

COUNCIL WORK MINUTES
JULY 6, 2016

The City Council held a meeting on Wednesday, July 6, 2016, at 5:30 p.m., in the Council Chambers, 10 North Main Street, Cedar City, Utah.

MEMBERS PRESENT: Mayor Maile Wilson; Councilmembers: Ron Adams; Paul Cozzens; Terri Hartley; Fred Rowley.

EXCUSED: Councilmember Craig Isom.

STAFF PRESENT: City Attorney Paul Bittmenn; City Engineer Kit Wareham; City Recorder, Renon Savage; Finance Director Jason Norris; Police Chief Darin Adams; Fire Chief Mike Phillips; Economic Development Director Danny Stewart; Public Works Director Ryan Marshall; Street Superintendent Jeff Hunter; Police Department: Keith Millett, Kirk Lovell, Addison Adams, Brennon Peterson, Dustin Orton, Isaac Askeroth, Jerry Womack, Clint Pollock, KariAne Coleman, Megan Anderson, Chet Smith, Timmy Bonzo.

OTHERS PRESENT: JP Melchior, Jay and Susan Adams, Lynn Papworth, Howard Maize, Doug Hall, Jeremiah Davis, Kevin Davis, Cynthia Laffoon, Randy Clove, Lisa Clove, Larry Adair, Carol Adair, Jamie Peterson, Tom Jett, Anna Ray, Bill Walley, Russ Hatt, Marcus Patterson, Ron Larsen, Alan Hoppes, Ryan Paul, Kylie Barnes, Mara Englestead, Vickie Weaver, Kami Paul, Glen Sanders, Aaron Tiede, Nancy Pearson, Heath Oveson, Tell Oveson, Delane Smith, Curtis Neilson, Sean Lovell, Justet Lovell, Kelli Lovell, Matt Langston, Randy Wilson, Kim Custode, Tim Watson, Brad Green.

CALL TO ORDER: Pastor Pearson of the Community Presbyterian Church gave the invocation; the pledge was led by Councilmember Cozzens.

AGENDA ORDER APPROVAL: Councilmember Rowley moved to approve the agenda order for both City Council & RDA meetings; second by Councilmember Cozzens; vote unanimous.

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF

COMMENTS: ■Camie Paul, Utah Shakespeare Festival, we want to send a special invitation to all to come out the next 3 days for the celebration of the 3 theatre and Southern Utah Museum of the Arts. Tomorrow at 10 a.m. is the dedication of the entire complex, Friday at 10 a.m. is dedication of College Ave to Shakespeare Lane, also family activities and all are on the website at bard.org. There are more events that day. We will have artistic presentations and openings. Please come out. We are pleased with the community and want everyone to join the celebration ■Swear in Darin Adams as Police Chief: Renon Savage administered the Oath of Office to Darin Adams. Darin – Mayor, Council, Staff & residents I am humbled to be entrusted with such a responsibility. Thank you to my parents who raised me to know the value of hard work and to be cognizant to individual needs. To the influences my siblings and in-laws provide. To my family for the sacrifices, especially my dear wife, she is the most selfless, caring and compassionate & hardworking person I know

