The following are the minutes of the City Council Meeting of the Herriman City Council. The meeting was held on Wednesday, January 24, 2018 at 5:00 p.m. in the Herriman City Hall Council Chambers, 5355 West Herriman Main Street, Herriman, Utah. Adequate notice of this meeting, as required by law, was posted in the City Hall, on the City’s website, and delivered to members of the Council, media, and interested citizens.

**Presiding:** Mayor David Watts

**Council Members Present:** Jared Henderson, Nicole Martin, Sherrie Ohrn, and Clint Smith

**Staff Present:** City Manager Brett Wood, City Recorder Jackie Nostrom, Director of Administration and Communications Tami Moody, Finance Director Alan Rae, Water Director Justun Edwards, Parks and Recreation Director Wendy Thomas, City Engineer Blake Thomas, Deputy Chief of Police Services Troy Carr, City Planner Bryn McCarty, Unified Fire Chief Riley Pilgrim, City Attorney John Brems, Chief Building Official Cathryn Nelson, Community Development Coordinator Sandra Llewellyn and Communications Specialist Jon LaFollette.

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

1. Mayor and Council Social
   1.1. *The Mayor and Council will meet for informal discussion and dinner. No action will be taken on any items.*

2. Council Business – 5:15 PM
   Mayor Watts called the meeting to order at 5:17. He noted that Councilmember Martin would arrive late. He expressed appreciation to law enforcement for their efforts in mitigating the gunman crisis.

   2.1. **Review of this Evening’s Agenda**
       Staff and elected officials briefly reviewed the agenda. City Manager Wood stated that they did not need a closed door meeting this evening and noted that Assistant City Manager Gordon Haight was out of the office.

   2.2. **Future Agenda Items**
       There were no future agenda items that needed to be discussed. Mayor Watts said at some point he and the members of the Council would like a debriefing regarding the gunman incident. He again commended staff for their efforts in remediating the crisis.
3. Administrative Reports

3.1. City Manager Updates – Brett Wood, City Manager

City Manager Brett Wood echoed Mayor Watt’s comments regarding the latest safety incident. He explained that the recent move into the new City facilities necessitated some training on how to respond in the event of an emergency. He stated that the latest emergency management incident made him reflect heavily on this issue. He said the biggest push they needed to make as a City was to form a communication team that would be present during all policy meetings, including City Council and Planning Commission meetings. He explained this would be a matter of determining how to allocate resources to the effort. The incident caused staff to flush out resources such as the media, technology, and the City’s communication channels. He thanked the City’s communications staff for their efforts in getting the City through the crisis.

UPD Chief of Police Troy Carr reviewed all of the resources that went into capturing the person at large, and reported that in total there were 172 officers in the City from various agencies. He thanked everyone who was involved in the effort to capture the individual.

City Manager Wood said he heard back from two Councilmembers about attending the ICSC Conference in Las Vegas May 20th through May 23rd. He said rooms close to the convention center booked quickly. He also talked about the upcoming trip to Washington D.C. which was scheduled for May 7th through May 10th. Councilmember Ohrn felt there was enough representation for the ICSC trip. The Council agreed.

City Manager Wood turned time over to Finance Director Alan Rae. Director Rae reported the City was up 34-percent on sales tax from last January, according to the quarterly report. He said most of this was based on population growth. Only 22-percent of what they received was on local sales. He said they needed to increase local sales. The total distribution was $367,000 compared to $277,000 from last January. Next month would account for the holiday season.

City Manager reported that the ULCT Conference was scheduled for April 25th through April 27th. Mayor Watts stated he would like to attend, and assumed that Councilmember Martin would also like to attend. Councilmember Ohrn stated that she would also like to attend.

The time was turned over to City Planner Michael Maloy to talk about the open house on the General Plan. City Planner Maloy stated that following last meeting, staff presented ten amendments of the General Plan which all focused on commercial amendments. Staff was moving forward on hosting an open house in two weeks. The event has been scheduled for February 7th from 6:30 pm to 8:30 pm.

City Manager Wood said staff had been gathering information regarding the recently formed Herriman Promise Committee. He asked the Council if the City was going to start charging the use of buildings for youth sports groups, which they previously did not do. He enumerated several groups that presently used the building, including: Arts Council, Utah Daughters of Pioneers, preschool graduations, Herriman Baseball, and Herriman Soccer. He said as the City Manager, he did not have the authority to waive fees. He needed guidance on how to approach non-profit
Councilmember Henderson wanted to know what a nominal fee would be just to cover maintenance cost, including cost per hour for clean-up. City Manager Wood said ten years ago groups used City buildings for registration; however, this process now conducted online. Anytime these groups used the building now it was for board meetings. Councilmember Henderson said by implementing a nominal fee they would weed out groups that abused the City’s generosity in using its spaces for free. Councilmember Ohrn asked if there were other places in the City they could be used for free, such as the library. City Manager Wood said the library, for example, had nominal fees. He said they needed to give people time to adjust to these changes and they could not allow groups to schedule out the whole year.

Councilmember Ohrn asked about the Herriman Promise group and wanted to know if she could get an update on a list of questions she previously submitted. City Manager Wood said he was presently working on them. One of the questions they had was if the City was going to allow groups to use building for free. Mayor Watts expressed appreciation for staff’s efforts to go above and beyond their duties, and said they would do everything possible to help the City’s residents.

City Manager Wood provided updates on compensation benefits. He said this was broken down by positions of Mayor and Council. He said he would distribute the document to the Council for review. He said Herriman was the only City where the mayor received benefits for a part-time position. However, in all other aspects of compensation they were aligned with what other cities paid elected officials. Mayor Watts thanked City Manager Wood for gathering the information.

