

**ENNIS TOWN COMMISSION MEETING
FEBRUARY 11, 2016
7:00 P.M.
ENNIS TOWN HALL**

Open Meeting: Commission Chair, Brian Vincent, opened the February 11, 2016 Town Commission meeting at 7:00 p.m.

Commission Present: Bancroft, Bourk, Palmerton, Pine and Vincent

Pledge to the Flag

Minutes of the January Meeting: Bancroft made a motion to approve the minutes from the January 14, 2016 Commission meeting. Palmerton seconded the motion. Roll Call Vote: Bancroft, Bourk, Palmerton and Vincent voted yes. Pine abstained as he was not present for the January meeting. Motion approved.

Public Comment on Non-Agenda Items: Robin Blazer read a letter of request for the Town to consider putting up a flashing speed sign at the East entrance to the Town of Ennis.

Keri Kensinger said she wanted to take this opportunity to thank Becky Vujovich for her service to the Town of Ennis and expressed her feelings for how Becky did her job as Mayor.

CDBG Planning Grant: Dan McCauley, Great West Engineering, presented a Task Order to the Commission for the re-write of the Towns Subdivision Regulations, Zoning and other matters associated with this task.

Task Order #10 calls for a comprehensive code update. McCauley went over the time line for completion.

Palmerton made a motion to approve Task Order #10. Pine seconded the motion. Roll Call Vote: All Commissioners voted yes. Motion approved.

DNRC Grant for Emergency Response: Dan McCauley, Great West Engineering, spoke with the Commission regarding a DNRC Grant that has been submitted for developing an emergency response plan for water system emergencies. He stated if the grant is received the Town can then apply for TSEP funds to match it.

McCauley discussed with the Commission some aspects of what this emergency plan will cover.

Planning Board Recommendation regarding the Growth Policy in relation to the MDOT sidewalk project: Keri Kensinger started with a request that the Planning Board members information and minutes be put on the Website.

Kensinger thanked the Ennis Planning Board volunteer members for their service to the Town of Ennis.

Kensinger spoke about the Growth Policy and what its contents are.

Kensinger informed the Commission that at the last Planning Board meeting they were asked to make a recommendation regarding the “Y” section, in particular, of the MDOT sidewalk project.

The Planning Board found that, as the “Y” section is listed as a priority in the Growth Policy, they recommend the Commission approve the entire sidewalk project.

Byways Request for Commission to reconsider Segment #3 of the MDOT sidewalk project:

Lisa Roberts, Madison Byways, read a petition that has been going around. The petition is for support of the project as a whole and more specifically including Segment #3. The petition, as of this afternoon had 378 signatures. Since that count there have been numerous new signatures added so the total is close to 400 signatures.

Roberts spoke of the people that have signed the petition and their reason for doing so. She gave some particular circumstances on some of the people that signed the petition.

Roberts told the Commission this project has been engineered and is fully funded and reiterated the reasons why the entire project should go through now.

Jennifer Doney, Byways member, told the Commission these sidewalks will route more foot traffic whether they are on one or both sides of the highway. She spoke of the liability that was brought up at the January meeting and wonders if it needs to be revisited.

Doney stated she is disheartened by some of the actions being taken with this matter by people on different sides of the issue. She spoke of parking issues and thinks they can be addressed to everyone’s satisfaction.

Doney closed by saying people need to speak and listen to one another to try to come up with solutions.

Chris Gentry, Madison Foods, stated her business is at the end of the project. Ennis is growing, if we don’t grow we die. A progressive and proactive approach is needed. She would like to see sidewalks go out further. Grant money is paying for this project. She asked the Commission to do the right thing by making this work for all of us.

Jesslyn Dulinski said she is in huge favor of segment #3. She spoke of safety for her family and her route without this segment being included, Madison Valley Manor residents and the ease of them getting to, say, the Senior Center. Drivers should be responsible when backing up under all circumstances; this is not a single instance in which they should be paying attention.

Michael Gue told the Commission that he and his family walk and ride bikes everywhere and they are in favor of segment #3 being included.

John Goodman said he agrees with the points made. He spoke of drivers he has seen coming from the school talking on cell phones and stated safety has to be utmost.

Joe Dilschneider thanked the Commission for the segments that have been approved. He said he is sensitive to the business owners arguments. He asked what their reasons are for not wanting the sidewalk. He stated the Commission needs to do what is best for the majority of people through a democratic process.

Ailene Uber stated, she believes, the business owners in segment #3 are worried about safety in an already busy traffic area.

Tim Sherwin stated he comes into Town with the express purpose of doing business with local businesses. He was a safety officer in the armed services. "Safety" is a buzz word. He can only see the benefit of having sidewalks but can still see the business owners concerns.

Don Lindeburg, Sportman's Lodge, spoke of speed limits and the heavy traffic. He cannot see this area of highway as safe, no matter what, because of the traffic. He spoke of insurance rate increases but said it is not about that it is about safety. Big trucks will not see children/people on the sidewalks due to the size of the truck. The sidewalk will also take away parking for events that are held at the Sportsman's.