and I love and appreciate her and the remarkable men and women of the CCPD. We are truly fortunate as an organization to have such caring men and women to ensure public safety methods are provided. It is a privilege to work with them shoulder to shoulder. Favorite quote "leadership is a gift given by those who follow" it is my desire to work tirelessly I will work to get that gift and to ensure they are well prepared trained and cared for so they may provide the best public safety to you and return home to their families each night. Thank you for your support. ■Adams – I want to express my appreciation; the community does not know what it takes to put together our fireworks show every 4th of July. It was a humbling experience to spend some time with them and see their families and everyone gather on the 4th for a big event and for the support the firefighters do for our community and the support from their family and the hours it takes to put together the ½ hour display. I want to thank them for the opportunity of being there, it was a wonderful time. There are many hours they put in to prep the display for the public. Mayor – the fireball was planned, there were no injuries. ■Rowley – during the fireworks I got a text from someone that parked along the road by the Station, and they wondered if it would be possible to mow the weeds along the road where people park for the fireworks. Jeff – we will do what we need to do. Rowley - Mr. Hall showed me with a water running along the street of the Aquatic Center. Bryan Dangerfield – we are having problems getting water to Bicentennial Field and it is filling the reservoir and it is not culinary water. We are working on the problem. ■Mayor - I hope everyone had an enjoyable and safe Fourth of July. Thank you for all the public safety personnel. We have dedicated places and then our crews clean that up. ■Paul – you are aware of AIP 31, that has been before council 4 or 5 times. We have the documents for the grant and there is a line for me to sign that says in relation to the grant agreement the city has taken all steps to be approved. I looked back to see if we have authorized the Mayor to sign the grant agreement. You have approved the scope, the engineering with Jviation and contract with Nichols. Can we sign and come to you next week to ratify the signatures on the grant document? The Council agreed to this. ■Cozzens – I asked Danny, I have had people find it hard to find the live stream, I asked Danny to put it on the front page. Cameron Christensen, Economic Development – currently there is a link under views. Because of how it is set up we can only edit a few things on the front page, but we have limited access. There are archives, but there are only a few on there at a time. Mayor – we are looking at better ways to do it. With Office 365 we are looking at this. Cozzens – ULCT has a camera that downloads to YouTube. Mayor – we are getting a committee with a representative from each department to keep their portion up to date. We will get that going and do more to fully utilize the resources we have. Cameron will spearhead that.

PUBLIC COMMENTS: ■Tom Jett – this 4th weekend was a fantastic weekend, the excitement and mood in this town over the past 6 months is so much better. During the Summer Games, sometimes it is chaotic, we seem to manage the chaos, the traffic was better, the number are still there. The 4th was fantastic. ■JP Melchior – N Western View Drive. We in the past have had an issue of people parking on the hill, when people park there are a lot of safety hazards. The residents of North Western View Drive would like the hill from the intersection of N. Western View and Highland to become a no parking zone due to the fact that it is a safety hazard there is room for only 2 cars. Rowley – who is parking there? JP – college students, people to watch the fireworks, etc. we have parking available in the cul-de-sac and at the bottom of the hill. Our residents did sign a petition. Rowley – no parking

from where? JP – from the intersection to the first residents, it is extremely narrow. Paul – it would start with Chief Adams and Kit looking at it and we would bring it back for an ordinance. Mayor – we will start the process. ■Keir Woolfey, Grifols – August 13th we will do a charity 5K and we are asking people to show up. We will fund the event. Everything we raise will go to the women’s Crisis Center. It is August 13th. Cameron Christensen, ED – it is on the Events page and there is a Grifols link. It is up Coal Creek trail. Keir – we will split the numbers if there are enough people. It will be a good event; each year we will pick a different charity.

CONSIDER A RESOLUTION AMENDING THE CITY’S GENERAL LAND USE PLAN FROM MEDIUM DENSITY RESIDENTIAL TO MIXED USE ON PROPERTY LOCATED BETWEEN 300 WEST AND 1100 WEST AND 400 NORTH AND INDUSTRIAL ROAD. PAUL BITTMENN:

Paul – if you think back to December or January, we had requests to look at broader areas for the land use plan. We got similar requests in this area. There is a mixture of uses, mobile home parks, houses, apartments, churches and a repair shop or contractors store front. The land use plan says that the City wants it to be medium density residential. We said maybe a mixed use would work better. The proposal is to change the are to a mixed use. The Planning Commission gave a positive recommendation, they had a public hearing with little interest. Kit – it is going to 300 West. Action.

PUBLIC HEARING TO CONSIDER AN ORDINANCE CHANGING THE ZONE FROM GENERAL COMMERCIAL (GC) TO MIXED USE DEVELOPMENT (MU) ON APPROXIMATELY .58 ACRES OF LAND LOCATED IN THE VICINITY OF 475 NORTH 400 WEST. WATSON ENGINEERING/PAUL BITTMENN:

Tim Watson – this is within the requested general land use plan. We brought another piece of land through several months ago for a zone change from GC to mixed used. The property is commercial use. The General Land Use, item #1 the area would encompass this. We would like a zone change after the amendment to the land use plan amendment. The property abuts against a church, apartment complex, there is commercial and trailer parks.

