



**EPHRAIM CITY COUNCIL  
REGULAR MEETING AGENDA**  
Council Chambers – Ephraim City Hall  
5 South Main, Ephraim, Utah  
Wednesday, September 17, 2025  
6:00 PM

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Today's meeting will be held in person in the Council Chambers and is open to the public. Members of the press and public are also invited to view this meeting live on YouTube.

To participate in the public comment period or any scheduled public hearings, please email [cmaudsley@ephraim.gov](mailto:cmaudsley@ephraim.gov) before 3:00 PM on the day of the meeting.

Live Stream on YouTube at 6:00 P.M.  
<https://www.youtube.com/@EphraimCityUtah/streams>

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**6:00 PM**

**ROLL CALL**

**CALL TO ORDER**

**OPENING CEREMONY**

Community members, churches, or organizations are invited to offer a thought, reading, or invocation at the beginning of City Council meetings. To participate, contact the City Recorder by the Friday morning before the meeting. Meetings are held on the first and third Wednesdays of each month.

**PUBLIC COMMENT**

Members of the public may address the Council on items related to City business or the current agenda. A comment form must be submitted to the Mayor prior to the meeting. Comments are limited to five minutes per person. The Council cannot take action during this portion of the meeting but may respond briefly, refer the matter to staff, or place it on a future agenda. All City Council meetings are recorded.

## **I. Presentations**

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### **A. Ephraim City Proclamation 25-02 (Mayor Scott)**

1. Amy Jorgenson

## **II. Consent Items**

### **A. Ratification of Warrant Register between August 29, 2025, and September 15, 2025**

Pages 5-8

### **B. Approval of September 3, 2025, City Council Meeting Minutes**

## **III. Study Agenda**

Pages 9-20

### **A. Review Cemetery Ordinance Revisions (Shane Davis)**

## **IV. Action Agenda**

Pages 21-22

### **A. Ephraim City Resolution 25-19 Skyline Corridor Area Amendment (Jenna Draper)**

Pages 23-50

### **B. Camino Verde Group Rezone (Megan Spurling)**

Pages 51-62

### **C. Ephraim City Resolution 25-20 Procurement Policy (Jon Knudsen)**

## **V. Appointments**

### **A. Four-year appointment to the Historic Preservation Board: Sarah Thomas, Kevin Taylor, Katie Tolen, Gail Tingey**

### **B. Three-year appointment to the Cemetery Board: W. Scott Hansen**

## **VI. Council Reports**

## **VII. City Manager Report**

### **CLOSED SESSION**

From time to time, matters are discussed by the City Council that do not appear on the posted agenda. Items that require/request action taken by the City Council will appear in the posted agenda. Submitted Action Items for the Council agenda must be received by the City Recorder's office by the Friday prior to the Council meeting and should be accompanied by any and all supporting written documentation. Without such documentation, the recorder reserves the right to postpone the hearing of any item until such documentation has been submitted.

### **ADJOURNMENT**

In Accordance with the Americans with Disabilities Act (ADA) this facility is wheelchair accessible and handicap parking is available. Request for accommodations and interpretive services must be made three (3) working days prior to the meeting. Please contact the city office at 283-4631 for information or assistance.

### **CERTIFICATE OF POSTING**

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda were posted this 15th day of September 2025. A copy was also provided to the local media and posted on the Utah State, and city websites.

Candice Maudsley,  
EPHRAIM CITY RECORDER



**EPHRAIM CITY PROCLAMATION  
25-02**

**A PROCLAMATION HONORING AMY JORGENSEN FOR HER SERVICE TO  
THE EPHRAIM COMMUNITY**

**WHEREAS**, the City of Ephraim wishes to recognize and express gratitude to Amy Jorgensen for her years of dedicated service and significant contributions to the cultural and artistic life of Ephraim and Central Utah; and

**WHEREAS**, Amy Jorgensen devoted countless hours to mentoring artists, fostering creativity, and enriching the lives of residents and visitors through her commitment to the arts; and

**WHEREAS**, under her leadership and vision, the Granary Arts Center served as a hub for artistic expression, growth, and education for over ten years, providing opportunities for local, national, and international artists to share their work and inspire others; and

**WHEREAS**, Amy Jorgensen's influence extended beyond Ephraim, bringing national and international recognition to Central Utah and to Snow College through her artistic excellence and leadership; and

**WHEREAS**, her tireless efforts in developing and sustaining the arts have strengthened our community, created opportunities for future generations, and fostered a lasting appreciation for creativity and culture; and

**NOW, THEREFORE**, I, John Scott, Mayor of Ephraim City, together with the Ephraim City Council, do hereby recognize and extend heartfelt appreciation to Amy Jorgensen for her many years of service, leadership, and dedication to the advancement of the arts in Ephraim and beyond. We express our gratitude for the lasting impact she has made on our community and honor her legacy as the Granary Arts Center concludes its over ten years of service.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Ephraim City to be affixed this 17th day of September 2025.

**EPHRAIM CITY**

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John Scott, Mayor

**ATTEST**

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Candice Maudsley, City Recorder

**MEETING MINUTES**  
**EPHRAIM CITY COUNCIL**  
CITY COUNCIL CHAMBERS, EPHRAIM CITY HALL  
5 SOUTH MAIN, EPHRAIM, UTAH  
SEPTEMBER 3, 2025  
6:00 PM

**ROLL CALL**

**MEMBERS PRESENT**

John Scott, Mayor  
Lloyd Stevens, Mayor Pro Tem  
Margie Anderson  
Anthony Beal  
Troy Birch  
Dennis Nordfelt

**MEMBERS EXCUSED**

**STAFF PRESENT**

Katie Witt, City Manager  
Candice Maudsley, City Recorder  
Bryan Kimball, Community Development  
Megan Spurling, Planner  
Jon Knudsen, Finance Director

Jeff Jensen, Public Works  
Colby Zeeman, Police  
Jeff Hermansen, Fire Chief  
Michael Thompson, Lib Director

**CALL TO ORDER, PLEDGE, AND INVOCATION**

The Ephraim City Council Meeting, having been properly noticed, was called to order at 6:00 p.m. by Mayor Scott.

The Pledge of Allegiance was led by Council Member Birch.

The Invocation was offered by Megan Spurling.

**PUBLIC COMMENT**

No public comment presented.

**PRESENTATIONS**

Jonathan McLean and Matthew Lenhardt of Jones & DeMille Engineering presented updates on the Sanpete Trail Feasibility Study. The plan incorporates public feedback and addresses right-of-way constraints, snow removal, wildlife crossings, and UDOT requirements for concrete barriers. Alternative routes on the west side of Highway 89 were considered but deemed unfeasible. A final

cost estimate will be provided. Additional discussion included snow removal, wildlife impacts, and ATV use. Enbridge requested the trail remain on the east side to avoid conflicts with a gas line. A proposed route along 100 East would connect Snow College, Ephraim Middle School, and the city park. The city will need to establish a maintenance plan.

The council also reviewed funding options for a regional bike trail. The study would help guide future grant applications but does not commit the city to construction. Potential funding sources include TPA, BUILD, and Utah Trail Network grants.

## **CONSENT AGENDA**

### **CONSENT AGENDA ITEMS**

- 1. APPROVAL OF WARRANT REGISTER**
- 2. APPROVAL OF MINUTES**

*Councilmember Beal moved to approve the Consent Agenda. The motion was seconded by Councilmember Stevens. The vote was unanimous. The motion carried.*

## **STUDY AGENDA**

### **EXPANSION OF SKYLINE CORRIDOR DISTRICT**

Jenna Draper explained that four parcels were inadvertently omitted when the Skyline Corridor District project area was created. She requested an amendment to include the parcels to ensure proper coverage for Ephraim Crossing's bond repayment. The City Council reviewed the proposed expansion of the project area, which will be voted on at a later meeting.

## **ACTION AGENDA**

### **OBERG REZONE**

Craig Oberg requested an amendment to the Ephraim City Zoning Map to rezone property near 200 N and 400 W from General Commercial (C2) to Industrial (I) to allow for business expansion. Staff reviewed the application, found it compliant with City Code, and recommended approval. The Planning Commission unanimously recommended approval on August 27, 2025.

As part of the agreement, Mr. Oberg will provide a 60-foot setback adjacent to Paul Freeman's property. Mr. Oberg and Mr. Freeman also agreed to share costs for an eight-foot fence, contingent upon City Council approval. The City Council approved the rezone request, including the setback and fence requirements to address neighbor concerns.

*Councilmember Beal moved to approve the Oberg rezone of property near 200 N and 400 W from General Commercial (C2) to Industrial (I), including construction of the eight-foot fence. The motion was seconded by Councilmember Anderson. The vote was unanimous. The motion carried.*

## **AWARDING OF THE EPHRAIM CITY PUBLIC WORKS BUILDING BID**

The City received bids for the Ephraim City Public Works Building project, with Todd Alder Construction submitting the lowest bid of \$3,435,300. Concerns were raised regarding their timeline and prior project completion issues. Todd Alder assured the council that sufficient time and resources would be devoted to meet the schedule. Chad, the city's consultant with Jones & DeMille, explained that while the city cannot directly manage subcontractors, regular inspections and construction observation personnel will be on site. The project is expected to take approximately eight months, prioritizing completion of the building shell first.

The council awarded the construction contract to Todd Alder Construction and discussed temporary accommodations for shop space and storage during construction, including the potential use of 2–3 shipping containers.

