

COUNCIL MINUTES

July 8, 2026

The City Council held a meeting on Wednesday, July 8, 2026, at 5:30 p.m. in the City Council Chambers, 10 North Main Street, Cedar City, Utah.

MEMBERS PRESENT: Mayor Steve Nelson; Councilmembers: Waldo D. Galan; R. Scott Phillips; Phil E. Schmidt; Carter Wilkey.

MEMBERS ABSENT: Councilmember Robert Cox

STAFF PRESENT: City Manager Paul Bittmenn; City Attorney Randall McUne; City Recorder Amber Ray; City Engineer Kent Fugal; Police Chief Darin Adams; Fire Chief Mike Phillips; Public Works Director Ryan Marshall

OTHERS PRESENT: Scotty Harville, Tom Jett, Brad Green, Bill Payne, Tonya Payne, Richard Genck, Kami Merrill, Milton McLelland

CALL TO ORDER: Director Greg Powell, The Church of Jesus Christ of Latter-Day Saints, Canyon Country Communication Council gave the invocation; the pledge was led by Councilman Wilkey.

AGENDA ORDER APPROVAL: Councilmember Phillips moved to approve the agenda order; seconded by Councilmember Wilkey; vote unanimous.

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF

COMMENTS: ■ America 250 Events. **Councilmember Phillips:** We've had a busy week. Everything from an outdoor movie at Brian Head Thursday night to a wonderful celebration and sacred program at the Christ the King Catholic Church on Friday. Saturday, we had independence activities all over the county. Maria and I went to Kanarraville, Parowan, and Cedar City on 4th of July and caught as many as we could. On Sunday we had a wonderful series of potluck picnics around the county where people gathered with friends and family and reflected on what was important in their lives and in America. Monday, we dedicated the Fort Cedar Railroad Trail, we appreciate everyone who was there. We had fabulous fireworks. Yesterday we had swim parties at Parowan pool, the Cedar City Aquatic Center, and Lake at the Hills. Tonight we conclude our series of 13-day celebration with the Utah Symphony doing an outdoor concert in our Main Street Park. It's been a wonderful celebration. I appreciate all of staff's support, the city's support. We've had great turnout at these events. I think it just was a wonderful way to renew our love for this country, and I appreciate that. I'd just like to remind everybody, as we talk about first responders, tomorrow from 11:00 to 1:00 in the Cedar City Main Street Park, the Iron County Home Builders, Cedar City Chamber of Commerce, and the Board of Realtors is sponsoring a first responders' lunch. It is free and open to all to come to it and support our first responders. **Wilkey:** Before we move on from America 250, we should publicly thank Councilman Phillips for all of his hard work and representing us. He's taken a lot of this on his shoulders. I asked him at one point, have you done enough? He said- We'll never do enough. That's just Councilman Phillips in his way. If you could please join me in publicly thanking Councilman Phillips. I think you'd be hard-pressed to find a community anywhere that has done as many different things as this one. ■ **Schmidt:** As many of you might have noticed, we have a new parking place over by the park. There's about 158 parking stalls now. It's all completed. VSS International is a company that donated the micro-sealing on the parking lot. Parrish Bolls, who works for them, was instrumental in getting that. I'd

like to thank Straight Stripe. They striped late into the night to make sure that it was ready for the next day, which was the 4th of July. I'd like to thank the engineering department. Troy got the model built, Clay got the surveying done. Eric Witzke from the Street Department and his crew were instrumental. The blanket contract for concrete, those guys really put it together, and they got it all done. I would like to really recognize all of them. They did a superb job.

■ **Fireworks Report. Fire Chief Mike Phillips:** We allowed fireworks to be shot on the 3rd and 4th of July. The 3rd of July, there were no fireworks caused fires. We had four vehicle accidents, and we had one call for a fire up the canyon that ended up being a propane-fed fire, so they were okay. The 4th of July started out with a structure fire early in the morning, and then we had some fire alarms, smoke alarms. We had an illegal burning at Canyon Park area, which ended up being a barbecue outside cooking. It's still okay. You can have your barbecue. But as far as the fireworks, we had three dumpster fires, one at the Canyon View, Aquatic Center and Bicentennial Park. We put out our buckets from TNT, and it stopped a lot of our dumpster fires. People were putting those fires out, so we had a lot less dumpster fires this year. We had five outside fires, only three of them within the city, the largest one being there by Johnny Macs, which ended up being a one-acre fire. Overall, it was a pretty uneventful 4th of July. We started more fires on the fireworks area and the big fireball than anywhere else in the city. **Phillips:** Chief, I have to say you were very instrumental in the whole fireworks situation. For the first time ever, we had a soundtrack that accompanied the fireworks. You and your staff were instrumental in putting that together. So I thank you. We got some sponsors to support it on the radio station. I hope if you were watching the fireworks, you had it tuned to one of our radio stations because it worked with the fireworks. **Mayor:** Chief, I just have to publicly thank you also. It was probably my first heavy, stressful thing as a mayor. Having the governor put that on you and I to make that decision, just the attitude that you took towards that. I really respect working with you, and the principle of people being able to do what we have always done. I do believe the advice that you gave: if we allow it, people will use it and have a better chance of being responsible. I know of a couple of cities that didn't allow it, and then people went out to try to hide, and did start fires outside the city limits. I am really grateful for your interaction there and the wisdom and data-driven approach that you helped us take there. So thank you. **Wilkey:** I think we should also thank our citizens for being smart.

CONSENT AGENDA: (1) APPROVAL OF MINUTES DATED JUNE 17 AND 24, 2026
(2) APPROVE BILLS DATED JUNE 30 AND JULY 1, 2026. (3) APPROVE BOARD
APPOINTMENTS: ACTIVE TRANSPORTATION COMMITTEE-RELEASE
BRITANNIA HOWE; AIRPORT-REAPPOINT JOHN APPEL; BOARD OF
ADJUSTMENTS-REAPPOINT BRITTANY FISHER; HISTORIC DOWNTOWN
ECONOMIC COMMITTEE-RELEASE BRENT DREW, APPOINT TYLER ROMERIL;
LEISURE SERVICES ADVISORY BOARD-RELEASE CRAIG ANDERSEN,
REAPPOINT BRAD ANDERSON; PLANNING COMMISSION- REAPPOINT JIM LUNT:

Councilmember Phillips moved to approve the consent agenda as written above; seconded by Councilmember Wilkey; vote unanimous.

CONSIDER REMOVAL OF SPEED BUMP ON SOUTH MOUNTAIN DRIVE. KENT
FUGAL/PAUL BITTMENN Kent: We have another speed bump in town that is essentially the same design as the one on South Mountain Drive, and that's over by Canyon View High School. We did have an incident on 4th of July with a fire truck responding to a call. That road had recently been resurfaced, not yet repainted. That speed bump was not very visible, and the fire truck hit that at much too high a speed. Likely damage there. I don't know if we know the full

extent of it yet. But it was an example of things that can go wrong when we have those speed bumps on public roadways, especially when they're on some of those primary routes through those different parts of town. **Phillips:** That crosswalk, speed bump there between the schools has been very helpful. I think it's been made much safer for the students going back and forth across those two campuses. **Kent:** I would agree. That one is in a location that's very visible. And with markings being restored and everything, it'll function safely. The one on South Mountain Drive is difficult to see when you approach it, especially from the east, and it has a tendency to catch people by surprise even when it is marked. I point out that incident with the fire truck because it points out the danger of those if someone doesn't notice them. **Galan:** I spent quite a bit of time driving all those streets in the last few days and taking a look at the shape of that bump. There is quite a bit of damage on it from equipment, what kind of trucks, or whatever. My observation in terms of the speed of the individuals that were going either west from the east side or east from the west side was, it does slow individuals quite a bit when they come up to that bump. **Schmidt:** I got to sit out there for 45 minutes or so, I sat on both sides of the road. The bump is 192 feet from the stop sign. I got out and wheeled it off. Then I watched everybody that was coming from the west going east. We do need to change some of the speed signs on that road. We don't have a lot of great stoppers in the road. Most people just kind of slow roll through the stop sign. They go through the intersection, and then they slow down again. But right after the speed bump, then they pick up their speed. I watched young people, old people. I tried to look at all the drivers. And boys, girls, grandparents, everybody drives a little bit differently. The only one that really had fun with the jump was the motorcycles, and they used it as a jump. But going from west to east, I don't think it makes any difference at all. Where it's located is a terrible location if we wanted to make it a crosswalk. It's kind of at the break of the hill, and that would not be a good crosswalk location for kids. If you're coming from the east going west, I think that's where a lot of speedsters go, and nobody hits their brakes until they get past that intersection just right above the sign. It's maybe a couple hundred feet above the sign. Once they go past that intersection, then they'll either hit the brakes or they hit the bump. I've seen a few people hit the bump pretty good, and it's been there for a long time, so I think they would know it. But they went a little airborne. The only thing I see that speed bump actually doing is slowing down an area that's about maybe 150 feet. A little bit on each side of that bump is where people hit the brakes, and then they have a tendency to speed up. We need to have patrol officers out there that are not worried about educating the people, but start writing tickets and make them as stiff as possible. If we want to control that area, we're going to have to do it with the police officers. Because the speed bump, everybody knows it's there, does not seem to be working the way intended. **Galan:** They do speed up regardless of the bump. You could have the bump or you can take the bump off. The people are going to speed through there because they can get away with it, and we need to enforce the speed limit. **Schmidt:** That's really what we're going to have to do, relocate some of the speed limit signs. We need to put one right at the top of that hill when you're coming to the east. And then the road going west needs to be re-signed a little bit better. **Phillips:** I was out there for about a half hour today. I too went both directions. I sat on the east side, then I drove up and sat on the west side and watched. And for the most part, people went through it very carefully and behaved pretty well. There was two incidents I saw where they went a little too fast and kind of got a little airborne. And interestingly enough, they were both elderly drivers. I thought that was interesting. But yeah, the speed bump maybe is not in the right location, but it seems to be serving somewhat of a purpose because they do slow down. They have to that 150 feet or whatever you say it is. **Schmidt:** I would have to agree with our engineer, Kent Fugal, with the road department. Ryan and Eric talked to me strongly about that. From what I saw and from what I've heard, I think we would be better used if we had better enforcement out there. The speed bump, to me, actually is a hazard, and it is in a terrible location.