Mayor Wilson opened the public hearing. There were no comments. The hearing was closed. Action.

CONSIDER THE VICINITY PLAN FOR THE POINTE SUBDIVISION PHASES 1 THRU 3. EQUESTRIAN POINT LLC/KIT WAREHAM:

Ron Larsen, InSite Engineering. This is the Point Subdivision was originally Equestrian Point Phase 13, but was never recorded. The new owners of the property want to finish this and will have three phases. The lot layout matches the original plans. Phase 2 and 3 would follow finishing the roads. Rowley – can they have horses? Ron – no, it is R-1. The roads are all in but the paving. Sewer and water was put in quite a while ago. Rowley – is 1225 improved? Ron – it is overgrown with bushes, but the curb, gutter and sewer and water are all in. they will have to clean it up. Consent.

Randy Wilson – I am on the HOA for Equestrian Pointe Subdivision. This has been a concern of ours because there were oversites in the recording of the CC&R’s. We have

original CC&R's and then we have page 1 for the rest. Our concern as homeowners is that it was originally intended to be part of Equestrian Pointe Subdivision and we are concerned of what will go in and the controls. We as a Board are very concerned because it is outside the original intent of the subdivision. We don't want there to be something that will detract from our subdivision when they were always intended to be a part of one big community.

Ron Larsen – the only thing I know is that the owners and HOA have had discussion. It will not be part of the HOA, they will be different. Mayor – as far as zoning it meets the requirements. Randy Wilson – the concern is everyone wants to protect their own values. There are good and bad with HOA's. The intent was that it was a community that the CC&R's would protect. If you look at the original development is what was intended. We don't want a carved out portion that doesn't make sense, and homes that don't have the same requirements. People bought thinking it was all one big development, the owners are not being treated fairly. Rowley – have you talked with the owners? Randy – we have, but don't get a firm answer. We have to get the CC&R's amended, and we have an attorney working on that. Rowley – does the City have authority to dictate CC&R's? Paul – they are a contract; we deal in zoning. We would not press the property owner or dissuade them from joining the CC&R's. Rowley – do you have information that they would not be what you want? Randy – it opens the possibility. We have had a lot of concerns on the plans. From HOA standpoint, if you look back at the original plan, these phases were a part of Equestrian Point, the fact they are not under the same guidelines is a shame. Rowley – it looks like they are back fences to the proposed. I would suggest as an HOA that you work hard to meet with the contractor. Randy – we can't look back and say this is what should have been and how it was sold. Do we have legal grounds? Paul – you can try and persuade the developer. Cozzens – it would be in his best interest also. Randy – we have reason to be suspicious of the direction he is taking. Paul – from the City's standpoint, as long as it meets the land use we cannot impose other restrictions. We have a subdivision ordinance, and as long as they meet the ordinance the City is supposed to approve the subdivision and not impress separate requirements to join your HOA. Randy – that original development you would see all the phases, it was all part of the original intent, it was a 10-year thing, but they didn't anticipate the downturn. The 10 years expired, there is nothing in the CC&R's to bind them. Is there any way to go back and the City say you are going against how it was marketed? Paul – I don't think we can. You have researched the problem more than I have, but I don't think we do. Mayor – it is between you and the developer. This is something the City does not get in the middle of. Randy – we are looking back and we have concerns.

Adams – let me offer a suggestion, I have worked with HOA's, probably your best bet is to go back to the original CC&R's that were filed and look at the legal description and see if it encompasses the area and then work with the developer. I manage 12 subdivisions that are in the same CC&R's. As a suggestion, look at the description, the City does not enforce CC&R's. You may have something that will help to show that area. They file CC&R's with every phase of a subdivision.

Cindy Laffoon – new resident of Equestrian Point, moved in and a month later got paper work regarding this. Regarding the recording of the CC&R's is there a responsible of the recorder to make sure there is a complete document when they are recording a document.