City Manager Wood discussed the launch meeting, and said the facilitator complimented the City’s buildings for how they flow and allow networking to take place. He said as a City they needed to review Herriman’s Vision and Mission Statement. Director of Administration and Communications Tami Moody said the second day of the launch meeting would be about assessing the City’s vision and on how to carry out that vision. Staff believed this meeting would help the City define a clear path for moving forward. Director Moody also proposed an idea of producing a “Meet your Councilmembers” segment. This would entail shooting a video with each Councilmember wherein they discussed the reasons why they ran for City Council and what they hoped to accomplish. Staff would like to have this conducted after the launch meeting.

Director Moody announced the “Coffee with the Cops” event which was scheduled for February 6th at 9:00 am at Knots on Main. One discussion would pertain to communication mishaps that occurred throughout the gunman incident. Police Chief Carr said the lessons learned through these experiences could be incorporated into the City’s emergency response plan. He explained that staff did not want to hinder people from communicating in times of emergency; rather, it was the misinformation that circulated that day which caught law enforcement off guard. Mayor Watts said there was no mal-intent from the individual who posted misinformation online regarding the situation. He said the residents were concerned that there may have been a lack of information from the City. He said some information was withheld and so residents communicated with each other on matters. Unfortunately this caused
misinformation to circulate which perpetuated some substantial problems. Police Chief Carr reminded citizens to turn to verified sources such as the City in order to get accurate information, especially during times of crisis.

Councilmember Martin arrived at 5:52 p.m.

Councilmember Martin said one element that was problematic during the incident was related to how elected officials responded to citizens. She said there was a lot of information they received as elected officials that was not intended for public use. She said it was important for elected officials to defer to the communication plan. She discussed the importance of having consistent messaging being communicated to the residents, and said they needed to defer to the organization that had the lead on a case. In the most recent incident, she decided to share from the official sources which reinforced the validity of that information. She said sometimes elected officials were the problem in terms of sharing information. She wanted the Herriman City Council to be part of the solution and not the problem. Police Chief Carr said he and Director Moody communicated to the public that the information from UPD was the primary source. Councilmember Martin remarked that Mayor Watts did a great job in his follow-up interview on the matter.

City Manager Wood said the bottom line was that this was an ugly incident; however, he stressed that Herriman was still a safe place to live. Councilmember Ohrn said she was impressed with officers and their dedication to serving the City.

3.2. **Camp Williams Report on Environmental Resources** – Robert Price, Environmental Resources Management Utah National Guard

Environmental Resources Manager Robert Price of the Utah National Guard (UNG) introduced himself, along with Mr. Walt G. of the National Guard Bureau in Virginia. The project managers who were involved in this study were also present in the audience. Mr. Price distributed a document showing the results of a study conducted of the Wood Hollow training area. He said the study began in 2010 and the field work was completed in 2017. Parsons had been the contractor on this project for the entire length of the project. He presented several images of the subject property. The response program reviewed the historical overview of military training activities on the property with the intent of cleaning them up. He said this was a highly visible program that was congressionally funded.

Manager Price explained that a couple of years ago, UNG discovered that National Guard artillery training had taken place at Camp Williams, presumably prior to WWII. They were firing into the low hillsides into what was presently the insulation boundary. He said the site had grown tremendously over time. Using the aid of an aerial map, he identified an area that underwent remedial action almost ten-percent. He said UNG worked with Herriman staff in how this matter was approached. He identified areas of high use and density, and showed images of artillery rounds that had discharged shrapnel on the ground. He explained that the shrapnel created a tremendous amount of metallic debris. He identified areas where dormant explosives were found onsite. During the course of the project they removed 81 live rounds. Manager Price then showed an image depicting the entire area that was investigated. He said as they went through this process they made several more discoveries, and through the entire process they were aided by mine operators at Staker Parsons. He explained that transects were visible on the map to determine the extent of the contamination.
Manager Price explained there were negotiations with the State Department of Environmental Quality to create a risk-based approach on how to investigate the property. He stated that they still had not cleaned out the entire area. He explained that the extent to which they would investigate was related to the future land use that Herriman planned for the area. He explained that UNG aligned their work with the City’s land use plan. The areas marked for residential use were investigated at a higher rate than non-residential areas. He said in total approximately 1,800 acres were investigated. In the low density areas they assessed approximately 12 miles of transects. In the higher density areas, they assessed approximately 13 miles of transects. Manager Price stated a final report on the clean-up was submitted to the State and UNG’s work was now complete. However, with regards to munitions clean-up it was impossible to say everything had been removed from the area; there was always going to be potential for something to surface. If this were to occur, UNG would want to know about it. In addition, if munitions were ever discovered on the property the person should call 9-1-1 immediately.

Manager Price explained that a portion of the project they organized a remedial advisory board, for which Herriman City had representation on the board. He said the fieldwork was completed in February 2017. Their intention at this point was to adjourn the investigation because of completion. The newsletter and this presentation served as the final message to the City Council.

Mr. Walt G. stated that the Army Corps of Engineers were the experts on military emissions, and they went through and double checked the contractor’s work to make sure that the best possible work was conducted. Manager Price explained that the detection technology that was used was a geophysical magnetic piece of equipment. It imposed a magnetic field and any sort of metallic object at the subsurface caused a reflection. He then described the excavation process.

3.3. Mountain View Corridor Project Update – Joe Kammerer, UDOT MVC Project Director
UDOT MVC Project Director Joe Kammerer explained that the Utah Department of Transportation currently provided funding to construct the Mountain View Corridor from 4100 North to Highway 201. This section would be constructed as a freeway, whereas the section in Herriman was constructed as a frontage road with the freeway to come in the future. UDOT was designing a section of MVC which would run from 2100 North and Redwood Road in Lehi southward to Pioneer Crossing in Saratoga Springs. Once these projects were completed they would focus on the section of MVC from Porter Rockwell to 2100 North, including the portion located to the east of the NSA building that was parallel to Redwood Road.

