The following are the minutes of the Special City Council Meeting of the Herriman City Council. The meeting was held on Wednesday, June 20, 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, Assistant City Manager Gordon Haight and Director of Administration and Communications Tami Moody, Finance Director Alan Rae, City Recorder Jackie Nostrom, Public Works Director Justun Edwards, Parks and Recreation Director Wendy Thomas, Operations Director Monte Johnson, City Engineer Blake Thomas, Police Chief Troy Carr, City Planner Michael Maloy, Unified Fire Chief Riley Pilgrim, Chief Building Official Cathryn Nelson, Communications Specialist Destiny Skinner, Assistant City Engineer Jonathan Bowers, Lieutenant Cody Stromberg, City Attorney John Brems, and Acting Deputy Chief Brian Lohrke.

**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 David Watts called the meeting to order at 5:15 p.m.

   2.1. **Review of this Evening’s Agenda**

   The Council and staff briefly reviewed the agenda. Regarding Item 3.4, Lieutenant Cody Stromberg explained they were exploring other options for the dispatch services because the Interlocal Agreement with South Jordan was no longer needed. He requested that this item be stricken from the agenda.
June 20, 2018 – Special City Council Minutes

City Manager Wood noted that an on-site field trip was scheduled for tonight and would leave at 6:45 pm.

2.2. Future Agenda Items

There were no future agenda items that needed to be discussed. Councilmember Henderson said he wanted to discuss expiration dates on future development agreements. Mr. Wood agreed that this discussion should take place.

Mayor Watts said he wanted a report from staff on the Wasatch Front Waste and Recycling District. Councilmember Ohrn explained they would provide feedback at the next meeting.

3. Administrative Reports

3.1. Discussion regarding Senate Bill 136 relating to Transportation Governance—Tami Moody, Director of Administration and Communications & LaNiece Davenport, WFRC Government Relations Manager

Director of Administration and Communications Tami Moody said they discussed if Andrew Gruber or Representative Shultz would speak on this topic. She noted neither was available so LaNiece Davenport was in attendance to discuss SB 136. She listed which cities voted to pass the bill and explained that it passed with the required 67-percent majority. She asked Ms. Davenport to discuss the bill.

Ms. Davenport presented a handout to the Council. She noted the Wasatch Front Regional Council was not an advocate for the local option sales tax; rather, the State Legislature provided local governments the ability to impose this sales tax in four quarters. She explained how the first three quarter taxes were used, and explained that the fourth quarter sales tax, which recently met the required support, would be 0.25% on every dollar. The funds could be used for any road or transit project.

Councilmember Ohrn asked if the funds could be used on other infrastructure projects. Ms. Davenport explained it was strictly for transportation projects. Councilmember Ohrn asked if the County had indicated how they wanted to use the tax revenues. Ms. Davenport answered in the negative. She then noted that only two communities opposed the sales tax.

Ms. Davenport explained when the tax would be imposed and the funds would become available. Councilmember Ohrn asked how the County would determine which projects were regionally significant. Ms. Davenport stated that there was a list of items that needed funding. Councilmember Smith asked who had the authority to determine whether these projects were regionally significant. Ms. Davenport stated that Amy Winder Newton sent out a description of the process the County should follow for regionally specific projects. She explained that cities could apply for the funding and a committee would make appropriate determinations. Councilmember Smith clarified that no one entity should have discretion over the funds. It was stated the County would have ultimate authority but would generally accept the committee’s decisions.

Ms. Davenport noted Utah Transit Authority (UTA) would not receive money for the first eight months. Councilmember Martin asked if the money could be earmarked for the UTA. Ms. Davenport confirmed that this was possible. She continued explaining that after July 1, 2019, Herriman would receive $376,000 per year. Mayor Watts stated this was ongoing funding that could be used for road and transit projects. Ms. Davenport explained the
percentage allocated to the County would be distributed based on a competitive grant process; however, this was not
stated in the bill. Councilmember Martin said the bill should have made this clear, and Councilmember Ohrn agreed.

Councilmember Martin was concerned that the bill language was ambiguous. She suggested they articulate the City’s understanding of the bill if they adopt the resolution. She explained the assurances given from those soliciting the bill were why she would vote yes on the resolution. The Council agreed with her suggestion.

Ms. Davenport referenced the handout for the lists of potential projects, which also included the regional plan and update through 2050.

