

Mendon City Council Minutes

Convened: March 13, 2025 | Meeting location 15 North Main Street, Mendon City Office

Meeting called by Mayor Ed Buist

Type of meeting City Council
Public Hearing

Note taker Holly Gordon

Attendees:

Amy Garbe Kirk Taylor

Brian Myers

Ian Nemelka via Zoom

Absent Jon Hardman, Bob Jepsen, Jim Cannon, Daphne Carlson

TIME: 6:00 PM

Call to Order: There being three members present and three members representing a quorum, Mayor Buist called the meeting to order.

Others Present: Chief Simmons, Kristi Walker, Bryan Low, Keilani Ludlow, Maria Bingham

Pledge of Allegiance: Amy Garbe

Invocation: Brian Myers

Welcome: Mayor Buist welcomes everyone.

Agenda

Agenda Adoption: A copy of the notice and the agenda for this meeting was posted on the Utah Public Notice Website, Mendon City’s Website, posted at the City Office, the Post Office. It was also provided to each member of the governing body. All provided more than forty-eight hours before meeting time.

Approval of Minutes: Minutes for February 2025 have been reviewed. Council Member Myers suggests adding ‘total’ after ‘six classes’ in the new Mendon Station Classes Contract.

Council Member Myers also suggests highlighting the cell in the contract regarding hanging apparatus. The city clerk agrees to make these suggested changes.

Motion: Council Member Garbe motions to accept 2025 minutes. Council Member Myers seconds the motion.

Action: All are in favor and 2025 minutes are accepted.

Approval of Bills: Bills have been reviewed by all council members present. The March bills spreadsheet does not have all the information needed to accept. March bills have been postponed until April's city council meeting.

Motion: N/A

Action: N/A

Minutes:

Topic 1- Citizen Participation/Comment (6:05 PM)

Topic 2- Interlocal Agreement for Dispatch Services- Chief Simmon, Kristi Walker, Bryan Low: (6:05 PM) Kristi Walker, 911 dispatch director for the county, approaches the microphone. She explains that fees for dispatch, paid through utility bills, has not increased from \$3.00 per household since 2013.

Ms. Walker invites the council to tour the dispatch center located at the Logan City Police Department on the second floor. Her email is kristi.walker@loganutah.gov for any interested in a tour.

There are 20 full-time positions that are funded, with 14 full-time dispatchers and 1 in training. They are down 5 full-time dispatchers, one of the reasons being staffing wages. They don't have a competitive wage right now. Examples of starting wages: Box Elder starts at \$27.50, Rich County at \$26.00 and Franklin County at \$25.00. Logan's starting wage in November was \$20.85, however, they took funding for an emergency raise totaling \$22.85 for starting wages. They are trying to attract quality, career-minded candidates who are willing to stay long term. It is a difficult job and \$22.85 still isn't enough, but that is where the starting wages stand at this point.

In 2013, dispatch took 38,000 calls. In 2024, dispatch took 58,000 calls with the same number of staff. As Cache County grows, the dispatch center has goals to move with the growth.

The dispatch center is an enterprise fund, so they pay for themselves. They get revenue from fees like this one in the utility bills, cell phone bills and agencies that are not connected to a city, such as Utah State University. They have options for grant funding; however, they do not cover wages. Just training and equipment or other such things.

The proposal to the amendment is an initial 10% increase of 30 cents per household starting July 1, 2025 for one year. Then a 3% increase of 10 cents from July 1, 2026-2028 and a final increase of 11 cents on July 1, 2029 for a total of 71 cents over a 5-year period.

Council Member Garbe motions to approve the increase for dispatch residential fees per fiscal year for five years starting at 30 cents in 2025, 10 cents in 2026, 10 cents in 2027, 10 cents in 2028 and 11 cents in 2029.

Council Member Nemelka seconds the motion. All in favor.

Topic 3- Cell Tower Discussion- Mayor Buist: (6:20 PM) Verizon has sold the cell tower to Vertical Bridge. For clarification, Mendon City owns the property where the tower sits, but the company has an easement where the tower and the fencing is.

As fiber optic is rapidly growing, there may come a time when towers are obsolete, making easement agreements void. Mendon City has been offered a lump sum of \$150K with a \$1K agreement fee taken off, making the total \$149K. The mayor and council held an executive session on the original amount of \$125K, and a council member thought that number seemed low. Mayor Buist spoke with Joe Fiore at Vertical Bridge and a few days later received the offer of \$150K.

