The following are the minutes of the Special City Council Meeting of the Herriman City Council. The meeting was held on **Wednesday, September 26, 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

**Councilmembers Present:** Nicole Martin, Sherrie Ohrn and Clint Smith, Jared Henderson arrived at 8:35 p.m.

**Staff Present:** City Manager Brett Wood, Assistant City Manager Gordon Haight Finance Director Alan Rae, Deputy City Recorder Wendy Thorpe, 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 Mitch Davis, City Attorney John Brems, UPD Acting Deputy Police Chief Brian Lohrke, Assistant City Planner Bryn McCarty.

**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. It was reported that Jordan School District Representative Darrell Robinson may arrive late and force Item 6.1 to be delayed. Councilmember Smith reviewed an email from Councilmember Henderson regarding the trail approval process. Regarding proximity to residential areas, an alignment proposal should be reviewed. Councilmember Martin proposed a standard of 300-feet. Parks and Recreation Director Wendy Thomas stated proposals would be brought to the Council soon. Councilmember Henderson inquired into the necessity of the Master development agreements.
2.2. Future Agenda Items

No future agenda items addressed.

3. Administrative Reports

3.1. Majestic View Lane Maintenance Agreement Discussion – Blake Thomas, City Engineer

City Engineer Blake Thomas explained maintenance location and discussed PowerPoint details. The property boasts of unique lots and property in Herriman. The County typically maintains Majestic View Road. Certain residents are concerned with traffic issues. The lane was originally dedicated to the county and is not considered a private road. At this point, the road still needs to be paved and the City has the option to annex the road. An Interlocal Agreement with the sunset clause would remain an option.

Councilmember Martin expressed her opinion to annex the property into the City. The Council discussed the importance of a sunset clause. The City has a few options if the property cannot be annexed. For example, the developer agreed to build the road only to a certain point. The Council further discussed dedication vs. annexation. City Engineer Blake Thomas mentioned investigating a specific timeline. This may make it easier to deed the property to the City.

3.2. Discussion Relating to the Auto Mall Zone – Michael Maloy, City Planner

City Planner Michael Maloy discussed a recently published report that recommended approval from the Commission. City Attorney John Brems has thoroughly reviewed the report. The draft contained in the packet related to the C-2 Zoning Amendment that would remove all auto sales from any other zones and restrict them to the Auto Mall District. Currently, a text-only amendment is in process. A separate process would be required for any actual zoning change. City Planner Michael Maloy offered to answer questions. Councilmember Martin expressed her hope that the City would be closer to completing the changes. The City anticipated more feedback from the development team. Councilmember Martin expressed her concern of missing an opportunity. City Planner Michael Maloy emphasized in response that the City has promptly complied with all requests from the developer.

3.3. Herriman Crossroads Development Agreement Update – Michael Maloy, City Planner

City Planner Michael Maloy explained the latest version of the Herriman Crossroads Development Agreement with redactions. An attorney for the developer is reviewing the agreement as well. The Staff recently combed through the agreement for cleanup. City Planner Michael Maloy received an email from the developer's team yesterday approving the Staff changes and inquiring into the next step. A clean draft will be delivered to the City Attorney from Staff and Council will have the opportunity to make changes. The property would include 254 apartment units as a portion of the total property. Current zoning could also allow for 1,418 potential total units on 12 acres. However, total amount was recently reduced to 1,002. Councilmember Martin expressed her appreciation for the hard work. City Planner Michael Maloy promised to pass along her remarks to the team.

3.4. Discussion of the Informal Inquiry regarding Garbage Services – Justun Edwards, Public Works Director

Public Works Director Justun Edwards explained the review of other potential providers. He thanked Wasatch Front Waste and Recycling District (WFWRD) Executive Director Pam Roberts for her understanding. The objective was to determine the best services as information from potential providers had been listed, along with the represented areas. Ace Disposal and Waste Management are also included. Public Works Director Justun Edwards presented a
side-by-side comparison chart of each contender. Many of these include an additional cost. For example, community partnerships or emergency cleanups include additional costs from many providers. Councilmember Martin requested a base cost comparison. Executive Director Pam Roberts explained that FEMA funding offers some reimbursement. She clarified that some locations with WFWRD also contain additional costs. The cost comparison and other spreadsheets were explained. Many companies did not include a Special Assist for green waste. Although costs are comparable among the providers, WFWRD includes more services for the cost. Public Works Director Justun Edwards requested direction from Council. Councilmember Martin asked to share the analysis with the residents. Councilmember Ohrn stated that the City must ensure due diligence. Public Works Director Justun Edwards confirmed that he would push the info out to the residents.