*Councilmember Nordfelt moved to award the construction bid for the Ephraim Public Works Building to Todd Alder Construction for \$3,435,300 to be completed in 240 days. The motion was seconded by Councilmember Beal. The vote was unanimous. The motion carried.*

## **EPHRAIM CITY RESOLUTION 25-18 AMERICA 250**

Michael Thompson presented information on the America 250 Utah celebrations marking the 250th anniversary of the Declaration of Independence. The council discussed forming a committee and passing a resolution as a community partner to receive a \$1,500 grant for related events.

*Councilmember Birch moved to approve ECR 25-18 America 250 for the stipend and participation with the state in celebrating. The motion was seconded by Councilmember Anderson. The vote was unanimous. The motion carried.*

## **COUNCIL REPORTS**

### **Dennis Nordfelt**

- The Recreation Board expressed enthusiasm for the proposed bike trail, contingent on securing funding.

### **Margie Anderson**

- State Legislative Liaison- reported having two opportunities to listen to Representative Burgess Owens.

### **Troy Birch**

- The Utilities Board had the opportunity of touring the new power project, which is anticipated to be completed in early 2026.

### **Mayor Scott**

- The Mayor reviewed the adoption of a redistricting map, noting that it has been challenged in court by the Redistricting Commission. Residents were encouraged to contact their state legislators regarding the matter.

## **CITY MANAGER REPORT**

- Chief Zeeman reported that a new speed trailer, provided through a grant, will help residents be aware of the updated speed limits at the north end of town.
- The CCA Christensen cabin is in the process of being relocated. During the move, a large pioneer rock-lined hole was discovered. The council discussed options for preserving the feature, noting uncertainty whether it is a well or a cesspool.

## **CLOSED SESSION**

*Councilmember Stevens moved to go into a closed session pursuant to the provisions of the Utah State Code, Section(s) 52-4-205, for the purpose of discussing (e) sale of real property. The motion was seconded by Councilmember Nordfelt. A roll call vote was called. Voting yes: Councilmembers Nordfelt, Stevens, Beal, Anderson, and Birch. The vote was unanimous. The motion carried.*

*The Closed Meeting began at 7:34 p.m.*

*At 7:54 p.m. Councilmember Anderson moved the Council to adjourn the closed session and reopen the public meeting. The motion was seconded by Councilmember Stevens. The vote was unanimous. The motion carried.*

## **ADJOURNMENT**

*There being no further business to come before the Council for consideration, Councilmember Nordfelt moved the Regular Council Meeting adjourn at 7:55 p.m. The motion was seconded by Councilmember Beal. The vote was unanimous. The motion carried.*

The next regular City Council meeting is scheduled to be held on Wednesday, September 17, 2025, starting at 6:00 p.m. in the Ephraim City Council room.

## **MINUTES APPROVED:**

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John Scott, Mayor

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Date

## **ATTEST:**

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Candice Maudsley, City Recorder

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Date

### 7.20.010 Definitions - Cemeteries

**BODY REMAINS:** Corpse or human body remains including ashes from cremation or any other way of describing the remains of a deceased person.

**BURIAL PLOT/CREMATION:** A designated parcel within the city cemetery four feet (4') wide by four feet (4') long.

**BURIAL PLOT/TRADITIONAL:** A designated parcel four feet (4') wide by ten feet (10') long within the city cemetery for purposes of containing the remains of the dead.

**BURIAL VAULT:** A vault made of concrete, fiberglass, steel, or brick lined or of such other material approved by the cemetery sexton substantially constructed and covered with a similar durable material for the purpose of containing a casket.

**CEMETERY BLOCK:** A division of the cemetery consisting of sixty four (64) cemetery lots used in describing the location of individual burial plots.

**CEMETERY LOT:** A designated parcel within the cemetery consisting of eight (8) burial plots used in describing the location of individual burial plots.

**CEMETERY SEXTON:** The public works director or any other person as designated by the city council.

**CERTIFICATE OF BURIAL RIGHTS:** A deed, certification, or other means of conveyance of burial rights from the city to a purchaser.

**CITY:** The municipal government of Ephraim, Utah.

**CITY RECORDER:** For purposes of this chapter, shall mean city recorder or other such person as assigned.

**DISINTER/DISINTERMENT:** To exhume the body remains of the dead.

**HEAD END:** The end of the burial plot designated for the placement of markers or monuments; generally the west end.

**INDIGENT:** Person suffering from extreme poverty.

**INTER/INTERMENT:** To bury the body remains of the dead.

**MARKER(S):** A flat stone or other suitable material set at grade level and inscribed with the name of the deceased and any other pertinent information.

**MONUMENT(S):** A vertical stone or other suitable material inscribed with the name of the deceased and any other pertinent information, placed on a cement base at least four inches (4") above ground level.

**PARK CEMETERY:** The entire land area owned by the city of Ephraim for burial purposes and generally located between 550 North and 700 North on the west side of Main Street.

**PLANT STAND(S):** Vertical stake(s) used to hold a pot or other decoration. The stake must be attached to the monument/marker base and cannot exceed four feet (4') in height nor exceed a maximum decoration/pot diameter of twelve inches (12"). This does not include temporary wreath stands.

**PIONEER CEMETERY:** The historic burial area located approximately one mile north of Ephraim. Future burials cannot occur within this cemetery.

**PLOT OWNER:** The owner or purchaser of burial privileges or the collateral right of use of any burial plot evidenced by a burial certificate for a described plot or by proved and recognized descent or devise from the original owner. All plots are exempt from taxation and cannot be seized for debt (except those owed to the city) nor can they be mortgaged.

**RESIDENT:**

1. One who has primary residence within Ephraim City.
2. Those with homes connected to Ephraim water, Ephraim sewer, and/or Ephraim power.
3. Health impaired individuals who resided in Ephraim for at least ten (10) years, but due to varying factors must live in a rest home or other care facility, including family homes, outside of Ephraim City. (Ord. 17-02, 2-1-2017)

**7.20.020 Administration And Management**

1. **City Council Authority to Adopt Rules And Regulations:** The city council shall formulate and establish such fees, rules and regulations for the protection of the cemetery and the governance of matters pertaining to the cemetery as shall from time to time be found necessary to properly protect the property therein and maintain the cemetery in suitable and proper condition.
2. **Cemetery Management:** All work in the city cemetery is subject to the direction and control of the cemetery sexton.
3. **Cemetery Burial Required:** It is unlawful to bury the body remains of any person within the limits of the city, except in the Park Cemetery.

4. **Cemetery Hours:** The city cemeteries shall be open from sunrise to sunset.

5. **Registration Of Burials:**

1. The city recorder shall be the registrar of burials for the city, and before burying any dead in the city cemetery, the relatives or other persons having charge of the body shall be required to furnish to the city recorder a written statement of the death, which shall be recorded in a record kept for that purpose by the city recorder. Such statements, as well as the record, shall include the name of the person deceased, when and where born, if known, any military service, the date of death and the cause thereof, together with the name of the attending funeral service director.
2. If body remains are being transported from out of the state of Utah, a copy of the burial transit permit must be provided to the city recorder.
3. Not later than the tenth day of each month, the city recorder shall send the local county registrar a list of all interments made in the Ephraim City Cemetery during the preceding month.

**6. Regulation of Decorations for Newly Interred Graves and Post-Memorial Day Cleanup**

1. **Decorations for Newly Interred Graves** – Persons may place decorations, including but not limited to fresh flowers or wreaths, on a newly interred grave for a period of seven (7) days following the date of interment. After this seven-day period, all decorations must be removed by the responsible party to maintain the appearance and safety of the cemetery. The cemetery management reserves the right to remove any decorations remaining after the seven-day period.
2. **Post-Memorial Day Cleanup** – All decorations placed in the cemetery in observance of Memorial Day must be removed by the Monday immediately following Memorial Day. Cemetery management shall conduct a general cleanup of all remaining decorations on this day to ensure the cemetery remains orderly and well-maintained.

**7.20.030 Authorities And Fee Summary**

**Fee Changes:** The city council shall, from time to time by resolution, fix the price at which burial rights shall be sold and the fees which shall be charged for the various cemetery services to be provided.

**Fee Collection:** The city recorder is hereby authorized and required to collect in advance, all fees, including burial rights.

**Burial Rights Fee:** A fee to secure burial rights for a particular plot within the Ephraim cemetery. The purchaser may either pay the full purchase price for burial rights or enter into a contract wherein payment shall be agreed.

**Care And Maintenance Fee:** A fee to provide for the care and maintenance of the city cemetery.

**Interment Fee:** Includes the grave or urn opening and closing fee.

**Monument Locating Fee:** A fee to ensure the proper placement of a monument/marker.

**Transfer Fee:** A fee for the transfer of burial rights (plot sales) from one owner to another.

**Grave Opening Authority:** No grave shall be opened in the city cemetery until full payment of all fees has been made. (Ord. 17-02, 2-1-2017)

#### **7.20.040 Purchase Of Burial Rights**

1. **Burial Rights:** The city recorder is hereby authorized to sell burial rights in the city cemetery for burial purposes only and to collect all fees arising from the sale. The city recorder shall keep a complete record of all sales, which record shall describe the location of the plot purchased and the price paid therefor. The city recorder shall deliver to each purchaser a certificate of burial rights for each plot purchased, which certificate shall, among other things, describe the location of the plot, the purchase price, and the type of maintenance services which are to be provided.
2. **Nature Of Title to Graves:** The legal title to all property in the cemetery shall reside in the city. The purchasers of any gravesite or lot within the cemetery shall acquire only the right to be buried or bury the remains of other persons and to have said gravesite or lot cared for in accordance with city policies and rules with respect to the care and maintenance of the cemetery.
3. **Purchase and Allocation of Pre-Need Spaces:**
  1. Each individual purchaser is allowed to purchase a maximum of:
    1. Two (2) pre-need spaces for themselves as a resident of the City of Ephraim.
    2. Two (2) pre-need spaces for individuals who are non-residents of the City of Ephraim.