Director Moody noted they had a list of road projects that could benefit from the tax. Councilmember Martin said they should include an addendum to the resolution to define what projects were regionally significant. Assistant City Manager Haight noted there were projects listed as regionally significant in Herriman. He said they could include a list of other projects they thought were also regionally significant. He noted the only other way to generate funds for transit was through property taxes.

3.2. Discussion pertaining to the 2018-2019 Herriman City Tentative Budget – Alan Rae, Finance Director

Finance Director Alan Rae noted that as a part of the motion the Council would need to approve the addendum to fund the police. Councilmember Smith asked if the certified tax rate was typical, to which Director Rae responded the rate was down from last year. He noted the tax liability would not change unless the valuation changed. He stated they generated about $700,000 last year. There were no other significant changes to the tentative budget. City Manager Wood said he was impressed with the questions and comments by the Council. He thanked staff for their work on the budget.

3.3. Water Impact Fee Adjustment Policy Discussion – Justun Edwards, Water Director

Water Director Justun Edwards reminded the Council of the requests received recently, and explained that each adjustment was being requested for a different reason. The current water impact fee that related to these scenarios was based on lot size; therefore, if a portion of a lot was deemed unbuildable, or not able to be irrigated, property owners could request that the fee be adjusted. This policy set guidelines for which future adjustments would be based. The City had recently been approached for a reduction of an impact fee based on a property owner’s financial inability to pay the entire fee. This particular property owner’s water was supplied by a private well. However, for whatever reason, they were no longer able to use the well as a water source and were in need of a new water supply to their home. This policy set guidelines for which future reductions would be based.

Councilmember Smith asked if Director Edwards foresaw any challenges they needed to address, to which Director Edwards answered in the negative. He explained that everything would come back to the Council for approval.

3.4. Discussion of an Agreement with South Jordan for the purpose of Hosting a Temporary Records Management and Computer Aided Dispatch System for the Herriman Police Department – Troy Carr, Police Chief & John Brems, City Attorney

This item was not discussed.
3.5. **Review of the Anthem Commercial Development Agreement Amendments** – Gordon Haight, Assistant City Manager

Assistant City Manager Gordon Haight explained that the City had an RDA in the anthem commercial area. He said they estimated an income of $14 million, and the amount anticipated to Anthem was capped at $11 million with the rest to the City. He subsequently explained how the money would be allocated. He noted that they initially waived impact fees for everything other than Walmart. He explained that in 2021 they would waive 75-percent of the impact fees, which would be an incentive to developers to move their projects forward. He said the RDA would reimburse the impact fees. Staff would provide a handout to the Council prior to future discussion.

3.6. **Rocky Mountain Power Franchise Agreement Discussion** – John Brems, City Attorney

City Attorney John Brems indicated that as part of the discussion relating to the Public Art Utility Box Program, Rocky Mountain Power requested that the City renew the franchise agreement. The agreement was set to expire June 30, 2019. Councilmember Martin asked if they were increasing rates. City Attorney Brems said there were no changes.

3.7. **Discussion pertaining to the Public Art Utility Box Program** – Wendy Thomas, Director of Parks, Recreation and Events

Rocky Mountain Power and the Utah Department of Transportation implemented community art pilot programs to allow cities to decorate certain pad-mounted equipment (utility boxes). Similar programs had been implemented in several cities around the world, and they helped foster citizen pride in beautifying streetscapes. Councilmember Martin asked if they could change the look of the utility boxes on a regular basis. Director of Parks, Recreation and Events Wendy Thomas answered in the affirmative and stated that artists were asked to keep the art simple. City Manager Wood said this was a positive program because these boxes were targets for graffiti. Councilmember Ohrn suggested that the City solicit local artists. It was noted that once the project was turned over to local artists, the City could no longer control what went on the boxes. Mayor Watts and Councilmember Martin both expressed support for the program.

3.8. **McCuiston Avenue Project Update** – Blake Thomas, City Engineer

City Engineer Blake Thomas presented a timeline of the project. He discussed the parcels along McCuiston Avenue and noted that a resident asked the City to modify a certain cross-section. He displayed the suggested modifications and explained there were other property owners that had concerns with the project. There was then a discussion regarding the implications of a resident not allowing curb, gutter, and sidewalk improvements.