It cannot be a crosswalk. It is in a super bad place for the hill and for kids. I really don't want kids to cross there.

Councilmember Schmidt motions to redo the signs, and remove the speed bump; Councilmember Galan seconded; Councilmember Phillips and Wilkey nay.

Mayor: The thought that I had that probably pushed me in this direction is, I don't think that they are a device that we want to continue to use through the city, and I don't like the precedent that it creates. I recognize this community is getting extra traffic currently because of the fact that we don't have that bypass road to be able to continue down on the other side. One of the thoughts I would like to throw out would be if we have it removed once the bypass road is in. Then it allows some degree of protection in the short term, but doesn't create a precedence that we're going to continue to have as something that we have others come and say, "Well, they got to keep their bump. I want a bump," and have it be something that we deal with throughout the city. **Schmidt:** It's interesting that you mentioned that because I talked to Waldo earlier today, and that's what I had told him, but I didn't have him mention it. The bypass could be a couple of different roads. Leavitts are working on a road to tie in, which will probably become sooner than the south bound road. I would say when either of those roads are connected, that's when we pull it out. **Phillips:** I do want to add to that motion that we start monitoring the speed in that area and start enforcing the law in conjunction with the motion that is going to be proposed. But we need to focus on that because the speed bump is not fixing the speeding. I recognize from a peace of mind for the local residents, that's what we're providing for an uncertain period of time. But as soon as that road comes in, that bump comes out, and hopefully, we have taught the citizenship to drive the speed limit.

Councilmember Wilkey moves to defer the removal of the speed bump until a bypass road is installed, also with the understanding that there will be increased patrol in that area, and adjust signs as needed. Councilmember Phillips seconded; vote unanimous.

CONSIDER AN ORDINANCE APPROVING A DEVELOPMENT/DEFERRAL AGREEMENT FOR A PROPERTY LOCATED AT APPROXIMATELY 2411 W 580 N. BENTLEY HUGIE/RANDALL MCUNE

Councilmember Wilkey moved to approve the Development/Deferral Agreement; seconded by Councilmember Schmidt roll call vote as follows:

Waldo Galan	-	aye
Scott Phillips	-	aye
Phil Schmidt	-	aye
Carter Wilkey	-	aye

CONSIDER A RESOLUTION APPROVING THE ALLOTMENT OF RAP TAX FUNDS AS RECOMMENDED BY THE PARKS AND RECREATION ADVISORY BOARD. CHAD WESTWOOD/ RANDALL MCUNE

Councilmember Wilkey moved to approve the resolution; seconded by Councilmember Phillips; vote as follows:

AYE: 4
NAY:

ABSTAINED:

**CONSIDER A RESOLUTION APPROVING THE ALLOTMENT OF RAP TAX FUNDS
AS RECOMMENDED BY THE ARTS ADVISORY BOARD. JOANNE
BRATTAIN/RANDALL MCUNE**

Councilmember Galan moved to approve the resolution; seconded by Councilmember Schmidt;
vote as follows:

AYE: 4

NAY:

ABSTAINED:

**CONSIDER A CONTRACT RENEWAL WITH FLOCK SAFETY IN THE AMOUNT OF
\$157,500 PER YEAR. DARIN ADAMS**

Mayor: I know there are some people here tonight that learned about this agenda item during the week and didn't have an opportunity to come to our work meeting last week about this one. So my thoughts are, we'll let Chief Adams go through a few items, and I would hope that you would entertain allowing this to be an item that has some public comment before we take a vote on it. This is one of those issues that I know there's some very strong feelings on. I've had lots of conversations this week and even from the campaign time period. I've engaged in some research and tried to wrap my head around this concept. I hope that our approach to the discussion that we can have tonight is truly that of a discussion. I am certainly not closed off to what I think is the absolute right way, and I believe that our council is very similar in a desire to really understand all perspectives. I have tried to do some due diligence to wrap my head around what I have been shared and seen online and verify how much of that is factual versus not. I hope that we can have a discussion tonight and be able to ask sincere, genuine questions with open-mindedness. As we do it, to hopefully come to the best conclusion for the community. **Police Chief Darin Adam:** I emailed each of you the slight modification to the contract that I brought up last week with regard to the concession credit and the payment schedule. I appreciate the public being here tonight. Hopefully, I can address some of the concerns that have been brought up throughout social media and in other avenues. When we looked at this, and the council knows this, over a year and a half ago, we were trying to look at a tool that would help us be a force multiplier in our efforts. License plate reader technology has come a long way over the years. I took a lot of time and energy evaluating this over about a year's time in 2024, leading up to 2025, to see how this could help us in our efforts. Just as an example, a few weeks ago we had a red, what we believed to be a Toyota vehicle at the Diamond Z Arena that was flipping donuts in the parking lot, tearing up the gravel, almost hit a couple of the workers there, and then sped off. Ken Nielsen, our Leisure Services Director, contacted me and said, "We don't know who this is, but they've done this before. It's becoming a public safety issue, and we're at a loss." He sent me a picture of the vehicle and a video as the vehicle was doing the donuts and it drove out. I began by instituting a report. As you know, from an accountability piece, it's required that we enter either a CAD ID number or a case number. A report has to be generated before we can query the system. I started with the report to have that basis and foundation there. Then I entered into the system, red Toyota truck, and queried two cameras and immediately got the return here. This was the vehicle that was traveling south on Cross Hollows Road. The timestamp was about four minutes before the vehicle arrived there at the arena and doing its havoc to the parking lot. What then that allowed me to do was see the plate. I had to take an additional step to run the plate to determine registered owner, and then further step to assign that to one of my officers to go out and try to contact that individual and explain to them that that was not allowed behavior and to issue a trespass order. I

want the public to understand, and know, that the system itself is limited on what it can and can't do. By me entering that truck in there, it flashes to me what that vehicle is in that area. Based on the description, from there, I can get the plate. I still have to run the plate. I still have to do an investigation, to follow up before I can take any action. And that means to verify. If this was a vehicle where the registration was revoked or it was a kidnapping suspect or any number of crimes, I still have to obtain probable cause after I get the information from the camera to follow up on my case. At the mayor's request, we collaborated on the video that was put together and produced two weeks ago. The intent was to try, in as short a time as possible, with social media and attention spans, what they are, to try to get the information out in a concise way to talk about the transparency portal, which is on our website, and to hopefully educate people on what the system can and can't do. When we do that, which is rare, my intent was to put out a public service announcement to let people know what this can and can't do with the hope that if there were concerns or questions, that they would contact me directly. On the post itself, I didn't turn the comments on. The main reason for that was because we do that often. We'll put out a suspect description, and we'll ask for input. You can imagine the flow of comments that come in. We simply do not have the personnel to monitor that and to respond to every person, which is also not good either. We use that as a conduit of communication. I knew that I was not going to be able to do that, and hence the reason that I left my work email and my phone number in the video and urged people to please consider contacting me with questions and concerns, and received none. Received no emails, no phone calls from anybody. An article was written this morning by the Zion Times, specifically about a case where Flock was used and the case was dismissed. I just wanted to touch on that to give some more detail so that everybody understood. Last year, two individuals were assaulted up the canyon at a homeless encampment by two other individuals. They were struck in the head and the face. A knife was used to cut one of the individuals. Officers arrived, and the victim told officers that the suspects fled in an early 2000 model red Chevy pickup. The report states that a Flock camera was checked to determine if the suspect vehicle had been captured on the system. It further states that a red pickup was captured in the area. However, the vehicle was not located by officers. The next evening, one of the victims approached an officer at the back door of the police department and told the officer that they had determined who the suspect, at least one of the suspects was and that their name was identified to that victim. The victim handed the officer a piece of paper with the suspect's name and said, "Please follow up on this." The officer acknowledged in the report that the suspect had a red pickup truck registered to him, but it was a Ford and not a Chevy, as indicated by the victim. The officer acknowledged further that the truck captured on Flock that day had a white canopy, as the officer stated, which also doesn't match the description the victim gave officers. There was still some discrepancy on what kind of truck that really was. The officers didn't really have much to go on at that point. The case sat, and five days later, a disorderly conduct call came in wherein the reporting person stated that the suspect in question was present. Officers responded to that. They made contact with this suspect, whose name was on the piece of paper, and tried to get an interview with him. He didn't want to talk. He said, "I plead the fifth." The officer noted that he did have a red vehicle that was there at the scene with him. Based largely on the victim's statement that this was the suspect, the officers made an arrest. The county attorney's office took the report. They prosecuted the case, and the judge dismissed the assault charge due to a lack of evidence. I think that was largely in part because the victim identification was not to the court's standard. I bring that up to make sure everybody understands that it wasn't the Flock camera and the identification of this red vehicle that was the basis for the arrest. Like anything with Flock, it's one piece of our entire investigative puzzle that we use. Then there's so much work that goes beyond that as we look to make arrests or to continue our criminal investigation. I know that there's been concerns about data sharing, and I

