



**Tremonton City Corporation
City Council Meeting
July 7, 2026
Meeting to be held at
102 South Tremont Street
Tremonton, Utah**

RDA MEETING IMMEDIATELY FOLLOWING CITY COUNCIL

TOUR OF POLICE DEPARTMENT

5:00 p.m.

CITY COUNCIL WORKSHOP AGENDA

6:00 p.m.

1. Call to Order and Declaration of Conflict of Interest
2. Council Reports and Updates – 15 minutes
3. Presentations:
 - a. **Title:** RES 26-44 Aging Services Contract
Presenter: Manager Nessen
Estimated Time: 5 minutes
 - b. **Title:** RES 26-45 Amending Section 21 Financial Policies
Presenter: Manager Nessen
Estimated Time: 5 minutes
 - c. **Title:** RES 26-46 Agreement for Bailiff Services
Presenter: Cynthia Nelson
Estimated Time: 5 minutes
 - d. **Title:** ORD 26-09 Rezone of parcel Buchanan Estates 05-173-0044
Presenter: Community Development
Estimated Time: 5 minutes
 - e. **Title:** ORD 26-10 Amending Chapters 1.03 & 1.07
Presenter: Community Development
Estimated Time: 5 minutes
 - f. **Title:** Discussion on consulting & CIB funding
Presenter: Gordon Walker
Estimated Time: 15 Minutes

- g. **Title:** Discussion of Wastewater Treatment Plant Upgrades & New Plant
Presenter: Carl Mackley
Estimated Time: 15 minutes
- h. **Title:** Discussion on strategic direction on Pillar 4
Presenter: Zach LeFevre
Estimated Time: 15minutes
- 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 by:
Pledge by:
- 4. Approval of Agenda
- 5. Declaration of Conflict of Interest
- 6. Presentations
 - a. Years of Service awarded to Jordan Rawlinson – 10 years with Parks & Recreation
- 7. Swearing in Youth City Council members for 2026-2027
- 8. 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.
9. Discussion and consideration of approving a Special Event and Live Entertainment Permit for the grand opening of Lucky 75 Barber Shop and and MBG Boxing Gym including a sanctioned boxing match on August 1, 2026
10. Unfinished Items from City Council Work Session
11. Consent Agenda - Any Councilmember may request an item be removed for separate discussion – Roll Call Vote
 - a. Approval of minutes – June 16, 2026 & June 24, 2026
 - b. Approval of Resolution No. 26-44 Aging Services Contract
 - c. Approval of Resolution No. 26-45 Amending Section 21 Financial Policies
 - d. Approval of Resolution No. 26-46 Agreement for Bailiff Services
12. Strategic Business (Ordinances & Policies)
 - a. Discussion and consideration of adopting ORD No. 26-09 Rezone of Buchanan Estates
Presented by: Community Development Department
Technical Questions (Clarification only)
Public Input: 3 minutes per individual
Council Debate
 - b. Discussion and consideration of adopting ORD No. 26-10 Amending Chapters 1.03 & 1.07
Presented by: Community Development Department
Technical Questions (Clarification only)
Public Input: 3 minutes per individual
Council Debate
13. Reports and Calendar
 - a. City Leadership Report
 - b. Upcoming Calendar Items
14. **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*
15. 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 lived 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 2nd day of July, 2026

Cynthia Nelson, CITY RECORDER

RESOLUTION NO. 26-44

A RESOLUTION APPROVING AN AGING SERVICES CONTRACT FOR THE FISCAL YEAR 2027 BETWEEN BEAR RIVER ASSOCIATION OF GOVERNMENTS' AREA AGENCY ON AGING AND TREMONTON CITY

WHEREAS, the Bear River Valley Senior Center provides services and programs for Bear River Valley Residents over 60 years of age that help them stay physically, mentally, and socially strong and to age at their current residence; and

WHEREAS, these senior services and programs include congregate meals, home delivered Meals, weekly educational activities including health, education, nutritional, financial, special recreational and entertainment events; and

WHEREAS, more specifically, the Bear River Valley Senior Center provides a congregate meal on weekdays where Seniors can get together to share a meal and enjoy conversation, friendship; and

WHEREAS, the Bear River Valley Senior Center provides home-delivered meals on weekdays for individuals that are experiencing mental or health issues (recovering from a severe illness or injury) or homebound and otherwise not mobile; and

WHEREAS, the congregate meals and home-delivered meals comply with the Dietary Guidelines for Americans released in May 2000 by the U.S. Dept of Health and Human Services and the U.S. Department of Agriculture, and provide each senior that participates with a meal prepared with Required Daily Allowance; and

WHEREAS, the Bear River Valley Senior Center provides roundtrip transportation from the curb of their residence to the curb of the Senior Center for seniors that are generally non-driving but otherwise mobile; and

WHEREAS, the Bear River Valley Senior Center provides the programs that are required by the Older Americans Act necessary to receive Federal and State funds to assist in providing the aforementioned aging services; and

WHEREAS, Utah Code requires that counties establish an Area Agency on Aging to assist in providing aging services and to disperse state and federal funds to local governments that operate Senior Centers; and

WHEREAS, Box Elder County has designated the Bear River Association of Government as the Area Agency on Aging; and

WHEREAS, Tremonton City, the owner and operator of the Bear River Valley Senior Center located at 510 W 1000 North, Tremonton, Utah, receives funds from the federal and state government to offset the operational expense of these programs by entering into a contract with the Bear River Association of Governments' Area Agency on Aging.

NOW, BE IT RESOLVED that the Tremonton City Council of Tremonton, Utah, hereby approves the Aging Services Contract for the Fiscal Year 2027 between Bear River Association of Governments' Area Agency on Aging and Tremonton City as contained in Exhibit "A."

Adopted and passed by the governing body of Tremonton City Corporation this 7th day of July 2026.

TREMONTON CITY
A Utah Municipal Corporation

By: Bret Rohde, Mayor

ATTEST:

Cynthia Nelson, City Recorder

EXHIBIT “A” –AGING SERVICES CONTRACT FOR THE FISCAL YEAR 2027



Bear River Association of Governments

Box Elder County | Cache County | Rich County
170 N Main, Logan, UT 84321 • 35 E 100 S, Brigham City, UT 84302
Phone: 435.752.7242 • Fax: 435.752.6962 • Web: brag.utah.gov

AGING SERVICES CONTRACT FY27

PART 1: GENERAL PROVISIONS

SECTION A: CONTRACT DESCRIPTION AND SPECIFICATIONS

CONTRACTING PARTIES: This agreement is between the **BEAR RIVER ASSOCIATION OF GOVERNMENTS' AREA AGENCY ON AGING**, 170 N. MAIN, LOGAN, UT hereinafter referred to as **BRAG** and **TREMONTON CITY** for **BEAR RIVER VALLEY SENIOR CENTER**, 510 West 1000 North Tremonton, UT. 84337, hereinafter referred to as **CONTRACTOR**.

1. **PURPOSE OF CONTRACT:** The purpose of this contract is to provide an array of in-home and out-of-home services which will allow functionally disabled senior citizens to remain in their place of residence.

Parts II and III of this Contract describe in more detail the services and activities the **CONTRACTOR** shall provide under this Contract. The **CONTRACTOR** shall use the funds paid by **BRAG** under this Contract only for the purposes specified in this section and in Parts II and III. The **CONTRACTOR** represents that it has the financial, managerial, and institutional capacity to fully comply with the requirements of this Contract.

2. **CONTRACT PERIOD:** Effective July 1, 2026 and terminates June 30, 2027 unless terminated sooner or extended, in accordance with terms and conditions of this contract.

3. **TYPE OF CONTRACTOR:**

- a. **CONTRACTOR Is A Subrecipient.** The **CONTRACTOR** is a governmental entity and is a “Subrecipient.” The term “subrecipient” refers to a non-federal governmental entity or a non-profit or for-profit organization that develops and operates its own program of services for eligible clients, and that receives federal and/or state funds from **BRAG** or another entity which serves as a “recipient” and “pass-through entity” for such funding. If the **CONTRACTOR** operates its own program of services for eligible clients, the **CONTRACTOR** shall comply with the financial record-keeping and reporting requirements that apply to federally funded subrecipients, even if this Contract is funded solely by State funds.

- b. **Local Agency's Subcontractors.** The Local Agency may subcontract this Contract only as provided in Part I, Section E of this Contract.

4. **TYPE OF CONTRACT:**

- a. **This Contract is a “Cost Reimbursement” Contract.** **BRAG's** payment to the **CONTRACTOR** is based on supporting documentation from **CONTRACTOR** showing that the service costs were necessary, reasonable, and actually incurred by the **CONTRACTOR** in providing the services required by this Contract. The



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Billing Procedures and Cost Principles. See Part IV of this Contract ("Contract Costs, Billing and Payment Information") for additional provisions about billings, and Part V ("Cost Accounting Principles and Financial Reporting") for applicable cost principles.

5. **CONTRACT COSTS AND PAYMENT:** The CONTRACTOR shall be reimbursed by BRAG not more than \$103,992.65 for services provided in accordance with the terms and conditions of this contract. Payment is based on supporting documentation from the CONTRACTOR showing that the service costs were necessary, reasonable and actually incurred by the CONTRACTOR in providing the services required by this Contract. See Part IV ("Contract Cost, Billing and Payment Information") for additional budgeting provisions. The CONTRACTOR shall bill BRAG only for actual costs allowable under federal and DHS cost principles, and the CONTRACTOR shall maintain records that adequately support such costs.

6. **FUNDING SOURCES AND FUNDING REDUCTIONS:**

Funding Sources. The funds for this Contract are provided as follows:

CFDA#	FEDERAL OR STATE FUNDING SOURCE	AMOUNT
N/A	State Home Delivered Meals	\$13,902.62
N/A	One Time State Home Delivered Meals	\$10,487.40
N/A	State Nutrition C-1	\$1,906.80
N/A	State Nutrition C-2	\$1,906.80
N/A	State Services	\$6,701.04
93.044	Title IIIB	\$10,742.09
93.045	Title IIIC-1	\$23,659.30
93.053	Title IIIC-1 CIC	\$4,467.36
93.045	Title IIIC-2	\$24,161.88
93.053	Title IIIC-2 CIH	\$4,467.36
93.043	Title IIID	\$1,590.00
	TOTAL	\$103,992.65

7. **REDUCTION OF FUNDS IN CONTRACTS WITH A FIXED-AMOUNT TYPE OF CONTRACT PAYMENT:** If an order or action by the Legislature or the Governor, or a federal or state law reduces the amount of funding to BRAG, BRAG may terminate this Contract or may proportionately reduce the services required by this Contract and the amount to be paid by BRAG to the CONTRACTOR for such services. In addition, if the CONTRACTOR defaults in any manner in the performance of any obligation under this Contract, or if BRAG determines that the CONTRACTOR is significantly underutilizing funds, BRAG, may, at its option, either adjust the amount of payment or withhold payment until satisfactory resolution of the default or underutilization of funds. BRAG shall give the CONTRACTOR thirty (30) days' notice of any such reduction or termination. Notwithstanding the foregoing, BRAG shall reimburse the CONTRACTOR in accordance with the original provisions of this Contract for all services performed before the effective date of the reduction or termination.



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This is a "Fixed Amount" Contract, and if BRAG reduces the payments under this contract, the CONTRACTOR may make a proportionate reduction in the amount of services performed or in the number of clients served under this contract. Before implementing any such reductions in services or client numbers, however, the CONTRACTOR shall notify BRAG in writing no less than thirty (30) working days after receiving BRAG's notice of reduction or termination.

8. **COMPLIANCE WITH PROCUREMENT REQUIREMENTS:** The CONTRACTOR is a governmental agency, and this Contract is therefore exempt from the bidding process.
9. **METHODS AND SOURCE OF PAYMENTS TO THE CONTRACTOR:** To obtain payment for the services provided under this Contract, the CONTRACTOR shall submit to BRAG, on a monthly basis, an itemized billing for its authorized services on the appropriate billing form supplied by BRAG, together with supporting documentation. BRAG shall then reimburse the CONTRACTOR by a warrant drawn against the State of Utah. The CONTRACTOR shall bill BRAG only actual costs allowable under the federal and DHS cost principles referred to in Part V ("Cost Accounting Principles and Financial Reporting"), and the CONTRACTOR shall maintain records that adequately support the allowability of these costs.
10. **BILLING DEADLINES:** The CONTRACTOR shall submit all billings and claims for services rendered during a given billing period within ten (10) days after the last date of that billing period. All final billings under the contract must be received within ten (10) days of termination of the contract, regardless of the billing period. If the CONTRACTOR fails to meet these deadlines, BRAG may deny payment for such delayed billings or claims for services.
- The BRAG fiscal year is from July 1st through June 30th. The CONTRACTOR shall submit all billings for services performed on or before June 30th of a given fiscal year no later than July 8th of the following fiscal year, regardless of the termination date of the contract. BRAG may delay or deny payment for services performed in a given fiscal year if it receives the CONTRACTOR's billing for those services later than July 8th of the following fiscal year.
11. **MATCHING FUNDS:** The CONTRACTOR shall provide a match of at least \$18,279.20 in cash funds to match required Federal and/or State Funding.

REQUIRED CASH MATCH SERVICE CATEGORY	AMOUNT
PDS Cash Match Requirement (Title IIIB & State Services)	\$4,824.60
CMM Cash Match Requirement	\$4,530.89
HDM Cash Match Requirement	\$8,923.70
Total	\$18,279.20



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12. DOCUMENTS INCORPORATED INTO THIS CONTRACT BY REFERENCE BUT NOT

ATTACHED: This Contract incorporates the following documents by reference:

- a. All documents specified in this Contract and its attachments;
- b. All statutes, regulations, or governmental policies that apply to the CONTRACTOR or to the services performed under this Contract, including any applicable laws relating to fair labor standards, the safety of the CONTRACTOR's employees and others, zoning, business permits, taxes, licenses, and incorporation or partnership, and any laws mentioned in Part I, Section C of the Contract ("CONTRACTOR's Compliance with Applicable Laws") or in the attachments to this Contract. The CONTRACTOR acknowledges that it is responsible for familiarizing itself with these laws and complying with them.
- c. The Approved Area Plan submitted by the Bear River Area Agency on Aging for the upcoming Fiscal Year and any attachments to that Area Plan. Copies of the Area Plan and the attachments may be obtained from BRAG by contacting Angela Hauptman 435-713-1466.

IN WITNESS WHEREFORE, the parties sign and cause this contract to be effective July 1, 2026 to be executed.

TREMONTON CITY

**BEAR RIVER ASSOCIATION OF
GOVERNMENTS AAA**

Authorized Signature

Date

Authorized Signature

Date

Printed Name

Printed Name



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PART II FY27 SCOPE OF WORK AND SPECIAL CONDITIONS

DESCRIPTION OF THE SERVICES OR SUPPORTS TO BE PROVIDED UNDER THIS CONTRACT.

1. POPULATION TO BE SERVED:

OLDER AMERICANS ACT PROGRAMS: Individuals 60 years of age and older (including spouse of any age) with social and or economic need, targeting low income minorities.

UNITED STATES DEPARTMENT OF AGRICULTURE CASH-IN-LIEU:
Individuals 60 years of age and older (including spouse of any age).

BRAG IN-HOME SERVICES CLIENTS: Individuals currently receiving services through the Aging Medicaid Waiver program, Alternatives program, or Caregiver Support program as authorized by a BRAG case manager.

2. TREATMENT OF SERVICE REQUIREMENTS:

The CONTRACTOR shall provide personal assistance, standby assistance, supervision or cues for individuals having difficulties with one or more of the following activities of daily living:

1. Transportation for an individual who requires help in going from one location to another, using a vehicle.
2. Promote better health by providing accurate and culturally sensitive nutrition and physical fitness programs.

The CONTRACTOR shall also provide:

1. A meal at a nutrition site, senior center or other congregate setting that complies with the Dietary Guidelines for Americans.
2. A meal which complies with the Dietary Guidelines for Americans at the individual's place of residence

3. CONTRACTOR'S QUALIFICATIONS:

The CONTRACTOR shall establish and maintain (either directly or by contract) programs licensed under Utah Code Annotated Title 62A, Chapter 2, "Licensure of Programs and Facilities." All programs shall comply with Utah Administrative Code Rule R501, "Administration, Administrative Services, Licensing."



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4. **DOCUMENTATION REQUIREMENTS:** On a monthly basis, the CONTRACTOR shall provide Outcome System Data Information and Information System Data (NAPIS) through the current reporting system. The Contractor shall also cooperate with any BRAG/DAAS requests for special studies or research requested.
 - a. The CONTRACTOR shall maintain a record consisting of the individual's name, demographics, assessments, services provided, and any other services information pertaining to the individual.
5. **MINIMUM PERCENTAGE:** The CONTRACTOR will assure that the required minimum percentage of eight percent (8%) of Title IIIB and State Service funds will be expended for the delivery of access services (transportation, outreach, and information referral). The CONTRACTOR may apply for a waiver of the expenditure of the required minimum percentage for the service specified above. If the CONTRACTOR does not expend the required minimum percentage by the end of the Fiscal Year, these unexpended funds will be reallocated to the agencies who did meet the expenditure level. These funds will be distributed in the next fiscal year, utilizing the funding formula and must be expended in the category they were originally designed.
6. **PERFORMANCE OBJECTIVES:** The primary objective of programs operated by the CONTRACTOR, supplemented with funds provided by BRAG and DHS/DAAS, is to maintain an environment in which a senior may remain independent and enhance their quality of life.

During the current Fiscal Year this objective will be met, in part by:

1. Providing meals to 300 eligible seniors in a congregate setting.
2. Providing home delivered meals to 200 eligible seniors.
3. Providing transportation to 15 seniors in the service area.
4. Providing an array of activities at the senior center, including education, recreation and health promotion.
5. Recruiting and maintaining volunteers.
6. Participate in an active Advisory Council.
7. Implementing corrections identified in the most recently completed monitoring visit.



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PART III FY27 PERFORMANCE MEASURES AND CLIENT OUTCOMES

The CONTRACTOR shall comply with the following objective based performance requirements:

CLIENT CENTERED OBJECTIVES: If a program or service covered by this Contract requires a client assessment, a plan must be developed to address the assessed needs of the client and include reasonable measures to evaluate whether the client's assessed needs are met.

INTERNAL QUALITY MANAGEMENT: The CONTRACTOR is responsible to develop, implement, and maintain an internal quality management system that shall evaluate the CONTRACTOR'S programs identified in Part II of this Contract, and establish a system of self-correcting feedback that may be externally validated by BRAG.

CUSTOMER OR CLIENT SATISFACTION SURVEYS: The CONTRACTOR is responsible to conduct no less than semi-annual client satisfaction surveys for participants of programs identified in Part II and provide that information to BRAG upon request. Additionally, participants who have removed themselves from services will receive a confidential written client satisfaction survey at the time of discharge to evaluate services received.

The CONTRACTOR understands that BRAG is committed to providing client-oriented services and that BRAG and DAAS often conduct client-satisfaction surveys to ensure that services are appropriate for the clients served. The CONTRACTOR and/or its subcontractor therefore agree to cooperate with all BRAG and DHS-initiated client or customer feedback activities.



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PART IV FY27 CONTRACT COSTS, BILLING AND PAYMENT INFORMATION

1. CONTRACTOR'S SPECIFICS:

a. Billing Name and Address of CONTRACTOR:

Bear River Valley Senior Center
510 West 1000 North
Tremonton, UT 84337

b. Telephone number: (435) 257-9455

c. Service delivery area where the services will be provided: Northern Box Elder County

d. Name and address of the entity or individual preparing Contractor's audit report or Financial statement:

Tremonton City Corporation
102 South Tremont
Tremonton, UT 84337

2. THIS CONTRACT IS A "COST REIMBURSEMENT" CONTRACT: BRAG's payment to the CONTRACTOR is based on supporting documentation from CONTRACTOR showing that the service costs were necessary, reasonable, and actually incurred by the CONTRACTOR in providing the services required by this Contract.

3. METHOD AND SOURCE OF PAYMENTS TO THE CONTRACTOR: To obtain payment for the services provided under this Contract, the CONTRACTOR shall submit to BRAG, on a monthly basis, an itemized billing for its authorized services, together with supporting documentation required by the appropriate billing form supplied by BRAG. BRAG shall then reimburse the CONTRACTOR by a warrant drawn against DHS or the State of Utah. The CONTRACTOR shall bill BRAG only for actual costs allowable under the federal and DHS cost principles referred to in Part V ("Cost Accounting Principles and Financial Reporting"), and the CONTRACTOR shall maintain records that adequately support the allowability of these costs.

4. UNIFORM BILLING PRACTICES: CONTRACTOR guarantees that the amounts it charges for services to clients under this Contract shall not be higher than the amounts the CONTRACTOR charges others for comparable services.

5. BILLING DEADLINES: The CONTRACTOR shall submit all billings and claims for services rendered during a given billing period within ten (10) days after the last date of that billing period. All final billings under the contract must be received within ten (10) days of termination of the contract, regardless of the billing period. If the CONTRACTOR fails to meet these deadlines, BRAG may deny payment for such delayed billings or claims for services.

a. The BRAG fiscal year is from July 1st through June 30th. The CONTRACTOR shall submit all billings for services performed on or before June 30th of a given fiscal year no later than July 8th of the following fiscal year, regardless of the termination date of the contract. BRAG may delay or deny payment for services performed in a given fiscal year



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if it receives the CONTRACTOR's billing for those services later than July 8th of the following fiscal year.