City Engineer Thomas explained that the proposed cross section would be 55 feet. He noted that a typical cross section would be 60 feet and would have room for snow storage and street lights. City Manager Wood said they worried about narrow park strips because they caused issues. He said they would have to plan to accommodate the narrow park strip. Councilmember Ohrn asked about the normal width of park strips, to which City Manager Wood stated five feet was the standard. Assistant City Manager Haight discussed the landscaping options for the park strip. Staff recommended that the Council permit this narrow cross section to advance this project.

Councilmember Henderson said this issue had been a struggle but they were trying to seek a compromise. Councilmember Martin agreed and stated that this showed the City was willing to make concessions with the residents.
City Engineer Thomas said he understood how the Council wanted him to proceed. He said he would survey property and meet with the residents again.

3.9. **Autumn Crest Road Update** – Blake Thomas, City Engineer

City Engineer Blake Thomas indicated the Utah State Legislature provided funding to Herriman and Riverton to construct Autumn Crest Boulevard (4500 West) from 13400 South to its northern terminus in Herriman at approximately 14200 South. Additionally, Herriman applied for and received Corridor Preservation funding to purchase the right-of-way for the new road. Herriman and Riverton recognize the importance of opening this roadway before the new high school and elementary school open in August 2019. Herriman staff worked with the property owner, Riverton staff, and Salt Lake County Flood Control through the design process of the road and storm drainage. There were a handful of design constraints and regulations that were affecting the progress of this project. This discussion would provide a description of the issues that the cities were facing and working through to keep this project moving forward so that the road could be opened in conjunction with the opening of the new schools.

City Engineer Thomas said he would follow up with the State Fire Marshal to ensure the road’s safety. There was some discussion pertaining to the schools’ emergency access. Councilmember Smith stated that there would be safety concerns if the road was not completed; an emergency vehicle would have difficulty navigating the one access while cars were leaving the schools. Chief Pilgrim said he would reach out to the school board concerning this issue.

3.10. **Engineering Standards Update** – Jonathan Bowers, Assistant City Engineer

Assistant City Engineer Jonathan Bowers stated he would discuss section three of the land development standards update. He explained that the intention of the update was to take the developer from Planning Commission approval to a building permit. He discussed the key changes and highlights of the update, and explained that minor changes to developments would not need to be reviewed by the Planning Commission again. There was subsequent discussion regarding what constituted a substantial change that the Planning Commission would need to reconsider.

Mayor Watts said he was concerned a developer would slightly realign without Planning Commission approval. Councilmember Smith noted there were minimum setbacks in place to combat this behavior. Mayor Watts asked the Council to consider this issue while they reviewed the updates. Councilmember Smith noted substantial changes were rare and were handled well by engineering and staff.

Assistant City Engineer Bowers explained the City could not withhold a building permit if a developer installed or bonded for essential infrastructure. He noted that any deviations from the approved plans needed to be addressed and recorded accordingly.

*At 6:39 pm, the Council temporarily recessed the City Council work meeting by consensus.*

3.11. **Update on the Olympia Hills Development** – Gordon Haight, Assistant City Manager

Assistant City Manager Haight stated that the Olympia Hills Development should be a part of Herriman. He said they needed to create the correct infrastructure and density, and noted that the developer did not want the City to take a long time to approve the project. The subject property would need to first be annexed into Herriman City.
before development could occur. Councilmember Martin said the developer should not expect the City to rush the approval; as a City, they could promise that they would be as thorough and efficient as possible.

Assistant City Manager Haight noted there were plans for townhomes and apartments in the development. There was discussion at the State level about encouraging these types of large developments. Staff and elected officials discussed the developer’s demands to make this process move quickly, and determined that the approval process was essential.

Councilmember Martin said this was an opportunity to show the County and State how a City should handle this type of project. Assistant City Manager Haight said they would start a general plan to move the process forward. He recommended they discuss the holding capacity of the land because they needed an idea of what could be developed. It was noted that the City needed to study the surrounding areas because they would also be affected by this development. Councilmember Martin added that the City needed to work closely with the County on the project.

3.12. City Manager Updates – Brett Wood, City Manager
City Attorney Brems briefly updated the Council on an ongoing legal issue.

City Manager Wood reported that there was currently a vacant position on the Planning Commission, which led to a discussion on potential candidates for filling said position.

