

ORDINANCE 26-02

AN ORDINANCE AMENDING TITLE 1, CHAPTER 16, SECTION 40, SECTION 50, AND SECTION 80 OF THE MORGAN CITY CODE REGARDING PURCHASING; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Mayor and City Council desire that the City Manager move forward and implement decisions that are made by the City Council in the most efficient manner possible; and

WHEREAS, the City Council establishes, on a yearly basis, a budget for the City which identifies purchases and financial commitments necessary in the running of the City; and

WHEREAS, it is the desire of the City Council that those expenditures and commitments be executed by the City Manager and that the provisions of the ordinance provide for the efficient and legally sound manner of doing so; and

WHEREAS, the City Council has established a purchasing policy to govern the expenditure and commitment of funds by the City, which policy it may amend from time to time as the need may arise; and

WHEREAS, the ordinance governing the powers and duties of the City Manager does not provide for the administration and expenditures of the City's budget consistent with the intent of the City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF MORGAN, UTAH:

SECTION 1. REPEALER. If any provisions of the Morgan City Code heretofore adopted are inconsistent herewith they are hereby repealed.

SECTION 2. ENACTMENT. Title 1, Chapter 16, Section 40, Supplies, Materials, and Equipment, of the Morgan City Code is amended to read as follows:

A. ~~Less Than Seven Hundred Fifty Dollars~~ Less Than Four Thousand Dollars: Any purchase in an amount less than ~~seven hundred fifty dollars (\$750.00)~~ four thousand dollars (\$4,000.00) shall be considered an operating expense and not a capital item unless notified otherwise by the City Manager.

B. ~~Seven Hundred Fifty Dollars~~ Four Thousand Dollars or More: Purchases or contracts for the purchase of supplies, materials or equipment, where the amount to be paid by the City is ~~seven hundred fifty dollars (\$750.00)~~ four thousand dollars (\$4,000.00) or more, shall be awarded only after informal competitive price quotations have been solicited and received.

SECTION 3. ENACTMENT. Title 1, Chapter 16, Section 50, Construction, of the Morgan City Code is amended to read as follows:

B. Plans and Specifications; Less Than ~~Twenty Five Thousand~~ One Hundred Thousand Dollars: When the City Council shall contemplate making any new improvement to be paid for from the funds of the City, the City Council shall cause plans, specifications, and an estimate of the cost of the improvement, to be made. If the estimated cost is less than ~~twenty-five thousand dollars (\$25,000.00)~~ one hundred thousand dollars (\$100,000.00), the City may make the improvement without calling for formal competitive bids for said improvement. If the estimated cost is less than one hundred thousand dollars (\$100,000.00), but more than twenty-five thousand dollars (\$25,000.00), the City may make the improvement after receiving at least two informal quotes.

C. Contract To Lowest Responsible Bidder: If the estimated cost for the proposed improvement exceeds ~~twenty-five thousand dollars (\$25,000.00)~~ one hundred thousand dollars (\$100,000.00), the City, if it determines to make the improvement, shall do so by contract let to the lowest responsible bidder, after publication of notice, at least five (5) days prior to the opening of bids.

SECTION 4. ENACTMENT. Title 1, Chapter 16, Section 80, Emergency Purchases, of the Morgan City Code is amended to read as follows:

The ~~Mayor~~ City Manager is authorized to make purchases of up to ~~ten thousand dollars (\$10,000.00)~~ one hundred thousand dollars (\$100,000.00) in emergency situations when the ~~Mayor~~ City Manager deems such purchases to be immediately necessary. The ~~Mayor~~ City Manager shall present written documentation and justification for any purchases made under this section, to the City Council as soon as possible after the purchases have been made.

SECTION 5. SEVERABILITY. If any provision of this ordinance is found to be invalid by a court of law, the remaining language shall remain in full force and effect.

SECTION 6. EFFECTIVE DATE. This ordinance shall become effective immediately upon passage and posting.

PASSED AND ADOPTED by the City Council of Morgan, Utah, this 10th day of March 2026.

SGale
STEVE GALE, Mayor

ATTEST:

Janet Pace
JANET PACE, City Recorder

CITY COUNCIL VOTE AS RECORDED:

	Aye	Nay	Excused
Council Member London	<u>X</u>	—	—
Council Member Wardell	<u>X</u>	—	—
Council Member McGuire	—	—	<u>X</u>
Council Member Richins	<u>X</u>	—	—
Council Member Alexander	—	—	<u>X</u>



(In the event of a tie vote of the Council):

Mayor Gale — —