Mayor Buist sent the agreement to Seth Tait, city attorney. His concerns were Verizon's right to refusal clause, however, Verizon has sold out to Vertical Bridge, so this is no longer an issue. Mr. Tait's second concern is the offer from Vertical Bridge does not contain the terms and conditions of their standard form of easement. Mayor Buist relayed the concern to Joe Fiore and he said that will come in the final contract. Mr. Tait's third concern was the purchase price should be checked. There seems to be some concern that easements for buyouts like this in Utah may be priced at 15 to 20 times the annual cash flow of the tower lease, thus the city's ground lease could be worth much more than what is being offered. Mayor Buist checked with what others have been doing (Smithfield, Hyrum and Millville) and finds similar offers of \$150K are being made. Mr. Tait's final concern is there was no mention of an option fee in the agreement. Mayor Buist found out it is \$1K. This is basically a good faith fee that Mendon City is serious about the agreement.

Mayor Buist did sign the contract as per the discussion in the executive session.

Mayor Buist points out that there was an option to get \$250K over the period of 15 years but thought the \$149K up front would benefit the city better as there are projects in need of the extra funding now. There is also the chance of the contract becoming void before the 15-year payments are over, due to the fiber optic movement. It's a gamble and the mayor and council have chosen to go with the lump sum payment.

Topic 4- Adopting 2025 APWA Standards and Specifications- Eric Dursteler: (6:35 PM) Eric Dursteler presents the Utah chapter of the American Public Worker Association (APWA) Standards and Specifications. This is a good base standard, good specifications for all construction. Eric would like Mendon City to amend and adopt it to our personal needs and requirements in the city.

Some of the specifications covered are basic materials, construction standards and infrastructure for public construction.

Mr. Dursteler and Kirk Taylor have worked together and couldn't find a place in Mendon City policy or code that talks about these specifications. They are making a formal recommendation to adopt the Utah ABWA 2025 Standard and Specification. Mr. Dursteler will check with Seth Tait to find out if this needs to be done by ordinance or resolution and if it needs to be a public hearing.

Topic 5- Mendon Square Vendor Policy Resolution- Ian Nemelka: (6:53 PM) Council Member Nemelka has made a few edits in the final draft, including a section regarding selection and approval of businesses that will inhabit the square under Section 6, Evaluation and Selection Process. Basically the quality of the business plan, how it will benefit the community, history of success, business structure compatibility... and anything else the city council needs to consider when making a decision.

Another item that needs consideration in the policy is the fee. The food stand pays the city 10%. Vendors would be using their own freestanding structure but would still be using city water and power. The snow shack pays \$50 per quarter. The mayor and council agree that a 5% fee would suffice for all freestanding vendors, including the snow shack. The city clerk will reach out to the Mickelsen's about the fee change.

It is agreed that the Mickelsen's, owner of the snow shack, need to fill out the vendor application when the application is ready so they are in compliance with code. It is also agreed that once a vendor is approved by the council to use space at the Mendon Square, they have first rights the following year to reapply, unless they are in violation of the code or if they choose not to reapply.

The actual area for possible vendors on Mendon Square is still to be determined.

Mendon Square Vendor Policy Resolution postponed until April for some additions to the policy.

A copy of the policy draft is as follows:

Mendon City Square Vendor Policy

Effective Date: [Insert Date]

The Mendon City Square Vendor Policy establishes the procedures and requirements for businesses wishing to operate vending facilities on the city-owned space adjacent to the softball fields and park. This policy is designed to ensure a fair, transparent, and competitive process while promoting community engagement, compliance with applicable laws, and efficient management of public space.

1. Purpose and Scope

Purpose:

The purpose of this policy is to:

- Provide a clear and equitable process for allocating vending space at Mendon City Square.
- Ensure that all vendors meet established business, safety, and operational standards.
- Generate revenue for city operations through vendor fees and uphold the community's standards for public space usage.

Scope:

This policy applies to all commercial vendors seeking to operate on the asphalt area at Mendon City Square. It governs:

- The application and selection process.
 - Operational and maintenance requirements.
 - Fee structures and payment obligations.
 - Compliance with applicable local, state, and federal laws.
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2. Policy Statement

The City of Mendon is committed to:

- Offering equal opportunity for local and regional vendors.
- Ensuring transparency in the application and selection process.
- Protecting public interests by maintaining high standards of safety, cleanliness, and operational integrity.
- Adhering to all existing business licensing and regulatory laws.

3. Definitions

- **Vendor:** Any individual or entity that applies for and is granted the right to operate a vending facility within the Mendon City Square.
- **Mendon City Square:** The designated area adjacent to the softball fields and park, including the existing Food Vendor Stand and the additional asphalt space available for vendor shacks.
- **Application Packet:** The complete set of documents required by the city for consideration to operate a vending facility.
- **Business Plan:** A mandatory component of the Application Packet that must include a basic description of the goods or services to be offered and explain how the business will be beneficial to the city. Optional elements may include a financial plan, market analysis, and marketing strategy.
- **Business License:** A permit issued by the appropriate municipal authority allowing a business to operate legally within the city.

