Minutes of the *Regular* Meeting of the Trenton Town Council held on Tuesday January 5, 2021 at 7:10 p.m., in the Trenton Town Hall, 17 East Main Street, Trenton, Utah.

Present: Mayor Lynn Payne

Councilmember Donny Merrill

Rachelle Ludwinski Stacey Wangsgard

Clerk Macall Smith

Excused: Councilmember Stephanie Merrill

Guests: Tom Roark, Ed Cottle, Janet Cottle, Randall Davis, Ken Allsop, Parker Haviland, Attorney Joseph Chambers, and Adolfo Silva.

MAYOR PAYNE CALLED THE MEETING TO ORDER AT 7:02 P.M.

Councilmember Donny Merrill led the Pledge of Allegiance.

***Approval of Agenda***

Councilmember Ludwinski asked about the advisability of discussing potential legal issues with an attorney when the town isn’t represented by an attorney. Attorney Joseph Chambers stated that he has never not been allowed to speak at all the municipal meetings that he has attended as legal representation. Mayor Payne stated that he would like to hear what Mr. Chambers says. COUNCILMEMBER LUDWINSKI MOVED TO APPROVE THE MEETING AGENDA AS OUTLINED. COUNCILMEMBER DONNY MERRILL SECONDED THE MOTION, WITH ALL COUNCILMEMBERS IN ATTENDANCE VOTING AYE.

***Approval of Minutes***

Mayor Payne asked for a motion to approve the December 1, 2020 meeting minutes. Councilmember Ludwinski noted that the approval of the agenda needs to have her name changed to Mayor Payne. COUNCILMEMBER LUDWINSKI MOVED TO APPROVE THE DECEMBER 1, 2020 MEETING MINUTES WITH THE NOTED CORRECTION. COUNCILMEMBER WANGSGARD SECONDED THE MOTION WITH ALL COUNCILMEMBERS IN ATTENDANCE VOTING AYE.

Public Comment:

There was no public comment at this time.

***Agenda items:***

***7:05 p.m.- Public Hearing***

***Update of the Water Ordinance #2021-01-01***

COUNCILMEMBER LUDWINSKI MOVED TO OPEN THE PUBLIC HEARING AT 7:06 P.M. WITH COUNCILMEMBER WANGSGARD SECONDING THE MOTION WITH ALL COUNCILMEMBERS IN ATTENDANCE VOTING AYE. Councilmember Ludwinski read the changes being proposed and specifically noted the wording being changed was in section 13-1-13 Connection to System. She stated that the State of Utah allows Trenton to make those decisions but that now the Ordinance would officially state that the procedures are set by resolution, which would allow for changes without changing the Ordinance each time. She noted that the resolution regarding water connections was passed last month. Mayor Payne asked if there were any questions regarding the changes, there were no questions. Mayor Payne closed the public hearing and asked for a motion regarding the Ordinance. COUNCILMEMBER LUDWINSKI MOVED TO CLOSE THE PUBLIC HEARING WITH COUNCILMEMBER WANGSGARD SECONDING THE MOTION AND ALL COUNCILMEMBERS IN ATTENDANCE VOTING AYE.

***Ordinance 2021-01-01- Trenton Water Ordinance***

COUNCILMEMBER LUDWINSKI MOVED TO ADOPT ORDINANCE 2021-01-01 TRENTON WATER ORDINANCE WITH COUNCILMEMBER WANSGARD SECONDING THE MOTION AND ALL COUNCILMEMBERS IN ATTENDANCE VOTING AYE.

***Resolution 2020-01-02 A Resolution to Place Restrictions on the Issuance of New Water Connections***

Councilmember Ludwinski read Resolution 2020-01-02 A Resolution to Place Restrictions on the issuance of new water connections. The Council discussed the difference between a stock water hook-up and a residential water hook-up. Councilmember Donny Merrill stated that if you are going to put a limit on the number of animals on a stock water hook-up you should have a limit animals for the residential hook-up as well, things should be fair. COUNCILMEMBER WANGSGARD MOVED TO ADOPT RESOLUTION 2020-01-02 A RESOLUTION TO PLACE RESTRICTIONS ON THE ISSUANCE OF NEW WATER CONNECTIONS NOTING THAT A CHANGE WAS MADE THAT STATES THAT BOTH STOCK WATER AND RESIDENTIAL HOOK-UP HAVE A LIMIT OF 40 BEEF COWS OR 20 DAIRY COWS OR THE EQUIVALENT NUMBER OF ANIMAL UNITS WITH COUNCILMEMBER LUDWINSKI SECONDING THE MOTION AND ALL COUNCILMEMBERS IN ATTENDANCE VOTING AYE.

