SPECIAL CITY COUNCIL
WORK MEETING MINUTES

Wednesday, March 21, 2018
Approved June 6, 2018

Presiding: Mayor David Watts

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

Staff Present: City Manager Brett Wood, Assistant City Manager Gordon Haight, Director of Administration and Communications Tami Moody, City Recorder Jackie Nostrom, Deputy Chief of Police Services Troy Carr, City Engineer Blake Thomas, Chief Building Official Cathryn Nelson, Parks and Recreation Director Wendy Thomas, Water Director Justun Edwards, Operations Director Monte Johnson, Communications Specialist Destiny Skinner, Finance Director Alan Rae, City Planner Michael Maloy, and Communications Specialist Jonathan Lafollette.

6:00 PM - SPECIAL MEETING
1. Council Business
Mayor David Watts called the meeting to order at 6:05 p.m.

2. Administrative Reports
   2.1. 2018 Legislative Session Wrap Up – Tami Moody, Director of Administration and Communications Director of Administration and Communications Tami Moody offered a brief overview of the legislative session this year. There were several bills discussed that could have a significant impact on local control as well as general city business. Lobbyist Chris Bleak represents Herriman and presented to the Council on several high-level bills. The emphasis had been on taking back local control. The issue arose from an increasing number of developers that have frustrations with cities. Currently, there has been a push for economic development and debates on how cities and the state should work together. This is evident in surrounding cities, such as Draper around the prison property. Herriman chose wisely with the point of the mountain template. Had cities like Salt Lake followed this example, some of their issues would have been mitigated. The past session was incredible for transportation, as well. A list of bills discussed include:
- **Senate Bill 136 Transportation Governance Amendments:** This bill modifies the governance of certain public transit districts to include the Department of Transportation. It creates a local advisory board and defines its membership. It allows for local jurisdictions to share property tax revenue for transportation capital development projects. It would reform Utah Transit Authority and make changes to land use. The House Sponsor, Representative Scholtz, had originally wanted it to go further. The project created revenues for cities and transit that were not anticipated. The bill would make additional changes to transit funding. The new funds would go towards building and planning large scale projects. In a positive light, there were no capital project funds for many years and the new Transportation Investment Fund is generated from general sales tax. Fourth quarter tax must be imposed by the county by June 2020 or the cities can then impose it on their own. This really puts the hammer towards the counties for their ability to impose the tax and split their share of the money. Councilmember Martin asked if the county seems likely to impose. Lobbyist Chris Bleak stated that if the county imposes the fourth quarter tax, then .1 would go to the City, .05 to the County, and .05 to the Utah Transit Authority (UTA). In essence, the county would have to approve the imposition, but there would be political considerations with timing and method. Once all of the four quarter taxes are imposed, the county can then impose a fifth quarter where .2 would go to the county to be spent purely on transit. There would be an overall deadline on both the fourth and fifth quarters of June 2022. If not set by this date, the counties and cities lose the opportunity to increase for transportation purposes. There are certain other changes regarding land use and economic development; some of these aspects are lost once prioritization has been made. How the land would be used and parts of the planning criteria can be an issue for citizens. Director of Administration and Communications Tami Moody mentioned that the Wasatch Front Regional Council offered a briefing of the bill if the Council would like to receive the information.

- **Senate Bill 71 Tolling Bill:** Part of the goal of this bill is to look at tolling Cottonwood Canyon. Ideally, the subsidized user fees would fund for transportation rather than general sales taxes, which is the current state.

- **House Bill 21: Changes to Property Tax** This bill is an entire property tax component. There would be a vote on a .10 cent gas tax increase. The increase would raise an additional $160 million that would be split 70/30 with Class B&C road funds. If the increase were to pass, it would be roughly an additional 40 million going into the Class B&C fund. Several groups will undoubtedly advocate for the bill since it would allow more money in public education, as well.

