of Fort Herriman Days and would include a 90 minute session. Mayor Pro Tempore Moser recommended extra effort be given to help promote the Special Needs Rodeo. Technician Gunn asked for the Council to be at the rodeo office at 7:15 p.m. for introductions during the grand entry. Councilmember Tischner noted he would not be in attendance the first night of the rodeo. Technician Gunn concluded that the Friday Night performance would be a Tough

Enough to Wear Pink and family night. The Saturday performance would be to recognize Military and Public Service personnel.

Events Technician II Laura Twitchel offered a brief update on the Arts Council and what they have been working on so far in 2017. She relayed their excitement about the Little Mermaid production and noted that the Arts Council had accumulated over 3,700 volunteer hours so far. The Arts Council agreed to perform a small skit before the performance of the Herriman Harmonyx during Town Days. Technician Twitchel encouraged participation for the monthly Sock Puppet shows and reported the Children's Theatre Workshop theme is Rockin' Through Time. Mayor Pro Tempore Moser added that Miss Herriman and the Herriman Harmonyx would have the opportunity to sing at the rodeo. This was confirmed. Technician Twitchel informed the Council of a recent award change for the parade, and requested the Council to come and select the Council and Mayor award prior to the parade.

Events Supervisor Karen Nukaya reported she coordinates the volunteers for all of the events. She indicated that volunteer hours are tracked for reporting purposes. So far in 2017, 366.50 hours of volunteers have been reported, not including committee members. The volunteer hours were from the Easter Basket Bash, church projects, community services and Community Fisheries. Supervisor Nukaya indicated she has been working to implement a program to help with tracking volunteer profiles and be able to request their help where they would like to serve in an effort to have volunteers return. She also shared a reward program for the volunteers to help let the volunteers know they are appreciated. Mayor Pro Tempore Moser asked Supervisor Nukaya to let the Council know if they can help to reach out to volunteers and let residents know of volunteering opportunities.

2.1. [5:46:09 PM](#) Discussion pertaining to the Salt Lake Valley Law Enforcement Service Area – Brett Wood, City Manager

City Manager Brett Wood indicated this discussion would be to update the Council with available options for funding law enforcement services. Finance Director Alan Rae reviewed the historical data of the fund balance for Herriman City as part of the Salt Lake Valley Law Enforcement Service Area (SLVLESA) and observed the approximate end of year balance. He indicated the main difference between being a part of SLVLESA and withdrawing from the District would be to have complete control of the funds. SLVLESA Administrator Andrew Keddington noted that any new allocated resources could affect the fund balance. Councilmember Moser asked how many new allocations have been considered. Administrator Keddington observed two officer allocation requests. Councilmember Moser clarified the model presented would not reflect the true accounting of allocations. Director Rae confirmed the model was based on the accounting of the same level of allocations. He explained the projection models of having one officer allocation per every thousand residents and indicated it would not be feasible, as approximately three million dollars would have to be pulled from the general fund to cover the cost of allocations. Director Rae explained the expenditures and revenues covering the cost of public safety services and reiterated the difference between the options would be for the Council to control how many officer allocations would be granted. Mayor Freeman asked about the three-percent increase of the Unified Police Department contract. Director Rae explained the three-percent increase would be to cover inflation and adding additional sworn officers based on population.

Director Rae continued with the presentation of withdrawing from SLVLESA and how it could cause the City to borrow funds in order to cover the cost of public safety services until payments of property tax would be dispersed. He noted there would be sufficient fund balance by 2021 and added the City had the resources to backup the debt without going to a third party. Councilmember Moser indicated it would be helpful to have the projections. City Manager Wood stated the actual numbers would change the projection estimates. Councilmember Henderson asked if it would be easier to create a district for public safety. Finance Director Rae responded the funding would be the same. The difference with having a separate district would mean there would need to be a separate audit, financial statement and fund balance. Councilmember Tischner relayed his position to have a separate district allocating funds specifically for that purpose. Councilmember Henderson asked how complex of a process would it be to allow the district to borrow money for public safety services and Director Rae reviewed the process. Councilmember Martin suggested there was no benefit to create a district beyond political reasons. Councilmember Henderson indicated it would create a greater transparency. Councilmember Martin responded it would have the same transparency as with assigning the allocation of the funds for that specific purpose. Councilmember Henderson explained the transparency element would be on the annual property tax statement outlining how much taxes had been paid to the district, rather than just to the City. Councilmember Martin suggested it would be a matter of educating the public.

