Minutes of the *Regular* Meeting of the Trenton Town Council held on Tuesday October 6, 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- via phone

Clerk Macall Smith

Guests: Melissa Merrill, Sheri Newton, Craig Merrill, Kathy Merrill, Dave Ezola, Ken Allsop, Kathrine Rawson, CAPSA representative- Ashley Cortney Andrew, Ted Andrew, Kayleen Andrew and Cleone Allsop.

MAYOR PAYNE CALLED THE MEETING TO ORDER AT 7:05 P.M.

Those in attendance stood for the Pledge of Allegiance.

***Approval of Agenda***

Mayor Payne asked for a motion to approve the agenda as written. COUNCILMEMBER LUDWINSKI MOVED TO APPROVE THE MEETING AGENDA AS OUTLINED. COUNCILMEMBER STEPHANIE MERRILL SECONDED THE MOTION, WITH ALL COUNCILMEMBERS IN ATTENDANCE VOTING AYE.

***Approval of Minutes***

Mayor Payne asked for a motion to approve the September 1, 2020 meeting minutes. Councilmember Ludwinski noted several changes to the second paragraph on page 3. COUNCILMEMBER STEPHANIE MERRILL MOVED TO APPROVE THE SEPTEMBER 1, 2020 MEETING MINUTES WITH THE NOTED CORRECTION. COUNCILMEMBER LUDWINSKI SECONDED THE MOTION WITH ALL COUNCILMEMBERS IN ATTENDANCE VOTING AYE.

Public Comment:

Ted Andrew read a letter written by himself, in it he thanked the Mayor and Council for their work. He expressed concern with the amount of money spent on legal fees. He also suggested that they be conservative about growth in Trenton and said that in his opinion the recent survey sent out was too long and asked to many personal questions.

***Agenda items:***

***Domestic Violence Awareness Month- CAPSA representative***

Ashley from CAPSA attended the meeting and shared information about CAPSA. She stated that since the onset of COVID domestic violence calls to CAPSA have increased by 100%, with the use of caseworkers up by 42% and an increase of 22% for telehelp, therapy services. She explained that visits to the shelter have increased by 60% as well. They asked that Trenton be willing to use them as a referral for possible domestic abuse cases. She also asked if Trenton would be willing to share information regarding the services provided by CAPSA with town residents.

***Fire/ EMS update- Fire Chief Kingston***

Mayor Payne stated that although Chief Kinston was unable to attend, he felt that the issues that were going to be discussed had to do with recent changes made on the County. He reviewed those changes that dealt with the situation of the EMT’s on the north and south end of the valley.

***DUP Town Hall use- Cleone Allsop***

Cleone Allsop asked the Council if they would be willing to let the DUP of Trenton use the pavilion/ town hall for their meetings. She stated that they have been unable to meet at the LDS church due to COVID. She stated that the meeting is held once a month on the 2nd Wednesday and it last about 1.5 hours. She stated that usually 3-10 people attend the meeting. COUNCILMEMBER LUDWINSKI MOVED TO ALLOW THE MARGRET MANN BENSON CAMP OF THE DUP TO USE TOWN BUILDINGS TO HOLD THEIR MONTHLY MEETINGS UNTIL IF & WHEN THE ARE ABLE TO RETURN TO THE LDS BUILDING. COUNCILMEMBER MERRILL SECONDED THE MOTION WITH ALL COUNCILMEMBERS IN ATTENDANCE VOTING AYE.

***Resolution 20-10-01 a Resolution to notify the owners of a lot, sit or portion of the cemetery which has been unused for burial purposes for more than 60 years that they must express interest in using the site or their rights will be terminated***

Councilmember Ludwinski read the resolution aloud. COUNCILMEMBER LUDWINSKI MOVED TO APPROVE RESOLUTION 20-10-01 A RESOLUTION TO NOTIFY THE OWNERS OF A LOT, SITE OR PORTION OF THE CEMETERY WHICH HAS BEEN UNUSED FOR BURIAL PURPOSES FOR MORE THAN 60 YEARS THAT THEY MUST EXPRESS INTEREST IN USING THE SITE OR THEIR RIGHTS WILL BE TERMINATED. COUNCILMEMBER STEPHANIE MERRILL SECONDED THE MOTION WITH ALL COUNCILMEMBERS IN ATTENDANCE VOTING AYE.

***Discussion regarding procedure on consulting with the town Attorney- Councilmember Donny Merrill***

Councilmember Donny Merrill stated that it had been brought to his attention that at last month’s meeting the Attorney and Engineer were at the meeting without approval, he felt this was not right and that it should be approved by the town council or the Mayor. He stated that he had talked with Dave Erickson of the County Council and as a result of that conversation felt that if this was in violation of town ordinances there would be two options, either the Councilmembers who invited them would pay or they wouldn’t get paid at all. HE MOTIONED THAT IN ORDER TO TALK WITH THE TOWN ATTORNEY 100 PERCENT OF THE COUNCIL WOULD HAVE TO VOTE IN FAVOR. Councilmember Ludwinski stated that she had concerns with this when it involves approved water projects and her need to communicate with Engineers regarding those projects. She wondered if calling around to Councilmembers would work. She also suggested that instead of 100 percent approval it require a majority vote or approval by the Mayor. COUNCILMEMBER LUDWINSKI MOVED THAT INVITING A PROFESSIONAL WHO CHARGES A FEE TO A COUNCIL MEETING REQUIRES EITHER APPROVAL FROM A MAJORITY OF THE COUNCIL OR APPROVAL BY THE MAYOR WITH COUNCILMEMBER STEPHANIE MERRILL SECONDING THE MOTION AND COUNCILMEMBERS LUDWINSKI, WANGSGARD AND STEPHANIE MERRILL VOTING AYE AND COUNCILMEMBER DONNY MERRILL VOTING NAY, THE MOTION PASSED.