just want the public to know that we do not share with federal agencies, specifically ICE or FBI. You can see on our website there down in the middle where it says, "Filter out immigration searches, filter out reproductive care searches." Those have been disabled. That is not something that we can even do. We have not, since we've implemented Flock, received any requests from FBI or ICE to share data. I wanted to go one step further. As you'll see at the top there, even just today, I disabled that to where they can't even request it. They haven't requested it in the past. They could. We wouldn't condone that request. But now I've made it to where they can't even request it to just give a further peace of mind and restriction there to where they can't request it even if they want to.

Wilkey: That's a request they would make through the system? **Chief Adams:** Yes, it has to come to us, and then I have to review that whether or not. **Wilkey:** But it doesn't even show it as an option if you click that toggle, correct? **Chief Adams:** Correct. **Mayor:** Just to be clear, if that toggle was flipped, other agencies that use the Flock system, if they had a reason to believe that there would be something, a crime that is somebody coming through our area, if that was clicked, they still couldn't access the data just because that was clicked, right? **Chief Adams:** You can see there, the access to statewide and nationwide network is disabled. So they cannot. **Wilkey:** But they could have requested it had you not disabled them. **Chief Adams:** Correct. **Mayor:** Then that request comes to you, you evaluate the request and whether you feel like it is a valid thing for us to help with or not. And then you would be the one that would authorize it if that was even an option. **Chief Adams:** For example, if Flagstaff has a kidnapping suspect and they know it goes north, they can query certain cameras on the system as long as we approve that. If Flagstaff wanted to contact us and say, "Would you please allow sharing for our cameras? We had a kidnapped suspect that went north. We believe it's headed through Utah." We could approve that. They could query it and determine if that vehicle had passed through Cedar City. So they at least know where that vehicle is going in their investigative efforts. **Wilkey:** In that type of a situation, instead of giving them access, could they not give you the vehicle description and you or one of your officers do that search instead of giving them the access? Then if something does pop up, then you could collaborate on getting them the information. **Chief Adams:** We would just have to have an agency assist report created or a CAD ID, and then we could search that. **Mayor:** From what I understand, the data is proprietary to us. It's not on some server that Flock has access to. It's a cloud-based server that we own the data. And therefore, we can control who gets access to it or not and how that's done. Part of that process of how we allow that is an internal decision that I think is a valuable discussion for us to have, of is this something that we want to allow others to have access to, or to not have access to, and what's that process if we do? **Galan:** Correct me if I'm wrong. I think that data, the stuff that we have on the cloud, also has a time limit before it's deleted completely, right? So would you address that as well? **Chief Adams:** In our policy and in the contract, it's 30 days. When things are recorded in the system, after 30 days, they're erased or overwritten on. That is the most conservative timeframe you can do. Agencies surrounding us are at 90 days. I talked to Chief Whitehead in St. George just last week. They're looking at nine months. I hope the public understands we did that purposefully. We don't need that data to be retained for any longer than it needs to be. It has hampered us before, not in a major way, where we had a crime occur, and we go back two months to try to figure out, it was reported late, and that's gone, but nothing that's compromised us or caused any major issue. That's always the trade-off as well. I wanted to touch again on the immigration enforcement. I want the public to also know that we have a strict policy that we will not engage in civil immigration enforcement in any way, shape, or form. That dovetails with the policy. We have audit logs that are very complete, very thorough, and those don't go away. I audit regularly to make sure officers are using the platform and the system in the manner it's intended. The policy, it's very specific to what they can use it for. I have access as the chief administrator to audit those and to make sure that they are

following the guidelines. **Mayor:** For clarification, the policy of us not participating in immigration. We don't hinder that, but we're not using our officers out there saying, look for people that could potentially be illegal. **Chief Adams:** It doesn't matter if they're a citizen or not. If they've committed a crime, we treat them the same, but we're not enforcing civil immigration. We're not working to deport. We're not working in that capacity whatsoever, but we're not hindering either. **Galan:** To clarify the auditing process as well. You as the administrator have access to everything that goes in and out of that system. But you also get very much the detail of the officers that have touched the data, when they did and what they did with it. You have a clear picture if by any chance there was a misuse of the information. **Chief Adams:** Yes. We would address that. To your point, it shows when they queried it, and then the case number or the CAD number directs me to where I need to go to find out why they used that. Officers know that misuse of that is a class B misdemeanor. That's state law. **Galan:** They have to not only identify themselves, but they also have to put the case number in before they can even access the data, right? **Chief Adams:** The query. Yes. **Wilkey:** There's quite a paper trail. **Mayor:** One of the things that I'm naturally inclined to is a skepticism of power and of government. But the reality is that they need to exist, and the restraints that we put on them to protect, and have checks, is a really important part in any of these kinds of discussions. Those were key things that I was grateful to learn is that it's a tool, but it's a tool that we have tried to make sure we're restricting and can audit and see if somebody misuses it, then we punish them for misuse. I think that's an important piece too of the process. The success we've had with this system is immeasurable. Our first success was a business burglary at Tropical Smoothie on the south end of town where somebody in the middle of the night showed up, broke the window, walked in, and was seen on Pizza Cart surveillance video carrying a safe out and putting it into the car. We didn't have anything. We had the side profile of this vehicle. We had nothing else. We had no leads to go on whatsoever. An officer put this red sedan into the system. The camera by the Lighthouse at Providence caught the vehicle that was also shown in Pizza Cart surveillance video. They gave us the plate. We were able to run the plate, determine who the suspect was. Then the work began where we contacted St. George, found out that the suspect was on probation, had traveled from St. George to West Valley. Two detectives went to West Valley and two went to St. George and wrote search warrants on his house and his car and found evidence of two previous burglaries. One at IHOP and one at Pawn Plus here in Cedar that had occurred weeks earlier that were not solved. Think about man-hours to solve those cases without that one piece of technology. That was the only thing that created success in that case. Otherwise, it's in the wind. We don't know who it is, and three victims who are out thousands and thousands of dollars and property. We've had numerous hit-and-run accidents. That's quite common where people will hit somebody and then take off and head home. Now we have a victim who's got property damage and no insurance on the other side to cover that. We've been able to check the cameras and run registrations, find out who those people are, find them, interview them, look at evidence of the car, and make arrests. We had a massive structure fire. It was actually an arson where a suspect lit a house on fire. He claimed to the detectives that he was not in town, had been gone for three days. We simply ran his vehicle through Flock and found that he had been driving around Cedar for the previous three days. It hit on the camera out north of town. Officers went out hoping that Maverick would have some video of him, found video of him in the store buying a gas can and some other stuff. Once he was presented with that, the interview was quite easy after that, and he confessed. It's a major crime, obviously a first-degree felony of an arson of a habitable structure that would likely not have been solved without that. We had a stolen vehicle with four juveniles out of Arizona that came into town. They had committed crimes in St. George, had ran from St. George Police Department in Washington County. We ran their vehicle through the system. It pinged out by Maverick by the bowling alley. Officers went out

