

**COUNCIL MINUTES**  
**SEPTEMBER 18, 2019**

**MEMBERS PRESENT:** Mayor Maile Wilson-Edwards; Councilmembers: Paul Cozzens; Terri Hartley; Craig Isom; Scott Phillips.

**MEMBERS EXCUSED:** Councilmember Ron Adams.

**STAFF PRESENT:** City Manager Paul Bittmenn; City Attorney Tyler Romeril; City Recorder Renon Savage; Finance Director Jason Norris; Police Chief Darin Adams; Fire Chief Mike Phillips; Leisure Services Director Ken Nielson; Airport Manager Nick Holt; Economic Development Director Danny Stewart; Public Works Director Ryan Marshall; Parks & Outdoor Facilities Division Head Wade Orme; Library Director Steve Decker.

**OTHERS PRESENT:** Doug Hall, Adam Hahn, Gary Player, Corrie Lynne Player, Jared Harrington, Karter Imlay, Brayden Robinson, Chris Gibbons, Jessica Christian, Robert Christian, Carter Wilkey, Don Oswald, Ken Stevens, Steve Decker, Brigham Nielsen, Jesse Harris, Michael Golden, Kayden Hicken, Sean Lambright, Anthony Colasuono, Collin Justis, Jennie Hendricks, Jace Burgess, Vance Rowley, Dallin Staheli, Sean Cotton, Brittanie Parry, Alyssa Fain, Chad Fain, Kerry Fain, Miles Fain, Katelynn Stinson, Glen Sanders, Grace Lewsader, Tate Womack, Mike McCoy, Tim Watson, Justin Davidson, Grady Holmton, Tony Barney, Eric Heaton, Kyle Kump, Teri Kenney, Hillary Ellsworth, Wallace Limb, Matt Weeg, Alexandria Arter, Trevor Bradford, Rhett Pace Sean Moon, Andrea Nelson, Dave Staheli, Tyler Melling.

**CALL TO ORDER:** Tyler Romeril gave the invocation; the pledge was led by Jason Norris.

**AGENDA ORDER APPROVAL:** Councilmember Isom moved to take item #12 off the action agenda, and talk about it in the work meeting, with that change approve the agenda order for both the Action and Work meetings; second by Councilmember Phillips; vote unanimous.

**ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF COMMENTS:** ■Phillips – thank the Public Works Department and the great work on the streets, curbs, gutters over the past months, it looks great. It goes way deep but thank you very much. Also, a question, have we had a response or follow-up on the property off Cedar Knolls and the lack of landscaping, the apartment complex by the Clarion, a new complex that was completed in November. Paul – we had the Engineering and Building Departments go talk to them after the meeting a few weeks ago, I will find out what they found out. ■Cozzens – question on the North Elementary water fine? Paul – Staff does not have the ability to do anything with a fine. They are on the culinary system, not the secondary system, they have restrictions from 8 a.m. – 6 p.m. from April 1 to Sept 30. The first-time staff encounters they get a written warning, if it happens a second time there is no flexibility but to shut the water off and leave it off until the reconnect fee of \$25 is paid. If it happens again the water goes off and the fee is \$100 to turn it back on. With North Elementary they were advised in July and asked to fix their system and earlier this week got the second notice. Staff

felt it would be bad to shut the water off with a school full of kids, so we told the School District they would need to pay the fine which they appealed. Staff cannot waive unless they could show they did not water in that time. Cozzens – the email I got said it was from sand in the system. Paul – we have asked staff to give some proposals for schools with kids and businesses, we will bring that back at a later date. ■ Steve Decker, Library Director – I have the opportunity to introduce Dr. Chad Anderson, the artwork in the hall is his and we appreciate him coming and being able to hang it for us. The artwork in the Council Chambers is artwork you can check out from the library. We had to frame some of it. The artwork in the hall Dr. Anderson will take some time and tell you about it. Dr. Chad Anderson, I appreciate the opportunity to hang this up, it is an excerpt from a 5 year book project that is now in the 13<sup>th</sup> year. I have one more trip to finish up the book, these are some of the photos in the book. I do have a publisher for the book. Phillips – how long will it be up? Steve – 2 months. ■ Chief Darin Adams, Police Dept. – I want to report on our progress with nuisances. We have met with Councilman Phillips and Paul, we have new administrative citations, we will give 14 days' notice if not abated we will give citation and two weeks further take to court for action to abate. Also, Friday last week we had gentleman wanted out of California, he lived here and have had dealings with him. He poured an accelerant on a family member, he came back to pick up his children, with the great work of the SWAT team we were able to take him into custody, the guys did a wonderful job. As I spoke with the Mother, the emotion was great, she said she can finally sleep. This is a bad guy we didn't want to have here.

