

**PUBLIC HEARING/1<sup>ST</sup> READING  
ELECTRIC MOTORIZED VEHICLES  
JULY 13, 2017  
7:00 P.M.  
ENNIS TOWN HALL**

Mayor Pine opened the Public Hearing for the proposed Electric Motorized Vehicle Ordinance.

Public Comments: Bancroft stated he is not in favor of this Ordinance.

Roberts asked about the wheel sizes.

Kenton Irvine brought examples of the vehicles that he has that would be included in the Ordinance.

Barb Todd asked why this is being brought up now when they have been riding these vehicles for several years.

The Public Hearing was closed at 7:05 p.m.

**ENNIS TOWN COMMISSION MEETING  
JULY 13, 2017  
7:05 P.M.  
ENNIS TOWN HALL**

**Open Meeting:** Mayor Pine opened the meeting at 7:05 p.m.

**Pledge to the Flag.**

**Minutes of the June 2017 Meeting:** Bancroft made a motion to approve the minutes. Leavitt seconded the motion. Roll Call Vote: All Commissioners voted yes. Motion approved.

**Public Comments on Non-Agenda Items:** K. Mita spoke on behalf of the Chamber of Commerce. He spoke about parking on Main Street over the 4<sup>th</sup> of July. He stated cars are being parked for the parade as early as July 2<sup>nd</sup>. He feels this needs to be changed and perhaps have limited parking times up until, for example, 6 p.m. the night before the parade.

There was some discussion regarding this. Perhaps the Chamber can come up with some creative ideas.

Jack Beals commented that the crosswalk near Plain Janes, on Main Street, is difficult to get across. He suggested a crossing light may be beneficial. Commission Roberts stated she is already in contact with MDT regarding the crosswalks downtown.

**Water PER and Emergency Plan:** Dan McCauley, Great West Engineering, presented the Water PER and Emergency Plan to the Commission. He stated that once the Commission approves the document there will need to be a public hearing. He told the Commission this is not a static document. It is something to continue to work on. The Commission decided the Public Hearing will be at the next regular commission meeting in August.

Vincent said the references to Town procedures needs to be reviewed and make sure procedures are in place.

Leavitt asked if the Town has all the pertinent numbers to contact in case of some emergency or other matters that may arise. John Moore gave examples of numerous documents, etc. the Town has for contacts for all circumstances.

Leavitt asked what will happen if one of the water wells go down. Kelly Elser explained that the other well would handle the demand for several days.

**Electric Motorized Vehicle Ordinance:** Bancroft stated the only reason Irvine wants this Ordinance is because he got two tickets.

Kenton Irvine stated he just wants to be able to ride to work or his friend's house.

Barb Todd stated there have been no issues until now.

Kenton Irvine stated the use of these type of vehicles are on the rise. There are more in Town now. He asked what will happen when the Segway's come to here.

Roberts stated she would like a better description so the ordinance covers more EMV's.

Attorney Greenbaum told the Commission the Town is stuck with what state law mandates. (re: the state definition of EMV's.)

Vincent stated there is no way we can identify all EMV's. He thinks the Town should go with this and if it doesn't work out repeal the Ordinance.

Roberts stated her concern is safety.

The Mayor talked about why there may be some hesitation. Part of it is the number of types of EMVs there are.

Leavitt stated he doesn't like how it is written and does not think the Town should even have it.

Other items mentioned were: Having to be a licensed driver, registration is mandatory, should there be a sunset clause and the fact that the Town has self-governing powers and can be more restrictive than state law.

Roberts stated she is alright to go with what we have but change the wheel diameter and put a sunset on the Ordinance.

Vincent made a motion to approve the 1<sup>st</sup> reading of the EMV Ordinance with the following: Insert the word "outside" before wheel diameter and to restrict this Ordinance to end on October 31, 2018 unless the Town votes to extend it.

Palmerton seconded the motion.

Roll Call Vote: Vincent, Palmerton and Roberts voted yes. Leavitt and Bancroft voted no. Motion approved.

**Attorney Contract Renewal:** Bancroft stated he would like to put this off and discuss it at a work session. He has some issues he would like to discuss further but not at the meeting tonight.

Mayor Pine stated we are outside the contract now but can extend it for 30, 60, or 90 days until it can be discussed and decisions made. Vincent suggested going with a 60-day extension.

Greenbaum told the Commission it is a privilege to work for public. He stated he has a good working relationship in the Court. If there are issues with civil cases he may agree but Town matters have been taken care of. Examples of some cases are the Connell matter with the trailer and the Heckler/DiMichelle case. He spoke of the “alley” case and how difficult the case is. He told the Commission he would like to stay on with the Court and will drop his rate from \$95 to \$75 per hour for civil. He would like to change the monthly rate for Court from a total of \$1600 to \$1800.

Greenbaum told the Commission, in regard to the Stears alley case, there is a law firm ready and willing to take over the case.

The Commission decided to continue with Greenbaum, as agreed, for 60 days or closer to budget time. It was decided the counsel for the Stears alley case will be turned over to Peter Dayton at the Worden Thane law firm.

The attorney asked for closed session so he can inform them about some employee matters. The meeting went to closed session for approximately 5 minutes then back to regular session.

**Finance Report:** The Commission received copies of the finance report in their packets. Vincent said the report is simple and flat. Revenues are what we expected, expenditures went down a little and ambulance, water & sewer revenues are up.

**Department Reports:**        Library: The Library submitted a written report for Commission review.

Ambulance: The Ambulance submitted a written report for Commission review.

Police: Officer Moore submitted a written report for Commission review and answered questions about fireworks and the shooting range.

Zoning: There was no zoning report. The Mayor spoke about several fence permits and a “flag” pole that is actually a utility pole.

Public Works: A written report was submitted for Commission review. Kelly Elser told the Commission that Northwestern Energy will be doing upgrades to a sub-station on August 8<sup>th</sup> and the power will be out for 2-4 hours. They will be doing the same thing again in October. He informed the Commission that the gravel roads will be worked on in the next couple weeks.

Clerk: A written report was submitted for Commission review. Ginger asked for a work session to be set for the budget. (A work session was set for July 19<sup>th</sup> at 6:30 p.m.) Ginger told the Commission that she currently has the following items on the “wish” list: Y area landscaping, sidewalks fixed, splash park, roof repair, siding Town Hall and a door out the police office door.

Attorney: Greenbaum told the Commission we should get an official report from the American Title but their corporate attorney said they will not issue title

insurance. There was more discussion on the alley matters. It was noted the Town still needs to get a survey done on the alley in question.

**Mayor Report:** Mayor Pine asked about crossing areas.

**Commission Comments:** None.

**Claims:** Bancroft made a motion to approve the June and July claims presented. Palmerton seconded the motion. Roll Call Vote: All Commissioners voted yes. Motion approved.

**Adjourn:** Bancroft made a motion to adjourn the meeting. Palmerton seconded the motion. Roll Call Vote: All Commissioners voted yes. Motion approved. The meeting was adjourned at 9:30 p.m.

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Larry Pine, Mayor

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Ginger Guinn, Clerk/Treasurer