Director Rae noted he would like to have the budget set up as an enterprise fund to recover costs and have more stringent restrictions and transparency. He explained that the residents would have to be notified anytime there is a transfer of money with the exception of administrative fees.

6:16:30 PM *Councilmember Craig B. Tischner was excused from the meeting*

Mayor Freeman felt the City should look at the situation from a resident's perspective to have an additional level of comfort and relayed his support to create a district. City Manager Wood asked for direction from the Council. Council consensus determined to pursue leaving SLVLESA and requested having the allocation numbers to support looking into creating a district. Administrator Keddington cautioned the Council of the growth potential of the centrally assessed taxable value. Councilmember Moser noted that centrally assessed is not part of the Herriman City sharing. Administrator Keddington explained the presented concept that had been developed to determine where new allocations would be placed and the centrally assessed would be shared between member entities. Director Rae explained the public safety district would operate like SLVLESA and reiterated the difference would be the control of the fund balance and officer allocations. City Manager Wood indicated he would gather information as if the City left SLVESA to disseminate to the Council. Mayor Freeman noted he would look to that direction based on the financial statistics to reaffirm the decision. City Manager Wood indicated that further discussions would happen to clarify the potential of centrally assessed.

3. 6:25:11 PM Closed Session (If Needed)

- 3.1. *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***

Councilmember Henderson moved to temporarily recess the City Council work meeting 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 Martin seconded the motion.

The vote was recorded as follows:

<i>Councilmember Jared Henderson</i>	<i>Aye</i>
<i>Councilmember Coralee Wessman-Moser</i>	<i>Aye</i>
<i>Councilmember Craig B. Tischner</i>	<i>Absent</i>
<i>Councilmember Nicole Martin</i>	<i>Aye</i>
<i>Mayor Carmen Freeman</i>	<i>Aye</i>

The motion passed unanimously with Councilmember Tischner being absent.

The Council reconvened the City Council work meeting

Councilmember Martin moved to adjourn the City Council work meeting. Councilmember Henderson seconded the motion, and all voted aye.

3. Written Reports *(These items have been prepared for informational purposes. The items will not be discussed except when requested by the City Council)*

3.1. Water Conservation – Justun Edwards

4. [7:00:35 PM](#) Adjournment

Councilmember Martin moved to adjourn the City Council work meeting. Councilmember Henderson seconded the motion, and all present voted aye.

7:00 PM - GENERAL MEETING:

1. [7:07:18 PM](#) Call to Order

Mayor Pro Tempore Coralee Wessman-Moser called the meeting to order and welcomed those in attendance. She informed the audience that Mayor Carmen Freeman would be participating in the meeting electronically.

1.1. [7:07:20 PM](#) Invocation/Thought/Reading and Pledge of Allegiance

The Pledge of Allegiance was led by Scout Troop #1530.

1.2. [7:07:56 PM](#) Council Comments/Recognitions

There were no Council Comments/Recognitions.

1.3. [7:08:07 PM](#) Mayor's Comments/Recognitions

Mayor Freeman extended condolences to the Christian Young family and acknowledged his dedicated service to the City.

2. [7:08:43 PM](#) Public Comment

There was no public comment offered.

3. Mayor and Council Comments

3.1. [7:09:02 PM](#) City Council Board and Committee Reports

Mayor Pro Tempore Moser reported the Unified Fire Authority (UFA) has presented a new staffing plan that would include changes to how emergency crews are responding. Ambulance services will be provided; however, paramedics will respond on the engines to enhance service times. In addition to the staffing plan, Fire Station #107 and #120 will be closed. Personnel and equipment will be reallocated to better support the Unified Fire Authority.