***Discussion and vote regarding Subdivision Application Process and Ombudsman Advisory Opinion- Parker Haviland***

Mayor Payne stated that Mr. Haviland asked to be put on the agenda and has brought his attorney with him. Mayor Payne stated that he has a copy of the Ordinance at the time of his submitting his application for a Sketch Plan Review. Mr. Chambers shared a timeline of the Subdivision application process that Mr. Haviland has been through. He discussed the advisory opinion and shared his view point of the issues. He recommended that the town council direct the Planning & Zoning to consider Mr. Haviland’s application.

***Assignment of Council Duties- Mayor Lynn Payne***

Mayor Payne would like to keep all Councilmembers with their current assigned areas.

***Town Council meeting schedule 2021***

The Council decided to stay with the same time and night to hold their meetings.

***Review of Trenton Town Fees***

Mayor Payne read the resolution aloud. He asked the Council to discuss any questions they may have. The Council discussed the specifics of cemetery fees when pertaining to children buried in the cemetery. Councilmember Donny Merrill stated that the “encroachment permit” needed to be included on the fee schedule, he asked that it be included as the road encroachment permit, and stated that the fee for minor work should be $50 and for major work is $750. The Council discussed the rental on town buildings and dog fees.

***Resolution 2021-01-01- A RESOLUTION ESTABLISHING THE FEE SCHEDULE FOR TRENTON TOWN***

COUNCILMEMBER LUDWINSKI MOVED TO ADOPT RESOLUTION 2021-01-01 A RESOLUTION ESTABLISHING THE FEE SCHEDULE FOR TRENTON TOWN WITH COUNCILMEMBER WANGSGARD SECONDING THE MOTION WITH ALL COUNCILMEMBERS IN ATTENDANCE VOTING AYE.

***Bid Opening for 1991 GMC truck***

Clerk Smith stated that there were three bids for the 1991 GMC that is being sold by the town. She opened the bids and shared the results, Randall Davis bid $200, Tom Roark bid $300 and Andrew Sparks bid $888.88. Andrew Sparks won the bid, Clerk Smith stated that she would let him know.

***Discussion regarding roadside barrow along 400 East- Councilmember Donny Merrill***

Councilmember Donny Merrill explained that with the project being done on 400 East there is a possibility of having West Cache Canal backfill the drainage ditch as they lay the pipe. He has discussed the issue with West Cache and they are willing to do this but are requesting a letter of approval from the town, he read a letter that he drafted giving permission. He asked that all Councilmembers sign the letter. He shared that the letter has asked West Cache Irrigation to make sure that there is a 2% slope within 4 feet of the oiled road and 4 to 1 slope past that point in the roadside.

***Planning & Zoning update***

Councilmember Wangsgard stated the Commission is still working on an update of the Zoning Ordinance along with the Subdivision ordinance and application.

***Parks \Cemetery update***

There was no update at this time.

***Water update***

Councilmember Ludwinski stated that she is still waiting on Intermountain Environmental for the outflow meter. She will have Kyler Olsen, the water operator for Trenton, read meters through the winter months. She shared that she is still working on the equipment that will be purchased from the CARES funding and should be installed next week.

***Roads update***

Councilmember Donny Merrill stated that the new spreader is working well. Mayor Payne asked what road projects are planned for this upcoming year. Councilmember Donny Merrill stated that he will be working on getting 1600 South chipped and fog sealed, he said that he was going to contact the County and discuss the possibility of them helping out with the cost of chipping the road since they own half the road.

*Adjournment*

COUNCILMEMBER WANGSGARD MOVED TO ADJOURN THE REGULARLY SCHEDULED TOWN COUNCIL MEETING AT 8:10 P.M. AND MEET IN AN EXECUTIVE SESSION TO DISCUSS PENDING LEGAL ISSUES WITH COUNCILMEMBER LUDWINSKI SECONDING THE MOTION AND ALL COUNCILMEMBERS IN ATTENDANCE VOTING AYE. They thanked the audience for their attendance.