

**TOWN OF ENNIS  
CONDITIONAL USE PERMIT APPLICATION  
JUNE 13, 2019**

Mayor Leavitt opened to meeting for the Conditional Use Application.

Art Behar described the application request. He stated the Town has not received the \$500 fee (with the Mayor's knowledge) as he sees this as a Town problem with this particular lot.

Mayor Leavitt asked for public comment.

Chris Wilson stated he would rather see the lot with something on it and being cared for.

Carl Kautz stated he is opposed as he feels it will reduce the value of his property across the street. Kautz cited Town Code regarding the allowance of a motor home on a residential lot. He said if the Town does it for one, more will want the same thing. It is not the right thing to let anyone do whatever they want.

Darci Sgrignoli said she has a neighboring property and asked what it takes to build on a floodplain. Art Behar gave a short description of what it takes to build in a flood zone.

Commissioner Roberts went over current zoning code dealing with non-conforming lots and read a letter to Mr. Fouts from the Town's floodplain administrator, Jonathon Weaver. She also referenced other "small" lots in Town that are similar to the one being talked about tonight.

Terri James feels this is a separate situation and she has not seen any other "tiny" lots and asked Commissioner Roberts to identify where they are. (Roberts gave some examples)

There was more discussion on the application.

Palmerton made a motion to approve the Conditional Use application.

Bancroft seconded the motion.

Discussion: Bancroft asked if the person would want to live in this year-round. Answer: Terri James stated yes.

Vincent stated the ordinance is pretty clear on this. Other discussions on this have failed or gone away.

Bancroft said this lot was approved through Conditional Use before for this use.

Terri James asked: What about those now living in RV's in Town. Answer: Those are being worked on.

Terri James stated her mother has looked into other areas to park and also building.

Darci Sgrignoli stated the other RV that was allowed was only there for the summer then removed.

Michael Casey stated that this has previously been approved. How can you take that away?

Carl Kautz stated the Code says no.

Behar stated this is different and with a Conditional Use the Commission has the power to put conditions on it.

Behar gave a further explanation of the history on this lot (some of which came from Toni Bowen) and why the Commission needs to make this decision.

Hardy moved to amend the motion to: Allow living in the RV May thru October. The Conditional Use is for the current owner/occupant Eloise James. (Upon sale or transfer of the property the Conditional Use ends). No subletting will be allowed. Bancroft seconded.

Vincent moved to further amend the motion to include: Any and all other structures need to go through the normal zoning process. Bancroft seconded.

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

The Conditional Use meeting was closed.

### **Commission Meeting**

**Open Meeting:** Mayor Leavitt opened the June 13, 2019 Town Commission meeting.

#### **Pledge to the Flag**

**Minutes:** Palmerton made a motion to approve the minutes of the May 2019 Commission meeting. Bancroft seconded. Roll Call Vote: Vincent, Palmerton, Roberts and Bancroft voted yes. Hardy abstained as he was not at the May meeting. Motion approved.

**Public Comment on Non-Agenda Items:** Michael Casey stated that last night the 4<sup>th</sup> vehicle crashed into private property since winter began. Something needs to be done to give more warning.

Robin Blazer read a number of public comment letters for people not in attendance. She also read a letter regarding when Willie's Distillery and Nearly New property was hit in October of 2014. That wreck caused more than \$40,000 in damages and was not settled for 15 months.

Carl Kautz said he agrees with Robin's assessment. This needs to be dealt with.

Kathy Carpenter/Green/Buckboard Mercantile stated trucks come in way too fast. Someone is going to be injured or killed.

Jerry R: The crosswalk by Willie's is not observed.

Darci Sgrignoli: Has a small car and has problems backing out and speeding trucks are an issue.

There was a comment that there is a problem with speed all the way through Main Street.

Commission Comments: Vincent agrees this is a problem and needs corrections. He believes the Sheriff's Office is the place to start. The Montana Department of Transportation (DOT) seems to respond well to them.

Roberts told the Commission she spoke with County Commissioner Hart today.

There was more discussion on what is going to need to happen such as letters and making phone calls will have an impact.

Robin Blazer said this needs to be discussed seriously and follow up with the entities that are being asked for assistance in this matter. (Some contacts listed were the Sheriff's Office, County Commissioners, Representatives Shaw and Welborn and Jeff Ebert with the DOT.)

Roberts stated that the Public Works Department was very helpful with the Tree Board. There is a meeting on the Comley Park Master Plan at the Library.

**Tree Board Appointment:** Roberts made a motion to appoint Jenna Roose to the Tree Board. Palmerton seconded the motion. Roll Call Vote: All Commissioners voted yes.

**4<sup>th</sup> of July Plans/Ennis Chamber of Commerce:** Halley Perry turned in the proposal for the Parade route. She told the Commission the DOT has approved the proposed route.

**Surplus Buying Resolution #549-2019:** The Commission reviewed the Resolution allowing the Town to purchase surplus property from the State.

Vincent made a motion to approve Resolution # 549-2019. Roberts seconded the motion. Roll Call Vote: All Commissioners voted yes. Motion approved.

**Parking Ordinance Changes:** Parking Ordinance changes submitted by John Moore were reviewed by the Commission.

It was stated we don't know if we own Otis Street or not. If the changes are approved there would be signage at access areas only. Otis was not designed to allow parking on the street.

The changes also prohibit parking on Laura Lane.

There was some discussion about the parking on North First and North Third.

**Department Reports:** Library: Karen Ketchu gave the Commission a written report for review and explained some items in the report including Grants received.

Ambulance: Patti Austin submitted a written report to the Commission for review.

Police Dpt. John Moore submitted a written report to the Commission for review.

Public Works: Kelly Elser reported that the street maintenance schedule was updated, and the department lost 2 employees and has hired one.

Zoning: No report

Clerk: Ginger Guinn submitted a written report to the Commission for review.

**Mayors Report/Comments:** There are "No Swimming" signs being worked on for the pond at Lion's Park. (It was noted this will need to be in an Ordinance).

It was confirmed that there is Liability insurance on Grandma Ennis Park and the Quiet Title action is being worked on.

Work sessions for the proposed Zoning Codes need be set up.

The Mayor stated he will meet with the Sheriff regarding speeding issues.

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

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

The meeting adjourned at 9:40 p.m.

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Blake Leavitt, Mayor

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Ginger Guinn, Clerk/Treasurer