- **Senate Bill 120 Local Government Fees and Taxes Amendments:** Several cities, Provo being the largest, imposed a municipal transportation utility fee. Provo was concerned with the large institutions throughout the city that did not pay any property tax, yet heavily impacted the roads. As a solution, they wanted to spread maintenance costs among all of the tax payers, rather than keeping it concentrated. Thus the municipal utility fee was created and sanctioned. There were a few restrictions in place against those who cannot be charged under the bill. County entities specifically are exempt.

- **Senate Bill 259:** This bill dealt with housing. The general plan includes 5000 moderate income housing opportunities. It outlined zoning, planning and outlining that should also be considered in
the plan. In this respect, Herriman once again has a good story to tell and display. Some of the components have been mandated, and may at some point become an issue, for affordable housing.

- **HB 257 Landscape Bill:** This bill passed and will be required in distant future.
- **HB 376 Interlocal Provision of Law Enforcement Service:** This bill did not pass. This bill specifically dealt with Interlocal with the Unified Police Department (UPD). One reason for its failure was due to timing issues. Eventually, it will be revisited.
- **Extra Territorial Jurisdiction:** Several bills dealt with this issue. The legislature wanted to create an oversight committee. The bill dealt with citing, specifically if cities own property outside of their jurisdictional boundaries.
- **Small Cell Tower Bill:** This bill was to have small cell towers approved that would provide enhanced wireless. It won’t be a huge issue for Herriman in the near future since the focus will be on getting additional areal nodes in areas of high congestion. It will impact these city’s ability to dictate zoning and associated fees. From this perspective there are some infringements with the small cell towers. The devices are smaller and different from the large cell towers. They are fitted on utility poles. Director of Administration and Communications Director Tami Moody mentioned that if the City does not put these up, residents have the option of putting them up themselves with their own equipment; however, the City can set reasonable guidelines for the installation. City Planner Michael Maloy mentioned that the City should prepare for the towers.
- **HB 250 Building Permit and Impact Fees Amendments:** City Engineer Blake Thomas presented on several impactful bills. This bill had a plan review time. If it is not reviewed quickly enough, it will be automatically approved. Councilmember Smith clarified that it is only automatically approved if it has an engineered stamp. City Engineer Blake Thomas confirmed. Aside from this, planning and engineering also have to approve that certain aspects are in order before it would go through which is part of the engineering process. These processes put more pressure on the building department and is encroaching into the engineering and planning divisions. Councilmember Martin mentioned that the reason for this bill boils down to one or two “bad actor” cities. So long as a city is within the timeframe, there are no issues. It works for the “one size fits all” bills. City Planner Michael Maloy added another caveat that if an applicant exercised the right to commence construction prematurely, the architect or engineer that stamped the plans would assume the liability. City Engineer Blake Thomas mentioned there will be more clarification to come in the future.
- **House Bill 305 Fire Code Amendments:** He continued with the fire code amendments decreased requirements. Now, building permits would be allowed without asphalt down. Herriman and other cities are looking at changing the asphalt standards. Currently, there are three inches of asphalt on roads. They are looking at having three inches of road base to help for protection. South Jordan adopted a similar structure. Councilmember Smith mentioned that if the roads are not properly maintained during the winter months, there would be the potential to shut them down. This would add to the risk of damaging the underlying road base. City Engineer Blake Thomas agreed on this point.
- **Senate Bill 377 Land Use Amendments:** City Planner Michael Maloy mentioned that he had notes on this clarifying the administrative and legislative means. Certain land changes will need reviewing to check for consistency with the City Code.
- **House Bill 38 Firework Restrictions:** Parks and Recreation Director Wendy Thomas explained that the department is currently working on the fireworks open space restrictions. The goal would be to mitigate potential fire hazards. The new dates for fireworks will be July 2-5 and 22-25. New Year’s Eve the City would allow fireworks to be displayed from 11:00pm to 1:00am (these times subject to change dependent on the day of the week). Currently, staff has been working on a map for Council approval.

