

**PUBLIC HEARING/ZONING BOARD OF ADJUSTMENT
MAY 12, 2016 @ 6:40 P.M.
ENNIS TOWN HALL**

Mayor Pine opened the Public Hearing for the Zoning Board of Adjustment to review an application for a setback variance request, from Kevin & Kaye Suzuki, and take public comments. The Zoning Board of Adjustment will discuss and possibly make a decision on the matter before them.

Kevin and Kaye Suzuki were present and described their plans and why they are seeking the 5 foot variance.

Zoning Administrator, Art Behar, went over the application he received.

A letter from Mr. Beaton, a neighbor that lives across the road from the Suzuki's, was supplied to the ZBA just prior to the meeting. Mr. Beaton opposes the variance.

Brian Vincent asked Mr. Beaton if the gist of his submittal against this variance is that it does not show a "hardship". Mr. Beaton confirmed that to be correct.

A letter of support from John Dochnal was also supplied to the ZBA. Mr. Dochnal stated that historically the setback in their subdivision was 20 feet from the front property line. That it was they, the Dochnals, built their residence by.

Kaye Suzuki said that upon walking the East side of the street and doing a cursory look there is no uniformity in the setbacks of other houses and structures. She stated they feel they are building in the original footprint of their home. Kaye also spoke of the berm that was put in for flood control at the rear of their lot.

John Bancroft asked Mr. Beaton what it would do him if the variance is granted.

Mr. Beaton stated it would make the neighborhood congested. It would not be attractive and his depth of view would be restricted. He said it is irrelevant that other houses are 20 feet or closer. According to the Ordinance finances are not to be considered in a variance request.

Brian Vincent made a motion to table this matter to June 9, 2016. Palmerton seconded the motion. Roll Call Vote: All members voted yes. Motion approved.

The public hearing was closed

**PUBLIC HEARING
1ST READING OF THE REVISED FIREWORKS ORDINANCE & REVISED
PARKING ORDINANCE**

Officer Moore presented the revised fireworks ordinance and told the Commission that Madison County Sheriff's, dispatch and the fire department all approved the proposed changes being made.

There were no public comments on the revised Fireworks Ordinance.

Officer Moore presented the revised Parking Ordinance.

There were no public comments on the revised Parking Ordinance.

The Public Hearing was closed @ 7:08 p.m.

**ENNIS TOWN COMMISSION MEETING
MAY 12, 2016 @ 7:00 P.M.
ENNIS TOW HALL**

Open Meeting: Mayor Pine opened the Ennis Town Commission meeting at 7:09 p.m.

Pledge to the Flag.

Vacant Commission Seat Appointment: Commissioners Leavitt and Bancroft thanked all who interviewed for the open Commission seat. All three candidates had good interviews.

They recommended Lisa Roberts to fill the vacant Commission seat.

Roberts was chosen to fill the vacant seat. She was sworn in and took her seat.

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

Minutes of the February 2016 Meeting: Bancroft made a motion to approve the Minutes from the February meeting. Palmerton seconded the motion. Roll Call Vote: Pine (who was a Commissioner in February), Bancroft and Palmerton voted yes. Leavitt and Roberts abstained as they were not yet Commissioners at that meeting and Vincent because he was not present. Motion approved.

Minutes of the April 2016 Meeting: Bancroft made a motion to approve the minutes of the April 2016 meeting. Leavitt seconded the motion. Roll Call Vote: Bancroft, Leavitt and Palmerton voted yes. Vincent abstained as he was not at the meeting. Motion approved.

Public Comments on Non-Agenda Items: There were no public comments.

Water PER: Dan McCauley, Great West Engineering, told the Commission that a grant for \$15,000 has been secured and it requires a \$5,000 match from the Town. The plan is to have an emergency plan, a chlorination system identified, valving for the system and other things that would aid in an emergency.

Roberts asked where it goes when completed. Are there trainings, etc. McCauley stated it would be up to Public Works to provide training where necessary.

The Commission was supplied with a Task Order that needs to be approved for this project and asked if they have any further questions.

Vincent made a motion to approve the Task Order. Leavitt seconded the motion. Roll Call Vote: All Commissioners voted yes. Motion approved.

Planning Board Disbanding Discussion: Mayor Pine spoke with the Commission about the possibility of the Ennis Planning Board disbanding. He said he has some concerns over this happening at this time as the Subdivision Regulations are being rewritten and believes the Planning Board will play a big role in getting them to completion.

