Minutes of the *Regular* Meeting of the Trenton Town Council held on Tuesday August 10, 2020 at 7:00 p.m., in the Trenton Town Hall, 17 East Main Street, Trenton, Utah.

Present: Mayor Lynn Payne

Councilmember Donny Merrill

Stephanie Merrill

Rachelle Ludwinski Stacey Wangsgard

Clerk Macall Smith

Guests: Tom Griffin, Dave Ezola, Cortney Andrew, Janet Cottle and Ed Cottle.

MAYOR PAYNE CALLED THE MEETING TO ORDER AT 7:00 P.M.

Councilmember Wangsgard led those in attendance in the pledge of allegiance.

***Approval of Agenda***

COUNCILMEMBER WANGSGARD MOVED TO APPROVE THE MEETING AGENDA AS WITH THE ADDITION. COUNCILMEMBER LUDWINSKI SECONDED THE MOTION, WITH ALL COUNCILMEMBERS IN ATTENDANCE VOTING AYE.

***Approval of Minutes***

Mayor Payne asked for a motion to approve the July 7, 2020 meeting minutes. COUNCILMEMBER WANGSGARD MOVED TO APPROVE THE JULY 7, 2020 MEETING MINUTES. COUNCILMEMBER LUDWINSKI SECONDED THE MOTION WITH ALL COUNCILMEMBERS IN ATTENDANCE VOTING AYE.

Public Comment:

Janet Cottle talked about the Ezola-Hansen irrigation lateral; she encouraged the Council to give Dave Ezola approval to install his pipe in the town right of way. Tom Griffin read a letter encouraging the Council to approve the installation of the pipeline. Mr. Griffin stated that he felt that if the town was concerned with finances why did Councilmembers Ludwinski and Wangsgard consult an attorney regarding the issue.

***Agenda items:***

***Business License - Sassy Herbal, Sarah Sherwood***

Sara Sherwood shared her plans for a soap and lotion company that she would like to begin. She shared that it would all be done online, and that bottled water would be used to create the product so no culinary water would be used. She plans to start the business in November. COUNCILMEMBER WANGSGARD MOTION TO APPROVE THE BUSINESS LICENSE OF SARA SHERWOOD FOR SASSY HERBAL WITH COUNCILMEMBER LUDWINSKI SECONDING THE MOTION AND ALL COUNCILMEMBERS IN ATTENDANCE VOTING AYE.

***Consideration of the installation of a private irrigation pipeline on the Trenton Town road right of way on 800 South***

