



**Tremonton City Corporation  
City Council Meeting  
May 19, 2026  
Meeting to be held at  
102 South Tremont Street  
Tremonton, Utah**

**CITY COUNCIL WORKSHOP AGENDA  
5:30 p.m.**

1. Call to Order and Declaration of Conflict of Interest
2. Council Reports and Updates
3. Presentations:
  - a. **Title:** Discussion on CAPSA  
**Presenter:** Josh Thompson  
**Estimated Time:** 10 minutes
  - b. **Title:** Strategic direction on the first two pillars  
**Presenter:** Mayor Rohde  
**Estimated Time:** 20 minutes
  - c. **Title:** Discussion of water rates  
**Presenter:** Curtis Roberts  
**Estimated Time:** 20 minutes
  - d. **Title:** RES 26-28 Amending Section II Purchasing Policy & Contracts  
**Presenter:** Manager Nessen  
**Estimated Time:** 5 minutes
  - e. **Title:** Discussion on updating Land Use Codes  
**Presenter:** Community Development Department  
**Estimated Time:** 20 Minutes
4. **CLOSED MEETING:**
  - a. *Strategy session to discuss the purchase of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms; and/or*

- b. Strategy session to discuss the character, professional competence or physical or mental health of an individual; and/or*
- c. Strategy sessions to discuss pending or reasonably imminent litigation; and/or*
- d. Discussions regarding security personnel, devices, or systems*

Please note that any agenda item listed on the City Council Workshop may be discussed in the 7:00 p.m. City Council Meeting

## **CITY COUNCIL MEETING AGENDA**

### **7:00 p.m.**

1. Call to Order
2. Roll Call
3. Invocation:  
Pledge:
4. Approval of Agenda
5. Declaration of Conflict of Interest
6. Citizen Engagement – General Public Comment
  - Residents may address the Council on any item **NOT** listed on the strategic business portion of the agenda
  - Rules of engagement:
    1. **Our Dignity Standard:** Hard conversations require the honest truth and a respectful tone. We’re committed to fixing the problems without making it personal. Let’s keep this conversation productive so we can get back to the work of building a better Tremonton.
    2. **Priority:** Speakers who registered on the signup sheet at the door prior to the meeting will be called in order. Citizens from the audience will then have time to speak.
    3. **Time Limit:** 3 minutes per individual
    4. **Response:** Under State Law, the Council cannot debate or take action on non-agenda items. We will listen and may direct staff to follow up.
7. Notice of a public hearing on June 16, 2026 at 7:00 p.m. to approve the final budget
8. Unfinished Items from City Council Work Session
9. Consent Agenda - Any Councilmember may request an item be removed for separate discussion – Roll Call Vote
  - a. Approval of minutes – April 10, 2026 & May 5, 2026
  - b. Approval of Resolution No. 26-28 Amending Section II Purchasing Policy & Contracts
10. Reports and Calendar
  - a. City Leadership Report
  - b. Upcoming Calendar Items

11. *CLOSED MEETING:*

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- b. *Strategy session to discuss the character, professional competence or physical or mental health of an individual; and/or*
- c. *Strategy sessions to discuss pending or reasonably imminent litigation; and/or*
- d. *Discussions regarding security personnel, devices, or systems*

12. Adjournment

*Anchor location for Electronic Meeting by Telephone Device. With the adoption of Ordinance No. 13-04, the Council may participate per Electronic Meeting Rules. Please make arrangements in advance.*

*In compliance with the Americans with Disabilities Act, persons needing special accommodations, should contact Cynthia Nelson no later than 48 hours prior to the meeting.*

*This meeting will be live streamed via YouTube at <https://www.youtube.com/@tremontoncity>*

**The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted in accordance with Utah State Code on this 14th day of May, 2026**

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Cynthia Nelson, CITY RECORDER

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### **TREMONTON CITY CORPORATION BUDGET MEETING APRIL 10, 2026**

#### Members Present:

Kristie Bowcutt  
Brent Jex  
Beau Lewis  
Sharri Oyler—excused  
Blair Westergard  
Bret Rohde, Mayor  
Linsey Nessen, City Manager  
Cynthia Nelson, City Recorder - excused

### **BUDGET WORKSHOP AGENDA**

Mayor Rohde called the April 10, 2026 Budget Workshop to order at 10:00 a.m. The meeting was held in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Rohde, Councilmembers Bowcutt, Jex, Lewis, and Westergard, and City Manager Nessen. Councilmember Oyler was excused.

Mayor Rohde said I appreciate the Council for taking the time to discuss our budget and concerns that have been brought up with the public. This discussion will be an open public format, so people are welcome to speak and debate. However, we are going to treat each other with dignity. Councilmember Lewis said we have been elected to help. It is us and the community, against the problem. I love that you are here and involved. We are excited for feedback. We are all in it together and on the same team. Resident Brian Bollingbroke was then asked to present the data and his concerns.

#### 1. Budget Discussion

Mr. Bollingbroke presented the Council with data from the State auditor on the Utah.gov website, saying, transparency is not just about compliance, but about building trust with people. From a citizens' perspective, that trust comes from having accurate and consistent numbers that are presented in a way that reflects how taxpayer dollars are being used. There may be minor human errors here, but the data itself comes directly from reported sources. This was not done to upset or target anyone, my goal is simply to open the door for productive conversation, not debate. I have been transparent about where the data comes from and encourage everyone to review and validate it in order to come to their own conclusions. This is not my data, but the City's data as reported to the State. I have organized and present it in a way that makes sense to me. Hopefully it is clear and useful to you. This is simply data drawn from reported sources and is here for us to examine, understand, and discuss. By looking at the facts clearly and openly, we build a better and stronger community. Building trust requires more than just showing the numbers. It requires a willingness and courage to talk about them.

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After some discussion on the disclaimer at the bottom of the website where Mr. Bollingbroke's data was acquired, Councilmember Jex said it is pretty obvious we are in disagreement. You have made claims that are inaccurate and paint the police department in a poor light, and there has to be accountability for that. Mr. Bollingbroke said I just pulled the data and this is what has been reported. Mayor Rohde said we need to bring your data and our data together to validate it and present the facts. Mr. Bollingbroke said if the data is wrong, please forgive me. I am not beholden to the data. Councilmember Lewis said I love truth so let us go get truth. I love your report and have been stewing on impact fees and how we can adjust those. I wanted to ask a bunch of follow-up questions in our meeting on Tuesday, but I wanted to do some research first. Between then and now you posted to Facebook and some words were probably misrepresented about intention. You referred to my comment on Truth and Taxation, but the way you said it was out of context. Mr. Bollingbroke said I agree with Truth and Taxation, but I believe there are other avenues before we go there. Councilmember Lewis said I felt like your post was really a villainization of City Council and the things we are doing here, without validation. I do think the public deserves the reality. You said there is \$2.6 million available without any discussion and diving in first and now the public mistrusts the City Council. I do not feel it was an avenue that was benefiting both of us when we are on the same team. Mr. Bollingbroke said I am sorry it came across that way, that was not my intent. That was all the sources that were available to me at that time. Councilmember Jex said you should not look at just one single source. You have multiple avenues available to verify things. My problem is that you did not do that. Also, you took things massively out of context and since you refuse to look at the context, how can I take anything else you present seriously? How can I trust that everything else you put in there is accurate when these significant things were grossly inaccurate? Mr. Bollingbroke said I hope everybody in this room will take a look at that data and see what your conclusion is.

After some more debate back and forth, Mayor Rohde stopped the discussion, saying what Mr. Bollingbroke presented was data and we need to go through and find out what is accurate and what is not. In the future, I would ask that you allow us the chance to do that. Mr. Bollingbroke said that is why I addressed it in the previous Council meeting. I would rather this type of conversation than those on social media or anywhere else. I am not trying to deceive or hide anything. I am only trying to present the data I found. Councilmember Lewis said we scheduled this meeting right after that meeting as a way to say, I think you found some truth so let us dive in together. That is why I was caught off guard to see it posted as fact. Mr. Bollingbroke said I just posted what I found. I presented the same information I did in that Council meeting. Councilmember Bowcutt said the bottom line is we can do better with this budget. We need to stop the bickering and start going to work. We have problems in our budget. I have gone through it since 2019 and we can do better. We have been given the charge to make a change and that is what we need to do. Not everybody is going to agree with everything, but we have to live within that budget and not stretch it to where we are in trouble. Councilmember Jex said that should be based on fact and truth and honest analysis. We cannot legislate based off feeling and emotion. We have to legislate off the actual numbers. In everything we do, we have to look at the context. The extra layer of questions helps creates understanding. My gripe is that the analysis for context in what was brought up was never sought. Mayor

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Rohde said we have asked citizens to get involved. Mr. Bollingbroke has done that, as have other citizens. They are going to present data that may not be as accurate as we feel it is, but we need to listen and encourage people to present things so we can have discussions and move forward. We can bring things together and come up with good solutions.

Finance Director Curtis Roberts provided some clarifications on auditing and how that works with the City. The State has very specific requirements we have to meet. I agree we need questions, but we need to understand where the current conditions lie. Let us not get so caught up in what one piece of data says. As a professional auditor I do not rely on one piece of data. Data is a tool, and the Council needs to ask clarifying questions. That way we can find additional information and clarifying factors.

Mr. Bollingbroke then presented his data, saying, I am comparing apples to apples from transparentutah.gov. I am not digging into anything else. I am taking eight cities and comparing them to Tremonton. Councilmember Lewis said if there really is \$2.6 million dollars, let us go get it. What do we not know? Mr. Bollingbroke said this looks at all nine cities and compares them against each other. Here is what they all have for parks and recreation from highest to lowest charges. If you add all those fees up, we are at \$315. The lowest is \$305 and the highest is \$435. Why not put that fee somewhere in the middle. Let us jump it to \$345. Raising a few fees with roughly 2,300 people enrolled in those activities allows you to end up with an extra \$14,950. Next look at dog licensing. Tremonton is \$10 and the highest is \$20. There are other fees for dogs intact and an impound fee. Let us raise all these fees to be closer to the average and that will bring in approximately \$9,600. There is also an area for specialty licenses. This is food trucks, special events (small and large), alcohol off-premises and fire recheck. Adjusting all of these to a middle range would bring in approximately \$4,336. Next is general business licenses. There are certain areas we currently charge nothing on, including apartments and storage. With all those things considered you could get about \$225,000 annually. Next, is the court. Currently, Tremonton subsidizes the court 92.6%. That means every dollar that goes through the court, we are paying almost 93 cents on. There is a lot of wiggle room there. After much discussion on the court, Director Roberts clarified, our revenues have consistently been around \$90,000. We were subsidizing it for about \$10,000. We have been subsidizing it anywhere between \$10,000 and \$50,000. This is something the court would have to address as far as the individual fees and their structure. I just know what we typically have for revenue and expenses and this year we are scheduled to subsidize them by about \$30,000.