4. Reports, Presentations and Appointments

4.1. [7:11:27 PM](#) Jordan School District Report – Darrell Robinson, Boardmember

Jordan School District Boardmember Darrell Robinson reported in November 2016, patrons approved a \$245 Million Dollar Bond to build six additional schools. Two or potentially three of those facilities will be constructed in Herriman City. Mayor Pro Tempore Moser asked when the placement decision would be considered. Boardmember Robinson responded there had been several discussions about the location, and the Board has been concerned with the number of patrons that would need to be bussed and the battle with immediate need vs. future need.

Boardmember Robinson reported he toured Bastian Elementary School which is on track to open for the 2017-2018 school year. The School District cut construction costs for the school without compromising the quality of the facility. Councilmember Martin asked what internal controls had been conducted to save costs. Boardmember Robinson noted there had been a committee that talked with teachers about their needs and because of those discussions, they were able to reduce the number of conference rooms, cement in locations instead of installing shrubbery and revisited decisions to determine what would make the most sense for the facility.

The Jordan School District announced their teacher salary schedules had been revamped. The ceiling cap had been removed and teachers would no longer be maxed out after 15 years. The starting pay for a new teacher had been raised to \$40,000 annually. Boardmember Robinson indicated that the next phase would allow teachers to earn more than one step within a year to reward teachers that are doing more than expected.

Boardmember Robinson informed the Council of the recently created committee known as the Innovations in Education Committee. The committee will examine what is being done within Jordan School District to compare with innovative classrooms throughout the nation. The District is doing some innovative things in the classroom, but lack in the communication venue. He explained he has been selected to sit on the board for the REAL Salt Lake STEM Academy. Boardmember Robinson indicated the partnership has been amazing and expressed his appreciation for the hard work and relationship that will allow the Jordan School District to collaborate with the academy.

Boardmember Robinson noted that Lacrosse is being considered by the Utah High School Activities Association to become a sanctioned sport as Lacrosse is becoming a huge sport in the community. He concluded with the best part of his year has been to visit all of the schools within his precinct. Councilmember Martin thanked Boardmember Robinson for his dedication to the School District. Mayor Pro Tempore Moser thanked him for his report, and relayed her excitement to have him as a representative.

4.2. **7:29:08 PM Building Safety Month Proclamation** – Cathryn Nelson, Chief Building Official

Chief Building Official Cathryn Nelson reported that May is Building Safety Month. Building codes address many of a society’s most important concerns. Building codes and design decisions affect us every day as many buildings would be in place for 50 years. We spend nearly 90-percent of our lives inside buildings and as Building Code Professionals, we are the “First Preventers”. Countless lives have been saved as well as improved due to the implementation of safety codes by local and state agencies, including fire agencies. These safeguards protect the public and enhance quality of life. Although inspectors are often unseen guardians, Herriman City’s Building Department staff is committed to provide safe, efficient and liveable buildings and homes.

Councilmember Martin moved to approve the Building Safety Month Proclamation. Councilmember Henderson seconded the motion, and all present voted aye.

5. **7:32:00 PM Consent Agenda**

- 5.1. **Approval of the Monthly Financial Report** – Alan Rae, Finance Director
- 5.2. **Approval of an ordinance banning the use of fireworks and any open flame fires within certain areas of Herriman City** – Wendy Thomas, Director of Parks, Recreation & Events

Mayor Freeman moved to approve the consent agenda as written. Councilmember Henderson seconded the motion.

The vote was recorded as follows:

<i>Councilmember Jared Henderson</i>	<i>Aye</i>
<i>Councilmember Coralee Wessman-Moser</i>	<i>Aye</i>
<i>Councilmember Craig B. Tischner</i>	<i>Absent</i>
<i>Councilmember Nicole Martin</i>	<i>Aye</i>
<i>Mayor Carmen Freeman</i>	<i>Aye</i>

The motion passed unanimously with Councilmember Craig B. Tischner being absent.

6. **Discussion and Action Items**

Councilmember Henderson moved to reorder the agenda to hear item 6.1 at the end of the meeting. Councilmember Martin seconded the motion, and all voted aye.

6.2. **7:33:04 PM Discussion and consideration of an ordinance to adopt the International Wildland-Urban Interface Code** – Cathryn Nelson, Chief Building Official

Building Official Nelson recommended the adoption of the International Wildland-Urban Interface Code as previous discussion had been held regarding its adoption. She presented a map outlining the wildland areas that would have to be adjusted as development occurred. Unified Fire Authority Chief Riley Pilgrim added that the state provided the map and staff would work aggressively to clearly define the interface areas which would be adjusted after improvements have been installed.