6. **MATCHING FUNDS:** The CONTRACTOR shall provide a match of at least \$18,279.20 in cash funds to match required Federal and/or State Funding.
7. **NON-FEDERAL MATCH:** For those contracts requiring a non-federal match, that match shall comply with the provisions of Title 45 of the Code of Federal Regulations, Part 74, Sub-part G.
8. **OVERPAYMENTS, AUDIT EXCEPTIONS AND DISALLOWANCE:** If an independent CPA audit or a fiscal review by BRAG determines that BRAG has over paid the CONTRACTOR for services under this Contract because: (a) the CONTRACTOR'S expenditures under this Contract are ineligible for reimbursement as they were not authorized by this Contract; or (b) the CONTRACTOR'S expenditures are inadequately documented, the CONTRACTOR shall immediately refund such excess payments to BRAG upon written request. Furthermore, BRAG shall have the right to withhold any or all subsequent payments under this or other contracts with the CONTRACTOR until BRAG fully recoups any overpayments made to the CONTRACTOR.
9. **PAYMENT WITHHOLDING:** BRAG may withhold funds from the CONTRACTOR for contract non-compliance, failure to comply with BRAG directives regarding the use of public funds, misuse of public funds or monies, or failure to comply with local, state, or federal law or policy in the CONTRACTOR'S subcontracts with private providers. If an audit finding or judicial determination is made that the CONTRACTOR or its subcontractor misused public funds, BRAG may also withhold funds otherwise allocated to the CONTRACTOR to cover the costs of audits, attorney's fees and other expenses associated with reviewing the CONTRACTOR'S or the subcontractor's expenditure of public funds. BRAG shall give the CONTRACTOR prior written notice that the payment(s) will be withheld. The notice shall specify the reasons for such withholding and the actions that the CONTRACTOR must take to bring about the release of any amounts withheld.
10. **FUND RAISING:** Money donated to the CONTRACTOR is allocable to BRAG supported programs in the same proportion that the BRAG contract is to the total program, unless the donor has restricted the use of funds in writing. Project Income and Fees/Collections are restricted to the programs from which they are generated.
11. **IMPOSITION OF FEES:** The CONTRACTOR will not impose any fees upon clients given services under this contract except as authorized by the state and BRAG.
12. **THIRD-PARTY REIMBURSEMENT & PROJECT INCOME:** The CONTRACTOR is required to pursue reimbursement from all other sources of funding available for services performed under this contract. Other sources of funding include but are not limited to third-party reimbursement and project income.

RESOLUTION NO. 26-45

**A RESOLUTION OF TREMONTON CITY CORPORATION APPROVING
AMENDMENTS TO THE TREMONTON CITY PERSONNEL POLICIES AND
PROCEDURES MANUAL, *SECTION XXI: FINANCIAL POLICIES* REGARDING RISK-
BASED FRAUD MONITORING PROCEDURES FOR ACH TRANSACTIONS**

WHEREAS, Tremonton City has adopted Financial Policies to establish sound fiscal management practices and internal controls for the handling of public funds; and

WHEREAS, Tremonton City utilizes the Automated Clearing House (ACH) Network to originate electronic payments and conduct other financial transactions in the ordinary course of municipal operations; and

WHEREAS, the National Automated Clearing House Association (Nacha) periodically adopts Operating Rules governing ACH transactions and establishing requirements for ACH participants, including ACH Originators; and

WHEREAS, effective June 22, 2026, Nacha Operating Rules require non-consumer ACH Originators to establish, implement, and maintain risk-based processes and procedures reasonably intended to identify ACH Entries initiated due to fraud and to reduce the incidence of fraudulent ACH transactions; and

WHEREAS, the Nacha Operating Rules further require ACH Originators to periodically review and update such fraud monitoring processes and procedures to ensure their effectiveness and continued compliance with applicable standards; and

WHEREAS, the City Council finds that updating the Financial Policies to reflect these requirements promotes sound financial management practices, strengthens internal controls, and ensures compliance with applicable ACH operating standards.

NOW, THEREFORE, BE IT RESOLVED that the Tremonton City Council hereby approves amending *Section XXI: Financial Policies* as contained in Exhibit “A” to incorporate ACH fraud monitoring procedures and related requirements necessary to comply with the Nacha Operating Rules.

ADOPTED AND PASSED by the City Council of Tremonton, Utah, this 7th day of July 2026. This Resolution shall become effective upon passage.

TREMONTON CITY
A Utah Municipal Corporation

Bret Rohde, Mayor

ATTEST:

Cynthia Nelson, City Recorder

“EXHIBIT A”

SECTION XXI: FINANCIAL POLICIES

1. CASH RECEIPTING AND DEPOSIT POLICY

- A. **PURPOSE.** The purpose of this policy is to establish a uniform control design for all Tremonton City Departments that receive cash. Over time it is expected this policy will be adjusted for changes in systems and organizational structure.
- B. **CASH RECEIPTS AT SEPARATE INDIVIDUAL LOCATIONS.**
 - (1) All funds received are entered into the accounting system at the time of the transaction, or if the transaction occurs at a location without access to the accounting system, the funds will be logged into a pre-numbered receipt book with enough detail to determine where/who the funds came from, the purpose for receiving the funds, the method of payment; cash, check, credit card etc., and designate the appropriate account. Manual receipts should have three copies; a Customer copy, a Treasurer copy, and a location copy.
 - (2) At the end of each day, the person responsible for receiving cash will close out their cash drawer, reconcile the system generated report to the cash in the drawer, place cash, checks, and credit card receipts received along with the report in a deposit bag and either deliver it to the Treasurer's office or place it in a secure (locked) place for deposit on the next business day.
 - (3) Void/adjusted transactions. If a transaction needs to be voided or adjusted, it should be done by someone who does not receive cash. If an office doesn't have enough employees to have adjustments made by a supervisor that doesn't receive cash, two employees will sign off on the adjustment or voided transaction explaining the circumstances causing the adjustment. If the location is using a manual receipt book, all copies of the receipt should be present for any voided receipt. The system should be designed to generate a report of all adjusted/voided transactions to facilitate monitoring of this process.
 - (4) Every effort should be made to ensure large quantities of cash are not on hand at any location overnight. If a location has a large transaction or series of transactions leaving cash on hand over \$1,000, the deposit should be made on the same day.
 - (5) When deposits are made with the Treasurer's office, the employee making the deposit will turn over the funds and watch as it is counted, receive a receipt detailing the amount, date of receipt, and the signature of the Treasurer's office employee who took custody of the funds. This receipt will be returned to the location and kept with the receipt records. Any discrepancy in the funds being deposited and the supporting documentation should occur when custody of the funds changes.

- (6) The Treasurer's office enters the deposit into the accounting system and takes funds to the bank.
- (7) Tremonton City will install and maintain surveillance systems in offices receiving funds. Surveillance evidence will be maintained for 14 days.
- (8) Mail will be opened in the presence of two or more employees, and any correspondence containing payments will be removed and processed prior to distributing mail to individual persons or departments.

C. DEPOSITS WITH TREASURER.

- (1) Treasurer's office employee will receive department funds, count the funds, compare the amount received to the supporting documentation provided, and give a receipt to the employee who turned over the funds with the amount received, date, and that employee's name and signature.
- (2) An employee from the Treasurer's office enters the information from the deposit into the Accounting system.
- (3) At the end of each day, the Treasurer will compile all cash and checks received, match the total to the total receipts in the accounting system, and create a deposit slip. The deposit information should be sufficiently detailed to allow a reviewer to trace individual transactions from satellite locations into the deposit and verify that the funds were received by the bank.
- (4) Copies of deposit slips are maintained and used to reconcile bank statements to the accounting records.
- (5) Department Heads for departments that collect cash should review the revenue recorded into the accounting system with their copy of the deposits to ensure the correct recording of cash.

2. REPORTING FRAUD OR ABUSE POLICY

A. DEFINITIONS.

- (1) "Improper governmental action" means any action by a Tremonton City employee:
 - (a) That is undertaken in the performance of the employee's official duties, whether or not the action is within the scope of the employee's employment; and
 - (b) That is in violation of any federal, state, or local law or rule is an abuse of authority, is of substantial and specific danger to the public health or safety, or is a gross waste of public funds.

B. REPORTING FRAUD OR ABUSE.

- (1) Employees who become aware of improper governmental actions should raise the issue first with their supervisor. If requested by the supervisor, the employee shall submit a written report to the supervisor or to some person designated by the supervisor, stating in detail the basis for the employee's belief that an improper governmental action has occurred. Where the employee reasonably believes the improper governmental action involves their supervisor, the employee may raise the issue directly with the City Manager.
- (2) In the case of an emergency, where the employee believes that damage to persons or property may result if action is not taken immediately, the employee may report the improper governmental action directly to the appropriate department with responsibility for investigating the improper action.
- (3) The supervisor or City Manager shall promptly investigate the report of improper governmental action. Tremonton City officers and employees involved in the investigation shall keep the identity of reporting employees confidential to the extent possible under the law unless the employee authorizes the disclosure of his or her identity in writing. After an investigation has been completed, the employee reporting the improper governmental action shall be advised of a summary of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.
- (4) Tremonton City employees may report information about improper governmental action directly to the Mayor if the employee reasonably believes that an adequate investigation was not undertaken to determine whether an improper governmental action occurred or that insufficient action has been taken to address the improper governmental action or that for other reasons the improper governmental action is likely to recur.
- (5) Tremonton City employees who fail to make a good-faith attempt to follow procedures in reporting improper governmental action shall not receive the protections provided by Tremonton City in these procedures.

C. WHISTLEBLOWER PROTECTION

- (1) Utah Code § 67-21-3 prohibits public employers from taking adverse action against their employees for reporting in good faith government waste or violations of law to the appropriate authorities. A public entity employee, public body employee, legislative employee, or judicial employee is presumed to have communicated in good faith if they have given written notice or otherwise formally communicated the conduct to the person in authority over the person alleged to have engaged in the illegal conduct.

3. IDENTITY THEFT PREVENTION PROGRAM

- A. OVERVIEW. Tremonton City Corporation, a body corporate and politic of the State of Utah, developed this Identity Theft Prevention Program (“Program”) pursuant to the Federal Trade Commission’s Red Flag Rule (hereinafter the “Rule”), which implements Section 114 of the Fair and Accurate Credit Transactions Act (hereinafter “FACTA”) of 2003.16 C. F.R. _ 681.2. This program is also in compliance with Utah Code Title 13 Chapter 44. This Program was developed and approved by the City Council. After consideration of the size and complexity of the City’s operations and accounting systems, and the nature and scope of the City’s activities, the City Council determined that this Program was appropriate for Tremonton City Corporation and therefore adopted this Program on October 1, 2009.
- B. PROGRAM PURPOSE. Under the Red Flag Rule, every financial institution and creditor is required to establish an “Identity Theft Prevention Program” tailored to the size, complexity, and nature of its operation. Each program must contain reasonable policies and procedures to:
- (1) Identify relevant Red Flags for new and existing covered accounts and incorporate those Red Flags into the Program;
 - (2) Detect Red Flags that have been incorporated into the Program;
 - (3) Respond appropriately to any Red Flags that are detected to prevent and mitigate Identity Theft; and
 - (4) Ensure the Program is updated periodically to reflect changes in risks to customers or to the safety and soundness of the creditor from Identity Theft.
- C. RED FLAG RULE DEFINITIONS. According to the Red Flag Rule defines:
- (1) “Identity Theft” as “fraud committed using the identity information of another person.”
 - (2) “Red Flag” as “a pattern, practice, or specific activity that indicates the possible existence of Identity Theft.”
 - (3) According to the Rule, a municipal utility is a creditor subject to the Rule requirements. The Rule defines creditors “to include finance companies, automobile dealers, mortgage brokers, utility companies, and telecommunications companies. Where non-profit and government entities defer payment for goods or services, they, too, are to be considered creditors.”
 - (4) All the Utility’s accounts that are individual utility service accounts held by customers of the utility whether residential, commercial, or industrial are covered by the Rule. Under the Rule, a “covered account” is:

- a. Any account the Utility offers or maintains primarily for personal, family, or household purposes that involves multiple payments or transactions; and
 - b. Any other account the Utility offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the Utility from Identity Theft.
- (5) “Identifying information” is defined under the Rule as “any name or number that may be used, alone or in conjunction with any other information, to identify a specific person,” including name, address, telephone number, social security number, date of birth, government-issued driver’s license or identification number, alien registration number, government passport number, employer or taxpayer number, unique electronic identification number, computer’s Internet Protocol address, or routing code.

D. IDENTIFICATION OF RED FLAGS. To identify relevant Red Flags, the City considers the types of accounts it offers and maintains, the methods it provides to open its accounts, the methods it provides to access its accounts, and its previous experiences with Identity Theft.

The City identifies the following Red Flags and will train appropriate staff to recognize these Red Flags as they are encountered in the ordinary course of Utility business:

- (1) Red Flags – Alerts, Notifications, and Warnings From Credit Reporting Agencies
 - a. Report of fraud accompanying a credit report;
 - b. Notice or report from a credit agency of a credit freeze on a customer or applicant;
 - c. Notice or report from a credit agency of an active duty alert for an applicant;
 - d. Notice or report from a credit agency of an address discrepancy; and
 - e. Indication from a credit report of activity inconsistent with a customer’s usual pattern or activity, such as an unusual increase in the volume of credit inquiries, an unusual increase in the number of established credit relationships, or a material change in the use of credit.
- (2) Red Flags – Suspicious Documents
 - a. Identification document or card that appears to be forged, altered, or inauthentic;

- b. Identification document or card on which a person's photograph or physical description is not consistent with the person presenting the document;
- c. Other information on the identification document is not consistent with information provided by the person opening a new covered account, by the customer presenting the identification, or with existing customer information on file with the creditor (such as a signature card or recent check); and
- d. Application for service that appears to have been altered or forged.

(3) Red Flags – Suspicious Personal Identifying Information

- a. Identifying information presented that is inconsistent with other information the customer provides, for instance, where there is a lack of correlation between the social security number range and the date of birth;
- b. Identifying information presented that is inconsistent with external sources of information, for instance, an address does not match a consumer report, or a social security number is listed in the Social Security Administration's Death Master File;
- c. Identifying information presented is associated with common types of fraudulent activity, such as the use of a fictitious billing address or phone number;
- d. Identifying information presented that is consistent with known fraudulent activity, such as the presentation of an invalid phone number or fictitious billing address used in previous fraudulent activity.
- e. Social Security number presented that is the same as one given by another customer;
- f. An address or phone number presented that is the same as that of another person;
- g. A person fails to provide complete personal identifying information on an application when reminded to do so (however, by law, social security numbers must not be required); and
- h. A person's identifying information is not consistent with the information that is on file for the customer.

(4) Red Flags – Suspicious Account Activity or Unusual Use of Account

- a. Change of address for an account followed by a request to change the account holder's name;
- b. Payments stop on an otherwise consistently up-to-date account;
- c. Account used in a way that is not consistent with prior use (example: very high activity);
- d. Mail sent to the account holder is repeatedly returned as undeliverable;
- e. Notice to the Utility that a customer is not receiving mail sent by the Utility;
- f. Notice to the Utility that an account has unauthorized activity;

- g. Breach in the Utility's computer system security; and
- h. Unauthorized access to or use of customer account information.

(5) Red Flag – Alerts from Others

- a. Notice to the Utility from a customer, identity theft victim, law enforcement, or other person that is has opened or is maintaining a fraudulent account for a person engaged in Identity Theft.

E. PREVENTING AND MITIGATING IDENTITY THEFT. In the event Utility personnel detect any identified Red Flags, such personnel must contact the Finance Director of the City. The Finance Director will then decide which of the following steps should be taken:

- (1) Continue to monitor an account for evidence of Identity Theft;
- (2) Contact the customer;
- (3) Change any passwords or other security devices that permit access to accounts;
- (4) Not open a new account;
- (5) Close an existing account;
- (6) Reopen an account with a new number;
- (7) Notify law enforcement; or
- (8) Determine that no response is warranted under the particular circumstances.

F. PROGRAM UPDATES. The Tremonton City Treasurer shall serve as Program Administrator. The Program Administrator will periodically review and update this Program to reflect changes in risks to customers and the soundness of the Utility from Identity Theft. In doing so, the Program Administrator will consider the Utility's experiences with Identity Theft situations, changes in Identity Theft methods, changes in Identity Theft detection and prevention methods, and changes in the Utility's business arrangements with other entities. After considering these factors, the Program Administrator will determine whether changes to the Program, including the listing of Red Flags, are warranted. If warranted, the Program Administrator will update the Program or present the City Council with his or her recommended changes, and the City Council will make a determination of whether to accept, modify or reject those changes to the Program.

G. PROGRAM ADMINISTRATION

- (1) Oversight. Responsibility for developing, implementing and updating this Program lies with the Program Administrator. The Program Administrator will be responsible for the Program's administration, for ensuring appropriate training of Utility staff, for reviewing any staff reports regarding the detection of Red Flags and the steps for preventing and mitigating Identity Theft, for determining which steps of prevention and mitigation should be taken in particular circumstances, and for considering periodic changes to the Program.

- (2) Staff Training and Reports. Utility staff responsible for implementing the Program shall be trained either by or under the direction of the Program Administrator in the detection of Red Flags and the responsive steps to be taken when a Red Flag is detected. Staff should prepare a report at least annually for the Program Administrator, including an evaluation of the effectiveness of the Program with respect to opening accounts, existing covered accounts, service provider arrangements, significant incidents involving identity theft and responses, and recommendations for changes to the Program.
- (3) Service Provider Arrangements. In the event the Utility engages a service provider to perform an activity in connection with one or more accounts, the Utility will take the following steps to ensure the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of Identity Theft.
 - a. Require, by contract, that service providers have such policies and procedures in place; and
 - b. Require, by contract, that service providers review the Utility's Program and report any Red Flags to the Program Administrator.

4. ACH FRAUD MONITORING POLICY

A. PURPOSE. The purpose of this policy is to establish procedures for monitoring Automated Clearing House (ACH) transactions to identify and mitigate the risk of fraud, unauthorized transactions, and other suspicious activity in compliance with applicable Nacha Operating Rules.

B. ACH FRAUD MONITORING.

- (1) Tremonton City shall maintain risk-based procedures designed to identify unauthorized, fraudulent, or suspicious ACH transactions initiated by the City.
- (2) ACH transactions shall be reviewed for unusual activity, including, but not limited to:
 - a. Unusual transaction amounts;
 - b. Unexpected changes in payment patterns;
 - c. Duplicate transactions;
 - d. Unauthorized changes to vendor or employee banking information; and
 - e. Other anomalies that may indicate fraudulent activity.
- (3) Any employee who becomes aware of a potentially unauthorized or suspicious ACH transaction shall immediately notify the Finance Director.

(4) The Finance Director, or designee, shall investigate reported suspicious activity and take appropriate corrective action, including notification to the City's financial institution when necessary.

C. ANNUAL REVIEW. The Finance Director shall review the City's ACH fraud monitoring procedures at least annually and update such procedures as necessary to address changing fraud risks, operational changes, and applicable Nacha Operating Rule requirements.

Notes:

RESOLUTION 26-46

A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT BETWEEN TREMONTON CITY CORPORATION AND COURT SERVICES OF UTAH FOR BAILIFF SERVICES

WHEREAS, the Tremonton City Council is desirous to enter into a professional services agreement with Court Services of Utah which is a Constable Agency through Constable Danny Mitchell, an appointed Constable; and

WHEREAS, Constable Danny Mitchell is desirous to provide the City with professional constable services in compliance with Peace Officer Standards and Training; and

WHEREAS, the Constable, including any deputy constables the Constable hires in accordance with Utah Code 17-78-602, shall provide bailiff duties for Tremonton Justic Court; and

WHEREAS, the Tremonton City Council finds that entering into this agreement will promote efficient administration and is in the best interest of the health, safety, and welfare of the citizens of Tremonton City.

NOW, THEREFORE, BE IT RESOLVED that the Tremonton City Council approves the Professional Services Agreement as contained in Exhibit “A”.

Adopted and passed by the governing body of Tremonton City on this 7th day of July, 2026. To become effective upon adoption.

TREMONTON CITY
A Utah Municipal Corporation

By _____
Bret Rohde, Mayor

ATTEST:

Cynthia Nelson, Recorder

EXHIBIT “A”

PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement (the "Agreement") is entered into pursuant to **Utah Code § 17-78-6 et seq.**, by and between Tremonton City, a political subdivision of the State of Utah (the "City"), and Court Services of Utah which is a Constable Agency through Constable Danny Mitchell, an appointed Constable (the "Constable").

1. SCOPE OF SERVICES

(a) Core Services: The Constable, including any deputy constables the Constable hires in accordance with **Utah Code § 17-78-602**, shall provide the following professional services as sought by the City:

- Provide bailiff duties including performing security sweep, maintaining decorum, and protecting court personnel. Arrive 15 minutes before court is scheduled to start. They will have all necessary equipment for job.

(b) Personnel Management: The Constable retains sole responsibility for the hiring, training, and direct supervision of any deputy constables, ensuring full compliance with statutory certification and background requirements. Constable shall ensure that any person hired or performing the duties under this Agreement is qualified and maintains any and all certifications, trainings, and all other requirements imposed by state, federal, or local law, or as ordered by the judge of the Tremonton Justice Court, that is or may be necessary to complete the services under this Agreement.