Mr. Bollingbroke then addressed Tremonton's monthly utility bills (\$18.90 for water, \$22.25 for sewer, \$13.50 for garbage, \$6 for storm drain and \$10 for secondary water). He then reviewed the highs and lows of these other eight cities. This would add in a TUF (transportation utility fee) at \$9.10, along with an increase to all current utilities. This would raise citizens' total bill from \$75.65 to \$102.60. That would affect everybody and is why it is a little tougher, but this would raise approximately \$1.4 million. Councilmember Lewis said what I hear you proposing is essentially more taxes to people. Mr. Bollingbroke said these are fee increases. Councilmember Lewis said but it is an

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increased burden on the same citizens. Yes, it is new revenue, but it is technically off the same backs of the same citizens. Director Roberts said we do need to clarify, and I want this on public record. Every single fee he discussed is not in the General Fund. So that \$1.4 million does nothing to help the General Fund. This is all based off of our enterprise funds. I have been on record in the past indicating that all those fees should be evaluated and considered for adjustment. I am 100% on board for these fee adjustments. I think there is validity, but I want to make it very clear this does not satisfy any general funding issues.

Mr. Bollingbroke then reviewed an adjustment to building permits and the factors surrounding that. Basically, you are looking at \$175,000 on 100 homes. He then addressed impact fees for water, sewer, roads, storm drain, parks, and public safety. Growth should pay for growth. After all is said and done, I would propose raising the building permits to \$15,862, which is just above the middle. We currently charge \$7,487, which is the second lowest. Director Roberts said impact fees have a lot of laws associated with them and they are subject to legislative review every single year. There is not a year that goes by where they are not tweaking something. We have some that are a little bit older. The biggest issue that comes up with impact fees is after a project has been identified, how are you going to spend that money. You would collect this money for a project, but it has to be built within six years. Sometimes developers do not even build out their entire subdivision in that timeframe. You would have a project that benefits current residents, as well as existing residents, but the developer's participation may only be 30% from the impact fee. If it is a \$10 million project that would be \$3 million you would hope is collected. The City is then required to spend and build that project within six years. The Council would be committing to spend \$7 million just on that one project. We have to be careful as we adopt impact fees that we do not commit to build something that would actually cost the City more and put the City in financial jeopardy. Impact fees need to be considered, but we always have to consider what the existing capacity is versus what the new capacity is.

The Council and citizens spent time addressing how to improve Tremonton and make it an attractive destination for businesses to come to, which would create more sales tax. After much discussion, Councilmember Lewis said technically most of what we have talked about today is increasing fees, but we still have the conversation to be had about Truth and Taxation to help the General Fund. I do not want to touch property tax unless we have to. Our costs are rising. Mr. Bollingbroke said I am working on some more reports for that, too. When I get those, I will address the Council again.

Councilmember Lewis said what I have heard today is we need to increase revenue by increasing fees. The way it has been posted online is, they are going to raise property tax so come help me fight to get this down, but what I heard today is let us raise fees to get new revenue. We still need to talk about property tax. However, I think the way the public is seeing it is there is \$2.6 million on the table that the Council is not taking advantage of. I just want you to know that is the message you are sending. Councilmember Bowcutt said I think this has been food for thought. I appreciate what has been brought to the table and ways we can look to see if we can make adjustments.

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Mayor Rohde said you brought together some great ideas on increased revenues. We are also looking at several ways of decreasing expenses. If we can decrease them, that is going to give us more to the bottom line. We are actively looking at a lot of ideas.

2. Adjournment

**Motion by Councilmember Jex to adjourn the meeting.** Motion seconded by Councilmember Bowcutt. Vote: Councilmember Bowcutt - yes, Councilmember Jex - yes, Councilmember Lewis - yes, Councilmember Oyler - absent, Councilmember Westergard - yes. Motion approved.

The meeting adjourned at 11:45 p.m.

The undersigned duly acting and appointed Recorder for Tremonton City Corporation hereby certifies that the foregoing is a true and correct copy of the minutes for the City Council Meeting held on the above referenced date. Minutes were prepared by Jessica Tanner.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Cynthia Nelson, City Recorder

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### **TREMONTON CITY CORPORATION CITY COUNCIL MEETING MAY 5, 2026**

#### Members Present:

Kristie Bowcutt  
Brent Jex  
Beau Lewis  
Sharri Oyler—excused  
Blair Westergard  
Bret Rohde, Mayor  
Linsey Nessen, City Manager  
Cynthia Nelson, City Recorder

### **CITY COUNCIL WORKSHOP**

Mayor Rohde called the May 5, 2026 City Council Workshop to order at 5:00 p.m. The meeting was held in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Rohde, Councilmembers Bowcutt, Jex, Lewis, and Westergard, Manager Nessen, and City Recorder Nelson. Also in attendance were Planner Jeremy Lance, Finance Director Jami Heiner, Code Administrator Greg Horspool, Public Works Director Carl Mackley, Fire Chief Jeff Jarrow, Police Chief Dustin Cordova, Community Services Director Zach LeFevre, and Finance Director Curtis Roberts. Councilmember Oyler was excused.

1. Call to Order and Declaration of Conflict of Interest
2. Council Reports and Updates

**Councilmember Westergard** said the new ambulance is up and going. They are plugging away and we will go over that MOU tonight.

**Councilmember Lewis** said we will discuss Main Street America. There is a resolution to formalize that. We filed the application with Main Street America and will hopefully receive that soon. Once we do, we should see Main Street moving along, with direction from the Council. A quarterly report would be beneficial in these meetings, so we are up to speed on where they are headed. Approval of the data center is going to change a lot of things from our economic development perspective. There is lots to do with recruitment so we can get revenues up. There is the possibility of some sales tax revenue leakage, which is pretty normal for a city like ours if we have not done a robust study or dove into it (5-10% leakage). I have a couple of ideas and anticipate we could have upwards of \$300,000 to add to the budget just by auditing and making sure the businesses are on the tax commission registry and in line with where we are getting our revenues. There are some things we might have to do to ensure we are buttoning up the process for sales tax revenue so we are not leaving revenue on the table. That could impact our budget.

**Councilmember Bowcutt** said I went to the emergency management training. It was fantastic. If we do not know what our role is, we are going to mess things up so it was

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well worth it. We have a new city planner, Jeremy Lance. He comes from Morgan County. The planning department has been actively working to refine internal processes and improve coordination between departments. Their major focus is ensuring that development applications, review procedures, and associated fees are being properly applied. They are also working closely with departments to improve how infrastructure obligations and development agreements are evaluated. The overall goal is to improve efficiency and strengthen accountability. Secondary water will be turned on May 11. Secondary water expansion for Holmgren East will start next week. The East Canal Equalization Basin is coming along and should be completed by June 15. Tremont Street and 100 West culinary waterline replacement is progressing well and should be done by May 31. They will do all the repaving at the same time. Rocket Road Construction is ongoing. Temporary road closures will be in place as they pour curb, gutter, and sidewalk and pave the road. They have started work on the sidewalks on Main Street. The treatment plant is an ongoing project.

**Councilmember Jex** said the police department is running on a red line. I have spoken with department heads who have not been included in any budget discussions and I am curious why that is? Why are those running the departments not seated in the middle of these discussions? They are the experts and who we are relying on. I have a problem with the lack of communication. Are we cutting any public safety positions? Manager Nessen said there has been one FTE requested. It is the position they gave up or suspended. We do not know how that ended up, but they gave one away to get the wages up to Ogden’s rate last year. I had that in the original budget that was brought in April and that is where we were only saving \$37,000 in revenues over expenses. I just want to make sure we are looking ahead and not taking one step forward just to turn around and take two steps back. I hope in our discussions we are actively engaging and the public has the opportunity to hear from our department heads.

*The following items were discussed out of order.*

- 3. Presentations:
  - a. **Title:** EDCUtah Presentation

Greg Bisbing said we appreciate the partnership we have with Tremonton. Here is an update on EDCUtah, what we work on and how we support your community. We were founded 40 years ago to bring jobs and prosperity to Utah. Our mandate is to work with companies that are expanding within or into Utah. We are a unique economic development organization because we are statewide. We are the welcome mat for a lot of these companies. We work with them to highlight our community partners and dictate where they should take a look across the State. The biggest part of our team is our business expansion services. If you have questions on projects, please reach out to them. We have a research team that does primary and secondary research. Primarily we support our project needs with research. If they want data around age and population growth, we provide all of that for free to these projects coming in. The membership services Tremonton pays goes to support that mission of allowing us to do that and working with these companies. I am here to support you in whatever you need. Utah has a very diverse

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economy. The State has had strategic focuses on job growth, which has really paid off. We have a business development team. On average, we have about 100 companies we are working with and typically close about 20% of those a year. We have seen a big uptick in projects over the past couple months. Each community has their own specific desires, needs and opportunities, and we like to approach our community relations in the same way. Let us work with you if you are working on a project. If you have a project that lands in your community, it is not just a one and done. We are providing additional support to help them succeed. There are higher wage jobs we are trying to bring into the State. To help tell that story, we create profiles on our website. We also send a lot of information out in our newsletters and have events you can attend.

b. **Title:** RES 26-20 Main Street America

Councilmember Lewis said we are adopting the Main Street America program. Rather than us reinventing the wheel. We are going to take a model we know works and move forward with it. Kelly Wood will serve as the Main Street director. A clause in Main Street America says the director is supposed to be compensated and they recommended we do that. She is hesitant to receive compensation because that was not what drove her to take this on. It is a lot of work to get this done effectively and will require quite a bit of time and effort. We want to make sure she is putting in adequate time to pull off what we have to pull off. Those funds technically come from the RDA. Main Street America does recommend over time transitioning to a 501(c)(3). For now, we do have the funds sitting in the RDA. Director Roberts said now that we have additional resources, we are going to be talking about that over the summer and can identify those needs. We can build that up and come into the fall with a really good game plan. I would recommend bringing your legal counsel in to define what the legal process is to go through that.

c. **Title:** RES 26-21 Renaming post office to “Sorensen Estrada Post Office”

Mayor Rohde said the next one is the resolution for the renaming of the post office. I read the letter last time and with your permission put together a resolution.

d. **Title:** RES 26-22 Insurance Carriers

Manager Nessen said we do this every year. This is setting the contribution for our medical insurance. We are sticking with Select Health. Nothing has changing. Dental and vision all stay the same. We have discussed the possibility of giving a lump sum stipend for everybody to get the same amount for health insurance. We were asked to put it off until January. This spells out what we are doing for the Council. This will come back, but as of right now, it is going to stay how it is. Currently we pay 90% of your plan.

e. **Title:** RES 26-23 Tentative Budget FY 26-27

*This item will be discussed during the regular City Council Meeting*

f. **Title:** RES 26-24 UTOPIA board appointments

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Manager Nessen said this needs to be updated. This would make me the representative and named our new finance director, Jami Heiner, as the alternate when I am unavailable.