4. Vendor Eligibility

To be eligible to operate in the Mendon City Square, applicants must:

- Possess a valid and current business license.
- Demonstrate compliance with all relevant local, state, and federal regulations (including health, safety, and building codes).
- Provide evidence of adequate insurance coverage, with the City of Mendon named as an additional insured.
- Exhibit a record of adherence to city regulations and community standards in past operations (if applicable).

5. Application Process

1. Submission:

Interested vendors must submit an Application Packet to the Recorder and Clerk's Office. The packet shall include:

- A comprehensive Business Plan that contains:
 - A basic description of the goods or services to be provided.
 - An explanation of how the business will be beneficial to the city.
 - (Optional) A financial plan, market analysis, and marketing strategy.
- Copies of the current business license and any other necessary permits.
- Proof of insurance.

- Payment of any non-refundable application fees.
 - 2. **Review for Completeness:**
The Recorder and Clerk's Office will verify the completeness of each application. Incomplete applications will be returned for completion.
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6. Evaluation and Selection Process

1. **Evaluation:**
The Recorder and Clerk's Office will evaluate each complete Application Packet to ensure:
 - All required documents are provided.
 - The applicant is in compliance with all relevant laws and regulations.
 - The applicant is eligible for consideration.
 2. **City Council Presentation and Selection:**
Once an application is confirmed as complete and eligible, the applicant's information will be presented to the City Council. The City Council will then select among the eligible applications based on several criteria, including but not limited to:
 - *Quality of the Business Plan:* A thorough description of goods or services and a clear explanation of the benefits to the city.
 - *History of Success:* Demonstrated past success or positive contributions in the local market.
 - *Business Structure Compatibility:* The overall suitability of the business model to the character and operational environment of Mendon City Square.
 - *Community Impact/Preferences:* The potential for the business to enhance the local community, economic vitality, and public space usage.
 - *Other Relevant Factors:* Any additional elements the City Council deems important in selecting a vendor.
 3. **Notification:**
All applicants will be notified of the City Council's decision. Successful vendors will receive a formal contract outlining all terms and conditions of occupancy.
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7. Fees and Payment Structure

1. **Rental Fees:**
 - Vendors will be required to pay rental fees for the use of the vending space. Fees may be structured on a daily, weekly, or seasonal basis.
 - Fee levels and structure will be determined by the City Council via resolution and are subject to periodic review.
2. **Additional Fees:**
 - Administrative fees may apply.

- Vendors may also be responsible for utility costs or maintenance fees if applicable.
3. **Payment Terms:**
- Invoices will be issued according to the terms specified in the vendor contract.
 - Timely payment is mandatory. Failure to pay fees may result in penalties, fines, or termination of vending privileges.
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8. Operational Requirements

1. **Hours of Operation:**
Vendors must operate during designated hours as determined by city management. Special event scheduling may require adjustments, subject to prior approval.
2. **Booth Standards:**
- All vendor shacks must comply with city health, safety, and building code requirements.
 - Vendors must obtain any additional permits required for the construction or modification of their booths.
 - The physical structure of the booth should not obstruct pedestrian or vehicular access to adjoining areas.
3. **Maintenance and Cleanliness:**
- Vendors are responsible for maintaining the cleanliness and orderliness of their individual areas.
 - Daily removal of trash and debris is required.
 - The city will maintain common areas, but vendors must ensure their immediate surroundings remain tidy.
4. **Signage and Public Interaction:**
- All signage must comply with city regulations regarding size, location, and content.
 - Vendors must display their valid business license prominently at their booth.
 - Noise and other operational factors must be managed to minimize disruption to the public and nearby park activities.
5. **Insurance and Liability:**
Vendors must maintain current insurance policies covering public liability and property damage. Proof of such insurance is a prerequisite for occupancy.
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9. Compliance and Enforcement

1. **Inspections:**
The City of Mendon reserves the right to conduct periodic inspections of vendor booths and surrounding areas to ensure compliance with this policy and all applicable regulations.

2. **Non-Compliance:**

Failure to adhere to any part of this policy—including timely fee payment, maintenance standards, or operational guidelines—may result in:

- Verbal or written warnings.
- Fines or additional penalties.
- Suspension or termination of vending privileges.

3. **Dispute Resolution:**

Any disputes arising from the implementation or interpretation of this policy shall be resolved in accordance with the City of Mendon's established dispute resolution procedures.

10. Termination and Re-application

1. **Termination:**

- The city may terminate a vendor's operating agreement if there is persistent non-compliance with this policy or a breach of contract terms.
- Termination may occur without prior notice if public safety or community interests are compromised.

2. **Re-application:**

- Vendors whose agreements have been terminated may reapply after a period of 12 months.
 - Reapplication will be subject to the current policies, review procedures, and any updated requirements.
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11. Policy Review and Amendments

• **Annual Review:**

This policy will be reviewed annually by the City Council and relevant city departments to ensure its effectiveness and compliance with legal standards.