2. At the time of purchase, the owner of the burial plots is required to designate by name the intended user for each purchased plot. This information shall be maintained in the records of the City of Ephraim Cemetery.
3. Any purchaser who currently owns two (2) burial plots designated in their name is prohibited from making additional plot purchases, unless under the exceptions outlined in this ordinance.

**4. Exceptions to Plot Purchases:**

1. Emergency Exception: In the event of a mass casualty situation where an increased number of at-need burial spaces are required, the City of Ephraim may sell plots to fulfill the immediate need. This is in addition to the number of spaces a resident or non-resident is otherwise entitled to purchase.
2. Parent/Guardian Exception: If a dependent child passes away before their parent/guardian, the parent/guardian may purchase 1 plot for the child and an additional 2 plots for themselves. This is an exception to the normal plot allocation.
3. Additional Exceptions: The Cemetery Board of Ephraim City holds the authority to consider and grant further exceptions to the plot allocation rules as they deem appropriate.

**5. Plot Improvements:** No improvements, changes, or modifications shall be made on any plot by a person including the certificate holder or his heirs without first submitting to and receiving from the cemetery sexton or designee, written approval for such improvements, changes or modifications, which improvements, changes or modifications shall be subject to the rules and regulations contained herein.

**6. Resale Transfer Restrictions:**

1. The certificate of burial rights of a cemetery plot vests the purchaser the right to use such plot for burial purposes only, for themselves, their heirs, or any such person(s) as they may choose to permit, provided that such admission is free of charge and without compensation, and that the purchaser has the names of those persons, for whom permissions for burial rights have been given entered into the city records.
2. Certificates of burial rights may not be transferred from the original purchaser to a new owner without approval by the city and issuance of a new certificate. A transfer fee in such amount as established by resolution of the city council shall be paid for the processing and issuing of a new certificate.

Transferees of burial rights are also bound to all existing and current fees and regulations, to include the price of burial rights and care and maintenance fees, and non-resident fees where applicable, to be paid for at the time of transfer.

3. Whenever a certificate of burial rights reverts to the city, as provided for in this paragraph, or becomes vested in the city for any reason, before a new certificate is issued, the original certificate shall be canceled or an assignment given and the record shall be so changed.
4. The certificates of burial rights shall be issued and signed by the mayor and shall be attested by the city recorder.
5. **Cost Differential for Non-Resident Usage:** If a non-resident uses a pre-need space that was originally purchased by a resident, whether related or not, the difference in cost between resident and non-resident plots must be paid to Ephraim City before the time of burial.
6. **Resident-to-Non-Resident Transfer:** When a resident transfers a pre-need space to a non-resident, in addition to the standard transfer fee as established by resolution of the city council, the non-resident must also pay the remaining balance for a non-resident space to Ephraim City before the transfer can be completed.
7. **Inheritance Of Burial Rights:** Heirs may acquire rights to cemetery plots. Heirs must prove legal power of attorney or legal inheritance before rights to cemetery plots can be reassigned. Heirs acquiring burial rights are also bound to all existing and current fees and regulations to include the price of burial rights and care and maintenance fees, and nonresident fees, where applicable, to be paid for at the time of transfer. The city shall have no liability for a failure to properly determine the legal succession of the rights for any cemetery space.
8. **Abandonment Through Nonuse:** Any plot which has remained empty without burial use for a period in excess of sixty (60) years will be presumed to have been abandoned by the plot purchaser, and in the interest of best utilization of cemetery space, such plots may be reclaimed and sold by the city in the manner provided in this section; provided, the previous owner or someone holding the right of the previous owner, upon presentation of satisfactory evidence of an intent to use the space for a burial, shall be allowed to retain burial rights in said plot.
9. **Reclaim Of Abandoned Plot by City:** The cemetery sexton shall advise the city recorder of an apparent abandonment through nonuse of a plot or burial space, and

the city recorder shall determine from the cemetery records when the original deed was issued and whether a sixty (60) year abandonment exists. If so, the city council may pass a resolution voiding the original deed and declaring the property abandoned. The resolution shall be served upon anyone claiming ownership by publication for three (3) successive weeks in a newspaper of general circulation within Sanpete County and a copy of the resolution shall be mailed within fourteen (14) days after such publication to the last known address of the owner of record or any heirs known to the city. Upon the expiration of thirty (30) days after the last publication of the resolution, unless an owner has come forward, all rights in the plot or space shall be terminated and thereafter be vested in the city. (Ord. 17-02, 2-1-2017)

#### **7.20.050 Care**

- A. **Scope Of Care:** The city agrees to provide care of the cemetery generally, which shall include, but is not limited to, mowing of all plots at reasonable intervals, resodding, seeding, and filling in sunken graves, sodding the surface of the graves to level, removing wilted flowers and containers, and trimming trees and shrubbery when necessary, raking and cleaning the plots, but shall not include repairing or replacing markers or monuments of any nature, except when the need for repair or replacement is directly caused by the city.
- B. **Funds:** Funding for applicable improvements and development of the cemetery shall be derived from the city's capital improvements fund and shall be set apart for that purpose as part of the city's budgeting process in compliance with applicable laws and ordinances. (Ord. 17-02, 2-1-2017)

#### **7.20.060 Interment**

- 1. **Notice:** No interment shall be permitted in the city cemetery except upon notice to the city recorder and a work order issued to the cemetery sexton. The city strongly recommends that notice be given as soon as possible.
- 2. **Fees Paid:** No burial plot shall be opened nor interment made until all fees have been fully paid.
- 3. **Burials:** All burials shall be under the direction of the cemetery sexton or designee.
- 4. **Opening And Closing Of The Grave:** The opening and closing of a grave must be done by the cemetery sexton or designee unless specific permission to do otherwise is obtained from the city council.

5. **Burial Vault:** Other than that of an infant or cremation, no casket shall be interred unless enclosed in a concrete burial vault or approved concrete grave liner (box).
6. **Multiple Burials:** Vertical stacking of caskets is prohibited. If more than one burial is made in a single traditional grave plot, the first burial shall be at the head end of said plot. The following combinations are permitted in any given traditional grave plot:
  1. One adult vault, or
  2. Two (2) urns, or
  3. Two (2) child vaults,
  4. Two (2) infants, or
  5. One vault and one urn, or
  6. One child vault and one infant.
7. **Burial Of Indigent:** The sexton, with the advice and consent of the city council, may designate a portion of the cemetery for the burial of indigents. Whenever it is made to appear to the mayor that any person who has died does not have an estate sufficient to pay the purchase price of a gravesite in the cemetery, and where no immediate family exists, and where the deceased was previously an active resident of Ephraim, the sexton may grant burial space for such deceased person upon written request of the next of kin, without the payment of fees required by this title.
8. **Burial Hours:** Unless prior arrangements are made, all burials shall take place as to allow the complete burial process during regular city business hours. The city reserves the right to limit the number of burials which can be performed on a single day.
9. **Graveside Services:** Graveside services may be held at the gravesite. Serving of food or beverage in the cemetery is prohibited.
10. **Storage:** The city does not provide temporary storage of caskets or urns. (Ord. 17-02, 2-1-2017)

#### **7.20.070 Monuments And Markers**

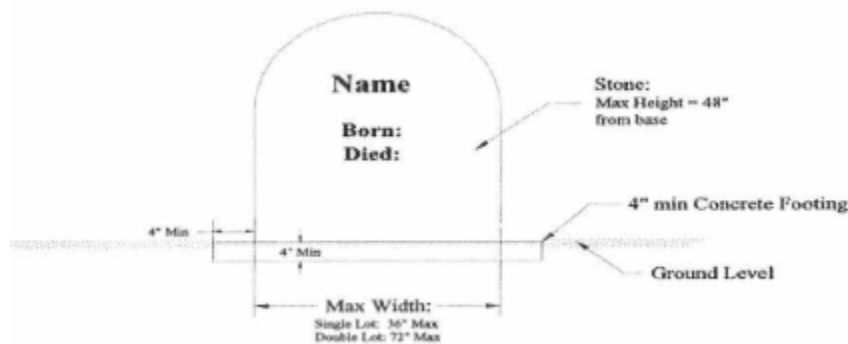
1. **Monuments/Markers:** Monuments/markers are permitted in the city cemetery subject to the regulations of this chapter. No more than one monument or marker shall be permitted for each grave, unless permission is received by the cemetery

sexton to do otherwise. In this instance it must be a flat marker located close to the head end of the grave.

2. **Maintenance:** The city is not responsible for the purchase, installation, maintenance, or damage to any monument/marker unless the damage results from a city activity.
3. **Construction:** No monument/marker, or any part thereof, may be constructed of wood, or any other material which is not approved by the cemetery sexton.
4. **Placement:** Monuments/markers must be placed at the head end of the burial plot.
5. **Installation:** Installation of the monument/marker shall be performed by a monument/marker company. All monuments/markers shall be placed in accordance with the instructions and conditions of the cemetery sexton, and only after payment of the monument/marker locating fee. Attaching ropes or cables to trees or other objects in the cemetery and placing material on adjoining plots is prohibited. Planks or plywood must be placed over grass or paths any time a vehicle is driven on it. Where feasible, a lightweight portable trailer/dolly should be used to move headstones rather than driving a vehicle on the lawn.