Councilmember Henderson moved to approve Ordinance No. 2017-21 adopting the 2006 edition of the International Wildland-Urban Interface Code. Councilmember Martin seconded the motion.

The vote was recorded as follows:

Councilmember Jared Henderson *Aye*
Councilmember Coralee Wessman-Moser *Aye*
Councilmember Craig B. Tischner *Absent*
Councilmember Nicole Martin *Aye*
Mayor Carmen Freeman *Aye*

The motion passed unanimously with Councilmember Craig B. Tischner being absent.

6.3. [7:36:29 PM](#) Discussion and consideration of a resolution approving an Interlocal Cooperative Agreement with Salt Lake County for Animal Control Services – Brett Wood, City Manager

City Manager Wood indicated the resolution approving the Interlocal Cooperative Agreement for Animal Control Services had been presented in a previous work meeting and recommended approval. Mayor Pro Tempore Moser explained to the audience the key point analysis was that Herriman City had not been paying their full share and a three year plan has been put into place to correct the error.

Councilmember Martin moved to approved Resolution No. R15-2017 approving an Interlocal Cooperative Agreement with Salt Lake County for Animal Control Services. Councilmember Henderson seconded the motion.

The vote was recorded as follows:

Councilmember Jared Henderson *Aye*
Councilmember Coralee Wessman-Moser *Aye*
Councilmember Craig B. Tischner *Absent*
Councilmember Nicole Martin *Aye*
Mayor Carmen Freeman *Aye*

The motion passed unanimously with Councilmember Craig B. Tischner being absent.

6.4. [7:38:33 PM](#) Discussion and consideration of an ordinance rezoning 1.66 acres of property located at approximately 12600 South Anthem Park Boulevard from C-2 (Commercial) to R-2-10 (Medium Density Residential) (File No. 19Z16 – Anthem Utah LLC) – Sandra Llewellyn, Planner I

Planner I Sandra Llewellyn informed the Council of an application to rezone 1.66 acres to R-2-10. She noted the request did fall in line with the General Plan, and relayed the Planning Commission recommendation to approve the rezone. Councilmember Henderson indicated the development plan had changed because of Bastian Elementary School and the property would no longer be a viable commercial corner.

Councilmember Martin moved to approve Ordinance No. 2017-22 rezoning property located at approximately 12600 South Anthem Park Boulevard from C-2 (Commercial) to R-2-10 (Medium Density Residential).

Councilmember Henderson expressed concern with voting on the rezone without action being taken on the Development Agreement and leaving the property open. Assistant City Manager Gordon Haight explained that the Planning Commission placed a Zoning Condition on their recommendation to not add any new density to the property. The rezone would make it compliant with the Development Agreement. Mayor Pro Tempore Moser suggested the items could be considered in tandem.

Councilmember Martin withdrew her previous motion.

Councilmember Martin moved to continue the rezone to coincide with the action taken with the Anthem Development Agreement. Councilmember Henderson seconded the motion.

The vote was recorded as follows:

<i>Councilmember Jared Henderson</i>	<i>Aye</i>
<i>Councilmember Coralee Wessman-Moser</i>	<i>Aye</i>
<i>Councilmember Craig B. Tischner</i>	<i>Absent</i>
<i>Councilmember Nicole Martin</i>	<i>Aye</i>
<i>Mayor Carmen Freeman</i>	<i>Aye</i>

The motion passed unanimously with Councilmember Craig B. Tischner being absent.

6.5. 7:47:20 PM Discussion of the Anthem Development Agreement located at approximately 12309 South Mustang Trail Way, Herriman – John Brems, City Attorney

City Attorney Brems reviewed the specific changes that had been made to the Development Agreement. Under section 1.2.19 Maximum Residential Units included single-family detached to the definition. In paragraph 3.2 Maximum Residential Units inclusion is any future sale of land within the project for an institutional use such as a church or school shall result in the number of Maximum Residential Units being reduced by the number of lots that were to be developed on that property based on the average density of the land as shown on Exhibit “B”. Mayor Pro Tempore suggested the detached Single-Family Residential term and be defined terms in the agreement. She also noted the words in the proposed language “such as a church or school” should be stricken from the agreement as institutional is a defined term. City Attorney Brems agreed and continued with section 9.3 addition to include the City shall not be required to provide secondary water except in its sole discretion.