- **Senate Bill 167 Food Trucks:** Director Thomas indicated the department has been working with different food vendors as certain revisions to the ordinance would be necessary in order to comply with the state statutes. The City would amend the ordinance as needed. However, it is limited as to where it can prohibit the vendors to operate.

Water Director Justun Edwards offered updates regarding the water holdings. There are some mapping requirements for holders who are supplying outside the city limits. Information such as how much water is being supplied and how many connections exist would be required to proceed. With the Water Conservation Bill, a secondary water sources is required. The bill failed due to this but will come back once amended.

Chief Troy Carr discussed quotas. The City does not have quotas, and has no plan to implement them. The bill basically addressed percentages and numbers, which had been tied to each officer performance evaluation. This has not been standard practice. There has been a push for part-time employment for officers. The main idea suggests there would be more manpower in a security company. The department was still working through the details. It would; however, implicate worker’s compensation fund and a change in event jobs. The Dingo and Aldo Bills were passed. Aside from this, the Chief emphasized that Paraphernalia Fraud is considered a crime.

- **SB 158 Municipal Business Licensing:** The bill would clarify that an administrative fee can be charged if a person requests a home-based business license that is not required. The home-based business owner must be notified of said exemption. If a license is requested, the owner can be charged a fee. The owner will be notified if the license is not required.

The homeless shelter was discussed, including the $2,000,000 set aside for its purposes. Assistant City Manager Gordon Haight discussed the trail and appropriation money as well. Lobbyist Bleak suggested cities had been affected due to legislation changes regarding trail appropriations. Parks and Recreation Director Wendy Thomas would provide a presentation on the topic next week. In essence, the City will receive a third of what it initially was going to receive. Also, the City would not receive transportation money this year.

- **SB 167 Food Truck Regulation Amendments:** These amendments restrict the City from regulating food trucks through various land-use regulations.

- **SB 189 Small Wireless Facilities Deployment Act:** This act permits a wireless provider to deploy a small wireless facility and any associated utility pole within a right of way under certain conditions. It also allows the provider to collocate small wireless facilities on non-electric municipal poles. Municipalities are required to recognize small wireless facilities in ROW as a permitted use in all zones.
and districts. It would create a uniform process for allowing telecoms access to the ROW for small cell deployment and for compensating cities for the use.

- **SB 234 Utah Inland Port Authority:** This bill had been seen as a violation of our local government principles regarding local control over property tax increment and land use. It formed an 11-member Port Authority Board. The standards are incompatible with the Land Use, Development and Management Act and the Port Authority would be able to take 100-percent of the future tax increment.

- **HB 259 Moderate Income Housing Amendments:** This bill amended provisions of the Municipal Land Use Development and Management Act relating to moderate income housing. It would require the general plan of a municipality allow and plan for moderate income housing growth.

- **HB 346 Local Government Plan Review Amendments:** This bill addressed the review of construction project plans by local government and makes permanent the 14/21 day plan review requirement.

- **HB 358 State Database Amendments:** This bill established provisions relating to information contained in certain databases maintained by the state. It required the City to transmit an electronic copy of all approved plats to the Automated Geographic Reference Center.

- **HB 361 Billboard Amendments:** This bill would require a city to use the eminent domain process when seeking to purchase a billboard. This bill was opposed by the League of Cities and Townes. Eminent domain requires the City to obtain an appraisal, but the billboard owner is not required to provide information about the billboards value. The City is also required to provide relocation costs to a property owner whose property was condemned.

- **HB 372 Point of the Mountain State Land Authority:** This bill enacted provisions relating to the development of state land around the point of the mountain area. The City followed this bill to remain informed as it furthers efforts to work with participating cities. It can then recommend development that distributes the benefits and burdens in a fair manner on both the east and west side of the county.

- **HB 416 Traffic Flow Amendments:** This bill amended provisions related to safe operation of a vehicle through a red light in certain situations. In essence, it would allow an operator of a vehicle at a red light on a highway with a speed limit of 55 mph or lower during a time of extremely low traffic levels to proceed through the red light if the operator reasonably determines that no other vehicle is at or near the intersection, no pedestrian is attempting to cross and no other safety concerns exist.