g. **Title:** RES 26-25 MOU with West Liberty Foods

Chief Jarrow said this is a memorandum of understanding between the Tremonton City Fire Department and West Liberty Foods. They approached me in September, requesting us to respond to their facility. We do respond to emergencies in the City regardless, but prior to this they had their own in-house response team. They were looking to replace that so we began negotiations. The purpose is to identify the plan with pre-incident planning and training between us and West Liberty. This is great to help us know exactly how we will respond to an incident. To respond to hazardous materials incidents, they will help us with reimbursement of supplies. Parties may enter into a separate agreement for specific projects if needed. This contract is written so we can make adjustments as needed. West Liberty will provide calibrated monitoring equipment for the target hazard associated with operations at the facility for use by the fire department during emergency responses. My main priority was to get us the equipment we needed to mitigate the situation safely and rescue their people. Containing their product is on them. We also have access to regional hazmat teams who will help us. The company will call their own containment company and remove that chemical and be in charge of any of the EPA type stuff. West Liberty has offered to donate money for whatever equipment we need. The cost for the level A hazmat suits for four of them is about \$2,000. We will get that cost up front to purchase those suits because the ones we have are expired. Any type of maintenance required over the next five years would also be in this contract. Where it says \$2,000 annual maintenance donation for that year, the fire department shall provide the organization with an itemized invoice of such expense costs. If we go above, we can just give them an itemized receipt and they will provide whatever materials we need and will pay for that. Director Roberts clarified that the City would own the equipment. Also, when a donation comes to the City, the Council is responsible for then authorizing the expenditure of that donation, so it still has to go through the budget process.

h. **Title:** RES 26-26 Tremonton Garland Police Contract

Chief Cordova said this has been ongoing for what seems like forever, but I think it benefits both cities. Rather than trying to manage half the police department, Garland contributes four officers. They empower Tremonton to provide that service and pay us for that. There is some confusion or lack of communication on the number of officers we are bringing in. We went back and checked the record on that vote and some of us believe that position was suspended to make that adjustment to the end of the fiscal year, and some think it was permanently suspended. As good neighbors of Garland, we should loop them in on whatever we decide. It is very unclear based on reviewing the minutes and discussion with the Council what the decision ultimately was. I want to make sure we are going through the right process and being good neighbors by informing Garland, who is coming into this relationship and delivering the services agreed upon. Garland approved this unanimously in their last meeting. Their only condition was to retain the name

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Tremonton Garland. Mayor Rohde said part of this is the assets from Garland coming to Tremonton. As part of this first year, we will purchase those assets that will reduce their contract and then make sure they pay the full amount. Chief Cordova said correct, that helps us financially. We are buying them all up front and that will reduce their payment. Manager Nessen said we have not budgeted any capital except for that in this tentative budget. That is the only capital items, because we know we are going to have to purchase all those vehicles from Garland. That is in the budget already. That actually saved us money for officer allocations. All their portions will come to us, including vehicles and things of that nature.

i. **Title:** Planning & Zoning

Planner Lance said I have worked here for a couple of weeks and am getting settled. I transferred from Morgan County and am here to introduce the idea of a temporary land use law, otherwise known as a moratorium. This is from the Office of the Property Rights Ombudsman, which laid it out very well. I wanted to read this verbatim into the record. First, a temporary land use regulation, often called a moratorium, is a mechanism by which a zoning regulation is adopted for a limited period of time without having to go through the normal process of public hearings. A temporary land use regulation may be adopted when there is an emergency situation or a compelling reason that requires immediate action. While the temporary regulation is in place, local government has time to address the situation through the normal process to adopt zoning ordinances. A temporary land use regulation may be adopted to address any one of these three situations. A. local government finds there is compelling public interest that justifies the temporary regulation. B. there is an area that is unregulated by zoning ordinances. And C. a proposed highway corridor is being studied for an environmental impact statement or major investment study. A temporary land use regulation may remain in effect for no more than six months or 180 days. Local government must establish the effective period when it adopts the regulation. Tremonton’s current growth projections are outpacing several foundational infrastructural planning documents. A moratorium would allow staff to update our capital facilities plans as applicable to the public works department. Without these updated plans, the City risks approving growth without clear infrastructure capacity analysis. Furthermore, the moratorium would be a useful opportunity for staff to ensure that ordinances are drafted and adopted. That would help the land use approval process proceed in a consistent, efficient, and legally sound manner. This is a temporary land use law. It is a tool that can be employed for exact reasons that are applicable to Tremonton. The request tonight is for a directive from the Council to have staff bring forward a temporary land use ordinance. This will commission staff to do more research and nail down those countervailing public interests. The City attorney would be closely involved. Tremonton almost has a brand-new set of City staff and a lot of change. This would allow time to get systems in place. Tonight is less about reasoning for a moratorium, but rather for a discussion and then summarily a decision to be made to hammer out all of these reasons and have the real discussion. A moratorium would not touch subdivisions that have already been approved. Things could still go through the processes, this would just slow crucial elements for a time. With the effect being temporary. Working with Zoning Administrator ChrisDean Epling, we have noticed

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things in the code that are inconsistent, perhaps unenforceable gaps in our code that should be filled to help liability issues. Just in two weeks, we have already identified a few issues.

Councilmember Bowcutt said this is a great idea. It is important we have the right direction. We are a puzzle with missing pieces and the General Plan needs to be updated. The Land Use Plan needs to be followed directly. This will also give our new employees, and department heads time to come up with a plan. We need to find our identity and not let developers tell us what they want. I do not think this is going to stop economic growth from coming in. We do need to fix these codes. Councilmember Lewis said if you are a developer and hear the word moratorium, you are going to get skittish. How do we as a City make sure that message is communicated appropriately? Planner Lance said you define it really well in your ordinance. On infrastructure capacity alone, you have a countervailing public interest. Again, putting the breathing room for even public works to get their systems updated is one reason alone. When this is debated you should present as united as possible, the reasons why this would be good for the City. If there are reasons you do not want to do that, then let those make their way into the record. If the Council is even interested in something like this, then staff will answer questions since it has only been implemented a few times around the State for different reasons. Mayor Rohde said is the Council open to them putting together language on the moratorium and running it through the lawyer to make sure we are legal and then coming back to have a discussion? Councilmember Lewis said my fear is economic development, developers, and businesses not picking Tremonton with a moratorium in place. We have to be very careful about what we do and very specific, so we are not shooting ourselves in the foot. If we are overbuilding, obviously we owe that to our residents to make sure we have a capital plan in place. The last thing we want to do is turn off our revenue with a moratorium. Councilmember Bowcutt said I understand what you are saying, but we need to button up what is going on. We have too many loose ends. Let us see what you can come up with. Councilmember Lewis said can we button things up without putting an official moratorium ordinance in? Can we get the capital facilities and all the things we are going to do in the moratorium time, without branding the moratorium. Is a moratorium necessary to get a Capital Facilities Plan in place? I know it buys us time, but it also comes with consequence. I do not want to be locked in due to a moratorium and turn off our revenue spigot. Planner Lance said you can be pretty targeted in the language. Excluding economic development could be built in. You can be pretty targeted in what the moratorium does. That could be utilized to establish clear messaging and branding with what the intent of the ordinance is. Again, using it for on a temporary nature does not have to turn off any real spigots that are important. This would help us fast tracking gaping holes in our ordinance and put temporary stops on certain aspects of the subdivision process and allow plans to be drafted, approved, and implemented before we start sticking our neck out too far. Director Mackley said I have not been a proponent of a moratorium. To answer your question, can we do some of these things while entertaining develop. Yes, we can, but the problem is we have pushed that limit too long and have infrastructure problems. We were talking about bringing in businesses and industry. That got me thinking and steered the conversation toward, I think we should do a moratorium because those types of businesses and industries can have a significantly

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stronger impact on our infrastructure than homes. The idea is to do it now before we push too far. We are too close to certain lines. Water, sewer, and the treatment plant are concerns at the point where we need to be better prepared. That is really important. We have to have better tools in place. It is better to do this now than wait until we are already past and are in trouble.

Planner Lance said the objective of tonight was to simply start the conversation. Staff will research your questions and talk to the attorney and will bring something forward for discussion. Mayor Rohde said I am hoping to use a temporary land use development plan versus a moratorium. A lot of that can be defined and it does not sound as scary but accomplishes the same things. Councilmember Bowcutt said I have been in this process much longer, following Planning Commission since 2019. There are things that need to be buttoned down. We do not have the codes in place and developers are coming in and dictating what they want. We do not have the codes in place to say, no, this is what Tremonton is going to do. By doing that, slowing it down just a bit, I do not think it is going to hurt anybody. In the long run it is going to help our department heads. We need to stop and figure out how we are going to get more funding. We need to see how we are going to make changes to codes that identifies what Tremonton City will allow. Mayor Rohde said what would be the direction of the Council? Councilmember Lewis said the purpose of the moratorium, what are the restraints it offers? Why we would do that instead of just solving the problems one at a time. When a vote comes, we already have power to deny. So why would we consider it? I am struggling to understand the core purpose and messaging that comes with it when it is already in our power to do that as a legislative body. A moratorium does not solve our issues, it just prolongs what we need to get done. Director Mackley said this is a long game and we want to call a timeout. You want to let the play clock run down longer. Councilmember Lewis said what does a moratorium do to stop development and solve your current problem? Director Mackley said it is just intended to be a formal planning session where we do not have to address new developments. Councilmember Lewis said can we do a formal planning session without a moratorium? Director Mackley said I used to think we could, but I am not entirely sure we can or should at this point. We do not have updated plans in place and we need updated rates, capital facilities plans and impact fees. I do not care how we get from A to B, I just want to get to B. Councilmember Bowcutt said let us see what they can come up with because I trust in what they are doing and think we owe it to them. They are in that position to make these decisions. Councilmember Westergard said we have concerns about water and need some breathing room. We ought to put it together with good language and before we know it, that will be over anyway. Councilmember Lewis said I am not saying we should grow irresponsibly without having a Capital Facilities Plan. We need to be responsible and check boxes and if that means saying no, that is what we need to do. Mayor Rohde said our employees are overloaded with trying to catch up. That is part of the problem. We need to somehow get them on top and start working toward our goals. We are just trying to stay afloat. I support letting our department heads catch their breath. I can see where they are headed and I am so excited about the future of Tremonton. I just want to give these guys a chance to get us there.

j. **Title:** ULCT Debrief

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*This item will be discussed during the regular City Council Meeting*

**k. Title:** RES 26-27 Planning Commission Vacancy

Councilmember Bowcutt said we have a vacancy on the Planning Commission with Mr. Thompson moving on to better things. I recommend we appoint Ben Greener. He has been on the Planning Commission before and would fill the seat until January 2028. This is a resolution we would pass tonight. Mayor Rohde said I worked with Mr. Greener on the Planning Commission, and he was a great asset.