Paul – the recorder’s office is required to record signed and notarized documents; they do not make sure of completeness the responsibility of the person bringing it needs to have all intentions recorded. If they bring a document that meets their requirements, signed, notarized and reference to a legal or property description they are required to record. They do not give their opinion if it is complete. If you want a more through answer, go the County Attorney’s office.

Brad Green – I have a little experience in this area, I have built subdivisions. My training was explicit, in the State of Utah for real estate deals have to be in writing and a signature, but does not have to be recorded. If it is not recorded does not negate. The CC&R’s are a contract. If there was not contract or incomplete there is no standing. Intent does not mean anything. It has to be in writing with signatures.

CONSIDER THE VICINITY PLAN FOR FORT CEDAR COMMERCE P.U.D.

PHASE 2. TOM JETT/KIT WAREHAM: Heath Oveson, Go Civil Engineering – this is on Industrial Road, the old Coke Plant or recycling plant. There are two parcels part of Fort Cedar. This will be phase 2 and have ¼ acre lots that are gated. The individual owners can build anything permissible in an Industrial Subdivision. There is a road master planned adjacent to the freeway and another street with existing sewer. The developer will place the pertinent improvements with a gate and fenced area. Rowley – the big hang up is the road against the freeway, is that still part of the plan, will it be doable. Tom Jett – economics dictated at this particular time that the road improvement didn’t happen. We have decided to concentrate on interior lots and at later dates the lots adjacent to the roads will have road access. Rowley – nothing will be in the way of eventually developing the road? Tom – No. We have dedicated property irregularities previously. Consent.

CONSIDER EMERGENCY WATER SHED PROTECTION (EWP) AGREEMENT WITH THE U.S. NATURAL RESOURCES CONSERVATION SERVICE (NRCS)

FOR FUNDING ON THE COAL CREEK FLOOD CONTROL PROJECT, PHASE 3.

LANCE SMITH, NRCS/KIT WAREHAM: Mayor – this is the one we finally got funding on. Kit – it is a \$2.6 million project, the City portion is almost \$700,000, NRCS is funding the rest. They have a short timeline, it may have to be extended for the construction to be done by the middle of January, there is a provision to change it with a change order. The donation is in materials, we have rip/rap, something that will be a great benefit. Rowley – which direction to mountain or valley? Kit – both ways, up the canyon to the first pedestrian bridge to Center Street Bridge will be stabilizing the channel banks. A little past Main Street we will continue the project to I-15. Rowley – this will take the heat off the DNR building? Kit – yes when the project is complete and the LOMAR is complete. Mayor – can this be an agreement that we could sign to ensure the funding and then ratify it next week.

Rowley – I was remiss on agenda order approval; I wonder if we could send Mr. Hunter on his way with his few items.

CONSIDER PURCHASE OF EXCAVATOR FOR STORM DRAIN. JEFF HUNTER:

Jeff – we are requesting an excavator for the Storm Drain, it was approved in the budget. We want to do a purchase with a guarantee buy back after 3 years. I sent proposals out to three

vendors. Hartley – on the number of hours, it is 500 hours less than the others? Jeff – no, we looked back and we are well within the hours. Mayor – it is a big up front cost that you get back in the end. Consent.

CONSIDER DISPOSAL OF SURPLUS PROPERTY. JEFF HUNTER/CHIEF

PHILLIPS: Jeff – we are requesting to put on surplus two old dump trucks and a garbage truck, all have been replaced.

Chief Mike Phillips – the Fire Department received a grant for extrication equipment, part was that we take older equipment and put it back in the five county region. Consent.

CONSIDER CONTRACT FOR IT SERVICES. RANDALL MCUNE: Mayor – Randall will give an overview and then I would like Mountain West to come up and present then we will have Executec do the same.