- **HB 430 Affordable Housing Amendments:** This bill created the Commission on Housing Affordability in the Department of Workforce Services. The Commission would work to increase awareness and understanding of the housing affordability needs of the state and how those needs may be most effectively and efficiently met. They will gather information regarding housing and make recommendations. Affordable housing has been a hot topic item during this legislative session and this is another way local government can play a role in solving the affordable housing gap.

2.2. Review of Capital Project Priorities – Blake Thomas, City Engineer
City Engineer Blake Thomas indicated that a list of recommended projects had been provided to the City Council at the February 14, 2018 meeting. The list of projects are divided by funding source and prioritized over the next two
fiscal years. All projects that are not recommended to be completed in the next two fiscal years were sorted from highest cost to lowest cost. Staff requested that the City Council review the recommended project lists and identify where they would like to make changes to the list by either adding new projects or adjusting the priorities.

Since the last presentation there have been no changes to the culinary water impact fee projects. The same goes for the secondary water impact fee projects. Councilmember Henderson recalled previous Council discussions considering the installation of a second reservoir. City Manager Brett Wood mentioned this is not the reservoir that had been discussed originally. The City does not need the secondary reservoir for a recreational amenity, like Blackridge, but rather for storage. The size needed was comparable to the one in Juniper Canyon. Originally the Council had discussed doing a much larger reservoir for other recreational purposes; however, the plan has since been scaled back. Water Director Justun Edwards mentioned the area needed would prove to be difficult for maintaining a dual-purpose reservoir. Councilmember Martin mentioned that the City had let the residents know previously that an additional reservoir would help alleviate some of the issues at Blackridge. However, now that the reservoir will not serve a recreational purpose, she proposed that the City let them know why they are unable to hold up on that promise. It would be possible in the future, but currently the cost would be excessive due to dam requirements.

City Engineer Blake Thomas discussed park impact fees. Parks and Recreation Director Wendy Thomas added that the projects are partly connection driven, and others developmental. There are certain obstacles for the Desert Creek Trail currently. The City has been planning a connection for next year. One goal is to connect the trail with Butterfield Cove, Midas Creek and the asphalt trail.

Councilmember Smith mentioned that trail builders could accomplish the necessary work for the trails. Parks and Recreation Director Wendy Thomas responded that she had already received bids for every trail. She relayed excitement to move forward with the project. Her department will work on the contracts. City Manager Brett Wood thanked her for looking into this issue and explained that this renovation would be a great amenity for the residents.

The Council discussed the storm drain and transportation impact fee projects. The transportation impact fee projects will have an issue of having higher bids due to the construction season being underway. It was suggested to wait until November to request proposals from contractors. Councilmember Martin voiced her concern with the bidding process. The City is required to go with the lowest bid that qualifies for the project, despite potential issues with quality that would cost more in the long run. She mentioned that this concerns her to have to pay for potentially poor work. She asked why the City is not able to factor in the reputation of the bidder. The Council voiced frustration at this predicament and mentioned the desire to see this law change. The City would rather pay a bit more to receive a
product they know will be good, rather than take a chance on a poorly executed project that will only cost more money in future repairs.

City Engineer Blake Thomas mentioned several options to facilitate this issue. The first, once the chosen bidder completes the project, the City could create a survey to rate the company and the company to rate the City. If the work done was poorly, the City can set standards for the following project that would require the same company to score much higher in order to qualify to bid. The other measure the City would take to work around issues is to hire a consultant to help write an inspection list to keep the qualifying factors high. Councilmember Martin mentioned this work and any additional work is key right now. The most important aspect is the quality. Since the City has a lack of funding currently for maintenance, it is even more important to have solid work done to help minimize maintenance issues. She petitioned that raising the City’s standards legally is the right course of action.