there, found them at Maverick. They fled from the officers out toward the Hitch'n Post in Enoch. They were able to get them stopped, and the vehicle returned back to the owner. We assisted with a homicide out of Ogden with suspects who came down, and all they had was a vehicle description. So again, we ran that description through the Flock system, determined that they had stopped at that same Maverick. And we're able to get at least some identities from the plate that was ran and Maverick video as well. We've had stolen firearm arrests; the success stories go on and on. I've heard complaints where people have said, "Well, it's going to detect me or what I'm doing in town." The cameras are motion-activated. If I were to walk in front of one, the camera would kick on, but the camera is specifically designed to look at vehicles. The learning system within the camera is specific to vehicle plates and vehicle details. If an animal runs across the street, if I run across, if a basketball is thrown, the camera picks it up. It immediately erases those images. If it determines it's not a vehicle, those images are erased immediately. There's no way for us to search for an individual, for an animal, for anything other than a vehicle. **Mayor:** The system doesn't even have ownership of vehicles. You keep saying how you then run the plate. If you get a plate, it still doesn't tie that to who it is. **Chief Adams:** No, it doesn't tell us that the insurance is bad. It doesn't tell us that it ran the stop sign. It doesn't tell us who it belongs to. As I mentioned in my previous example when I began, I had to do work after. I was able to tell the vehicle was there, so I knew it was the one that was in the area. It gave me the plate. Then I have to go contact the suspect, I have to interview and confirm that that person is engaged in that behavior. If I have evidence, then I can move forward with it separate from a confession. The work really begins after the Flock image returns. **Wilkey:** I think the trust is not questioned locally. Trust is maybe questioned with Flock and just hackers and those types of things. Anytime you get computers involved, there's some crazy smart people out in this world. What do we have in our contract as far as that? If Flock somehow misused the data, or can Flock even access the pictures? **Mayor:** The Chief asked a representative from Flock to be available here. As part of the discussion, we could ask them directly and have them speak to questions directly. As questions come, I'd love it to be more of a discussion format to try to really understand the best we all can of the realities and what's real and what's not and where that trust level is we're comfortable with. **Bia Campbell, Public Affairs Manager:** Utah is one of my territories. I want to reiterate our commitment to keeping you all safe both from a public safety perspective as well as a data retention perspective. Flock really cares. We have been over the past few years accumulating our knowledge on the area, and we are committed to honoring the community values. We want to make sure that our system has all these leverages and all these audit systems and the framework that allows for the communities to create a policy that works for them, a program that works for them, and something that the population can trust. **Max, Director of Public Trust and Technology:** I have been with the company for about three years. Prior to that, my entire career was in public safety. I actually worked in a police department. I was a homicide investigator for most of my career, working major crimes in metro Atlanta. I was one of the first Flock users out there. I go way back with the company, and I got to see how transformative of a technology it really was. To reiterate what you said, Chief, this is a really game-changing technology for law enforcement, but there is a plethora of misinformation and fallacies that are floating around on the internet. I'd love to clear any up for the council tonight or for the public who are there and answer questions and continue to be as transparent as possible. **Wilkey:** The question is not as much of the trust with our department and our officers here locally, but it's more just how exactly does the system work? What fail-safes are in place? What protections are in place on your end? What access does Flock have to the photos and those types of things? And how could it possibly be misused in that way? **Max:** How exactly does it work? Our hardware, which is owned by Flock, is on the side of the road. That hardware takes pictures of the rear end of a car. When that vehicle is processed by our machine learning

algorithm, it is pushed into our cloud environment, which is managed by Amazon Web Services. It is a CJIS-compliant encrypted cloud. Anytime you're talking about data transit, it is encrypted in transit. It is encrypted from the second that image is taken. It's taken on that device. It's sent into that cloud. It's processed by our machine learning. Our machine learning is able to distinguish, is it a Ford? Is it a Chevy? What color is it? Are there any distinguishing features? Then we have a separate model that runs what's called OCR or optical character recognition. It's able to recognize, this is a Utah tag. This is Utah tag ABC123. Then what it does is it cross-references that license plate with the National Crime Information Center database. That is a federally maintained CJIS-controlled database that is in all 50 states. There are CJIS and NCIC administrators in every state. So there's one for Utah. That database is uploaded to our system as well as any other LPR vendor out there. It's uploaded every four hours, specifically to Flock. So every four hours, stolen vehicles are put on there. If a vehicle is attached to a violent crime, let's say a homicide, that's put on there. Things that are not put on there, traffic infractions, low-level misdemeanors are not put on there. It has to be attached to a vehicle. When those are cross-referenced, it gives an alert to officers. But if not, that vehicle is stored for that 30-day retention period, and it's able to be queried by the data owner. In this case, the data is both the metadata that's generated off of that image. Where it was taken, the vehicle license plate, the vehicle characteristics, and the image itself, that is what we refer to contractually and what we talk about colloquially as the data. That data is owned entirely by the end user, in this case, the city. So you control what happens with that data, when it's deleted, and who it's shared with. At no point in time is that data shared on behalf of Flock unless you authorize us to do so through the system, be it with another customer, with another law enforcement customer, or within Flock. To answer the question about what Flock employees have access to. **Mayor:** The way you just described that, does actually have that data being accessed in a national database before it becomes our data? **Max:** I was going to answer what was accessed by Flock. The data is not uploaded to the National Crime Information Center. What happens is that list is cross-referenced with the plate itself. That happens in the cloud. It doesn't have to be queried for that to happen. That actual data is not uploaded anywhere. **Mayor:** But it sends a notification to federal agencies? **Max:** No, not to federal agencies. It sends a notification to the end user, in this case, your police department. **Wilkey:** So let's say an FBI agency in Chicago had put in a license plate as a potential suspect, and a camera here, when it cross-referenced it, it saw that that license plate came through Cedar. Chicago wouldn't be notified. Only our officers would be notified that a license plate that was flagged by somebody in Chicago has come through Cedar. Is that what you're saying? **Max:** That's correct. Nobody else would be notified except for your officers. NCIC is the actual system that your officer is querying. When he or she is sitting at that traffic light and decides to run a license plate for a vehicle sitting next to them, they are querying that system. It's the same thing that happens when they query that system. So let's say that exact scenario that happened with the Chicago license plate traveling across to Utah. Let's say that same thing happened, but Flock was taken out of the picture, and an officer runs that and gets an alert through their MDT. The person who entered that, the Chicago police officer, would never know that that license plate hit here. So no, that originating officer or originating agency would not be notified. **Chief Adams:** NCIC is the National Crime Information Center. So anytime we have stolen vehicles, we have wanted persons, we have felonies that we're looking for, we enter that through dispatch into NCIC. Any officer in the country, if they run into that person, can call their dispatch. Is this person wanted? Dispatch will come back, yes, he's got a hit on NCIC. Then the MDT, he referred to as the mobile data terminal. That's our in-car computer system. **Max:** Moving on to the last part of your question, who at Flock has access? This is a question we get all the time. We have a certain set of engineers and people who fix the system. These are not people who will ever log in to query the data. The reason that they are specifically certified through CJIS to look at the data is

because when you call and say, "Hey, we have a camera that's down," or, "We have something that's not working," just like your cable company, just like Apple, they're going to see one or two images if you screen share with them, but they are at no point logging into your system. That data is completely owned by the city and only shared with those people you want to share with through the levers that your chief was talking about earlier. **Mayor:** One of the ones that I've had sent to me that freaked me out when I watched it was a video saying that they'd hacked into the Flock cameras. Basically, that idea that people can hack in and access and then sit there and view whatever that camera's seeing. **Max:** What you're referring to is specifically what we call our Condor camera. It's our pan-tilt zoom. It has nothing to do with our license plate readers. That being said, we had a specific subset of 80 cameras out of the thousands of devices that we have nationwide that were issued the incorrect SIM card by our cellular provider, who has taken the onus of responsibility for this publicly, although that doesn't get reported. Those 80 cameras received the incorrect SIM card, which placed them on the public IOT or Internet over tether server. Meaning that it's the same internet that you get on your phone if you have this cellular provider. That is how that was able to be manipulated by this person who made the YouTube video. As soon as we found out about it, those SIM cards were switched out. And we now have a process internally. What we do is called wet testing our hardware before it's deployed to the field. The hardware comes in, and we wet test it to ensure that it does have the correct SIM card, among other things with batteries, so on and so forth. That vulnerability was actually discovered before that video was released. Flock has never actually been hacked. Those 80 cameras were a single vulnerability that was repaired within weeks of finding it. **Mayor:** How do you prove that we've never been hacked? **Max:** We have two resources. First of all, we have a new CISO that we've hired. We are really stepping up all cybersecurity efforts across the company. Having said that, we have two third-party people who have done penetration testing. One is the Miami-Dade Sheriff's Office. I believe that BS shared that with the chief. The other one is we contract with a vendor called Bishop Fox. They're a well-known authority in cybersecurity. They perform penetration testing annually throughout the year on our systems. We have a report coming out, I believe, at the end of this summer that will detail that. Bishop Fox has affirmed that there are no vulnerabilities in the system today. So beyond proving that it's very difficult to prove the existence of something that doesn't exist. We've never been hacked. We had the 80 cameras vulnerability, and then we had one other person who made a YouTube video saying that he hacked 80,000 cameras. The instance with that is he was able to gain access to an older camera that had never been connected to our network, and he hacked that one individual camera. That's essentially the equivalent of ordering an iPhone 6 off of eBay that had never been turned on, taking it to your house, turning it on, and hacking it and saying Apple has bad security. Apple performs security updates. You get security updates on your phone. Same with Android, same with Google, same with Flock. We push security updates to all of our hardware continuously. We also have several new programs that we've introduced to ensure that our cybersecurity is the best in the industry. **Wilkey:** We do have a few cameras around town that are video, but they don't identify vehicles. They don't do any of that. They're literally just cameras that record, like a UDOT camera would or any security camera would. And if there happens to be an accident, you can say, "Hey, I need to look at this intersection at 5:30 PM on a Monday," and you could see what had happened. It doesn't identify vehicles. It doesn't record any of the stuff that. **Chief Adams:** It's a surveillance camera, and that's been as equally valuable. We have three Condors, one at Cross Hollow and Royal Hunt on the corner there by Cafe Rio. We have one at 1925 North Main/Fiddlers and Main, and one at 3000 North Main. The intent of those were to put those in the high accident vulnerability intersections. We have six live view cameras. They don't pan. They don't tilt. They don't zoom. They're a camera that looks directly at the intersection. Those are at 600 South, two at Center and Main, Airport Road, and 200 North Main.