Mayor Pro Tempore Moser asked if the roads throughout the development be public or private. Developer Doug Young confirmed the roads would be public. Mayor Pro Tempore Moser observed the section in the agreement that secondary water would not be required if the lot size in Pod 2 is less 6,500 square feet. She asked what the average lot size would be in each of the pods. Developer Young responded the lots were large. Councilmember Henderson asked if the two strips of land that abut Herriman Boulevard and Anthem Park Boulevard were not included in this project because of a different property owner. This was confirmed.

7:52:47 PM *Councilmember Craig B. Tischner reconvened the City Council meeting*

Councilmember Henderson asked where the open space would be located. Developer Young responded that all of the open space has been accounted for and would present a map at the next meeting outlining the open space. Mayor Pro Tempore Moser asked if he could also calculate the average size of the lots for the two pods by cutting out all of the open space and roadways for the next meeting. Developer Young iterated that most of the parcels were quarter-acre to third-acre in size. Mayor Pro Tempore requested to have the calculations brought back. Developer Legal Counsel Bruce Baird requested not to have the detached sign-family dwelling be defined in the Development Agreement as it would be considered a common term.

Mayor Pro Tempore Moser relayed her concern of confusion with having a detached duplex being considered as acceptable. She expressed her desire to have the agreement be clear and concise.

6.6. 7:59:21 PM Discussion and consideration of a resolution approving the third amendment to the Interlocal Cooperative Agreement by Public Agencies to Create a New Entity, to Consolidate Law Enforcement Services, and Provide Rules of Governance – Brett Wood, City Manager

City Manager Wood indicated the Interlocal Agreement would allow the Unified Police Department Board to allow townships to be on the board. Mayor Freeman added the amendment would allow township participation on the Board, and recommended approval.

Councilmember Martin moved to approve Resolution No. R16-2017 approving the third amendment to an Interlocal Cooperative Service Agreement by and among Herriman City, Salt Lake County, City of Holladay, Riverton City, City of Taylorsville, Midvale City, Millcreek City, Township of Kearns, Township of Magna, Township of Copperton, Township of White City, Township of Emigration Canyon, and the Salt Lake Valley Law Enforcement Service Area with respect to the Unified Police Department. Councilmember Henderson seconded the motion.

The vote was recorded as follows:

<i>Councilmember Jared Henderson</i>	<i>Aye</i>
<i>Councilmember Coralee Wessman-Moser</i>	<i>Aye</i>
<i>Councilmember Craig B. Tischner</i>	<i>Aye</i>
<i>Councilmember Nicole Martin</i>	<i>Aye</i>
<i>Mayor Carmen Freeman</i>	<i>Aye</i>

The motion passed unanimously.

6.1. 8:04:13 PM Discussion and consideration of an ordinance reaffirming the adoption and approval of the Development Agreement for West Herriman Three (3) Parcel Project with respect to three parcels of real property located at or near 14063 South 7300 West, 6725 Butterfield Parkway and 7220 West Rose Canyon Road – John Brems, City Attorney

City Attorney Brems indicated that he would review the changes made to the Development Agreement. He noted the address has been included on this agreement and the fifth whereas clause has been added to state the City and Developer have agreed to limit the density from that provided in the prior West Herriman Development Agreement on the Farley Property. In section three of the agreement it states that the developer shall dedicate and convey to the City by special warranty deed the property depicted in the exhibit the right-of-way for the City to construct 7300 West. The developer shall be allowed to proceed with the plat recordation and development of the Farley Property and the Kimball Property prior to dedicating the right-of-way to the City. Also, the City will cause 7300 West to be constructed as a Capital Facilities Road when the City chooses to make the extension. No costs or expenses relating to the roadway will be paid by the Developer or Developer’s successors-in-interest, except Transportation Impact Fees to the extent applicable.