2.3. Potential Budget Revenue Discussion – Gordon Haight, Assistant City Manager

Assistant City Manager Gordon Haight mentioned that before the City Council adopted the FY 18/19 budget, the Council had requested the opportunity to consider options to increase the City revenue. They discussed the importance of having creativity in the ideas that could give the residents an opportunity to save money and allow the City to receive additional funds. The revenue opportunities considered would be for future years. Financial Director Alan Rae quoted a study indicating the key to achieving a balanced economy is to develop multiple and diversified municipal revenue streams that can provide consistent, ongoing and predictable income.

Financial Director Alan Rae continued that Herriman City does not have diversified revenue streams. Rather, the City almost wholly relies on sales tax to make up the difference. He presented a graph to display the expenses as compared to revenue. A study showed that with a complete buildout, the city can expect at least 5 million in local sales tax. The City has already exceeded that amount. At this point, the buildout excess has been taken to cover the differences. He advised that the City look for other ways to receive ongoing regular revenue. After buildout, the City will not be able to sustain itself without other forms of regular revenue. One of the suggestions given to the City is to not take a change in tax rate because of increased property values. Using the numbers from last year, this method would have only raised $29K; which would not be worth conducting a truth in taxation hearing. However, Financial Director Alan Rae indicating tripling the cost, about $1.2 million could be added to property taxes which would calculate that a $300K home would cost a resident an extra $125 annually.

The City could potentially increase the bill for water, trash, sewer, etc. Each staff member helps manage accounts and take payments. Currently this amount adds up to about $300K annually. Finance Director Alan Rae proposed going to the organizations that set up these services and make a wholesale arrangement. That way the billing can be done through the City, which can adjust the cost to cover as needed. Residents would then receive one bill rather than going to all three locations to pay for services. The City would also be able to deal directly with the customer, which would be an added benefit for the residents. Currently, the Customer Service team deals frequently with the water department. This would help to divide between other enterprise funds. The sewer district has been asking for help to hook up water lines for the people. Without this, many are not paying fees and they would appreciate help from the City. The City would invariably shut off the water in order to collect those bills. The City would not have appreciable differences in cost with this method. It would just be more two more line items on the bill. An idea would be to put meters on the outflow of the sewer to understand how much impact has been placed on the system. Tracking method
could be conducted through the initial connection. The Sewer District would retain its impact and connection fees. This proposal could reduce the cost of partner agencies, and help the City gain a small consistent revenue stream. Even a $2 savings on each account would provide an extra $500K per year. The accounting system would merely add two more lines on the bill and residents would only need to have a single utility account.

City Manager Brett Wood mentioned his shock at many people walk in to customer service to pay those bills. He agreed that it is a good process for saving entities money and help offset costs. This change would also keep more money for general fund items. He commended Finance Director Alan Rae on configuring this plan. Councilmember Martin added that this is proof that the government can be efficient. Councilmember Smith anticipated that perhaps the other entities would see a decrease of revenue on their side. Finance Director Alan Rae believed this would not happen as consolidating services could save $50K alone on mailing distributions. Councilmember Henderson asked what potential roadblocks might appear; what reasons could the other two entities present to opt out of the agreement. Finance Director answered that he does not foresee any financial reasons; the only potential roadblock he foresees is that of the company wanting control over the process. This would be somewhat relinquished to the City. Councilmember Henderson mentioned there would be overhead that the City would dip into and cause them a revenue decrease. Finance Director Alan Rae suggested approaching them about conducting a study to see how much the company requires to function without the billing as the City would cover this cost. It would add major savings on both ends and create one bill instead of three. The citizens can then transition over to e-bills.

Councilmember Martin mentioned the mailings might be the other companies’ sole contact with their customers. Perhaps the City could offer to include a message piece from the companies to keep that connection. The duplication of information would be alleviated and the companies would still be able to reach out to the customers through the City. Finance Director Alan Rae added the City would be able to pay each company a monthly fee for service. The City would understand how much it is servicing based on billing information. There are always ways to double check the right amount is being paid to the company. In essence, the City is buying services and reselling them. City Planner Michael Maloy stressed the advantages of having a consolidated utility payment. Councilmember Henderson voiced his main concern of the agencies wanting to maintain control. Overall, the Council agreed pursuing the option to consolidate billing.