The Council discussed the proposal of Councilmember’s Ludwinski and Wangsgard. Mayor Payne thanked them for their effort in starting the discussion. He shared that he felt the charge, of $15,000 suggested by them was too high. He shared that he took an agreement provided by Marcus Simmons with J-U-B and has made a few tweaks to it. He suggested charging $1 per foot for right of way installation of this sort. The Mayor asked for input from the Council. Councilmember Donny Merrill stated that he liked the agreement but felt that $1 per foot is too much. He suggested an application fee of $250 with a .50 per foot charge. The Council discussed the amount charged by Cache County. Councilmember Wangsgard asked Councilmember Merrill had been able to obtain any information from the County. He shared that the County was still working on a draft and was unwilling to share what they had done so far. The Council discussed where the point of diversion was and how this impacts the project, they questioned if West Cache Canal Company would own the pipe up to the meter, Tom Griffin stated that the entire pipeline going along 800 South would be owned by Dave Ezola. Councilmember Ludwinski shared that she felt the agreement should be between the town and West Cache, she shared her concern with allowing a private line to be installed on a public right of way, she felt that it would be a bad precedent to set. Councilmember Wangsgard agreed with her stating that West Cache should own the pipeline. Councilmember Wangsgard agreed that her initial fee was too high but was okay with $1 per foot. She expressed her frustration with the lack of information provided by Mr. Ezola. Mr. Griffin asked what information was needed. Councilmember Wangsgard stated that she would like to see drawing of the proposed project along with specifications of the pipeline and how it would be installed. Mr. Griffin stated that at the first meeting he attended he provided a pipe size of 12 inches. The Council discussed the Agreement proposed by Mayor Payne. They discussed an application fee of $250.00 with a $1 per foot charge that would be used towards road maintenance. Mr. Griffin stated that he would deliver hard copies of the project specs to the Council the next day. The Council discussed the difference between an individual and a private utility. The Council discussed that the Agreement was not specific to Dave Ezola. Councilmember Wangsgard read a rule from UDOT that prohibited an individual from installing utilities in the road right of way. The Mayor asked for each Councilmember to state their opinion on the Agreement. Councilmember’s Donny Merrill and Stephanie Merrill were both in favor of approving the Agreement as a one size fit all and not specific to Dave Ezola but noting that this would allow any individual to install a pipeline in the town right-of-way. Councilmember’s Ludwinski and Wangsgard felt that the Agreement should be made with a utility company. Councilmember Wangsgard stated that she felt that each instance would be different and based on the advice of the town attorney wanted to see each taken as a case by case agreement. COUNCILMEMBER DONNY MERRILL MOVED TO ADOPT THE PRIVATE INFRASTRUCTURE AND UTILITY AGREEMENT FOR ANY PERSON WHO APPLIES FOR AN IRRIGATION LINE IN TOWN. Councilmember Wangsgard asked Councilmember Donny Merrill if he had any personal gain from adopting this agreement. He stated that he had no personal interest in the agreement but wanted to look out for the farmers and citizens in the town. Mayor Payne stated that he had a motion and needed a second, COUNCILMEMBER STEPHANIE MERRILL SECONDED THE MOTION WITH COUNCILMEMBERS DONNY MERRILL AND STEPHANIE MERRILL VOTING IN FAVOR OF THE MOTION AND COUNCILMEMBERS LUDWINSKI AND WANGSGARD VOTING AGAINST THE MOTION; MAYOR PAYNE VOTED IN FAVOR OF THE MOTION. THE MOTION PASSED. Mayor Payne reiterated that this was an agreement that would cover everyone. Clerk Smith asked for clarification on the Agreement asking if this was approval of the Agreement but not approval of Mr. Ezola’s project. The Council clarified that Mr. Ezola would have to sign the agreement and provide the construction blueprints as well as the deposit and then the Council would meet and review the agreement and approve or deny Mr. Ezola’s project at that point. They stated that the town’s engineer would review the plans prior to the Council reviewing the project. Councilmember Wangsgard pointed out that the agenda item *Consideration of the installation of a private irrigation pipeline on the Trenton Town road right of way on 800* Southwould need to be tabled until the next meeting so that all the reviews could be done on the information provided by Mr. Ezola. The Council discussed that the $1 per foot would need to be paid before construction begins. Mayor Payne explained that the Agreement discussed came from the town engineer and was provided as one that they have used on other occasions, he clarified that he didn’t sit down and create it himself. The Council asked for the drawings to be given to the town and then it would be forwarded onto J-U-B for review.

***Discussion on Flood Plain Ordinance***

Clerk Smith stated that she has been contacted by Bear River Association of Governments regarding disaster mitigation. She explained that one area that could cause damage in Trenton is flooding. BRAG recommended looking into and adopting a flood plain ordinance that would help mitigate damage caused by flooding. She asked if that was something that the Council was interested in doing. COUNCILMEMBER LUDWINSKI MOTIONED TO HAVE COUNCILMEMBER WANGSGARD WRITE AN ORDINANCE DEALING WITH FLOOD PLAIN ISSUES WITH COUNCILMEMBER STEPHANIE MERRILL SECONDED THE MOTION AND ALL COUNCILMEMBERS IN ATTENDANCE VOTING.

***Parks update***

Mayor Payne stated that he felt that the 24th was as good as it could be considering the circumstances.

***Water update***

IEI has looked at the faulty meter, they are still waiting to see what needs to be done to take care of it. Councilmember Ludwinski let the Council know that the storage tanks are dropping but refilling each night. She stated that due to the requirements of the CDBG funding the new chlorination building needs to be completed by December. She discussed the need for a crane and semi-truck to deliver and install the building. She stated that the current road at the tanks could be an issue. Councilmember Ludwinski stated that Anthony has moved, and she is looking for possible replacements to fill that position. She stated that she is still waiting on Richard Allsop to decide if he is going to install a fire hydrant or residential fire prevention sprinklers. She updated the Council that Brent Webb Excavation is going to be installing the fire hydrant for the Allsop Subdivision this week.

***Roads update***

Councilmember Donny Merrill stated that the County will be doing chip sealing on 800 East, they will also be doing a second spraying of the roadside. He stated that the State will be doing some road work and have offered to let Trenton have the roto milled asphalt if they want it. The Council discussed the best place to store the asphalt, they determined to store it behind the Town Hall.

***Planning & Zoning update***

Councilmember Wangsgard shared that the Planning & Zoning Commission went over a list of survey questions that will be sent out to town residents. Councilmember Ludwinski asked about questions regarding the amount of water hook-ups per year in connection with growth.

*Adjournment*

COUNCILMEMBER LUDWINSKI MOVED TO ADJOURN THE REGULARLY SCHEDULED TOWN COUNCIL MEETING AT 9:31 P.M. WITH COUNCILMEMBER WANGSGARD SECONDING THE MOTION AND ALL COUNCILMEMBERS IN ATTENDANCE VOTING AYE.