• **Amendments:**

Any amendments to this policy will be made following the appropriate public notice and City Council approval processes. Vendors and interested parties will be notified of any changes in a timely manner.

12. Effective Date and Implementation

This Mendon City Square Vendor Policy is effective as of [Insert Date]. All applications submitted after this date will be subject to the terms and conditions outlined herein. The City of Mendon will communicate and implement this policy through established municipal channels.

Topic 6- Temporary Business Licenses Resolution- Ian Nemelka: (7:02 PM)

Council Member Myers motions to close city council meeting and open the public hearing for the Temporary License Resolution.

Council Member Nemelka seconds the motion. All in favor.

Due to the lack of any guidelines for temporary business licenses in the Mendon City Code, Council Member Nemelka and Planning and Zoning Chair, Keilani Ludlow, have drafted the following resolution:

5.14.040 Solicitors, Canvassers, Peddlers, And Itinerant Merchants

A) DEFINITIONS

- 1) CANVASSEER OR SOLICITOR: Any individual, whether or not a resident of the city, traveling either by foot, motor vehicle or other type of conveyance from place to place, from house to house, or from street to street, taking or attempting to take orders for the sale of goods, wares and merchandise, personal property of any nature whatsoever for future delivery, or for services to be furnished or performed in the future, whether or not such individual has, carries, or exposes for sale a sample of the subject of such sale, or whether he is collecting advance payments on such sales; provided, that such definition shall include any person who, for himself, or for another person, firm or corporation, hires, leases, uses or occupies any building, structure, tent, , hotel or motel room, lodging house, apartment, shop or any other place within the city for the sole purpose of exhibiting samples and taking orders for future delivery.
- 2) PEDDLER: Shall include any person, whether or not a resident of the city, traveling by foot, motor vehicle or any other type of conveyance, from place to place, from house to house, or from street to street, carrying, conveying or transporting goods, wares, merchandise, meats, fish, vegetables, fruits, garden truck, farm products or provisions, offering and exposing the same for sale, or making sales and delivering articles to purchasers, or who, without traveling from place to place, shall sell or offer the same for sale from a motor vehicle, , or other vehicle or conveyance; and further provided, that one who solicits orders and as a separate transaction makes deliveries to purchasers as part of a scheme or design to evade the provisions of this chapter shall be deemed a peddler subject to the provisions of this chapter.
- 3) TRANSIENT MERCHANT, ITINERANT MERCHANT OR ITINERANT VENDOR: Any person, firm or corporation, whether as owner, agent, cosignee or employee, whether or not a resident of the city, who engages in a temporary business of selling and delivering goods, wares and merchandise within the city, and who in furtherance of such purpose, hires, leases, uses or occupies any building, structure, motor vehicle, tent, public room in any hotel, motel, lodging house, apartment, shop or any street, alley, or other place within the city, for the exhibition and sale of such goods, wares and merchandise, either privately or a public auction. The person, firm or corporation so engaged shall not be relieved from complying with the provisions of this chapter merely by reason of associating temporarily with any local dealer, trader, merchant, or auctioneer, or by conducting such transient business in connection with, as a part of, or in the name of any local dealer, trader, merchant, or auctioneer.

B) TEMPORARY BUSINESS LICENSE REQUIRED

It shall be a class B misdemeanor for a:

- 1) Transient Merchant, Itinerant Merchant Or Vendor: A transient merchant, itinerant merchant or itinerant vendor to engage in such business without first obtaining a license therefor in compliance with the provisions of this chapter.
- 2) Peddler: Any person to engage in the business of peddler without first obtaining a license therefor as provided in this chapter.
- 3) Solicitor Or Canvasser: Any solicitor or canvasser to engage in such business without first obtaining a license therefor in compliance with the provisions of this chapter.

C) APPLICABILITY OF GENERAL BUSINESS LICENSING PROVISIONS

- 1) Unless otherwise specified in this chapter, all policies, procedures, and requirements necessary to obtain or maintain a temporary business license shall be governed by the provisions set forth in Section 5.02.

D) TEMPORARY BUSINESS LICENSE PROVISIONS

- 1) License Fee. The fee for a temporary business license shall be as established by resolution of the City Council. This fee is due in full at the time the application is submitted.
- 2) License Duration. Each temporary business license issued under this chapter shall be valid for a period of ninety (90) days from the date of issuance, unless otherwise specified by City Council resolution.
- 3) Expiration of License. All temporary business licenses issued under this chapter shall expire on the date expressly stated on the license
- 4) License Display. Any individual or business entity licensed pursuant to this chapter shall, upon request by any citizen of the City, immediately exhibit the temporary business license in a conspicuous manner.
- 5) Enforcement by Law Enforcement Officials. It shall be the duty of any law enforcement official to require that any person observed soliciting, canvassing, or peddling—who is not known to be duly licensed—produce their temporary business license. Failure to produce such license shall subject the individual to enforcement actions.