(c) Location of Services: Constable, or his designee, shall perform all job duties and responsibilities exclusively from the Tremonton City Offices unless otherwise expressly authorized in writing by the City. Constable shall not perform its job functions or act within the scope of employment unless physically present at City Offices, and is not authorized by the City in any respects to engage in City business outside the City Offices. This includes going to and from the City Offices. Any activities performed outside of City Offices shall not be considered part of the Constable's functions unless specifically approved in advance by the City in writing.

2. INDEMNIFICATION & LIABILITY

(a) City Indemnification of Constable: The City shall indemnify, defend, and hold harmless the Constable and deputy constables, if any, only under the following specific circumstances: Acts performed within the lawful scope of requested city duties, absent intentional misconduct, fraud, malice, or gross negligence.

(b) Constable Indemnification of City: The Constable shall indemnify, defend, and hold harmless the City, its officers, and employees against any and all claims, damages, or liabilities

arising from the negligent acts, errors, omissions, or intentional misconduct of the Constable or any deputy constables hired under their purview.

3. REMUNERATION AND COMPENSATION

In accordance with **Utah Code § 17-78-6**, the remuneration owed to the Constable for services rendered directly to the City under this contract is set as follows (superseding any conflicting standard statutory fee schedules or city ordinances):

- **Minimum Engagement Block:** For any scheduled deployment, shift, or call for service initiated by the City, the Constable shall be guaranteed a minimum billing of **four (4) hours** (the "Four-Hour Minimum"). If actual services conclude in fewer than four hours, the City will be invoiced the flat minimum equivalent:
 - *Base Hourly Rate:* \$58.48 per hour
 - *Total Four-Hour Minimum Fee:* \$233.92 (Base Hourly Rate × 4)
- **Discounted Excess Rate:** For all continuous hours of service rendered to the City in excess of the initial four-hour minimum within a single deployment, a discounted hourly rate shall apply:
 - *Discounted Excess Hourly Rate (Hours 5+):* \$40.90 per hour
- **Invoicing:** Constable shall send an electronic invoice to the City within ten (10) days of the completion of a month for which services have been rendered. The City shall pay said invoice within twenty-one (21) days of receipt of the invoice.

4. INSURANCE REQUIREMENTS

The Constable shall procure and maintain, at their own expense, the following minimum levels of insurance coverage throughout the duration of this Agreement:

- **General Liability:** \$1,000,000 per occurrence / \$1,000,000 aggregate.
- **Professional/Law Enforcement Liability:** \$1,000,000 per occurrence.
- **Automobile Liability:** \$1,000,000 combined single limit.
- **Workers' Compensation:** Constable shall be responsible for any and all Workers' Compensation insurance requirements and costs associated with its employees as required by Utah State law.

5. BONDING REQUIREMENTS

- ☐ **Bond Required:** The Constable shall provide a faithful performance bond to the City in the amount of \$_____ before rendering services.
- ☒ **No Bond Required:** The City does not require the Constable to provide a bond under this contract.

6. TERM, RENEWAL, AND AMENDMENT

- **Initial Term:** The initial term of this Agreement shall be for a period of four (4) years _____, 2026, and terminating on _____, _____.

- **Renewal:** Pursuant to state code, this contract may be renewed or extended by written amendment signed by both parties for up to **four (4) years per written amendment**.

7. CANCELTATION AND MANDATORY TERMINATION

- **Cancellation for Cause:** The City may cancel this contract for cause at any time upon written notice if the Constable fails to perform duties or breaches material terms of this Agreement.
- **Cancellation without Cause:** The City may terminate this Agreement upon sixty (60) days' notice to Constable for any reason or no reason at all.
- **Mandatory Immediate Cancellation:** The City **shall** immediately cancel this contract if either of the following actions occur:
 1. The Constable's peace officer certification is suspended or revoked under **Utah Code § 53-6-211**; or
 2. Beginning January 1, 2027, the Constable's license is suspended or revoked by the Division of Professional Licensing (DOPL) in accordance with the provisions of **Utah Code Title 58, Chapter 91, Constables Licensing Act**.

8. GOVERNING LAW

This Agreement shall be interpreted in accordance with the laws of the state of Utah, and the First District Court of the State of Utah, in and for Box Elder County shall have jurisdiction and be the proper venue for any suit arising here from. In the event of any litigation arising here from, the prevailing Party shall be entitled to collect from the non-prevailing Party, all costs of litigation, but not limited to, attorney's fees and costs of suit.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates indicated below.

FOR THE CITY:

_____ Date: _____

Mayor's Printed Name / Signature

Attest: _____

City Recorder

CONSTABLE:

_____ Date: _____

Constable's Printed Name / Signature

Badge # _____



City Council
Staff Report
Zoning Map Amendment

July 7, 2026

Buchanan Estates Rezone
Public Hearing
July 7, 2026

Application No.:	26.015
Applicant:	Tyler Farr
Owner:	Stag Investments LLC
Project Location:	Approx. at the terminus of N.1650 W.
Date of Application:	May 15, 2026
Parcel Number:	05-173-0044
Current Zoning:	Split-Zone Designation – RM-16/R1-10
General Plan Designation:	Single-Family Residential (Low to Medium Density)
Acreage:	36.29 acres

REQUEST

Request to amend the existing R1-10/RM-16 split-zone designation on an approximately 36.29-acre parcel by extending the boundary of the approximately 3.57-acre RM-16 portion of the property to the parcel's northern boundary, and by amending the remainder of the property from R1-10 to RM-8.

PLANNING COMMISSION SUMMARY

The Planning Commission heard this item at their regularly scheduled meeting on June 23rd, 2026. Comments made during the public hearing included a request for staff to confirm that public notices were posted at the city and to neighboring property owners, as well as a request to consider neighbor concerns regarding townhomes. The Planning Commission discussed the viability of apartments and townhomes at the site, potential lot yield under the requested zoning, and the need for a development agreement to govern the parks and open space. Furthermore, the Planning Commission discussed their preference that the applicant utilize the recently repealed PUD Overlay code in order to gain a recommendation of approval. The applicant clarified that he preferred hard zoning over a PUD overlay to achieve business objectives. Staff clarified that state law limits the review of rezones by the Planning Commission and City Council to not include any condition of the applicant to develop certain housing types. Staff further clarified that the Planning Commission should not require specific documentation of the applicant beyond what is outlined in the City Code or require that an applicant modify their proposal as a condition of approval. Furthermore, staff clarified that general discussion of potential lot yield may occur during rezoning review but should not bind an applicant to a specific number of lots later in the subdivision process. The Planning Commission voted to recommend denial of the application with a 3-2 vote. Chair Van Tassell voted yes to the motion, and Members Miller and Ellsworth voted no to the motion.

NEIGHBORHOOD PARTNERSHIP INITIATIVE (NPI) SUMMARY

This proposal was presented to the Neighborhood Partnership Initiative (NPI) Central District on March 25, 2026. There were approximately 15–20 attendees present at the meeting. Discussion at that meeting focused on the original proposal to rezone the entire parcel to RM-16, with attendees expressing general support for RM-16 in the area of the subject property. Attendees at the meeting unanimously expressed concerns with the ability of the city to accommodate growth through existing public infrastructure and services, including fire and police protection, as well as concerns regarding overcrowded schools and broader infrastructure capacity. Since that time, the proposal has been revised to rezone only a portion of the property to RM-16, with the remaining area proposed as RM-8. The new proposal was discussed again at a subsequent NPI meeting May 27, 2026, where additional dialogue took place regarding the revised request and received generally positive feedback from the neighbors present at that meeting.

ATTORNEY GUIDANCE

Legislative Review:

The Planning Commission reviews and makes recommendations to the City Council regarding amendments to the general plan and land use regulations. *See* Utah Code § 10-20-302(1). Planning Commissioners are public officials that are political appointees of the City Council. As non-elected public officials, Planning Commissioners do not have a constituency, nor do they represent the citizens or a neighborhood. The Planning Commission's primary purpose is to be an advisory body to the City Council by providing reasoned recommendations to the City Council on land use matters. *See* Tremonton Code § 1.04.035. In practice, the Planning Commission makes a recommendation to the City Council whether a certain land use application, or proposed ordinance, is consistent with Tremonton City Code requirements for zoning applications and the City's general plan. The Planning Commission must also consider, and only advance applications of zoning amendments, that comply with Utah State law. The Planning Commission should include references to the standards in Tremonton City Code and Utah State Code supporting its recommendations. In that regard, the State Code standards that may be included are as follows:

10-20-101. Purposes — General land use authority.

(1) The purposes of this chapter are to:

- (a) provide for the health, safety, and welfare;
- (b) promote the prosperity;
- (c) improve the morals, peace, good order, comfort, convenience, and aesthetics of each municipality and each municipality's present and future inhabitants and businesses;
- (d) protect the tax base;
- (e) secure economy in governmental expenditures;
- (f) foster the state's agricultural and other industries;
- (g) protect both urban and nonurban development;
- (h) protect and ensure access to sunlight for solar energy devices;
- (i) provide fundamental fairness in land use regulation;
- (j) facilitate orderly growth, allow growth in a variety of housing types, and contribute toward housing affordability; and
- (k) protect property values.

- (2) To accomplish the purposes of this chapter, a municipality may enact all ordinances, resolutions, and rules and may enter into other forms of land use controls and development agreements that the municipality considers necessary or appropriate for the use and development of land within the municipality, including ordinances, resolutions, rules, restrictive covenants, easements, and development agreements governing:
- (a) uses;
 - (b) density;
 - (c) open spaces;
 - (d) structures;
 - (e) buildings;
 - (f) energy efficiency;
 - (g) light and air;
 - (h) air quality;
 - (i) transportation and public or alternative transportation;
 - (j) infrastructure;
 - (k) street and building orientation;
 - (l) width requirements;
 - (m) public facilities;
 - (n) fundamental fairness in land use regulation; and
 - (o) considerations of surrounding land uses to balance the foregoing purposes with a landowner's private property interests and associated statutory and constitutional protections.

STAFF OBSERVATION

City staff believe that the proposed zoning map amendment to amend the current split-zone designation on the property is consistent with good planning principles. Staff submits the following observations for consideration:

Site Location and Existing Conditions:

The subject property is located near the terminus of N 1650 W, W 300 N, and N 1500 W. The property is currently undeveloped and vacant. Access to the site is anticipated to be provided from the existing public street network, subject to future development and engineering review.

Surrounding Land Use and Zoning Context:

The subject property is adjacent to existing R1-10 zoned residential development along the southeastern and southern portions of the site. Property zoned RM-16 is located adjacent to the southwestern corner of the site. Interstate 15 right-of-way extends along the entire western property boundary. The surrounding area includes a mix of residential zoning districts and undeveloped land.

Access and Circulation:

The subject property is currently undeveloped and does not contain any internal roadways or circulation improvements. The site is located near the termini of North 1650 West, West 300 North, and North 1500 West, providing multiple potential points of ingress and egress. Based on the property's location and surrounding street network, access and circulation are not anticipated to be a significant constraint to future development. Specific access locations, roadway improvements, and circulation patterns will be evaluated through future subdivision and development review processes.

Physical Characteristics and Constraints:

Based on available information, the site appears to have minimal physical constraints. No significant slopes or mapped floodplain areas have been identified at this time.

Utilities and Easements:

Existing easements and utility availability will be further evaluated in conjunction with any subsequent development application.

Procedural Status:

The application has been reviewed for completeness. Public notice has been provided in accordance with applicable requirements, and the item has been posted on the City's website as part of a public meeting agenda.

If the Commission finds merit in this rezone, then the following findings could be considered:

Findings:

1. That the proposed amendment supports future residential development of the property.
2. That the proposed amendment is compatible with adjacent residential zoning and development.
3. That the proposed amendment promotes logical and orderly residential growth.
4. That the subject property is suitable for future development and has access to the existing street network.

ANALYSIS

General Plan and Zoning:

The proposed zoning map amendment is generally consistent with the Tremonton City Integrated Land Use Plan and the established residential development pattern in the surrounding area. The subject property is adjacent to existing residential zoning districts, including R1-10 and RM-16, and the proposed zoning would extend residential zoning to property contiguous with existing residential development.

Approval of the proposal would extend an existing split-zoning configuration already present on the property. As a general planning principle, staff does not support the creation of new split-zoned parcels due to the potential for increased administrative complexity, regulatory inconsistency, and challenges in long-term land use administration. However, in this instance, the split-zoning arrangement currently exists on the property, and the proposed amendment would extend an existing zoning pattern rather than establish a new one. As such, staff's analysis is based on the existing zoning configuration and the compatibility of the proposed amendment with surrounding land uses and development patterns.

The property is currently undeveloped and is located adjacent to multiple existing public street termini, providing opportunities for future access and circulation. Specific access locations, utility extensions, stormwater facilities, and other infrastructure improvements will be evaluated through future subdivision and development review processes.

Overall, the request appears consistent with sound planning principles and supports compatible and orderly growth within the City.

ORDINANCE EVALUATION:

Tremonton City ordinance anticipates amendments to the zoning map. The proposed zone change appears to coincide with the stated vision for Tremonton City. In changing the zoning district for the applicant's property, the City is reflecting the policies and desires of the General Plan, the Integrated Land Use Plan, and in accordance with the City Ordinance. The purpose of the applicable residential zoning district is defined in chapter 1.07 of the Tremonton City Zoning Ordinance as follows:

"RESIDENTIAL DISTRICTS, R1-10. To provide areas for medium density residential neighborhoods for single-family occupancy. Minimum lot size: R1-10 ten-thousand (10,000) square feet."

"RESIDENTIAL MULTIPLE DISTRICT, RM-16. To provide areas for higher residential density with the opportunity for varied housing styles and character for single-family occupancy Maximum density: sixteen (16) units per acre for attached housing."

The following additional section 1.31.005 of the Tremonton City Zoning Ordinance defines the purpose of rezones and is relevant to this request:

The City may, from time to time, amend the number, shape or boundaries of any zoning district or any regulation within a zoning district. Any amendment to this Title which changes any property from one zoning district to another zoning district, or imposes any regulation upon property not theretofore imposed, or removes or modifies any such regulation, shall be initiated and adopted as an Ordinance hereinafter set forth in this Chapter.

Section 1.31.010 outlines standards for *Rezoning of Property Allowed*, which states:

Only property owners or their duly authorized agents shall make application Rezone Property. As per [Chapter 1.04](#) Powers and Duties of the Planning Commission it is the Planning Commission duty to make recommendations to the City Council on adopting and amending land use Ordinances and zoning maps as such may initiate a Rezoning of Property.

A.

In accordance with Utah Code Annotated 17-41-402 the City shall not change the zoning designation of or zoning regulations effecting land within an Industrial Protection Area or Agriculture Protection Area unless the regulations of Utah Code Annotated 17-41-402 Limitations on Local Regulations and [Chapter 1.35](#) have been met.

Section 1.31.030 in its entirety defines the Review and Approval Procedures as applicable to this request:

A.

Zoning Administrator. Upon receipt of a complete application, the Zoning Administrator shall schedule the application for a public hearing and review before the Planning Commission. Prior to the hearing at which the Rezoning of Property application is scheduled to be heard, the Zoning Administrator shall transmit the application materials together with a written analysis of the Rezone of Property application, pertinent facts, a review of applicable regulations and a formal staff recommendation to the Planning Commission.

B.

Planning Commission. The Planning Commission shall hold a public hearing on the Rezoning of Property and thereafter consider the Rezoning of Property request, together with all pertinent facts, applicable policies and guidelines (See Section [1.31.035](#)) and the staff recommendation and shall take action to approve, approve with modifications, disapprove or request further information prior to rendering a final recommendation, or may take any other action allowed by applicable law and forward its recommendations concerning the proposed Rezoning of Property to the City Council in a public meeting.

C.

City Council. Upon receiving the recommendations of the Planning Commission the City Council shall consider a proposed Rezoning of Property; the City Council may hold an optional public hearing pursuant to applicable laws on the proposed Rezoning of Property. The City Council may vote to approve, modify or disapprove the proposed Rezoning of Property, or may take any other action allowed by applicable laws. The consideration of a Rezoning of Property is a Legislative Decision.

This meeting is in fulfillment of subsections (B) and (C) above. Section 1.31.035 in its entirety outlines approval guidelines and is also therefore applicable to this request:

Rezoning of Property is a Legislative Decisions that are based upon what the City Council determines to be within the public interest and compatible with goals and policies of the City. The guidelines contained in this Section are intended to assist the City Council in rendering a decision to approve or deny a proposed Rezoning of Property. These guidelines are advisory, and shall not be construed to expand or limit the scope of the City Council's decision making authority and are not admissible in court for any purpose other than to demonstrate that the review has been completed.

A.

Public Purpose. The public purpose for the proposed Rezoning of Property and confirmation that the public purpose is best served by the Rezoning of Property.

B.

Compatibility with General Plan. Compatibility of the proposed Rezoning of Property with General Plan goals and objectives and Future Land Use Plan.

C.

Adverse Impact. Adverse impacts associated with the proposed Rezoning of Property.

In response to subsection (C) above, due to the size of the proposed zone change, the impact on the facilities and services should be manageable but will likely require additional facilities as dictated by the administrative approval process. The 2023 Tremonton Integrated Land Use Plan identifies the following as four (4) of the 13 Goals, Policies & Implementation Measures for the City that may be applicable to the proposal (see pages 33 through 33 of the Integrated Land Use Plan):

Goal 1: Promote implementation of the land use concepts contained in this document's Land Use Element.

Policy 1.1: Adopt the Tremonton Integrated Land Use Plan as an Amendment to the existing Tremonton General Plan.

b. Implementation Measure: Modify the existing City code and other ordinances to ensure the changes contained in the Land Use Plan are codified. See Appendix C of this plan.

c. Implementation Measure: Ensure zoning and land use decisions are consistent with the Land Use Plan Map and the adopted policies and goals.

d. Implementation Measure: General Plan amendments, while occasionally necessary and desirable, should be based on changing circumstances and should benefit the community at large.

Goal 3: Ensure land uses are compatible and/or utilize adequate buffers to enhance compatibility.

Policy 3.1: Provide land use transitions and development buffers between incompatible land uses.

a. Implementation Measure: Limit land use transitions to a single step in density (low density to medium density, for example - not low density to high density).

Goal 4: Provide a range of housing options and price points that help ensure Tremonton is an affordable place to live.

Policy 4.1: Coordinate and align the Land Use Element with Tremonton Housing Policies.

a. Implementation Measure: Allow and encourage new residential development models that meet the future needs of the community.

d. Implementation Measure: Ensure land use standards appropriately implement the Moderate-Income Housing Element of the General Plan.

Goal 6: Ensure commercial, civic, school, park, open space, industrial, utility and other non-residential uses are provided in a manner that meets the established land use vision and future needs.

Policy 6.2: Ensure public facility needs are being adequately met.

b. Implementation Measure: Essential road, transit, trail and other transportation facilities should be maintained and extended to meet the transportation needs of the community.

The proposed zone change appears to coincide with the stated vision for Tremonton City. Staff anticipates that the proposed zoning map amendment will meet these goals and generally be in harmony with the General Plan, the Tremonton Integrated Land Use Plan, the City Code, and surrounding development. The overall impact on adjacent properties should be manageable as development in the area already features residential development.

PUBLIC NOTICE, MEETINGS, COMMENTS

✓ Public notice was posted on the Utah Public Notice website and the City's website on June 13, 2026, at least ten (10) days prior to the scheduled public hearing, in accordance with Tremonton City Code § 1.31.025(A) and Utah Code § 10-9a-205.

✓ Notice of the public hearing was mailed to affected entities and property owners within 300 feet of the subject property on June 13, 2026, in accordance with Tremonton City Code § 1.31.025(A).

✓ Public notice was also posted at City Hall on June 13, 2026.

RECOMMENDED MOTION

Recommended Motion for a *Positive* Recommendation – “I move we approve the Buchanan Estates Rezone, application number 26.015, amending the existing R1-10/RM-16 split-zone designation on an approximately 36.29-acre parcel by extending the boundary of the approximately 3.57-acre RM-16 portion of the property to the parcel’s northern boundary, and by amending the remainder of the property from R1-10 to RM-8, based on the findings listed in the staff report dated July 7, 2026.”