We had an accident at 200 North Main last night. This captured it. It's able to tell us through our investigative efforts who's at fault. I shared with the council one where a motorcycle went through and hit a car, ran the red light, and it was so quick that sometimes that's hard to determine. Those are separate and have no LPR capabilities. They are surveillance security cameras. **Wilkey:** They just happen to be part of the contract. **Chief Adams:** Correct. They're similar, like you said, to UDOT cameras that are on the cantilevers at intersections.

Wesley Curtis: Thank you guys for allowing us to speak on this. It seems we are in this technological keeping up with the Joneses, these Flock cameras are kind of linked to other things. The Condor cameras are a different thing than the LPRs. If we just continue with this drive towards technological monitoring, we're not too far from George Orwell's 1984 surveillance. Max Weinstein, could maybe talk a little more about the safe cities that Flock are trying to establish? Could you talk a little more on the Flock 911, and the drone tracking? I believe that these Flock cameras are kind of like the Trojan horse, to deeper and further implementation of technological things that are going to potentially be put into our county. Multiple jurisdiction collaborations- I know that you said that we are able to turn this off, but for how long? Once the county and the council changes, then we're subject to whatever they decide. On their website, it states that Flock maintains a limited license to access the customer's data, does not maintain recordings longer than the 30 days that we discussed. If Flock decides to change those terms with technology, there are terms, agreements, and updates that change. Then we're subjected with this already implemented technology. **Mayor:** That's a fair concern. Whatever starts here, then they come and sell us on something else later is kind of the concern there. **Max:** One thing that concerned me in your statement was that we would change the terms of a contract. We can't. The contract is a legally binding agreement. We would never try to and certainly would not legally be able to change terms of an active contract that was enforced. Safe city is a different way of thinking about the way we're charging for our services. Flock is a SaaS company or "software as a service." Traditionally, that has meant where we'll sell something, then we'll come out with something else that's different. What you end up with is multiple contracts. It makes it very confusing for a city. What a safe city is, is a longer-term contract, and the pricing is different. It's on a per-citizen basis, and it includes a number of our services that are bundled together. It's truthfully just a different way of bundling our services. In terms of Flock 911, there is a number of different products on the market that are similar to Flock 911. What Flock 911 is, is it allows the end user, being the police officer generally, it's not the police officer, just because it's a lot of information in a patrol car. It is like a real-time crime center or a dispatch center who is not a call-taking center - to be able to hear 911 calls as they come in. The goal of Flock 911 is to shorten the response gap. I'm sure in Cedar City, your response is fantastic, but I can tell you that in the city of Atlanta, we did not experience that. We were 30 or 40 minutes to a 911 call, and that's on a good day. The idea here is that you decrease that really long waiting period for help to come to you because the first responders can hear it as it's actively coming in and can triage that information, start heading in that direction before you go through the laborious effort of entering the call into a ticketing system, which is then pushed out to patrol cars, fire trucks, or ambulances. **Mayor:** I appreciate the thought behind that, though. It's like the idea of we do something now that maybe seems a benefit to the city and that risk of just what does it lead to. We get comfortable with this, and then as something else, that is a creep idea. It's kind of that concern. **Wilkey:** Just one last thing to his comment, it could be the opposite. You could get a different council up here in a couple of years that say, "We don't want Flock at all," and they might choose to remove it. That's just how contracts and different elected officials work. I get your point. You're right. As a new council comes in or anytime you have elected officials that change out, they could say, "We want more surveillance. We want more of

this," but you could also have some that say, "We want less." And so it goes both ways on that front.

Brad Green: There's a lot of people that think that these cameras execute a general warrant. As a result, they think that they are unconstitutional. There are currently several lawsuits going on around the country, there's passion on both sides of the public debate. These lawsuits will be several magnitudes more expensive than the annual service cost that you are considering today. If one case succeeds anywhere, there will be copycat lawsuits, and they will be going after everybody that has them. The technology is new, and we're kind of a guinea pig. I recognize that for at least three years, it has been ongoing. There are a lot of lawsuits currently, and the public is aware. I'm especially concerned about the part where the system automatically checks the NCIC federal database for the license plate numbers. While the other jurisdictions may not be notified about the NCIC database, I guarantee, it logs that the check came through. Anywhere that is logged can be checked. As a data manager, I have built systems that are secure. I guarantee the NCIC database knows when it's being queried and who's querying it. Whether or not Chicago can reach out to the NCIC to find that, I don't know. But those rules can change based upon the vote of people just like you. Contracts can change when both parties agree. I'm with the mayor about skepticism of advanced tools used by government because I'm a student of history, and I've seen that nobody causes more harm and mayhem than government in the hands of authoritarians. Authoritarians will abuse the tools given them. This is a very powerful tool that we're very afraid of. I want to suggest some ways to help or be constructive. They say auditing happens, but it's for police only. The chief can see the logs. I suggest we have an elected committee of citizens that can audit that log also so that the public has better confidence that it's being audited, that the right people are accessing it, and only them and only in appropriate times. I recommend we create a local framework of restrictions for transparency, accountability, and precaution. Make it the most restrictive in existence. Make sure it's updated and strengthened every year. Tie that requirement to an annual sunset. If it isn't updated, the service is declined upon renewal. As for the security given to us by the Flock representative, I know how encryption works. I've written my own, and I've used the best available to me in the public sector. I think it'd be useful to have a list of everybody that has a copy or access to the encryption keys. I think that should be something that Cedar City can report. Maybe not who has it because that could create for a problem, but who has it in title so that we can audit and be transparent about who actually can decrypt the data and access it. As for penetration testing, I run an e-commerce website, and the only secure thing we have is addresses and phone numbers and credit card numbers. We have penetration testing required every quarter by our credit card merchant. Once a year doesn't seem frequent enough for penetration testing on people's privacy. I would recommend that they have that monthly or ongoing.

Mitt McLelland: I sit on the Board of Adjustments. I try every which way possible to make the law work for the citizens, which means I don't really care what the law says for us because I ultimately want citizens to be free. We have to start with what's the purpose of the law. The purpose of the law was never to constrain the citizens. The purpose of the law was to constrain government at every level, and then to give proper recourse when harm was established and done. I hear that what's going to happen, they're going to take information which is completely publicly accessible. If you are out in public, there is no expectation to privacy. You have none. If you are doing something in public, it's public knowledge. Flock has every right to set up cameras wherever they are legally allowed and record whatever they want, the same way that I can and the same way that you can. That's not the problem. The problem is what they do with it. The current system that they just explained is that they get that information, then they run it against a crime bank system. The problem is that in order for the police to do anything, they have to have probable cause. So now we're running willy-nilly without establishing probable cause because being out in public is

not probable cause. I have to be doing something to violate, or look like I'm violating the law, to establish probable cause. So now we're preemptively ignoring probable cause altogether. That's one of the citizens' first protections against law enforcement. The next is, they don't have a right as the person, to talk to the person who accused them. Flock's a system. There's no one to talk to. You can't just erase rights because it benefits safety. We have to be able to go out as citizens and believe that we are not going to be constantly watched and looked and assumed we are going to be criminals. That's what this is doing. We now are all just potential criminals waiting for the crime to happen. That's not how the law is written, and that's not how it should be upheld. I just did 1776, and we just fought against that at the Crown. Carter, I would encourage you to go and read some of those documents because if you're already leaning towards voting for Flock, individual liberty matters. It is the most important thing that we established in this country. If we start treating us as criminals preemptively, we don't have individual liberty. **Chief Adams:** I want to make sure it's clear that we're not preemptively treating people like criminals. I can put an officer on any street corner with a notebook, and they can take down plates and sketch who's driving or any of that if they're in public. All I need is reasonable suspicion to begin an investigation. I don't need probable cause. I need probable cause for an arrest. If dispatch is telling me that we have a suspect who's committed a kidnapping, and this is the vehicle description, and I put it into the system to find out where that person may be, it's no different than if an officer on the corner is stationed and can see that as well. This enhances our ability. I just want to make sure that that's clear in the differentiation between reasonable suspicion and probable cause. **Wilkey:** Let's say I'm just sitting and officers just driving, and they want to run a plate. What do they have to have to be able to run a plate? Do they have to have anything, or are they legally allowed to just run a plate? **Chief Adams:** No. There has to be reasonable suspicion. If I see a vehicle and the tag's expired, then I'm going to run it to confirm. If it's somebody that's been in an area of suspicion or I believe that based on what I know about that vehicle, it's in a high-crime drug area, I have to have that reasonable suspicion that there may be a crime committed or someone's in the process of committing a crime. It can't be for no reason whatsoever. **Wilkey:** The bar is pretty low for reasonable suspicion. **Chief Adams:** I wouldn't say it's low, but it's lower than probable cause. **Richard Genck:** I am an AI engineer and data systems manager. My primary concerns with the Flock camera is mission creep. That's twofold. That is both the digital or the artificial we can call it machine learning. It is what everyone else would call artificial intelligence. The other is hardware. Now, we can say, "Well, future city council might say that we're going to get rid of it." Okay. But these systems are significantly harder to remove than they are to add back in because you start having the sunk cost fallacy. "Well, we already have them in here. We'll just change things up a little bit." The restoration of liberty is never as easy as it is to just slowly creep those things away. Whether that's the cameras being installed or right now, we have a toggle. That was the silliest thing I think I've seen because I use toggles every day, and they're very easy to toggle on and off. The other thing was the digital creep. Right now, we're just doing license plates on the back of the cars. Four years, maybe everybody in the city council could be replaced. And in four years, the next group says, "Well, we're going to just add faces. Just faces, guys." And it's only in these specific circumstances. And this scope creep is going to continue unless we have specific safeguards. Everything in the best parts of our government, 1776 style, is checks and balances. I do not see enough checks and balances in play here. Another issue that I see in line with scope creep is that Flock has a private business is motivated by money. They are going to be pushing for more services and more cameras to be installed because the more services they provide and the more cameras that they install, the more money they're going to receive. Can't blame them for making their bread, but I don't like it. So again, there's also the current and future city councils. I think that a very good way to put in those checks and balances is to justify every single camera that we