**l. Title:** Discussion of Mugs & Bananas Drag Night

Director LeFevre said a special event application for Mugs and Bananas Drag Night was submitted. This is a recurring event every other year. He has submitted another application asking to continue hosting this event. He does a burnout lane on 200 West. This event brings in thousands of people. It starts at Bear River High School from 5 to 7 p.m. and they drag Tremont and Main from 8 to 11 p.m. The burnouts are from 8 to 9 p.m. To enter the burnouts, they have to have a wristband and know the rules. Typically, the police have been involved. He still has all his safety measures there and they do have to sign waivers. He would like to change the concert location to Midland Square from 9 to 10:30 p.m.

- 4. *CLOSED MEETING: No Closed Meeting held at this time.*
  - a. *Strategy session to discuss the purchase of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms; and/or*
  - b. *Strategy session to discuss the character, professional competence or physical or mental health of an individual; and/or*
  - c. *Strategy sessions to discuss pending or reasonably imminent litigation; and/or*
  - d. *Discussions regarding security personnel, devices or systems*

Please note that any agenda item listed on the 6:00 p.m. City Council Workshop may be discussed in the 7:00 p.m. City Council Meeting

The meeting adjourned at 6:53 p.m. by consensus of the Council.

**CITY COUNCIL MEETING**

Mayor Rohde called the May 5, 2026 City Council Meeting to order at 7:00 p.m. The meeting was held in the Tremont City Council Meeting Room at 102 South Tremont Street, Tremont, Utah. Those in attendance were Mayor Rohde, Councilmembers Bowcutt, Jex, Lewis, Oyler, and Westergard, City Manager Nessen, and City Recorder Nelson. Also in attendance were Finance Director Jami Heiner, Code Administrator Greg Horspool, Public Works Director Carl Mackley, Fire Chief Jeff Jarrow, Police Chief Dustin Cordova, Community

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Services Director Zach LeFevre, and Finance Director Curtis Roberts. Councilmember Oyler was excused.

1. Call to Order
2. Invocation by: Student Jaden Mello  
Pledge led by: Student Maycie Mello
3. Roll Call
4. Approval of Agenda:

Mayor Rohde said we need to make an amendment because we do not have the minutes from April 10, 2026 and will not be approving those. The April 7 minutes only.

**Motion by Councilmember Jex to approve the agenda with that change.** Motion seconded by Councilmember Bowcutt. Vote: Councilmember Bowcutt - yes, Councilmember Jex - yes, Councilmember Lewis - yes, Councilmember Oyler - absent, Councilmember Westergard - yes. Motion approved.

5. Declaration of Conflict of Interest: None
6. Presentations
  - a. Tremonton City Citizenship Award to Elementary and Intermediate Students

Mayor Rohde said this is the best time of the evening when we get to recognize these wonderful students and their fabulous work in the schools. They were presented with their awards and had their picture taken.

b. Youth City Council Presentations

Youth City Council Mayor Jaden Mello said this year we had the opportunity to serve Tremonton by doing a ton of random activities, such as the turkey trot, holiday Christmas bash, Daddy Daughter Dance, and many more. Youth City Council City Manager Landon Dennis said this year we had the opportunity to go to Utah State University for our youth leadership conference, which we are grateful for. We learned a lot of skills attending that conference, and will cherish and use that the rest of our lives. Mayor Mellow said we also had the opportunity to learn from our amazing advisors, Caroline Bourgeois and Andrea Mello. They have had a huge impact on all of us. We would also like to give a shout out to our new mayor and other board members. Bridget as the mayor, Avery as city manager, Ainsley as project manager, Macy as historian, and Taya as the recorder and secretary. Manager Dennis said we are so excited to see the amazing things this new board is going to accomplish. Thank you for letting us help our neighbors and community grow. We would like to also acknowledge our outstanding 26 members with a combined 388 total hours of community service this year. Director LeFevre said the Youth City Council is under Parks and Recreation and I have had the opportunity to work with these two for the past few years while they have been in the program. They are amazing young

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men and have a bright future ahead of them. The whole Youth City Council is a fantastic program that develops youth leaders in our community. I am proud to be associated with them and thank them for their hard work because they do make a lot of the events we host happen. They also add their input where they would like to see improvements so we can better the program and give them ownership in our events. I just want to thank them for all they do.

c. Quality Library Award

Tremonton received a letter from Culture of Community Engagement and the Utah State Library. Councilmember Lewis read, Utah State Library would like to recognize Tremonton City Library for outstanding service to their community during the 2025 fiscal year. Please accept our congratulations on earning the quality library award, which is a designation the State library determines during recertification, which is an annual process that requires public libraries to submit reports and data to indicate that their services are in accordance with State library standards. The quality library award is a secondary application for library directors to indicate that the work they and their staff have accomplished rises above and beyond the standards. The purpose of this award is to recognize libraries and the dedicated people who work in them, who are offering exemplary work. This award provides an opportunity for the State library to highlight transformational services that might not be obvious in the standard recertification process. As a quality library, your institution is a vital part of the community. It provides resources and services beyond the four walls of the library with exemplary outreach to residents. The best libraries seek to serve their communities in specific ways to address local needs. The efforts being made at your library demonstrate an awareness of community needs with an appropriate and helpful response by the library. Commitment to excellent library service indicates teamwork. It takes leadership from the director, funding and support from the city, county government, dedication from all library staff, support from the community, training for the staff and board, planning, and careful attention to community needs. Thank you for continuing to deliver outstanding library service to Utah residents.

7. Citizen Engagement – General Public Comment

Michael Leighner addressed concerns about Tremonton being in compliance with the American Disabilities Act. All these sidewalks do not have access for wheelchairs or scooters to go up and down City streets. There are no exits or on ramps on any of the major streets in Tremonton. City staff would have a discussion with him personally.

Chris Danvers said when I was much younger, I rode a 10-speed bike with my older brother. He took me out in the hills of New York. I remember I was so grateful to see the top of that hill and as I crested the top, I realized there was another one right after it. I think that is where the City is. We just crested a hill and thought we were going to catch our breath, but now we see this massive hill coming. The only thing you can do is give up or dig in deep and keep going. I was listening to the conversation at the workshop and you were talking about the Land Use Plan and Capital Facilities Plan. Is there any legal reason why we could not have volunteers help with that effort? We just got a fire hose in

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place of a garden hose. We really need more manpower behind this to get things done as quick as possible. If not, then maybe we could get professional consultants and find money in the budget to get talent behind us to get where we need to go. We do not want to miss a bus or be trailing behind. Economic development is coming no matter what and with that comes new residents.

8. Public Hearing

*This item was moved to after 11. b.*

- a. To consider the adoption of the proposed Tentative Budget entitled “The Tremonton City Annual Implementation Budget 2026-2027 (General Fund, Capital Fund(s), Enterprise Fund(s), and Special Funds),” for the period commencing July 1, 2026 and ending June 30, 2027.

Mayor Rohde called a Public Hearing to order at 7:27 p.m. to consider compensation increases as contained in the Tentative Budget. There were 11 people in attendance.

- b. To consider approving compensation increases for Executive Municipal Officers as contained in the proposed Tentative Budget entitled “The Tremonton City Annual Implementation Budget 2026-2027 (General Fund, Capital Fund(s), Enterprise Fund(s), and Special Funds),” for the period commencing July 1, 2026 and ending June 30, 2027.

Manager Nessen said we have to do this every year and have a public hearing on what increases our executive municipal officers are getting. It is included in the budget. Nothing is proposed other than the 3% COLA we are requesting in the budget. It has been two years since State legislators made this a rule that we have to call this out separately for our executive officers.

There were no public comments. Mayor Rohde closed the Public Hearing at 7:28 p.m.

9. Unfinished Items from City Council Work Session

Mayor Rohde said the ULCT conference in St. George was very useful and I appreciated the opportunity to spend time with our Council. As a City Council and City, one thing I would like to emphasize is our roles. The City Council sets direction and citizens give their voice and input, while employees carry out the direction. We should all be on a horizontal relationship where we treat each other equally. I feel we need to be a little better at giving direction on where we would like to see the City go. In our next Council meeting, I would like to take 10 minutes and go over the first two pillars and see if we can come up with some high-end strategies and give direction to City employees. Then two weeks after that, we would go through another and get this ready so when we pass the budget, everything can be driven by these directives. That way we can start the new year out on a great framework. The Council agreed they need to have time to hear from their department heads, who are the experts.

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10. Consent Agenda - Any Councilmember may request an item be removed for separate discussion
  - a. Approval of minutes – April 7, 2026 & April 10, 2026
  - b. Approval of Resolution No. 26-20 Main Street America
  - c. Approval of Resolution No. 26-21 Renaming USPS
  - d. Approval of Resolution No. 26-22 Insurance Carrier
  - e. Approval of Resolution No. 26-24 UTOPIA member appointment
  - f. Approval of Resolution No. 26-25 MOU with West Liberty Foods
  - g. Approval of Resolution No. 26-26 Tremonton Garland Police Contract
  - h. Approval of Resolution No. 26-27 Planning Commission Vacancy
  - i. Approval of allowing Mugs & Bananas Drag Night on June 20

**Motion by Councilmember Jex to approve the Consent Agenda with the spelling correction to the name Sorensen.** Motion seconded by Councilmember Westergard. Roll Call Vote: Councilmember Bowcutt - yes, Councilmember Jex - yes, Councilmember Lewis - yes, Councilmember Oyler - absent, Councilmember Westergard - yes. Motion approved.

11. Strategic Business (Ordinances & Policies)
  - a. Discussion and consideration of adopting March 2026 Financial Statement & Warrant Register

**Motion by Councilmember Bowcutt to adopt the Warrant Register and Financial Statement.** Motion seconded by Councilmember Lewis. Vote: Councilmember Bowcutt - yes, Councilmember Jex - yes, Councilmember Lewis - yes, Councilmember Oyler - absent, Councilmember Westergard - yes. Motion approved.