Finance Director Alan Rae continued with the debate on increasing the street light and park fees. In comparison to most of the surrounding cities, Herriman has been years behind putting proper revenues in order. Mayor David Watts affirmed that he is willing to consider raising the park fee. Councilmember Martin clarified that the question of whether or not residents wanted more parks and would be willing to pay for it had never been clearly asked to them. She mentioned that properly asking would be to see if they wanted more parks at a specific additional expense, rather than bringing up density and other issues. Councilmember Martin suggested the City post a quick survey and specifically address the open space question and the accompanying cost.

Councilmember Smith questioned if the cost was calculated for several years back of home property values, how the rates have increased and how the City has appropriately responded. He relayed his curiosity if the City would have implemented that idea three or so years ago, how that would equate today. Several years ago, the rates were considerably higher. Finance Director Alan Rae affirmed that the City’s partners are taking tax increases. City Manager Brett Wood emphasized that the City has been dependent on one time fees.
Councilmember Ohrn questioned why Salt Lake County receives more than Salt Lake City. City Manager Brett Wood answered that this is where the dollars are spent. Councilmember Henderson noted that many people have a perceived misconception of their property taxes going directly to the City. Finance Director Alan Rae clarified the City only receives three-percent of the property taxes annually. Councilmember Henderson added the remainder goes to entities such as the School District, Salt Lake County, Unified Police Department, Unified Fire Authority, etc. The City has not raised property taxes; however, other entities have chosen that path. In order to offset property taxes, commercial development must claim territory. Councilmember Martin added that local government is the best return on investment. Councilmember Henderson shared his agreement with Finance Director Alan Rae that in order for the property tax to make a difference, it would need to substantially increase. Other options would be easier to pursue. Councilmember Smith believed that conducting date research would help make compelling arguments.

Councilmember Martin mentioned that Herriman is not the only city dealing with such issues. Sandy City conducted a comprehensive financial report from the previous five years. With proper planning, the unsustainability could be pushed out and the City would increase revenue. Financial Director Alan Rae reaffirmed the benefits of a City study to help quantify the commercial sustainability in traditional retail. Councilmember Martin mentioned the creative element of raising other revenues. With traditional sales revenue, the City is capped; however, a creative niche brings opportunities for additional revenue. Councilmember Ohrn thanked Finance Director Alan Rae for his proactive creativity. Councilmember Martin expressed her gratitude and noted the City will have to tighten belts to stay efficient.

City Engineer Blake Thomas mentioned the storm drain audit that had been conducted last year. He reviewed the results indicating the City would need to make several changes to meet the proper standards. The program would inevitably be paid for through the General Fund. He explained that almost every other city has a storm drain fee to help offset the cost mandated by the state. A storm water program is set up to hit a certain goal and managed by the State Environmental Protection Agency. Several maintenance and emergency response factors are necessary to maintain the storm drain quality. He reviewed the deficiencies noted in the audit relating to the inspection requirements and explained the emergency response aspect had been lacking. The inspections have proven to be difficult since the City does not have enough manpower to inspect as frequently as outlined in the standards. The State also requires frequent public outreach to schools and other facilities with specified documentation.

The Council asked how other communities offset the cost, and if the storm water fee would be proportionate to the actual impact. City Engineer Blake Thomas mentioned that the audit failures could amount to a fee of potentially millions of dollars and mentioned one entity who actually received the citation. Other cities had been threatened with a fine if affairs were not handled within a certain time frame. City Manager Brett Wood stressed the concern this issue poses for the City as it poses a risk to the General Fund.

