The following are the minutes of the City Council Meeting of the Herriman City Council. The meeting was held on **Wednesday, October 9, 2019 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:** Jared Henderson, Nicole Martin, Sherrie Ohrn and Clint Smith

**Staff Present:** City Manager Brett Wood, Assistant City Manager Gordon Haight, Director of Administration and Communications Tami Moody, Building Official Cathryn Nelson, City Planner Michael Maloy, City Engineer Blake Thomas, Police Chief Troy Carr, City Recorder Jackie Nostrom, Finance Director Alan Rae, Director of Operations Monte Johnson, Public Works Director Justun Edwards, Police Lieutenant Cody Stromberg, Officer Jose Lopez, Economic Development Manager Heather Upshaw, City Attorney John Brems, Parks, Recreation, and Events Director Wendy Thomas, and Communications Specialist Destiny Skinner, Community Development Coordinator Sandra Llewellyn, Battalion Chief Wade Watkins, and Assistant City Planner Bryn MacDonald.

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

1. **City Council Social**
   The City 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 5:19 p.m.

   2.1 **Review of this Evening's Agenda**
   There were no adjustments made to the agenda.

   2.2 **Future Agenda Items**
   There were no future agenda items discussed.
3. **Administrative Reports**

3.1. **Community Coordinator Program Update - Sandra Llewellyn, Economic Development Coordinator**

Economic Development Coordinator Sandra Llewellyn explained the Community Coordinator Program was created two years ago, and now it was time to review the program and make any necessary adjustments. She displayed a map identifying seven different communities in Herriman City, and the list of current facilitators. She noted Community 7 didn’t have a facilitator because there wasn’t much development happening there. The Deputy Director for Community 6 oversaw Community 7, for the time being. She then presented a slide showing the current development process. The first step in the process was for developers to work with the assigned facilitator to have a community meeting. They had held 32 meetings so far, and most of those were within Communities 1, 2, and 3. Two weeks ago, the Council had relayed some concerns from residents whose expectations weren’t met at the meetings. Since then, she had met with the facilitators to discuss the concerns. Overall, they felt that the program was working, but some adjustments were suggested and have been implemented. The noticing requirements for the meetings were changed, and the developer was required to send notices to neighbors within at least 300 feet 10 days before the meeting. Depending on the application, the noticing distance could be increased to whatever they felt was appropriate. It was noted that residents can attend the meetings even if they don’t receive a notice. The meetings were now being recorded and minutes were taken. These minutes were being provided to the Planning Commission and City Council. Each community also has a social media page, with each facilitator belonging to all of the pages, so information can be shared. The facilitators suggested they consider revising which applications actually go through the Community Coordinator Program. She gave the example of minor subdivisions, which were allowed by code, and plat amendments for commercial developments. Those items would still have a public hearing with the Planning Commission, and they would still receive notice of the applications. Coordinator Llewellyn said there was also a suggestion of including text on the notices regarding the application process and what is required of the developer. If the residents received this information beforehand, and at the beginning of the meeting, they would have a better understanding of what would be discussed. The facilitators also agreed to begin all meetings with the Community Outreach Program purpose statement.

Councilmember Ohrn agreed that they should be setting the expectation prior to the meeting.

Councilmember Smith thanked staff for the efforts. This was a great program that was implemented to curtail issues presented by the constituents. By making adjustments, they were continuing to be transparent with the public. The program was a success and it accomplished the goal of providing an opportunity for the public to express their concerns to the developer.

Councilmember Martin emphasized that the program also allowed the developer and the residents to form a relationship. Residents have seen that developers do care about the community. Hundreds of residents have benefited from this program. She expressed her thanks to those who were running the program. Fundamentally, the program was working, but making a few adjustments was good.
Councilmember Ohrn said providing information before the meeting would alleviate some of the burden of the facilitator and the developers. People would be coming to the meeting informed.

Councilmember Smith said that some developers felt that one meeting with the public wasn’t enough, and they asked for more. Councilmember Martin added that the developers wanted to do their projects right. They were really going with the spirit of the program and creating the connection with those they would be working with.