Chief Pilgrim reported on an individual who was recently injured. He asked residents to be aware of children playing near windows.

City Manager Wood reported that Towne Days would take place soon and noted that Councilmember Ohrn and Mayor Watts signed up for a booth. He asked more Councilmembers and staff to sign up as well.

The Federal Fund Committee was discussed. City Manager Wood noted that currently there was not a lot of interest in this committee. Councilmember Ohrn stated the programs were not applicable to Herriman. Councilmember Martin said participating was a good idea for building relationships within government.

4. Adjournment
Councilmember Smith moved to adjourn the Work Meeting and move into the General Meeting at 6:55 pm. Councilmember Ohrn seconded the motion and all voted aye.

7:00 PM - GENERAL MEETING:
1. Call to Order
Mayor David Watts called the meeting to order at 7:02 p.m. and welcomed those in attendance.

1.1. Invocation/Thought/Reading and Pledge of Allegiance
Scout Troop #1125 led the audience in the Pledge of Allegiance.

1.2. Council Disclosure for Conflict of Interest
There were no noted conflicts of interest.
1.3. **Mayor/Council Comments and Recognitions**  
There were none.

2. **Public Comment**  
There was no public comment offered.

3. **Mayor and Council Board and Committee Reports**  
Councilmember Martin reported that she recently attended the UFA board meeting. She expressed appreciation to them for their service and said UFA had kept the community safe. She personally thanked Chief Peterson and Chief Pilgrim.

Councilmember Henderson reported that the UPD board meeting was tomorrow. He stated he would gather more information to share with the Council.

4. **Reports, Presentations and Appointments**  
4.1. **2018 Grand Marshall for Herriman Towne Days to Mayor J. Lynn Crane** – Brett Wood, City Manager  
City Manager Wood explained that staff created an online survey for the Town Days Grand Marshall. He said James Lynn Crane was the nominee selected. He introduced Mr. Crane and stated that he was the first Mayor of Herriman. He said Mayor Crane always worked for what was best for Herriman. He thanked Mayor Crane for his work and presented him with an award.

Mayor Crane said he appreciated the opportunity to participate in the City, and he was impressed with the City’s progress. He noted that he, along with City Attorney Brems and City Manager Wood, were present the first day the City incorporated. He shared his sentiments about the growth of the City and community and thanked City Manager Wood for his devotion to the growth of the City. He also thanked his family, Council, and staff for their involvement and commitment. As the City continued to grow, he encouraged the Council to retain the feel of an urban community. Mayor Watts noted the residents were motivated to keep the same sense of community encouraged by its founders.

Councilmember Smith remarked that Mayor Crane was a pillar of the community. Councilmember Martin noted that Mayor Crane was the first Mayor with whom she worked. She said there were elected officials that had the courage to do the right things. She commended him for his accomplishments and for being her mentor. Councilmember Ohrn said she appreciated Mayor Crane for his work with the City. Councilmember Henderson also thanked Mayor Crane, as did Mayor Watts.

4.2. **American Society of Landscape Architecture Design Excellence Award Presentation** – Wendy Thomas, Director of Parks, Recreation and Events  
Director of Parks, Recreation, and Events Wendy Thomas introduced Bryce Ward. Mr. Ward stated Mayor Crane had significant influence on the City’s landscape architecture and design. He explained that the American Society of Landscape Architecture met every year to decide these awards, and this particular award was rarely presented. He shared a comment from a Colorado community praising Herriman, and then presented the award to Herriman City.
4.3. **Unified Fire Authority Level of Service Update** – Dan Peterson, UFA Fire Chief

UFA Fire Chief Dan Peterson thanked the Council for the opportunity to present additional information regarding the quarterly report that had been conducted during the last meeting.

Regional approach:
The Unified Fire Service Area (UFSA) was the taxing authority responsible for construction and capital maintenance of fire stations and for payment of the member fee to Unified Fire Authority (UFA). Herriman City was a part of this taxing authority and in 2017 represented 8.67 percent of the total taxing revenue collected by the UFSA. Herriman City would be responsible for their portion of the member fee and 8.67 percent of the expenses for the district. The UFA was formed by an Interlocal Agreement to provide emergency service. The authority had four UFSA members and three contract cities. The number of engine and truck companies serving the entire response area proportioned the costs.

