

CITY COUNCIL WORK SESSION

Wednesday, November 5, 2014 6:00 p.m.
Community Recreation Center
10640 N Clubhouse Drive
Cedar Hills, UT

Presiding: Mayor Gygi
Councilmembers: Trent Augustus, Rob Crawley, Mike Geddes, Jenney Rees
Absent/Excused: Daniel Zappala
David Bunker, City Manager
Chandler Goodwin, Assistant City Manager
Greg Gordon, Recreation Director
Colleen Mulvey, City Recorder
Others: Lt. Sam Liddiard, Cathy Allred

This work session of the City Council of the City of Cedar Hills, having been properly noticed, was called to order at 6:03 p.m. by Mayor Gygi

All by Mail Municipal Election

Colleen Mulvey explained that she has been researching information on conducting an all by mail election. Vote by mail has been shown to have a higher voter turnout, possible reduced costs by not having to hire as many poll workers and needing fewer supplies. It also gives the voter more time to prepare and study what is on their ballot, the luxury of voting in the comfort of their home and not having to wait in line at the polls. Ms. Mulvey stated that it is becoming increasingly harder to find poll workers; even Utah County had issues recruiting poll workers with their recent election.

Ms. Mulvey stated that the requirement for doing an all by mail election is that we have to send a ballot to every registered voter with a postage paid envelope for returning of the ballot. Other requirements involve public noticing and advertising. Ms. Mulvey stated that she believes this is a smart direction to go in because of the reduced costs, not having to scramble to find poll workers, and the higher voter turnout.

C. Rees asked what costs we would no longer incur with going to all by mail. Ms. Mulvey stated that we would only need to pay three poll workers on Election Day instead of twenty three, and we would need fewer supplies because we would not be manning two polling locations.

Mayor Gygi asked how much we spent on our last election, and how much of staff's time will it take to get this program running. Ms. Mulvey said we spent a little over fifteen thousand dollars for the 2013 election. She said that it would probably be the same amount of time for her because she would still be required to do all of the paperwork, public noticing and corresponding with the candidates, but much less time will be spent on having to recruit and train poll workers.

Mayor Gygi asked how we would go about communicating to all of the residents that we would be going to an all by mail election. Ms. Mulvey stated that we would use our newsletter, website, Parlant messaging system, public notices, advertising on the bulletin boards and the elementary

schools. Ms. Mulvey stated that the first required noticing is due by February first and that she would like to have this decision made before then so that we can start the advertising campaign.

Mayor Gygi asked for an estimated total cost for an all by mail election. Ms. Mulvey stated that she would have to look into the costs for ballot and envelope printing and postage for all of the registered voters and report back.

C. Rees asked what would happen if someone received their ballot by mail but they preferred to vote it in person. Ms. Mulvey stated that they could come to the city office building and vote their ballot in person, there will be a ballot box in the office during the entire voting period. Ms. Mulvey added that the voting process is not different, provisional and spoiled ballots will be handled the same way as with any election, the only difference is that the voter has more time to study the ballot and the convenience of voting in their own home.

C. Rees asked how we handle it if a person was not aware of the change and they show up at the school to vote. Ms. Mulvey stated that the schools will be well aware of the change and instruct the voter that they can obtain a ballot at the city office building. We will do an advertising and information campaign to educate the residents about the all by mail election. Ms. Mulvey added that every registered voter will have the opportunity to vote regardless if they received a ballot in the mail or not.

C. Rees stated to clarify that this would only pertain to our city elections. Ms. Mulvey said that that was correct, on odd number years the county runs their elections. She said that vote by mail is new for cities in Utah County, and that Salt Lake County and Davis County have already gone in this direction. Cedar Hills will be spearheading this, and there are a lot of other cities that want to do it and will be watching to see how it works for us.

C. Rees stated that the only potential issue that she sees is that every two years residents are voting a different way, they will vote by mail in our election and then the next year they will have to go to the school and vote. Ms. Mulvey stated that she looks at the positive in this situation; voters will like the convenience of voting by mail so they are going to get on the county's permanent absentee voter list and they will vote by mail in every election. Ms. Mulvey added that this method of voting is sort of the wave of the future; statistics show that the younger generation does not like to physically go to the polls and prefer the convenience of mailing ballots in.