3.2. Game Pointe Development Discussion - John Brems, City Attorney
City Attorney John Brems oriented the Council on the location of the Game Pointe project. The project consisted of uses that were allowed by applicable zoning limitations. There was a ZC on the property for both Lots 1 and 2, and the project shall be developed and constructed substantially as set forth in the site plan, depicted in the exhibits. The exact development on Lot 1 had not been identified, so the design criteria would not apply to that development. The development agreement included a window of frame of two years from the time they get their building permit to complete the project. The City had made a commitment to construct Main Street adjacent to the project, and had already begun. The applicant had agreed to pay $100,000 before March 15, 2020 toward the property acquisition of Miller Crossing, and there was a mechanism in place to reimburse the developer with the sales tax generated from the family entertainment center. If the development did not come through, the City had the option to repurchase the lots for the original purchase price. Attorney Brems presented the elevation for the project. The Planning Commission reviewed and approved the site plan.

Councilmember Henderson wanted to be sure that the two year timeframe also applied to Lot 1, and Attorney Brems answered affirmatively.

City Planner Michael Maloy said the Planning Commission reviewed the project and granted a Conditional Use Permit for the site plan and elevations. The Code allowed the developer to request an exemption to the building material standard, which was included as part of the development agreement. The Planning Commission was very excited about the most recently plans and elevations. He explained a few elements of the entertainment center had changed since it was originally proposed. He presented the elevations and described the building materials that were proposed. The approved site plan and elevations were attached to the development agreement.

3.3. General Plan Update - Michael Maloy, City Planner
City Planner Michael Maloy stated that staff had been working to update the General Plan. The presentation he had prepared was also given to the General Plan consultant. The first map presented highlighted their efforts to concentrate most of the multi-family housing along or near Mountain View Corridor. Approximately 12-percent of residential development in Herriman City was multi-family, in terms of acreage. 88-percent of Herriman City was residential. The next map presented identified master planned development areas in the City. He noted that any new policy or direction would have
no impact on the master planned development areas. There were a few areas of the City that could
experience some type of development in the future.

Councilmember Ohrn thanked staff for putting together the data. This would be a great tool for
developers and residents. Councilmember Martin stressed the importance of keeping track of these
numbers. Councilmember Henderson suggested including more information with the master planned
development areas, including the year they were approved and when they expire.

3.4. McCuiston Avenue Project Update - Blake Thomas, City Engineer
City Engineer Blake Thomas provided an update on the City’s attempts to acquire property and
improve McCuiston Ave. They were awaiting responses from two property owners. One owner had
verbally agreed to the terms, but the documentation needed to be signed.

There was a discussion about setting deadlines with the property owners. They needed to set clear
expectations and follow through.

Engineer Thomas presented information regarding a missing section of sidewalk, and how much it
would cost to complete it. The Council instructed staff to look at a future budget amendment to fund
the project.

3.5. Rose Creek Outfall Storm Drain Discussion - Blake Thomas, City Engineer
City Engineer Blake Thomas offered a brief history of the Rosecreek outfall watershed. The total area
that contributes to this outfall was 3,600 acres, which included more than one property and more than
one city. The natural course of the drainage was cut off by the Welbey Jacobs Canal. The detention
ponds in the Rosecrest and South Hills areas are temporary, and a downstream facility needed to be
constructed. He discussed the capacity limitations and said that they would either have to run a second
pipe or replace the existing one if they pursued that option. Engineer Thomas presented a timeline of
the coordination efforts for the Rosecreek outfall, including work with the Jordan School District, the
funding and construction of 4500 West, and communication with SLR regarding the need for drainage
easements. SLR had assured staff the drainage solution had been worked and the City would be happy
with it.

The Council requested a detail report regarding the issue, and the potential costs of purchasing the
easements needed for the drainage system.