Randall – this has been a discussion at least since the budget to expand our IT services. There was discussion on hiring IT staff and the costs was too high. We looked at an RFP to outsource, it asked for up to 40 hours a week with additional work. We put that out and since June 10th we have been working on this. We received 4 responses, Mountain West Computers, Executec, Symtec, and Les Olsen. We invited the two lowest that both had the most experience. The committee has met a lot on this RFP. We want to be careful is there is a temptation to compare Executec to the \$20,000 version of Mountain West. We asked what more can you help us with. We have Spillman, Civic Plus, Clarity, etc. we want someone that can handle all the systems. We went through what they provided to us and questions we had from them. There is about \$30,000 difference between the two bids, \$45,000 from Mountain West and \$74,100 with Executec. Executec services Spillman and Clarity and they are customers, they have hours in service, a lot of what we use, and they gave us a lot of detailed information.

Mountain West who we have been with for decades they have provided us good service. When we looked at the level. Travis will be the go to guy, they don't have the experience level. Travis will become familiar with what we need. They will find out what we need and it has helped us not have anything catastrophic. We want someone to proactively tell us what we need to do. I am not saying they can't do that, but we haven't asked for that. The committee reached the conclusion to recommend Executec. Since that time we have received other information. We want them to tell you and you can decide.

Rowley – if we were bidding gravel or sidewalks, the original bid is what we are limited to, you can't say later you will put this in, is that the same we are looking at now? Are we constrained to the original statements they made, or can the follow up be considered? Paul – there is a difference between a bid and RFP, bids we know what we want, x amount of this or that, Kits guys have lined it out. RFP is a different animal, we say we have a problem and we are not sure how to fix it, you tell us. The Lake at the Hills was an RFP, we knew we wanted a lake but were not sure how to do it. The Sewer Treatment Plant we sent out saying we need nitrate to a certain level and we got ideas back. We have a problem with our IT needs, please tell us how. We have provisions in the purchasing policy where we can go

back to the vendors and ask for best and final offer. We do that with our health care contracts, as long as you go back to both parties.

Mayor – we did have a problem where two competitors got up and battled, we will not do that. Cozzens – that sounds good.

Glen Sanders and Aaron Tiede – I am an owner with Mountain West Computers, worked since 1997 and worked with the City Office that entire time. One responsibility we have had is to make sure the city ran at a level they felt they required. I have had ongoing conversations with the city regarding budget concerns and other areas we felt they needed to expand as well as with security. Many times the information has come back that we don't have the budget for that, we have gone forward with Cedar City with that. A few months ago Rick Holman came to me about expanding the service contract. we have provided 25 hours a month as well as hardware problems under the service contract, labor and parts. We try to do the best possible for the City and stay in business. We have proceeded with that structure until Rick approached me a few months ago and we were excited about growth. We are planning to expand from 25 hours a month to 48 hours a week on what we can do on the minute details on taking care of you in a better way. We have talked with them in the past about sonic walls and worked with Caselle on an ongoing basis with problems that arise. We have set up the SCADA system, configured the servers and worked hand in hand with SCADA developers. We have worked with Civic Plus and making the website better and had experience with that. We have worked with Sportsman that the Rec Department has. With our Request for Proposal I felt the City knew what we did, my error. We support 7 different Cities and counties with Caselle, 3 different SCADA systems, we support at least 7 or 8 sonic wall fire walls and proficient in handling that. We do point to point networking including the Women's Crisis Center. I was taken back when our ability to manage problems was not adequate. I am not a sales person, I am a tech., I work on computers and put a lot of effort into that. I care about Cedar City, born and raised here and part of who I am and whatever we can do to make Cedar City better I am for. We put forth the best bid possible and all the exciting things to help with Cedar City and make it as competitive as possible because of the budget constraints. We have extensive knowledge of every area Cedar City has. Never have I had a complaint until this week that anyone was unhappy, with the exception of a few secretaries that we thought were resolved. I went back and looked at emails to see if I could find a complaint. We are not perfect and there is more that we can do and are excited to do that. I take care of a county, the sole IT person and we do the entire aspect and I meet with each person twice a week and they are excited. We also support different areas in the community. We are citizens, we take care of people. We agreed to take care of the Women's Crisis Center because they are a part of our society and we want to do good in our community.