3.5. Discussion Pertaining to Eric’s Trail – Wendy Thomas, Director of Parks, Recreation and Events

Parks and Recreation Director Wendy Thomas explained Eric’s Trail location for the old and new trail. Cut by the developer, the dotted line in the presentation represented private property. She presented videos of mountain bikers on the trail. Sound decibels were 46-points lower than regular conversations at closest point to concerned resident homes. Multiple mountain biking teams utilize the trail. Bikes could not be heard over a pool filter or neighbor’s music. One resident emailed and informed her that he had deleted some of his more aggressive social media posts. Use of existing trails saved about $9,000. Other options further from these homes were discussed. Option One would be to maintain existing trail; Option Two and Three include moving the trail further away. Councilmember Martin emphasized keeping the process the same throughout. The trail could become an issue for residents with increased use. Assistant City Manager Gordon Haight stated other trails already exist that are closer to homes. Councilmember Martin responded that the City has mitigated the issue. Councilmember Ohrn mentioned her concern that residents complained about voices from the trails during early morning hours. She expressed concern for mischief. City Manager Brett Wood added that scouts have spent all night on the trails and if a neighbor had noticed a problem, they could have called to complain. It is a public place and the Council has the ability to determine specific hours of use. Assistant City Manager Gordon Haight mentioned installation of signs for trail etiquette and ongoing training. Parks and Recreation Director Wendy Thomas requested direction from the Council; Councilmember Martin emphasized following what the City needs. The topic will be revisited later.

3.6. Parks Master Plan Update – Wendy Thomas, Director of Parks, Recreation and Events

Parks and Recreation Director Wendy Thomas explained the necessity for a representative at the open houses and on trail meetings. Councilmember Smith offered to serve.

3.7. Electric Vehicle Charging Station Updates – Wendy Thomas, Director of Parks, Recreation and Events

Parks and Recreation Director Wendy Thomas explained the growth in market for electric cars. She described different types of charging stations. Stations are more expensive along highway corridors where people need a quick charge. The Plugshare website shows each charger location and charger levels. Users can rate the chargers and leave reviews. The Council approved $36,000 for chargers. Parks and Recreation Director Wendy Thomas reviewed different costs and charging port levels. At certain networked locations, the City would remain under budget with State incentives. The current proposal is for five ports. There would be no additional space available. One more port could be added to an ADA parking space. Mayor David Watts requested information regarding longevity of
technology. They discussed uniformity in the auto industry at the state and city levels. Certain libraries in Logan, Tremonton, and Salt Lake City provide chargers. Councilmember Martin asked if the charger installment falls into City hands and requested to know estimated resident use. Parks and Recreation Director Wendy Thomas presented the ongoing costs for networked $3,250 and non-networked $1,850. This would be a service; the City would not make profit.

Assistant City Manager Gordon Haight added that motivating factors include air quality and sending a message that the City is involved. Mayor David Watts mentioned installing one charging port and monitoring usage before adding more. Although expanding the network later would increase the cost overall, it is an option for consideration. As the percentage of electric vehicles increases, perhaps more ports could be added. Assistant City Planner Bryn McCarty mentioned her personal usage. Not all electric cars include a super port. More cars function well with Level 2 charging. The Council discussed the role of the government in the matter. Many locations include ports offered by a business in order to increase sales. The Council offered the opinion that the City would not provide the service at this time.

3.8. Discussion of a Potential Interlocal Cooperative Agreement with Salt Lake County regarding Planning Services for Pending Annexation – Michael Maloy, City Planner

City Planner Michael Maloy discussed the ability to begin construction prior to completion of reviews. The developer requested a reduction of any additional costs from an expedited review. The County appeared cooperative and the process maintained transparent. The County would allow issuance of permits. City Attorney John Brems has been working on drafts; the County Council would need to approve any processes. Assistant City Manager Gordon Haight added that all documents would need completion before the next City Council meeting in order to meet the deadline. The concern of the County is to ensure notification of affected entities.

3.9. Discussion of an Annexation Agreement with Kennecott Utah Copper, LLC – Gordon Haight, Assistant City Manager

Assistant City Manager Gordon Haight informed the Council that the property acquisition still needed to be completed. A date would provided for January.