**PUBLIC COMMENTS:** ■ Utah Summer Games – report on Iron Games – Brigham Nelson, Asst. Director of USG. We wanted to express gratitude for the success of the USG, we sold more tickets to opening ceremonies than we ever have. We have averaged 9200, we were over 10,000. We are talking to people about adding events. We will come back and talk about finalized things then. Also, we put on the Iron Games Fitness Festival two weeks ago, it was a great success, 115 participants, 500 spectators. We have had people that have been to similar things that had over 2,000 participants and said we could do that here. I failed to make sure there was a flag on the field for a fly over, that was embarrassing. I want to thank the Police for their help in closing the road. Fire Department showed up with a truck on Main Street, there were things that really stood out. There was an event in Orem a week prior that they tried to sabotage ours, but we had stand out items and that did not happen. Phillips – how did the downtown businesses feel about the Iron Games? Brigham – those that I spoke with were positive, we worked with Charlies for a beer garden. In the future we will get more people downtown. We worked with Great Harvest and Iron Fitness. However, I didn't talk to everyone specifically, some said they did not hear about it. I got an email list from Todd and we sent out emails and contacted some also. Phillips – some businesses said it wasn't worth shutting down the street with the numbers. Brigham – it is how to get more community members there, we will work on that. Mayor – is there a way the road could have been closed for a shorter period? There were times nothing was happening. Brigham – that was the logistics of setting up other events. There is a way, but logistically we had to have time to break down events and set up other events. ■ Gary Player – they just built 5G towers in my back yard, they blew up the router, we get strong radio waves. We have an air conditioning unit that the breaker gets knocked out. I have an office by a window, I had to move my desk because I felt upset by the radiation. I want you to be aware that it has made life tougher. My wife, Cori Lynn Player has back pain for osteoporosis, she has felt this also. Did cell phone

providers have permission from SITLA to upgrade? It may be the FCC. If they did, was it proper to construct those towers in the neighborhood. I have talked to neighbors that have had problems also, but not as severe. I think this could blow up into a national law suit. I just want to make you aware of the problem. ■Jessie Harris – I live in Ashdown Forest, I have talked about broadband, the people hate their options. I appreciate your work in finding options, but the amount of time evaluating, it is time to get an RFP for proposals to have fiber with open access across the community. ¼ of all municipalities have open access to fiber network, and we will be left behind if we don't do something. ■Carter Wilkey – I want to report on a few things, last week. I am on the Children's Justice Center board, we want to thank Jared Barnes and the Cedar Ridge Golf Course for the golf tournament we had, it was a success. Also, the Furry Friend Fun Run, I will call it a success, we will continue to do it and have it grow. I want to thank Councilmembers Phillips and Hartley, they both donated. We are waiting for Wal-Mart's donation of \$1,000. I have talked with Tina and she has things she would like for the shelter, hopefully the money will go there.

**CONSENT AGENDA: 1) APPROVAL OF MINUTES DATED AUGUST 21 & 28, 2019; (2) RATIFY BILLS DATED SEPTEMBER 9, 2019; (3) APPROVE PROPOSAL FOR ELECTRONIC DOCUMENT MANAGEMENT SOFTWARE SYSTEM FROM MVI. PAUL BITTMENN:** Councilmember Phillips moved to approve the consent agenda items 1 through 3 as written above; second by Councilmember Hartley; vote unanimous.