Aaron Tiede – our staff example, I have been part of the community for a long time, I have lived here 11 years and have worked with Glen. We have a great staff. The advantage to Cedar City, Glen works with Garfield County, I do Beaver County, we do Kanab, etc., we have a large staff, the advantage to Cedar City is you don't have travel time, you have 10 staff members, most are across the street. We hope there is not communication problems. The City has wanted more, but as we try we have been stopped because there wasn't the

money. It makes sense to stick with who knows what is going on and build infrastructure on what needs to change. I am the sole contact for the County of Beaver, and they use Spillman, Caselle, and point to point. Caselle will not sell a product without a service contractor. We work extensively with Civic Plus, Travis does that. My point is you have a lot of resources right here, across the street. We want to expand and give you the services you want. We are part of the community. We deal with a lot of people in the city on their home level and city level. We are small local governments of the Southern Utah region experience for those that can't afford their own staff. If you give us the chance to do it, we won't let you down.

Glen Sanders – at least three to six times in the last year we have had an internet problem with the City, a server hardware failure with power supply, each instance we responded within less than 30 minutes and take care of Cedar City and get you back up and running. We are ready to step up and do what we need to take Cedar City to the next level.

Cozzens – I have been in busy 29 years and have sophisticated equipment and I have Glen and Rogers cell phones and I call them at 6:00 a.m. and they help me and have never let me down. I have never expected them to know cabinet ware, I have \$50,000 in cabinet ware software. I have used Mountain West for all other. I have been extremely happy with their service. Weekends, holidays, early morning, after hours they are always willing to help. I have researched this, I have heard Executec is very good. As I looked at this, if you give someone the responsibility you give them authority. I think we have only go to them when things are broken. I know Roger has done things free because he knew they needed to be done but we didn't have the money. They were a little gun shy because of our budget constraints. In this proposal, when it comes to our computer needs is there anything you will not do for Cedar City? Glen – no, we will support all hardware, we are qualified in all areas the city uses. It meant a lot to me because we are there for you if you need us.

Hartley – in some of the differences there were things the City was not in compliance with that we were not aware of and it was not part of your proposal, were there not any plans or knowledge that you were not in compliance. Glen – we have worked on fire walls and routers and told there was lack of funding. We are prepared to do what we need to do to be in compliance. We will have Travis do training and research to see that Cedar City has what they need. Hartley – if we don't hire IT we don't know what we need, we want the proactive. Rowley – did you say we knew but he City did not have the money. Aaron – we do everything with other Sheriff Offices, FBI did an audit and you need to do this to meet compliance or we can disconnect you. At that time re recommended the fix and we get the great we don't have the money. Cozzens – that is the responsibility but not authority. Aaron – we are IT for Beaver County, each year we prepare a budget and go to the Commission and let them know what we need. We have not had that opportunity with Cedar, we have been the janitorial department, fixing the problems. With this we will be your IT and yes we will require some authority. We have passed background checks, we need access to buildings, etc. I need to be on site to fix things. Cozzens – what about off site back up? Aaron – we have a separate company that does off site back up, for Cedar City theft, fire flood. We always encourage our customers to do back up. We do that now for Cedar City, we have redundancy built into your servers. There are options for offsite back-up. We can't do parts of things when we run an entire county. I do Milford Road Department to Beaver County

Administration and Financing. Roger does Parowan, Glen does Garfield County. We have experiences from other areas that we can say we did this. If someone has an idea, we can look at it. If we have lines of communications open, if you have an idea, we will work it out. If we don't know it, we will find out how. Hartley – was that portrayed in the RFP? Glen – we talked for an hour and chose the items we needed to portray. Yes, we can handle all that. How does Aaron help Cedar City, he will be on site 3 times a week. I will be on site one day a week, you will get the whole team, going from 25 hours a month to 40 hours a week. If we have a limited time per month, we are putting out fires, and put out the most critical things. Things change when you have more time. We are being judged on what we have done in the past. What we are proposing is significantly more and can handle the City needs.