Heavy trucks will not be permitted within the cemetery when, in the opinion of the cemetery sexton, such work might cause damage to the grounds or driveways. Once begun, all monument and stone work is to be completed and any accumulated debris is to be removed from the site within a one day period. All work must be done during regular cemetery hours of operation, Monday through Friday, unless by special permission from the cemetery sexton.

#### 6. **Monument/Marker Requirements:**



1. **Concrete Border:** A four inch (4") wide concrete border is required around all monuments/markers, including those that are flat.
2. **Vertical Monument Foundations:** Each monument shall be placed on a concrete foundation which will be a minimum thickness of four inches (4").
3. **Flat Markers:** Flat markers must be placed flush with the contour of the ground to accommodate for care and maintenance issues.
4. **Monument/Marker Dimensions:** The maximum monument/marker size the city shall allow is eighty percent (80%) (up to 36 inches) of a single plot width excluding concrete border. A single monument/marker may be placed on two (2) adjacent plots under the same ownership; however, the monument/marker may not exceed sixty percent (60%) (up to 72 inches) of the combined width. No monument/marker may exceed four feet (4') (48") in height. A waiver for height may be granted based on receiving written approval from the city council.
7. **Grass Care Facilitation:** As is practicable, placement of all monuments/markers shall be made so as to facilitate the use of mechanical cleaning and mowing equipment.
8. **Monument/Marker Time Line:**
  1. Arrangements should be made by the family to place a temporary plaque on the gravesite within three (3) days of the interment for identification purposes.
  2. Occupied grave plots must be marked with a permanent monument or marker within one year after burial. Monuments/markers may be placed prior to the burial of the deceased; however, if the monuments/markers must be moved to open the grave, a moving fee will be assessed based on the actual cost of doing so. (Ord. 17-02, 2-1-2017)

#### **7.20.80 Plants And Decorations**

##### **A. Potted Plants:**

- a. One plant is permitted per grave plot.
- b. The city is not responsible for maintenance and care of plants and plant stands.
- c. The city is not responsible for stolen plants or plant stands.

- d. The city reserves the right to remove all plants or plant stands which interfere with routine maintenance of the city cemetery or which become unsightly, dangerous, or diseased on the burial plot in which they are situated or to any other burial plot, path, or roadway.

**B. Prohibited Items:** The following items are not permitted as decorations in the cemetery at any time: glass, ceramic, solar lights, or enclosures. These items may pose safety hazards or maintenance issues and will be removed by cemetery management if placed.

**C. Removal of Items Permitted** The city reserves the right to remove any object which interferes with routine maintenance of the cemetery, or which is unsightly or dangerous.

**D. Permanent Plantings of Trees and Shrubbery:**

1. Permanent plantings of trees, shrubbery, and flowers are not permitted within the city cemetery.
2. The city may refuse to sell any burial plot adjacent to a burial plot or pathway containing a tree if the city determines excavating a grave on the burial plot is detrimental to the tree.
3. The city reserves the right to remove any planted tree, shrub, or flower. (Ord. 17-02, 2-1-2017)

**7.20.090 Prohibited Acts**

1. **Animals:** All animals, domesticated or otherwise, are prohibited in the cemetery except as provided in paragraph B. It is unlawful for the owner, agent, caretaker or other person in charge of livestock to allow or negligently permit animals to run at large or trespass on cemetery grounds.
2. **Dogs:** It is unlawful for any person to allow any dog under his control or ownership, other than a guide or service dog specially trained for that purpose, accompanying a blind, visually handicapped, hearing impaired or otherwise physically disabled person, to be within the cemetery, even if under leash.
3. **Vandalism/Theft:** It is unlawful for any person to injure, deface, carry away from the grave any monument, marker, tree, shrub, flower, or any other property or ornament in the city cemetery, except by written permission of the rightful owner or the cemetery sexton.
4. **Vehicles:** It is unlawful for any person, except for those installing monuments/markers, or official city maintenance personnel in the performance of

their duties, to drive any vehicle over any grave or upon any nonpaved area of the cemetery. (Ord. 17-02, 2-1-2017)

**7.20.100 Violation And Penalty**

Any person, firm, corporation, contractor, or otherwise, whether acting as a burial permit holder or on behalf of the burial permit holder, who violates or refuses to comply with any of the provisions of this chapter, shall be guilty of a class C misdemeanor and, upon conviction, shall be punished as defined in Utah state law. A separate offense shall be deemed to be committed on each day an offense occurs or continues. (Ord. 17-02, 2-1-2017)

Draft

## **RESOLUTION 25-19**

### **A RESOLUTION AMENDING THE UTAH INLAND PORT AUTHORITY PROJECT AREA IN EPHRAIM CITY**

**WHEREAS**, Ephraim City (“City”) is a fifth-class city of the State of Utah; and

**WHEREAS**, The Ephraim City Council (“Council”) is the governing body of the City; and

**WHEREAS**, The Ephraim City Council adopted Resolution 23-19 requesting to have lands in Ephraim City jurisdiction included in a Utah Inland Port Authority Project Area later established as the Skyline Corridor Project Area; and

**WHEREAS**, The Ephraim City Council desires to include additional properties in the Skyline Corridor Project Area; and

**WHEREAS**, The Project Area continues to fit the City’s economic development vision by encouraging the retention and expansion of existing companies and the recruitment of new companies to create employment opportunities for residents of the City and the surrounding communities; and

**NOW THEREFORE, BE IT HEREBY RESOLVED** by the Ephraim City Council

1. Pursuant to Utah Code Ann. §11-58-501(2), the Ephraim City Council hereby reiterates its consent to the creation of a Utah Inland Port Authority Project Area in Ephraim City.
2. The properties depicted in Exhibit A, which is attached hereto and by this reference made part hereof, are requested to be incorporated into the Skyline Corridor Project Area.
3. This resolution shall become effective immediately upon passage.

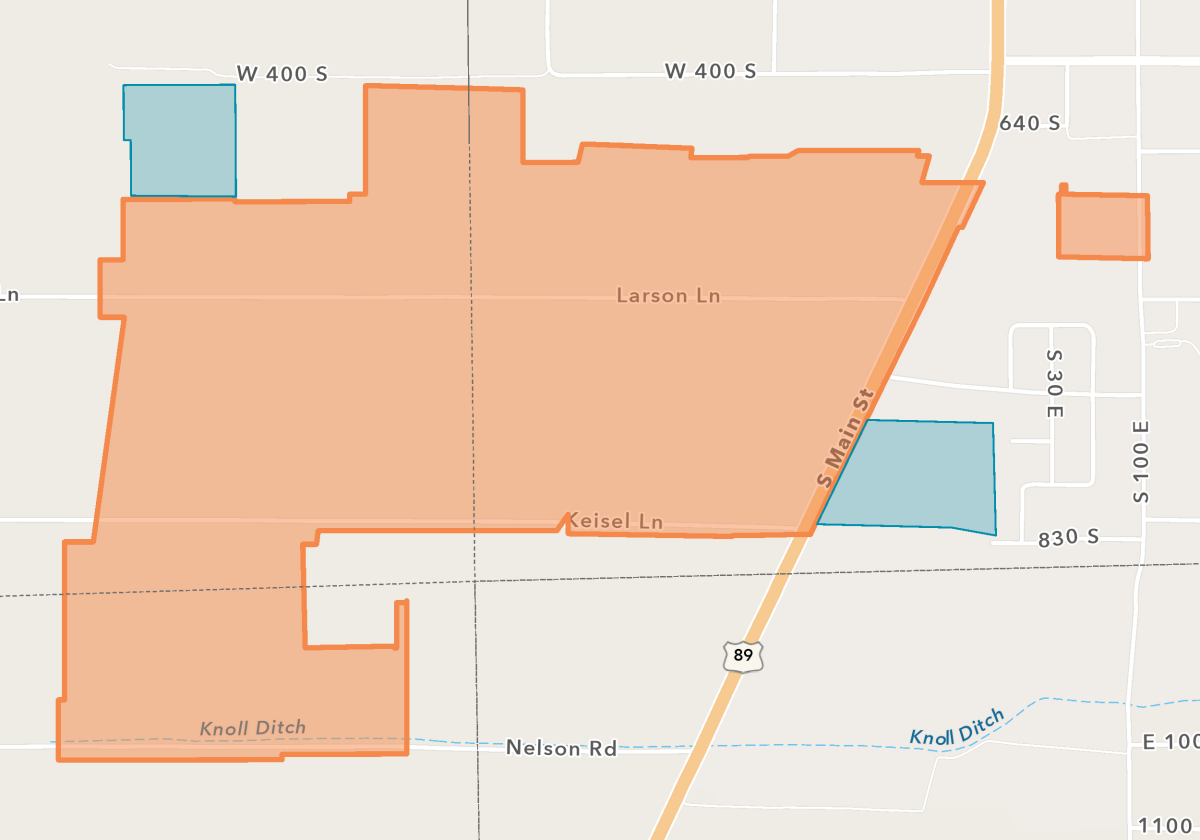
**PASSED** by the City Council of the City of Ephraim, Utah, this 17th day of September 2025.