**CONSIDER AN ORDINANCE AMENDING THE CITY'S TRANSPORTATION MASTER PLAN TO ADD A 66-FOOT MASTER PLANNED MAJOR COLLECTOR STREET ALONG INDUSTRIAL ROAD FROM 300 WEST TO AIRPORT ROAD. KIT WAREHAM:** Tyler – we talked about this last week, it is furthering the mater planned streets. This coincides with taking over the railroad property and extending the roads through there.

Councilmember Hartley moved do approve an ordinance amending the Transportation Master Plan to include a 66-foot master planned major collector street along Industrial Road from 300 West to Airport Road; second by Councilmember Phillips; roll call vote as follows:

Paul Cozzens	-	AYE
Terri Hartley	-	AYE
Craig Isom	-	AYE
Scott Phillips	-	AYE

**CONSIDER AN ORDINANCE AMENDING THE CITY'S TRAILS MASTER PLAN TO ADD A 20-FOOT-WIDE PARKWAY ALONG INDUSTRIAL ROAD FROM 300 WEST TO LUND HIGHWAY. KIT WAREHAM:** Councilmember Phillips moved do approve an ordinance amending the Trails Master Plan to include a 20-foot wide parkway along Industrial Road from 300 West to Lund Highway; second by Councilmember Hartley; roll call vote as follows:

Paul Cozzens	-	AYE
Terri Hartley	-	AYE

Craig Isom - AYE  
Scott Phillips - AYE

**CONSIDER AN ORDINANCE AMENDING THE CITY'S STORM DRAIN MASTER PLAN IN THE NORTHFIELD AREA. KIT WAREHAM:** Tyler – similar plan, it is part of the community expanding, and we need more capacity in the storm drain system, we can use impact fees to develop this, we will put water into a pit that is owned by the County.

Councilmember Hartley moved do approve an ordinance amending the Storm Drain Master Plan in the Northfield area; second by Councilmember Isom; roll call vote as follows:

Paul Cozzens - AYE  
Terri Hartley - AYE  
Craig Isom - AYE  
Scott Phillips - AYE

**AWARD BID FOR THE BICENTENNIAL PARK PLAYGROUND EQUIPMENT.**

**WADE ORME:** Wade – we would like to suggest awarding the bid to Garrett and Company, we had an overwhelming response, it was 6 to 1 for this playground structure and it was the least expensive. Phillips – do we know why? Wade – it was a playground on white pictures, they would get a ticket and put in a bucket. This was children 12 and under, it is the playground they want. Phillips – have we worked with this company? Orme – yes, they have provided shade structures, the customer service is great. This was the least expensive of all the proposals and they were all on State Contract. Phillips – what is the time frame? Wade – it is about 4 weeks, we will have Street Department excavate and the blanket contractor do the concrete, so it could be in the spring.

Councilmember Isom moved to approve the bid from Garrett and Company in the amount of \$71,690.00; second by Councilmember Hartley; vote unanimous.

**CONSIDER PROPOSALS FOR IT SERVICES. PAUL BITTMENN:** Council asked staff to do an RFP for IT, we provided you with a score sheet and the proposals from all four companies.

Phillips – I have a question under #4 on Contract timeline in the RFP, it says the contract time will be minimum of 2 years unless the contract is otherwise terminated by either party in accordance with the contract terms. If there is a need to terminate are we able to get out in 6 months or 3 months. Paul – most of our contracts has a provision to provide notice to terminate. We would have to give the company reasonable notice. Phillips – if there is a problem, we need that flexibility. Under the pricing section, we specifically asked for 40, 60 and 80 hours and one vendor did not provide the three options, why is that? Robert Christian of Symtec - when we were in our discovery, one of the frustrations is they have a set amount and it has been changed and they get hit with hidden fees. We don't do a hourly block, if you had a plumber that said I need you to maintain the building in 20 hours and he says he needs 120 hours, you are not allowing him to do the job correctly. Having an hourly block doesn't allow the client or the company to be happy. Mr. Bittmenn asked me to put it in as we would.