- b. Discussion and consideration of adopting Resolution No. 26-23 Tentative City Budget for FY26-27

Mayor Rohde said the budget, as it is presented, has a savings of about \$570,000. Manager Nessen said but that is giving up every position that has been requested. Mayor Rohde said there were positions that were requested by multiple departments and all of those positions were taken out. Director Roberts said there is a significant area the City is going to be required to address. For over five years I have come before this Council talking about the fact that our rates were in a position they needed to be considered for increase. The treatment plant fund revenues are \$2.4 million. The expenses are \$2.2. However, the revenues also include impact fees, which cannot be spent on operations. If we run the math, revenues minus impact fees minus the operating expenses, this fund is now projected to lose. It is operating at a loss of \$89,200. Your fees are no longer covering the cost of operations. This means the treatment plant fund is broken and if you continue on this path, it will be broke. There will not be money for any replacements, let alone anything that is needed as far as repairs go. The Council must take steps to address rates. The sewer fund is only for collection. This is all the laterals coming into the main lines that feed to the treatment plant. This fund has revenues of \$406,400 and expenses of \$393,150. It also has impact fees of \$100,000. That means that fund is now projected to

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operate at a loss of \$86,750. If we execute this plan, this fund is broke. This fund needs to have a rate adjustment immediately. There are two things that define a city: water in, water out and if you do not have that you are not a city anymore. You are a barren, desolate wasteland. If you want to have growth, you have to have water coming in. The water fund revenue is \$7.5 million with expenses at \$6.9. The impact fees are \$460. That means the water net income before impact fees is \$110,180. That will not meet your bond requirements. Failure to meet the bond requirements could result in an automatic increase in the interest rate they are allowed to charge, or they could call the bonds. You have a water rate structure that needs to be adjusted immediately. Come 2027, when we do the audit, there will be a report that the bonds are out of compliance and they will force you to do something, like raise rates. The storm drain fund is functioning on the low side. It is only going to have net income of about \$44,000. That is not enough. The solid waste fund is fine. It is running at a positive \$3,200, but it does not have anything it really needs to replace. It just recovers operating costs. I know this sounds stern and I am sorry, but I have delivered this message for years. You have to address it. If you fail to, your water fund will not meet the bond covenants.

Councilmember Lewis said where was our breakdown in prior Councils not getting it done? What are the steps to increase the rates? Director Roberts said about 10 years ago, there was a rate adjustment to the treatment plant fund. It was staggered over three years to break it out to where it was more manageable for the average citizen and that was very effective. I have built some plans based off that same concept. I can come back to the next Council meeting to discuss those in more depth. There are complex studies and we started down the path of trying to build it out, but we did not have the staff. With turnover that whole project just got lost. When we started delivering this message there was some pushback and considerations about General Fund needs. Then we had a bunch of turnovers. It was a combination of all those factors. I am not so worried about where we have been. I am more worried about where we are going. I realize these are going to be hard rates when you are five years behind and inside those five years, we had high inflation years. It is a cumulative effect, and this is why rates should be considered every single year for increase. We have to keep up with inflation. When asked about timing, he suggested immediately, but with the proper channels of holding a public hearing. Mayor Rohde said let us have Director Roberts put together rates and bring it back to the next meeting for discussion. I want to get a little defensive, it is not as simple as you have been saying this for five years and we failed. There have been so many things that have hit in this year alone and it did not look this bleak before. It looks bleak now and we need to react. Director Roberts said we have improved that budgeting process to try and make it clearer, showing our operating revenues and expenses. Then this is what we can set aside for capital. Right now, this does not set aside anything for capital. Councilmember Lewis said one of my frustrations since I have been here is we do not have a Capital Facilities Plan and are expected to do the impossible. Then when it is behind the eight ball, we get told we are out of money. I do not think anybody on the Council is against the concept that an operational budget has to cover itself. I am caught off guard that it is so stern and by the way we are 100 grand behind. It feels like last year we should have said, next year we will be behind, and you have to do this. I did not hear that message. Director Roberts said I am sorry if you did not because that is what I thought I delivered.

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That is part of the reason I am being stern because I have been almost too soft, but you still have a little bit of time.

The Council also addressed culinary and secondary water and how those rates are handled with citizens and plans to help with water conservation. Director Roberts said what I am proposing is a jumpstart to the rate structure increase. We definitely need to do an impact fee study and in conjunction with that, we can do the water rate study that goes along with it to make sure whatever gets adopted inside the impact fee has a water rate structure that supports not just what the water fund needs for ongoing operations, but also that portion of the capital that residents are going to have to be paying within the next six years, because that is all an impact fee can go out for. Councilmember Lewis said would it make sense logically for this year to make the increases match what would cover our operational expenses while we try to figure out a formula behind that. We do not want to overcharge our residents while we get the impact fee figured out and then also study the data, so we know we are planning accordingly. Obviously, we would be budgeting a responsible pad. Director Roberts said you have to cover the cost of replacing the assets plus inflationary costs. After much discussion, Mayor Rohde said I am optimistic we are going in a good direction. Let us figure out those rates and work on our impact fees. We have a lot of improvement we can make.

Councilmember Jex said with the fiscal year originally that was \$4,768,700 revised down to \$4,613,400, how many officers does that employ? Manager Nessen said one cut. Councilmember Jex said and that was the one that was on hold from last year for the raises in October 2025. I have a concern with our call responses and violent crimes going up. Everything is going up and we are turning down the opposite way. The effect of losing that position in order to fund those increases saved us from losing four to six officers. Councilmember Westergard said it seems like we have already done a lot, but I know you need more. Chief Cordova said we would go from 21 allocations to 20 while the population and our crimes rise. I have a concern with that. Zoning Administrator Epling has asked our opinions and how these new developments are going to impact us and for the first time ever I am starting to feel like we should pause development because if we are going to reduce my staff while we add developments we are asking for trouble. I want to grow responsibly. I do believe the City will grow and it is heading in a positive direction, but I do not think we are going to get there quick enough to deal with the current problems we are facing. I do not think we should continue to grow if we cannot keep what we have and if our trajectory is we are going to continue to cut officers with a bigger population. That has a bad ending. We need to take action to ensure we are not growing irresponsibly. If we do grow while we cut staff that is irresponsible. There are possible public safety issues. You do not want to scare away good developments that are good for our City, but what we have seen over the years is more developments that are not paying for their self. The problem with the police department is we require money year over year. Impact fees might help pay for vehicles and things, but it does not pay for salaries. Mayor Rohde said we need to get a plan where we can start to give everyone what they need. We have to start bringing revenues in. Councilmember Lewis said we have a revenue problem. Chief Cordova said it would be helpful for me to plan for the next year. We need to figure out did we cut a position and did we do that through the

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right government process. Next year are you going to ask me to cut another position as we continue to grow? Mayor Rohde said we do not want to. I am asking all of us to get on this level together and figure this out. My biggest frustration was last year we were put in this position to make all these decisions and you were put in a position to defend everything you needed. We need to figure out how do we work together on this. We have to get aggressive and start fixing these problems and get more revenue. Chief Cordova said we feel frustrated too because as far as the 20 officers instead of 21, I just got clarity on that today, so we need to do a better job of communicating. I am still unclear as if we officially cut that position or suspended it. My understanding is if we are going to cut a position the Council would have to vote on that unanimously. We do not know what that was last year. It was not clear. I think if we are going to go that route, I will respect the Council's decision, but think we should go through and officially make it clear what we are going to do and what our intentions are for the interest of being open. We want to all be on the same page. I am okay getting through the next year, but if we continue to go down, we are going to be having the Director Roberts talk with the Council. Mayor Rohde said we just need to get aggressive in our goals and get revenues coming in so we can get this taken care of. Councilmember Westergard said we spent a bunch of our savings in that tragedy. Chief Cordova said I am happy to report we did not lose anybody because of your swift action, and I want to be clear, our guys do appreciate the Council. They are just feeling the pressure of a growing community and facing more crimes and things we have never seen before. We just have to handle those professionally and be able to provide the level of service people deserve. We are realistic in our asks, I will tell you what we need for next year and the year after, but what keeps me up at night is all the potential developments because I am supposed to plan strategically so we can be successful and take care of our residents and that is hard to do when I am calculating the population increase and that is what concerns me. If you guys need us to suspend a position we are on board, but I would like to define those things so I can plan strategically for the next couple years.

**Motion by Councilmember Jex to adopt the tentative budget.** Motion seconded by Councilmember Bowcutt. Roll Call Vote: Councilmember Bowcutt - yes, Councilmember Jex - yes, Councilmember Lewis - yes, Councilmember Oyler - absent, Councilmember Westergard - yes. Motion approved.

12. Reports and Calendar
  - a. City Leadership Report

Director LeFevre said the parks, trails and open space master plan has been reviewed. They are finishing up the final details. It will then go to Planning Commission for a recommendation to the Council. There are a lot of things going on and a lot of things we are behind on. It will be a great tool to use as we move forward. We are doing maintenance work at Jeanie Stevens Park for the walking trail and parking lot. There was damage done to the stage at Shuman Park. During a storm the roof almost blew off. We will be replacing that. Also, on the back of the stage we are adding storage for the library. They have outgrown their facility and need this. That has been budgeted. I have worked with a community member who is hosting a regional water skiing tournament over at Bear Hollow Lakes. That will bring people from all over the entire west into town. I

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worked with him on receiving a \$5,000 grant. We will get those professional athletes staying in town. I also received a grant for a mural. We had another grant for the parking lot at Jeanie Stevens, but there were some issues with that being more expansive than anticipated so we are going to return that since we do not have the matching funds. We continue to see high demand for increased park space. That is something we will work on.

Chief Jarrow said as a department head, I think it would be a good idea for us to do our reports as needed and have that be at the first of the meeting while we are still fresh. Mayor Rohde said they could be added to the work session agenda as a presentation item.

Director Horspool said the Community Development group has several new employees and they are doing good things.

Lieutenant Skyler Gailey said this Thursday they are putting Sorensen’s and Estrada’s name on the monument at the State capital at 7 p.m. May 21, is the Special Olympics Torch Run. That starts at 10 a.m. in Garland and will finish here around the 11 a.m.

b. Upcoming Calendar Items

Mayor Rohde said our spring cleanup is May 6-8. The Stamp Out Hunger Food Drive is May 23, and the USA 250 gold star memorial walk is May 29. The library’s summer reading kickoff party is the last day of school, May 29, and they have asked the Council to serve hot dogs.

Mayor Rohde said the Council needs to go into a closed meeting to discuss real estate.

**Motion by Councilmember Jex to move into closed meeting.** Motion seconded by Councilmember Lewis. Roll Call Vote: Councilmember Bowcutt - yes, Councilmember Jex - yes, Councilmember Lewis - yes, Councilmember Oyler - absent, Councilmember Westergard - yes. Motion approved.

The Council moved into a closed meeting at 9:15 p.m.

13. *CLOSED MEETING:*

- a. *Strategy session to discuss the purchase of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms; and/or*
- b. *Strategy session to discuss the character, professional competence or physical or mental health of an individual; and/or*
- c. *Strategy sessions to discuss pending or reasonably imminent litigation; and/or*
- d. *Discussions regarding security personnel, devices or systems*

**Motion by Councilmember Westergard to return to open meeting.** Motion seconded by Councilmember Lewis. Vote: Councilmember Bowcutt - yes, Councilmember Jex - yes, Councilmember Lewis - yes, Councilmember Oyler - absent, Councilmember Westergard - yes. Motion approved.

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The Council returned to open session at 9:37 p.m.

14. Adjournment

**Motion by Councilmember Bowcutt to adjourn the meeting.** Motion seconded by Councilmember Westergard. Vote: Councilmember Bowcutt - yes, Councilmember Jex - yes, Councilmember Lewis - yes, Councilmember Oyler - absent, Councilmember Westergard - yes. Motion approved.

