

**TOWN OF ENNIS COMMISSION MEETING  
JANUARY 13, 2022  
7:00 PM  
ENNIS TOWN HALL**

**Mayor opens public hearing and meeting at 7:00 pm.**

**In attendance: Mayor Haas, Commissioners Hankins, Ranson, Palmerton, Hardy, Bancroft**

**Ordinance #145 Public Hearing: An ordinance repealing and replacing the noise ordinance for the Town of Ennis.**

Mayor asks for public comment.

Trevor Lockhart makes general comment clarifying changes from decibel readings to 'raucous noise'.

Brittney Hirsch comments in favor of using language that does not interfere with music that local businesses host throughout the year. Reads from proposed ordinance and states that the current proposed language could find those instances unlawful and defers to Attorney Greenbaum to address needed changes.

Holly Morrison comments on definition of language within the proposed ordinance. Clarification Hirsch asks John Moore's opinion. Moore states he has browsed the proposal but not thoroughly read it.

Bancroft comments that there have not been any complaints so wonders why the Town is worrying about this ordinance.

Moore clarifies that there have not been any formal, written complaints since 2013.

Hirsch comments that the issue with the current ordinance is that it is unenforceable – should there ever be a complaint, there is no possibility to enforce what is currently in place which requires a specific decibel meter and knowledge of property lines.

Moore comments that there is always the Montana State Statute on Public Nuisance that can be enforced if needed.

Hirsch reads from the proposed ordinance again and questions section 6a and 6d which states that sound amplifying equipment, loudspeakers, amplifiers and public address systems would be unlawful. States that as written, football games, homecoming parade and other town events could be found unlawful. Comments that she does not believe that this is the intent of the Town and the language should be amended.

Moore confirms.

Greenbaum states the object of the proposed ordinance is to give the Town some reasonable opportunity to enforce loud, raucous obnoxious, nuisance noises which are unenforceable under current town code. States that the language reads authorization for such noise can be granted by town.

Dino Fanelli requests clarification on the purpose of the Town needing an ordinance if there is one already written in Montana Law.

Greenbaum comments on the purpose of local ordinances that make it easier for local law enforcement to address. Confirms that the current Town Noise Ordinance is completely unenforceable – requiring special equipment and property line confirmation. States this noise ordinance is modeled after the City of Bozeman and suggests giving it consideration.

Bancroft comments against comparing Ennis to Bozeman in any way and does not want to address the noise ordinance.

Mayor closes public comment.

**Ordinance #146 Public Hearing: An ordinance repealing and replacing the setback(s) minimums and maximums chart in the Zoning Codes.**

Mayor opens public comment.

Trevor notes changes.

No other public comment.

Mayor closes public hearing.

**Pledge to the Flag**

**Minutes of the December 2021 Meeting** Bancroft moves to approve. Ranson seconds.

Mayor calls to vote. Hankins abstains. Ranson aye. Palmerton aye. Hardy abstains. Bancroft aye.

Lisa Roberts from online audience (outgoing commission member) asks for amendment to language regarding development fees during the Master Plan discussion. Also asks for amendment to her comments on marijuana license – for the Town to *consider* additional licenses.

**Public Comment on Non-Agenda matters**

Trevor Lockhart comments on East Main St entrance into Ennis. In favor of better/more signage and lighting coming into Ennis. Comments stemming from a tractor trailer crash previous week. States there is very little lighting, reflectors or awareness coming into town.

Holly Morrison comments in favor of more lighting and signage coming into Town. States that coming into Town where double yellow lines start there is no indication of a town ahead. Also comments on enjoying the Ennis Christmas stroll.

Maria Lake comments in favor of amending the agenda format to add ‘old business’ so that ideas and proposals/projects do not get dropped.

Lockhart comments on marijuana tax for the town. Wonders where that sits. Wants to move forward with tax option.

Dino Fanelli comments in favor of moving forward quickly with development fees as a source of much needed income for the Town – ties it in with taking care of old business and requests the Town to take action.

**Resolution 566-2022: A resolution of the Ennis Town Commission stating the intent to place on the May 2022 mail ballot an initiative requesting a mill levy for law enforcement services and staffing.**

Mayor reads resolution.

Hirsch states that resolution should read taxable value rather than market value.

Discussion on verbiage and amendment to change the market value to assessed value.

Mayor opens for public comment.

Trevor Lockhart asks if \$50,000 is enough to request. Moore clarifies yes because there are already funds in the budget for a half time officer.

Lisa Roberts suggests it may be appropriate to amend the verbiage about mil leavy funds to be used for general law enforcement outside of Ennis Police Department in the case the Town contracts with Madison County Sheriff's Department.