Recommended Motion for a *Negative* Recommendation – “I move we deny the Buchanan Estates Rezone, application number 26.015, not amending the existing R1-10/RM-16 split-zone designation on an approximately 36.29-acre parcel by extending the boundary of the approximately 3.57-acre RM-16 portion of the property to the parcel’s northern boundary, and by amending the remainder of the property from R1-10 to RM-8, due to the following findings:”

1. List any additional findings...

Supporting Information

Exhibit A: Vicinity Map

Exhibit B: Future Land Use Map

Exhibit C: Existing Zoning Map

Exhibit D: Applicant-Submitted Visual Reference

Exhibit E: Applicant-Submitted Written Narrative

Exhibit F: Boundary Description

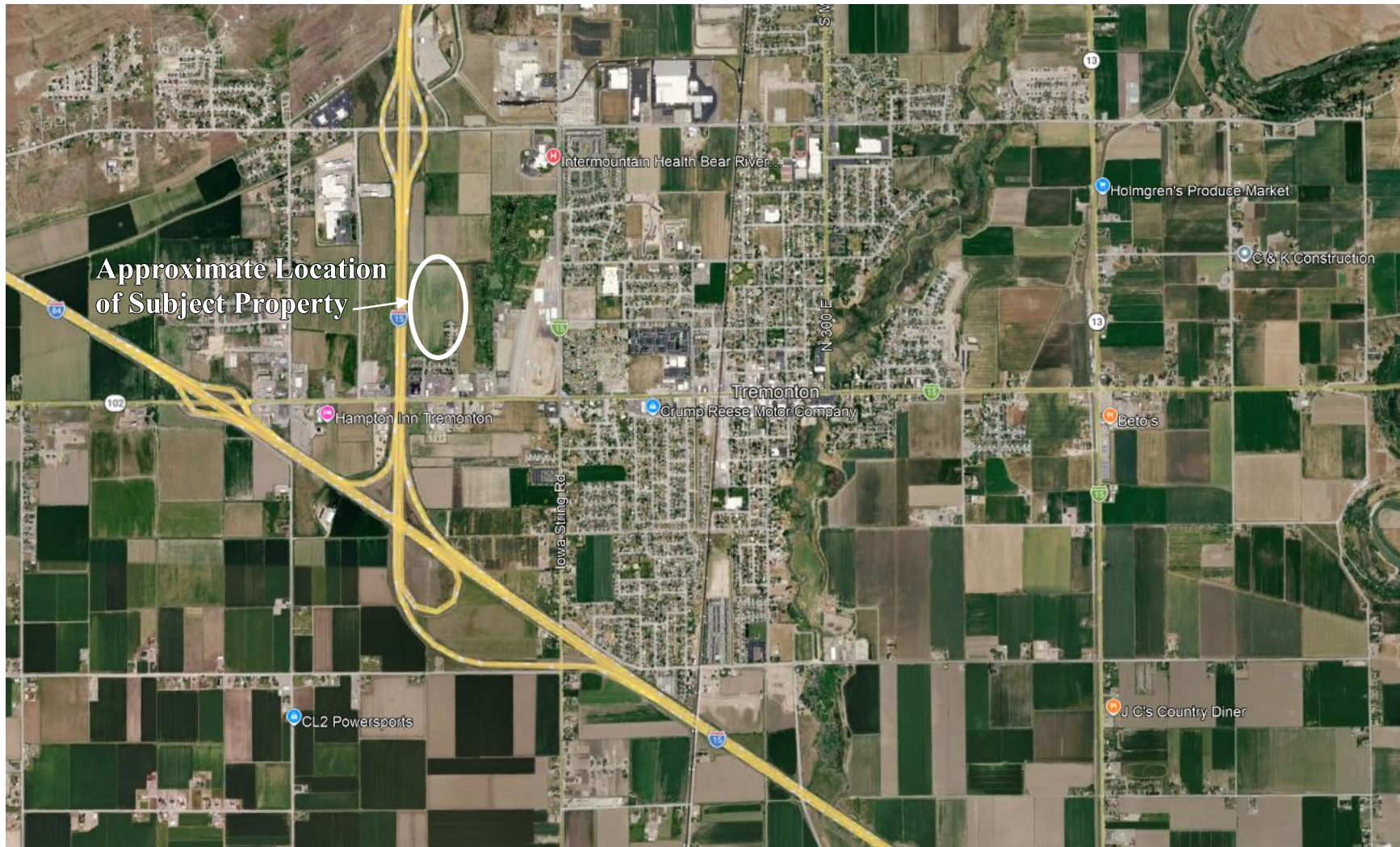
Staff Contact

Jeremy Lance

435-257-9504

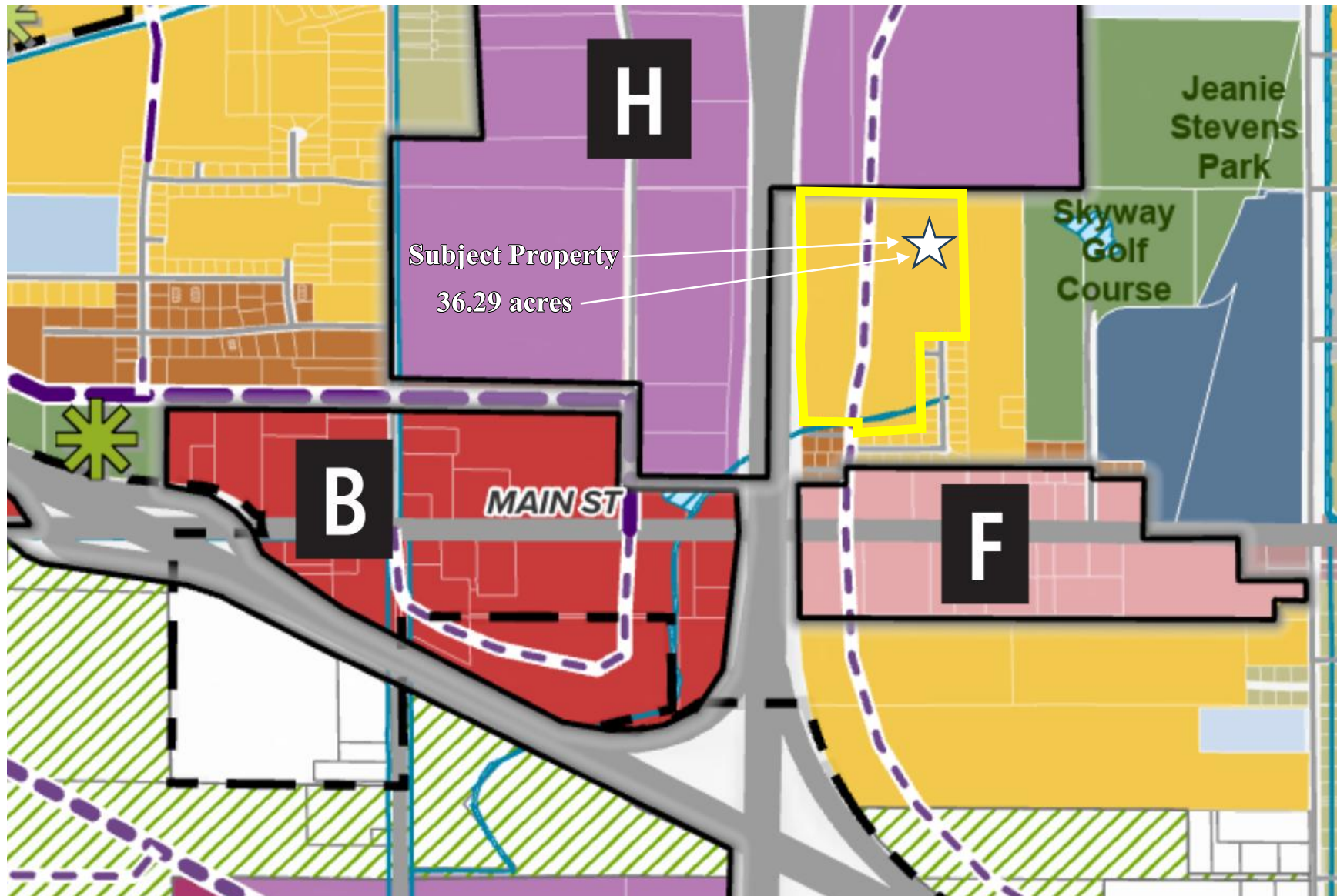
jlance@tremontoncity.gov

Exhibit A: Vicinity Map



[Click here to view a full-size .pdf version of the Future Land Use Map \(See pg. 16 of the 2023 Tremonton Integrated Land Use Plan.](#)

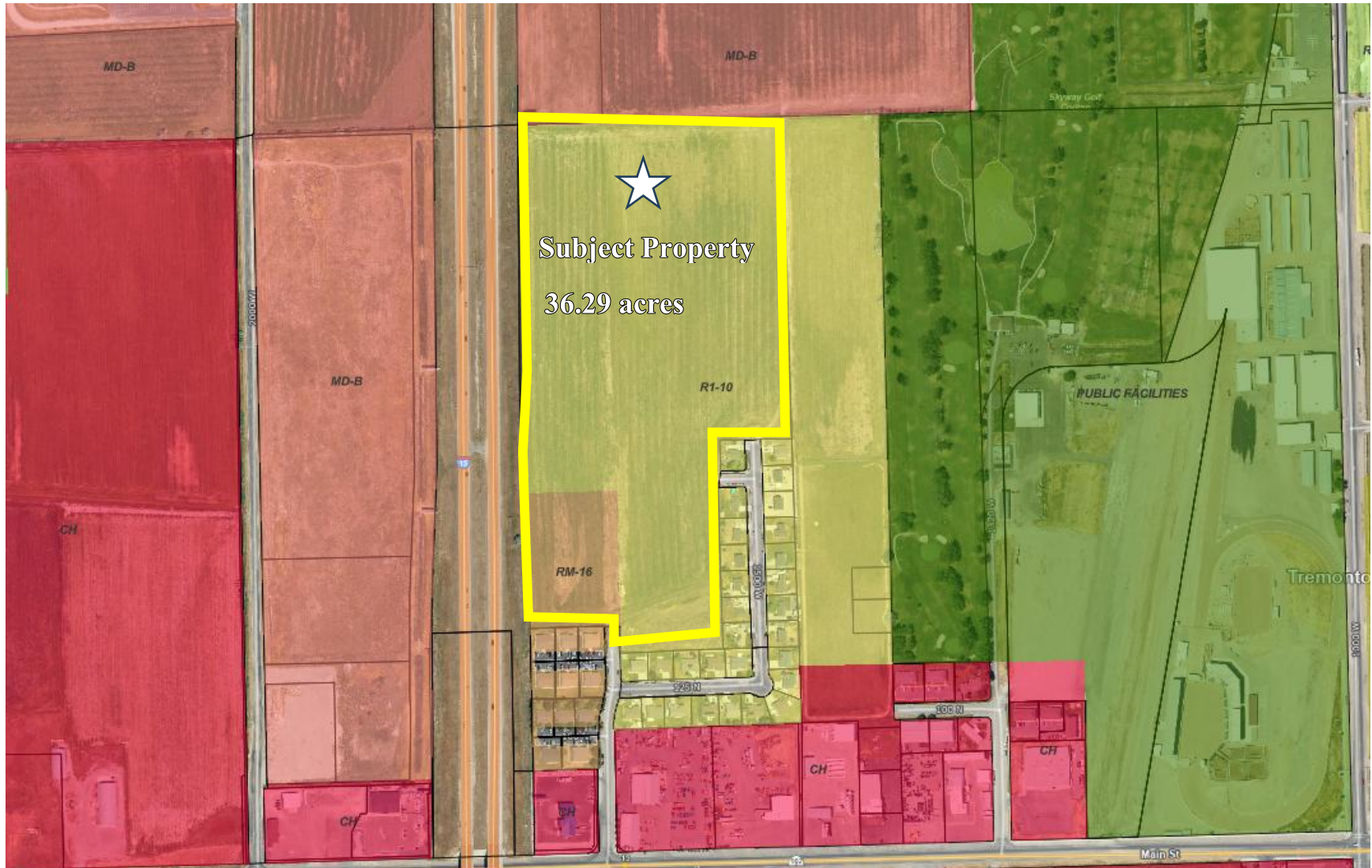
Exhibit B: Future Land Use Map





[Click here to view a full-size .pdf version of the Zoning map](#)

Exhibit C: Existing Zoning



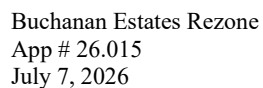


Exhibit E: Applicant-Submitted Written Narrative

Stag Investments LLC submits this formal application for the rezoning of property 05-173-0044. Our objective is to establish a community development that will enhance the city and provide lasting value to both current and future residents of Tremonton. The envisioned community will comprise a varied selection of housing options, including single-family residences, complemented by parks and trails thoughtfully integrated throughout the neighborhood, fostering an inviting and vibrant environment for all residents.

We firmly believe that rezoning to RM-16 and RM-8 will enable us to address the requirements of multiple market segments and accommodate the diverse preferences of the community. The property already has some RM-16 zoning. Additionally, we plan to implement design standards that prioritize accessibility and safety, ensuring that all residents can enjoy the amenities and public spaces with ease. The property's strategic location—bordered by I-15 to the west, commercial zones to the south, industrial and manufacturing districts to the north, and the city's golf course to the east—renders it highly suitable for the proposed development and aligns seamlessly with the objectives of the RM-16 and RM-8 zoning designation.

It is our intention to create a sustainable, connected, and high-quality residential community that will contribute positively to the ongoing growth and prosperity of Tremonton. We welcome the opportunity to collaborate with city officials and local stakeholders throughout the planning and development process, ensuring that the final project reflects the shared vision and goals of the community.

Exhibit F: Property Boundary Description

A PART OF THE SOUTH HALF OF SECTION 4, TOWNSHIP 11 NORTH, RANGE 3 WEST, OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT THE NORTHWEST CORNER OF THE WOODFIELD P.U.D. SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF INTERSTATE 15 BEING LOCATED SOUTH 88°41'12" WEST 2939.15 FEET ALONG THE SOUTH LINE OF SAID SECTION AND NORTH 00°00'00" EAST 872.79 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 4; RUNNING THENCE ALONG SAID EAST RIGHT-OF-WAY LINE NORTH 00°38'09" WEST 1789.36 FEET; THENCE NORTH 88°56'17" EAST 946.80 FEET; THENCE SOUTH 01°06'22" EAST 1147.31 FEET TO THE NORTH LINE OF THE FAIRVIEWESTATES SUBDIVISION PHASE 2; THENCE ALONG THE BOUNDARY LINE OF SAID FAIRWAYS ESTATES SUBDIVISION PHASE 2 THE FOLLOWING FOUR (4) COURSES: (1) SOUTH 89°59'58" WEST 257.91 FEET; (2) SOUTH 00°00'02" EAST 110.00 FEET; (3) SOUTH 08°24'01" WEST 60.65 FEET; (4) SOUTH 01°06'22" EAST 573.91 FEET TO THE NORTH LINE OF THE FAIRVIEWESTATES SUBDIVISION PHASE 1; THENCE ALONG THE NORTH LINE OF SAID FAIRVIEW ESTATES SUBDIVISION PHASE 1 SOUTH 88°41'14" WEST 368.03 FEET TO THE EAST RIGHT-OF-WAY LINE OF 1650 WEST STREET; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE NORTH 01°19'26" WEST 96.69 FEET; THENCE SOUTH 89°16'08" WEST 323.10 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPTING THERFROM, ANY PORTION OF FAIRVIEW ESTATES SUBDIVISION, PHASE 1 AND 2, CONTAINED THEREIN.

ORDINANCE 26-09

AN ORDINANCE OF TREMONTON CITY CORPORATION AMENDING THE OFFICIAL ZONING MAP TO REZONE AN APPROXIMATELY 36.29-ACRE PARCEL FROM AN EXISTING R1-10/RM-16 SPLIT-ZONE DESIGNATION BY EXTENDING THE BOUNDARY OF THE APPROXIMATELY 3.57-ACRE RM-16 PORTION OF THE PROPERTY TO THE PARCEL'S NORTHERN BOUNDARY, REZONING THE REMAINDER OF THE PROPERTY FROM R1-10 TO RM-8, AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, a landowner, owning land in said certain area within the Tremonton City limits, as better described in Exhibit “A”, has petitioned the City for a zone change located at approximately the current terminus of North 1650 West; and

WHEREAS, it has been determined that RM-8 and RM-16 are types of multiple residential zoning; and

WHEREAS, the Planning Commission held a public hearing on June 23, 2026 and received meaningful input, and formulated a recommendation to present to the City Council; and

WHEREAS, the City Council held a public meeting and received meaningful input; and

WHEREAS, all required notices have been provided and public hearing has been held in accordance with State Law and County Ordinances to amend the Tremonton City Zoning Map.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TREMONTON CITY CORPORATION, STATE OF UTAH, AS FOLLOWS:

Section 1. Map Amendment. The Tremonton City Zoning Map is hereby amended for the property more particularly described in the attached Exhibit “A” from an existing R1-10/RM-16 split-zone designation by extending the boundary of the approximately 3.57-acre RM-16 portion of the property to the parcel's northern boundary, rezoning the remainder of the property from R1-10 To RM-8.

Section 2. Severability. If any section, part, or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, and provisions of this Ordinance shall be severable.

Section 3. Effective Date. This ordinance shall become effective immediately upon its adoption.

ADOPTED AND PASSED THIS 7th day of July, 2026, and shall be effective upon its adoption.

TREMONTON CITY CORPORATION

Mayor Bret Rohde

ATTEST:

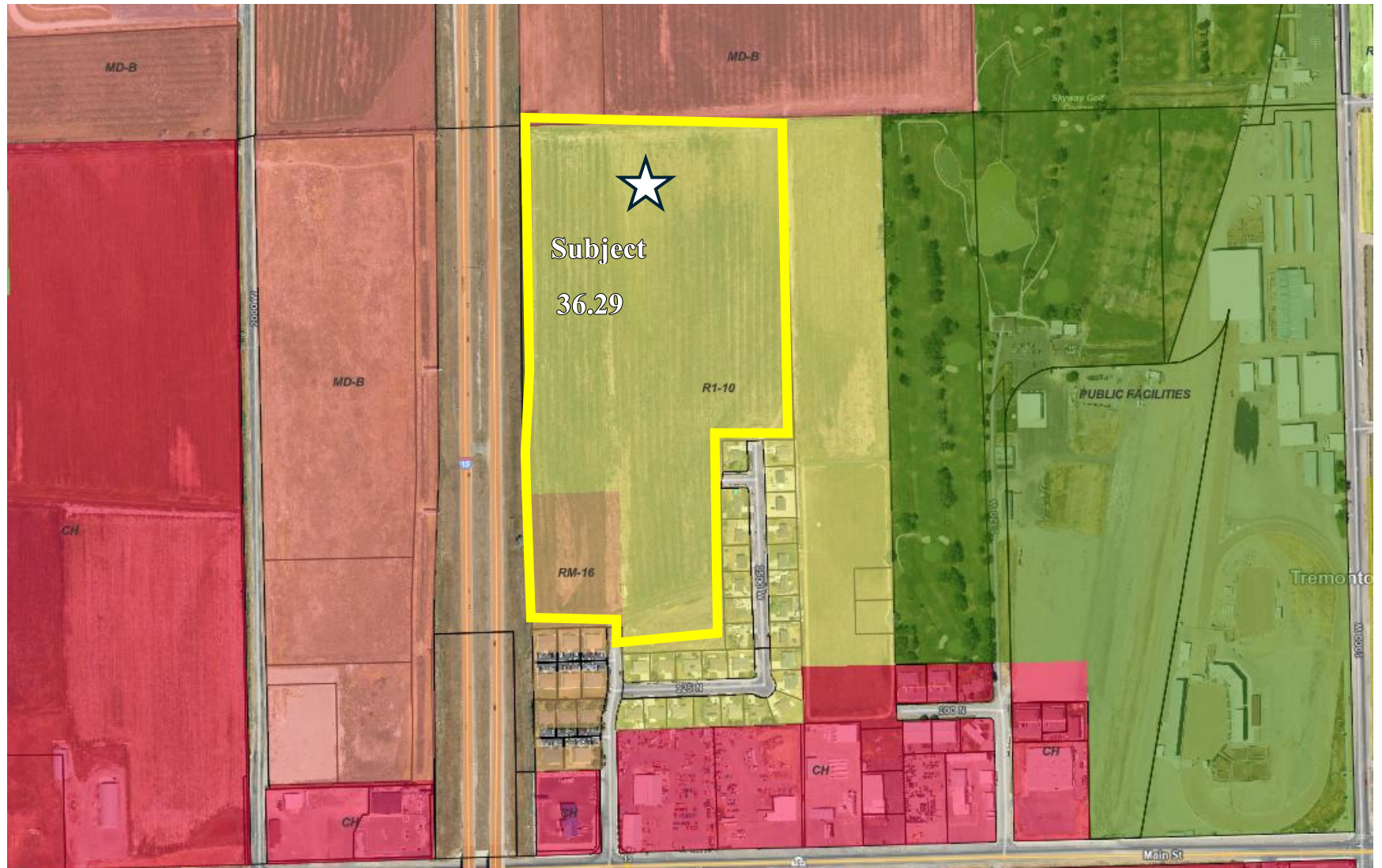
Cynthia Nelson, City Recorder

Publication Date: _____

**Exhibit "A" BUCHANAN ZONING MAP AMENDMENT FROM AN EXISTING
R1-10/RM-16 SPLIT-ZONE DESIGNATION BY EXTENDING THE
BOUNDARY OF THE APPROXIMATELY 3.57-ACRE RM-16 PORTION OF
THE PROPERTY TO THE PARCEL'S NORTHERN BOUNDARY,
REZONING THE REMAINDER OF THE PROPERTY FROM R1-10 TO
RM-8 LEGAL DESCRIPTION:**

A PART OF THE SOUTH HALF OF SECTION 4, TOWNSHIP 11 NORTH, RANGE 3 WEST, OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT THE NORTHWEST CORNER OF THE WOODFIELD P.U.D. SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF INTERSTATE 15 BEING LOCATED SOUTH 88°41'12" WEST 2939.15 FEET ALONG THE SOUTH LINE OF SAID SECTION AND NORTH 00°00'00" EAST 872.79 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 4; RUNNING THENCE ALONG SAID EAST RIGHT-OF-WAY LINE NORTH 00°38'09" WEST 1789.36 FEET; THENCE NORTH 88°56'17" EAST 946.80 FEET; THENCE SOUTH 01°06'22" EAST 1147.31 FEET TO THE NORTH LINE OF THE FAIRVIEWESTATES SUBDIVISION PHASE 2; THENCE ALONG THE BOUNDARY LINE OF SAID FAIRWAYS ESTATES SUBDIVISION PHASE 2 THE FOLLOWING FOUR (4) COURSES: (1) SOUTH 89°59'58" WEST 257.91 FEET; (2) SOUTH 00°00'02" EAST 110.00 FEET; (3) SOUTH 08°24'01" WEST 60.65 FEET; (4) SOUTH 01°06'22" EAST 573.91 FEET TO THE NORTH LINE OF THE FAIRVIEWESTATES SUBDIVISION PHASE 1; THENCE ALONG THE NORTH LINE OF SAID FAIRVIEW ESTATES SUBDIVISION PHASE 1 SOUTH 88°41'14" WEST 368.03 FEET TO THE EAST RIGHT-OF-WAY LINE OF 1650 WEST STREET; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE NORTH 01°19'26" WEST 96.69 FEET; THENCE SOUTH 89°16'08" WEST 323.10 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPTING THERFROM, ANY PORTION OF FAIRVIEW ESTATES SUBDIVISION, PHASE 1 AND 2, CONTAINED THEREIN.