currently have in here. When I originally heard about this, it was kind of sold as, "Well, it's on the interstate," and the interstate because of the equipment that's being stolen or human trafficking or whatever. And I said, "You know what? I don't like constant surveillance, but we're not spying on our own citizens here in Cedar City." Lo and behold, there's one right outside the Smiths intersection where I am. I didn't do anything wrong. So why are we spying on our own citizens? I think that every single camera in this city should be justified, much less any future ones that we add before we do any kind of a renewal. My last thing is I think that a very good checks and balances would be citizens' review.

Jacob Pettit: I'd like to agree with everyone else's statements so far, and I'd like to thank the Chief for pointing out that you can have an officer out there with a notebook standing at a street corner recording everything. That officer owns that notebook. With Flock, yes, we own that data. Their computers, their cameras. We don't own that. From what I've seen, cities cannot take down those cameras. Cities that cancel their contracts or wish to cancel their contracts have to bag them because they have no right to take it down. If you don't own tech, then it's not yours. Someone else can push those buttons. Someone else can. I'm not saying they will. But you have to worry about that. The most secure device I have is a two-terabyte hard drive. It stores my photos on it. It is secure because it cannot connect to Wi-Fi. I know when I plug it into something, that's it. These can access Wi-Fi. They have Bluetooth capability. They are vulnerable devices just like anything else that could connect to Wi-Fi. Unless we connect cameras exclusively through Ethernet to our own computers stored in city buildings, someone else can access it. I don't know if we want to go through the cost of connecting every camera in the city to an Ethernet cable that leads to computers here in the city. I would caution against renewing these contracts. If we do need a system like this, we should look at building our own because this is a lot of money, ultimately, for a service. We should question if we truly need this service as a city because it's not only costing money, it's costing our privacy, and it's putting us all at risk. The risk may not be gigantic now, but like people have said, it could develop. Those cameras are right now only tracking vehicles and plates. Like it was mentioned, it's not looking at the ball across the street, the person crossing the street. Software updates could change that instantly. These are cameras. They have the same capabilities. I'd like to caution against renewing this contract just to keep us all a little more at ease and not sell our data to large companies. We're already doing that every day with our phones. We might as well not do that wherever we go in our cars.

Kami Merrill: I don't have a whole lot to add to what everyone else has said because they've said exactly what I've wanted to say. I think I personally am not as concerned who's looking at all of this. It's more along the lines of personal liberty and that freedom isn't safe. We can sell our freedom for safety, and ultimately, we'll have neither because we don't know who's coming to fill your seats next. That's the main thing we don't know. I know some of you. I know you're not malicious with the intent with these Flock cameras. I know our chief here is not. I trust you guys, but I don't know who's coming in behind you. None of us know who's coming in behind you. I think that's a big concern. We can't sell our liberty for a perceived notion of safety. I like what the gentleman here just said. This is a huge company that's pushing this technology nationwide, maybe worldwide. We trust this. We're just blindly trusting this. If we feel that we need this in our community, let's take those tax dollars, form some committees, decide where's some high accident zones in our town or crime zones. I really like what the gentleman before me said. I hadn't thought of that. I think that's something to look into, getting our own system set up if we feel we need that and only internally here in our city, only for us. We don't want to be looked at everywhere we go. All the outskirts of town, you feel like you're being watched coming in and out. That may not be the intent, but that's what it feels like as a citizen, that I'm being tracked on my movements. Every time I drive through town, there's a new one up. Hopefully, you can sense how it feels as citizens

to feel like we're being watched everywhere. **Wilkey:** As far as cameras, what did we start with compared to what we have now? When was the last time we put up new ones? **Chief Adams:** We've not put up any new ones. The ones we put up were last year. **Mayor:** There are other entities that have. They're a company trying to make money. There's other stores that have them. There's private businesses that have put up additional ones. **Chief Adams:** I noticed that Home Depot has two up in their parking lot. We don't have anything to do with those. I don't know where those came from or when. **Wilkey:** Do private entities also hire you guys to do surveillance or just municipalities and police departments? **Chief Adams:** Before you answer that, Max, I want to answer this young lady's question. State law restricts us from accessing private. We can't do that, and they can't access ours. There's a clear delineation. **Max:** Utah Law has a bifurcation between private entities with ALPRs and public entities with ALPRs. We do have a portion of our business that caters to private businesses. We have a number of private customers. Their data is completely bifurcated from law enforcement and vice versa. They can only share with law enforcement if both parties opt in, meaning that the private entity says, "Hey, we want to share with our local PD." And the local PD says, "Hey, yes, we want to receive it." It cannot go the other way. That does not exist within the state of Utah because of laws that forbid that.

Gavin: I have a question about the contract. Is it \$150,000 a year, or is it how long is the contract? **Chief Adams:** It's a year. **Gavin:** I do want to thank Chief Adams for his work with explaining the intricacies of the system. That did help clarify a couple of my questions. I know he mentioned that this has been an invaluable service. Not to split hairs, but have we ever conducted a report evaluating the crime rates in Cedar before the cameras came in versus after? **Paul:** We do run crime statistics every year. It would probably take a couple of years to get a good feel for any impact. There's also a difference between the crime rate and then the crimes that have been resolved because of the technology. Those are two different questions. You might not see a drop in the crime rate. **Mayor:** That is an interesting idea. Should we look at some kind of reporting to kind of validate how big of a difference they are making in a data-driven way? That's a valid thought. **Gavin:** A way to see if we're getting our money's worth. I do have some questions about the values of the Flock company itself. Obviously, people will say anything on the internet, but I do recall seeing an article where CCO, Josh Thomas, suggested that Flock cameras do not have the capability for tracking. Rather, they use data points. However, training material provided by Flock contradicted this by saying that the cameras can be used for tracking. Max, or Bia, do you have anything to say about that? I'm happy to be wrong. **Max:** I appreciate you bringing that up. You are correct in that exact statement. We do have older tracking materials that reference what the Condor cameras can do as people tracking. But what it's actually doing is looking for movements of people. What we refer to as tracking would be to track a person between two disparate points. These cameras are stationary, meaning that if you were to put it in the middle of a park, what it's trained to do is respond to certain stimulus that allow that camera to create an alert to the end user, being the police department, when certain parameters are met. For example, there's a park in the city that closes at 7:00 PM, you want those cameras to tell me anytime there is a person that is in that park after 7:00 PM, that camera can do that. That is what is historically referenced in internal training material as people tracking, but it is not what in the surveillance industry we reference as actual people tracking. **Gavin:** Some questions regarding the comments of CEO Garrett Langley. In an interview, he was purported to say that those who are against ALPRs, specifically those in de-Flock, are terroristic, which I think is a very heavy accusation. There were purported emails sent to law enforcement clients being a bit hyperbolic about coordinated attacks against law enforcement or working to let murders go free. What would be a response to that? **Max:** Are you asking me to comment on the CEO's comments? **Gavin:** Yes. **Max:** I'm not going to do that.