E) ADDITIONAL REQUIREMENTS.

- 1) This chapter shall not be construed so as to waive the provisions and requirements of any other ordinance of the city and the requirements and fees required herein shall be in addition to any other requirements and fees of any other ordinance of the city.

F) EXCEPTIONS.

- 1) The provisions of this section shall not apply to any individual who is at the time he is engaged in any activity which would otherwise be prohibited by this section, engaged in any activity which is authorized by any church which has a permanent structure located within the State of Utah, provided such church has had such permanent structure for at least six months prior to the date when the individuals engaged in the activity which would otherwise be prohibited.

Kirk Taylor expresses some concern about door-to-door salespersons ignoring No Soliciting signs and asks that the application includes a sentence prohibiting salespersons from knocking on doors with said signs.

It is also suggested that the temporary salespersons must wear a visible copy of their Mendon City temporary business license when going door-to-door be included in the application.

There is a question about door-to-door non-profit such as the Boy Scouts and Youth Council. There is a clause in the Business License Code 5.02.140 that exempts non-profit organizations.

Mayor Buist opens the hearing to public comment. No comments.

Council Member Garbe motions to close the public hearing and open city council meeting.

Council Member Myers seconds the motion. All in favor.

A fee of \$25.00 for a temporary license is suggested by Council Member Nemelka. He also confirms that the license would be good for a 90-day period. It is also suggested that the non-profit exemption clause be added to the Temporary Business License portion of the code.

There are two amendments that need to be added to the resolution once it's been adopted. The first would be to include the exemption of non-profit organizations and the second a \$25 temporary license fee.

Council Member Nemelka motions to accept resolution 2025-03 with the amendments of an exemption of non-profit efforts and a temporary license fee of \$25.00.

Council Member Garbe seconds the motion. All in favor.

Topic 7- Purchasing Procedure Policy Revision- (7:21 PM)

Council Member Garbe motions to close city council meeting and open the public hearing for the Purchasing Procedure Policy Revision.

Council Member Myers seconds the motion. All in favor.

Eric Dursteler, city engineer, reads the following policy, focusing on the revisions in the blue boxes:

Mendon City **Purchasing Procedures Policy**

PURCHASING PROCEDURES

1.0 General:

1.1 The underlying purposes of the purchasing procedures are:

- a) To ensure fair and equitable treatment of all persons who wish to, or do, conduct business with Mendon City.
- b) To provide for the greatest possible economy in Mendon purchasing activities.
- c) To foster effective, broad-based competition within the free enterprise system to ensure that Mendon City will receive the best possible service or product at the lowest possible price.

1.2 Compliance with exemption from this policy:

- a) This policy shall not prevent Mendon City from complying with the terms and conditions of any grant, gift, or bequest that is otherwise consistent with law.
- b) When purchasing involves the expenditure of federal assistance funds, Mendon City shall, as required, comply with applicable federal law regulations.

1.3 All purchases or encumbrances of such purchases by the City shall be made or incurred according to the purchasing procedures established by this policy and applicable state law.

2.0 Definitions:

City: City shall mean Mendon City.

Change Order: Change order means a written instrument prepared by the City Engineer and signed by the Mayor, Contractor and City Engineer, stating their agreement upon all of the following: (1) a change in the Work; (2) the amount of the adjustment in the Contract Sum, if any; and (3) the extent of the adjustment in the Contract Time, if any.

Contract: Contract means any City agreement for the purchasing or disposal of supplies, services, real estate, or construction.

Contract Services: Contract services means services provided by a licensed contractor for capital construction projects and/or professional services such as auditing, architects, engineering, and other professional services.

Emergency Purchases: Emergency purchases means the purchase of supplies, materials, equipment, or services to mitigate a situation which could create a threat to public health, welfare, or safety if purchase is not immediately made. The process for this type of purchase is Open Market/No Bids/All Emergency Situations.

- 1. Purchase Needs Assessment: The mayor, public works director, or others authorized to be involved with the emergency will assess and recommend purchase.
- 2. Consummation of Purchase: The mayor, public works director, or others authorized to be involved will determine selected vendor(s). The mayor or designated agent will approve the purchase.

3. Inform City Council: The city council will be informed of all major emergency purchases as soon as possible.

Invitation for Bids: Invitation for bids means all documents, whether attached or incorporated by reference, used for soliciting bids.

Purchasing: Purchasing means buying, purchasing, renting, leasing, leasing with an option to purchase, or otherwise acquiring any supplies, services, real estate, or construction.

Project: Project means a temporary process undertaken to solve a well-defined goal or objective with clearly defined start and end times, a set of clearly defined tasks, and a budget. The project terminates once the project scope is achieved, and project acceptance is given by the City.