Executec – Lex Watson, VP of Business Development. I didn't expect to be up here for 30 minutes. 1. Our intent is to hire a local person within 90 days, you will be serviced by a local employee, that person will love Cedar City. 2. We are providing 80 hours of additional free service over the first 8 weeks of the contract so there is a smooth hand off and so we can develop a comprehensive plan for IT going forward for 3, 6, 12, 48 months. 3. Our bid is a limit bid, we run 350 plus computer networks, 10% are municipalities, we send bills to 750 customers a month. Our estimate for \$74,100 is the high end of our expectation of Cedar City. We had someone come down and go through the network with Trevor so we know what it will take to maintain the network. Our experience is over the first quarter it will be 10 – 30% less than we bid, if it goes over the cost we eat that, if under it goes back to Cedar City. Security and regulatory compliance, every week there is a security breach somewhere where companies are damaged and it hurts the customer. If I put my driver's license here and someone steals it and the person that stole it is responsible for damages. If there is regulatory compliance and information is stolen and there is \$200,000 in expenses and the network is not regulatory compliance, the thief and the entity is both responsible. I have worked for a dozen years for Stephen Covey, he used to say something "if the person you need to do something is not doing what you want them to do you need an effective presentation." The presentation is one that gets results, if it isn't then change your approach, I have to change my approach with my children to get done what I need to get done. Budget or not budget someone needs to make sure the City doesn't go down. If you are not regulatory compliant, budget is not a concern. Companies expect us to work within budget and tell them what they need and that is our intent. We run 350 networks from a small cabinet shop to a foreign bank. We had a company spend \$60,000 to see if a hacker could get it and they did not. We are best of state winner in IT 5 times. We are one of the fastest growing companies in the US. We are great at what we do and our employees love working for us. You will get hundreds of years of IT with Executec. You will be on the cutting edge off the bleeding edge. We are a people company and productivity company, not an IT company, if you hunt and have the best rifle, you cannot bring the deer home if you are a club. Up and running is a small portion of IT. We have 600 2-minute videos to train in Microsoft. We have a web development division as well. We work with Caselle, when people have problems Caselle calls us. An hour is not an hour in IT, a dollar is not a dollar in IT. Caselle had a company in Alaska that had problems and had for 6 months, Caselle called us and we called them and had it fixed in 20 minutes. The person we will assign here until we hire someone was a police officer for 11 years. We are good members of our community. We donated to Christmas Box House, Hale theatres, etc., and we will contribute to Lake

Stevens Chamber of Commerce, we will be a good citizen here as well. We will give the same level service as Norbest Turkeys does, we have 2 full-time employees there. We do an hours training every week at Executec except for Thanksgiving and Christmas. The person we hire will be skilled technical person. It is not about technology it is about being good at what they do. Our first criteria is, do you like people or technology, we hire people that are good with people. Because we maintain 350 computer networks, when it comes to budget GPS Capital projects does budgets and we run their network. For us you won't pay on your dime what someone doesn't know. We have done it on someone else's dime. We have 56 technical consultants, we run them through a 90-day training program, class room, shadowing, each customer has a primary contact, your person will know how you like things. He is backed up by a team and a department. Each quarter we will bring someone down from our executive team to see how things are going. Equipment replacement can be an issue, because of our size we get approached by a number of vendors, one of the services we offer is a lease for cities, 3, 4, or 5-year lease that you can spread the expense over multiple years, but can drop that at any time. The lease meets the legalities and spread expenses over time.

We will come in do an assessment, plan, hire within 90 days go through Executec training. We also offer a free monitoring system.