There was a discussion regarding deadlines, the Jordan School District, and SLR. The City would either
need to continue negotiating with property owners, or condemn the property to construct the necessary
drainage. It was noted that impact fees could be used as a source of funding for this project, as well as
the Tax Increment Fund (TIF).
3.6. City Manager Updates - Brett Wood, City Manager

City Manager Brett Wood asked if there was interest from the Council to attend meetings of the Utah Air Quality Board, either by a staff member or Council member. He would forward the Board’s meeting agendas and seek further direction.

Manager Wood reported he had been contacted by a representative from Salt Lake Community College seeking support. Funding for the campus in Herriman had fallen short, and now the project had been bumped down to #13 on the priority list. Manager Wood said he was frustrated on behalf of the City. The City had offered 30 acres of open space to help draw in funding from the State for this project. Unfortunately, their agreement with the college did not include language that would allow the City to take back the open space if the development didn’t happen within a certain timeframe. Manager Wood was given a list of individuals that the City should contact and express their displeasure about the situation. He asked the Council if staff would be allowed to draft a letter to send to those individuals. The Council was in favor.

Manager Wood explained that staff had received a letter stating that certain cases from Herriman City would be going to Matheson Court in Salt Lake City rather than West Jordan. Staff and legal counsel felt that there would be negative recourses from this change, and they were seeking the Council’s support in requesting that this change not be made. The Council agreed.

_Councilmember Smith moved to adjourn the work meeting at 6:56 p.m. Councilmember Ohrn seconded the motion, and all voted aye._

_The Council reconvened the work meeting at 8:35 p.m._

Director of Parks, Recreation, and Events, Wendy Thomas, explained there was a proposed change to the military welcome home procession. The individuals would be invited to a City Council meeting for recognition, and a procession would take place from City Hall to their home. She asked the Council to review the changes and contact her with any questions or concerns.

Director Thomas addressed the concerns of the Dansie House. Currently, there was a developer that had approval to take down the home, which was located on top of a ridge. The City expressed a desire to preserve the home, if possible. In order to save the structure, the City would need to retain the property, which would cost roughly $220,000. Some park impact fee money would be eligible for that use. Director Thomas didn’t love the idea of spending so much money on a retaining wall, but this home was one of the last pieces of the original Herriman, and it was built in 1869. If the home could be preserved, the City would eventually improve the surrounding property with trails and landscaping. The home itself could be rented out as a reception center. If they let the home be destroyed, they would never get it back.
Councilmember Ohrn said that residents often stated that they wanted to “retain the Herriman feel”, and preserving history such as the Dansie Home seemed to fall into that. Councilmember Smith agreed and stated that there were limited opportunities to preserve history like this.

Director Thomas said that she was working with a restoration specialist who indicated that the home was in good condition. There were grants and other funding options available for restoration projects.

Councilmember Henderson said that he would support the decision of the Council, but he was hesitant to pay for a retaining wall at that cost. After some discussion, the consensus of the Council was to pursue preservation.

Staff reported on a meeting they had with the Jordan School District regarding the need for a new elementary school in the northwest quadrant of Herriman City. Referencing a map of the City, they identified the locations being considered by the School District. There was some discussion regarding those locations, and potential school traffic. The Council requested that staff look at other potential locations.

At 8:59 p.m. Councilmember Smith moved temporarily recess the City Council work meeting to convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonable imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205. Councilmember Martin 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 carried unanimously.

The Council reconvened the work meeting at 10:52 p.m.

4. Adjournment
Councilmember Ohrn moved to adjourn the City Council meeting at 10:52 p.m. Councilmember Martin seconded the motion, and all voted aye.

7:00 PM - GENERAL MEETING:

5. Call to Order
Mayor David Watts called the meeting to order at 7:03 p.m. and welcomed those in attendance.
5.1 Invocation/Thought/Reading and Pledge of Allegiance
The Webelo’s of Pack #3642 led the audience in the Pledge of Allegiance.

5.2 City Council Comments and Recognitions
There were no Council comments or recognitions.

6. Public Comment
Steve Slussenger informed the Council a bow hunter had trespassed on his property recently. He was not opposed to hunting in general, but he was opposed to hunters on private property and in residential areas. Upon research, Mr. Slussenger found that a bow hunter was allowed to hunt not only on the hills surrounding the City, but also in residential areas and public parks. He proposed that the Council consider changing hunting regulations, and suggested that the new trail connecting 6600 West with the trails around Blackridge Reservoir be used as the demarcation line for hunting. He would like to see hunting prohibited below that trail line. Hunting should be prohibited on public parks and within City limits.