The meeting adjourned at 9:37 p.m.

The undersigned duly acting and appointed Recorder for Tremonton City Corporation hereby certifies that the foregoing is a true and correct copy of the minutes for the City Council Meeting held on the above referenced date. Minutes were prepared by Jessica Tanner.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Cynthia Nelson, City Recorder

**RESOLUTION NO. 26-28**

**A RESOLUTION OF TREMONTON CITY CORPORATION APPROVING AMENDMENTS TO THE TREMONTON CITY PERSONNEL POLICIES AND PROCEDURES MANUAL, SECTION II: PURCHASING POLICY & CONTRACTS REGARDING PURCHASE ORDER SIGNATURE AUTHORIZATIONS**

**WHEREAS**, the City Council of Tremonton, Utah, has adopted the Tremonton City Personnel Policies and Procedures Manual; and

**WHEREAS**, from time to time, it becomes necessary for the City to consider amending sections of the adopted Tremonton City Personnel Policies and Procedures Manual; and

**WHEREAS**, Tremonton City staff has drafted amendments to *Section II: Purchasing Policy & Contracts* for the City Council’s consideration and recommends approval of the same; and

**WHEREAS**, specifically in *Section II: Purchasing Policy & Contracts* updating the signature authorizations for signing purchase orders to include newly created positions in the City.

**NOW, THEREFORE, BE IT RESOLVED** that the Tremonton City Council hereby approves amending *Section II: Purchasing Policy & Contracts* as contained in Exhibit “A” regarding purchase order signature authorizations.

**ADOPTED AND PASSED** by the City Council of Tremonton, Utah, this 19<sup>th</sup> day of May 2026. This Resolution shall become effective upon adoption and passage by the City Council.

TREMONTON CITY  
A Utah Municipal Corporation

\_\_\_\_\_  
Bret Rohde, Mayor

ATTEST:

\_\_\_\_\_  
Cynthia Nelson, City Recorder

**EXHIBIT "A"**

## **SECTION II: PURCHASING POLICY & CONTRACTS**

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1. **POLICY OBJECTIVES.** The underlying purpose of this policy is the balancing of the following objectives. It is understood that some of the objectives may be in conflict with other objectives. It is the final decision making body's prerogative to find the appropriate balancing of the objectives within this General Policy when making a Procurement.
  - A. **Streamline Procurement.** Streamlining the purchasing process and reducing administrative burdens associated with conducting Tremonton City business.
  - B. **Greatest Economy.** To provide for the greatest possible economy in Tremonton City Procurement activities.
  - C. **Broad-Base Competition.** To foster effective broad-based competition within the free enterprise system to ensure that Tremonton City shall receive the best possible service or product at the lowest possible price.
  - D. **Strengthen Local Economy.** To strengthen Tremonton City's economy by supporting independently owned Businesses in Tremonton City and the Bear River Valley.
  
2. **PURCHASING POLICY EXEMPTIONS.**
  - A. The following circumstances or situations are exempt from the purchasing policy:
    - (1) **Grant, Gift, or Bequest.** This policy shall not prevent Tremonton City from complying with the terms and conditions of any grant, gift, or bequest that is otherwise consistent with law.
    - (2) **Federal Law and Regulation.** When Procurement involves the expenditure of federal assistance funds, Tremonton City shall comply with applicable federal law and regulations.
    - (3) **Extending Existing Contracts.** To reduce service disruptions the Department Head or City Manager may recommend to the City Council to extend existing contracts with vendors or Independent Contractors.
    - (4) **Emergency Procurement.** Notwithstanding any other provision of this policy, when there is an immediate threat to public health, welfare or safety, or City facilities and infrastructure, the City Council, Mayor, or the City Manager, may authorize others to make emergency Procurement. A written determination of the basis of the emergency and the selection of the particular contractor or vendor shall be included in the contract file. UCA 11-39-104 allows for exceptions for emergency repairs for Building Improvements and Public Works Projects.

3. DEFINITIONS.

A. The terms below shall have the following meaning:

- (1) “Bid Limit” is defined in UCA 11-39-101 as amended.
- (2) “Building Improvement” is as defined in UCA 11-39-101 as amended. Generally, Building Improvement shall mean the construction or repair of a public building or structure.
- (3) “Contract” means any Tremonton City agreement for the Procurement or disposal of supplies, services, or construction.
- (4) “Procurement” means buying, purchasing, renting, leasing, leasing with an option to purchase, or otherwise acquiring any supplies, services, or construction.
- (5) “Purchase Description” means the document and words used in a solicitation to describe the supplies, services, or construction to be purchased, and includes specifications attached to or made a part of the solicitation.
- (6) “Professional Services Agreement” means an agreement which is approved by the City Council by resolution in which the City receives professional services from an independent contractor.
- (7) “Purchase Orders” (sometimes referred to as P.O.) means a preprinted, numbered document on forms provided by Tremonton City which shows purchase details which includes the seller information, indicating types or services of Procurement, quantities, and prices for products or services and the City’s account number with which to record the expense.
- (8) “Public Works Project” is as defined in UCA 11-39-101 as amended. Generally, Public Works Project means the construction of a park or recreational facility or a pipeline, culvert, dam, canal, or other system for water, sewage, storm water, or flood control.
- (9) “Request for Bid” (RFB) means that Tremonton City provides detailed project specifications that outlines the bidding process and contract terms and provides guidance on how the bid shall be formatted and presented. The specifications allow Vendors to send in their bid indicating how much the project shall cost to complete. Because the focus of the Request for Bid is on the Vendor’s price for project completion, there is less emphasis on the bidder introducing its own ideas. This separates the RFB from a Request for Proposal (RFP).

- (10) “Request for Proposal” (RFP) means that Tremonton City announces that funding is available for a particular project or program and allows a Vendor to introduce their own ideas on how to complete the project or program along with a bid for completing the project or program. The Request for Proposal (RFP) outlines the bidding process and contract terms and provides guidance on how the bid shall be formatted and presented.
- (11) “Request for Qualifications” (RFQ) means that Tremonton City announces that funding is available for a particular project, program, or service and allows a Vendor to provide statements and other documents that demonstrate that they are qualified to be considered for the completion of the project or program, or to provide the service. The Request for Qualifications (RFQ) may outline the project, program, or service and potential contract terms, and provides guidance on how the state of qualifications shall be formatted and presented. A submittal by a Vendor of their statement of qualification does not guarantee that the Vendor shall be contracted to perform any project, program, or service but only gives notice to Tremonton City that the Vendor desires to be considered.
- (12) “Single-Source Provider” means is one that provides a particular product, part, or service for an agency or department, which no other company provides or independent contractor can reasonably provide.
- (13) “Vendor” means any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or any other private legal entity that has intent to sale goods or services to the City.

#### 4. AUTHORIZATION FOR EXPENDITURES.

- A. Budget Appropriation. Annually the City Council appropriates an expenditure budget for departments and funds. Appropriations lapse, excepting appropriations in the capital projects fund, at the end of the year (See Utah Code Annotated 10-6-130).
- B. Expenditures Within Budget Appropriation. Department Heads are authorized to expend funds in accordance with an approved budget and shall ensure that the total budget in which they have stewardship is not exceeded (See Utah Code Annotated 10-6-123).
- C. Fiscal Year End. Expenditures are accounted for within a fiscal year when the invoice and services are rendered or the products are received. Towards the end of a fiscal year, the City Manager may set a date whereby Department Heads shall not expend funds without prior approval.

- D. Procurement Made According to Policy. In accordance with Utah Code Annotated 10-6-122 all Procurement shall be made or incurred according to the purchasing procedures established by each City by ordinance or resolution and only on an order or approval of the person duly authorized to act as a purchasing agent for the City.
- E. Purchase Orders Required. All Procurement requires a Purchase Order to be filled out and approved prior to the purchase and submitted to the Accounts Payable Clerk. A Purchase Order shall be filled out with a receipt attached and submitted to the Accounts Payable Clerk for all Procurements made with City Credit Cards.
- F. Basis for Making Procurement Decisions and Authorizing the Expense. The position/body that has been granted authority to authorize an expense by signature of a Purchase Order shall make the decision upon requirements set forth in the Purchase Description, Request for Bids, Request for Proposal, and Request for Qualifications and balancing the policy objectives of Section 1 Policy Objectives. It is not requisite that the position/body who has authority to make Procurement decisions select the Vendor based upon the lowest possible price except as specified in UCA 11-39 for Building Improvement and Public Works Projects. Additionally, the position/body making the Procurement decision may, after receiving the bids, inquire to see if an independently owned Vendor in Tremonton City or the Bear River Valley may match the lowest bid received.

The positions/body listed below is granted the authority to make Procurement decisions and authorize an expense by signature of a Purchase Order in the following amounts:

<b>Purchase Order Type/Amount</b>	<b>Signature Authorization</b>
Vehicles & Equipment above \$100,000	City Council
Unlimited with City Council Approval	<del>Assistant City Manager</del> City Manager City Recorder <u>Finance Director</u> Fire Chief Mayor Police Chief Public Works Director
\$25,001 to \$75,000 and/or Vehicles & Equipment \$100,000 and under when co-signed by the City Manager or <del>Assistant City Manager</del> <u>Finance Director</u>	All Department Heads

\$25,000 and under

Assistant Public Works Director  
City Recorder  
~~Community Development Director~~  
Community Services Director  
Fire Chief  
Police Chief  
Police Lieutenant  
Public Works Director

\$5,000 and under

Building Official  
City Treasurer  
Code Administrator  
Emergency Manager  
Library Director  
Pantry Director  
Parks and Recreation Director  
Public Works Leads  
Public Works Operations Manager  
Senior Center Director  
Zoning Administrator

\$1,000 and under

Communication/Events Coordinator  
Judge  
Police Records Clerks  
Recreation Supervisor  
Sergeants

\$500 and under

City Employees when co-signed by Supervisor

G. Stamped Signature Authorization. Authorized personnel may use a stamped signature in lieu of a wet (handwritten) signature on purchasing documents, including purchase orders, vendor agreements, and internal approvals provided the following conditions are met:

- (1) The individual whose signature is stamped must have previously granted written approval for the use of their stamped signature in purchasing transactions.
- (2) Stamps must be securely stored and accessible only to designated staff. Misuse or unauthorized use of a signature stamp will result in disciplinary action.