Mayor David Watts affirmed that the storm water fee is proportional to the user. The (ERU) area is calculated by the impervious area per square foot. The impervious surface, such as pavement and buildings, does not allow storm water to enter the ground requiring the runoff to be properly collected and disposed. There are several areas in the county that don’t actually have a fee. Typical fees range from $3-$9. Draper has a fee of $9 per ERU. Councilmember Martin expressed her confusion of why certain cities have not implemented a fee. City Engineer Blake Thomas explained the annual budget would allow the fee revenue to be used to fund storm water program activities. For this, and other
reasons, the fee would be recommended. Assistant City Manager Gordon Haight believed the letter would hit the public soon. He mentioned that City Engineer Blake Thomas would be putting aside $125K for a fee study to determine the amount of a justified fee. The changes outlined in the audit would cost roughly $1.2 million to meet outlined requirements. He outlined the potential outcome of the audit. In order to implement a storm water fee, a study would have to be conducted which would take approximately six to eight months to execute. At the end of the study, the City could adopt a fee for the residents.

City Engineer Blake Thomas mentioned several other fees, such as a road maintenance fee to provide an opportunity to help pay for road maintenance activities to supplement the general fund and impact fee projects. He also mentioned a potential street light fee in the event the infrastructure would need to be replaced. Councilmember Smith added that this fee is fairly common with other cities. Finance Director Alan Rae confirmed. The City, is essentially paying for an unfunded mandate. Councilmember Smith led the discussion back to the storm water fees and mentioned that the City should meet the required standards rather than pay the fine, as either way the City would have to bear the cost which could ultimately eliminate the ability to do capital projects.

2.4. Discussion regarding McCuiston Avenue – Blake Thomas, City Engineer
City Engineer Blake Thomas indicated that in a work session held on February 22, 2018, the City Council expressed interest in providing improvements along a portion of McCuiston Ave. contingent upon roadway dedication from each parcel owners. Additionally, it was recommended that the City work with the parcel owners to discuss the project and the necessity of dedicating the roadway. Staff wanted to ensure firm direction regarding project priority, conditions and requirements on affected parcels owners, and any other relevant items prior to meeting with residents.

Councilmembers Henderson, Martin, Smith and Mayor David Watts all agreed that either donations are needed, or the project should be killed. City Engineer Blake Thomas talked about the landscaping timeframe. City Manager Brett Wood disagreed that the City should care for the park strips. Councilmember Martin asked if the City could give the project time and indicated the City would not pay for anyone to landscape the park strips. Assistant City Manager Gordon Haight mentioned that improving the street is tricky since the City has not been prepared to help each resident. Councilmember Henderson agreed that the City should not provide an essentially blank check for this type of project.

Councilmember Ohrn voiced her opinions on the topic. Part of the issues the City faces are inherited problems. They existed long before Herriman incorporated. Part of the reasoning people came here was for the open space. Limiting this space has not been considered as an improvement to all the residents. City improvements are not necessarily to become a bustling City, but to keep part of the area rural. There is a huge lifestyle impact either way. In order to curb the issue, the City could offer to have improvements put in place from donations. Citizens may see the improvements differently and view it as part of their lives being taken away.

Councilmember Martin mentioned that technically the destiny lies in the residents’ hands because if they don’t donate, the improvements don’t occur. Mayor David Watts claimed the changes in the area had been conducted by previous land owners who annexed and developed into the City. The area had not been changed because the City requested the changes. Councilmember Henderson also clarified that both sides have to compromise. This issue requires attention as there could be huge traffic concerns on a road that was not originally constructed to handle the impact.
Fixing the road would necessitate new construction. Several roads are in need of reconstruction due to complaint levels. Councilmember Martin added that this project already had been funded. Councilmember Smith mentioned that many moved to Herriman when it was less developed. However, he stated his belief that this sprouted from the people, not the City. The City has been responsive to resident requests. He expressed his discomfort adding additional budget dollars towards this specific project and relayed his desire to resolve the issue in a fiscally responsible manner. Mayor David Watts agreed that it would set a terrible precedent to hand over additional money for improvements.