Stations 103, 123 and 121 provided first response within Herriman City; the assessment would only be applied for the percentage of first-due incidents for each of those station zones inside the City. The member fee estimate of excess beginning fund balance was credited back to the member. The credit was based on each member's percentage of the total member fee for the new fiscal year. The excess fund balance was considered revenue for the new fiscal year. The three stations that provided the first response to the residents of Herriman City each housed four full-time career firefighters and were assessed accordingly. In addition, a third station within the City would increase the costs to the UFSA based on that station's first response percentage of incidents within the City. The cost to construct the station would be shared by all communities who were part of the UFSA.

Chief Peterson explained the UFSA was a tax authority responsible for the construction and maintenance of fire stations. The tax also covered the member fees of the UFA, which was responsible for providing emergency services. He said Herriman shared this cost with three other cities as a part of an Interlocal Agreement. He discussed the fee structure and how the funds would be used.

Chief Peterson noted only 14 percent of the incidents were outside of a four minute drive time. He said this would increase as the City grew, but they were working on keeping this percentage under five percent. He explained that response times were calculated using the elapsed time from dispatch to arrival for the first responders. He discussed their methods to keep these times low, and explained they used a program called Interra that would track incidents. The data from this program was available to residents.

When asked how often a station was unable to respond to calls, Chief Peterson explained that a good indicator of this data would be how often a unit responded outside a zone. There was subsequent discussion on effective data-collecting methods.

The value of four-person staffing model was discussed. It was stated that the fire and rescue system was designed to solve critical problems within the community. The station locations, response times, and the crew’s ability to solve problems once they arrived were all part of the equation. The decision to staff fourhanded engine and truck companies is science-based and provides benefit for residents. The UFA positioned fire stations across the service
area with the goal of providing a four-minute drive time to the built upon areas of the district with four-person crews able to quickly take critical action to solve the problem once they arrived. The call to action time was crucial. When citizens call for help they are asking for crews to extinguish the fire, resuscitate a loved one, extricate a patient from a car, and a myriad of other problems that crews solve each day. The flexibility for the Captain to deploy the proper units and personnel on scene to solve the problems directly affects the outcome of an incident, and four firefighters on each unit greatly improved capabilities. Chief Peterson explained where the City lacked in coverage and their plans to improve the coverage. He noted they included the Olympia Hills development into their data to create coverage. He then discussed the challenges and their strategy to cover the City as it grew.

Councilmember Smith said the data presented was a result of questions he had asked. He thanked those involved for providing this information and responding to his concerns. He noted he had worked with Chief Peterson recently and commended him for his work.

4.4. Herriman Police Department Update – Troy Carr, Police Chief

Herriman Police Chief Troy Carr thanked the Council for the opportunity to speak. He explained that 16 years ago he came to work in Herriman, an opportunity afforded to him by Mayor Crane. He said he loved his time working for Herriman. Police Chief Carr explained they began hiring the command staff and many people applied. He noted they also began hiring crossing guards and officers; all of the other job descriptions had also since been posted. He discussed policies and the programs the department would utilize to keep current. He explained the seniority policy, which detailed how the officers would be compensated. He then described the various partnerships that were required as a police department.

Police Chief Carr said he was pleased with the brand logo and explained that they placed decals on the vehicles and ordered patches. In addition, they added more safety and comfort features to the police vehicles. He noted they ordered more vehicles because they had more police officers than was provided by UPD. He thanked Director Monte Johnson for his work obtaining these vehicles quickly.

Police Chief Carr reported that he recently attended a finance committee meeting. He stated that he was confident the department was in a good situation with transferring equipment. Presently, they were going through the process of accessing the State records, and in so doing, they were working with the FBI to ensure their competency with State data. Mayor Watts thanked South Jordan for their help with technology. Police Chief Carr said they would collaborate with VECC with dispatch.

Police Chief Carr also discussed the weapons they would use. Mayor Watts asked if the officers would be issued non-lethal weapons, to which Chief Carr responded in the affirmative; officers would always have the option to use a less lethal weapon. He explained the ways in which officers were trained to de-escalate situations.

Lastly, Police Chief Carr explained they were making sure their evidence storage was secure. He noted they would be using body cams, a technology for which he was a major proponent.