Exhibit "B": Existing Zoning



STATE OF UTAH)
 : ss.
COUNTY OF BOX ELDER)

I, Cynthia Nelson, the City Recorder of Tremonton, Utah, do hereby certify that the above and foregoing is a full and correct copy of Ordinance No. 26-09, entitled **“AN ORDINANCE OF THE TREMONTON CITY CORPORATION AMENDING THE OFFICIAL ZONING MAP TO REZONE AN APPROXIMATELY 36.29-ACRE PARCEL FROM AN EXISTING R1-10/RM-16 SPLIT-ZONE DESIGNATION BY EXTENDING THE BOUNDARY OF THE APPROXIMATELY 3.57-ACRE RM-16 PORTION OF THE PROPERTY TO THE PARCEL'S NORTHERN BOUNDARY, REZONING THE REMAINDER OF THE PROPERTY FROM R1-10 TO RM-8, AND ESTABLISHING AN EFFECTIVE DATE”** Adopted and passed by the City Council of Tremonton, Utah, at a regular meeting thereof on the 7th day of July 2026, which appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City this _____ day of _____ 2026.

Cynthia Nelson, City Recorder

MEMORANDUM

TO: Tremonton City Planning Commission

FROM: Tremonton City Community Development Staff

SUBJECT: Residential Lot Regulations Code Text Amendment

SUMMARY: Request to amend § 1.03.005 Definitions, 1.07.010 Uses, and 1.07.015 Lot Regulations of the Tremonton City Code to define small accessory structures, update the residential zoning use table, and allow for development of single-family homes in the multiple residential districts

PLANNING COMMISSION SUMMARY

The Planning Commission heard this item at their regularly scheduled meeting on June 23rd, 2026, 2026. There were no comments made during the public hearing portion of the meeting. There were minimal questions from the Planning Commission, only requiring minor clarification from staff regarding the position of the fire department on allowing smaller accessory structures to be located closer to property lines. Staff clarified that the Fire Chief had reviewed the ordinance and found no issue with allowing small accessory structures to be closer than the setbacks applicable to standard accessory structures. The Planning Commission voted to recommend approval of the application with a 5-0 vote.

ANALYSIS

In response to identified inconsistencies and missing regulatory language regarding residential zoning regulations, Tremonton City staff has prepared a draft text amendment to clarify existing provisions in the Land Use Code. The amendment adds a definition for small accessory structures (200 square feet or less) and establishes related lot standards, including utility limitations. Structures of 200 square feet or less are generally exempt from building permit requirements under the 2021 International Building Code, as adopted by the City Council. However, the City's current setback standards provide no flexibility for placement of these structures, particularly on smaller residential lots. These structures are treated as full accessory buildings and are therefore subject to a minimum five (5) foot setback requirement in even the highest-density residential zoning districts. Following internal review, staff found no substantive concerns with allowing limited placement flexibility for small accessory structures, provided they remain simple in nature and do not include electrical or other utility services. The proposed standards are intended to provide reasonable flexibility for property owners while maintaining compatibility with surrounding properties.

The amendment also resolves an internal inconsistency in building height standards, where the code currently allows a maximum height of 36 feet for all buildings but separately limits accessory structures to 20 feet. This clarification ensures accessory structures remain subordinate in scale and are regulated consistently. Additionally, staff has identified an inconsistency between the purpose statements of the RM-8 and RM-16 zoning districts and the City's use table. Section 1.07.005(F)–(G) provides:

F. RESIDENTIAL MULTIPLE DISTRICT, RM-8. To provide areas for higher residential density with the opportunity for varied housing styles and character for single-family occupancy. Maximum density: eight (8) units per acre for attached housing.

G. RESIDENTIAL MULTIPLE DISTRICT, RM-16. To provide areas for higher residential density with the opportunity for varied housing styles and character for single-family occupancy. Maximum density: sixteen (16) units per acre for attached housing.

These purpose statements may be interpreted to include detached single-family housing at higher densities. However, the use table identifies detached single-family dwellings as a prohibited use (“-”) in these districts. The proposed amendment aligns the use table with the intent of § 1.07.005(F)–(G). These updates improve clarity and provide consistent guidance for staff and applicants.

ATTORNEY GUIDANCE

Legislative Review:

The Planning Commission reviews and makes recommendations to the City Council regarding amendments to the general plan and land use regulations. *See* Utah Code § 10-20-302(1). Planning Commissioners are public officials that are political appointees of the City Council. As non-elected public officials, Planning Commissioners do not have a constituency, nor do they represent the citizens or a neighborhood. The Planning Commission's primary purpose is to be an advisory body to the City Council by providing reasoned recommendations to the City Council on land use matters. *See* Tremonton Code § 1.04.035. In practice, the Planning Commission makes a recommendation to the City Council whether a certain land use application, or proposed ordinance, is consistent with Tremonton City Code requirements for zoning applications and the City's general plan. The Planning Commission must also consider, and only advance applications of zoning amendments, that comply with Utah State law. The Planning Commission should include references to the standards in Tremonton City Code and Utah State Code supporting its recommendations. In that regard, the State Code standards that may be included are as follows:

10-20-101. Purposes — General land use authority.

(1) The purposes of this chapter are to:

- (a) provide for the health, safety, and welfare;
- (b) promote the prosperity;
- (c) improve the morals, peace, good order, comfort, convenience, and aesthetics of each municipality and each municipality's present and future inhabitants and businesses;
- (d) protect the tax base;
- (e) secure economy in governmental expenditures;
- (f) foster the state's agricultural and other industries;

- (g) protect both urban and nonurban development;
- (h) protect and ensure access to sunlight for solar energy devices;
- (i) provide fundamental fairness in land use regulation;
- (j) facilitate orderly growth, allow growth in a variety of housing types, and contribute toward housing affordability; and
- (k) protect property values.

(2) To accomplish the purposes of this chapter, a municipality may enact all ordinances, resolutions, and rules and may enter into other forms of land use controls and development agreements that the municipality considers necessary or appropriate for the use and development of land within the municipality, including ordinances, resolutions, rules, restrictive covenants, easements, and development agreements governing:

- (a) uses;
- (b) density;
- (c) open spaces;
- (d) structures;
- (e) buildings;
- (f) energy efficiency;
- (g) light and air;
- (h) air quality;
- (i) transportation and public or alternative transportation;
- (j) infrastructure;
- (k) street and building orientation;
- (l) width requirements;
- (m) public facilities;
- (n) fundamental fairness in land use regulation; and
- (o) considerations of surrounding land uses to balance the foregoing purposes with a landowner's private property interests and associated statutory and constitutional protections.

PROPOSED TEXT

The following draft text has been prepared for review and consideration:

1.03.005 - DEFINITIONS.

...

BUILDING OR STRUCTURE, ACCESSORY (SMALL). A detached accessory structure of two hundred (200) square feet or less in gross floor area. Permitted structures include, but not limited to, prefabricated storage sheds, chicken coops, and similar incidental accessory structures. Small accessory structures shall not be connected to permanent electrical, water, sewer, or other utility service.

1.07.010 - USES.

...

Single-Family:	P	P	P	P	P	See Note 10
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...

10 Note: Detached single-family dwellings are permitted within RM-8 and RM-16 developments. Single-family lots shall comply with the lot regulations of the R1-8 zone.

1.07.015 - LOT REGULATIONS.

...

RESIDENTIAL ZONES LOT REGULATIONS 1 2 3							
ZONING DISTRICTS	RR-1	R1-20	R1-12	R1-10	R1-8	RM-8	RM-16

...

<u>For Small Accessory Structures with no side openings 4 shall be:</u>	<u>3</u>	<u>3</u>	<u>3</u>	<u>2</u>	<u>2</u>	<u>1</u>	<u>1</u>
---	----------	----------	----------	----------	----------	----------	----------

...

HEIGHT REGULATIONS: 5 The maximum height for all <u>main</u> buildings in districts regulated by this Chapter shall be in feet:	36	36	36	36	36	36	36
---	----	----	----	----	----	----	----

RECOMMENDED MOTIONS

Sample Motion for *Approval* – “I move we approve the Residential Lot Regulations Code Text Amendment, amending sections 1.03.005 Definitions, 1.07.010 Uses, and 1.07.015 Lot Regulations of the Tremonton City Code to define small accessory structures, update the residential zoning use table, and allow for development of single-family homes in the multiple residential districts, based on the findings listed in the memorandum dated July 7, 2026.”

Sample Motion for *Approval with Corrections* – “I move we approve the Residential Lot Regulations Code Text Amendment, amending sections 1.03.005 Definitions, 1.07.010 Uses, and 1.07.015 Lot Regulations of the Tremonton City Code to define small accessory structures, update the residential zoning use table, and allow for development of single-family homes in the multiple residential districts, based on the findings listed in the memorandum dated July 7, 2026, and with the following additional corrections:”

1. *List any additional corrections...*

Sample Motion for *Denial* – “I move we deny the Residential Lot Regulations Code Text Amendment, not amending sections 1.03.005 Definitions, 1.07.010 Uses, and 1.07.015 Lot Regulations of the Tremonton City Code, with the following findings:”

1. *List any additional findings...*

ATTACHMENTS:

Attachment “A”: Proposed Amendments to § 1.07.010 – Use (Full Subchapter Context)

Attachment “B”: Proposed Amendment to 1.07.015 Lot Regulations (Full Subchapter Context)

Attachment “A”: Proposed Amendment to 1.07.010 Uses (Full Subchapter Context)

1.07.010 - USES.

This Section of Chapter 1.07, uses of land or buildings which are allowed in various districts are shown as "P" permitted uses in the appropriate column, or as "C" conditional uses in the appropriate column. If a use is not allowed in a given district, it is either not named in the uses list or it is indicated in the appropriate column by a dash, "-" as not permitted or not applicable or is stated as such.

RESIDENTIAL USES 1 2 3							
ZONING DISTRICTS	RR-1	R1-20	R1-12	R1-10	R1-8	RM-8	RM-16
Accessory Buildings:	P	P	P	P	P	See Note 4	
Agriculture, Existing:	P	P	P	P	P	P	P
Assisted Living Facilities:						C	C
Childcare/Preschool:							
Childcare/Preschool, Residential-Minor: See Chapter 1.24 Home Occupations and Chapter 1.19 Supplementary Regulations of this Title.	C	C	C	C	C	C	C
Childcare/Preschool, Residential-Major:	C	C	C	C	C	-	-

See Chapter 1.24 Home Occupations and Chapter 1.19 Supplementary Regulations of this Title.							
Christmas Tree Sales:	C	C	-	-	-	-	-
Churches/Places of Worship:	P	P	P	P	P	P	P
Communication Towers and Antennas: See Chapter 1.22 Communication Facilities Permit of this Title.	C	C	C	C	C	C	C
Dwellings: 5 6 See Chapter 1.19 Supplementary Regulations of this Title for residential architectural standards.							
Single-Family:	P	P	P	P	P	See Note 10	
Multi-Family Twin Home:	-	-	-	-	-	P	P
Multi-Family Attached:	-	-	-	-	-	P	P
Multi-Family Stacked:	-	-	-	-	-	P	P
Internal Accessory Dwelling Units:	P	P	P	P	P	-	-
Detached Accessory Dwelling Units:	P	P	P	P	P	-	-
Dwellings, Manufactured and Modular: 7 See Chapter 1.19 Supplementary Regulations of this Title.	P	P	P	P	P	-	-
Education Facilities:	C	C	C	C	C	C	C
Flag Pole: See Chapter 1.19 Supplementary Regulations of this Title.	P	P	P	P	P	P	P
Home Occupation: See Chapter 1.24 Home Occupation Permit of this Title.							

Minor:	C	C	C	C	C	C	C
Major:	C	C	C	C	C	-	-
Livestock, Large and Small: 9	P	P	-	-	-	-	-
Kennel: See Chapter 13 of the Revised Ordinance of Tremonton City Corporation for requirements for a Kennel License.	C	-	-	-	-	-	-
Mobile Home Park:	-	-	-	-	-	-	-
Nursing Home:	-	-	-	-	-	-	-
Pets: 8	P	P	P	P	P	P	P
Public Facilities:	P	P	P	P	P	P	P
Residential Facilities for the Elderly Persons: See Chapter 1.19 Supplementary Regulations of this Title:	C	C	C	C	C	P	P
Residential Facilities for Persons with a Disability: See Chapter 1.19 Supplementary Regulations of this Title:	C	C	C	C	C	P	P
Renewable Energy Systems: See Chapter 1.23 Renewable Energy Systems Permit of this Title:	C	C	C	C	C	C	C
Swimming Pool: See Chapter 1.19 Supplementary Regulations of this Title:	P	P	P	P	P	P	P
Utilities, Neighborhood:	P	P	P	P	P	P	P
Utilities, Transmission, Pad, Facility:	C	C	C	C	C	C	C

1 Note: See Chapter 1.25 of this Title —
Conditional Uses Permit.

2 Note: See Chapter 1.17 of this Title —
Off-Street Parking Regulations.

3 Note: See Chapter 1.18 of this Title —
Landscaping, Buffering, and Fencing
Regulations.

4 Note: Accessory buildings serving
entire complex such as clubhouse, pool
house, bowery, etc., are permitted.

5 Note: All dwelling units are for
Single-Family occupancy. See Chapter
1.19 Supplementary Regulations of this
Title for Residential Architectural
Standards.

6 Note: No dwelling or dwelling unit
shall be less than four hundred (400)
square feet in living space.

7 Note: Applicant shall also ensure that there are no restrictive covenants that exclude Manufacturing and Modular Housing as required by Utah Code Annotated 10-9a-514. See Chapter 1.19 Supplementary Regulations of this Title for Residential Architectural Standards.

8 Note: See Chapter 1.03 of this Title — Definitions.

9 Note: See Section [1.07.025](#) and [1.07.030](#) for the type and number of livestock.

10 Note: Detached single-family dwellings are permitted within RM-8 and RM-16 developments. Single-family lots shall comply with the lot regulations of the R1-8 zone.

(Ord. No. 24-13, 11-19-2024)

Attachment “B”: Proposed Amendment to 1.07.015 Lot Regulations (Full Subchapter Context)

1.07.015 - LOT REGULATIONS.

This Section of Chapter 1.07 shall apply to all principal structures and accessory structures in residential zones. If a regulation applies in a given district, it is indicated in the appropriate column by a numeral to show the linear or square feet required, or by the letter "A."

RESIDENTIAL ZONES LOT REGULATIONS 1 2 3							
ZONING DISTRICTS	RR-1	R1-20	R1-12	R1-10	R1-8	RM-8	RM-16
LOT AREA REGULATIONS: The minimum lot area in square feet for any Single-Family Dwelling in districts regulated by this Chapter.	43,560	20,000	12,000	10,000	8,000	Note 1	Note 1
MAXIMUM DENSITY: The maximum number of dwelling units per acre.						8	16
LOT WIDTH REGULATIONS: The minimum width in feet for any lot in the districts regulated by this Chapter.	135	100	90	80	70	70	70
FRONTAGE REGULATIONS: The minimum frontage in feet for any lot in the districts regulated by this Chapter.	60	50	45	45	45	45	45
Cul-de-Sac:	50	40	35	35	35	-	-
Flag Lot:	24	24	24	24	24	-	-
FRONT YARD SET-BACK REGULATION: The minimum depth in feet for	50	30	30	30	25	25	25

the front yard for main structures in districts regulated by this Chapter.							
Structures on corner lots: Front yard set-back in which the structure is addressed shall be:	50	30	30	30	25	25	25
Accessory structures may have the same minimum front yard setback as the main structures if they have the same side yard setback required for main structures; otherwise they shall be setback the following number of feet from the rear of the main structure:	10	10	10	8	8	10	10
REAR YARD SET-BACK REGULATIONS: The minimum setback in feet for the rear yard in the districts regulated by this Chapter shall be:	30	30	30	25	20	20	20
For Accessory Structures and Garages with no rear openings 4 shall be:	10	10	5	5	5	5	5
Accessory structures located on an alley shall meet all the requirements of this Ordinance. However, structures may have a one (1') foot setback from the alley, provided they have met all side yards and minimum distances from adjacent dwellings:	A	A	A	A	A	A	A
SIDE YARD SETBACK REGULATIONS: The minimum side yard setback for one side in feet for any dwelling in districts regulated by this Chapter shall be:	15	10	10	8	8	10	10
Total width of the two (2) side yards required shall equal:	30	24	20	18	18	18	18
Structures on corner lots: Side yard setback shall be:	30	30	25	25	20	20	20

For Accessory Structures and Garages with no side openings 4 shall be:	10	10	5	5	5	5	5
For Small Accessory Structures with no side openings 4 shall be:	3	3	3	2	2	1	1
CARPORTS. Carports not exceeding six hundred (600) square feet in area and not more than one (1) story in height, when attached to the main building and constructed of fire rated materials may extend no closer than one (1') foot from the side property line and the carport shall remain open on three (3) sides.	A	A	A	A	A	A	A
HEIGHT REGULATIONS: 5 The maximum height for all main buildings in districts regulated by this Chapter shall be in feet:	36	36	36	36	36	36	36
Maximum Number of Stories:	2 1/2	2 1/2	2 1/2	2 1/2	2 1/2	2 1/2	2 1/2
The minimum height of a dwelling in stories above grade:	1	1	1	1	1	1	1
The maximum height of an accessory building in feet:	30	30	20	20	20	20	20

1 Note: Multi-Family Dwellings may have reduced Lot Regulations in the RM-8 and RM-16 zones. Site Plan Permit (see Chapter 1.26 of this Title) and subdivision approval required.

2 Note: No accessory building shall contain greater square foot floor area than the principal building to which it is accessory. Exception: Accessory buildings located in the RR-1 and R1-20 zone. No accessory building or group of accessory buildings in any residential district shall cover more than thirty (30) percent of the rear yard.

3 Note: For Park Meadows Subdivision an existing PUD R1-6 zone. Dwelling minimum setbacks: Front yard: twenty-five (25') feet/other Front yard twenty (20') feet - Side yards: six (6') feet and ten (10') feet - Rear yard: twenty (20') feet. The remaining regulations shall be applicable to that of the R1-8 lot regulations and uses.

4 Note: For side and rear set-backs of any accessory structure three (3') feet or less there shall be no openings (windows, doors, etc.). Exception: accessory structures whose rear-yard is on an alley or street.

5 Note: Exceptions to Height Regulations. Roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, steeples, flag poles, chimneys, smokestacks, water tanks, wireless or television masts, theater lofts, silos, or similar structures may be erected above the height limit herein prescribed, but no space above the height limit for residential purposes shall be allowed for purposes of providing additional floor space, nor shall such increased height be in violation of any other Ordinance or regulation of Tremonton City. Public Buildings, Utility Buildings, and Multi-Family Dwellings when authorized in a district, may be erected to a height greater than the district height limit by Site Plan approval.

ORDINANCE 26-10

AN ORDINANCE OF TREMONTON CITY CORPORATION AMENDING § 1.03.005 DEFINITIONS, 1.07.010 USES, AND 1.07.015 LOT REGULATIONS OF THE TREMONTON CITY CODE TO DEFINE SMALL ACCESSORY STRUCTURES, UPDATE THE RESIDENTIAL ZONING USE TABLE, AND ALLOW FOR DEVELOPMENT OF SINGLE-FAMILY HOMES IN THE MULTIPLE RESIDENTIAL DISTRICTS, AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Tremonton City Council has previously established land use management regulations for Tremonton City as the Zoning Ordinance of the Tremonton City Code which established, among other things, the entitlements for development within residential and multiple residential zones; and

WHEREAS, the City Council finds that clarifying, updating, amending, and modifying specific provisions of the Revised Ordinances of Tremonton City Corporation is in the best interest of the City; and

WHEREAS, the Tremonton City Planning Commission and Zoning Administrator have reviewed the proposed amendment in accordance with State law and have recommended approval of the same.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
TREMONTON CITY CORPORATION, STATE OF UTAH:**

Section 1. Amendment and Adoption. Title I of the Tremonton City Code is hereby amended and adopted to amend § 1.03.005 Definitions, 1.07.010 Uses, and 1.07.015 Lot Regulations of the Tremonton City Code to define small accessory structures, update the residential zoning use table, and allow for development of single-family homes in the multiple residential districts, as more specifically described in Exhibit “A”, attached hereto and incorporated herein by reference.

Section 2. Severability. If any section, part, or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Effective Date. This ordinance shall become effective immediately upon its adoption.

ADOPTED AND PASSED THIS 7th day of July, 2026, and shall be effective upon its adoption.