Steve Trause: Two points I want to make. Once you put something in the cloud, it is not secure. I appreciate the sales representatives from Flock. I worked in the SAS industry for seven years, eight years in Silicon Valley. I worked at a company called ComTouch, which at the time was the largest Microsoft server-based email system in the world. You remember Yahoo Mail and all those things got real big. We did private label Hotmail and Yahoo Mail for companies and businesses. At our peak, we had about 25 million active email boxes in our network. Even Microsoft, who bought Hotmail, could not port Hotmail over to their stations. They invested 20 million in us to learn how we did it with their own equipment. We were pretty good at it. The federal government showed up at one point and said, "You will give us back-end access to your system or you will be out of business." So we did. A very good friend of mine who worked at a company called Viak, about the same time frame, about 2001, 2002, who's a CTO. It was encrypted at the time. It was a new company, encrypted Webex. Before Webex became the big thing that it was, it was an encrypted so it was very invested in by companies who were wanting to have encrypted communications between their businesses and remote offices. The CTO said, "Oh, yeah. I had the same experience." The federal government came in and said, "You will give us backdoor access to this or you're out of business." I appreciate that our sales representatives here would have no knowledge of this because that's not their part of the company. And they wouldn't comment if it would. But I can guarantee you AWS works with the federal agencies. Their information is stored on AWS servers. They give backdoor access to the federal government. All data, once it's scanned into the cloud, you pick your three-letter agency of your choice, they have access to it. Now, is that going to be public? Is that going to be told to you and I? No, it's not. That's national security. But don't ever think that once my license plate has been scanned, that that data is gone after 30 days. Now, that may be gone to our access, but it's not gone. My last point-how do you think our founding fathers would have reacted to this? What you are doing and have done is anathema to the American system, anathema to us. I urge you, turn back. Turn back from what you have done over the last year and what you are already in your minds have set yourself to do. Turn back while you can.

Chris Sorenson: I want to thank you all for proving my point tonight that you guys can have a discussion and a vote and then reverse and go back and fix something. I appreciate seeing that earlier. I am a retired law enforcement officer. I don't believe you come to a meeting with a problem or an opinion without possible solution. So I have a couple. Two things I want to talk about. The NCIC, I've used it a lot. I know how it works. I've been certified in that system as a deputy, and I know how it works. But here's the problem with one of the issues. That vehicle comes through Cedar. We get a ping. So now an officer or somebody is directed to go and pull that footage. They get it. Now, they have to do something with it. So now what do they call Chicago and say, "Hey, we found your vehicle"? But what gave them the authority to do it in the first place? A ping? Who's responsible for telling us when we're going to pull it? That's one issue. The second one is the Cross Hollow. Cross Hollow, private property. Some guy does wheelies, calls the police, whoever. It's private property. **Mayor:** It's city property. It's owned by us. **Chris:** I'm corrected on that. That takes care of that. The Flock administrator is Darin. No disrespect, but if he's the one that's doing the auditing, isn't that kind of like the fox guarding the henhouse? Don't we have to have somebody else somewhere that has to do that? I get it. He has to authorize the use of that. I think that's the only way. There's got to be somebody responsible. My other comment, we don't need the lawsuits because what's going to happen, you guys are going to go into closed session. You're going to hire some outside attorney's office that's going to do it for \$500 an hour. Three, four years later, \$12 million in attorney's fees. There's going to be a lawsuit settled or something. We don't need that. Here's the thing. If we have an administrator or you guys who are going to vote for this, are you willing to sign an affidavit giving up your sovereign immunity,

giving up the right to your house, your mortgage, your business? Is Darin willing to sign an immunity thing that says if somebody in his department uses it wrongly, violates a Fourth Amendment violation of somebody's constitutional rights? Right now, what happens? They've got sovereign immunity. They're covered. Doesn't matter. My suggestion and my fix to all of this is let's have somebody in the police department sign an affidavit. If they want to use it, great. But they better have probable cause. They better know what they're doing. And they better be willing to put their signature on a piece of paper that says they're willing to lose their house. And if they do that, then they shouldn't have any problem using the system. I love the system. I wish I had it 20 years ago when I was a cop because it would have saved me a lot of time. Safeguards.

David Fiddament: I do want to also express my thanks to everyone here, to Chief Adams as well, especially his transparency portal that I got to take a look at and see some of his thoughts on those. I was, in fact, wanting to take you up on that offer and send you some emails and give you some phone calls. But then I saw that this meeting was taking place, and I figured I'd start here first and then get to talk with him later. I'm still doing my research on a lot of that. Others I knew and have been corroborated here tonight as well. I will say that I'm going to leave here more concerned, actually, than I was to begin with. It seems like even though I don't have the bona fides of some of the others in the tech industry or in law enforcement, I seem to get an email about once a month from one company or another saying, "We're sorry. Your data has been leaked." So I go through and I change my passwords all over again. These companies say that they will care about me, that they are concerned for my privacy, yet still, with more moving parts, things fail. All my family is law enforcement from one end to the other, PDs, sheriffs, highway patrol, corrections. And many of them talk about how when there are more moving parts, there are more opportunities for failure. One of my chief concerns that hasn't been spoken on as much already this evening is that I remember seeing in Chief Adams' report, his transparency, a video that there was no real-time tracking for the videos. And yet we saw that there's metadata on all the cameras, and that metadata can be just very simply pieced together from place to place. You create a de facto tracking network that even though there's not a camera or a drone right now following a car around, you still can piece together events and locations of where this person was from time to time for every citizen that's driving through the town. I was looking up on a map here recently, and today we have 45 cameras in town. Some of those, as been mentioned, are private or possessed by private companies. Others are the city. But what that does is out of the 3,222 counties in the country, that puts us at number 139 as far as cameras per capita. That is a high density of cameras for such a small town as ours. It reminds me of a comment that's been made earlier about our founding. Benjamin Franklin said that those who would give up essential liberty to purchase a little temporary safety deserve neither liberty nor safety.

Patty Phillips: Most of my thoughts and concerns have been spoken. I think this \$357,500 over two years could be used better to do the homework and the work that should be done before we move into this kind of horrible situation for our small town. That's a lot of money. That'll pay for a lot of research. I think just like the data center, which I know is a dirty word, I felt like it snuck in. I feel like you care about us because you're actually letting us comment today, which we weren't allowed to do at the very end for the D word. I really appreciate all of you for allowing us to speak. I've only lived here four years. I came here because of this city and because of this small town and because of the beauty and friendships that I've made in four years. Please, please don't vote for this. Let's do our homework.

Simon Leland: I'm beside myself. This is the trend that I see here. Just celebrated the fourth. 250 years, every society declines over time. Our founders, are rolling over in their graves that we're even having this conversation right now. This is ridiculous. Absolutely ridiculous. I think it's all been said. I don't want to reiterate everything, but the reality is freedom and security do not

coexist. We have a very safe city before Flock, and we can have a safe city after this. Safety is a personal responsibility. It is not Chief Adams' responsibility to keep us safe. That's a fallacy. That's nonsense. He cannot secure me or you. The idea that we should give up our Fourth Amendment and several more that Milt added to that is ridiculous. The cost is too high. And I'm not just talking about the fiscal cost. We're paying \$157,000 for donuts on private property or a red truck that all charges were dropped. This is ridiculous lack of financial stewardship. This is the destruction of the ideals and the principles of our country. You guys get to decide if this is a free city or if this is a perceived safe city. All of you, you run these campaigns and you talk about freedom. Tonight's where you put your money where your mouth is. It's no simpler than that. I reposted Chief Adams' Facebook thing with the comments on. And overwhelmingly, this city does not want to give up our liberty and freedom. Tonight, we have had zero citizens speak in favor of the Flock cameras. We don't need to parse the alternatives. We've been a safe city for a long time. When I moved here 11 years ago, there was less than one murder every two years. The police chief makes it sound like we're in LA or Chicago or Detroit. The numbers aren't there. Paul, maybe we can put those numbers on Facebook in places where people will actually look at them because I know they are published every year. That's things people need to see. We have domestic disturbances, and we have people doing donuts. I urge you to vote for freedom and the freedom of Cedar City.

Vickie Christian: I would like to urge the idea of doing a little more research on these. I think we can band together in our city here and help each other. I have a lot of respect for cameras because I got hit by a car while I was on my bicycle last September. The police showed up, and I was sitting on the curb bleeding and had a separated shoulder. I was out of it. I didn't know what I was doing. They went looking for cameras to see because the person hit me and left. No one in the vicinity had a camera that actually showed the vehicle or the person, but they did have him come to the door because he was a Walmart delivery person and had his picture of the person. That's hard to identify who that is too. But then my other neighbor came to me the next day and said, "I got the whole thing on video." It was just a video camera that they had up in their window that they purchased from Amazon or Walmart. Not a very expensive one. My point here is we can take care of each other in ways that don't have to be big money, big tech. I think there are alternatives. We can keep it more here in our city and not something that's going to keep creeping into creepy things.

Jennifer Hunter: I've lived in the United States my entire life, and I value my freedoms, and I appreciate the safety. I know safety is not free. I've been in Iron County for 25 years. I've known Officer Adams for 20. And the other gentleman is right. It's not Adam's responsibility to keep me safe. But if my business were burglarized, my house burned, hit-and-run, child kidnapped, I need Officer Adams' resources to solve that. I can't do it on my own. \$157,000 is going to give us one and maybe a half extra officers. That's not going to take care of Cedar City. That's not going to help his investigations. You can't build your own system for \$157,000. If we want to take a year and talk about this, what do we do with a year of crime? He gave use examples, but one person did something in St. George and here in West Valley, and this allowed us to catch them. We're getting to things quicker. To me, this is money well spent. Many people have mentioned putting a community group together to research stuff. I volunteer to be on it. I'm a little bit biased one way, but maybe that offsets the other side. \$157,000 to me is money well spent for security to solve crimes quicker and get people the recompense they need.