Attorney Brems referenced paragraph 4c outlining the developer may construct no more than eleven (11) single-family lots on the Farley Property. Paragraph five discusses the Farley Property density adjustment. In exchange for this agreement to reduce the number of lots on the Farley Property, the City shall satisfy

one of the following items of consideration before the last to occur of: (i) 12 months following the execution of the agreement, or (ii) the date on which the developer dedicates and conveys to the City the roadway property as set forth in section three. The City shall grant an option to purchase, or receive the right to purchase by contract an acceptable parcel or tract of real property now owned or yet to be acquired by the City; provided, however, that the parcel of land or contract right to be granted to Developer must be on terms that are reasonable acceptable to the developer, or if the City and the developer cannot reach a written agreement, then the City shall pay the developer \$390,000. In the next section it indicates that as long as the City satisfies one of the items of consideration the developer shall waive and release the City from any claims for damages relating to the reduction of density on the Farley Property.

Attorney Brems clarified that the developer could move forward with the development of the Kimball Property; however, the right to develop the Farley property with eleven (11) lots is subject to a condition subsequent to the approval from the Planning Commission. Councilmember Henderson confirmed there would be a public hearing on the development. This was confirmed. Attorney Brems presented the newly proposed plat layout for the Farley property.

Developer Trevor Hull applauded staff, City Council and residents for allowing this project to become the best trilateral project he has seen. He indicated he would be willing to build the sidewalk for a safe walking route and install the vinyl fence for the development prior to the development of the project to help mitigate safety concerns. He noted that he would utilize the Codes, Covenants and Restrictions from surrounding neighborhoods as well as the City standards to create a higher standard for the development. He indicated that a minimum of five lots would have third car garage. The rambler minimum square footage would be 1,800 square feet, and the two story home minimum square footage would be 2,500 square feet above ground. Councilmember Martin mentioned the development was a great example of working together to elevate the project. The Council agreed.

Councilmember Henderson moved to approve Ordinance No. 2017-15 adopting and approving a Development Agreement for West Herriman 3 Parcel Project with respect to three parcels of real property located at or near 14063 South 7300 West, 6725 Butterfield Parkway, and 7220 West Rose Canyon Road, Herriman, Utah. Councilmember Tischner seconded the motion.

The vote was recorded as follows:

<i>Councilmember Jared Henderson</i>	<i>Aye</i>
<i>Councilmember Coralee Wessman-Moser</i>	<i>Aye</i>
<i>Councilmember Craig B. Tischner</i>	<i>Aye</i>
<i>Councilmember Nicole Martin</i>	<i>Aye</i>
<i>Mayor Carmen Freeman</i>	<i>Aye</i>

The motion passed unanimously.

7. [8:25:25 PM](#) Calendar

7.1. Meetings

- May 4 – Planning Commission Meeting 7:00 p.m.
- May 10 – City Council Work Meeting 5:00 p.m.; City Council Meeting 7:00 p.m.

7.2. Events

- May 1 & 8 – Community Fisheries Class; Cove @ Herriman Springs 6:00 p.m.
- May 6 – Unified Fire Authority 5K & 10; W&M Butterfield Park 8:00 a.m.
- May 3 – Gov 101: Blackridge Park & Play; Blackridge Reservoir 5:30 p.m.

8. Closed Session (If Needed)

8.1. *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*

9. [8:26:04 PM](#) Adjournment

Councilmember Tischner moved to adjourn the City Council meeting and reconvene in the City Council work meeting. Councilmember Henderson seconded the motion, and all voted aye.

10. [8:34:55 PM](#) Recommence to Work Meeting (If Needed)

2.5. [8:35:36 PM](#) Cemetery Ordinance Discussion – Wade Sharp, Parks Manager

Parks Manager Wade Sharp indicated he would like to review potential changes to the Cemetery Rules and Regulations. He suggested adding a new section to the cemetery and a columbarium area for the burial of cremated remains at a reduced cost. Manager Sharp relayed his thought about having a Tree Planting Memorial along the fence which would screen the cemetery from the new parkway and would allow grieving individuals another way to honor those who have passed on. Mayor Pro Tempore Moser asked if a cost analysis for the columbarium had been conducted. Manager Sharp indicated the research for the columbarium area was in the initial stages and was looking to see whether or not it would be something the Council would entertain. Mayor Pro Tempore Moser recommended a study be completed to allow the Council to determine if it would be appropriate to incorporate into the cemetery. Mayor Pro Tempore Moser asked why an existing plot could not be divided to bury two urns. Manager Sharp responded that two urns would be allowed to be buried together at the same time. The difficulty lies with marking and excavating the half plot for split burials. Mayor Pro Tempore Moser suggested it could be conducted as the City allows for half plot infant burials.