---

John Scott, Mayor

ATTEST

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W 400 S

W 400 S

640 S

Larson Ln

S 30 E

S 100 E

Keisel Ln

830 S

S Main St

89

Knoll Ditch

Nelson Rd

Knoll Ditch

E 100

1100



## STAFF REPORT

**To:** Ephraim City Planning and Zoning Commission  
**From:** Megan Spurling, City Planner  
**Date of Meeting:** September 10, 2025  
**Type of Item:** CVG Rezone  
**Process:** Legislative Review

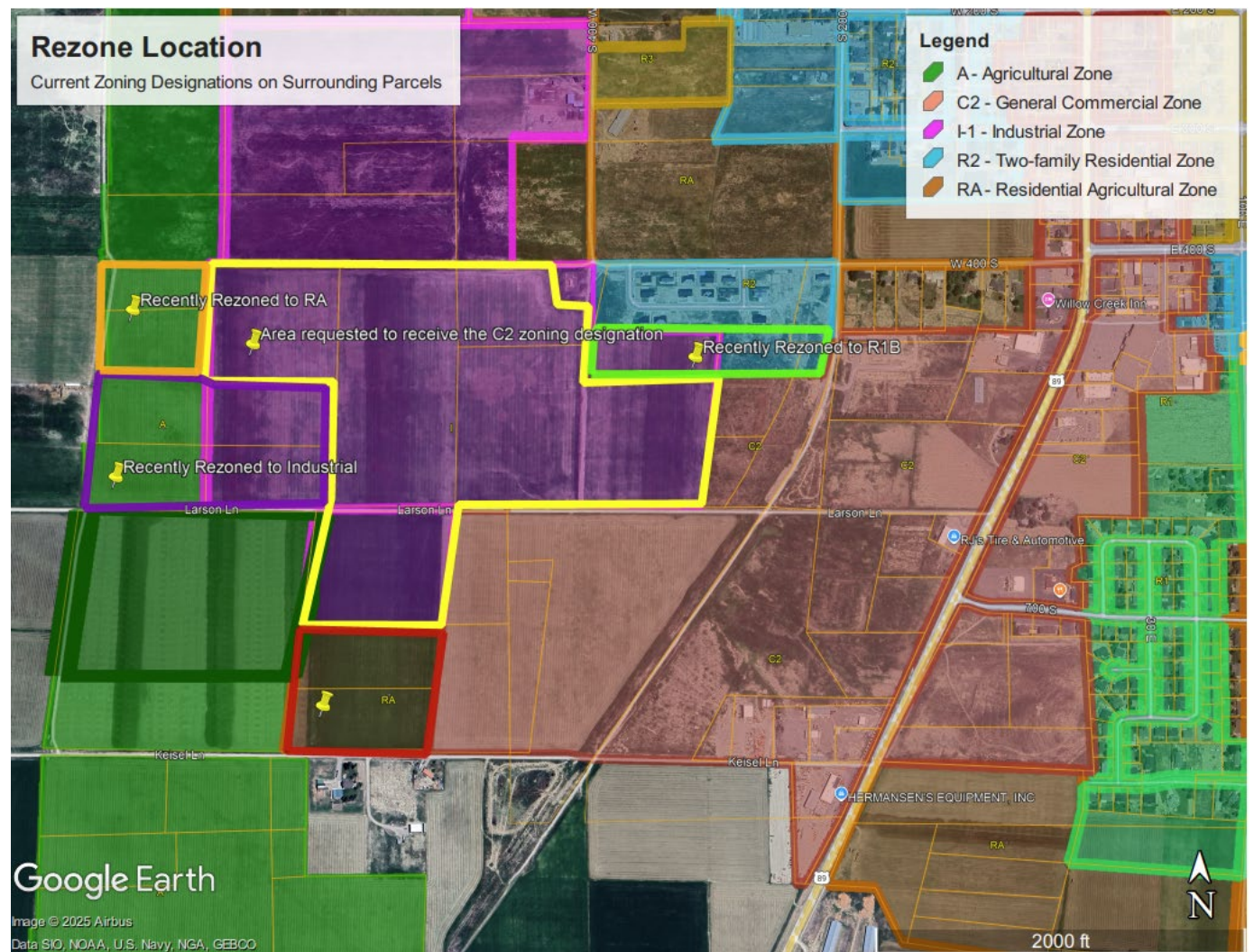
**RECOMMENDATION:** Staff has reviewed the application for compliance with all standards in the Ephraim City Municipal Code and found that it meets the minimum required for approval. Accordingly, staff recommends that the Ephraim City Planning and Zoning Commission review the proposed Amendment to the Ephraim City Zoning Map and recommend approval or denial of the amendment to the Ephraim City Council.

### Project Description

**Project Name:** CVG Rezone  
**Applicant(s):** Mike Ballard, CVG-Ephraim South LLC  
**Property Owner(s):** Craig and Diane Oberg  
**Location:** Approximately: South of 400 S Between 350 W and 800 W  
**Zone District:** Industrial  
**Parcel Number:** S-781, 6093, 6097, 6098, 6098, 6098x, 6105 and 6098  
**Type of Process:** Legislative  
**Final Land Use Authority:** City Council

### Proposal

The applicant, Mike Ballard on behalf of CVG-Ephraim South LLC, are requesting the Amendment to the Ephraim City Zoning Map to rezone property located near 400 S, Between 350 W and 800 W to the General Commercial (mixed use) (C2) Zone for the purpose of developing homes and commercial businesses. The property is currently Industrial (I).



## Analysis and Findings

The Planning Commission may recommend approval, approval with conditions, or denial of the proposed map amendment to the City Council.

Section 10.04.060 of the Ephraim City Code provides the standards which should be met to amend the zoning map.

**Standard 1:** The Planning Commission shall hold a Public Hearing that has been properly noticed. **COMPLIES**

**Analysis:** This item has been properly noticed as a public hearing and notice of the hearing was mailed to all adjacent property owners.

**Standard 2:** If changing property from one zone to another, when considering any amendments to the Land Use Ordinance, the Planning Commission shall ensure compliance with the Land Use Classification Map found in the General Plan. **COMPLIES**

**Analysis:** The future land use map shows this land as “General Commercial C2”. The proposal to amend the Zoning Map to include this area within the C2 zoning district is consistent with the goals and objectives of the Ephraim General Plan.

For informational purposes, Staff has added a use chart analysis as Exhibit A to this report. While allowed and permitted uses are not a specific standard to be used in determining whether an amendment to the Zoning Map is appropriate in a location, Staff is including the information so that the Planning Commission and members of the public may fully understand the potential use changes that amending the Zoning Map would entail.

## **Recommendation**

Staff recommends that the Commission consider the issues outlined in this report regarding the proposed Zoning Map Amendment and vote to recommend approval or denial of the proposed amendment to the Ephraim City Council based upon the following Findings of Fact and Conclusions of Law:

### **Findings of Fact**

1. CVG-Ephraim South is listed as the fee title owner of record for Parcels S-781, 6093, 6098x, 6105, 6097, 6098
2. The Parcels S-781, 6093, 6098x, 6105, 6097, 6098 are located south of 400 S between 350 W and 800 W
3. Parcel are currently zoned General Commercial (C2)
4. The Ephraim City Planning and Zoning Commission will hold a public hearing regarding the proposed amendment on September 10, 2025
5. The parcels combined are approximately 76 acres.
6. This application has been noticed appropriately and a General Plan Amendment application was submitted and approved.

### **Conclusions of Law**

1. Based upon the findings of fact listed above, the proposed Amendment to the Ephraim City Zoning Map complies with the standards as described in the Ephraim City Municipal Code.

### **Attachments:**

Exhibit A – Use Chart Comparison for RA and Industrial Zoning Districts.

## **Exhibit A**

The following selection from the Ephraim City Land Use Matrix shows the current zone and the proposed zone for the subject property. The table only displays instances where the zoning differs for specific uses. Should the Amendment to the Ephraim City Zoning Map be approved by the Ephraim City Council, the uses listed below in the Industrial column would be available as uses on the subject property. Uses shown in the RA column would no longer be available as uses on the subject property.

For the complete Land Use Matrix including all uses for all zoning districts please visit <https://ephraim.municipalcodeonline.com/book?type=ordinances#name=10.20.030> Table B: Land Use Matrix

**Table B: Land Use Matrix**

P= Permitted, C= Permitted by Conditional Use, Blank=Not Allowed

| Use                                                                     | Commercial | Industrial |
|-------------------------------------------------------------------------|------------|------------|
| Use                                                                     | C2         | I          |
| Accessory uses buildings customarily incidental to permitted uses       | P          | P          |
| Accessory buildings and uses customarily incidental to conditional uses | C          | C          |
| Agricultural industry or related business                               | P          | C          |
| Animal hospital                                                         |            | C          |
| Apiary - beehives (Up to 5 beehives)                                    | P          | P          |

|                                                                                        |   |   |
|----------------------------------------------------------------------------------------|---|---|
| Apiary-beehives (More than 5 beehives)                                                 |   | C |
| Art needlework shop; art shop; art supply                                              | P |   |
| Automatic car wash                                                                     | P | P |
| Automobile or recreation vehicle sales, service, lease, rental and repair, new or used | P | P |
| Automobile service station                                                             | P | P |
| Awning sales/repair                                                                    | P | P |
| Bakery, retail sales                                                                   | P | P |
| Bank                                                                                   | P |   |
| Barber shop                                                                            | P | P |
| Bath and massage (not part of medical or health spa)                                   | P | P |
| Beauty shop                                                                            | P | P |

|                                                                                                                                        |   |   |
|----------------------------------------------------------------------------------------------------------------------------------------|---|---|
| Beauty shop for pets, dog grooming                                                                                                     | P | P |
| Bed and Breakfast (2006)                                                                                                               | P |   |
| Beer outlet, Class A, Class B                                                                                                          | C |   |
| Blacksmith shop                                                                                                                        |   | P |
| Body and fender shop; tire recapping; motor vehicle, bicycle, and recreation vehicle assembling, painting, upholstering and rebuilding | C | P |
| Boiler works                                                                                                                           |   | P |
| Bookbinding                                                                                                                            | C | P |
| Bookstore                                                                                                                              | P | P |
| Bottling works                                                                                                                         |   | P |
| Breweries                                                                                                                              |   | C |