***Discussion regarding the costs involved with the Allsop Subdivision***

The Council discussed the issue of having the Allsop’s pay for the costs involved with processing their subdivision application. Mayor Payne asked how an applicant would know that they are responsible for the costs. Councilmember Wangsgard stated that it is part of the Zoning Ordinance. Councilmember Wangsgard stated that at the May 5 Council meeting she stated that according to the Zoning Ordinance the Allsop’s would be responsible to pay the costs incurred with the subdivision. She stated that at that meeting the Town indicated they would be okay to charge for any costs incurred from that point forward. Mayor Payne agreed that from that point forward the Ordinance would be enforced. He also stated that he felt at that point in the process the town was forced into consulting an attorney due to the fact that Mr. Ken Allsop was using his status as an attorney to force the town into consulting an attorney. Mr. Allsop reviewed the history of the Subdivision. He referred to Richard Allsop as his client, Mayor Payne asked if he was representing the Allsop’s as their attorney and Ken Allsop stated that yes, he was. Mayor Payne then discussed Ken Allsop visiting him at his house and threaten court proceeding and explained that at that point the town had no option but to get an attorney. Mayor Payne asked Mr. Allsop as if he visited members of the board at their homes, Mr. Allsop stated that he visited Planning & Zoning Chairperson Udy on her porch, where, he stated, he could tell that she didn’t feel very comfortable with his visit. Councilmember Wangsgard noted that several times at a Planning & Zoning meeting Mr. Allsop stated that he would see “how a court of law would deal with the issue”. The Council discussed the total costs involved, Clerk Smith shared that the amount was $2870.99 COUNCILMEMBER WANGSGARD MOVED TO HAVE ALLSOPS BE RESPONSIBLE FOR THE EXPENSES THAT WERE INCURRED IN CONJUNCTION WITH THEIR SUBDIVISION AFTER THE MAY 5 MEETING WHEN THEY WERE NOTIFIED THAT THEY WOULD BE RESPONSIBLE FOR COSTS INCURRED. COUNCILMEMBER LUDWINSKI SECONDED THE MOTION WITH COUNCILMEMBERS WANGSGARD, LUDWINSKI AND STEPHANIE MERRILL VOTING IN FAVOR OF THE MOTION AND COUNCILMEMBER DONNY MERRILL VOTING AGAINST THE MOTION. THE MOTION PASSED.

***Parks update***

Councilmember Stephanie Merrill asked about holding the Halloween trunk or treat. The Council was in favor of the idea. COUNCILMEMBER STEPHANIE MERRILL MOVED TO HOLD A TRUNK OR TREAT THIS YEAR WITH COUNCILMEMBER WANGSGARD SECONDING THE MOTION AND ALL COUNCILMEMBERS IN ATTENDANCE VOTING AYE.

***Water update***

Councilmember Ludwinski stated that the water levels are still dropping during the day but continue to recover at night. She asked about reviewing the impact fee and asked the Council for their input on the process for giving out water hook-ups, she asked them to give it some thought this month and come to the November meeting with any ideas. She asked if the town wanted her to attend the CDBG preliminary meeting, Mayor Payne asked her to attend on behalf of the town.

***Planning & Zoning update***

Councilmember Wangsgard updated the Council on the status of the Subdivision update. She stated that the Planning & Zoning Commission reviewed the surveys at the September meeting, with some informative data provided from the survey. She shared that the Commission continues work on updating the Subdivision but will probably need more time and may be requesting a 6-month extension on the moratorium.

***Roads update***

Councilmember Donny Merrill made the Council aware that there is an illegal road being put in on 1600 South. He shared that he is going to talk with the property owner about a permit. He stated that he has found a used sander that the town can purchase for $2500, the Council was in favor of purchasing the sander. Councilmember Donny Merrill stated that he would get the sander purchased.

***Cemetery update***

Councilmember Stephanie Merrill shared that she received a bid for $3600 to install a new flagpole at the cemetery. The Council discussed the idea, they determined to have Councilmember Stephanie Merrill look over her budget and if she has enough to cover the cost to move forward with installing a new flagpole.

*Adjournment*

COUNCILMEMBER LUDWINSKI MOVED TO ADJOURN THE REGULARLY SCHEDULED TOWN COUNCIL MEETING AT 8:32 P.M. WITH COUNCILMEMBER WANGSGARD SECONDING THE MOTION AND ALL COUNCILMEMBERS IN ATTENDANCE VOTING AYE.