## 5. CREDIT CARD PURCHASING POLICY.

- A. Purpose. The purpose of this policy is to establish clear rules for the use of municipal credit cards, ensure timely submission of purchase orders and documentation, maintain fiscal accountability and protect public funds.
  - B. Scope. The policy applies to all municipal employees, officers, and officials who are issued a municipal credit card or are authorized to make purchases on behalf of the municipality.
  - C. General Policy. Municipal credit cards are provided strictly for official city expenses and purposes. All purchases must comply with municipal procurement policies, budgetary limits, and documentation requirements. Use of a credit card is a privilege, not a right, and may be suspended or revoked at any time for noncompliance.
  - D. Purchase Order Requirements. A purchase order shall be submitted to accounts payable at the time of the purchase or within five (5) days of the transaction. All required documentation (receipts, invoices, etc.) shall be submitted with the purchase order. Failure to submit a purchase order and documentation within the required timeframe constitutes noncompliance with this policy.
  - E. Prohibited Practices. The following practices are prohibited:
    - (1) Making purchases without submitting a purchase order within the required timeframe.
    - (2) Repeated late submissions of purchase orders or documentation.
    - (3) Circumventing procurement or approval requirements.
    - (4) Personal purchases of any kind.
6. **PROGRESSIVE ENFORCEMENT FOR FAILURE TO SUBMIT PURCHASE ORDERS ON TIME.** Failure to submit purchase orders and required documentation in a timely manner will result in the following progressive disciplinary actions:
- A. First Occurrence.
    - (1) Verbal warning issued by the employee's supervisor or department head.
    - (2) Reminder of purchase order requirements and expectations.
    - (3) Documentation of the warning maintained by the supervisor (not placed in personnel file).
  - B. Second Occurrence.

- (1) Second verbal warning issued by the supervisor or department head.
  - (2) Reinforcement of policy requirements and consequences of continued noncompliance.
  - (3) Documentation maintained by the supervisor.
- C. Third Occurrence.
- (1) Written warning issued to the employee. The written warning shall describe the violations, reference prior verbal warnings, and clearly state expectations moving forward.
  - (2) The written warning shall be placed in the employee's personnel file.
- D. Fourth Occurrence.
- (1) Formal corrective conversation involving the employee, supervisor or department head, and City Manager (if applicable).
  - (2) The conversation will emphasize the seriousness of continued noncompliance and the risk of losing credit card privileges.
  - (3) Documentation of the meeting shall be retained.
  - (4) The employee shall be placed on a probationary period of one (1) year for credit card use. During the probationary period, all purchase orders and documentation shall be submitted timely and in full. Any additional failure to comply will advance enforcement to the next level.
  - (5) If no further occurrences take place during the one-year probationary period, the progressive enforcement sequence shall reset, and prior occurrences will no longer be counted for purposes of this policy.
- E. Fifth Occurrence (During Probationary Period).
- (1) Immediate revocation of municipal credit card privileges.
  - (2) The employee must surrender the credit card to the City Manager.
  - (3) Future purchasing must be completed through standard procurement processes without use of a credit card.
  - (4) Reinstatement of credit card privileges, if any, shall be at the sole discretion of the municipality and may require additional training or corrective action.

- F. Additional Consequences. Repeated failure to comply with purchasing and documentation requirements may also result in further disciplinary action under applicable personnel policies, up to and including suspension or termination, if warranted.
- G. Non-Exclusivity of Discipline. Nothing in this Progressive Disciplinary scheme shall be construed to limit City's ability to revoke or suspend credit card privileges. Notwithstanding the foregoing ordinary course, the City may suspend or revoke a credit card privilege without following the foregoing progressive disciplinary measures.
- H. Training and Acknowledgment. All cardholders must sign the Municipal Credit Card Policy Acknowledgement Form (See Appendix Number 60 for details) an acknowledgement confirming they have read, understand, and agree to comply with this policy.

7. PROCUREMENT *NOT* REQUIRING BIDS.

- A. Procurement *not* requiring bids shall include:
  - (1) Procurements Less than \$2,000. Procurement costing less than \$2,000 in total shall *not* require bids of any type.
  - (2) State Procurement Contracts. Procurement made through existing service/suppliers/leasing companies and the cooperative purchasing contracts administered by the State Divisions of Purchasing.
  - (3) Single-Source Provider. Procurement made from a Single-Source Provider. The Department Head shall provide a written statement stating that the product is being purchased from a Single Source Provider.
  - (4) Professional Services Agreement Approved by the City Council. Procurement offered for a Professional Services Agreement which is approved by the City Council.
  - (5) Insurance Procurement. Procurement offered for any type of insurances offered by the City including, but not limited to: medical, dental, liability, property, auto, etc. which is approved by the City Council.

8. GENERAL PROCUREMENT POLICIES.

- A. General Procurement Policies. The following policies shall be applicable to any Procurement:
  - (1) Artificial Division of Procurement. Procurement shall not be artificially divided so as to constitute a small purchase under this section to avoid the

procurement process. The City Manager is granted discretion in making the determination of an artificial division.

- (2) Rejection of Bids. The City reserves the right to reject any or all bids. If the City rejects all bids the City may re-advertise the bids.
- (3) No Response Received. If there are no bids, proposals, or qualifications submitted in response to a Request for Bid, Proposals, or Qualifications the City Council may proceed under their own direction to make the purchase.
- (4) Accounts Payable Clerk Verification. The Accounts Payable Clerk shall verify compliance of the City purchasing policy with the processing of Purchase Orders.
- (5) Contract File. In accordance with Utah Code Annotated 10-6-122 and in conjunction with the Utah Municipal General Recorders Retention Schedule, Schedule 10 whenever the City is required by law to receive bids for purchases, construction, repairs, or any other purpose requiring the expenditure of funds, the City Recorder shall keep on file all bids received, together with proof of advertisement by publication or otherwise, for: (a) at least four years following the letting of any contract pursuant to those bids; or (b) four years following the first advertisement for the bids, if all bids pursuant to that advertisement are rejected.
- (6) Retention. Any payment of funds that is retained or withheld shall be handled by the City in conformance with UCA 13-8-5 as amended. The requirement of this State law is generally that any payment that is retained shall be placed in an interest-bearing account with the interest to accrue for the benefit of the Vendor to be paid after the project is completed and accepted by the City. It is the responsibility of the Vendor to ensure that any interest accrued on the retention is distributed by the Vendor to the sub-vendor on a pro rata basis. Additionally, no retention can exceed five (5) percent of the payment due, and the total retention cannot exceed five (5) percent of the contract price.

9. PROCUREMENT FOR BUILDING IMPROVEMENTS OR PUBLIC WORKS PROJECTS. The City shall follow the requirements of Utah Code 11-39-101 et seq. for projects associated with Building Improvements of Public Works Projects. It is suggested that the Department Head making the Procurement review the aforementioned Utah Code Sections prior to making the Procurement. Utah Code shall govern in all cases of conflict with City policy below.

- A. When the City embarks on Procurement for Building Improvement or Public Works Projects the City shall, in accordance with UCA 11-39-102 as amended, cause:

- (1) Plans and specifications to be made for the Building Improvement or Public Works Project; and
  - (2) An estimate of the cost of the Building Improvement or Public Works Project to be made.
- B. When the City's prepared estimate for Building Improvement or Public Works Projects exceeds the Bid Limit as defined in UCA 11-39-101 the City shall follow the process and requirements prescribed in UCA 11-39-101 et seq. for Procurement for Building Improvements and Public Works Projects. The Bid Limits contained in UCA 11-39-101 are generally as follows:
- (1) Building Improvements Bid Limits. Bid Limits for Building Improvements is the greater amount of the two following: 1) improvements over \$40,000 or 2) the Bid Limit as described in UCA 11-39-101.
  - (2) Public Works Projects Bid Limits. Bid Limits for Public Works Projects is the greater amount of the two following: 1) improvements over \$125,000 or 2) the Bid Limit as described in UCA 11-39-101.
- C. When the City's prepared estimate for Building Improvement or Public Works Projects does *not* exceed the Bid Limit as defined in UCA 11-39-101, the City shall follow the process contained in Section 9, Section 10, or Section 11 of this policy as appropriate.
10. **PROCUREMENT FOR CLASS C ROADS IMPROVEMENT PROJECTS.** The City shall follow the requirements of Utah Code 72-6-108 through 110 for projects associated with Class C Roads. It is suggested that the Department Head making the Procurement review the aforementioned Utah Code Sections prior to making the Procurement. Definitions associated with Class C Road Improvements are contained in Utah Code 72-6-109. Utah Code shall govern in all cases of conflict with City policy below.
- A. When the City embarks on Procurement for Class C Road Improvement Project the City shall, in accordance with UCA 72-6-108 as amended, cause:
    - (1) Plans and specifications to be made for the Class C Road Improvement Project; and
    - (2) An estimate of the cost of Class C Road Improvement Project to be made.
  - B. When the City's prepared estimate for Class C Road Improvement Project exceeds the Bid Limit as defined in UCA 72-6-109, the City shall follow the process and requirements prescribed in UCA 72-6-108 for Procurement for Class

C Road Improvement Project. The Bid Limits contained in UCA 72-6-109 are generally as follows:

- (1) Class C Road Improvement Project Bid Limits. Bid Limits for Class C Road Improvement Project is the greater amount of the two following: 1) improvements over \$125,000 or 2) the Bid Limit as described in UCA 72-6-109.

C. When the City's prepared estimate for Class C Road Improvement Project Projects does *not* exceed the Bid Limit as defined in UCA 11-39-101, the City shall follow the process contained in Section 10 or Section 11 of this policy as appropriate.

#### 11. PROCUREMENT REQUIRING TELEPHONE, INTERNET, AND WRITTEN BIDS.

A. Procurement Requiring Telephone, Internet, and Written Bids. Procurement requiring telephone, internet, and written bids shall include the following Procurement:

- (1) Procurement between \$2,000 and \$10,000. Department Heads shall attempt to obtain at least three (3) telephone or internet bids for Procurement when the expense is between \$2,000 and \$10,000. Department Heads shall document telephone bids by listing Vendors and their corresponding bid amounts. All obtained telephone and internet bids shall be submitted to the Recorder's Office with Purchase Orders to be filed.
- (2) Procurement between \$10,000 and \$40,000. Department Heads shall attempt to obtain at least three (3) internet or written bids for Procurement when the expense is between \$10,000 and \$40,000. All obtained internet or written bids shall be submitted to the Recorder's Office with Purchase Orders to be filed.
- (3) Procurement of Vehicles and Equipment. Department Heads shall attempt to obtain at least three (3) internet or written bids for Procurement of vehicles and equipment regardless of the expense. All obtained internet or written bids shall be submitted to the Recorder's Office with Purchase Orders to be filed.
- (4) Procurement of Building Improvements. Department Heads shall attempt to obtain at least three (3) internet or written bids for Procurement of Building Improvements that do *not* exceed the Bid Limits of UCA 11-39-101. All obtained internet or written bids shall be submitted to the Recorder's Office with Purchase Orders to be filed.