|                                                                                                                                                               |   |   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| Building material sales yard, outside, with sale of rock, sand, gravel and the like as an incidental part of the main business, but excluding concrete mixing | C | P |
| Building material sales in an enclosed building                                                                                                               | P | P |
| Buildings and structures on slopes greater than 20%                                                                                                           | C | C |
| Café, cafeteria, catering establishment, restaurant (not a drive-thru)                                                                                        | P | C |
| Candy, confectionery, nut shop                                                                                                                                | P | P |

|                                                                                                         |   |   |
|---------------------------------------------------------------------------------------------------------|---|---|
| Carbonated and purified water sales                                                                     | P | P |
| Carpet and/or rug cleaning                                                                              | P | P |
| Cell Phone Towers – see Radio, TV and Cell Towers                                                       | C | P |
| Cemetery                                                                                                | P |   |
| Central mixing plant, related to construction industry for cement, mortar, plaster, or paving materials |   | C |
| Child day care or nursery                                                                               | P |   |
| China and/or silver shop                                                                                | P | P |
| Church                                                                                                  | P |   |
| Clothes cleaning, dyeing, pressing, dry cleaners                                                        | P | P |

|                                                                |   |   |
|----------------------------------------------------------------|---|---|
| Clothing store                                                 | P | P |
| Coal/fuel sales office                                         | C | P |
| Commercial Storage Units                                       | P | P |
| Construction of buildings to be sold and moved off the premise |   | P |
| Convenience store with gasoline sales                          | P | P |
| Copy store, blueprinting, Photostatting, duplicating           | P | P |
| Costume rental                                                 | P |   |
| Dairy                                                          |   | P |
| Dams and reservoirs                                            |   | C |
| Dance Clubs/Hall (2006)                                        | C | C |
| Dance Studio (2006)                                            | P | P |
| Delicatessen                                                   | P | P |

|                                                |   |   |
|------------------------------------------------|---|---|
| Department store                               | P | P |
| Dramatics school                               | P | P |
| Drapery-curtain store                          | P | P |
| Dressmaking                                    | P | P |
| Drive-ins; refreshment stand, eating place     | P | P |
| Drugstore                                      | P | P |
| Dry goods store                                | P | P |
| Dude ranch, family vacation ranch              |   |   |
| Dwelling, Accessory Apartment (see definition) | P |   |

|                                                                                                                                                                                                                                                                                                     |   |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|--|
| Dwelling, Congregate Residence. Multiple tenant dwelling (more than four individuals) in an existing structure, subject to current parking requirements; ECC 10.20.050 Table D, with an occupancy of up to the lesser of two people per bedroom or 10 people per building (see definitions.) (2006) | P |  |
| Dwelling, two-family (duplex)                                                                                                                                                                                                                                                                       | C |  |
| Dwelling, multiple-family (more than 4 units)                                                                                                                                                                                                                                                       | C |  |
| Dwelling, four-family (fourplex)                                                                                                                                                                                                                                                                    | C |  |
| Dwelling, single-family                                                                                                                                                                                                                                                                             | C |  |

|                                                                                                                     |   |   |
|---------------------------------------------------------------------------------------------------------------------|---|---|
| Dwelling, three-family (triplex)                                                                                    | C |   |
| Egg candling, sales, or processing                                                                                  |   | P |
| Elderly Facilities as defined and articulated by Utah Code §§ 10-9a-103, 10-9a-516, 10-9a-517, 10-9a-518, 10-9a-519 | P |   |
| Electrical, appliances and fixtures, electronic instruments sales, repair and/or service                            | P | P |
| Employment agency or employment office                                                                              | P | P |
| Farm or ranch housing                                                                                               |   | C |

|                                                                                                                                                                              |   |   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| Farms devoted to raising and marketing of livestock, chickens, turkeys or other fowl or poultry, fish or frogs; including wholesale and retail sales; pigs and hogs excluded |   | C |
| Fix-it shop, repair shop, for household items                                                                                                                                | P | P |
| Flooring, carpet repair and sales                                                                                                                                            | P | P |
| Florist shop                                                                                                                                                                 | P | P |
| Food processing or packaging                                                                                                                                                 |   | P |
| Forest industry, such as a saw mill, wood products plant, etc.                                                                                                               | C | P |

|                                                           |   |   |
|-----------------------------------------------------------|---|---|
| Forestry, except forest industry                          | P | P |
| Foundry                                                   |   | P |
| Frozen food lockers                                       | P | P |
| Fruit or vegetable stand                                  | P | P |
| Fruit/fruit juice store                                   | P | P |
| Furniture sales, and/or repair                            | P | P |
| Garage Repair Shops (see definition)                      | P | P |
| Gift shop; hobby or crafts shop                           | P | P |
| Golf Course                                               | C |   |
| Greenhouse, nursery; plant materials; soil & lawn service | P | P |
| Grocery; meat sales                                       | P | P |

|                                                                                                                      |   |   |
|----------------------------------------------------------------------------------------------------------------------|---|---|
| Group Homes, to include youth care facilities, rehabilitation and treatment centers. (as per state and federal laws) | C |   |
| Gunsmith                                                                                                             | P | P |
| Hardware store, not including the sale of lumber                                                                     | P | P |
| Hatchery                                                                                                             |   | P |
| Health Club/Spa/Gym                                                                                                  | P | P |
| Heating, ventilating, air conditioning; equipment (HVAC), sales/repair                                               | P | P |
| Home occupations<br>(Uncontested -see definition and ECC 10.12.020 Paragraph G)                                      | P | P |

|                                                     |   |   |
|-----------------------------------------------------|---|---|
| Honey extraction                                    | P | P |
| Hospital supplies                                   | P | P |
| Hospital; medical or dental clinic                  | P | C |
| Hotel, motel, inn                                   | P | C |
| Household cleaning/repair, house equipment displays | P | P |
| Ice cream shop                                      | P | C |
| Ice manufacture, storage, and sales                 | P | P |
| Ice cream making, and/or candy making               | C | P |
| Incinerator, excluding hazardous materials          |   | C |
| Indoor auto parts sales                             | P | P |

|                                                                 |   |   |
|-----------------------------------------------------------------|---|---|
| Insulation sales,<br>manufacturing, installation<br>and service | P | P |
| Interior decorating store                                       | P | P |
| Jewelry store                                                   | P | P |
| Kennel                                                          | C | P |
| Knitting mill                                                   |   | P |
| Laboratories                                                    | P | P |
| Laundry, automatic self-<br>help                                | P | P |
| Laundry agency                                                  | P | P |
| Leather goods                                                   | P | P |
| Linen shop                                                      | P | P |
| Liquor and beer sales;<br>places for drinking liquor or<br>beer | P | C |
| Lithographing, including<br>engraving, photo engraving          | P | P |
| Luggage sales                                                   | P | P |

|                                                                                  |   |   |
|----------------------------------------------------------------------------------|---|---|
| Machine shop/Manufacturing                                                       | C | P |
| Manufactured home sales and storage                                              | C | P |
| Manufacturing (Heavy)                                                            |   | C |
| Manufacturing (Light)                                                            | C | P |
| Medical/dental clinic, and related laboratories                                  | P | P |
| Milk distributing station; sale of dairy products, excluding processing/bottling | P | P |
| Mobile lunch service                                                             | P | P |
| Monument sales, retail                                                           | P | P |
| Mortuary                                                                         | P | C |
| Motion picture studio                                                            | C | P |
| Motorboat sales                                                                  | P | P |
| Music store                                                                      | P | P |

|                                                              |   |   |
|--------------------------------------------------------------|---|---|
| Notions, variety store                                       | P |   |
| Novelty shop, variety store                                  | P |   |
| Office, business or professional                             | P | P |
| Office, Low Impact Business or Professional (see definition) | P | P |
| Office, supply; office machines sales, repair                | P | P |
| Oil burner shop                                              |   | C |
| Optometrist; oculist                                         | P |   |
| Ornamental iron manufacturing and sales                      |   | P |
| Package agency                                               | P | P |
| Painter/paint store                                          | P | P |
| Parking lot                                                  | P | P |

|                                                                                          |   |   |
|------------------------------------------------------------------------------------------|---|---|
| Personal agriculture, gardening, tilling of the soil; for personal consumption or resale | P | P |
| Personal agriculture, including grazing and pasturing of animals                         |   | P |
| Pest extermination and control office                                                    | P | P |
| Pet shop                                                                                 | P | P |
| Photographer or photography shop, sales and service                                      | P | P |
| Planeing mill                                                                            | C | P |
| Plumbing shop                                                                            | P | P |
| Popcorn and/or nut shop                                                                  | P | P |
| Printing, including engraving, photo engraving                                           | P | P |

|                                                                                                        |   |   |
|--------------------------------------------------------------------------------------------------------|---|---|
| Private educational institution having a curriculum similar to that ordinarily given in public schools | C | P |
| Privately owned utility transmission lines which serve inter-regional areas                            | C | C |
| Public owned parks and recreational facilities                                                         | P | C |
| Public stable, riding academy or riding ring, horse show barns or facilities                           | C | P |
| Public use, essential services                                                                         | P | P |
| Radio and television station                                                                           | C | P |