3.10. Discussion on Salt Lake Community College Use of Herriman Community Center – Monte Johnson, Director of Operations

Director of Operations Monte Johnson explained the use of the Community Center that had been declared surplus. SLCC has had a large response to classes at the location. Some renovations have been completed but the institution is interested in utilizing the basement. The City is concerned that the timeline for the new SLCC could prove difficult if the building sold. They have offered to take over maintenance costs. SLCC will have a meeting next week and request appropriation at next session. Councilmember Martin mentioned that eliminating City costs is beneficial to the City. Higher enrollment will assist SLCC to get approval for campus funding. She added that it could be an ideal use that inevitably benefits the City. The Council supported having them take over costs. City Manager Brett Wood recommended that the Council review its use each year. Councilmember Smith confirmed that maintenance and upkeep would be covered by SLCC as well. Director of Operations Monte Johnson confirmed that they have enough staff to maintain the building. The roof does need renovations and the City can negotiate this with SLCC. Insurance would cover any further incidents.
3.11. City Manager Updates – Brett Wood, City Manager
City Manager Brett Wood explained that Sales tax revenues for July were up 21-percent. The point of sale for the City was higher last month than it was for last Christmas. The impact of new grocers in the area was discussed.

4. Adjournment
Councilmember Smith moved to adjourn the Work Meeting and move into the General Meeting at 6:42 pm. Councilmember Martin 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 7:01 p.m. and welcomed those in attendance.

1.1. Invocation/Thought/Reading and Pledge of Allegiance
Jordan Bowles 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
Councilmember Ohrn mentioned that Executive Director Pam Roberts would present WFWRD information.

2. Public Comment
There was no public comment offered.

3. Mayor and Council Board and Committee Reports
Councilmember Ohrn mentioned again that Pam Roberts would present WFWRD information.

4. Reports, Presentations and Appointments
Executive Director Pam Roberts expressed her appreciation for proudly serving Herriman City. She presented a 9-minute plastic recycling video. She stated that good news in product stewardship by companies such as Kroger and McDonalds. She also introduced Mr. Shawn Summerhays, the sustainability coordinator. She praised his efforts in making sure the information makes it out to the City residents. She then presented a PowerPoint on recycling.

Executive Director Pam Roberts discussed educating the public about the cost increase in 2018. A fund balance would stay sustainable until 2022. The fee would most likely increase in 2021 in order to compensate. Adding to the landfill would cause an increase of one additional dollar per month per household to continue recycling. A customer survey with Survey Monkey had 6,300 responses. This is the highest amount of respondents ever for one of their surveys. The topic and brevity of the survey may have been responsible for the increase in responses. She reviewed the results with the Council and explained that 70.5-percent of district residents would support a nominal fee increase in the next 2-3 years in order to continue the recycling program.
Councilmember Ohrn was pleased by how many residents support recycling. Mayor Watts requested details regarding the survey sampling techniques. Councilmember Ohrn expressed interest in the social media influence. Post card notifications were mailed, but the survey was also on the website. Councilmember Martin gave appreciation for the efforts to keep the costs down. Councilmember Ohrn also mentioned the China market reaching out the high schoolers to make an effort to recycle plastic locally. This may help local markets open up. She made a note that thin film bangs and dry cleaning bags are not recyclable. Additional contamination harms the current efforts.

4.2. **Timeline of the Boundary Changes and an Update to the New High School and Elementary School – Darrell Robinson, Jordan School Board**

Board Member Darrell Robinson approached the podium and thanked the Council for inviting him to distribute reports. He addressed school overcrowding due to unbalanced populations and reviewed a handout and timelines. He identified varying school capacities. In the next month, several open houses will occur to discuss boundary changes. These changes will be finalized by November 13, 2018. He discussed students crossing Mountain View Corridor. Herriman City is the only area that does not bus to avoid high traffic areas. Mayor David Watts affirmed that student safety is a top priority and referenced designated pedestrian overpasses. He also remarked on the substantial students living on east side. The Autumn Crest Road development was a concern.

4.3. **Herriman Police Department Update – Chief Troy Carr**

Herriman Police Chief Troy Carr stated that HPD had been created in 120 days. He expressed his experience with onboarding the new officers. He discussed growth and mentioned that Herriman now has some of the most experienced officers. They all came to the City for different reasons but unanimously want to serve the community. For him, it has been a wonderful experience helping to create the culture. Police weapons have been distributed; the uniforms were purchased; photo-shoots have occurred, and the K9 unit is functioning. Each officer received Taser and shooting certifications. He walked through the agenda for the swearing-in ceremony and provided a brief overview of all the training. He expressed appreciation for having experienced owners. The last vehicle will be finalized by Friday. The ceremony is set for tomorrow night. On September 29, 2018 and 11:59pm, HPD will officially take over for UPD. Mayor David Watts expressed his appreciation. Police Chief Troy Carr thanked the City Staff for all their efforts.

