

**PUBLIC HEARING OF THE ENNIS TOWN COMMISSION FOR REVISIONS AND  
ADDITIONS TO THE ANIMAL ORDINANCE  
NOVEMBER 10, 2016  
6:45 P.M.  
ENNIS TOWN HALL**

**Open Public Hearing:** Mayor Pine opened the Public Hearing for the Animal Ordinance revisions and additions at 6:45 p.m.

**Commission Present:** Vincent, Palmerton, Roberts, Leavitt and Bancroft.

Mayor Pine asked for public comments regarding the proposed changes to the Town of Ennis Animal Ordinance.

Commissioner Roberts highlighted, for those in attendance, the changes and additions.

Cats were asked about. There is a problem with cats, some feral, on Mirza Way. This problem does not have anything to do with the proposed changes to the Animal Ordinance and will need to be brought up at another time.

Mark Odegard said if you specifically mention a “type” of animal it can cause a problem.

The Public Hearing was closed at 6:50 p.m.

**ENNIS TOWN COMMISSION MEETING  
NOVEMBER 10, 2016  
7:00 P.M.  
ENNIS TOWN HALL**

**Open Meeting:** Mayor Pine opened the November 10, 2016 Town Commission meeting at 7:00 p.m.

**Commission Present:** Vincent, Palmerton, Roberts, Leavitt and Bancroft.

**Pledge to the Flag**

**Minutes of the October Meetings:** Vincent made a motion to accept the minutes from the October 13, 2016 meeting. Leavitt seconded the motion. Roll Call Vote: All Commissioners voted yes. Motion approved.

Bancroft made a motion to accept the minutes from the October 28, 2016 meeting. Leavitt seconded the motion. Roll Call Vote: Palmerton, Roberts, Leavitt and Bancroft voted yes. Vincent abstained as he was not at the meeting. Motion approved.

**Public Comment on Non-Agenda Items:** There was no public comment.

**Splash Pad:** Nick Brundin presented some cost estimates from the plans he presented last month. He broke the project out in 2 phases. For Phase I, which would be a 35’x70’ pad with

ground sprays, the estimated cost is \$30,000. For Phase II, which would be Phase I plus some above ground features the cost would increase approximately \$20,000 for 4 above ground features.

Mr. Brundin answered questions about concrete, rubber surfacing and the quotes assuming there would be no volunteer labor on the project.

There was a question on a warranty and water usage. The warranty will be checked on and the Town would make the determination on monitoring water usage.

The next steps were discussed. The plans will go to the manufacturer for their feedback. It was said the Town will put in the water and the rest of the funding will be done through fund raising.

The Commission will want to review final design, when completed.

The electrical needs have to be checked into to see if another meter will have to be installed at the location of the splash pad.

To move forward the Commission will have to eventually approve the construction and expenditures. There will likely have to be a budget amendment showing income and expenditures. Fencing will also need to be checked on for cost.

The Commission agreed that they want to proceed with plans for the Splash Pad project.

**Electric Motorized Devices:** Kenton Irvine provided the Commission with his ideas on getting an Ordinance started that will allow electric motorized devices.

Officer Moore gave his initial thoughts on what will need to go in and what may need to be changed.

Officer Moore and Irvine are to meet and continue work on an Ordinance for EMD's and present them at the December commission meeting.

**County Planning Board Member:** Ginger Guinn told the Commission that the position needs to be advertised for 2 weeks. She has not heard from the County Planning department if Twin Bridges has approved the request from Ennis to have a member on the County Planning Board yet. If everything stays on schedule Ennis should have a representative in place for the January meeting of the County Planning Board.

**1<sup>st</sup> Reading of Animal Ordinance Additions/Changes:** Vincent made a motion to approve the 1<sup>st</sup> reading of Animal Ordinance with grammatical and spelling corrections noted. Leavitt seconded the motion.

Discussion: It was questioned whether this is setting a precedence since we are writing this on one complaint. If this would have been thought of before it would have been considered and likely included in the Animal Ordinance.

It was stated that the "Grandfather" clause will be in effect.

Roll Call Vote: Vincent, Palmerton, Roberts and Leavitt voted yes. Bancroft abstained. Motion approved.

**Flood Plain Permit Fees:** The Commission reviewed the flood plain permit fees that were presented to them. It was noted that these fees can be amended/changed when necessary according to the Flood Plain Ordinance.

Vincent made a motion to adopt the Flood Plain permit fees. Leavitt seconded the motion. Roll Call Vote: All Commissioners voted yes. Motion approved.

**Department Reports:**        Library: No report  
   Police: Officer Moore presented his written report to the Commission for review. He told the Commission there is nothing on the new initiatives that were voted in yet.

Ambulance: John Moore submitted his written report to the Commission for review.

Public Works: Dan Dedman submitted his written report to the Commission for review. There was some discussion on wrap up of the culvert project and the clean up on the Town lot next to the Rodeo Assn. ground.

Zoning: No report  
   Clerk: Ginger Guinn submitted her written report to the Commission for review.

**Mayor Report:** Mayor Pine told the Commission that the Town received money on the trailer but the people have not returned calls or made contact about coming to get it.

He told the Commission he has not received any comments regarding the Policy & Procedure Manual. After initial review a work session should be set up to finish it.

He responded to a question he was asked about the MDOT sidewalk project regarding conflicts of interest for Commissioners Roberts and Leavitt. The Mayor spoke to counsel and there is not a conflict for Roberts or Leavitt. However, Palmerton may be considered to have a conflict because a family member is a stakeholder and owns a business in the project area.

The Mayor told the Commission he spoke with Mr. Heckler and DiMichelle and they are still committed to making the sidewalks near their businesses ADA compliant in accordance with what is necessary for the MDOT sidewalk project.

Leavitt said he has 2 views on this matter. Right now they are not ADA compliant and there is nothing for the Town to do until they are.

Roberts said the MDOT's position has not changed and she does not think we should "poke the bear". MDT can pull all of segment #3. She spoke of the emails and notices that were ignored when it was reported that the private sidewalks were not ADA compliant. Further, the Town received an email from Mr. Heckler stating the sidewalks were completed when in fact they were not because ADA compliance was not met. Neither the Mayor nor any other Commissioner responded to emails sent in September regarding steps being built instead of a ramp.

Vincent and Pine feel it is still worth trying to check with MDT on the agreement if ADA compliance is met prior to the project beginning next spring.

Pine said he thinks we owe it to the private property to try one more time.

Commission Comments:

Leavitt: Does not want to jeopardize the project.

Vincent: Worth trying to get private sidewalks okayed.

Mayor: Thinks there are still loose ends.

Bancroft: The state was pretty clear that this was final. He doesn't feel the Town should try to satisfy 2 people as opposed to the 400 people that want the sidewalks. He does not want to lose this project because the Town is pushing this issue.

**Commission Comments:** Commissioner Roberts said she submitted a grant for "green space" once the trailer behind Town Hall has been removed.

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

**Motion for going into Closed Session:** Vincent made a motion to close the public meeting in accordance with MCA 2-3-203 (4) to discuss pending litigation. Palmerton seconded the motion. Roll Call Vote: All Commissioners voted yes. Motion approved.

Attorney Greenbaum discussed some pending litigation with the Commission.

**Adjourn:** Bancroft made a motion to adjourn the meeting. Vincent seconded the motion. Roll Call Vote: All Commissioners voted yes. Motion approved.

The meeting was adjourned at 8:30 p.m.

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Larry Pine, Mayor

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Ginger Guinn, Clerk/Treasurer