|                                                                             |   |   |
|-----------------------------------------------------------------------------|---|---|
| Radio, Television, and Cell phone towers (2006)                             | C | P |
| Radio and television sales and repair                                       | P | P |
| Reception center and/or wedding chapel                                      | P | P |
| Recreation vehicles, rentals, leases, sales and service, outdoor and indoor | P | P |
| Residences for persons with a disability (see Utah Code § 10-9a-5120)       | C |   |
| Restaurant supply                                                           | P | P |

|                                                                           |   |   |
|---------------------------------------------------------------------------|---|---|
| Retail buildings: less than 20,000 square feet in total floor space       | P | P |
| Retail Buildings: floor space greater than or equal to 20,000 square feet | C | C |
| Roofing sales                                                             | P | P |
| Sandblasting                                                              |   | P |
| Saw mill                                                                  |   | P |
| Second-hand shop, antiques, conducted within a building or enclosure      | P | P |
| Seed/feed store                                                           | P | P |
| Sewing machine shop                                                       | P | P |
| Sexually oriented businesses                                              |   | C |
| Shoe shop; shoeshine; shoe repair                                         | P | P |

|                                                                                                    |   |   |
|----------------------------------------------------------------------------------------------------|---|---|
| Sign shop, sign painting shop                                                                      | P | P |
| Solar Panels: In accordance with Ephraim City Net Metering Ordinance                               | P | P |
| Solar Farms: (Utility Scale Power Generation)                                                      |   | C |
| State store                                                                                        | C | C |
| Stationary and greeting card sales                                                                 | P | P |
| Storage, placement, keeping, locating, parking, maintaining, and keeping of agricultural equipment | C | P |

|                                                                                                                                              |   |   |
|----------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| Storage, placement, keeping, locating, parking, maintaining, keeping of commercial, construction, military surplus, or specialized equipment | C | P |
| Tailor shop                                                                                                                                  | P | P |
| Taxidermist                                                                                                                                  | P | P |

|                                                                                                                                                                                                                |   |   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| Temporary buildings for uses incidental to construction work, including living quarters for a guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work | C | P |
| Tire shop, sales and repair                                                                                                                                                                                    | P | P |
| Tire, recycling into fuels and useable products                                                                                                                                                                |   | C |
| Tire retreading, or vulcanizing                                                                                                                                                                                |   | C |
| Tobacco shop                                                                                                                                                                                                   | C | C |

|                                                                                        |   |   |
|----------------------------------------------------------------------------------------|---|---|
| Towel and linen supply service                                                         | P | P |
| Travel bureau                                                                          | P | P |
| Treatment of materials from sand and grease interceptors, resulting in inert materials |   | C |
| Truck wash                                                                             | C | P |
| Truck and heavy equipment service station and repair facility                          | C | P |
| Upholstering, including mattress manufacture rebuilding or renovating                  | C | P |
| Upholstery shop                                                                        | P | P |
| Veterinary                                                                             | P | P |
| Wallpaper store                                                                        | P | P |
| Weaving                                                                                | P | P |

|                    |   |   |
|--------------------|---|---|
| Welding shop       | C | P |
| Wholesale business | C | P |

## **RESOLUTION 25-20**

### **A RESOLUTION APPROVING ALTERATIONS TO THE CITY'S PURCHASING POLICY**

**WHEREAS**, the Ephraim City Council desires to effectively use City Council time to address legislative questions; and

**WHEREAS**, the City Council desires to alter the existing policy to more efficiently purchase city property and equipment and dispose of surplus and unneeded property; and

**WHEREAS**, the City Council desires to alter and establish a standard operating procedure for purchasing and disposing of property; and

**WHEREAS**, the City believes that updating this policy will lead to greater value returned to the City; and

**WHEREAS**, it is deemed to be in the best interest of the citizens of Ephraim City to update and approve the policy.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EPHRAIM, UTAH:**

1. The purchasing policy attached to this resolution is hereby incorporated herein by this reference and approved.

**PASSED AND ADOPTED** by the City Council of Ephraim, Utah, this **17<sup>th</sup> day of September, 2025**.

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John Scott, Mayor

ATTEST:

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Candice Maudsley, City Recorder



# Procurement Policy

## SECTION 1 GENERAL PROVISIONS

**1.01 Policy** – This policy shall establish procedures for capital and non-capital purchases and annual contracts for Ephraim City.

**1.02 Purpose** – The policy and procedures have been created to maximize the use of Ephraim City's financial resources. The purposes of these policies and procedures are:

A. To establish procurement processes that are fair and equitable to the city and other persons;

B. To allow the city to meet procurement needs in a simple, flexible and timely manner; and

C. To allow the city to obtain supplies and services that are economical, of the quality specified by the city, and best suited to meet the city's needs.

**1.03 Compliance** – These policies and procedures shall not prevent the City from complying with the terms and conditions of any grant, gift or bequest that is otherwise consistent with the law.

When procurement involves the expenditures of federal or state financial assistance funds, the City shall comply with applicable federal or state laws and regulations.

**1.04 Purchasing Agent** – The City Manager shall administer the Purchasing Policy and Procedures. Department Heads shall be considered "purchasing agents" for purposes of this policy. As determined by Department Heads, others within the departments may be authorized to procure goods and services.

## SECTION 2 DEFINITIONS

**2.01 Definitions** – Unless the context requires otherwise, the terms used in the Purchasing Policy and Procedures, or the rules and regulations adopted pursuant to the Purchasing Policy and Procedures shall have the following meanings:

*Bid*: A proposal or price quotation provided to the City as part of the City's procurement process.

*Bidding*: The procedures used to solicit quotations on price and delivery from various prospective suppliers of supplies, equipment, and contractual services.

*Bid Process*: The type of procedures used by the City to solicit quotations and award bids or contracts. Examples include over the counter, open market, and formal competitive bidding.

*Bid Splitting*: The process of breaking up procurement of goods and services into smaller amounts which inhibits fair and open competition unless deemed advantageous to the City as determined by the City Manager.

*Bidders List*: A list maintained by the Department of known vendors supplying goods and services to the City. Vendors may submit a written request to be placed on a bidder's list.

*Contractual Services*: Professional services, sought or obtained from sources other than regular City employees, including legal, accounting, auditing, architectural, engineering, information technology, or other similar consulting services.

*Estimates of Requirements*: Forecasts of future requirements of supplies, equipment, or contractual services submitted by City Departments upon request of the City Manager or their designee.

*Local Bidder*: A person or business with a business location operating in Sanpete County or an adjacent county.

*Lowest Responsible Bidder*: A bidder who has submitted the lowest responsive bid to furnish supplies or contractual services to the City, and who meets the standards set forth in this definition. The lowest responsible bidder's bid shall comply with the specifications, delivery terms and conditions, and other qualifications and requirements included in the invitation for bids, and shall be accompanied by any bonds required by the City or other applicable law and when requested, information and data to prove that their financial resources, production or service facilities, service reputation and experience are adequate for the contractual services or work who has not violated or attempted to violate any provisions of the Purchasing Policy and Procedures. In determining the lowest responsible bidder, the City shall give primary emphasis to bid

price, but may also consider other relevant factors relating to the ability and capacity of the bidder.

*Professional Services:* Services rendered by an independent contractor who has specialized knowledge, training and experience in a particular field. The term professional implies attainments in special knowledge resulting from prolonged and specialized intellectual training, as distinguished from mere skills. Professional services typically focus on the expertise of the provider, rather than the product the provider offers.

*Purchase Requisition:* Standard forms used by departments providing detailed information as to quantity, description, price, supplier, and signature authorization for purchases. These are also known as purchase orders.

*Responsive Bid:* An offer, submitted by a Responsible Bidder to furnish supplies, material, equipment, or services in conformity with the specification, delivery terms and conditions, and other requirements included in the invitation for bids.

*Services:* The furnishing of labor, time, or effort by a contractor, not involving the delivery of a specific product other than reports which are merely incidental to the required performance. This term does not include employment agreements or Professional Services.

*Surplus Property:* Any item of Public Property that is no longer used by the City or no longer usable by the City that is out of date, damaged and cannot be repaired at a cost less than the property's value, has exceeded its useful life or the City determines is not required to meet the needs or responsibilities of the City. This definition does not include unclaimed property which is property turned into the city by private citizens. Surplus property is property that was acquired by the City for a specific purpose and is no longer usable.

## **SECTION 3 GENERAL PROCEDURES AND SELECTION PROCESS**

**3.01 Fair and Open Process** – City purchasing shall be a fair and open process to ensure efficient and cost-effective acquisition and procurement of supplies, materials, equipment, and/or services. The following procedures shall be followed.

**3.02 Tier 1 Threshold (\$0 – \$10,000)** – May be authorized by the Department Head. Although no specific purchasing requirements are established for this level of purchase, competitive bidding is encouraged to be used whenever practical. The City Manager may require any acquisitions to adhere to a more restrictive purchasing process if in their determination, such actions would be in the best interest of the City. No bid splitting shall be allowed to qualify for this category.

**3.03 Tier 2 Threshold (\$10,000.01 – \$50,000)** – Any purchase or acquisition of supplies, material, equipment, improvements, or services of an estimated value of more than \$10,000 and less than \$50,000 require a solicitation of bids. These purchases or acquisitions shall be made pursuant to the procedure hereinafter prescribed.

**1. Solicitation and Minimum Number of Bids** - Price quotations shall be solicited from prospective vendors by written or verbal request. Departments shall solicit bids from known vendors, a bidders list maintained by the Department, or a public bidding website whenever possible. Open market purchases shall be based on a minimum of three price quotations whenever possible and shall be awarded to the lowest responsible bidder.