Supplies, Materials, and Equipment: "Supplies, materials and equipment" means any and all articles or things which shall be furnished to, or used by, any city department. This purchasing classification includes items ranging from office supplies to motorized equipment.

3.0 Except as hereinafter provided, purchases of supplies, equipment, and letting of contracts shall follow one of the following procedures:

Day-to-Day Operation of the City: Office supplies under \$300 needed by the city recorder, treasurer, clerk, or P&Z secretary may be purchased as needed. Supplies, materials, and equipment over this amount will need City Council approval. This does not include the ordering of stamped letters used by the city.

Projects: Projects less than, or equal to, Twenty-Five Thousand Dollars (\$25,000) shall not require bids unless deemed necessary by the city council. All projects over \$10,000 must be approved by City Council. For Projects from Twenty-Five Thousand and One Dollars (\$25,001) to Fifty Thousand Dollars (\$50,000), there must be an informal bid process conducted, which is to be documented, detailed, and a minimum of three bids are to be solicited. Selection of bidder is to be approved by City Council.

Expenditures: Expenditures incurred by any individual representing the city must receive approval of the city council member over that department. Single expenditures equal to, or over, One Thousand Dollars (\$1,000) must have council approval and be a planned expense budgeted for during the fiscal year.

Purchase Orders: Purchase orders must be submitted and approved on any expenditure exceeding One Thousand Dollars (\$1,000). Council members are responsible to present and obtain approval on purchase orders prior to the expenditure taking place. Any expense incurred without approval becomes the responsibility of the individual who incurred the debt. Individuals who refuse to follow the purchase order system will not be allowed to purchase materials, supplies, or equipment for the city.

Grants: Grants must be approved and planned for through the City Council. The City Council will give final approval on all grants to be applied for by the city.

4.0 All projects in excess of Fifty Thousand and One Dollar (\$50,001) shall have a formal bidding process (steps below).

4.1 Budget Appropriation:

1. Department plans for the general appropriation for purchases during budgeting process prior to the start of the fiscal year.
2. Purchase Initiation - Department determines time during the fiscal year the purchase is needed.
3. Approval to Initiate Formal Process - Department head informs budget officer that department desires to initiate project. Department head seeks approval from city council to initiate project. If council approves, process is initiated.
4. Development of Bid Specifications - Department head works with purchasing officer, determines specific needs, and develops bid specifications.
5. Formal Request for Bids - Department head and purchasing officer work with city recorder to develop formal legal notice for newspaper. City recorder places ad in newspaper of general circulation.
6. Receipt of Bids - Written, sealed bids must be submitted to the office of the city recorder. Upon receiving the sealed bids, the city recorder shall record receipt.
7. Bid Opening - Formal public bid opening is held per legal notice. Bids are read and recorded by the city recorder.
8. Bid Analysis - Department head and/or purchasing officer review and analyze bids for accuracy and pertinence.
9. Award of Bid - Department head and/or purchasing officer selects acceptable bid and notifies the successful bidder.
10. Consummation of Project/Contract Payments - Contract payment(s) will be made on a scheduled basis upon approval of purchasing officer and pursuant to the city payment policy. City Council will be advised of payments via accounts payable listings.
11. Report- Reports will be made to the City Council regularly.

4.2 Formal Bidding - Competitive Professional Services:

1. Budget Appropriation - Department receives specific and general appropriation for professional services during budget development process.
2. Project Initiation - Department determines time during fiscal year that professional services are needed.
3. Approval to Initiate Acquisition Process - Department head informs budget officer of desire to acquire professional services. Department head seeks approval from city council to initiate acquisition process. If council approves, process is initiated.
4. Development of Specifications - Department head works with purchasing officer, determines specific needs, and develops bid specifications.
5. Request for Proposal (RFP) - Department head and purchasing officer develop request for proposal.
6. Formal Request for Bid - Department head and/or purchasing officer solicits bids for qualified bidders via publication of RFP in newspaper of general circulation.
7. Receipt of Bids - Bids must be submitted in writing by bidder. Bids may be submitted to either department head or purchasing officer.
8. Bid Opening - Formal public bid is held per legal notice. Bids are read and recorded by city recorder.
9. Bid Analysis - Department head and/or purchasing officer review and analyze bid for accuracy and pertinence.

10. Award of Bid - Department head and or budget officer make recommendation. Council awards bid. Department head and/or purchasing officer contacted selected bidder.
11. Consummation of Project/Contract - Payments will be made on a scheduled basis upon approval of department head and implementation of payment policy. City Council is advised or payment(s) via the accounts payable listing.