5. Consent Agenda

5.1. Approval of the May 16, 2018 City Council Meeting Minutes
5.2. Approval of the Monthly Financial Summary – Alan Rae, Finance Director

5.3. Adoption of a Resolution designating authorized Users to Transact Business with the Public Treasurers Investment Trust – Alan Rae, Finance Director

5.4. Approval of an Interlocal Agreement between Herriman City and South Jordan with Respect to 11800 South Street Asphalt Overlay Construction – Jonathan Bowers, Assistant City Engineer

5.5. Approval of a Resolution Authorizing the City Manager to Negotiate an Interlocal Cooperative Agreement with the City of South Jordan for the purpose of a Temporary Records Management System and Computer Aided Dispatch System for the Herriman Police Department – Troy Carr, Police Chief

Councilmember Martin moved to approve the Consent Agenda with the deletion of item 5.5. Councilmember Smith 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. Discussion and Action Items

6.1. Discussion and Consideration of an Ordinance to adopt a final budget; make appropriations for the support of Herriman City for the fiscal year beginning July 1, 2018 and ending June 30, 2019; and determining the rate of tax and levying taxes upon all real and personal property within Herriman City – Alan Rae, Finance Director

The following schedule had been followed in relation to the proposed budget:

- April 11 Presentation of the Tentative Budget
- April 25 Discussion of the Tentative Budget
- May 11 Approval of the Tentative Budget
- May 11 Published budget to the Public
- May 16 Additional Discussion of the Tentative Budget
- June 6 Public Hearing
- June 6 Additional Discussion of the Tentative Budget

Director Rae reviewed the above schedule for budget approval, which included the addendum to fund the police department. He noted this would also set the property tax rate for 2019, which had not changed. Councilmember Smith added that the tentative budget was available for public review and had not changed. Director Rae concurred; however, he noted that the addendum for the police department had since been added. Councilmember Smith commended staff for their work preparing the budget.

Councilmember Smith moved to approve Ordinance 2018-23 adopting a final budget including the addendum for fiscal responsibility for the police department and to make appropriations for the support of Herriman City for the fiscal year beginning July 1, 2018 and ending
June 30, 2019; an determining the rate of tax and levying taxes upon all real and personal property within Herriman City to be set at .000307. 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.

6.2. Discussion and Consideration of a Resolution supporting the House Bill 362 (2015) authorized .25% Local Cooperation General Sales Tax Dedicated to Transportation, and Encouraging Salt Lake County To impose the tax as outlined in Senate Bill 136 (2018) – Gordon Haight, Assistant City Manager

Assistant City Manager Gordon Haight displayed a list of roads eligible for capital project funds, including transit lines proposed for Herriman. He stated that however the City decided to vote, the tax had already passed. He said the Council needed to consider the importance of the funds for Herriman. He then introduced LaNiece Davenport to discuss this resolution.

Ms. Davenport introduced herself as the Government Relations Manager with The Wasatch Front Regional Council. She noted she was not present to advocate for or against the bill. She discussed the history of the taxes and noted the required supermajority threshold had been reached. She said the money from these taxes would go to roads and transit districts. She discussed how the money would be collected and how it would be distributed to the cities. She stated that this was flexible funding for transportation, meaning that cities could create projects for roads, trails, and transit. She said they could use the funds for maintenance and partner with other cities for regionally significant projects.

Councilmember Ohrn asked if there was an increase in ridership for UTA in Utah County. Ms. Davenport said she did not have the answer; however, she noted that the other two counties that already implemented these taxes had a positive relationship with UTA.

Councilmember Smith asked if a portion of the sales taxes collected would be given to cities and another portion be made available through a competitive process. Ms. Davenport answered in the affirmative, and explained that a committee created by local governments would award regionally significant projects. Councilmember Martin expressed concerns with defining regionally significant projects. She said they needed to ensure their taxpayer dollars returned to the City. She discussed the importance of improving and growing their road and transit system, and explained that there were several regionally significant projects in Herriman.

Councilmember Smith explained that the Council had to make difficult decisions, and they needed to do what was best for Herriman. He said he had spent a lot of time examining this issue, and there was a need for transportation growth. He discussed the potential option not to enact the sales tax and its consequences; if they raised the taxes
through property taxes to get the same funding, property taxes would be increased 50-percent. He said this was a regional issue and they needed to work with their neighbors on finding a solution. He was in favor of implementing a process that distributed the funds for regionally significant projects in a fair, equitable manner. He said he also expected an increase of options for transit.