Councilmember Ohrn clarified that it was illegal to hunt in residential areas by State Law. This was an issue that had recently been discussed by the Council, and they intended to monitor hunting activity this year in order to implement appropriate changes next year. The Council suggested that Mr. Slussenger meet with the Police Chief and the Parks Director to address his concerns. Those individuals were assisting the Council in gathering information.

7. City Council Board and Committee Reports
There were no reports offered.

8. Reports, Presentations and Appointments
8.1 APWA Safety Award - Ed Blackett, Streets Manager
Public Works Director Justun Edwards stated that there were two representatives from the American Public Works Association present to offer the APWA Safety Award to two City employees. He introduced Brent Ventura and Tyler Shelley.

President of the Utah Chapter of the APWA Brent Ventura presented a brief history of the organization and the certification programs and events they sponsor. He presented the 2019 Public Works Safety Award to Travis Dinger and Gunner Kelch.

Director Edwards briefly described an incident that occurred during the winter, when Mr. Dinger and Mr. Kelch performed CPR on a resident that had fallen while shoveling snow. The man’s life was saved, thanks to their valiant efforts.
8.2. Readiness and Environmental Protection Initiative (REPI) / Army Compatible Use Buffer (ACUB) Funding Presentation - Heather Upshaw, Economic Development Manager

Economic Development Manager Heather Upshaw provided a brief review of the Army Compatible Use Buffer and Readiness and Environmental Protection Initiative programs. Herriman City was approved for the ACUB program in 2015, and the total funds received to date was $15.6 million, and they had purchased 1,238 acres of land. Upon request, Director Upshaw explained that the ACUB program allowed the City to work with Camp Williams to protect the land surrounding the base. The City received federal funding to preserve those properties.

The Council expressed appreciation to staff for their efforts.

8.3. Communications Team Player of the Year Presentation - Brett Wood, City Manager

City Manager Brett Wood explained that Tami Moody had been nominated as Team Player of the Year by the Utah PIO Association. The Council commended Director Moody for taking communication to the next level, and helping the City in the efforts to be transparent with the residents.

8.4. City Recorder of the Year Presentation - Tami Moody, Director of Administration and Communications

City Manager Brett Wood stated that Jackie Nostrom was awarded the Utah Municipal Clerks Association Recorder of the Year. This was a well-deserved award, as she was an exemplary recorder. She has also put a lot of procedures in place since she began working for the City, and she had an in depth knowledge of State Statute and City Code. Staff and the Council expressed their appreciation.

8.5. South Valley Chamber of Commerce Presentation - Greg Summerhayes, South Valley Chamber President

President of the South Valley Chamber of Commerce Greg Summerhayes explained this Chamber represented Sandy, Draper, and Riverton, and they were looking for way to network better with other south valley cities. Chambers typically offer networking events to bring people together, but he believed that Chambers could do more. The South Valley Chamber recently formed the South Valley Visitor Alliance to help capture the visitor economy of this area. There was a shortage of field space throughout Salt Lake County, so the Chamber was looking for opportunities for more fields in cities that had available land. What really sets the South Valley Chamber apart from other chambers was their business institute. There were a lot of resources out there to help start small businesses, but not a lot to help existing businesses. The business institute helps to fill that void. Mr. Summerhayes presented information about the institute, including courses, participation numbers, and success rates.

Councilmember Smith asked what the South Valley Chamber would seek in return, if the City joined the Chamber. Mr. Summerhayes said that there would be a financial contribution to help the Chamber continue their efforts.
Councilmember Smith said that Herriman didn’t have their own designated Chamber of Commerce, but businesses in the area belonged to the Southwest Chamber. He asked Mr. Summerhayes if they had had discussions with that group. Mr. Summerhayes said that they had met with all of the chambers in the valley to discuss the possibility of changing the structure. In the end, the chambers all wanted to operate independently. However, the South Valley Chamber had received calls from cities that were interested in bringing the business institute to their communities. In an ideal situation, all of the chambers would merge together into one. Currently, there were businesses paying dues to several chambers at once.