Director Kammerer said the environmental impact study was completed in 2008 and it produced balanced transportation solutions for roadway, trail, bicycle and transit systems. He presented concept images for Phase I of the roadway system, which included two lanes running each direction. He said all of the intersections would be constructed at grade. Phase I of the transit system had been modified; it would be an express bus that would run from the red line at Daybreak along 5600 West. The bus would connect to the International Center, the airport and downtown, and would run in 15 minute intervals. Phase II of the roadway system would then include bridges or interchanges over cross streets. He stated that the transit north of Old Bingham was presently unfunded; once it became funded, they would move to Phase II of the roadway. The only remaining piece needed was a connection from 2100 North to Porter Rockwell.
Councilmember Henderson asked about potential timing. Director Kammerer explained that his role was to provide information for good decision making to take place. Mayor Watts asked if a connection needed to be made to Porter Rockwell in order for Phase II to move forward; Director Kammerer responded in the negative.

3.4. **Salt Lake County Animal Services Contract Report** – Carrie Sibert, Outreach Supervisor & Michelle Jones, Animal Control Officer

Outreach Supervisor Carrie Sibert thanked the Council for the opportunity to present. She explained that she was the primary contact for any of the City’s questions regarding shelters. She had over 17 years of experience in the animal industry; five of those years she worked as a wildlife rehabilitator and the rest of the time she had worked at shelters in various positions.

Animal Control Officer Michelle Jones introduced herself as well and provided an overview of the various roles in which she had served during her 20-year career working in animal services. During the time in which she was the primary Animal Control Officer for Herriman, she developed strong relationships with City staff and members of the community. She was proactive on social media, a tool which she used to find homes for pets and address public concerns. At present, Officer Jones was the liaison with Herriman City. Officer Jones was a certified Animal Cruelty Investigator and Special Investigator for Equine Livestock.

Outreach Supervisor Sibert discussed the “Snuggle with Adoptable Pets” initiative, and stated that the first session was in January. Every month on the second Friday, the Salt Lake County Animal Services would be bringing several adoptable pets to the City to find them families. Licensing and microchipping services would also be available for current pets. She said this had been a wonderful resource and they were happy to extend the program into Herriman. Other programs included free training, dog behaviour workshops, licensing and vaccination clinic, and the TNR and community cat program. She explained that the community cat program addressed the issue of free roaming cats, and the initiative followed the Utah State Code Community Cat Act. She explained that this was a long-term solution to control and stabilize the cat population. She explained that sterilized colonies were easier to maintain as they regulated their own population. Lastly, Outreach Supervisor Sibert announced the fourth annual “Petapalooza” pet adoption festival, which would be held in West Jordan.

3.5. **2018 Blackridge Proposal** – Wendy Thomas, Director of Parks, Recreation and Events

Director of Parks, Recreation and Events Wendy Thomas explained that Blackridge Reservoir had been an extremely popular amenity for Herriman residents and guests. Over the past two seasons, Algal blooms originating in Utah Lake and the Jordan River have had a significant impact on the functionality of the Reservoir for leisure purposes. On July 21, 2017, Blackridge Reservoir was closed following a Salt Lake Valley Health Department Advisory of the identification of “Anatoxin A” in the Jordan River. This was the second year Blackridge had experienced a mid-season shut down due to the bloom. Due to the sensitivity and risk of the closure, City Staff and Unified Police Department determined that the entire park and trailhead should be closed. On September 18, 2017, the gates were reopened to the park and trailhead, but swimming remained prohibited. Small, non-motorized watercrafts were allowed after the re-opening at the users’ own risk.

The Water Department and Salt Lake County Health Department ran a series of tests on the quality of the water following the bloom. Traces of Anatoxin-A and microcystins were identified in small amounts in test results taken
in July. Unified Police Department provided security at the Reservoir and Park through their secondary staffing pool. City staff utilized this service during peak times where crowds were expected to be heavy, including weekends and holidays. Part-time, temporary staff was stationed at the reservoir to open and close the facility, assist visitors, keep up with restrooms and sell concessions. It was noted that the worst case scenario health risk to the residents was death; however, more commonly these toxins caused gastrointestinal issues. Youth and animals were the most susceptible.

Councilmember Martin said Blackridge Reservoir was a recreational asset and draw to the area, so she was hesitant to eliminate swimming altogether. She explained that Utah Lake had a similar issue every season. She asked staff if they were noticing a trend that algal blooms were occurring sooner in the year. Staff confirmed that algal blooms were seasonal and as the weather warmed up earlier in the year, algal blooms consequently occurred earlier as well. After subsequent deliberation, Councilmember Martin suggested that the City continue to communicate to the public that once the reservoir became a health risk the City would shut it down. The secondary problem was raucous behaviour taking place on the weekends. Councilmember Martin said she did not want to use the issue of health risks to respond to the issue of raucous behaviour; she wanted to solve both problems in appropriate ways based on the issues.

Councilmember Smith asked staff to highlight the additional costs the City was paying each year for algae treatments, as well as for assigning additional Officers to the area. Water Director Justun Edwards stated the treatment currently being used treated the algae; however, the City’s personnel were still trying to determine whether or not it treated the toxin as well. Director Edwards explained that the treatment itself cost around $25,000 per year for a maintenance level of dosage, not an eradication level of dosage. If swimming was prohibited, the dosage level may be reduced.

Mayor Watts asked if a fishing option could be offered in lieu of swimming. Director Edwards said staff had looked at fishing as an option; they just didn’t want to have both. Mayor Watts said if they were going to discuss whether or not to prohibit swimming, then they should probably also discuss alternatives to swimming, such as fishing. Councilmember Henderson said even if swimming was prohibited, there was a sandy area where children played and fish hooks would be hazardous. While he personally enjoyed fishing, he did not think this use was compatible for the area.

Councilmember Martin inquired as to how staff would regulate certain types of water activities while at the same time prohibiting swimming. She said this seemed like an “all or nothing” issue. Director Thomas explained that Oquirrh Lake operated similarly; swimming was prohibited, but people could wade up to their ankles, and paddle boards and canoes were allowed; there were onsite personnel who enforced these regulations.