TREMONTON CITY CORPORATION

Mayor Bret Rohde

ATTEST:

Cynthia Nelson, City Recorder

Publication Date: _____

**Exhibit “A”: AMENDING § 1.03.005 DEFINITIONS, 1.07.010 USES, AND 1.07.015 LOT REGULATIONS OF
THE TREMONTON CITY CODE TO DEFINE SMALL ACCESSORY STRUCTURES, UPDATE THE
RESIDENTIAL ZONING USE TABLE, AND ALLOW FOR DEVELOPMENT OF SINGLE-FAMILY HOMES IN
THE MULTIPLE RESIDENTIAL DISTRICTS**

1.07.010 - USES.

This Section of Chapter 1.07, uses of land or buildings which are allowed in various districts are shown as "P" permitted uses in the appropriate column, or as "C" conditional uses in the appropriate column. If a use is not allowed in a given district, it is either not named in the uses list or it is indicated in the appropriate column by a dash, "-" as not permitted or not applicable or is stated as such.

RESIDENTIAL USES 1 2 3							
ZONING DISTRICTS	RR-1	R1-20	R1-12	R1-10	R1-8	RM-8	RM-16
Accessory Buildings:	P	P	P	P	P	See Note 4	
Agriculture, Existing:	P	P	P	P	P	P	P
Assisted Living Facilities:						C	C
Childcare/Preschool:							

Childcare/Preschool, Residential-Minor: See Chapter 1.24 Home Occupations and Chapter 1.19 Supplementary Regulations of this Title.	C	C	C	C	C	C	C
Childcare/Preschool, Residential-Major: See Chapter 1.24 Home Occupations and Chapter 1.19 Supplementary Regulations of this Title.	C	C	C	C	C	-	-
Christmas Tree Sales:	C	C	-	-	-	-	-
Churches/Places of Worship:	P	P	P	P	P	P	P
Communication Towers and Antennas: See Chapter 1.22 Communication Facilities Permit of this Title.	C	C	C	C	C	C	C
Dwellings: 5 6 See Chapter 1.19 Supplementary Regulations of this Title for residential architectural standards.							
Single-Family:	P	P	P	P	P	See Note 10	
Multi-Family Twin Home:	-	-	-	-	-	P	P
Multi-Family Attached:	-	-	-	-	-	P	P
Multi-Family Stacked:	-	-	-	-	-	P	P
Internal Accessory Dwelling Units:	P	P	P	P	P	-	-
Detached Accessory Dwelling Units:	P	P	P	P	P	-	-
Dwellings, Manufactured and Modular: 7 See Chapter 1.19 Supplementary Regulations of this Title.	P	P	P	P	P	-	-

Education Facilities:	C	C	C	C	C	C	C
Flag Pole: See Chapter 1.19 Supplementary Regulations of this Title.	P	P	P	P	P	P	P
Home Occupation: See Chapter 1.24 Home Occupation Permit of this Title.							
Minor:	C	C	C	C	C	C	C
Major:	C	C	C	C	C	-	-
Livestock, Large and Small: 9	P	P	-	-	-	-	-
Kennel: See Chapter 13 of the Revised Ordinance of Tremonton City Corporation for requirements for a Kennel License.	C	-	-	-	-	-	-
Mobile Home Park:	-	-	-	-	-	-	-
Nursing Home:	-	-	-	-	-	-	-
Pets: 8	P	P	P	P	P	P	P
Public Facilities:	P	P	P	P	P	P	P
Residential Facilities for the Elderly Persons: See Chapter 1.19 Supplementary Regulations of this Title:	C	C	C	C	C	P	P
Residential Facilities for Persons with a Disability: See Chapter 1.19 Supplementary Regulations of this Title:	C	C	C	C	C	P	P
Renewable Energy Systems:	C	C	C	C	C	C	C

See Chapter 1.23 Renewable Energy Systems Permit of this Title:							
Swimming Pool: See Chapter 1.19 Supplementary Regulations of this Title:	P	P	P	P	P	P	P
Utilities, Neighborhood:	P	P	P	P	P	P	P
Utilities, Transmission, Pad, Facility:	C	C	C	C	C	C	C

[1 Note: See Chapter 1.25 of this Title —
Conditional Uses Permit.](#)

[2 Note: See Chapter 1.17 of this Title —
Off-Street Parking Regulations.](#)

[3 Note: See Chapter 1.18 of this Title —
Landscaping, Buffering, and Fencing
Regulations.](#)

4 Note: Accessory buildings serving entire complex such as clubhouse, pool house, bowery, etc., are permitted.

[5 Note: All dwelling units are for
Single-Family occupancy. See Chapter
1.19 Supplementary Regulations of this
Title for Residential Architectural
Standards.](#)

6 Note: No dwelling or dwelling unit shall be less than four hundred (400) square feet in living space.

7 Note: Applicant shall also ensure that there are no restrictive covenants that exclude Manufacturing and Modular Housing as required by Utah Code Annotated 10-9a-514. See Chapter 1.19 Supplementary Regulations of this Title for Residential Architectural Standards.

8 Note: See Chapter 1.03 of this Title — Definitions.

9 Note: See Section 1.07.025 and 1.07.030 for the type and number of livestock.

10 Note: Detached single-family dwellings are permitted within RM-8 and RM-16 developments. Single-family lots shall comply with the lot regulations of the R1-8 zone.

(Ord. No. 24-13, 11-19-2024)

Attachment “B”: Proposed Amendment to 1.07.015 Lot Regulations (Full Subchapter Context)

1.07.015 - LOT REGULATIONS.

This Section of Chapter 1.07 shall apply to all principal structures and accessory structures in residential zones. If a regulation applies in a given district, it is indicated in the appropriate column by a numeral to show the linear or square feet required, or by the letter "A."

RESIDENTIAL ZONES LOT REGULATIONS 1 2 3							
ZONING DISTRICTS	RR-1	R1-20	R1-12	R1-10	R1-8	RM-8	RM-16
LOT AREA REGULATIONS: The minimum lot area in square feet for any Single-Family Dwelling in districts regulated by this Chapter.	43,560	20,000	12,000	10,000	8,000	Note 1	Note 1
MAXIMUM DENSITY: The maximum number of dwelling units per acre.						8	16
LOT WIDTH REGULATIONS: The minimum width in feet for any lot in the districts regulated by this Chapter.	135	100	90	80	70	70	70
FRONTAGE REGULATIONS: The minimum frontage in feet for any lot in the districts regulated by this Chapter.	60	50	45	45	45	45	45
Cul-de-Sac:	50	40	35	35	35	-	-
Flag Lot:	24	24	24	24	24	-	-

FRONT YARD SET-BACK REGULATION: The minimum depth in feet for the front yard for main structures in districts regulated by this Chapter.	50	30	30	30	25	25	25
Structures on corner lots: Front yard set-back in which the structure is addressed shall be:	50	30	30	30	25	25	25
Accessory structures may have the same minimum front yard setback as the main structures if they have the same side yard setback required for main structures; otherwise they shall be setback the following number of feet from the rear of the main structure:	10	10	10	8	8	10	10
REAR YARD SET-BACK REGULATIONS: The minimum setback in feet for the rear yard in the districts regulated by this Chapter shall be:	30	30	30	25	20	20	20
For Accessory Structures and Garages with no rear openings 4 shall be:	10	10	5	5	5	5	5
Accessory structures located on an alley shall meet all the requirements of this Ordinance. However, structures may have a one (1') foot setback from the alley, provided they have met all side yards and minimum distances from adjacent dwellings:	A	A	A	A	A	A	A
SIDE YARD SETBACK REGULATIONS: The minimum side yard setback for one side in feet for any dwelling in districts regulated by this Chapter shall be:	15	10	10	8	8	10	10
Total width of the two (2) side	30	24	20	18	18	18	18

yards required shall equal:							
Structures on corner lots: Side yard setback shall be:	30	30	25	25	20	20	20
For Accessory Structures and Garages with no side openings 4 shall be:	10	10	5	5	5	5	5
For Small Accessory Structures with no side openings 4 shall be:	3	3	3	2	2	1	1
CARPORTS. Carports not exceeding six hundred (600) square feet in area and not more than one (1) story in height, when attached to the main building and constructed of fire rated materials may extend no closer than one (1') foot from the side property line and the carport shall remain open on three (3) sides.	A	A	A	A	A	A	A
HEIGHT REGULATIONS: 5 The maximum height for all main buildings in districts regulated by this Chapter shall be in feet:	36	36	36	36	36	36	36
Maximum Number of Stories:	2 1/2	2 1/2	2 1/2	2 1/2	2 1/2	2 1/2	2 1/2
The minimum height of a dwelling in stories above grade:	1	1	1	1	1	1	1
The maximum height of an accessory building in feet:	30	30	20	20	20	20	20

1 Note: Multi-Family Dwellings may have reduced Lot Regulations in the RM-8 and RM-16 zones. Site Plan Permit (see Chapter 1.26 of this Title) and subdivision approval required.

2 Note: No accessory building shall contain greater square foot floor area than the principal building to which it is accessory. Exception: Accessory buildings located in the RR-1 and R1-20 zone. No accessory building or group of accessory buildings in any residential district shall cover more than thirty (30) percent of the rear yard.

3 Note: For Park Meadows Subdivision an existing PUD R1-6 zone. Dwelling minimum setbacks: Front yard: twenty-five (25') feet/other Front yard twenty (20') feet - Side yards: six (6') feet and ten (10') feet - Rear yard: twenty (20') feet. The remaining regulations shall be applicable to that of the R1-8 lot regulations and uses.

4 Note: For side and rear set-backs of any accessory structure three (3') feet or less there shall be no openings (windows, doors, etc.). Exception: accessory structures whose rear-yard is on an alley or street.

5 Note: Exceptions to Height Regulations. Roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, steeples, flag poles, chimneys, smokestacks, water tanks, wireless or television masts, theater lofts, silos, or similar structures may be erected above the height limit herein prescribed, but no space above the height limit for residential purposes shall be allowed for purposes of providing additional floor space, nor shall such increased height be in violation of any other Ordinance or regulation of Tremonton City. Public Buildings, Utility Buildings, and Multi-Family Dwellings when authorized in a district, may be erected to a height greater than the district height limit by Site Plan approval.

STATE OF UTAH)
 : ss.
COUNTY OF BOX ELDER)

I, Cynthia Nelson, the City Recorder of Tremonton, Utah, do hereby certify that the above and foregoing is a full and correct copy of Ordinance No. 26-10, entitled **“AMENDING § 1.03.005 DEFINITIONS, 1.07.010 USES, AND 1.07.015 LOT REGULATIONS OF THE TREMONTON CITY CODE TO DEFINE SMALL ACCESSORY STRUCTURES, UPDATE THE RESIDENTIAL ZONING USE TABLE, AND ALLOW FOR DEVELOPMENT OF SINGLE-FAMILY HOMES IN THE MULTIPLE RESIDENTIAL DISTRICTS.”** Adopted and passed by the City Council of Tremonton, Utah, at a regular meeting thereof on the 7th day of July 2026, which appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City this _____ day of _____ 2026.

Cynthia Nelson, City Recorder

Pillar 1

Connected to the Good Life

Quality of life: what it feels like to live here.

Strategic Focus: Quality of life amenities, parks, recreational activities, affordable housing, growth management, youth opportunities, preserving small-town character.

CHALLENGES

- 1 Few amenities & limited recreation**
Lack of amenities, restaurants, entertainment, recreation & cultural outlets.
- 2 Concerns for youth & young adults**
Youth boredom and lack of constructive outlets. Housing affordability and workforce concerns.
- 3 Preserving Small Town Identity**
Growth pressure threatens the character residents moved here to enjoy and the small town feel.
- 4 Loss of agricultural way of life**
Development encroaches on farmland; feeling that our long time agricultural heritage is fading.
- 5 Aging & neglected parks system**
Years of deferred maintenance and limited investment have left the parks system aging, reducing its ability to support community recreation, gathering, and quality of life.

DESIRED OUTCOMES (2-year horizon)

- ◆ City facilities and public spaces keep pace with a growing population.
- ◆ Year-round opportunities to gather, play, and belong through placemaking.
- ◆ City facilities and public spaces keep pace with a growing population.

Pillar 2

Connected to Each Other

Connection, access, and transparency.

Strategic Focus: Belonging, inclusion, transparency, trust, community relationships.

CHALLENGES

- 1 Intolerance & social division**
Demographic change and cultural differences surface friction where some residents feel unwelcome.
- 2 Low civic engagement & education**
A predominantly blue-collar, lower higher education population is sometimes disengaged from civic processes.
- 3 Transparency deficit**
Residents distrust city decisions when data and reasoning are not clearly shared.
- 4 Social toxicity & bullying**
Gossip, drama, and harassment on local social media and circle groups erode civic trust and community cohesion.
- 5 Preserving small town identity**
Continued growth has raised concerns about the potential loss of the community's identity, culture, and close-knit way of life.

DESIRED OUTCOMES (2-year horizon)

- ◆ A modern, actively administered city website that becomes the digital front door to City Hall.
- ◆ High dignity communication as Dignity Index Levels 6-7, with city and financial data published.
- ◆ Growth guided by a current, adopted comprehensive plan and infrastructure strategy.
- ◆ Build connections through parks, recreational activities, library, senior services, sports, community events, downtown.

Pillar 3

Connected to Peace and Security

Public safety and the everyday peace of being a good neighbor.

Strategic Focus: Safety, stability, family security, economic wellness and community resilience.

CHALLENGES

- 1 Aging facilities and deteriorating infrastructure**
Critical infrastructure and public facilities are showing signs of age and wear, requiring significant upgrades to ensure reliability, safety, and community resilience.
- 2 Domestic Violence, bullying & youth safety**
DV rates are elevated in the home that rolls over into in school and online bullying that creates unsafe environments for youth.
- 3 Scaling safety with growth**
A small department must serve a rapidly growing population without proportional budget increases.
- 4 Limited economic development**
Limited economic opportunities and a narrow employment base create challenges for attracting, retaining, and supporting residents and businesses.
- 5 Workforce development gaps**
Gaps in workforce training, education, and career readiness contribute to labor shortages and limit opportunities for residents to access higher-paying jobs.

DESIRED OUTCOMES (2-year horizon)

- ◆ Police, fire, and emergency preparedness capacity that stays ahead of city growth.
- ◆ A multi-year plan for scaling safety services with population and regional risk.
- ◆ Peace at the neighborhood level with trust between residents and public safety.
- ◆ Neighbors who know and care for neighbors.
- ◆ Focus on economic diversification.

Pillar 4

Connected to Positive Well-Being

Resident well-being and the fiscal capacity that sustains it.

Strategic Focus: Mental Health, physical health, education, resilience and lifelong success.

CHALLENGES

- 1 **High mental health needs**
 Depression, anxiety, and trauma are prevalent; stigma and cost prevent residents from seeking help.
- 2 **Substance abuse epidemic**
 Drug use and alcoholism affect families across income levels, burdening health and safety systems.
- 3 **Small & fragile economic base**
 Heavy reliance on a narrow commercial sector leaves the city vulnerable to economic shocks and high fiscal burden on residents.
- 4 **Water supply & sustainability**
 Growth and climate variability threaten long term water availability which is a critical rural concern.
- 5 **Fiscal capacity constraints**
 Limited revenue limits the city's ability to fund services residents expect as the city grows.

DESIRED OUTCOMES (2-year horizon)

- ◆ Meaningful access to mental health and substance abuse resources.
- ◆ Tracking lived physical, mental & social wellbeing over time.
- ◆ Fiscal transparency residents can act on with books open before hard fiscal asks.
- ◆ Deliberate economic development and revenue capture from tax base, local business & downtown vitality.
- ◆ Adopted, funded Capital Facilities Plans with consistent capital savings.
- ◆ General fund mix using national averages as diagnostic, resident expected service levels as the goal.

TREMONTON CITY
CITY COUNCIL MEETING
JULY 7, 2026

TITLE:	Discussion and consideration of approving a Special Event and Live Entertainment Permit for a Business Grand Opening and Sanctioned Boxing Event Park located on the Businesses property on August 1, 2026.
FISCAL IMPACT:	
PRESENTER:	Zach LeFevre, Community Services Director

BACKGROUND:

Who & What: Rafael Pantoja with Lucky 75 Barbor Shop and MBG Boxing Gym is wanting to host a Grand Opening for his new location for his Barbershop & Gym Located in the business parking lot of 230 W. Main Street. This Grand opening will include a sanction boxing match, the Box Elder County Showdown 2, cultural celebrations and live music.

When: August 1, 2026
12:00 pm - 11:00 pm

Where: The Lucky 75 Barbershop and MBG Boxing Gym is located at 230 W. Main street. The grand opening will be held on the business property and parking lot.

Other Info.: Activities to include:

- Grand opening, tours, & potential ribbon cutting
- Aztec ceremonial Dancers
- Box Elder County Showdown 2, (Sanctioned boxing matches through USA Boxing)
- Live Music
- Vendors
- Food
- Alcohol sales and/or Distribution has been amended and will not be offered at this event.

Insurance: Lucky 75 Barbershop and MBG Boxing Gym is insured with State Farm. USA Boxing holds its own insurance for its competitors and the boxing event.

Community Services Director Recommendation to council: Following the initial review of the Special Event Application, City staff identified several concerns related to the proposed event, including compliance with City ordinances regarding alcohol service, live entertainment, parking, and potential impacts to surrounding businesses and property owners.

Since that review, a meeting was held with the event organizers, the Community Services Director, and the Code Enforcement Officer. In addition, staff consulted with the Police Lieutenant and the City Treasurer to discuss the proposed event, applicable ordinances, public safety considerations, and operational impacts.

Through these discussions, the event organizers have worked cooperatively with City staff to address the concerns identified during the review process. Staff believes the event can be conducted in a manner that protects public safety, minimizes impacts on neighboring properties, and complies with

the conditions established by the City Council.

While the event qualifies as a Major Special Event due to the proposed live entertainment and associated impacts, staff recognizes that this event also provides an opportunity to celebrate a new local business and offers cultural and community value to a significant segment of Tremonton's residents. Supporting community events that reflect the diversity of our residents contributes to a connected, welcoming and inclusive community while encouraging local economic activity.

Therefore, staff recommends that the City Council approve the Special Event Permit and Live Entertainment Permit for the Grand Opening of Lucky 75 Barbershop & MBG Boxing Gym, subject to any conditions the City Council deems appropriate and all applicable City ordinances, permits, and public safety requirements.

Police Department Recommendation to council: N/A Held on business property with no street closures.

Recommended Items from Community Services Director to Special Event Applicant:

- Alcohol Sales and/or Distribution is prohibited at this event.
- That you coordinate the use of street barricades and bleachers with the Community Services Director, Zach LeFevre at 435-257-9487.
- That you coordinate the immediate cleanup of all trash, equipment and anything else that may effect normal Traffic Flow.
- That you contact the Bear River Health Department and follow their guidelines.
- That food vendors are permitted if you so organize. If so provide the community services director with vendor EIN numbers.
- That you provide proof of general liability insurance in the amount of at least \$1 and that you indemnify Tremonton City from all liabilities and claims in connection with your Special Event. Please email this proof of general liability insurance to Zach LeFevre, at zlefevre@tremontonciv.gov.
- That you comply with the statements contained in your submitted Special Events application, previous email communication and meetings with City Staff, and City Special Event Application Ordinance.

If you have any questions regarding the City Council's approval of your Special Events application or if there are changes that occur in your Special Events application please contact Zach LeFevre, at 435-257-9487 or by email at zlefevre@tremontonciv.gov

Tremonton City appreciates you selecting Tremonton City for your Special Event.

Attachments: Submitted Application on 06/17/2026.



Special Event Application

TREMONTON

•1903•

Person in

Charge of Event:

Rafael Pantja

Date of Application:

04/17/20

Event Sponsor:

Phone Number:

Email:

EVENT INFORMATION

Name of Event:

Grand Opening of Lucky 25 Barbershop & M.B.G. Boxing Gym.

Event Date(s) and Time:

08/01/20 @ 12 pm - 11 pm

Type of Event:

Grand Opening

Anticipated number of Attendees:

300 - 400

Location:

230 W Main Street
Tremonton UT.

Liability Insurance Coverage:

yes (State Farm)

Schedule of Events:

12 pm - 1 pm - Grand Opening, 1 pm - 3 pm weigh-ins
2 pm - 3 pm Aztec Cerimonial Dancers, 3 pm - 7 pm Amateur Boxing
(Box Elder County Roundman 2) 7 pm - 11 pm Live Music & D.J.

Measures taken to protect and preserve the public's health, safety and welfare:

Barriers.

Security, Food & drinks, Porter Pottys.

Additional Information:

The Amateur Boxing Event will be Sactined By
USA Boxing and comes with its own Insurance. I am also
try to get a Beer Only one day permit for the event

****Attach any flyers of the event**

Submit to: Zach LeFevre, Tremonton City Parks & Recreation Director zlefevre@tremontoncity.com

****Fill out the back page if you are using public streets, or need roads blocked off.**



Special Event Application

Number of road blocks needed: +/- 100 ft. Number of road blocks provided by applicant 0
Applicant may be required to provide road guards and/or barricades as required by the City

****Attach or draw detailed route maps with road blocks needed**

Police Department reviewed and approved this application on: _____ by: _____

Other City Services Needed: If I could use the bleachers that
get put up at the car show ~~event~~ By All ready I would
really appreciate it.