Councilmember Martin encouraged the South Valley Chamber to consider the unique challenges of the cities in the west part of the valley. She requested that the Southwest Chamber of Commerce also come and make a presentation to the City Council.

8.6. Resolution appointing Jared Henderson as the Herriman City Representative to the Unified Fire Authority Board and the Unified Fire Service Area Board of Trustees - Brett Wood, City Manager

City Manager Brett Wood briefly explained that Councilmember Martin would not be running for City Council again, so her position as the City representative on the UFA board needed to be filled. Councilmember Henderson had volunteered to fill that position.

Councilmember Ohrn moved to approve Resolution No R34-2019 appointing Jared Henderson as the Herriman City Representative to the Unified Fire Authority Board and the Unified Fire Service Area Board of Trustees. 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 carried unanimously.

9. Public Hearing

9.1. Public Hearing regarding the Herriman Springs Developers, LLC annexation petition - Jackie Nostrom, City Recorder

City Recorder Jackie Nostrom oriented the audience to the location of the proposed annexation area along Majestic View Lane in The Cove Subdivision. The subject property was about three-quarters of an acre in size. The Public Hearing would take place tonight, and it would be brought back to the City Council on October 23, 2019 for a final decision.
Mayor Watts opened the Public Hearing.

There were no public comments.

_Councilmember Clint Smith moved to close the public hearing. Councilmember Sherrie Ohrn seconded the motion, and all voted aye._

**10. Consent Agenda**

**10.1. Approval of a resolution requesting the recertification of the Herriman Justice Court**

_Councilmember Smith moved to approve the Consent Agenda as written. Councilmember Ohrn seconded the motion._

The vote was recorded as follows:

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<th>Councilmember</th>
<th>Aye</th>
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<td>Jared Henderson</td>
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<td>Mayor David Watts</td>
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The motion carried unanimously.

**11. Discussion and Action Items**

**11.1. Discussion and consideration of a resolution approving the Game Pointe Development Agreement - John Brems, City Attorney**

City Attorney John Brems stated he had presented the Development Agreement for the Game Pointe project during the work meeting, and this was now before the Council for action.

_Aaron Osmond_ thanked staff and the Planning Commission for working with him on this application. He was excited to move forward with the project.

_Councilmember Martin moved to approve Resolution No R35-2019 approving a Development Agreement for Game Pointe Development with the inclusion to grant an exemption to the requirement of Herriman Code section 10-12-6 that all facades, including back and side elevations, shall be constructed with a minimum of 60-percent brick or stone. Councilmember Henderson seconded the motion._

The vote was recorded as follows:

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<tr>
<th>Councilmember</th>
<th>Aye</th>
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<td>Jared Henderson</td>
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<td>Mayor David Watts</td>
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The motion carried unanimously.

12. Future Meetings
12.1. October 17 - Planning Commission Meeting 7:00 p.m.

12.2. October 23 - City Council Work Meeting 5:00 p.m.; City Council Meeting 7:00 p.m.

12.3. October 30 - Joint Planning Commission/City Council Meeting 6:00 p.m.

13. Events
13.1. October 14 - Herriman Howl; Crane Park 6:00 p.m.

13.2. October 15 - Meet the Candidates Night; City Hall 6:00 p.m.

14. Closed Session
The Herriman City Council may temporarily recess the City Council meeting to convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonable imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205.

NOTE: The Closed Session was held during the work meeting.

15. Adjournment
Councilmember Smith moved to adjourn the City Council meeting at 8:12 p.m. and enter into a meeting of the Special Community Development and Renewal Agency of Herriman City. Councilmember Ohrn seconded the motion, and all voted aye.

16. 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 October 9, 2019. This document constitutes the official minutes for the Herriman City Council Meeting.

Jackie Nostrom, MMC
City Recorder