4.3 Qualification Analysis — Single Source Professional Services:

1. Budget Appropriation - Department receives general appropriation for purchases during budget process.
2. Project Initiation - Department determines time during fiscal year that project should be initiated.
3. Approval to Initiate Acquisition Process - Department head informs budget officer that department desires to initiate project. Department head seeks approval from city council to initiate project. if council approves, process is initiated.
4. Professional Services Specification - Department head works with purchasing officer, determines specific need(s), and develops specifications.
5. Review of Professional Qualification - The department head and/or purchasing officer will obtain and develop a statement of qualification and references from sole-source provider. Qualified providers will continue to be considered.
6. Analysis of Bid - Department head and/or purchasing officer review and analyze bid for accuracy and pertinence.
7. Award of Bid - Department head and budget officer make recommendation. City Council awards the not-to-exceed specific time period contract.

5.0 Exemptions from Bidding Procedure

All purchases which are exempt from bidding procedures may be authorized and funds obligated by the approving authority provided the expenditures are within the budget appropriation. The City Council may approve individual purchases greater than \$10,000.00 under these exempt-from-bidding provisions only when the purchase was approved as a specific line item in the budget, otherwise, authorization shall be obtained as required by this policy.

The following purchases shall be exempt from bidding requirements:

1. Purchases from any federal or state agency including, but not limited to, Utah State Central stores, surplus sources, or state approved contract lists.
2. Ongoing contracts which have been provided for in the city's budget such as, but not limited to, lease purchase agreements, land purchase agreements, bulk product agreements, and/or otherwise.
3. Seminars, training and conferences for city employees, officers, or authorized representatives.
4. Reimbursement for travel costs, and expenses incurred by city employees, officers, and authorized representatives.
5. Fuel purchases, which may be bid on an annual basis rather than on a purchase-by-purchase basis.
6. Items to be acquired from a sole source providing that there is written documentation that there is only one source for the required items.
7. Inter-local agreements.

8. Professional services such as legal, auditing, accounting, engineering, consulting, and other similar services, provided however, that sealed proposals may be requested each three (3) years, or as conditions may warrant, on such services at the discretion of the City Council.
9. Roadway construction and/or maintenance Projects on Class B and C roads in accordance with Utah Administrative Code Section 72-6-108 and 72-6-109.

6.0 Ethics in Public Contracting

1. No person shall make purchasing decisions that will create a substantial conflict between their private interests and their public duties. Compliance shall be in accordance with Sections 10-3-1301 through 10-3-1312, Utah Code Annotated, 1953 as amended, as it currently exists or as it hereafter may be modified.
2. No person involved in making purchasing decisions for the city shall ask, receive, or offer to receive any emolument, gratuity, contribution, cash, gift, property, service, loan, or reward of any kind, or any promise thereof, either for the person's own use or the use or benefit of any other person or organization, from any person or organization interested in or attempting to sell property or services to or otherwise do business with the City. Any violation of this section shall be prosecuted under and punished as provided by the Utah Code. (Ord. 98-01)

This policy was amended and formally adopted by the Mendon City Council on _____, 2025.

Dated this _____ day of _____ 2025

Mayor Ed Buist

ATTEST:

Mr. Dursteler also refers to 5.0 that resolves any future issues related to public road projects. It follows the statutory threshold, which is \$350,000. It would allow the city to contract directly with the county for smaller projects.

Mayor Buist opens the hearing to public comment. No comments.

Council Member Myers motions to close the public hearing and open city council meeting.

Council Member Nemelka seconds the motion. All in favor.

No further discussion by council.

Council Member Garbe motions to accept the purchasing procedure policy as revised and read by Eric Dursteler.

Council Member Nemelka seconds the motion. All in favor.

Topic 8- Youth Council- Mayor Mickelson: (7:27 PM) Excused

Topic 9- Law Enforcement Liaison- Deputy Spence: (7:27 PM) Excused

Topic 11: City Engineer- Eric Dursteler: (7:28 PM) Eric Dursteler hands out the pre-disaster mitigation strategies draft he filled out on behalf of Mendon City for BRAG. He points out that a lot of this information will go into the general plan this year. He asks the council to review it recognizing it is only a draft.

Mr. Dursteler is asked if he has an estimate on the Legacy Park Phase 1 of curb and gutter, sidewalks, parking lot and pickleball courts. He has an estimate of \$1.2 million. Council Member Garbe corrects him, claiming the budget is \$700K for Phase 1 of Legacy Park.

The cemetery boundary issue that has been going on for 5 years has been signed and turned into Ms. Lundahl's attorney and is expected to be recorded this week. The mayor asks Mr. Dursteler to contact the attorney to make sure it was recorded.

The cemetery tank was pressure washed and cleaned out. It needs to warmer to add the primer and wrap to the lid.

Last month, Council Member Jepsen asked Eric Dursteler to work on a canal crossing permit. He looked at the canal and saw sections across the canal that didn't have the permit in place. He will have to get an application for an account on that permit. He will need to come back to city council for a review and some completion on that too.