Councilmember Henderson expressed support for the proposal to prohibit swimming. Councilmember Smith said this would be a radical deviation from the public’s previous expectations. He wanted to look at the costs, as well as information on the parking permit program. He said some of the issues in the past had been resolved and they needed to explore the existing issues in the area before completely closing the facility off to swimming. Councilmember Martin asked about the possibility of conducting a poll on the matter to gain better insight on the public’s point-of-view. Councilmember Smith said he would also want to identify the areas of the City where certain data was being collected. Mayor Watts supported Councilmember Martin’s suggestion and advised staff to provide the Council with...
more information on the matter. In addition, Mayor Watts requested input from UPD and UFA regarding drownings and other incidents. Councilmember Ohrn requested additional information on the chemicals used in the reservoir as well.

Councilmember Smith moved to recess the City Council work meeting at 7:00 pm. Councilmember Ohrn seconded the motion and all voted aye.

7:10 PM - GENERAL MEETING:

1. Call to Order

Mayor Watts called the meeting to order at 7:14 p.m. and welcomed those in attendance.

1.1. Invocation/Thought/Reading and Pledge of Allegiance

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

1.2. Council Disclosure for Conflict of Interest

No conflict of interest was noted.

1.3. Mayor/Council Comments and Recognitions

Mayor Watts asked Police Chief Carr to address the events from the weekend. Chief Carr said an individual by the name of Justin Gary Llewelyn shot at one of the sergeants on duty the previous Saturday. Mr. Llewelyn also shot at another officer who was off duty, then broke into a home and shot the homeowner. The Salt Lake City Police Department took over the investigation as required by State Statute. The investigation required many resources from Herriman, Riverton and other agencies, including the FBI. During the investigation, they learned that Mr. Llewelyn’s family members were assisting him in evading the police. The investigation caused them to lock down three schools. They did not want children out on the street while potential police actions could take place. They were able to arrest the three family members because of information they obtained during the investigation. He said through information they received they learned Mr. Llewelyn was in Provo. As of today, January 24, 2018, they apprehended Mr. Llewelyn and he was now in the Salt Lake County Jail.

Police Chief Carr recognized the frustrations of the residents; he explained that the Police Department wanted to prevent misinformation by slowing it down. Mayor Watts said he was involved with the incident and the decisions they made were to keep everyone as safe as possible. He wanted the residents to know the lock down of the school was for the safety of the children and not a direct threat. He thanked all the agencies involved and credited their decisions for no loss of life during this crisis.

Councilmember Martin said Herriman was good about being transparent and if they were releasing information slowly, it was for a good reason. She explained that the information they provided during a crisis would always be for the safety of the community and the integrity of the investigation. Police Chief Carr said transparency was one of his core values and they did not withhold information out of malice. Councilmember Ohrn expressed her sympathy for the family that was affected by this crime and was grateful of their recovery. Police Chief Carr said this was a widely dispatched story and there would be a big healing process throughout the community.
Councilmember Smith thanked Police Chief Carr and his department. He said this was a traumatic event and the community should reflect on how they could move forward in healing. He asked why the State statute required them to pass the investigation to another agency, and thought this was confusing. Police Chief Carr said this statute was for transparency and assistance. This was a new law and they were learning how to implement it effectively. Mayor Watts said this was a good opportunity for other communities to learn how they could be more prepared. Police Chief Carr said they received many calls about suspicious behaviour which was a testament to the community’s vigilance.

There was subsequent discussion regarding crime in the City. Police Chief Carr said there were very few crime incidents in the City of forced entry to homes and cars. He urged the community to be more vigilant in locking doors and securing their properties.

Mayor Watts encouraged the scouts to tell someone when they saw something they believed was wrong.

Councilmember Ohrn said the Youth City Council met with the State Legislature and they had good attendance. She wanted to remind everyone the Legislature was in session and everyone should pay attention to the decisions being made.

2. Public Comment

Morgan, from Scout Troop #1530, said that the events on Saturday were frightening. Mayor Watts responded and said he was also terrified.

Chase, from Scout Troop #1530, asked why they did not lock down Providence Hall. Police Chief Carr said that Providence Hall was outside the area of operation.

3. Mayor and Council Board and Committee Reports

Mayor Watts said he met with some of the other mayors in the western area regarding some of their legislative priorities. They discussed the Mountain View Corridor and other pending State legislation.

Councilmember Smith said he met with the Sewer Board. He said the biggest challenge concerning the sewers was the waste disposal. He said only a few landfills would accept this waste and the local one was being pressured to stop accepting this type of waste. The cost would be driven up if they had to transfer waste further away. The board was working on an additional facility that would create class ‘A’ waste. They were working to be environmentally friendly and to keep costs down.

4. Reports, Presentations and Appointments

4.1. Introduction of the Herriman Hills Trails Alliance Chair – Wendy Thomas, Director of Parks, Recreation and Events

Director Thomas introduced Jo Darton, the Chair of the Herriman Hills Alliance, who came recommended by the Trails Committee. She said they would have a resolution in the next Council meeting to formally appoint Ms. Darton.
Director Thomas gave some background on the trails committee and her experience. She said they wanted to amend the bylaws to change their status from a subcommittee to full committee status. She said they were working on a trails master plan to recommend to the Council and the Planning Commission. They were building new trails, cleaning, and maintaining existing trails. She said the citizens wanted more trails and they had a huge benefit to the community. They would find funding through corporate, private and fundraising efforts to build more trails. Mayor Watts said they looked forward to what the committee produced.

### 4.2. Presentation of the Branding Study – Heather Upshaw, Economic Development Manager

Economic Development Manager Heather Upshaw asked Cassie Andrews and John Walder to introduce themselves. Mr. John Walder said he worked for Lighthouse Research and they were working on the Branding Study. He said they were commissioned to do a study of businesses for Herriman. They wanted to understand what businesses were looking for when they moved to a new location. Their purpose was to find out how to attract business to Herriman. A survey was conducted and he shared key findings in his PowerPoint Presentation. There were positive findings for Herriman to attract business from the survey. They sent out about 8,000 surveys in emails and 200 responded. They also learned about the specifics the businesses were looking for in a location. This may include the look of an area, taxes, incentives, and location.