City Manager Brett Wood mentioned that if an area qualifies for everything under the county, an annexation is required. The City cannot stop the incorporation. The county also did not want to deal with the area since funds weren’t available to pave the road. Councilmember Henderson said that if people are willing to donate and put some skin in the game, he felt fine with continuing with the project. He hesitated allocating additional funds into the project for landscaping. Councilmember Martin mentioned that this expense isn’t typical. Councilmember Henderson posed his opinion that if the City is going to help, he would rather do it all uniform rather than hand each area a check to complete each project in a different style. Councilmember Martin mentioned that the park strip, though it is City property, feels as if it is an extension of their property. Each resident feels like they own it, which rules out the option of a common approach. Councilmember Ohrn voiced her opinion that she does not disagree. She asked about existing improvements, such as the fencing, and whether or not it should be set back for the issue at hand. City Manager Brett Wood explained that if the improvements are on the right-of-way, they would be set back at the expense of the City. Assistant City Manager Gordon Haight confirmed. Councilmember Ohrn relayed concern with sending different messages to the residents, rather than being fair and equitable. If a new homer had to make improvements and later sees the City give similar improvements to other residents, the City would have failed to achieve 100-percent equitability. Anomalies will occur, according to Councilmember Martin. Councilmember Ohrn added that the City needed to work with landowners to see if they would be willing to donate for the improvements.

Assistant City Manager Gordon Haight added this information needs to be very important and clear. The City also would attend to any driveways and fences that would be in the way of the new road. Staff would meet with residents and assured that all steps to mitigate encroachment would be taken. Councilmember Martin mentioned that the only real cost is the same as every other resident: the cost of the landscaping. Assistant City Manager Gordon Haight confirmed. Part of the project would include stub sleeves under the sidewalk and tying into the water system which is typical in residential areas. The City would have separate conversations discussing each specific scenario.

Councilmember Ohrn questioned what the residents could have in the park strip. Assistant City Manager Haight reviewed requirements and mentioned the tree elements would have to be incorporated. He observed the properties that would need to be acquired and areas that would benefit from the project. Mayor Watts recommended a conversation with the property owners to determine how to proceed. Councilmember Henderson mentioned that he would support the project if everyone would be willing to donate the right-of-way. City Engineer Blake Thomas stated that some excess properties would have to be vacated.

On April 3, 2018, a neighborhood meeting had been scheduled. Assistant City Manager Haight hoped that Councilmember Ohrn would be in attendance. After this meeting, he hoped there would be clear direction of the project. Councilmember Ohrn said that for a resident, it is better to have a visual of the full impact.
2.5. **Last Holdout LLC proposed development for approximately 900 acres located at or near 6901 West 11800 South** – Gordon Haight, Assistant City Manager

City Planner Michael Maloy said that the staff has been monitoring the Olympia Development. Developer Doug Young asked for a petition to rezone to a planned community zone. Aside from this, he asked for permission to go through a community structure plan. This would consist of a two-step approval process that he is hoping to have completed in tandem. However, he has not yet submitted the second proposal. He has prepared for the whole area, though. City Planner Michael Maloy explained the location specifics to the Council. He will be coming to the joint meeting on March 29, 2018 to present the proposal. The Development would look at the trail system and the street network. The initial concern was that it tends to collect a lot of traffic on the main center; therefore, the impact on the City would be significant. City staff met with the County planner assigned to the project to be informed.

Assistant City Manager Gordon Haight indicated the project presented would have approximately 8,500 units. He believed this project to have an excessive number of units and stressed the point that the project planners are talking to a legislative body that is sensitive to the county housing needs and thoroughly understand the cost of housing. With all of the infrastructure issues, the City would need to monitor this project closely and report updates to the Council.

3. **Adjournment**

Councilmember Henderson moved to adjourn the City Council meeting at 8:22 p.m. Councilmember Smith 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 March 21, 2018. This document constitutes the official minutes for the Herriman City Council Meeting.

Jackie Nostrom, MMC
City Recorder