Roger Kunz: I understand what everybody's saying, but when somebody is the victim of a violent crime, where are your freedoms and liberty when they're taken away from you and your family? Criminals come from other places. They come through town and they leave town. They come from all over the place. We're going to just give the criminals more liberty and freedom to get away with whatever they can. That's what they do. They do it in desperation, and they don't really care. I see

it both ways, but I also see that crime is on the rise in this country overall. There's been violent death crimes and other crimes in this city, maybe not as many as in LA and other places. What happens to your freedom and liberty when somebody takes it away from you? You'll be grateful that they were tracked down and found and put away the way I look at it.

Jessie Stillson: I hope that the rest of the community takes time to come to these meetings and pay more attention. We appreciate you for taking the time to include us, to speak to you, and to analyze the situation more carefully. I have two requests for you. I've grown up in Utah all my life. I've looked at other places that I've considered moving that I dreamed about as a child, seeing things on television, movies like Parent Trap, and seeing the beauty of California and thinking, "Oh, I might want to live there, I might want to move there," or places like Seattle. There's so many beautiful places in America. It's so sad how they've degraded. Now I don't know if I'd even dare visit there. I remember seeing a movie years ago about Seattle, it's so sad to see this documentary of these business owners having to move out of Seattle because of what was happening to their shops. I do appreciate cameras when they're these tools in these systems that are used respectfully and appropriately. I do appreciate them. I want to request, I know you said you don't like repetition, but I think if you hear things enough, I ask you to please hesitate. Please choose not to renew this contract because if we have more control over this ourselves with a private local business. Choose to look over other possibilities that you have more control over, I ask you to please hesitate and look and do more research instead of renewing this contract because of the horrible things I've seen, the level of corruption in every level of government, especially higher level of governments. I know that these upper level of government ask you to do certain things, and I ask you that you would think more of your community before you think more about the money that's behind it and the higher levels of government asking you to make a choice. I think that the large majority of the community would feel much more comfortable and safe if you did not renew this contract.

Tonya Payne: I was totally for Flock. I thought, "Oh, it would be awesome because it really helps a lot of people." We do transportation, we get tickets in the mail with our drivers pictures and their license plates, and that's how they've tracked us. Then toll bills, they go through the toll, and we get pictures, and we pay the bills for our trucks because they can't pay now. It's all computerized, and it's all through the license plates. We deal with that every day. But today, I'm listening to both sides. I am so glad that we have city council people that they get to make that decision. I know it's a hard one. I know that you care about the city. I don't know if I want it or if I don't want it because I deal with it. But listening to both sides, it's going to be a difficult decision for you guys to vote for this. I appreciate your time that you spend with us. You don't get paid enough. I just want you to know that, because you really do take a lot of time for us. I appreciate that because you care for the city. Whatever you guys decide, I will accept it because I know you've done the study, and we do appreciate you.

Mayor: I hope that's the legacy of this council is what you said, that people know we genuinely do care, and we value the conversation, and we believe that better decisions are made when people are involved and engaged in the discussion. We genuinely do thank you for your interest and your willingness to be here and to participate. I think the discussion's been healthy and hopefully highlighted things. Is this an issue that has to be dealt with tonight, or is it something that we can maybe table and spend some more time on? **Chief Adams:** As you may recall, the first contract was signed last year. It was a two-year contract. We're already in the middle of our current contract. This was to address that one-time concession credit, and it extends us an extra year. The contract would start this month and go two years. We're currently in the middle of the contract that would end July of next year. We're going to have to pay them next year's in the next three weeks for the current contract. It's not as critical, but we should deal with it in the next round of meetings. **Wilkey:** Out of respect to Councilman Cox, I think this is a very large item, and he unfortunately

can't be here tonight. **Phillips:** I want the public to know because this came up quite a bit tonight, you have done a lot of research on this. There was a year of research before it even came to council for consideration. Then we looked at it for nearly six months before we did anything to even get us into the initial contract. I don't want the public to think that we didn't study this before we went into it. Now, we've implemented it. We went through a pilot program, and we've seen some successes, and we hear concerns, but it isn't like we went into this blindly. **Galan:** I just want to remind all of us because there was a couple of comments that came through at various times where it said, "You'll have a different council that could vote a different way, and we cannot control that." I want to remind you that the council is up here by the vote of the public, each one of you. You determine the quality, the character, the integrity of the council. I resent the insinuation that the council kind of goes with wherever the wind takes us, which is not the case. I ran on principle. I ran on integrity. I ran on the rule of law and the safety of our community. I'm also one who has a different perspective with regards to infringements of right because I lived under communist Cuba. I've lived in places where kingdoms make the rules, kings and rulers, and they don't have this kind of discussion and conversation. I ran because I am a believer in the Constitution, the Bill of Rights, and the liberties that are ours. Let us remind ourselves that we, the people, determine the quality of the people that sit here.

Councilmember Schmidt moved to table agenda item to July 22, 2026 meeting; seconded by Councilmember Phillips; vote unanimous.

CONSIDER AN ORDINANCE AMENDMENT TO 35-10(B) TO ESTABLISH NO PARKING ZONES IN THE VICINITY OF 600 SOUTH AND 1100 WEST. KENT

FUGAL/RANDALL MCUNE **Phillips:** I don't think right now it's necessary. I want to wait and see what traffic is like when we get a full sense of not having the seminary building in that stake center, when we get the fact that the roundabout was done and the study came later. I think there's too many unanswered questions right now to move ahead with that no-parking. On 1100 in both directions. It doesn't mean people can't turn left, there's just not a dedicated left-hand turn, they'll have to sit and wait their chance to turn left. That is why I won't support it the way it is right now.

Schmidt: Wasn't there two studies done? **Kent:** Yes, there was. One when the roundabout construction was going on and one when the roundabout was completed. **Phillips:** But the seminary was closed, and the stake center just up the street was where all the kids were going to seminary there. Now they'll be back in their regular building. I want to see what that does to the traffic. **Galan:** Having said that, the seminary traffic was proven wasn't really necessarily part of the equation because it was going elsewhere. **Phillips:** Do we know that? **Galan:** They can go either way. And evidently, according to the study, the traffic was busy all hours of the day.

Mayor: That idea of a pause on the striping of 1100, what cost does the city incur in the way that gets lit, how those get hung if we go to striping it later? **Kent:** If we proceed with construction and have it built to not have the left turn bay, then in the future, when we can't get away any longer without those left turn bays, then there would be some expenditure that would need to be made to move the signal heads to a new position on the mast arms and rewire to that new position. There would be cost for removing striping and restriping at that point. There is some cost. Is it a tremendous cost? No, it's not. But there is cost and disruption to the public and everything else that would be entailed in that. **Wilkey:** The cost of restriping it to a turn lane is either going to happen now or it's going to happen later because it. **Kent:** We're going to need to stripe now regardless. We don't have all of the striping that is needed for the traffic signal to be able to operate. But we'll be needing to remove that and restripe later if we don't put in the left turn lane now. **Schmidt:** Once the south interchange work starts, this is going to become a very busy intersection also

because there's going to be a lot of people that won't be able to get through on the south interchange. I think we need to play a little bit ahead of the game instead of behind it.

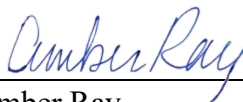
Councilmember Schmidt moved to approve the ordinance amendment; seconded by Councilmember Galan; roll call vote as follows:

Waldo Galan	-	aye
Scott Phillips	-	nay
Phil Schmidt	-	aye
Carter Wilkey	-	nay
Mayor Nelson	-	aye

CLOSED MEETING- PROPERTY NEGOTIATIONS: Councilmember Phillips moved to go into closed meeting at 7:46 pm; second by Councilmember Galan; roll call as follows:

Waldo Galan	-	aye
Scott Phillips	-	aye
Phil Schmidt	-	aye
Carter Wilkey	-	aye

ADJOURN: Councilmember Phillips moved to adjourn at 7:53 p.m.; second by Councilmember Schmidt; vote unanimous.



Amber Ray
City Recorder

CITY COUNCIL CLOSED MEETING
July 8, 2026

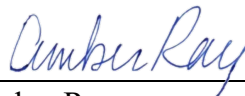
The City Council held a closed meeting on Wednesday, July 8, 2026, at 7:49 p.m. in the Council Chambers at the City Office, 10 North Main, Cedar City, Utah.

MEMBERS PRESENT: Mayor: Steve Nelson; Councilmembers: Waldo Galan; Scott Phillips; Phil Schmidt; Carter Wilkey.

STAFF PRESENT: City Manager Paul Bittmenn; City Attorney Randall McUne; City Engineer Kent Fugal; City Recorder, Amber Ray.

PROPERTY NEGOTIATIONS: Paul Bittmenn

ADJOURN: Councilmember Phillips moved to adjourn at 7:53 p.m.; second by Councilmember Schmidt; vote unanimous.



Amber Ray
City Recorder