MAXIMUS BOXING

DJ
MORADOS

BOX ELDER COUNTY

YASIR RAMIREZ
y su Legado

MIKTI ANZIHUATI



KA
ELLOS
PROMOTIONS

★★ AUGUST 1ST, 2026 ★★

230 WEST MAIN STREET,
TREMONTON, UTAH

✂	GRAND OPENING	12PM - 1PM
⚖	WEIGH INS	1PM
🥊	FIGHTS START	3PM - 7PM
🎵	LIVE MUSIC	7PM - 11PM

JOIN US FOR THE
GRAND OPENING OF
MAXIMUS BOXING GYM 435
AND LUCKY 75 BARBERSHOP!

FOR MATCHES SEND LIST TO COACH RAFA @ 801-941-8055

***** Special Guests *****

GRUPO DANZA AZTECA | MIKTLANZIHUATL | DJ MORADO
YASIR RAMIREZ Y SU LEGADO | AND MORE TO BE ANNOUNCED

***** PROUD SPONSORS *****



MIKTI ANZIHUATI



Grupo Danza Azteca

KA
ELLOS
PROMOTIONS

LUCKY 75
BARBERSHOP

★ AND MORE TO BE ANNOUNCED ★

Grand Opening



- Alcohol Garsen / consumption area

- Tables w/ 5, 6 or 8 chairs

- Folding chair seating.

- Main Entrance Tent/ Admission Area

- Hired Security (10)

- 4 ft snow fencing barrier.

- 3ft pvc pipe fencing barrier around Alcohol Garden

- Food Consumption Area.

- Ameture Boxing Event Area.
BOX ELDER COUNTY SHOWDOWN 2

- MIKTLANZIHUATL Grupo
Danza Azteca (Aztec Ceremonial
Dancers)

- 2 porter potty Area

Barrier

DJ / LIVE MUSIC

Alcohol
Sales
Location

Wristband
Check Point

Boxing
Ring

Lucky 75
BarberShop
& Maximus
Boxing Gym
(435)
Building

FOOD SALE VENDORS

VENDORS

Proof of Age
(ID) STATION
and wristbands

Staff and
Entrance

15 ft building wall 15 ft building wall

15 ft building wall

15 ft building wall 15 ft building wall

Barrier
Barrier
Barrier
Barrier
Barrier

road

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TREMONTON CITY CORPORATION CITY COUNCIL MEETING JUNE 16, 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 June 16, 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, City Manager Nessen, and City Recorder Nelson. Also in attendance were City Planner Jeremy Lance (arrived at 6:30 p.m.), Zoning Administrator ChrisDean Epling (arrived at 6:30 p.m.), Public Works Director Carl Mackley (arrived at 6:57 p.m.), Finance Director Jami Heiner, Police Chief Dustin Cordova (arrived at 5:40 p.m., left at 6:28 p.m.), and Code Enforcement Greg Horspool. Councilmember Oyler was excused.

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

Councilmember Bowcutt said Public Works is on track and making big strides. We all received an email from Planning and Zoning on how much money they are saving. They are doing a fantastic job.

Councilmember Lewis said I have had quite a few economic development meetings and they are going well. Lots of exciting stuff.

3. Presentations:
 - a. **Title:** RES 26-34 Utility Write-offs—Treasurer Michelle Rhodes

Treasurer Rhodes said we are writing off billing we cannot collect. It is a little bit higher this year at \$13,990.18, but \$10,559.14 is from one individual from Deweyville, who has had some hardship and since been foreclosed on. His house is now owned by a bank in Texas. I put a special assessment on it and we are third in line to receive payment. We could potentially get that money. We hope this will just be a \$3,000 write-off instead.

- b. **Title:** RES 26-35 Ambulance Write-offs—Treasurer Michelle Rhodes

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Treasurer Rhodes said these are all since 2021. This is the final write off we have put into our system, and they have been sent to collections, \$357,592.63. I would say 75% of these have gone to collections and had a judgment. We are getting paid for some. Collections will take their percentage. They are going to take 18% right off the top because we did not have the right verbiage saying this is what you are going to be charged if you fail to pay. We have now corrected that. This is now Gold Cross's responsibility. They are going to send over what they have and we will see the report. We will not have to waste any more time on this, which is budgeted.

c. **Title:** RES 26-36 Amending 2025-2026 Budget—Finance Director Jami Heiner

Director Heiner said hopefully you have all had a chance to overview this. Overall, the increase for the budget amendment is \$1.7 million. A lot of this is geared toward changes going on in the City. There were about \$580,000 for development permits and streetlights. We included some reimbursement costs for the railroad. We thought that was going to come in before the end of the year, but it was right at June so we were not sure if it was going to happen in June or July. You will see this expense in both years, but it is not happening for both. We did have insurance proceeds for about \$113,000 from the roof leak. The use of fund balance is to ensure we do not exceed 35%. This is really just a plug number. In all the revenue line items coming in, we have no idea what they are really going to be but can speculate all day long. It is just easier to have a plug number to ensure we do not go over 35%. It is better to err on the side of caution than to go over and hear from the State Auditor's Office about penalties and fines. For the end of fiscal year 26, we are looking at an additional \$400,000 that could go into our fund balance. We cannot go over 35%, but we cannot go below 5%. That is why we amend the budget at the end.

Director Heiner said we have discussed doing some audio upgrades for the Council room (\$36,000 to \$40,000). Some salary expense line adjustments in the Treasurer's Fund, \$10,500. Here is that railroad maintenance, which we get reimbursed for. Increasing the engineering and other professional expenditures in that fund of \$35,700. The police department was increased to \$276,000. These were for tasers in lieu of buying vehicles. There were other grant dollars that went along with that and some travel expenses. The trip to DC was funded by donations. Then there is the increase in salaries and benefits to ensure budget compliance. We did a reorganization of the building inspection department. That was the increase of \$31,000 to close out that contract and bring on a new employee for that department. Emergency management, there was a reduction there, but that has been restored. \$1.1 million was transferred to Capital Projects. If we do go over the 35% that money is slated to go to Capital Projects. Then a transfer to the RDA fund for a \$25,000 grant for wayfinding signage. It was originally recorded in the General Fund 2024. We are moving it to the RDA. This is new for the Food Pantry. They need some generator repairs so that is a \$7,000 increase. We do not think she will need that, but this ensures she does not go over budget. We have increased some of the revenues in the recreation fund just to make sure we do not go over those salary expense and benefit line items (\$2,900). In the roads fund, we are increasing \$305,800 matching the impact fee revenues of \$100,000. Then increase the fund balance of \$205,000 to cover

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streetlights that were purchased and other supplies, maintenance, and engineering costs. Capital Projects shows that \$1.1 million that is coming from the General Fund. Then the vehicle fund, there is the new ambulance that was purchased.

d. Title: RES 26-37 Adopting 2026-2027 Budget

Director Heiner said I like to think of the budget as a living document. It can be changed at any time. It is never right and gets better as we go. It is not set in stone. The General Fund has an overall increase of \$59,735. For the tentative, Manager Nessen put in \$100,000 in growth for property tax and it turned out to be \$118,735. That was a great estimate. This is due to new growth, not a property tax increase. We do not get new revenue. There was an increase to the Box Elder School District of \$30,000. It was originally \$135,000 and went up to \$165,000. Manager Nessen said they are paying half of the actual wages now for both of our officers' wages and benefits.

Director Heiner said here are the changes to the tentative budget. We increased court fines to \$10,000 based on prior year revenues. The railroad maintenance reimbursement is about \$27,000. Our interest earnings have a rate that keeps dropping. I do not rely on interest rates because they are a little volatile. I did decrease that. We are at \$325,000. Those were the changes to the General Fund revenues and expenditures. We increased the computer software \$15,465 due to our accounting software and support. They did a \$5,000 increase over last year. We are looking at possibly adding additional services to take us to a web base. They handle the security and all the updates for a \$7,000 a year increase. If we do move forward with the online version, they did say we would purchase two new licenses in May and would give us that for free if we moved forward with the online version. We have a demo next week. The new AI subscription is included. There was an increase to City administration for the new finance director and human resources for education and new computer. In the Parks Fund, we increased for an impact fee analysis study (\$80,000). For roads there was not a budget in the tentative for the whole roads department so that is the \$1 million increase. This year we are doing a library shed. \$25,000 was allocated. They will not finish by June 30 so they will finish that up this year. \$2.3 million is in Capital Projects for 1000 West and BR Mountain Road construction. The Water Fund was adjusted for the water rate increase that was passed. There are also adjustments through various expense line items, including some capital projects for secondary water lines. For the treatment plant we have those revenues reflecting the zero-rate increase. For storm drain, we added a capital project there \$1.9 million and then the solid waste increase for trash cans. That revenue line item is to match the purchase of those. We also adjusted for credit card fee services, since we are no longer collecting those.

Director Heiner said next is the police budget. The budget amendment of 2026 is columns C and D with a 3%, but not the transition we are making with Garland. This does not include those four additional employees we are bringing on. Because of the 3% COLA across the board, the police fund is actually only increasing 5%. If we were to take out that \$100,000, it is 2%. Looking at column I it says 26-27 final budget and with that becomes an 18% increase. That is with the Garland employees. Overall, it looks like the

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fund is increasing 23%. Chief Cordova explained the agreement with Garland and how it is a great deal for both cities.

Director Heiner said in fund balances the numbers look gigantic (\$34 million), but that is broken down to each individual fund. Some funds are doing great, and others can keep you up at night. These balances will be different in three weeks, some will go up and some will go down. We need to do those adjustments at the end of 2026. \$3.1 million is sitting in an account for Capital Projects. We have a balance in the parks impact fees, \$927,000. What are we doing with the parks? I would like further discussion on this with the Council. Lights need to be replaced at North Park and Jeanie Stevens parks. Moving into the utility funds, we start talking about depreciation and how important that is because that is your sign of how we are doing with replacement, and we need to get into those discussions. We do not want to be spending all the depreciation money because that is supposed to be for future. I think there is a lot of cleanup work that needs to happen. I would like to condense travel and education, making that one line item and making this budget document a bit shorter.

e. **Title:** RES 26-38 Accepting Certified Tax Rate

Director Heiner said this is what is coming from the County. We are just going to accept what the assessor comes up with. They have a whole formula on how that is determined.

f. **Title:** Presentation on Fraud Risk Assessment

Director Heiner said this comes from the State Auditor's Office, making us review it every year. We go through all our policies to make sure they are in place. We can update them or ensure we are in compliance with our meeting minutes and reviewing those, all the trainings that are necessary by the Council and the employees signing the ethical behavior form. We need to be reviewing these things yearly with the team. Last year our score was 355. That has not changed much from year to year.

g. **Title:** RES 26-39 Amending Fees and Fines

Recorder Nelson said there are just a couple changes. Garbage cans went from \$150 to \$156 so we are going to increase that fee. For secondary water, we give residents a year to hook up to secondary once it is there, but if they buy a new home that has secondary lines installed at occupancy, then secondary rates will take effect immediately. The next item is cemetery fees. We have always had a weekend rate. When families leave the cemetery, our crew is still there for another hour or two, so we are adding an hourly rate on top of that if people stay past 3:30. We removed rates for cremations because we charge the same rate regardless. It will clean this up a little.

h. **Title:** ORD 26-04 Amending Chapter 3-500

Recorder Nelson said this next one is for City Council meetings. We do not start at 6 p.m., but our code says we start at 6 p.m. for our Work Session and 7 p.m. for our Policy

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Meeting. We are not doing that. We worked with our attorney and this is his change so we are in compliance and not breaking our own code. Now it says we will post the times and will meet on the first and third Tuesdays of each month.

- i. **Title:** RES 26-40 Disposal of approximately twenty (20) acres and confirming “insignificant” classification

Manager Nessen said the City owns 20 acres on 2000 West. The Development Review Committee (DRC) looked at this first and per our code, decided whether they would classify this property as insignificant or significant. In order to be significant, it had to have historic value or a water feature. There are very specific things. The DRC determined it does not meet this criteria, so we will call it insignificant real property. This resolution allows the Council to accept the DRC’s label and allows for disposal of that property. We are going through this process first in order to do that. Per State law, we have to post a For Sale sign on the property, so everyone has the option to put in an offer. Those offers will be brought to the Council.

- j. **Title:** RES 26-41 Compensation & Classification Plan

Manager Nessen said this is our minimums and maximums. In the budget we anticipate a 3% COLA increase, so all of the minimums and maximums have been bumped up 3%.

- k. **Title:** RES 26-42 Section 18 Leaves of Absence

Manager Nessen said a lot of these policies have not been updated since we went full-time fire. The State recently passed that they are going to recognize Good Friday as a State holiday. It is only a half day, so we would close at noon. In the past, we have followed State and Federal holidays. That is up to you if you want to accept that or not. The biggest one I needed done before July 1 is for our police shift officers and firefighters. They are required to work on holidays. The rest of us get holiday off paid. What we do is we give them a holiday leave balance. They can take the holiday off at a different date or if they do not use those hours, we pay them out. That is the policy we have had in place. We have added to their holiday leave balance two times a year, which is kind of a pain logistically. To make life simpler, we are proposing once a year, on July 1. They will get all their hours for the year to either use or save. It needs to be paid out before July 1. It is nothing different, but we would be doing it one time a year instead of two. Our policy used to allow an employee to use up to five days of vacation and five days of sick leave before accrual. If they do not have the leave and have a medical emergency, we have allowed that with department head approval. It was not spelled out for fire and five days is quite a lot of time where they work 24-hour shifts. So, Chief Jarrow proposed, giving them two days based on their 48/96 shifts. Two days would really give them a week off, basically. We only allow employees to carry over half of the vacation they accrue in a year. This will come back to you with some other potential changes.

- l. **Title:** RES 26-43 Section 16 Benefits

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Manager Nessen said again, this had to be done before July 1. It is contemplated in our budget. URS keeps increasing contributions to the retirement system, which is normal. However, for Tier 2 public safety, they have changed theirs to a contributory system. So, the employee is on the hook to pay into their pension plan. This was due to changes when they first started the Tier 2 system. They have to work five years longer than other officers (25 years) and in the beginning, they only get 33% of their pay in retirement. The other officers (Tier 1) get 50%. So, it is no surprise, not a lot of people wanted to be officers at a Tier 2 because they had to work five years longer and get less money in retirement, so legislation bumped them back up to the 50% a few years ago. They still have to work 25 years, but they will get their 50% in retirement. In order to do that, they made the employees be on the hook for part of it. In the beginning, the City did not elect to pick up the employee portion, so employees are currently paying 2.59% of their wages into their pension. We opted two years ago to pick up the increase that was proposed, which was 2.14%. URS has increased that again this year so the total amount is 5.98%. Employees are on the hook. We have it in the budget contemplated that we would pick up that next increase and would be paying 3.39% into their retirement, holding the employee harmless. They will still just be paying that 2.59%, which they have been paying for five years. If they do the 401k plan, we put that 3.39% on top of the 12% into their 401k. Previously, we only had to put in 12% to their 401k, but now we are having to put in 15.39%. They both get the increase rather than only the hybrids. That is the only two changes in this policy. This one will come back to you when we have reviewed it.

- m. **Title:** Present findings on Trip Hazards, Inspections, & Reports, and Infrastructure Complaint and Response Policy

Director Mackley said our insurance is requiring us to come up with an official policy to handle complaints related to trip and fall, slip type hazards. The policy says complaints can be received through various means. When that happens, we are to officially receive the complaint and document the information with date, time, and nature of the concern. We have to have a system in place to receive that information. We use iWorQ, which is our work order system and does amazing things. We classify the complaint as low, medium, or high importance. High needs to be done immediately. Medium is urgent. Everyone has access to iWorQ. The insurance company wants to see not only that we have the ability to track this, but that we are keeping good records over time. We have to keep things for three years. iWorQs does not ever get rid of records so we do not have to worry about retaining unless we go away from that program. We have to have this adopted by June 30. They reviewed the program to show how it works.

- n. **Title:** ORD 26-05 Repealing Chapter 1.33 PUD, ORD 26-06 Repealing Chapter 2.07 Lot Splits, and ORD 26-07 Rezone of parcel at approximately 500 N 2000 W from MD-B to CH

Planner Lance said we are looking to repeal the entire chapter. The simple reason why staff is bringing this as a suggested amendment is to not have to deal with what staff perceives as the inherent issues of the PUD. Bringing legislative steps before the DRC to

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set bonus density, the inability for really anyone to be able to follow the PUD code. It is inherently confusing how it is laid out. The attorney reviewed this and found that the language in itself is contradictory. We as staff thought instead of trying to fix the PUD overlay tool, as it currently is constituted in City code, we looked to repeal the entire chapter and bring forth a more effective overlay tool. This item was heard at Planning Commission. Comments made from the public were unanimously in support of repealing the PUD overlay code. There were comments from the Planning Commission expressing concern regarding the removal of the PUD. Some comments included concerns over relying solely on base zoning districts rather than using secondary overlay tools to achieve planning objectives. There were concerns about getting rid of a tool that could encourage development near the core of the City. Other members expressed support for the repeal of the overlay code, citing challenges associated with larger developments in the community and noting the common public sentiment against the PUD tool as they are being perceived as ineffective implementation of the overlay as a development tool. At the meeting, staff clarified that the PUD overlay regulations are currently difficult to administer and interpret. The vote for that meeting was a three to two vote to recommend approval to this body. Members Capener and Miller voted no to the motion to approve the item, with Chairman Van Tassel voting to break the tie. Administrator Epling said their main concern was not having something to replace it right now. We are working on that and want to introduce the Planned Community Zone. That just separates the legislative and administrative processes so what you see is what is going to be developed. It is a clearer path forward; it just needs to be defined better. We have been drafting that. This is a deficiency in our code and would be a step in the right direction. This will standardize how a developer can get additional bonus density and make it uniform, so everyone has the same thing. We want to make it easier to implement. There are some discrepancies that have been confusing to administer with the way it is written.

Councilmember Jex said I am in full support of reviewing it and doing something else. Has anybody ever had their spouse ask for something from the store and you come home with something completely different? I do not like the idea of a development coming before this body and we say, we like that, but then all of a sudden something completely different happens. If they have a plan to do a development in the City, they should bring what they intend to build. Planner Lance said currently they get bonus density by the DRC. That is how it is written and that is an entitlement. Entitlements can only be changed by the legislative process so that ordinance is suggesting otherwise. Councilmember Lewis said there were reasons we put it in, like trying to get some of the capital improvements paid for by developers. That is the intention of a PUD. So, what were the things that were enticing about that PUD when we put it in place? What would we be letting go of? Planner Lance said I would bring those to the table with a new tool. Administrator Epling said when you read through the PUD code, there is no mention of capital improvements or anything that they can as far as infrastructure, that is handled through the development agreement. Those are separate processes. One is administrative and one is legislative. The only thing the PUD code does is sets building and architectural standards. What we are presenting is a way you can have those in a new zoning type so you can combine them together. It can be put together that way, but right now the way the PUD is written, they are not tied together. Mayor Rohde said this has been vetted by

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the attorney and honestly, we were at risk with the PUD. When asked about timeline for deploying the replacement, Planner Lance said it is our top priority. We are already working on it.

Planner Lance said for lot splits, Chapter 2.07 of the current code says you can take a parcel, use the subdivision system, and create smaller parcels. The subdivision system is where you create lots in a subdivision and it is recorded in the office of the County recorder. This is saying you can just take a larger parcel and divide it. That is not how the State intended this ordinance to be. This code says if there is any discrepancy in rolling out a lot split request, defer to the subdivision ordinance. This seems like an antiquated tool. Again, staff suggests a repeal of this chapter. Administrator Epling said we pretty much have two codes doing the same thing, so we are requesting to go to the one that the State requires us to use.

- o. **Title** ORD 26-07 Rezone of parcel at approximately 500 N 2000 W from MD-B to CH

Planner Lance said the request is to rezone it from MD-B, which is the Manufacturing Distribution/Business Park Zone, to the Highway Commercial Zone, which would allow for retail use in the area. The Highway Commercial Zone exists in close adjacency across the street and south of the property. Planning Commission has recommended an approval.

- 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*

The meeting adjourned at 6:57 p.m. by consensus of the Council.

CITY COUNCIL MEETING

Mayor Rohde called the June 16, 2026 City Council Meeting to order at 7:01 p.m. The meeting was held in the Tremonton City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Rohde, Councilmembers Bowcutt, Jex, Lewis, and Westergard, City Manager Nessen, and City Recorder Nelson. Also in attendance were City Planner Jeremy Lance, Zoning Administrator ChrisDean Epling, Public Works Director Carl Mackley, Finance Director Jami Heiner, and Code Enforcement Greg Horspool. Councilmember Oyler was excused.