Manager Sharp referenced the infant section and the requirement for flat markers and indicated he would be willing to allow for uprights in the infant and urn sections if the burials were conducted in succession to avoid excavation complications. Mayor Pro Tempore Moser observed section D2 where it indicated residents must provide evidence in a form acceptable to the City that they are a legal resident. She requested that language to read a Herriman City legal resident. Councilmember Tischner asked if the acceptable alternative vault construction was approved on a case by case basis. City Manager Wood confirmed. Mayor Pro Tempore Moser asked if that wording could be more specific regarding durability standards.

Mayor Freeman referenced the smoking prohibited section and recommended to incorporate vaping to be prohibited as well. Councilmember Tischner asked a notice to be placed at the cemetery so plot owners and family member to be aware of the potential changes along with contact information. The Council agreed. Mayor Pro Tempore Moser asked for clarification of the ordinance referring to the infant plot fees may be waived with the purchase of two adjacent plots. Manager Sharp indicated he would adjust the ordinance language to clarify the intent. Mayor Pro Tempore Moser referenced the fee schedule and noted there was

not a cost associated with opening and closing the Urn Section which should be addressed. Councilmember Tischner asked about the additional cost of opening and closing a grave after 2:00 p.m. City Manager Wood responded that charge is to help cover the cost of staff overtime. Councilmember Tischner requested that requirement be clearly communicated to the families at the time of burial preparations. Manager Sharp confirmed.

2.4. 9:04:04 PM Benefits Discussion – Travis Dunn, Human Resources Manager & Brett Wood, City Manager

Human Resource Manager Travis Dunn thanked the Council for their support of having an attractive benefit package to attract and maintain employees. He relayed the current benefit package for sick leave and vacation and proposed to have the sick leave hour cap be increased to 600 hours. Upon separation from the city 25-percent of the sick leave would be paid to the employee into their 401K, 457, or on their final paycheck. Manager Dunn also recommended the vacation hours cap be raised to 320 hours with a separation payout of 100-percent be placed into their 401K, 457, or final paycheck. Councilmember Henderson recommended discussion with the URS to have the option to have the money paid into a 401K or a final paycheck. Regulations would require the money to be taxed because they were offered a choice so it would be automatically considered income. Manager Dunn confirmed. He continued with the proposed buyback for longevity of employees that have reached the capacity for each benefit that would buyback hours over the maximum increments of an additional five percent for every five years of completed service. He also suggested the City could have the percentages raised one percent for every year of completed service. Council consensus supported the five-percent buyback.

Manager Dunn informed the Council of his desire to stop having a third party cover short term disability and the City be self-insured. City Attorney Brems asked if they considered having an outside agency administer the determinations if an employee qualifies for short term disability. Councilmember Henderson asked what liability would be placed on the City. Manager Dunn indicated he would do more research on the short term disability proposal.

2.3. 9:31:24 PM Discussion relating to the 2017-2018 Herriman City Tentative Budget Discussion – Alan Rae, Finance Director

Mayor Pro Tempore Moser thanked staff for the budget proposal and for being fiscally responsible. Councilmember Tischner referenced the 12-percent increase for snow removal and asked if that would be sufficient with the increase of city roadways and if the City has a plan to add additional fleet. City Manager Wood indicated that was being discussed. Councilmember Henderson asked if there was a lane mile trigger to determine when another piece of equipment would be warranted. Operations Director Monte Johnson verified.

8. Closed Session (If Needed)

8.1. *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*

Councilmember Martin moved to temporarily recess the City Council work meeting to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonably imminent litigation, and the purchase, exchange or lease of real property as provided by Utah Code Annotated §52-4-205. Councilmember Tischner seconded the motion.