John Heckler stated this has not been an easy decision. He stated he is in full support of sidewalks. He, in fact, wrote a letter of support for the grant. Once the first design was brought out he saw it as unsafe. The business owners along segment #3 have talked to try and see what could be done to make this sidewalk work. He spoke of one idea which would bring the sidewalk close to the business instead of next to the highway.

Craig Shirley said he read about a solution to the problem but the cost would be totally prohibitive. He encouraged the Commission to look to the future.

Robin Blazer responded to some of the comments made and said she is frustrated with this. At the last Commission meeting this room was filled with people in favor of this entire project. She grew up believing in the democratic process.

Tim Sherwin stated he cannot stand for collusion. He believes "Majority rules".

Chris Gentry stated she checked and her liability insurance is not going to go up. All studies she has read shows sidewalks increase safety because sidewalks alert drivers to pedestrian traffic.

Cammie Sterzick stated when going on a walk with her children she did not go further than Main Street because of lack of sidewalks.

Lisa Roberts spoke of MDT statistics involving interactions between vehicles and pedestrians. She spoke of the sidewalk budget and how long it would take to build more sidewalks with Town funds. She asked that this project not be thrown away.

Leona Stredwick stated the plans for the sidewalks are logical, they are on DOT property and sidewalks are safer.

John Heckler said the State puts liability on the Town through their agreement process. The Town, in turn, puts the liability on the property owners.

Lisa Roberts stated that the liability matter Mr. Heckler speaks of is state wide. That is how sidewalks work.

Sunni Knapton said this is a community driven project. It came out of community meetings as a need for our community.

Jesslyn Dulinski asked what happens if a trip and fall happens without a sidewalk –vs- with a sidewalk. *Answer: There is no difference.

Commissioner Vincent went over highlights of the last meeting. His personal thoughts in considering this matter are:

He stated “safety” is a hard item to quantify.

Liability is there no matter if a sidewalk is in place or not.

Maintenance is put on business owners.

Length of the sidewalk life is approximately 10 years for asphalt and 20 years for concrete.

The sidewalk by Valley Bank is right on the edge of the highway.

Segment #3 has a couple places that are very close to the highway.

Commissioner Palmerton said she thinks safety is an illusion. There is no physical barrier. She thinks a study should be done before the sidewalk is put in.

Commissioner Bourk stated she really wants to see concrete sidewalks on the segment by Madison Valley Manor. Asphalt does not mean “sidewalk” to her. (The Town budget was asked about and how long it would take before Town could afford to do more sidewalks.)

Commissioner Pine gave his initial thoughts as he was not at the January meeting. He spoke of the upgrade to concrete in front of Madison Valley Manor. He is considering all the ideas that have been brought forward. He wants to make this work for everyone.

It was noted that the timeline for a final decision on this is slightly less than 2 weeks.

Carl Kautz stated the Commission has 2 options and needs to pick one in the next 5-7 days. The petty BS needs to stop-we are all grown-ups act like it.

The Commission decided to have a work session/meeting on Friday, February 19, 2016. The work session will be at 3:00 p.m. and the meeting will be at 4:00 p.m.

The Commission spoke of what is needed for the work session. They spoke of added costs that could come in to the project and where the money for such could come from.

Vincent explained where Transportation Assistance Program funds come from. He stated that the Department of Transportation pays overage amounts associated with the project.

Mayor Selection: Commissioner Bourk and Bancroft agreed to be the committee to interview the three candidates that have put in for the Mayor’s position.

Re-Appointment of Neil Kent to the Madison Conservation District Board: Bancroft made a motion to re-appoint Neil Kent to the Madison Conservation District Board. Pine seconded the motion. Roll Call Vote: All Commissioners voted yes. Motion approved.

Department Reports: The written reports from department heads were reviewed by the Commission. Copies of the reports are on file at Ennis Town Hall.

Attorney Greenbaum told the Commission that Connell has been served papers and, to date, has not made an answer to the Court so the Town will be asking for a default judgement.

Greenbaum said he has contacted Chris Meyer, an attorney representing Mr. Stears and Mr. Pasley, regarding the alley between their properties. He has informed Mr. Meyer that the Town has not received any proof from the property owners showing the alley was closed. Upon checking county records nothing was found showing that the alley has been closed. The plat shows the alley is there.

Greenbaum stated he has not received the file on the Comley Addition yet.

Commission Comments: No Commission comments.

Claims: Palmerton made a motion to pay claims. Bourk seconded the motion. Palmerton, Bourk and Vincent voted yes. Pine abstained, Bancroft voted no as he does not feel Pine should not be prepared to vote on claims at the meeting. Motion approved.

Adjourn: Palmerton made a motion to adjourn. Bancroft seconded the motion. Roll Call Vote: All Commissioners voted yes. Motion approved. The meeting was adjourned at 10:00 p.m.

Brian Vincent, Commission Chair

Ginger Guinn, Clerk/Treasurer

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