Rowley – the local person, what will they do, it would not be a full-time salary, how will they do the rest of the time? Lex - Many have offices out of State and we will have things for that person to do until we have more clients in your area. Right nwt Mountain West and Executec and competitors, but competition is good, more aggressive IT people come in the area it makes it better. I am sure we will compete with Mountain West, we will win some and they will win some. We run into companies that have 3 IT people when I will do, have IT and Marketing or IT and Engineer, they will be happier when they have an expert in IT doing IT. We expect this to be the first Cedar City based customer and think we will have more. We have grown 30-60 percent for many years, 50% the past few years. That doesn't happen if people are not happy. We intend to make you our happiest customer. Rowley – when you lost clients what is the primary reason? Lex – growth, they feel they it is time for a full-time. Also customers that don't pay their bills. We have extreme capabilities. Arnold Machinery migrated to Office 365 over a weekend. I visited 8 over a 2-week time, they said they love our tech and we love Executec. Lex – you are implementing Office 365, new phone system, I want to emphasize our ability to train for that, and we have webinars. The effect of what we do matters.

Brad Green – I am a little biased, my first job was at Mountain West Computers, worked for 4 years and value that experience more than the 4-year degree at SUU, I run IT at Go Green. We bring in \$15 million to Cedar City, high security because we take credit cards. It was Mountain West Office Supply, they closed, Staples is now closed. Mountain West supplies support and training for many companies in our community. WECCO, School District, Leavitt Group, Hospital, all have employees trained by Mountain West Computers. The City has unquestionable authority to get best value, as a spend thrift a lower bid sounds really good, some like to drive Mercedes, but a Cadillac is a good way to get around.

Cozzens – Glen you said you recommended things be done that we didn't do, how many times? Glen – it is ongoing, we have one in now for a server, many times we don't hear back. We offer suggestions, a lot of them over a period of time. We know there are regulations. We want to give the best value for what they spend. Cozzens – the point I make is if the suggestions were made shame on us as a City. I have talked with staff; it was a small complaint that was not communicated to Mountain West from our City Manager. We have never given them the authority to do what they need to do. We also have people promote shop Cedar first and with a \$29,000 difference, and I have heard great things about your company, my brother in law is the Mayor of Lindon. Buy local we need to set the example. We owe it to them to give them a chance to prove themselves with the authority.

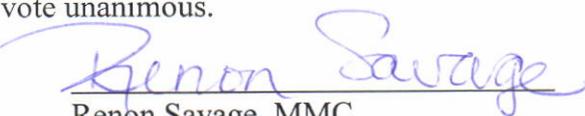
Lex – there were parameters for the bid process, we hoped that there is genuine free open discussion and the decision is in the best interest of Cedar City. I kind of understand the logic, but you represent all citizens of Cedar City and you need to provide them with the best services. It should be best person, team company competition. We have demonstrated to the best of our abilities that they exceed anyone locally. You don't know what you don't know, you don't know the capability, you will of Executec after you have had them. If you have what you want and you want to keep it, then great. If you want us to provide the services, you put into our RFP then try us for 6 months and then kick us out. We are on month to month contracts, we retain them because we love them. If you believe what we put in our RFP is better than theirs then try us for 6 months and if you don't like us, you can kick us out.

Glen Sanders – whoever Executec hires or who you hire, the person we have in place has been with Mountain West for 10 years. There is a learning curve, there is no substitute for on the job training. I have been in the job since 1997, Aaron since 2005, we are here and have great experience.

CONSIDER AN AGREEMENT WITH UDOT FOR JOINT PARTICIPATION IN THE REPAIRS OF MISCELLANEOUS CURB, GUTTERS, AND SIDEWALKS ON UDOT ROADS THROUGHOUT CEDAR CITY. KIT WAREHAM:

Kit – we received some money from UDOT to make some sidewalk repairs throughout the City. The biggest area is around the University, all will be done on UDOT Roads, they are contributing \$91,000 our share is \$27,000 most of ours is in-kind, tear out, road base and administration and then bill UDOT. Rowley – the sidewalk north of Eccles Living Center would it be a target? Kit – yes, the entire area around the University is eligible. The right of way is 1 foot behind sidewalk. There is a State Law that UDOT is only responsible from back of curb. Mayor – will curb cuts be part of this? Kit – no it did not include any handicapped curb cuts, this is replacement of bad areas. Consent.

ADJOURN: Councilmember Rowley moved to adjourn and move into the RDA meeting at 8:05 p.m.; second by Councilmember Hartley; vote unanimous.


Renon Savage, MMC
City Recorder

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