

Minutes of the Regular Trenton Town Council Meeting held on Tuesday August 1, 2023, at 7:00 p.m., in the Trenton Town Hall, 17 East Main, Trenton, Utah.

Present:	Mayor:	Lynn Payne
	Councilmember:	Rachelle Ludwinski
		Donny Merrill
		Kyle Kingston
		Erick Simmonds
	Clerk	Macall Smith

Guests: Trevor Egan, Casey Archibald, Melissa Archibald, Daniel Swett, James Swett, Page Ezola, Ed Cottle, Janet Cottle, Katie Bell, Cleone Allsop, Dave Ludwinski, Darrin Mathis, Georgia Magnusson, Angie Erickson, John Nelson, Nick Erickson, Sydni Nelson, Casey Spackman, Deputy Spence Cleone Allsop and Melissa Merrill.

Mayor Payne called the meeting to order at 7:00 p.m.
Councilmember Simmonds led those in attendance in the Pledge of Allegiance.

Approval of Agenda

COUNCILMEMBER KINGSTON MOVED TO APPROVE THE AUGUST 1, 2023, MEETING AGENDA WITH THE SUGGESTED CHANGE WITH COUNCILMEMBER LUDWINSKI SECONDING THE MOTION AND ALL COMMISSIONERS IN ATTENDANCE VOTING AYE.

Approval of Minutes

Mayor Payne asked for a motion to approve the April 4, 2023, meeting minutes. COUNCILMEMBER KINGSTON MOVED TO APPROVE THE APRIL 4, 2023, MINUTES WITH COUNCILMEMBER SIMMONDS SECONDING THE MOTION COUNCILMEMBER LUDWINSKI ABSTAINED AND ALL OTHER COUNCILMEMBERS IN ATTENDANCE VOTING AYE.

Mayor Payne asked for a motion to approve the June 7, 2023, meeting minutes. COUNCILMEMBER LUDWINSKI MOVED TO APPROVE THE JUNE 7, 2023, MEETING MINUTES WITH COUNCILMEMBER MERRILL SECONDING THE MOTION AND ALL COMMISSIONERS IN ATTENDANCE VOTING AYE.

Mayor Payne asked for a motion to approve the June 6, 2023, meeting minutes. Councilmember Merrill stated that he said that the Town Attorney be invited when needed. COUNCILMEMBER LUDWINSKI MOVED TO APPROVE THE JUNE 6, 2023, MEETING MINUTES WITH THE NOTED CHANGE WITH COUNCILMEMBER KINGSTON SECONDING THE MOTION AND ALL COMMISSIONERS IN ATTENDANCE VOTING AYE.

Public Comment

Mayor Payne suggested moving Janet Cottle's agenda item to the beginning of the agenda to allow the town Attorney, Seth Tait to respond. COUNCILMEMBER LUDWINSKI MOVED TO JANET COTTLE'S AGENDA ITEM TO THE TOP OF THE AGENDA WITH COUNCILMEMBER MERRILL SECONDING THE MOTION AND ALL COMMISSIONERS IN ATTENDANCE VOTING AYE. Mr. Tait discussed Zoning and Conditional Use permits. He explained that Conditional Uses are a tool to provide flexibility within a Zone. He explained that in his opinion Agritourism isn't currently a conditional or permitted use in the A5 zone, but that the ordinance could be changed. Conditional Use procedures were discussed. Mr. Tait discussed the potential conflict of interest that was mentioned. He shared the definition of a conflict of interest. He shared that a conflict of interest occurs when an attorney

has two clients whose interests are adverse. He shared that currently he has both Trenton Town and the Ludwinski's as clients, but that to his knowledge there are no adverse interests between the two. He shared that if there was a conflict between the town and the Ludwinski's he wouldn't be able to represent either party and would have to refer both to an independent Council. He shared that as far as he knows the matter between the Cottle's and the Ludwinski's doesn't involve the town at all, although some may feel that if the town is involved in land use enforcement it is the Ludwinski being involved, Mr. Tait went on to share that the town should be enforcing its own Ordinances. Councilmember Kingston asked about a Special Event permit vs a Conditional Use permit. Mr. Tait shared that a Special Event permit deals with more of the health and safety reasons not a Zoning issue, which is a separate issue. Mayor asked where the town could get the guidelines for permitting something like an agriculture education event. Mr. Tait responded by saying that the authority to make that decision is solely up to the Town Council. Dave Ludwinski asked if other laws had to be followed even if the use is permitted in an area. Mr. Tait stated that all applicable laws must be followed, he explained that in the U.S. it is assumed that you know what the law is. So that it is up to an individual to know what the law is. Angie Erickson said that she felt it was ethically and morally wrong for Mr. Tait to represent both Ludwinski's and Trenton Town. She worried about favoritism being a part of this situation. A letter that that was sent to the Cottle's was discussed. Mayor Payne stated that the town has three options for the issue they would be yes, no or a conditional use, and the town ordinance doesn't allow for a permitted or conditional use for this particular use. Darrin Mathis stated that Mr. Tait is obligated by law to follow the ethics rules.