Chief Moore states that the budget already includes funds for contract services with the Sheriff's Department and the verbiage for this mill leavy is specifically written so that it covers the second officer and funds stay within Ennis Police Department.

Mayor closes public comment.

Ranson moves to approve resolution 566-2022. Bancroft seconds.

Palmerton makes motion to amend the word market to the word assessed (value).

Ranson seconds.

Vote on amendment. All vote yes.

Moore comments that this is his way of making sure funding is secured.

Ranson asks for clarification on insurance in budget.

Mayor calls to vote on resolution. All vote yes.

### **Discussion on Ordinance 145: Repealing and Replacing the Noise Ordinance for the Town of Ennis**

Discussion on the origination of decision to update the ordinance. Chief Moore confirms that there has not been a formal noise complaint since 2013.

Hardy comments in favor of updating the ordinance so that it can be enforced should it need to be.

Palmerton makes comment on editing language due to a typo.

Discussion on verbiage throughout draft.

Palmerton comments against the ordinance proposal; states she believes it will create more problems.

Discussion on verbiage, outdoor events, music within Main Street businesses, time frames.

## **Discussion on Ordinance 146: Repealing and Replacing the setback(s) chart in the Town of Ennis Zoning Codes**

Discussion to clarify changes. No further discussion.

## **Council Chair Nomination Discussion**

Mayor comments on reason for Council Chair nomination.

Mayor requests nomination vote on February meeting.

## **Appointment of Commission member to the Library Board**

Mayor appoints Nikki Hankins to Library Board.

## **Department Reports: Library, Law Enforcement, Public Works, Zoning, Clerk**

**Library:** Karen reviews written report.

Hardy asks about the entrepreneurial support program. Karen says that the program is in the works and it will be an informational program to help with the first steps of starting a business.

**Law Enforcement:** written report. Mayor asks about a report on Matt Fisher in the Academy. Moore states that he will get an official bi-weekly report.

**Public Works:** written report. Suggest that Town needs to update Emergency Response Plan for flooding in particular. Mayor mentions that Collette with Great West will address some of those updates in upcoming work session.

Hardy asks about sump pump usage. Olson states that sump pumps are dumping fresh water into lagoon which can impact the lagoon biology and water testing. Mentions that he will be looking into the ordinance to manage the problem. Olson requests a comment on the water bills.

**Zoning:** written report.

Ranson asks about street bond refunds.

Sprout comments on working on the application with Olson.

Discussion about street bond ordinance.

**Clerk:**

Written report.

Hirsch comments on increase in electronic billing and ACH. Looking into online portal system that work with Black Mountain Software for customer payments, bill access.

### Commission Comments

Hardy asks about CT presentation to Madison County Planning Board in Feb 2022. Mentions training class with Dan Clark. Comments in favor of the adult education spring session classes at high school. Comments in favor of a leaderboard on the front of Town Hall. Comments on the tractor trailer accident on south end of town. Mentions a petition that may go around soon to get more power behind this movement for the lighting and signage on the south end of town.

Hankins comments on her meeting at Willie's Distillery.

Ranson comments in favor of adding more lights within the city limits.

Bancroft comments in favor of a sign for '25 MPH ahead'.

Mayor comments on the change in the bridge possibly correlating with more accidents.

Hankins asks about putting marijuana tax on May ballot.

Mayor to write letter to DOT requesting meeting about south end of town.

Moore mentions Uniform Traffic Code and working with DOT.

### Mayor Comments

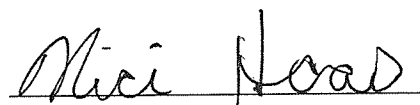
Comments on speaking with Fire Chief of MVRF with concerns on the fire hydrants that have not been maintained well. Working with Public Works to start maintenance records. Meeting with Great West Engineering for a work session on 24<sup>th</sup>. Comments on the visit from Bobbie with Rural Water and the ongoing discussion regarding water rates. Comments on her spending time at Town Hall and the many distractions. Comments on Lions Park closure due to flooding. Comments on updating policy manuals and getting Olson's formal offer completed. Comments on State of Montana creating apprentice program for Public Works. Will be in Choteau, MT in March for Mayor's Forum.

**Claims:** Palmerton makes a motion to approve. Hardy seconds. All vote yes.

**Adjourn** Bancroft adjourns at 9 pm. Palmerton seconds. All vote yes.

\*Live recording of all Town of Ennis Public Meetings is available for viewing on YouTube at the following link or by searching "Town of Ennis Montana Public Meetings"

<https://www.youtube.com/channel/UCFA-L4OnVfTQqOD2QEOsWVA>



Nici Haas, Mayor



Brittney Hirsch, Deputy Clerk