**2. Receipt of Price Quotation and Bids** - Price quotations and bids shall be provided in writing from prospective vendors. Vendors must submit price quotations via a sealed proposal process.

**3. Purchase Requisitions** - Departments shall use Purchase Requisitions when any material, supply, equipment, or service is estimated to cost \$10,000 or more and the formal contract procedure will not be followed. All Purchase Requisitions exceeding \$25,000 must be countersigned by the City Manager.

**4. Use of Local Bidders** - Departments will make every effort to use Ephraim Businesses and obtain non-formal bids or price quotations from Local Bidders.

**5. Local Bidder Preference** - If a bid of a non-local bidder is the lowest and there was a local bidder who also submitted a bid which was within three percent (3%) of the low bid, then the purchase may be awarded to the local bidder if the bidder meets all prescribed requirements and agrees in writing within 48 hours after being notified of the low bid, that the local bidder will meet the low bid price.

**6. Budgetary Considerations** - All purchases must conform to the annual budget and there must be an adequate balance in the appropriation for the item or service to be procured. Any substantial deviation from the annual budget or any appropriation thereunder shall be approved by the City Manager prior to such procurement.

**3.04 Tier 3 Threshold (greater than \$50,000)** – Purchases of supplies, equipment or contractual services of an estimated value of \$50,000 or more shall be approved by the City Council and by written contract with the lowest responsible bidder pursuant to the procedure hereinafter prescribed. Budget line-item approval of such purchase by the City Council shall constitute authorization to commence the bidding process and enter into a purchase contract pursuant to the requirements set forth herein. Purchases and leases of equipment more than \$50,000 may be exempt from formal contract procedures, however formal bidding is required.

**1. Notice Inviting Bids** - Notices inviting bids shall include a general description of the improvements, supplies, materials, and equipment, or services to be acquired, shall state where plans, specifications and other information may be secured, and shall state the time and place for opening bids. Notices shall be delivered to all known responsible prospective suppliers, including those whose names are on a bidders list or who have made a written request that their names be added to the bidders list. At least ten calendar days before the opening of bids, notices inviting bids shall be published on the City website, a public bidding website, or any other sites that the city deems to be beneficial.

**2. Local Bidder Preference** - If a bid of a non-local bidder is the lowest and there was a local bidder who also submitted a bid which was within three percent (3%) of the low bid, then the purchase may be awarded to the local bidder if the bidder meets all prescribed requirements and agrees in writing within 48 hours after being notified of the low bid, that the local bidder will meet the low bid price.

**3. Bid Opening Procedure** - Sealed bids shall be submitted as designated in the Notice. Bids shall be opened in public at the time and place stated in the notice inviting bids. A written description of all bids received shall be available for public inspection during regular business hours for a period of at least thirty days after the bid opening.

**4. Rejection of Bids** - The City Council reserves the right to reject any and all bids for any reason. All notices calling for bids should so state. If all bids are rejected and the City Council decides to make the improvement or acquire the supplies, materials, equipment, or services, it shall advertise anew in the same manner provided herein, having received no satisfactory bids, the City Council may proceed to negotiate or make the improvement or acquisition or enter such other agreements as it deems necessary or desirable.

**5. Award of Contracts** - Except as otherwise provided herein, it is the intention of the City Council to award the contract to the lowest responsible bidder.

**6. Post-Purchase Evaluation** - Following the completion of any purchase or contract awarded under this section, a post-purchase evaluation should be conducted to assess whether the goods, services, or improvements received met the quality, timeliness, and performance standards specified in the contract. The evaluation should include input from the department overseeing the purchase and be documented in writing. Any noted issues of noncompliance, deficiencies, or contractor performance concerns shall be maintained in the City's purchasing records for consideration in future procurement decisions.

**7. Performance Bonds** - Before entering a contract, the City Council shall have authority to require performance and payment bonds to be provided in such amounts as it shall find reasonably necessary to protect the best interests of the City and as required by law. The form and amount of said bonds shall be described in the notice inviting bids.

## **SECTION 4 EXCEPTIONS TO COMPETITIVE BIDDING REQUIREMENTS**

**4.01 Preamble** – Unless otherwise required by State or Federal Law, the bid process requirements set forth in Section 3 do not apply in the following situations as determined by the City Manager. Purchases over an estimated value of \$50,000 are to be reviewed and approved by the City Council.

**4.02 Professional Service Contracts** – Professional services shall include, but not be limited to the following: auditing, architecture, banking, insurance, engineering, accounting services, information technology, appraisals, legal services, and other consulting services. Professional service contracts shall be awarded based on professional qualifications, service ability, cost of service, and other criteria deemed important by the City Council.

**4.03 Contracts Not Suited to Competitive Bidding** – Contracts which by their nature are not suited to award by competitive bidding shall not be subject to the bidding requirements set forth herein. These contracts include:

1. Contracts for items which may only be purchased from a single or sole source.
2. Contracts for additions to or repairs and maintenance of equipment owned by the City which may be more efficiently added to, repaired, or maintained by a particular person or firm.
3. Contracts for equipment which by reason of the training of City Personnel or the inventory or replacement parts maintained by the City, is more compatible with the existing equipment owned by the City.

**4.04 Auction, Close-Out, Bankruptcy Sales** – If the City Manager determines that supplies, materials, or equipment can be purchased at a public auction, close-out sale, bankruptcy, or other similar sale, and if it is determined that such purchase at such auction or sale will be made at a cost below the market cost in the community, a contract or contracts may be let, or purchase made without complying with the competitive bidding requirements set forth herein.

**4.05 Exchanges** – Exchanges of supplies, material or equipment between the City and any other public agency which are not by sale or auction shall be by mutual agreement of the respective public agencies.

**4.06 State Contracts** – The City may purchase supplies from the vendor who has submitted the lowest bid price for such items to the State of Utah Purchasing Office at the quoted price without any solicitation or price quotation or invitation to bid. For such purposes, the quoted price shall be deemed to be the lowest price available for such items and the City need not follow any other bidding requirements.

**4.07 Utah Correctional Industries Division** – Goods and services produced by the Utah Correctional Industries Division may be purchased from the Division without following any of the bidding requirements set forth herein.

**4.08 Additional Work (Change Orders)** – Any change orders, scope of work changes, extension of work, or other additions or corrections to existing contracting services, supplies, equipment, or materials, whether constituting a reduction or increase in bid amount, to a current award provided the change order is no more than fifteen percent (15%) of the original bid. The City Council shall be notified of any change orders more than fifteen percent (15%).

**4.09 Interlocal Agreements** – The City shall have the power to enter into joint purchase agreements with any other public agencies within the State for the purchase of any commodity or service wherein it is determined by the City Council to be in the best interest of the City.

**4.10 Emergency Procurement** – Notwithstanding any other provision of this Purchasing Policy and Procedures, when there exists a threat to public health, welfare, safety, or ability of the City to provide its services, under emergency conditions as determined by the City, the City Manager may immediately authorize the awarding of contracts for any supply, service or construction provided said procurement is made with as much competition as practicable under the circumstances and reasonably limited to the purpose of facilitating accomplishment of an emergency need.

## **SECTION 5 APPEALS; PROHIBITIONS; COMPLIANCE**

**5.01 Appeals** – Any actual or prospective bidder, offeror, or contractor who is aggrieved in connection with the solicitation or award of a contract may appeal to the City Manager. An appeal shall be submitted in writing within five business days after the aggrieved person knows or should have known the facts. The City Manager shall issue a written decision within fourteen calendar days regarding the appeal if it is not settled by mutual agreement. The appeal to the City Manager shall be the final appeal authority.

### **5.02 Prohibitions** –

**1. Conflicts of Interest** - No member of the City Council or City employee may have an undisclosed pecuniary interest, as per State law, directly or indirectly in any contract entered into by the City. A violation of this provision shall be cause for removal or other disciplinary action. City employees and City Council members shall notify the City Manager of any potential conflict of interest.

**2. Collusion Among Bidders** - Any agreement or collusion among bidders or prospective bidders in restraint of competition by an agreement to bid a fixed price, or otherwise, shall render any such bids void.

**3. Ethics** - It is the intent of the City Council that procurement by Ephraim City comply in all respects with the requirements of the laws of the State of Utah relating to ethics and employees' dealings with the City.

**4. Personal Use** - Any purchase of supplies or equipment by the City for the personal use of any official or employee of the City is prohibited. Any person who violates this subsection shall be subject to disciplinary action by the City.

**5. Bidding Preference** - A City Council member, director, or employee with purchasing authority may not take part in any contracting decision: (i) relating to a family member; or (ii) relating to any entity in which a family member is an officer, director, or partner, or in which a family member owns or controls ten percent (10%) or more of the stock of such entity. If a contracting matter arises relating to a family member, then the City Council member must advise the Mayor and City Council and must be recused from all discussions and votes related to the matter. If a contracting matter arises relating to a family member, a director or employee must advise the City Manager of the relationship and must be recused from all discussions or decisions relating to the matter.

For the purposes of this policy, "family member" shall mean a party's spouse (including prior spouses), siblings, stepsiblings, siblings-in-law, parents, stepparents,

parents-in-law, children, stepchildren, children-in-law, any person residing in the same household of the party, and any individual claimed as a dependent for tax purposes.

**5.03 Compliance** – No officer or employee of the City shall make any purchase for or on behalf of the City of any material, goods, supplies, equipment, or services of any kind except through the purchasing procedures as specified in this policy. It shall be considered a breach of duty on the part of any officer or employee to make any purchase in a manner other than through specified purchasing procedures. Officers and employees are subject to disciplinary action as determined by the City Manager for any violation.