Discussion on Sharing Utilities with American Fork and Pleasant Grove

David Bunker stated that Cedar Hills used to have its own treatment plant and it was approximately where Deerfield Elementary School is located. This system was hard to manage and limited the growth of the city. A developer, Lyle Smart who wanted to develop that land started negotiations with American Fork to connect to their sewer line. We partnered with American Fork and entered into an agreement so that any time a sewer line that was going to be built beyond our borders, the city of American Fork notified us that if we wanted to continue the agreement we would have to upsize and buy capacity in the lines. He stated that we have been doing this many years and there are one or two segments left where we may purchase capacity but it is as those developments happen in American Fork.

Mr. Bunker said that we are sending our conveyance through the American Fork lines to the point of 300 North by the American Fork Hospital, and at that point it turns into a Timpanogos Special Service District (TSSD) outfall line. There are meters at three locations to where TSSD gathers the flow data so they know how much is coming from us.

Mayor Gygi asked to clarify that we are using American Forks pipes for our flow to go through and that we pay them about \$1,000 a year as per the agreement. Mr. Bunker said that that was correct; we have been purchasing that capacity in those lines for many years.

Mr. Bunker said that on the water side of the utilities, American Fork has had issues getting pressure above the Murdock Canal. In 1994 Lone Peak High School was being built, we had an agreement that Cedar Hills would be the agency to provide water to the high school. American Fork would provide the service and we would provide the pressure. American Fork and Cedar Hills agreed that we would get a connection to the American Fork water main outfall. There are two large water tanks by the debris basin which are American Fork's culinary water tanks that have a main distribution line that runs down 4600 West, and in the main roundabout there is a tap where we tap on to the American Fork culinary outfall and boost that into our water system. By agreement we pay for that water and at the same time we supply water to the high school, about nine homes in American Fork in the subdivision south of the commercial zone just south of the city's nine acres, also the Warinski Funeral Home and Highland Gardens. Mr. Bunker said that by agreement we are trying to balance the water that they consume with the water that we take out of their system.

Mr. Bunker stated that back then the majority of Cedar Hills' residents were hooked on to the Manila Water Company, and in the 1980s they had put a moratorium on their system and were not allowing any more connections for Cedar Hills' residents to hook on. This forced Cedar Hills to do some improvements by building water tanks and drilling wells. During that time American Fork let us use water out of that main outfall line to supply the needs of Cedar Hills and our additional growth. The Harvey Well was being converted to a culinary well which solidified the ability for Cedar Hills to supply water, but up to that point we were very reliant on the American Fork outfall line. He stated that back then American Fork stepped up and helped get us out from between a rock and a hard place. These agreements that date back into the early 1980s have helped us and formed a beneficial partnership with American Fork where we have been able to supply them pressure and they have been able to supply us flow and capacity.

Mr. Bunker pointed out that this is not the kind of arrangement where one city saying we don't have any service, please give us your service, which is a little different than what Pleasant Grove is offering. Pleasant Grove does not have service and there is not an additional service they can give back to us. Pleasant Grove is asking us for our utilities, they need the sewer and eventually they may need other utilities such as pressurized irrigation (PI) above the canal.

Mayor Gygi stated to clarify that Pleasant Grove needs two types of utilities, the sewer and they may also need PI, and he then asked how we are going to provide PI when we are so tight for it right now. Mr. Bunker stated that the timing right now isn't to the point where he feels that Cedar Hills could supply PI; his recommendation is that we do not enter into an agreement with

Pleasant Grove to provide irrigation services to their residents north of the canal. Mr. Bunker said that he does not think that that is in our ability to guarantee that we could provide that.

Mayor Gygi stated that we have talked with Pleasant Grove for a long time about boundary adjusting north of the canal, and if that actually happened then we would have the responsibility to provide PI. The mayor asked how we would do that. Mr. Bunker stated that Cedar Hills is moving in the right direction with PI, and we may get to the point where we can offer PI to those about the canal who currently do not have it. He pointed out that over the last couple of years we have had droughts, so as we conserve water and tighten our belt with our consumption, it is possible that we could get there, but we are not there right now.