- 1. Call to Order
- 2. Roll Call

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3. Invocation by: Cassandra Merrell
Pledge led by: Councilmember Westergard

4. Approval of Agenda:

Motion by Councilmember Jex to approve the agenda of June 16, 2026. Motion seconded by Councilmember Lewis. 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. Presentation on Affordable Housing – Students Rylee Yeates & Oscar Partida

Mayor Rohde said they gave a wonderful presentation at the high school, so I asked them to present here. Mr. Partida said this was for a college class, but we look forward to seeing how it goes. Ms. Yeates said to be able to purchase a median priced home in the U.S., a household needs an average income of \$108,000. The actual median household earns about \$75,000. In Tremonton, the average price to purchase a home has climbed to \$425,500. The average salary within our community remains \$46,000. The local impact is that young adults are struggling to afford homes near their workplaces, forcing them into long commutes or unstable housing conditions. Mr. Partida said Utah in general, has had a population surge. Tremonton is also experiencing this and because of that we do not have enough housing availability, which is contributing to the price increase of homes. Ms. Yeates said another cause is that local inspections for new homes have increased with added administrative fees being passed directly to buyers. Current interest rates create a mortgage range of \$2,200 to \$2,800. The average monthly cost for basic necessities comes to \$3,295. After paying the mortgage and basic survival costs, an average young professional is going to be left facing a \$9,000 annual deficit. There are also infrastructure hurdles if water or sewer capacities are maxed out. Developers absorb the cost, which directly inflates the final home price. Mr. Partida said restrictive zoning laws leads to hidden crowding where multiple families are forced to cram into a single-family home out of necessity. Ms. Yeates said one of the solutions is regulated ADU units such as basement apartments and backyard cottages, expand housing choices without altering neighborhood aesthetics or characteristics. This gives homeowners the ability to offset a \$2,500 mortgage with roughly \$1,200 in rental income. Mr. Partida said we also looked at other cities and solutions within this housing affordability crisis. We need developers to shift from luxurious single-family homes to more attainable options, like townhomes and duplexes. Units must be price capped specifically for this \$46,000 to \$51,000 income bracket. A deed restriction permanently records the price cap on the property title for decades so we can block people from flipping these homes. Townhomes require about 60% less road and pipeline frontage so it generates a lot more property tax revenue per acre. We can pay for infrastructure upgrades and prioritize to reduce city administrative fees and entry-level projects and pass those direct savings to the first-time home buyers. Ms. Yeates said developers must commit to starter home price points.

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Residents must actively participate in local hearings to support diverse entry level housing options before our workforce is entirely priced out.

b. Presentation on Civil Air Patrol – Tina Peart 2nd lieutenant Bear River Cadet Squadron

Ms. Peart said I want to let the community know we are here. We meet every Thursday in Brigham City at the National Guard Armory. We work with youth who are 12 to 18 years old. Our program helps build character. We have emergency services, STEM programs, and do service in the community. We help give them positive things to do and teach leadership skills and moral values, along with integrity. We have a lot of programs and a lot of fun.

The next two items were discussed out of order.

c. Report and update on UTOPIA – UTOPIA Representatives Executive Director Roger Timmerman and CFO Jason Roberts

Mr. Timmerman said every year we provide an update on how things are going and provide historical information on our journey to where we are today. In 2002 UTOPIA was created and in 2004 they first bonded for projects. We had a bit of a rough start and around 2009 was a turning point when we were able to finance projects, build out, and get more profitable. It was about that time Tremonton got built out. We continued to build out the rest of the cities. We are the largest open access network in the Country. He then reviewed their statistics and accomplishments and addressed the bonds, which end in 2040. He also reviewed the benefits of UTOPIA to cities and their residents. We are making really great progress. At the end of the day, the community is receiving an enormous benefit and I think the City should be celebrated for doing that.

7. Citizen Engagement – General Public Comment

Bill Roosma said I want to talk about law enforcement. I hear you are looking to maybe cut the police department by one position, and I really hope you do not do that. We do not have enough officers to begin with. It is my understanding that shifts start at 6 a.m. and end at 6 p.m., then at 6 p.m. to 6 a.m. That tells me you do not have enough bodies. 12-hour shifts are long. They have a hard job to do and need to be at the top of their game. They have to make critical decisions in a very short amount of time. We do not have enough manpower. I know we have a lot of drugs and domestics and things to take care of. There is a lot of bad things that happen but let us take a look at the roads. You get on a freeway and there is a lot of road rage because there are not enough officers out there policing people. That bleeds into our City. Everybody gets in a hurry and people get frustrated. Then there are no officers out there policing people, and they take the law into their own hands. That is a problem. We do not have enough law enforcement on the highways or here. The streets are under construction and it is a pain to deal with. I slow down, but the people behind me ride my tail or pass and throw gravel. Nobody likes to get a ticket, but those tickets are behavior adjustments. We need more of it. I oppose high density housing and think it is crap to cram people in a tight space.

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8. Public Hearing

Mayor Rohde called a Public Hearing to order at 7:47 p.m. to consider amending the annual budget listed below. There were seven people in attendance.

- a. To consider amending the Annual Budget entitled “The Tremonton City Annual Implementation Budget 2025-2026 (General Fund, Capital Fund(s), and Enterprise Fund(s), and Special Fund(s))”, for the period commencing July 1, 2025 and ending June 30, 2026

There were no public comments. Mayor Rohde closed the Public Hearing at 7:48 p.m.

Mayor Rohde called a Public Hearing to order at 7:48 p.m. to consider adopting the budget listed below. There were eight people in attendance.

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

There were no public comments. Mayor Rohde closed the Public Hearing at 7:48 p.m.

9. Unfinished Items from City Council Work Session: None

10. Discussion of strategic direction on Pillar 3

Mayor Rohde said this is a strategic discussion on connecting to peace and security. We can identify the challenges like aging facilities, domestic violence, bullying and youth safety, scaling safety with growth, limited economic development and workforce development gaps. Some of the outcomes would be police, fire and emergency preparedness capacity that stays ahead of growth. A multi-year plan for scaling safety services with population and regional risk. I think that is vital as we grow. There needs to be a plan in place to take on that growth and support these safety departments. Other departments can help with community events and help neighbors focus on economic diversification. Councilmember Jex said as we discuss economic development and where we want to move there is a desire to stay a rural community, but still have the things that take us to other cities to shop and play. How do we do that and stay small? We want to court businesses and companies that will bring in people to spend money. There are a lot of things that go into that. Those types of companies look at how the City cares for itself. They look at the parks, streets, and infrastructure. In my opinion, if we are going to attract these businesses, we have to have better facilities. My understanding is the City does not own a building that would pass inspection. That is a problem. We have to spend money to make money to get those businesses. Councilmember Bowcutt said I like linking the Main Street project with this pillar. They discussed how improvements will be made to Main Street including façade grants. Mayor Rohde said I am noticing a real uptick in vandalism in our City. I am concerned. We need to have enough opportunities for our youth. They also discussed ways to bring the community together and to embrace cultural differences so there is not segregation or profiling. Some of their community

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events have helped in this aspect. Mayor Rohde said we will discuss pillar four in the next meeting and then will compile these to give the City additional direction.

11. Consent Agenda - Any Councilmember may request an item be removed for separate discussion – Roll Call Vote
 - a. Approval of minutes – June 2, 2026
 - b. Approval of Resolution No. 26-34 Utility Write-offs
 - c. Approval of Resolution No. 26-35 Ambulance Write-offs
 - d. Approval of Resolution No. 26-38 Accepting Certified Tax Rate
 - e. Approval of Resolution No. 26-39 Amending Fees & Fines Schedule
 - f. Approval of Resolution No. 26-40 Disposal of Property
 - g. Approval of Resolution No. 26-41 Compensation & Classification Plan
 - h. Approval of Resolution No. 26-42 Amending Section 18 of Personnel Policies & Procedures
 - i. Approval of Resolution No. 26-43 Amending Section 16 of Personnel Policies & Procedures

Motion by Councilmember Jex to approve the Consent Agenda. 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.

12. Strategic Business (Ordinances & Policies)
 - a. Discussion and consideration of adopting April and May 2026 Financial Statements and Warrant Register

Motion by Councilmember Lewis to approve the financial statements. Motion seconded by Councilmember Bowcutt. Vote: Councilmember Bowcutt - yes, Councilmember Jex - yes, Councilmember Lewis - yes, Councilmember Oyler - absent, Councilmember Westergard - yes. Motion approved.
 - b. Discussion and consideration of adopting RES 26-36 Amending 2025-2026 Annual Budget

Mayor Rohde said we appreciate the effort that was put into these reports. It made it significantly easier to understand what we are voting on.

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

- c. Discussion and consideration of adopting RES No. 26-37 Adopting 2026-2027 Annual Budget

Mr. Roosma said I do not like the idea of putting lipstick on a pig. The Civic building is really old, and you should just tear it down and build new. Make it look fresh. If you put

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lipstick on a pig, you are throwing good money away. If it is that bad just replace it. Main Street should be a four-lane road. I do not know how you do that without tearing down buildings on Main Street or modifying them. That would go a long way toward making this a more attractive area and do not forget about Tremont Street when talking about beautifying the City. There are homes along there that look like junkyards and need to be cleaned up.

The Council agreed that they have top notch staff, who is making the budgeting process much easier.

Motion by Councilmember Jex to adopt the resolution. 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.

d. Discussion and consideration of adopting ORD No. 26-04 Amending Chapter 3-500

Motion by Councilmember Bowcutt to adopt the ordinance. 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.

e. Discussion and consideration of adopting ORD No. 26-05 Repealing Chapter 1.33 PUD

Councilmember Westergard said I am in favor of taking it out. I think we need to have changes. Councilmember Lewis said do we need to rush to repeal the entire thing or could we just make adjustments? They still have to bring a development agreement to the legislative body. Planner Lance said as stated in the Work Session, the PUD tool does have some issues. It purports that an applicant could submit a preliminary plat, take it to the DRC to get bonus density. That is a tool that should go away immediately. Councilmember Westergard said our attorney looked at it and thought that was a big flaw. Administrator Epling said the review and application process kind of contradict each other. The application process defines it as a legislative process, while the review process defines it as an administrative process. Those are contradictory. Planner Lance said it is probably better to not waste time trying to fix the tool. We are working hard to bring back a better tool that puts the legislative power back into the hands of the people and the people they have elected. Councilmember Bowcutt said I know you have had long discussions with the attorney and if he feels like this is something we should do, I support you 100%. The PUD itself is kind of a troublesome tool. It has been overused and abused. This way, we get a clean slate and move forward in the right direction. Planner Lance said we can have something in a couple months. We want to have our attorney review the entire new chapter and all of its sections from a liability standpoint and make sure we are doing a good job. That takes time. Administrator Epling said we have drafted an outline and thought of bringing it to present tonight, but it is a really long meeting so we felt it would be best to just repeal it. We do have an outline ready. Councilmember Lewis said my only reservation is not knowing the direction we are headed. I support it,

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but I would almost be inclined to table until we can see that. Mayor Rohde said we have had several subdivisions come before us to present a certain density. We went through everything and decided, okay, let us move forward with that, but after that, the PUD was applied and density was added. Then all of a sudden, they are coming back expecting this density to be given to them. The problem is that the DRC can start to let them use this density. We need to come in right from the beginning as a legislative body and say, here is the density you can use, move forward from there and then we are not hit with surprises. I do not like the power that was given to the DRC. Councilmember Jex said there are loopholes with the PUD. If you have an idea for a development, I am all about it, but come and lay it on the table and develop what you said you were going to develop. They need to do what they told the public they were going to do. I feel the current PUD gives the opportunity for that sleight of hand and I am going to vote in favor of scrapping it.

Mr. Wilding reviewed a survey from the NPI. You have asked us to provide comments relative to things that are important to the NPI. This happens to be one of the items that the residents are very passionate about. We put a survey together and sent it out to the Tremonton West NPI. I want to share with you what we learned. We are trying to keep you up to speed with what we know. Based off this, I had one person who said no. They are not in favor of making the change, while 14 people said yes. I am going to read through the comments. One, I am of the opinion that Tremonton should be allowing developers to build to the zoning of the Master Plan. I would be very interested to see what Tremonton has planned for the future process for developers to follow. I would hope that we, the residents, will get to have input into the future process. Next comment. I think the repeal would give more time for thoughtful consideration on how this might affect the infrastructure and other factors. Next comment, it seems PUDs can be used for too many different purposes. The fourth comment, the PUD should only be for large scale projects. It must include a minimum land size requirement of 100 acres and separate entrances for every housing type. At least 10% acreage must be developed for public use, recreation trails, parks, schools and so on. The last one is, the PUD is a nice way of saying high density housing with room space to appease the Council and put money into the developer's pocket and the citizens get left with a mess and community problems. Get rid of the PUDs. This is the feedback I have received. My personal opinion on this is, I believe that the PUDs have been a real sore spot with a lot of residents. As we have had our NPI meetings, they have been very vocal about the use of PUDs and are not happy with it. I am of the same opinion. I, living in the county, knowing the property behind my house will be annexed before long, am interested in how it is going to be zoned and what that process is going to be relative to that. PUDs may play a role in how it gets zoned. Again, I have no idea of that process, and I do not know what is going to happen. I personally would like to be involved in this process and will be interested and want to participate. We look forward for that opportunity.

Councilmember Lewis said I would rather us fix the specific flaws rather than repeal the entire thing. I am not against the direction we are heading. Councilmember Bowcutt said but if you come up with a better process, I think that is what we need to move toward, because the PUD has been flawed. They have come up with a better process and I think

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we need to explore that rather than staying back here in the mud. Especially if the attorney is saying to do so. Councilmember Jex said loopholes have been found and are presenting a problem. Whether intentional or not, it had the appearance of being exploited and to the detriment of the City as a whole. I say we scrap it and put in intentionally what we want and more importantly, what the public wants. I have not heard a single member of the public, that was not a developer, who said they like PUDs or how the development was going.

Mr. Wilding said the thing that irritates me the most about the PUD process is we, the public, feel we have been left in the dark. The developer says we want additional parks and trails and whatever else, but now we want to put townhouses and condominiums and everything else, but nobody tells us what the tradeoffs are. We have no clue. We understand you need infrastructure, but at the same point we are looking at it and going, hey, I really do not need to have that bike trail. I would prefer to have lower density. We all agree to the master plan zoning, but suddenly the PUD comes in and says, now we are going to do this and this, so now we are going to scrunch all the houses together and make high density. There is no discussion or education as to what the give and take is. To me, the PUD process has been a total blindside from what I have experienced. Mayor Rohde said I think the PUD had good intent and could have done some great things, but there were a whole bunch of missing pieces. These all need to be brought together into a better process.

Planner Lance said we are proposing the Planned Community (PC) Zone. The PUD overlay is a hybrid of the administrative and legislative processes. What the PC zone would prefer to do is to bring elements from the plat process in conceptual form like the PUD overlay does now, but it would be a completely legislative process. We would ask for a robust narrative that includes the setbacks they are asking for, the building height, and architectural standards. It goes through all of that. This is the applicant shooting their shot. It is reviewed by staff initially, but the true review lies with the Council. Then the agreement that is yielded by the legislative process guides the administrative process. They are drawing plans according to what was agreed upon. Minor adjustments could be reviewed by the zoning administrator. Administrator Epling said you would see the process of what the major and minor amendments would be as we present the code to you. Then we can define what you want to see and what do you want the administration to take care of. The PUD right now kind of blends those two things together so it is harder to know what the administrative process is and what is legislative. This would be more clearly defined. It would do what the PUD was wanting to do, but in a way that gives you guys full legislative ability to decide. Planner Lance said with the PUD the negotiation power was taken away from the Council. Councilmember Lewis said I propose tabling it to ask more questions. Otherwise, I will have to say no, not because I am against moving forward in this direction, because I have more questions. Councilmember Jex said I am going to vote to repeal it, but I would ask that the urgency continue to get something in place.

Ben Green said I just want to express my appreciation. I think the NPI has really helped bring to light what is going on in the City and gives people more empowerment and

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understanding of what is coming. Your staff has been fabulous. I do not think you have had a better staff in Planning ever and I was on the Commission before. I think you should take the recommendation. I have faith they will come up with something better. My opinion is it is not working. It might have had a good vision, but I do not think it works. Throw the trash can and get something better.

Motion by Councilmember Bowcutt to adopt the resolution. Motion seconded by Councilmember Jex. Roll Call Vote: Councilmember Bowcutt - yes, Councilmember Jex - yes, Councilmember Lewis - no, Councilmember Oyler - absent, Councilmember Westergard - yes. Motion approved.

f. Discussion and consideration of adopting ORD No. 26-06 Repealing Chapter 2.07 Lot Splits

Motion by Councilmember Westergard to accept the ordinance. 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.

g. Discussion and consideration of adopting ORD No. 26-07 Rezone from MD-B to CH

Mr. Wilding said the NPI Tremonton West survey had 15 responses. 10 said yes and 5 were undecided. Not knowing the process, we had nobody that said not to do it. Here were the comments. I agree that Tremonton needs to have more retail businesses that will support the projected growth. Next comment, I would like to know what the specific plans for the property are. Would the developers be slapping down more townhomes that eventually turn into slums? Or would they be developing something more productive and beneficial for the community? Next one, they were concerned about weeds and hopefully that the new owner, will do something productive. The last two were actually very productive comments that should be addressed. There is going to be increased traffic on that road so the City may be looking at putting a stoplight there. Citizens are concerned about the traffic flow and increase there.

Mr. Greener brought up his experience with low water pressure on the hill and how Director Mackley fixed the problem. I just wanted to bring it to your attention. He is a great guy and a fixer.

Councilmember Lewis asked if they would be interested in using the property for flex space. They spent time discussing the possibilities of that. Mayor Rohde said I would really like to hear what the public has to say. Councilmember Lewis said it was even suggested that they build pickleball courts as part of the project. Councilmember Jex said I am interested in looking more at it. Councilmember Bowcutt agreed. Councilmember Lewis said there could be living quarters on top. A short-term Airbnb rental style. Officer Horspool explained there could be issues with State regulations, but it would be something he could look into. Administrator Epling said we could do a permitted or conditional use depending on what you would prefer. We would love any guidance on that. Planner Lance said we can bring a draft forward.

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Motion by Councilmember Jex to adopt the ordinance. 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.

13. Reports and Calendar
a. City Leadership Report

Manager Nessen said we had a department head meeting last Thursday that went very well. We brought those policies to you and had a good open discussion. There are more changes people want to see, but I was on a short deadline to get those taken care of by July 1. You will see those again. We talked about the organization chart and communicating better. I feel I have lost control a little. We had discussions on communicating with me and letting me know what is going on so I know what is happening in the City. I did turn in one last grant we had out there that needed to be finished. We only have 90% so far, this would be the other 10% for another \$110,000 for the equalization basin projects and ASR.

- b. Upcoming Calendar Items

Mayor Rohde said Mugs and Bananas is this weekend. Come out and have some fun. Thanks for putting these Neighborhood Partnership Initiative meetings on. They are great. America's 250th celebration, including the community dinner at Shuman Park is on June 27. Bring canned food for the pantry. There will also be a Summer Concert series from 6-8 p.m. on July 11 and for Hay Days July 24-25.

14. *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*

15. Adjournment.

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

The meeting adjourned at 9:24 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

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held on the above referenced date. Minutes were prepared by Jessica Tanner.

Dated this _____ day of _____, 2026.

Cynthia Nelson, City Recorder

**TREMONTON CITY CORPORATION
CITY COUNCIL MEETING
JUNE 24, 2026**

Members Present:

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

SPECIAL CITY COUNCIL MEETING

Mayor Rohde called the June 24, 2026 City Council Meeting to order at 4:00 p.m. The meeting was held in the Tremonton City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Rohde, Councilmembers Bowcutt, Jex, Lewis, and Westergard, City Manager Nessen, and City Recorder Nelson. Also in attendance was Fire Chief Jeff Jarrow.

1. Approval of Agenda:

Motion by Councilmember Oyler to approve the agenda of June 24, 2026. Motion seconded by Councilmembers Bowcutt & Lewis. Vote: Councilmember Bowcutt - yes, Councilmember Jex - yes, Councilmember Lewis - yes, Councilmember Oyler - yes, Councilmember Westergard - yes. Motion approved.

2. Discussion and approval of ORD 26-08 adopting restrictions on the use of Fireworks within certain areas in Tremonton City

Chief Jarrow noted the northern part of Utah is in Stage 1 fire restrictions. It is unfortunate to think about restricting fireworks because it is the 250th anniversary of America's independence, but we need to look at restricting fireworks along the Malad River and on Radio Hill. This would keep fireworks centrally located in the city and keep the fire crew close to town. There have been over 256 man caused wildfires this season and it has just started. There have been 50 naturally caused fires. The City needs to reassess this each year if there are hazardous conditions. We can only restrict it to areas that are hazardous. Chief Jarrow said we can discuss this every June and reassess. Manager Nessen suggested the council pass the ordinance restricting fireworks in certain areas but use social media to encourage resident not to do fireworks this year. Councilmember Westergard noted that people are financially responsible for starting a fire.

There was discussion about expanding the area to include the area to the west of I-84, but that is in the county and their regulations would govern that. They talked about having a designated area for people in restricted areas to come set off fireworks, but it didn't work well for other cities that did that in the past. Chief Jarrow said there has been a new fire in

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our area everyday this week. There are new fires coming up all over and the air is getting hazy. When the fire department does inspections on firework stations, they will share the map showing the restricted areas.

Motion by Councilmember Jex to approve ORD 26-08. Motion seconded by Councilmember Bowcutt. Vote: Councilmember Bowcutt - yes, Councilmember Jex - yes, Councilmember Lewis - yes, Councilmember Oyler – yes, Councilmember Westergard - yes. Motion approved.

13. Adjournment.

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

The meeting adjourned at 4:16 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

TREMONTON CITY CALENDAR ITEMS

July 7, 2026

July 11 Summer Concert 6-8 pm @ Shuman Park – Dale Major & Co.

July 24-25 Tremonton City “Hay Days”

- Emotional Wellness Committee won’t meet again until September 2 at 6:00 pm
- Farmer’s Market hosted by businesses in town. Held 1st Saturday of each month at Shuman Park from 10-2 during May-September.

NPI Monthly Meeting Schedule

1st Wednesday East District
2nd Wednesday South District
3rd Wednesday West District
4th Wednesday Central