Mr. Walder said the most important factor for business was commercial rental cost. Other factors included easy access for customers, building size, and quality and age of building. Councilmember Martin asked if recreational elements would lure businesses. Mr. Walder responded there were comments about the community and the recreational elements were a part of its atmosphere.

Mr. Walder noted businesses would use real estate agencies and the internet to look for potential locations. This would be important to focus on in the future to attract businesses. Some of the businesses in the survey hoped their current City would improve its infrastructure and transportation. Herriman could use this information to promote its infrastructure and public transit. Finance and government regulations also ranked high in the survey.

Mr. Walder said that more than half of the respondents would consider moving to Herriman. Councilmember Martin said they were answering not knowing the City’s name. Mr. Walder said that when they revealed the name of the City there was a 16-percent decrease in interest. He also discussed specific elements and their positive or negative aspects for attracting businesses.

Councilmember Henderson asked if all these aspects were positive for attracting businesses. Mr. Walder responded affirmatively. Councilmember Henderson asked what they attributed as the top priorities on the lists. Mr. Walder said transportation was not on top of the lists but it was what they wanted to change about their current situation and this was what Herriman can offer.

Mr. Walder indicated this analysis was done on what would be the best potential company. This would be a company that most likely would move or open additional locations in the next five years. They found that the most important factors when selecting a new location were location and if it was a high traffic area. He explained that cost, size, available space and accessibility were slightly less important. Councilmember Martin asked if they looked at the State’s
economic clusters in their analysis. Mr. Walder responded in the negative. Councilmember Martin said they should look into coordinating efforts with the State. Mr. Walder said they could use the analysis to match the State’s needs.

Mr. Walder further explained best potential companies and their analysis. He also explained the analysis for industry. They learned financial and the technical industries were more likely to move or open new locations. Councilmember Smith thanked them for the study and said the City would use this information to attract economic development.

4.3. Presentation of the Balanced Economy Study – Heather Upshaw, Economic Development Manager

Kelby Bosshardt introduced himself as Chief Operating Officer (COO) of Better City. He said they would provide information on the City’s economy. He introduced his business and said their goal was to help Cities grow their economy. Their main goal was to evaluate the City’s balanced economy potential for the future. They did this by estimating the City’s future build out demand for commercial, office and retail space. They looked at space allocation and land uses in comparable communities.

They first looked at comparable communities: South Jordan, Riverton, Bluffdale, and Saratoga Springs. They compared budgets, revenues, regional market shares and more. Mr. Bosshardt explained the growth related revenue was imbalanced in the comparable communities and they wanted to work with the City to avoid this in their future. He said a problem for this methodology was that Herriman had historically been a cul-de-sac community and did not compare to some of its neighbours.

Better City Senior Project Analyst Josh Dustin explained their methodology for the comparable communities they chose. They examined what the various communities were able to accomplish.

Mr. Bosshardt discussed commercial developments and their relationship with Herriman. They would not develop another super regional centre in Herriman because of the proximity of Mountain View Village. He explained they should focus on markets that had not been not covered in their commercial areas. He also explained competition; businesses that could not be in Mountain View Village might want to be close to competitors in Herriman.

Mr. Bosshardt explained their methodology for commercial land absorption and their estimate for it was 443 acres. The current City plan had 597 acres allocated. Mr. Bosshardt said that the 443 acres plus the additional unique projects were almost equal to the current City plan. He explained that they looked at the industrial land separately from commercial. Due to the location, industrial land was a great opportunity. He clarified the definition of an industrial or mega site. They would not bring in industries like a power plant or an auto manufacturer.

Mr. Bosshardt said the Kennecott site would be a great candidate to develop. Councilmember Martin said this site would be ideal to support the regional centre they were considering. Mr. Bosshardt said they needed to pursue all potential options because not all would succeed. Councilmember Martin asked if they pursued the mega site concept would it help make the regional center viable. Mr. Bosshardt said there was no definitive answer but it would be a reasonable expectation. Councilmember Martin asked if a scaled down regional center could be viable in Herriman. Mr. Bosshardt stated it was a possibility based on the City’s purchasing power.
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Mr. Bosshardt said he wanted to avoid commercial blight by adhering to what the market was demanding. He said the City should seek non-traditional uses to utilize large allocations of commercial space. Councilmember Martin asked him to explain Ogden’s transformation. Mr. Bosshardt said the City invested in the downtown area. This built momentum to recruit a dozen ski brands to relocate in Ogden. Councilmember Martin said they needed to find their niche to set Herriman City apart like Ogden was able to do.

5. Consent Agenda
5.1. Approval of the Monthly Financial Summary
5.2. Discussion and consideration of an ordinance authorizing a text change to Herriman City Code §1-7-3 regarding the appointment of the City Recorder and Treasurer to comply with Utah State Code – John Brems, City Attorney
5.3. Ratification of the Appointment of Community Facilitators – Sandra Llewellyn, Community Development Coordinator

Councilmember Martin moved to approve the Consent Agenda as written. Councilmember Henderson seconded the motion.

The vote was recorded as follows:
Councilmember Jared Henderson         Aye
Councilmember Nicole Martin           Aye
Councilmember Sherrie Ohrn            Aye
Councilmember Clint Smith             Aye
Mayor David Watts                      Aye
The motion passed unanimously.

6. Calendar
6.1. Meetings
6.1.1. February 1 – Planning Commission Meeting 6:00 p.m.
6.1.2. February 1 & 2 – 2018 Launch

6.2. Events
6.2.1. February 9 – Little Sweetheart Dance; City Hall 6:00 p.m.

7. Closed Session
7.1. The Herriman City Council may temporarily recess the City Council meeting to convene in a closed session to discuss the purchase, exchange or lease of real property as provided by Utah Code Annotated §52-4-205

There was no closed session.