Topic 12: Public Works Director: Kirk Taylor: (7:33 PM) Kirk Taylor is working on getting water meters set up via GPS. He is pricing rugged style tablets through Juniper Systems. He, Jon Hardman and Daphne Carlson are meeting with Nextmeters to do a pilot program for the outdoor meters.

Mr. Taylor is getting bids on some crack seal (GapMaster) for 250 South and 380 East this year.

The playground equipment is 25 years old and Mr. Taylor will see what he can do to salvage it as he takes it apart to make room for the addition to city hall.

Councilmembers Reports:

Brian Myers- (7:38 PM) Council Member Myers fixed the blinds in Mendon Station. He also patched and painted a few places on the wall. He is hoping to buy some time for a year before having the interior repainted. There will need to be some work on the outside of the building on the south side where the paint is peeling off the cargo door and some of the fascia. The hardwood floors in the station are on slab. Looking into next years budget for sanding and refinishing the floor.

On to the food stand, Council Member Myers received a bid for a three-basin commercial sink of \$4,800.00. This bid includes the labor to disconnect the old sink, the faucets, and other miscellaneous items. The tile on the floor will also have to be repaired where the drain is. He and Courtney Larsen are still looking for a commercial grade refrigerator. He may need to move some funds around within the buildings budget to help with the refrigerator.

The May Queen has been chosen this year. There is a conflict with the junior boys lacrosse game on the Friday night before May Day that takes about half the junior boys away from helping with the court. There will not be an official dinner or dance the night before May Day. They will offset it with a nice breakfast on May Day.

The mosquito abatement is expected to spend about \$100K on spray this year.

Amy Garbe- (7:45 PM) The CPR grant is due on Monday and was sent to the mayor for review. Council Member Garbe would like to try and submit it on Saturday.

There were some questions at the Legacy Park fundraiser about levels for donation. For example, how much for a brick, a bench, a tree or whatever is decided, if decided. The mayor suggests asking what people are willing to donate as well as coming up with a list. He asks Council Member Garbe to email the council the list for suggestion and revision.

Council Member Garbe expresses concern about her .gov email not working and has resorted to using her old email address so she doesn't miss time sensitive emails. This seems to be a common complaint within council and .gov accounts. All Tech is aware of the problems and are trying to figure out a solution.

There are questions about CID (Community Impact Board) and CASI (Capital Assessment Self Inventory) that BRAG has been pushing to complete. Council Member Garbe expresses concern about information of Mendon City assets being available in Google Doc form being too risky and declined the involvement at

this time. Since 2023, this information has been a requirement to apply for CID and CASI funding. Mendon City does not qualify for such funding so there is no need for BRAG to obtain the information they seek.

The youth council leadership conference is tonight, Friday and Saturday morning.

A citizen contacted Council Member Garbe concerning the additional fee on the water bill concerning Waste Management. This citizen wants to know if there is a way to warn Mendon City residents when fees are added to the bill. It is suggested that if citizens want to be apprised of changes to fees, they should pay attention to agendas and attend council meetings. There is no other proactive way to get the word out.

The library has been having issues syncing Google and Microsoft to get their website running. They need to set up an appointment with All Tech and the State official who is in charge of the website to see if they can fix the problem.

Ian Nemelka- (7:59 PM) Planning and Zoning is changing the time of meeting from 6:30 PM to 7:00 PM. Planning and Zoning will be reviewing the sign ordinance one last time then passing it along to city council for review. There will also be a discussion on short-term rentals during the next Planning and Zoning meeting.

Council Member Nemelka will get the applications regarding Temporary Licenses ready to go.

Jon Hardman- (8:06 PM) Excused

Bob Jepsen- (8:06 PM) Excused

Mayor Buist- (8:06 PM) Mayor Buist is concerned about the amount of junk vehicles accumulating in yards around Mendon. He will draft a letter for violating individuals with a time frame to take care of the junk vehicles and have the letters delivered by Deputy Spence.

Mayor Buist tasks the city clerk to inform Jim Cannon, city recorder, of the increase for dispatch.

Mayor Buist would like Kirk Taylor, Council Member Jepsen, Council Member Myers, Council Member Nemelka and himself to meet and make a decision on where possible temporary vendors may park.

Paul Willie is finishing up a few things to get the construction of the addition on city hall underway. The septic tank is big enough to support the addition. There is concern about having to build a fire wall which will most likely be a necessity. However, with the sell of the cell tower, funding shouldn't be an issue.

The schedule on the Public Works Building and Fire Station are yet to be determined. The weather needs to dry up first.

Mayor Buist entertains a motion to adjourn.

Council Member Garbe motions to close city council meeting.

Council Member Myers seconds the motion. All in favor.

Adjourned (8:10 PM)