Councilmember Ohrn noted that Herriman voters overwhelmingly rejected this in 2015, based on UTA’s involvement. She said they needed assurance UTA would handle the funds appropriately, because 40 percent of the tax revenue would be distributed to them. She stated a lot of the bill was ambiguous and nothing was binding. She discussed the unsettling way this bill was passed, and said her biggest issue pertained to its uncertainty.

Councilmember Henderson reiterated that the bill was passed when more than half of the voters were unsupportive of it. He noted the cities that did not pass the resolution were on the west side of the valley. He explained it was not fair that the County took money away from the west side of the valley to fund projects on the east. He said he was also concerned with the manner in which the bill was passed. There was no accountability to ensure the funds were distributed fairly. He was opposed to entertaining the proposal.

Mayor Watts stated there was a lot of fear surrounding this resolution; elected officials were fearful of residents’ reaction to their decision and reprisal from the County if they did not vote in favor of the resolution. He agreed the manner in which the bill was passed was inappropriate. He noted this was a tax increase and he was elected based on his promise to lower taxes. He suggested a motion for an amended resolution, as follows:

“Section 7 Expected Distribution of New Funds: Herriman City supports that over time, the portion of this tax that is collected from Herriman residents for the County and transit district portion be fairly distributed back to the Herriman community in projects such as, but not limited to, new bus routes into Herriman City, bus rapid transit, TRAX Frontrunner, new roads, expanded capacity on current roads, and regionally significant project such as those that are included with this resolution.”

Councilmember Henderson requested Councilmember Martin to articulate an amendment as depicted during the work session to clarify what the City wanted. Councilmember Martin said she agreed with the Mayor’s amendment as congestion was worsening as the State grew, and as the tax funds were spent, they would likely be spent on the west side of the valley.

Councilmember Martin moved to approve Resolution No. R33-2018 supporting the HB 362 (2015) authorized .25% Local Option General Sales Tax dedicated to Transportation and acknowledging Salt Lake County has already met their required approval threshold as per SB 136 (2018) to impose the tax in 2018 reflecting our understanding per the bill and Salt Lake County’s responsibility to formally outline the competitive and fair process for revenue distribution from year one and beyond a detailed definition of regionally significant projects and that final distribution decisions be made by a representative body of all cities contributing to funding. Lastly, the inclusion of an addendum outlining our high priority projects we see as meeting the definition of regionally significant and vital to not only our growth, but the State’s growth as well. Councilmember Smith seconded the motion.

The vote was recorded as follows:

Councilmember Jared Henderson  Nay
Councilmember Smith said he appreciated how Councilmember Martin worded the motion. He commented that he was thankful the Council respectfully discussed this topic. Councilmember Smith said he was not frustrated with anyone on the Council. He said he respected the members of the Council, to which Councilmembers Ohrn and Henderson also concurred. Mayor Watts encouraged residents to continue voicing their opinions.

7. Calendar
   7.1. Meetings
       7.1.1. June 21 – Planning Commission Meeting 7:00 p.m.
       7.1.2. June 27 – City Council Work Meeting 5:00 p.m.; City Council Meeting 7:00 p.m. Cancelled
       7.1.3. July 11 – City Council Work Meeting 5:00 p.m.; City Council Meeting 7:00 p.m.
   7.2. Events
       7.2.1. June 18-23 – Herriman Towne Days
   7.3. Closed Session
       7.3.1. The Herriman City Council may temporarily recess the City Council meeting to convene in a closed session to discuss the character, professional competence or physical or mental health of an individual, pending or reasonably imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205.

Councilmember Henderson moved to temporarily recess the City Council meeting to convene in closed session to discuss the character, professional competence or physical or mental health of an individual, pending or reasonably imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205 at 10:26 p.m. Councilmember Smith 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.

The Council reconvened the City Council meeting at 11:56 p.m.
8. **Adjournment**

Councilmember Martin moved to adjourn the City Council meeting at 11:57 p.m. Councilmember Henderson seconded the motion and all voted aye.

9. **Recommence to Work Meeting (If Needed)**

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 June 20, 2018. This document constitutes the official minutes for the Herriman City Council Meeting.

Jackie Nostrom, MMC
City Recorder