Cozzens – the two firms Mountain West and Executech, I have two issues, costs and fees worth 30 points, Executech scored 25 and the other sheet Mountain West was scored at 28, only 3 points different and another 30 for Mountain West and 27 for Executech, so the total scoring difference is 1% and the cost of services of \$58,000 and \$124,000 for Executech, 60 hours Mountain West \$65,000 to \$77,000 and \$94,000 and \$224,00. A little over 1% I don't know how that can be. With the amount of money we could save, and Mountain West did the work before, I would like to move that direction. Isom – the scoring was mentioned last time we met, there were 6 people, four of those scored Executech highest and two Mountain West and the big difference is the price. That part of it I would love to take the lowest bid, but I want to get bang for the buck. The lowest price is less than ½ the next competitor. The pricing is so different. I have had conversations with the people from Mountain West and they feel confident, but I have concerns. Cozzens – that is the price Executech has been charging for the past 3 years, so it is not that shocking. Phillips – that is my concern also, it is not my expertise. I learned a lot, I have talked with a lot of the references, but I struggle that three vendors are relatively close, and one is so different. I want them to explain how you can do it so much cheaper.

Glen Sanders – the \$58,000, I had no idea what Executech charged. We have other vendors we work and contract with. In that period of time with the same amount of computers and employees we are able to do that. We can take care of the problems at hand. If there are as many problems as you think we have a problem. The computers should run well. One question is are we trying to make money back in selling computers and hardware. We want a fair bid and feel we can do this at that price. Phillips – could you respond on an emergency basis, some are not 9 to 6 operations? Glenn – we work with other law enforcement agency and vendors that have off hours. The OT rate is a major project, not normal operations. Isom – your price is the same as Executech was getting paid. Cozzens – it was not exact, but around there. Glen – Executech originally was 20 hours per week, but the original RFP was for 40 hours per week. Phillips – technology has grown, connecting departments and streamlining, things will continue to grow, and I have to acknowledge what Executech has done over the past 3 years. Glen – there were negotiations after the RFP, we bid on 40 hours per week. Hartley – I also met with Glen and the \$58,000 being an outlier, I don't know how he would pay his people and make money, he feels like it would take less time. Executech spends around 30 hours per week. Paul – we contract for thirty and they exceed that each week. Hartley – also we talked about cyber security, did we look into that with scoring, all the malware, was it similar across the board, I am not an IT person. Paul – they did not include hardware or software, they didn't spec out what would be used in the future. We have different things on our server and stand along units to screen out malware and suspicious activity. Cozzens – what other cities or counties do you serve? Glen – Beaver County, Garfield County, Beaver City, Panguitch, Tropic, Springdale, and Milford. We also help with Minersville, most of those communities we work with their Libraries. Kanab City, but not Kane County. Cozzens – no one on the panel is an IT specialist, that is one problem I have with the process. Isom – but they are users and their opinions are important. Phillips- if we change the current support vendor, what kind of hiccups might we expect and how long would they be there? Paul – I think it was worse when we changed phone systems from analog to VIOP, that is not easy. We have changed vendors before, the vendors come in, they have different ways to attack, I don't think there will be a lot of hiccups. All vendors have

solid qualifications, they do this every day, some are bigger and some smaller in scope. We have set systems and software in place, I don't see that crashing with switching vendors. Kaden Hicken, Executech – local team lead and IT Consultant specific for Cedar City, along with Sean Lambright. For the most part everything is in motion and place so it would be unrealistic that changing providers would make any cause. The only interruption would be some of the is the services that are operated and built though Executech such as sofo which is our preferred antivirus and ransomware protection against malicious stuff that comes, so sofo and symantec is deployed servers and end points as well as the email plat form, office 365 which is also built through Executech, so some of the services coming through Executech billing channels would, if they chose to change how that was billed or who it was billed through could change. The familiarity with the ubiquiti radio system that is implemented and deployed throughout the City's network, including the fiber system that is interconnected with South Central's system is a specific, non-typical platform; osbf routing which is also not common and small scale networks that are deployed across the network, there are some systems that familiarity would cause some interruptions, but mot is in motion and operable.