4.4. **Unified Fire Department Update – Chief Riley Pilgrim**

Unified Fire Chief Riley Pilgrim provided a fire season update. This season has been busier than anticipated. Significant fires burned in the southwest area of the Valley, many of which could have been prevented. The Rosecrest Fire on September 12, 2018 occurred just outside of Yellow Fork canyon. Many agencies, aircrafts and choppers responded and federal resources stepped in to help. Many cost recoveries are going through different insurance policies. He displayed various pictures depicting the rapid fire growth. Containment was resource intensive with the fire covering over 67 acres. All the crews showed great work. Councilmember Martin asked if more educational measures should be taken and he affirmed that it would be beneficial. All of the incidents will be reviewed for future improvements, for example, aircraft mitigation.

The High Country fire occurred on September 15, 2018. Crews were unable to use aircrafts due to the wind. This fire covered 114 acres and was human caused by a citizen playing with fireworks in a restricted area. This is not allowed
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during this time of year. The fire started with a smoke bomb. He stressed that the City’s restrictions are not too strict and are quite necessary for safety. Two homes were lost but the response of the crews was exceptional. This fire also occurred under red flag conditions. Winds consistently remained around 30 or 40 mph with 50 mph gusts. This area in the past had live evacuation drills, which helped the crews know the area and reduced damage. Fifty units contributed with 100 firefighters. One firefighter suffered heat exhaustion due to the necessary tough decisions. Thirteen other fires occurred at the same time and City power was interrupted for over 24 hours. Dozens of residents were evacuated and several buildings damaged or destroyed.

Another ongoing fire in Camp Williams has covered about 75 acres. The City is not yet in the clear. He showed several pictures displaying the winds. Staging and resources came in from all over the valley and from Utah County. These fires have required a multi-agency effort. He showed an informational outreach video and discussed preparing residents, teamwork, partnership and trust. City Manager Brett Wood mentioned citizens that step up to help and are a great example of the community coming together.

Councilmembers expressed appreciation to the crews and their frustration with vehicle traffic. Herriman Highway was blocked, causing delays for the fire trucks headed to the fires. This is another opportunity to educate the public. One main challenge is identifying locations for blocking roads. Drones also cause a problem; people will come to the area to watch the scene. Mayor David Watts expressed his appreciation for UFA.

5. Consent Agenda

5.1. Approval of the Monthly Financial Summary

5.2. Approval of Herriman City Police Department Fee Schedule

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

The vote was recorded as follows:

Councilmember Jared Henderson     Absent
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 declaring approximately .48 acres of real property as surplus – Blake Thomas, City Engineer

Councilmember Smith moved to continue item 6.1 Discussion and Consideration of an Ordinance Declaring Approximately .48 Acres of Real Property as Surplus. Councilmember Martin seconded the motion.

The vote was recorded as follows:

Councilmember Jared Henderson     Absent
Councilmember Nicole Martin        Aye
Councilmember Sherrie Ohrn         Aye
7. **Calendar**

7.1. **Meetings**

7.1.1. October 4 – Planning Commission Meeting 7:00 p.m.

7.1.2. October 10 – City Council Work Meeting 5:00 p.m.; City Council Meeting 7:00 p.m.

7.2. **Events**

7.2.1. September 27 – 2018 Inaugural Officer Swearing-In Ceremony; Copper Mountain Middle School 5:30 p.m.

7.2.2. September 29 – Herriman Family Wellness Fair; J Lynn Crane Park 1-8 p.m.

7.2.3. October 1 – Herriman Police Department Food Truck Round-Up; J Lynn Crane Park 5:00 p.m.

7.2.4. October 15 – Herriman Howl; J Lynn Crane Park 6-8 p.m.

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 purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205*

Councilmember Ohrn moved to temporarily recess the City Council meeting to convene in closed session to discuss pending or reasonably imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205 at 8:31 p.m.

Councilmember Smith seconded the motion.

The vote was recorded as follows:

Councilmember Jared Henderson  **Absent**

Councilmember Nicole Martin  **Aye**

Councilmember Sherrie Ohrn  **Aye**

Councilmember Clint Smith  **Aye**

Mayor David Watts  **Aye**

The motion passed unanimously.

Councilmember Jared Henderson arrived at 8:35 p.m.

The Council Reconvened the City Council meeting at 9:44 p.m. by consensus.

8. **Adjournment**

Councilmember Martin moved to adjourn the City Council meeting at 9:45 p.m. Councilmember Henderson seconded the motion and all voted aye.

9. **Recommence to Work Meeting (If Needed)**
I, Wendy Thorpe, Deputy City Recorder for Herriman City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on September 26, 2018. This document constitutes the official minutes for the Herriman City Council Meeting.

Wendy Thorpe  
Deputy City Recorder