- (5) Procurement of Public Works Projects. Department Heads shall attempt to obtain at least three (3) written bids for Procurement of Public Works Projects that does *not* exceed the Bid Limits of UCA 11-39-101. All obtained written bids shall be submitted to the Recorder's Office with Purchase Orders to be filed.
- B. Process for Obtaining Written Bids. Department Heads shall contact potential Vendors to solicit telephone, internet, or written bids. The selection of potential Vendors to contact is at the discretion of the Department Head. There is no public notice or public bid opening for telephone, internet, or written bids.
- C. Selection of Bids. The selection of bids shall be done in accordance with the policies and procedures contained in this policy in Section 4 "Authorization for Expenditures".
- D. Cancellation and Rejection of Bids. Any bids or other solicitation may be canceled, or any or all bids may be rejected, in whole or in part, when it is in the best interests of Tremonton City.

12. PROCUREMENT REQUIRING SEALED BIDS.

- A. Procurement Requiring Sealed Bids. Except as otherwise provided by Utah Code or this policy, Procurement anticipated to be in excess of the amounts listed below shall be awarded by competitive sealed bidding:
  - (1) Procurement over \$75,000
- B. Process for Obtaining Sealed Bids. The process for obtaining sealed bids shall be as follows:
  - (1) Request for Bids. Request for Bids shall be issued for competitive sealed bidding. The Request for Bids shall include a Purchase Description and all contractual terms and conditions applicable to the Procurement.
  - (2) Public Notice. Public notice of the sealed bid procurement shall be given at least seven (7) days prior to the advertised date of the opening of the bids. The City Recorder shall give public notice through the appropriate media as they deem appropriate.
  - (3) Bid Opening. Sealed Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the Request for Bids. The amount of each bid and any other relevant information, together with the name of each bidder, shall be recorded. The record and each bid shall be retained by the Recorder's Office in accordance with Utah Code and in conjunction with the Utah Municipal General Recorders Retention Schedule and shall be open to public inspection.

- (4) Alteration of Bids. Sealed Bids shall be unconditionally accepted without alteration or correction, except as authorized in this policy.
  - (5) Correction or Withdrawal. Correction or Withdrawal of inadvertently erroneous bids shall be permitted prior to award. However, following bid award, only complete withdrawal of a bid shall be permitted. After bid opening no changes in bid prices or other provisions of bids prejudicial to the interest of Tremonton City or fair competition shall be permitted. All decisions to permit the correction or withdrawal of bids or to cancel awards or Contracts based on bid mistakes shall be supported by a written determination made by the Department Head.
- C. Selection of Bids. The Selection of Bids shall be done in accordance with the policies and procedures contained in this policy in Section 4 “Authorization for Expenditures”.
  - D. Cancellation and Rejection of Bids. An invitation for bids or other solicitation may be canceled, or any or all bids may be rejected, in whole or in part, when it is in the best interests of Tremonton City.

### 13. PROCUREMENT REQUIRING SEALED PROPOSALS.

- A. Sealed Proposals in lieu of bids. When the Department Head and City Manager determine that the use of sealed bids or sealed qualifications is either not practicable or not advantageous to Tremonton City, a Request for Proposals may be noticed. The Request for Proposals shall include a Purchase Description and all contractual terms and conditions applicable to the Procurement.
- B. Public Notice. Public notice of the Request for Proposals shall be given at least seven (7) days prior to the advertised date of the opening of the proposals. The City Recorder shall give public notice through the appropriate media as they deem appropriate.
- C. Proposal Opening. Proposals shall be opened so as to avoid disclosure of contents to competing Vendors during the process of negotiation. A register of Vendors shall be prepared and retained by the Recorder’s Office in accordance with Utah Code and in conjunction with the Utah Municipal General Recorders Retention Schedule and shall be open for public inspection after contract award.
- D. Stated Evaluating Factors. The Request for Proposals shall state the relative importance of price and other evaluating factors.
- E. Short List. The City may create a short list of Vendors based upon requirements set forth in the Purchase Description and Request for Proposals whereby the City may discuss the Vendor’s proposal. Vendors on the short list shall be afforded fair

and equal treatment with respect to any opportunity for discussion and revision of proposals and revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers. In conducting discussions, there shall be no disclosure of any information derived from proposals submitted by competing Vendors.

- F. Selection. Award shall be made to the Vendor whose proposal is determined to be the most advantageous to Tremonton City, taking into consideration price and the evaluation factors set forth in the Request for Proposals.
- G. Cancellation and Rejection of Proposals. A Request for Proposal or other solicitation may be canceled, or any or all proposals may be rejected, in whole or in part, when it is in the best interests of Tremonton City.

14. PROCUREMENT REQUIRING SEALED QUALIFICATION.

- A. Sealed Qualifications in lieu of bids. When the Department Head and City Manager determine that the use of sealed bids or sealed proposals is either not practicable or not advantageous to Tremonton City, a Request for Qualifications may be noticed. The Request for Qualifications shall include a Purchase Description and all contractual terms and conditions applicable to the Procurement.
- B. Public Notice. Public notice of the Request for Qualifications shall be given at least seven (7) days prior to the advertised date of the opening of the proposals. The City Recorder shall give public notice through the appropriate media as they deem appropriate.
- C. Qualification Opening. Qualifications shall be opened so as to avoid disclosure of contents to competing Vendors during the process of negotiation. A register of Vendors shall be retained by the Recorder's Office in accordance with Utah Code and in conjunction with the Utah Municipal General Records Retention Schedule and shall be open for public inspection after contract award.
- D. Stated Evaluating Factors. The Request for Qualifications shall state the relative importance of price and other evaluating factors.
- E. Short List. The City may create a short list of Vendors based upon requirements set forth in the Purchase Description and Request for Qualifications whereby the City may discuss the Vendor's Qualifications. Vendors on the short list shall be afforded fair and equal treatment with respect to any opportunity for discussion. In conducting discussions, there shall be no disclosure of any information derived from qualifications submitted by competing Vendors.
- F. Selection. Award shall be made to the Vendor whose qualification is determined to be the most advantageous to Tremonton City, taking into consideration price and the evaluation factors set forth in the Request for Qualifications.

- G. Cancellation and Rejection of Qualification. A Request for Qualification or other solicitation may be canceled, or any or all qualifications may be rejected, in whole or in part, when it is in the best interests of Tremonton City.

15. VENDOR APPEALS.

- A. Any actual or prospective Vendor 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 with two (2) working days after the Procurement decision.
- B. The City Manager shall issue a written decision within two (2) working days regarding any appeal, if it is not settled by a mutual agreement. The decision shall state the reasons for the action taken and inform the Vendor of the right to appeal to the City Council.
- C. The City Council shall be the final appeal on Tremonton City level.
- D. All further appeals shall be handled as provided in Section 63g-6-801 et seq. of the Utah Code.

16. CONTRACTS.

- A. Cost-plus-a-percentage-of-cost Contracts prohibited. Subject to the limitations of this section, any type of contract which shall promote the best interests of Tremonton City may be used, provided that the use of a cost-plus-a-percentage-of-cost Contract is prohibited and so long as the contract does not violate UCA 13-8-101 et seq. "Unenforceable Agreements".
- B. Miscellaneous Required Contract clauses. The following clauses shall be included in Contracts:
  - (1) The unilateral right of Tremonton City to order, in writing, changes in the work within the scope of the Contract and changes in the time of performance of the Contract that do not alter the scope of the contract work.
  - (2) Variations occurring between estimated quantities of work in a contract and actual quantities.
  - (3) Suspension of work ordered by Tremonton City.
- C. Indemnity/Hold Harmless Clause. Each contract with an independent contractor shall contain indemnity/hold harmless clauses which provide that:

- (1) All contracts shall contain indemnity and defense provisions in which the independent contractor assumes all liability arising out of work performed by the contractor or their officers, employees, agents, and volunteers. In accordance with Utah Code Annotated 13-8-1 and 13-8-2 this provision does not apply to construction and design professionals.
  - (2) All Vendors shall provide evidence that they have acquired and maintain comprehensive general liability coverage, including liability insurance covering the contract concerned, prior to the execution of the contract. Tremonton City and its officials, employees, and agents shall be named as “additional insured” on the liability insurance policy and a copy of the policy shall be given to the Accounts Payable Clerk.
- D. Workers’ Compensation Clause. Each contract with an independent contractor shall contain provisions that ensure the contractor is carrying Workers’ Compensation insurance coverage.
- (1) Tremonton City shall require evidence of Workers Compensation insurance (or evidence of qualified self-insurance) from all contractors prior to the contract for services being signed.
  - (2) Tremonton City shall have the contractor show evidence of the contractor's Workers Compensation coverage to Tremonton City and a copy shall be maintained by the Accounts Payable Clerk.
- E. Fiscal Funding Clause for Lease. Pursuant to Utah Code Annotated § 10-1-202, the City has the authority to enter into contracts, including purchase contracts. However, Section 3(1) Article XIV of the Utah Constitution in essence states that, purchase contracts secured by property taxes only, and not approved by a direct vote of the City’s citizens, may not have a term in excess of one (1) fiscal year. Base on the aforementioned statutory authority, there is a conflict in lease and/or purchase contracts for which no bonding takes place and for which the term of the contract is in excess of one (1) year. Frequently a problem between the two statutory authorities occurs with purchase or lease contracts for office equipment, yard equipment, and computer equipment as companies with which the City typically contracts for these types of purchases, draft term agreements in excess of the one (1) year allowed by the State Constitution. To remedy this situation, the State of Utah Uniform Accounting Manual has suggested the following, "Governmental units frequently obtain needed assets through lease-purchase agreements. These agreements need to contain a 'fiscal funding' or cancellation clause which permits the governmental unit to terminate the agreement on an annual basis to ensure the debt restrictions set forth in Article XIV Section 3 of the State constitution are not violated." All lease agreements over a period of one (1) year shall have the fiscal funding or cancellation clause to comply with the applicable Utah Constitution Section.

17. ETHICS IN PUBLIC CONTRACTING

- A. No Person involved in making procurement decisions may have personal investments in any business entity which shall create a substantial conflict between their private interests and their public duties.
- B. Any Person involved in making Procurement decisions shall not ask, receive, or offer to receive any emolument, gratuity, contribution, loan, or reward, or any promise thereof, either for the Person's own use or the use or benefit of any other person or organization from any person or organization interested in selling to Tremonton City.

Notes:

# TREMONTON CITY CALENDAR ITEMS

May 19, 2026

<b>TITLE:</b>	Review of Calendar
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- May 21            Special Olympic Torch Run
- May 23            USA250 Gold Star Memorial Walk 9 am at Midland Square. It is \$5 to register & \$20 for shirt (optional).
- May 29            Library Summer Reading Kick-off Party from 4-7 pm.  
Council please come set up and cook hotdogs at 3:45 pm
- June 20           Mugs & Bananas Drag Night

- Farmer's Market hosted by businesses in town. Held 1<sup>st</sup> Saturday of each month at Shuman Park from 10-2 during May-September.
- Outdoor Adventure Challenge – please visit <https://www.recreation.utah.gov/utah-every-kid-outdoors> for more details