Questions regarding Zoning letter dated July 5, 2023- Janet Cottle

Janet Cottle asked about the process of a Zoning Violation. Councilmember Ludwinski shared that in other violations the Council begins by sending a letter. Ms. Cottle asked if Rachelle Ludwinski wrote the letter as a citizen or as a Councilmember; Councilmember Ludwinski stated that she wrote it as a Councilmember. Councilmember Merrill stated that he feels this is a family feud that has been drug to the Town Council. Ms. Cottle requested the minutes and audio from the July 18th Planning & Zoning meeting.

Fire Department Report- Trevor Egan

Trevor Egan attended the meeting to give the Council on happenings within the department. He shared that there have been 13 fire calls, 7 medical calls and 28 hours have been spent by members of the department on calls. He stated that two sets of turnouts have been ordered. He shared that \$3800 was spent on the fireworks for the 24th this year, and he would like to see a better show next year. He shared that Seth Mayberry is going to work on applying for grants for the department. Mr. Egan shared that the air compressor died, and the department is working on getting a new. Mayor Payne stated that he would like to stay in the loop with the department. Mr. Egan asked about the fire hydrant on 100 East, the Council stated that they would like this investigated and if it is no longer functional "black bagged". Councilmember Ludwinski asked about having the department and youth in the town flush fire hydrants within the town. Mr. Egan asked if the three fire hydrants at IFA are on the town's maps or in their info. Councilmember Ludwinski stated that the hydrants are on private property and that the town has a shut off on the main line for them. Mr. Egan asked who would be responsible for fixing one of IFA's that is broken. Councilmember Ludwinski stated that they are but that the town would do the repairs/replacement.

Paige Ezola shared that she would like a business license for a Commercial Cleaning Business, EZ Cleaning, LLC, COUNCILMEMBER LUDWINSKI MOVED TO APPROVE THE BUSINESS FOR PAIGE EZOLA, EZ CLEANING LLC WITH COUNCILMEMBER SIMMONDS SECONDING THE MOTION WITH ALL COUNCILMEMBERS IN ATTENDANCE VOTING AYE.

Review of the 24th of July celebration

Mayor Payne stated that Councilmember Simmonds and his committee did a great job, continuing that the day went well. Mayor Payne stated that he feels thank you notes should be written to businesses that contributed. Clerk Smith asked for a list of people who helped, stating that she would acknowledge them in the newsletter.

Discussion regarding soliciting of donations for the 2024 fireworks, IFA, Gossner's and Rocky Mountain Power-Mayor Lynn Payne

Mayor Payne expressed that he would like to solicit donations for sponsorships for the finale during the fireworks next year. He suggested that the Council come up with a list of businesses that could be sent a letter asking for donations for next year's fireworks. Angie Nichols of AN Shirts pledge that they would donate \$3500 towards next years fireworks. Mr. Egan stated Schreiber's would also be a good company to solicit donations from. The rest of the Council liked the idea.

Concerns about main line water lid on Main Street and 200 North-Mayor Lynn Payne

Mayor Payne shared that he worried about the shut off valve that is on 200 North and Main Street. He stated that the last time the valve was a problem it cost the town a lot of money explain that it is currently sticking up out of the ground and could be hit by something causing the main line to break, costing the town again. Councilmember Merrill stated that he would get with UDOT about fixing the valve.

Resolution 06-03-23- 2023 update to Fee Resolution

Clerk Smith explained that this is a list of fees charged by the town and that a yearly review of the list helps keep them current. COUNCILMEMBER MERRILL MOTIONED TO APPROVE RESOLUTION #06-03-23-2023 UPDATE TO FEE RESOLUTION WITH COUNCILMEMBER KINGSTON SECONDING THE MOTION AND ALL COUNCILMEMBERS IN ATTENDANCE VOTING AYE.

Water update

Councilmember Merrill stated that he was approached by Lewiston's Mayor who asked if Trenton wanted to tie into Lewiston's water system, stating that the paperwork was sitting at the Lewiston offices waiting to be signed. Councilmember Ludwinski stated that she would be interested in having a conversation with Mayor Hall. Councilmembers Merrill and Ludwinski stated that they would set up a time with Mayor Hall and the town engineers and discuss the possibilities of tying in with their water system.

Planning & Zoning update

Councilmember Kingston stated that the Planning and Zoning is working on the agritourism issue and adding appropriate language to the Zoning Ordinance.

Mayor Update

Mayor Payne discussed the upcoming change with garbage service. It was discussed that the dumpsters and commercial services are being transferred as of July 31st. He shared that junk removal and green waste will be done by Waste Management. He shared that all dumpsters will be done through them also. He expressed that he has been frustrated with the way the process ended as far as dumpsters and junk removal. He shared that there are still questions that are up in the air and still needing to be worked out.

Road update

Councilmember Merrill shared that Parson's is going to come repair portions of South Center Street. The North Center portion will begin having work done mid to late August. He shared that the work would continue over Main Street on South Center to 200 South.

Councilmember Simmonds stated that the water heater and faucets and taps at the pavilion are needing

replacements. He will work on getting bids for the repairs.

Adjournment

There being no further business to come before the Council, COUNCILMEMBER LUDWINSKI MOVED TO ADJOURN THE MEETING AT 8:27 PM WITH COUNCILMEMBER KINGSTON SECONDING THE MOTION AND ALL COMMISSIONERS IN ATTENDANCE VOTING AYE.