8. Adjournment
Councilmember Henderson moved to adjourn the City Council meeting and reconvene the work meeting at 9:09 p.m. Councilmember Smith seconded the motion and all voted aye.
The City Council reconvened the work meeting at 9:15 p.m.

3.6. **Report on the Hillside Study** – Wendy Thomas, Director of Parks Recreation and Events

Director Thomas indicated the previous City Council approved the use of Park Impact Fees to conduct a study of the highest and best use of property purchased through the Army Compatible Use Buffer (ACUB) program. Project Engineering Consultants (PEC) was chosen out of four firms that submitted proposals to conduct the study.

Herriman City continued to purchase land through the ACUB program to provide a protective buffer between Herriman City and Camp Williams, preserve open space and provide outdoor recreational opportunities for residents and guests to enjoy. A rudimentary trail system currently existed in the open space and connected through privately owned land. The current use was for non-motorized trails. The City currently owned approximately 850 acres with another 650 (approximate) currently under contract or very close to being under contract. Additional parcels had been identified as compatible, but were not currently under contract. The City negotiated purchase contracts for priority areas as ACUB funding and property became available.

The Herriman City Parks Master Plan and the Salt Lake County East West Recreational Trails Master Plan had been completed and adopted. These plans identified preferred and alternative alignments for active transportation and trail users from a high level with minimal detail. This study would provide a detailed examination of the property located in the area identified as the Herriman Hillside of not only recreational trails, but other recreational amenities that could drive recreational tourism and provide additional leisure opportunities for residents, guests and businesses.

Mayor Watts relayed an interest that was expressed by members of the public to put a gun range in at this location. Director Thomas mentioned that Zions Bank would be conducting an economic study on this property and would present findings in February.

Councilmember Martin stated that the document staff presented them was a wish list of uses that could go in this area. She inquired as to what the missing elements were in relation to resources offered throughout the County and State. She said she had no interest in replicating something already being done elsewhere, because it would not be successful. She said the point of this study was to identify the City’s unique abilities so as to draw in people from outside of the City. Councilmember Martin wanted to know what uses would create a destination in Herriman that would not only generate revenue through the use itself, but also boost retail sales within the City. Furthermore, she asked staff to expound on maintenance costs for various uses.

Director Thomas explained that the trail system was a significant resource with low maintenance costs. Corner Canyon was completely populated so the City would be able to draw in a lot of people by creating a different view. Director Thomas noted a challenge staircase, outdoor gyms and NICA course would be unique resources for the area. Councilmember Martin concurred that these types of resources would create a unique niche within the City.

Councilmember Henderson said he was looking for a connection to the dollars; he wanted proof that these sources of recreation would drive significant economic activity. He asked if there would be ATV access; if so, this would be the only area in Salt Lake County where people could ride ATVs. Regardless of the nexus, he wanted to know how
they would connect ingress/egress and funnel people to retail centres. Director Thomas explained that the plan would respond to these types of questions.

3.7. **Discussion only of the proposed Development for Anthem Utah, LLC (Adalynn project)**

*located at approximately 6200 West 12200 South* – Michael Maloy, City Planner

City Planner Maloy said City administration was asking the Council to identify any concerns they may have had regarding the proposals that were delivered to them in their packets. He explained that as someone who was new to the City, it was clear that the impact of the referendum was unforeseen by all parties involved. From his observation, everyone had been trying to listen to the concerns expressed from the public, developers, property owners and elected officials. He said tonight’s discussions would reflect a spirit of fairness and cooperation. He explained that the purpose of tonight was to provide a high level overview of the changes that had been made. City Planner Maloy stated that the applicants were also present to answer any questions, if the Council wished to engage them.

City Planner Maloy explained that these projects were reviewed with the understanding that there would have been an update to the General Plan. However, there were still a number of policies that supported the projects. He said the projects sought to group neighbourhoods in relation to schools, playgrounds, parks and other facilities. They encouraged residential areas that were sensitive to natural features and environmental constraint. The proposals ensured security and stability to the future of development to the community at large and to the property owners. He said the intent of the general plan was to provide general direction, and the Council had the opportunity to interpret and apply the overall intent of that plan to these projects.

City Planner Maloy presented the plan originally reviewed and recommended for approval by the Planning Commission. The total units that were shown were 1,100, and Pods 5 and 6 included town homes. The Planning Commission recommended that the number of units be reduced to 900 with 50 acres of commercial. Based on the changes that had been discussed as a community, the proposal included 820 units that were all single family detached homes, and the commercial space was reduced to 30 acres. The intent of the commercial was for entertainment, grocery and restaurants. Councilmember Martin asked about the decrease in commercial. Doug Young stated that they removed the office component and said this would still be done in an area further west. Councilmember Martin asked what his thoughts were in terms of vision daytime population. Mr. Young explained that he had been discussing office development with property owners to the west. He explained that this would create more synergy moving to the west and maintain a retail component with the park. Councilmember Martin stated this would not be a loss in this regard; rather, there may be a potential gain in the creation of a mega site clustering daytime populations. Mr. Young agreed.

Mayor Watts asked about Section 1.2.12, which included several definitions. He stated this section did not include redlines or comments by City staff. He was informed that a red line did not signify denial; rather, it triggered a denial. Mayor Watts said he would like language added to all development agreements in the future indicating that if a developer made amendments to a previously approved agreement, they would be vesting on any changes made to the City Code at the time the agreement was modified. City Attorney John Brems indicated that this language could be added.

Councilmember Henderson asked if the amount of programmable park acreage had been determined, and if it was clearly stated in the development agreement. Councilmember Smith mentioned a reference of 20 percent and said this number only represented land that was in the PUD. There was subsequent review of an aerial map depicting the areas of
programmable space on the subject property. Landscape buffers on each side of the sidewalk were also identified, and Mr. Young noted that these spaces were defined in Addendum #1. Councilmember Henderson commended Mr. Young for applying principles outlined in the General Plan in the project’s design guidelines and rebranding as the Teton Ranch. At Councilmember Henderson’s request, Mr. Young explained that the project included a barn that would serve as a regional events venue. He said this would be an exciting project and described some of the other amenities that would be provided, including a trail into Butterfield Canyon. He then presented several concept drawings of the types of homes that would be constructed, as well park configurations.