Mr. Bunker stated that one other item that we have dealt with Pleasant Grove on is the Manila Water Company, which was a private water company. When Cedar Hills first started all residents were hooked on to the Manila Water Company, and as more growth was happening in Cedar Hills they said that they were putting a moratorium on Cedar Hills, which was difficult for us. When the Manila Water Company decided to dissolve they said that they were going to give all of their company to the city of Pleasant Grove. Cedar Hills had hundreds of homes hooked up to the Manila Water Company and filed for an injunction to stop Manila Water Company from divesting all of its assets. This was in limbo for a long time until a few years ago when we were able to get Manila Water Company to agree with Pleasant Grove and Cedar Hills to divest its interests based on a ratio of residents that were hooked on to the system, and there was a split of resources like the wells, the tanks and the cash. In the agreement there was supposed to be some balancing of those resources and some disbursements of cash after completion of the project of getting the residents of Cedar Hills and Pleasant Grove that were on Manila Water connected to each city's system. He stated that he has been trying to work with Pleasant Grove for quite some time to make sure that we finalize the numbers; he said that in his estimation Cedar Hills will be owed somewhere between thirty and fifty thousand dollars. Mr. Bunker said that he has sent the disbursement information to Pleasant Grove to look at, but that it is still up in the air.

C. Crawley asked if Pleasant Grove has actually come to us with a proposal. Mr. Bunker stated that he has forwarded to the council a proposal letter from Mayor Daniels regarding their thoughts on if they were to construct a sewer line parallel to the one that we already have in the road, that it would cost them around \$330,000. Their offer was if we would let them hook on to ours, they would pay half the cost (\$164,400) for them to put in a new line. The Pleasant Grove residents would pay their bills to Pleasant Grove City and Cedar Hills would bill Pleasant Grove City for the sewer that was used by their residents, and their residents would be responsible for the cost of their laterals.

C. Crawley asked if there was any reason why we would not work with Pleasant Grove on this sewer issue. C. Augustus pointed out that one of the issues is the future maintenance and the possibility of anything ever having to be done to that line because they would be giving us a onetime payment for it, and any future service or maintenance we would be responsible for.

C. Rees asked if this was for only 11 homes. Mr. Bunker stated they want to develop property in that area, so he is not exactly sure what that future development will entail. C. Rees asked if as part of the agreement could we cap it and say that it will only include those 11 homes. Mr.

Bunker stated that that could be part of the agreement. C. Rees stated that she thinks it would be a good idea if we could identify the things that we want to include in the agreement, whether that be that we cap the number of homes, or want a resolution to the Manila Water Company issue, to make sure that we are being taken care of on our side and that the fees that we asses to them are covering those future maintenance needs.

Mr. Bunker pointed out that one of the things that past city councils have grappled with is the boundaries themselves. We cannot for some reason come to an agreement on a boundary that makes sense. Past councils have been willing to talk to Pleasant Grove about services north of the canal but it needs to be in conjunction with some plan to clean those boundaries up. He said that once all of the lots north of the canal get service whether it is through Cedar Hills or Pleasant Grove, then there is no reason to boundary adjust because they would get the utility services they want and need, so there would be no incentive to fix the boundary lines.

C. Rees commented that she gets that the boundaries are a mess, but that Pleasant Grove has been very clear that they are not willing to negotiate that. She stated that when it comes to the public's safety it's only their residents that they are harming, our public safety personnel can still get to all of our residents. She asked how boundary adjusting those houses into our city helps Cedar Hills. Mr. Bunker said that in that area every other lot has a different address based on if you are in Pleasant Grove or Cedar Hills, so it can hurt us if our medical or safety personnel get the addresses mixed up. He stated that it is confusing to not know where a city starts and ends.

Mayor Gygi stated that he and Mr. Bunker will be setting some meetings with Pleasant Grove, and asked the councilmembers to email him the information they think is important in relation to discussions on an Interlocal agreement with Pleasant Grove

This meeting was adjourned at 6:47 p.m. by Mayor Gygi.

/s/ Colleen A. Mulvey, MMC
City Recorder