Palmerton stated she likes the idea of hands-on with the Subdivision Regulations but members of the Planning Board are resigning.

It was noted that if the Ennis Planning Board does disband and we join the County Planning Board the Town would have a person on the County Planning Board as a representative for Ennis.

Vincent said maybe we need to change the Ennis Planning Board structure to perhaps three people. He feels we need to keep an Ennis Planning Board. Another thought is that the Board would hold quarterly meetings.

There was more discussion on how to move forward, which included, the possibility of rewriting the Ordinance to change the structure of the Planning Board.

Resolution 525-2016: A Resolution for the sale of surplus property the Town owns. The Commission reviewed the Resolution and after discussion and advice from the Town Attorney the Mobile Home will be taken off. Vincent made a motion to approve Resolution 525-2016 with the amendment to remove the Mobile Home from the list of property to be sold. Bancroft seconded the motion. Roll Call Vote: All Commissioners voted yes. Motion approved.

1st Reading Revised Fireworks Ordinance: Officer Moore introduced the revised Ordinance.

Palmerton suggested some changes to the times that fireworks are allowed to be discharged. #5 shall read: There shall be no discharge of fireworks earlier than twelve p.m. (noon) on July 3rd, and five p.m. on December 31st, *nor later than twelve a.m. (midnight) on July 4th, and twelve-thirty a.m. (12:30 a.m.) on July 5th and January 1st of each year.*

Vincent made a motion to approve the 1st reading of the revised Fireworks Ordinance for the Town of Ennis with the amendments to times in section B, #5. Palmerton seconded the motion. Roll Call Vote: All Commissioners voted yes. Motion approved.

The second reading of the proposed, revised Fireworks Ordinance will be held June 9, 2016.

1st Reading Revised Parking Ordinance: Officer Moore introduced the revised Ordinance.

The Commission discussed the suggested changes to the Parking Ordinance and decided that: Beginning with "Add the following language to Ennis Town Code Title 7 Section 6 subsection H to add the following language:, items 1-11 shall be eliminated.

The remainder of the changes shall remain. A definition for “Camping” is to be added to the definitions.

The second reading of the proposed revised Parking Ordinance will be held June 9, 2016.

School Parking Lot Lease: Brian Vincent attended the School Board meeting to review the lot lease agreement with them. The School Board wants individual agreements with the Town of Ennis and Farm 2 Fork for the use of their parking lot during the summer months. The School Board stated everything else in the agreement is amenable to them.

The Commission discussed this and decided that, when the agreement is amended, with all Farm 2 Fork references removed it should be signed and provided to the school for their approval. This decision was made because time is of the essence and the Town desires to help provide additional parking for RV’s, Campers, etc. at the earliest time possible.

Vincent made a motion to approve the agreement moving forward with the school for RV Parking. Roberts seconded the motion. Roll Call Vote: All Commissioners voted yes. Motion approved.

Department Reports: Library: No report.

Ambulance: John Moore submitted the written report for the Ambulance Service for review.

Police: Officer Moore submitted the written report for the Police Dpt. for review. He spoke with the Commission about and Incident Command course and the “Code Red” system.

Moore was questioned about a pig being kept in Town and what he can do about complaints about it. Moore told the Commission the resident claims the pig as a pet and the way the Town Code is written there is nothing he can do at this time or until he receives a different type of complaint. Commissioner Leavitt agreed to review the Animal Ordinance and bring suggestions back to the Commission.

Public Works: Kelly Elser submitted his written report to the Commission for review. He told the Commission that 10 towns have lost rest area funds. Director Tulley of the DOT has been contacted and will get back to us.

Zoning: No report.

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

Attorney: Greenbaum told the Commission he attended the conference in Billings. He is proceeding with the eviction on the Mobile Home, has been working on the sidewalk

MOU, worked on the school parking lot lease and continues work on the Armitage alley matter.

Commission Comments: Vincent talked to the Commission about what a TEDD/TIFF is and that those type of districts cap tax dollars on property tax dollars.

Bancroft talked about having training with the Local Government Center or Ken Weaver. It was agreed this needs to happen.

Mayor Report: Mayor Pine spoke more on the loss of funds for the Lion's Park Rest Area. He told the Commission a new Librarian has been hired. He spoke of the budget and said he wants set a work session for budget work.

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

Adjourn: The meeting was adjourned at 9:48 p.m.

Larry Pine, Mayor

Ginger Guinn, Clerk/Treasurer