Mayor Watts stated that he came into his role as Mayor assuring the residents that he would seek to work with everyone in good faith and to find a good project for this area. He believed Mr. Young had embraced this goal and sought to bring back a proposal that reflected what the residents wanted. He said this was a better project, and this was the type of relationship he would expect moving forward. Furthermore, his expectation was that what they were seeing in Mr. Young’s presentation was the project they would be getting as a City. Mr. Young remarked that this had been a great experience. Councilmember Martin stated that the residents were excited about growth, rather than afraid of it, because of the work that had been done. Mr. Young stated there would not be another community like this one in the entire valley.

At the Council’s invitation, resident Lorin Palmer explained that when they first started meeting to discuss this project, there were times when residents left meetings angry at one another. Mr. Young reached out and together they decided that they wanted to build something special. He said to Mr. Young’s credit, significant changes to the project had been made. Mr. Palmer stated that as a community they felt ready to move forward.

Councilmember Henderson stated that this project was the perfect example of how development should work. He said the community coordinators would help facilitate this project. The residents were excited about what was coming in and they took pride in their community. He pointed out that one of the major changes made in favor of lower density in Pod 1 was that it would be developed more as a subdivision. He said Pod 1 was still master planned with the PUD; however, what they were losing as a City was the additional open space which would have come with higher density. Councilmember Henderson explained that in light of this change, he felt as if the perfect balance had been made. They had a great trail system, a decent sized park, commercial development and larger lots.

Councilmember Ohrn stated that they would still have open space; rather, it would now be contained in private backyards. She was of the opinion that it was okay to distribute open space in this manner. Councilmember Martin said Mr. Young had taken the time to put in great landscaping. She explained that he looked at all details in order to accomplish a shared goal with the residents.

Councilmember Smith said one of the misunderstandings was how the PUD process worked compared to the subdivision process. He explained that this was great educational opportunity because this particular development had both components. He believed that a good compromise had been reached. Councilmember Smith said in the packet under the subdivision component, there was a lot size breakdown; he wanted to see a similar breakdown for the PUD component as well. Mayor Watts requested that the layout for the subdivision be posted publicly for the residents to review.
Councilmember Henderson commented that the master planning process also helped maintain a balance in terms of how surrounding areas developed as well. To further this point, he described the nature of surrounding developments including Daybreak, Herriman High School, residential neighborhoods and SLR. The Council concurred with Councilmember Henderson’s remarks.

Mayor Watts stated that he wanted to set expectations for moving forward on this project. Councilmember Henderson noted the launch meeting was scheduled for next week. The Council agreed to review the plans before the launch meeting, and to open the floor for public comments at the meeting scheduled on February 14th. A suggestion was made that the Planning Commission be given another opportunity to review the plans as well. Mayor Watts explained the problem with this was that the Planning Commission was required to work off of the 2014 General Plan; approval had been given based on the 2017 General Plan, which better outlined the City’s vision for the future. There was subsequent discussion regarding the role of the Planning Commission. The Mayor and Council agreed to list this item for possible action on the agenda for February 14th.

3.8. Discussion only of the updated changes for Dansie Land, LLC located at or near 7300 West Herriman Highway – Michael Maloy, City Planner

City Planner Maloy noted that in the development agreement this property was now being referred to as Hidden Oaks. He presented the site plan and stated that the Planning Commission forwarded a recommendation of approval. The proposal included 1,021 residential units, and one of the pods included town homes. According to the revised schematic of this plan, all of the units were now entirely single family homes. It was noted that if the schools were built, the overall density would be reduced to 854 units. Mayor Watts expressed appreciation to the developer for the removal of the town homes.

City Planner Maloy stated the last time this item was discussed there was some conversation about implementing a fee in lieu of the open space. The current proposal did include the 20-percent open space requirement, so there was no need to do a transfer or acquire property outside of the project. At this point, the proposal met all of the density standards and open space requirements.

Councilmember Ohrn stated one area in which the proposal did not comply with the General Plan was the buffer zones between residential and commercial zones. She identified an L-shaped piece of property on the aerial map, in particular. Mr. Tim Soffe stated they met with all of the adjacent neighbours. He explained green space was placed as a buffer around the border of the L-shaped property. The smallest section of green space was still 75 feet. Mr. Soffe explained that due to steep sloping, there wasn’t much they could do in order to allow the trail to follow along the stream. Councilmember Ohrn asked Mr. Soffe if he was proposing to excavate down below the road; she was informed that the area in question would be below grade. Mayor Watts asked if this was stated in the development agreement. Mr. Soffe explained the drawings submitted to the Planning Commission showed some sections at a lower grade. Mayor Watts suggested language be added to the development agreement stating no roofs would exceed the elevation of the parkway. In response to a question from Councilmember Ohrn, Mr. Soffe identified where a precast concrete wall would be constructed; presently, there was nothing at the location in question.

Staff and Council discussed how schools would impact the overall project density. Mr. Soffe explained the density was presently at 2.57 units per acre, which amounted to 854 total net units. He explained the developers sought to take the
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lead directly from the Planning Commission. He stated they did not reallocate the school lots elsewhere; rather, they removed them, as directed. The plan as it was presented yielded 20-percent open space.

Councilmember Martin commented that this was an example of a developer who had listened to citizen feedback and responded according to their requests. Councilmember Smith said he appreciated the dialogue that had occurred throughout this process. He stated that this development would create a unique environment in the community. He was pleased with the changes as they were presented.

Mr. Soffe explained his experiences in working with the citizens were wonderful. He appreciated the interactive process of working with citizens, Council and staff, and stated as a result of these collaborative efforts they were able to develop a better plan. Councilmember Henderson echoed his remarks. Mayor Watts asked Councilmember Ohrn if her concerns had been resolved, and she responded in the affirmative.