Councilmember Cozzens moved to approve the bid from Mountain West because of the costs and they are brick and motor and the sales tax would come back to the City, and the track record of 20 years. Also, we couldn't find anyone unhappy with their IT services; second by Councilmember Isom; vote AYE – 3 NAY – 1 Phillips.

Cozzens – I would like to change the point of not going month to month for contracts in the future, at least a year or two. Mayor – I think the Council asked for a month to month contract in the beginning.

**CONSIDER DRAFT AIP 35 RUNWAY GRANT. NICK HOLT:** Nick Holt, Airport Manager – when I addressed two weeks ago the number came from the Consultant not the FAA, I have a number from the \$16,323,475, we are seeking approval on allowing the Mayor and Legal Department to sign the grant with a cap of \$19 million in case the number changes. The reason for that cap is the FAA has a deadline at the end of the month and I won't be able to come back to Council before that time. When I brought it two weeks ago, we had a deadline for signature as tomorrow, it has been pushed back to Monday. The FAA feels it will be released in the next few days. Phillips – our portion is 5% match? Nick – yes, but it is not cash, a forced account with City Equipment. Phillips – this is contingent on the grant being awarded. Nick – yes.

Councilmember Phillips moved to approve the draft AIP 35 Runway Grant contingent on the grant being approved; second by Councilmember Isom; vote unanimous.

**CONSIDER A RESOLUTION FOR THE CEDAR CITY ENGINEERING STANDARD UPDATE 2019. KIT WAREHAM:** Jonathan – nothing has changed since the work meeting.

Councilmember Hartley moved to approve a resolution for the 2019 update to the City Engineering Standards; second by Councilmember Phillips; vote as follows:

AYE: 4  
NAY: 0  
ABSTAINED: 0

**CONSIDER PROPOSALS FOR CHRISTMAS LIGHTS. PAUL BITTMENN:**

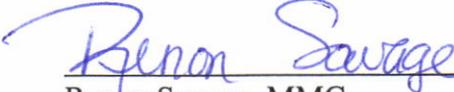
Paul – last time we presented a rendering of overhead lights across Main Street and 3 pieces in Mayor’s Square. Council was concerned about the color of lights, we worked with the vendor and our vendor that does the lights on the trees. White lights have many shades. We asked our local vendor to get lights to match sample lights that go across Main Street. He said he could and asked us to get price of from the vendor and they were \$1.50 cheaper per strand. All the lights will match. They will have 4 strands of a different tone as an accent. They will match Center Street, but those lights will have some fading. Cozzens – what happened, when did it change to warm white on Main Street. How much more to replace those lights? Paul – they are changed every two years rotation, that two years would be in the spring, we asked the vendor to accelerate it is about \$9,000. We are still about \$15,000 – under budget. They are all bright white, except for the accent lights. The displays in Mayor’s Park is more gold. Mayor – the trees and the overhead will be the same bright lights. Paul – we asked the vendor for a mock up for the yellow tone and the snowflakes did not look good. Isom – will we provide the old lights to another community? Paul – Beryl has asked, we will surplus. Cozzens – to surplus, what do we have to do. I would like to donate some to the Frontier Homestead Park, I am talking about the lights in the trees. Mayor – if there are areas by Festival Hall we will keep some to fill in.

Councilmember Cozzens moved to approve the proposal for the Christmas lights, use what we need to fill in and donate the others to Homestead State Park; second by Councilmember Isom; vote unanimous.

**DISCUSS PLANS AND FINANCING FOR THE GLACIER ICE RINK. DALLIN**

**STAHELI:** this item was pulled from this meeting and will be discussed in the work meeting that follows this meeting.

**ADJOURN:** Councilmember Isom moved to adjourn and move into the work meeting at 6:34 p.m.; second by Councilmember Hartley; vote unanimous.

  
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Renon Savage, MMC  
City Recorder