Mayor Watts asked the Council if they wanted to follow the same process on this project as Teton Ranch. Councilmember Henderson stated that with regards design guidelines, the developer’s flexibility was the City’s uncertainty. He stated that the residents wanted certainty, and he felt they had less certainty on this project than with the Teton Ranch project. He would like to see a preliminary layout wherein product types were assigned to specific areas. Mr. Soffe stated that staff had requested this information, and as far as design guidelines they took a personal approach. He explained that they created their own project design review committee. Councilmember Henderson was concerned that in the past the City had experienced a “bait and switch” wherein the residents were promised one type of product, but then the developer delivered something else. Mr. Soffe said nobody was more protective of this project than they were; they did not want to create something that would be subpar. City Attorney Brems said they could put design guidelines back into the agreement.

Mr. Soffe explained that what they wanted was a variety of styles. The Council agreed that variety was important. Lastly, Councilmember Henderson asked how much contiguous, programmable space was provided. Mr. Soffe said there were approximately seven acres; the layout showed soccer fields, a pavilion, a parking lot, restrooms, etc. Councilmember Henderson asked if the PUD required a certain amount of contiguous open space. City Planner McCarty stated that half of the open space had to be contiguous; with the trail system this project met that intent. Councilmember Henderson asked with regards to open space, who was paying for the amenities and maintenance of those areas: the City or an HOA. Mr. Soffe explained the areas proposed to have HOAs were Pods 15 and 17; everything else was City owned and would therefore be maintained as such.

Robert, the citizen with whom Mr. Soffe previously met, thanked the developers for listening to the residents by removing town homes from this project. He expressed appreciation for the buffering that was presented, and he stated that he would like to see street layout. He also suggested Pods 11 and 6 be more of a buffer zone instead of a higher density. Mayor Watts stated it was a significant request to ask the developers to move around density. He said they were at a point where they needed to move forward with the project.

Mayor Watts again asked staff if they would like to follow the same process on this project as Teton Ranch. Robert said the residents felt that while they were getting closer to reaching a consensus, they did not believe this project could be approved on February 14th. Councilmember Martin was of the opinion that the developer had met all of the requests.
that were made of them. There was further deliberation regarding the process and timeline of moving forward on this item. Councilmember Ohrn wanted to make sure a fair and judicious process was being followed; she was hesitant to put a timeline on the project, because when projects were rushed mistakes happened. Councilmember Smith stated that the intent was to give this developer the opportunity to follow the same timeline as someone else who had been through the exact same process. Councilmember Henderson agreed with Councilmember Ohrn regarding the need for a fair process. He then clarified that the Council’s practice had been not to vote on an item the same night as a public hearing, which was different than opening the floor for public comments.

3.9. Discussion only regarding the Herriman Crossroads proposed development for approximately 125 acres located at or near 16750 South Camp Williams Road (Redwood Road) – Michael Maloy, City Planner

City Planner McCarty stated that this was property on Redwood Road, which was zoned commercial and multi-family residential. The City initiated a rezone over a year ago to eliminate the multi-family housing element. However, the Council did not approve that rezone proposal.

The developers, Ken Olson and Gary McDougal, were proposing a development agreement for approximately 112 acres of property located on Camp Williams Road (Redwood Road). They currently had an application pending for 266 units of apartments and town homes, but would like to propose a different plan that would outline the type of units and timeline for each phase.

The developer suggested that he would be willing to put their application on hold and enter into a development agreement to outline the type of development on the property and the phasing. The development agreement had a site plan that requested 1,002 units. The Council previously discussed the agreement and asked to see more details on the amenities that would be included in the project. The developer amended the development agreement to include information regarding the various amenities and lifestyle that would be provided.

Councilmember Martin explained that given the developer’s willingness to propose amendments to an existing development agreement that would scale back density for which they were entitled, she was willing to engage in further dialogue with the developer. Mayor Watts agreed with Councilmember Martin’s observation, as did the rest of the Council.

Ken Olson said this was a busy area; it included Porter Rockwell which would connect to I-15, the Mountain View Corridor, and Redwood Road. He said this was not a single family area. Bluffdale was presently working on mixed use development according to its City master plan. As per the Council’s request, a study was conducted on the most commercially viable areas within the City. The study identified 25 acres on the north end of the area in question that would be suitable for commercial development; he noted that this area would also tie in with Porter Rockwell. Mr. Olson explained that the south section was much steeper which limited development options. He presented concept images of a housing type that would lend itself to the topography of the area. He stated that if the City, in conjunction with Camp Williams, were to purchase some of the subject property then the density would be reduced.

In response to a question from Councilmember Martin, Mr. Olson explained that the development envisioned for this particular area would be unique in that it would mostly be trails, views and amenities. He said it would a nice
product type. City Manager Wood asked Mr. Olson to discuss power lines. Mr. Olson presented some of the potential housing and business representations. Councilmember Martin said even with a denser product they could do something nice with high design standards.

Mayor Watts asked if the Council was willing to continue dialogue. The Council responded in the affirmative. Councilmember Henderson stated that the developers would need to convince the residents that this use was conducive to multi-family, and that this would be the best use for the property. Councilmember Smith stated that he reviewed the development agreement and while there were components that he liked, he was not 100-percent convinced that this was the way to go. However, he was willing to discuss options. Councilmember Martin said one asset was the natural beauty of the area, and at the end of the day they could end up with a multi-family project that was unique from anything else in surrounding areas. She would like to see the developer elevate this multi-family proposal based on the assets of the property.

4. Adjournment
Councilmember Smith moved to adjourn the City Council work meeting at 11:30 p.m. Councilmember Martin seconded the motion and all voted aye.

I, Jackie Nostrom, City Recorder for Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on January 24, 2018. This document constitutes the official minutes for the Herriman City Council Meeting.