

**TOWN OF ENNIS COMMISSION MEETING
MAY 12, 2022
6:15 PM
ENNIS TOWN HALL**

Open Meeting – Mayor opened meeting at 6:15 pm

Roll Call of the Council – Hankins, Palmerton, Ranson, Hardy (Allison absent)

Pledge of Allegiance

Approval of Minutes of April 14th Meeting

Hardy moves to approve. Ranson seconds. All present vote yes.

Approval of Minutes of April 28th Meeting

Palmerton moves to approve. Hankins seconds. Palmerton makes note of grammatical errors. All present vote to approve with edits.

Public Comment on Non-Agenda Items – No public comment

Commission Vote to use Commission Project Funds of \$600 towards Lions Park Repairs

Ranson moves to approve. Palmerton seconds. No public comment. All present vote yes.

Potluck for Bancroft – Mayor to check dates with Bancroft, possible plan to use Fire Station

Discussion on Planning Board Formation

Commission discussion on possible interested parties and plans to individually reach out to folks.

Discussion on anti-camping regulation as it pertains to Martin v Boise

Mayor recalls last meeting discussion and reiterates her desire to be ahead of foreseeable issues with homelessness or camping in the future – these issues are already negatively impacting other communities across the state.

Public comment – Ketchu asks for clarification on camping definition. Cardoso asks Commission to discuss locations.

Commission comment – Ranson comments on her call with local church, counts them out for possible location. Ranson states she is in favor of using park north of Town Hall for ease of surveillance. Mayor states she will work on draft ordinance, suggests permits (no charge) to keep track of campers. Mayor makes comments on parking issues within North 40.

Vote on adoption of Master Plan created for the Town of Ennis by Cushing Terrell

Mayor asks Guinn to clarify details of vote. Guinn states the Commission can vote on and make amendments. States she has requested an extension but the vote is primarily to close out the grant funding to complete payment to Cushing Terrell (CT).

Ranson moves to approve. Palmerton seconds.

Public comment – Treglia asks about conflict of Mater Plan (MP) with Town Code.

Ketchu states concerns on ability to amend MP with regard to written suggestions she submitted to CT that were not present in the final draft she viewed. Her suggestions asked that the Library services be included in MP in order to support future grant funding opportunities.

Guinn states that \$10,000 has been paid from the Town and an additional \$5,000 was paid by the County. The remaining portion for grant funding is \$40,000.

Discussion among Commission on their concerns with the MP and their lack of comfortability to approve the document at this time.

Ranson moves to table vote until May 19th meeting. Palmerton seconds. No public comment. All present vote yes.

Creation of Legislative Session annually in which list of legislative topics to be addressed in set time frame are outlined with the goal of making public process more defined and increase public participation

Public comment – Treglia comments in favor. Ketchu is in favor of idea but suggests no strict timeline as it could hinder progress. Attorney Greenbaum offers insight on how to involve public by offering them a time to propose legislation.

Commission comment – Ranson is in favor of idea but says it seems unrealistic at this time with all that is on their plates. Hankins agrees. Suggestions on timeline to adopt this idea in the coming year.

Resolution on 571-2022 – item added to agenda by mistake – was handled at last meeting.

Resolution 574-2022 Intent to Adopt Madison County Ordinance on Marijuana

Hardy moves to approve. Ranson seconds.

No public comment.

Commission discussion on adoption. Clarification that this ordinance would replace what is currently Title 10 Chapter 15 (Medical Marijuana). Mayor calls to vote. All present vote yes.

Resolution 572-2022 Resolution of Intent to Adopt Bulk Water Fees

Ranson moves to approve. Hardy seconds.

Hirsch comments on background – bulk water has been sold as far back as anyone can remember but the process has room for improvement. Bulk water is sold by hooking up to fire hydrant, gallons are estimated and the honor system has been the guide. This week alone, Public Works Director caught two trucks hooked up to hydrant with no previous communication or permission given from the Town. Numerous other municipalities sell their bulk water at a much higher rate than the residents pay that are hooked up to the Town System. Average price of \$15/1000 gallons and \$50 hookup fee was calculated based on input from clerks at other municipalities. Hirsch comments that Title 10 will need amended to include the definition and sale of bulk water. Olson comments that he has a line on ordering locks for hydrants and the hydrants used for bulk water will be metered with a lock. The purchase of bulk water will be tracked within the same utility billing system that bills residents.

Public comment – Tashena comments that hook up fee should be higher than a resident gets charged for turning water on or off. Hirsch confirms that \$50 is higher than the requested turn on/off fee of \$15. Treglia comments in favor of bulk water sale and higher rates. Attorney Greenbaum commends Hirsch on the work being done legislatively and discusses the extensive process that goes into changing anything. Greenbaum suggests coupling rate changes in water/sewer all at once to best serve timeliness.

Mayor calls to vote. All present vote yes.

Resolution 573-2022 Intent to Create a Pretreatment Ordinance for the Uniform Requirements of Pretreated Waste Entering the Town of Ennis Treatment System by Industrial Users

Public comment – Treglia asks for clarification on how an industrial user would pretreat their waste and how is it monitored. Jack Beals asks if there is a definition for industrial user.

Olson explains that monitoring would be done by Public Works entering the business and viewing the treatment system – each user will have a different way to treat.

Commission comment – Ranson comments that she spoke with Glendive and they did not have to grandfather anyone because their ordinance was in place before their first industrial user. States that she spoke with a brewery in Bozeman about their pretreat process. Hankins comments on need to communicate with business owners; would like to be a part of the conversations with Olson. Palmerton states she would also like to be part of the communication. Olson states that he has visited the businesses and has had nothing but understanding feedback. Hankins and Palmerton have concerns on the cost to the business owners. Olson and Mayor confirm need to enforce pretreat for the purpose of protecting the system as an entirety for all of the residents.

Mayor calls to vote. All present vote yes.

Department Reports

Library – written report. Ketchu requests agenda item in June to appoint new Library Board Member. Palmerton comments against Library request for reserved parking to the north of the Library; brings up disputes from 10 years ago and states that the back parking is public parking. Ketchu restates that the parking request is open to other ideas and she is trying to accommodate elderly and ADA accessibility as much as possible.

Law Enforcement – written report.

Public Works – written report. Olson comments on his priority to repair streets in Town. Palmerton asks about he cement barriers that were moved in front of Lone Elk Mall. Olson confirms that it was a request from DOT for the Town to move them. Hankins asks if there is a decision on paving streets this coming year. Olson states he plans on paving one road at minimum.

Zoning – written report. Ranson comments with concerns on builders not finishing projects to meet code. Sprout confirms her plan to attend the Zoning Board meeting May 17th and the Town Commission Meeting for CUPs on May 19th.

Clerks – Hirsch gives briefing on the new live customer portal for utility customers, continuous work on legislation in progress for utility fees, bulk water, marijuana and business licensing. States the need to move forward with utility fees and bulk water resolution.

Guinn – written report. Guinn states ARPA reporting has been completed. Hardy requests an annual meeting with Commission after audit to review findings and would like a monthly expenditure report to accompany claims for the purpose of solid decision making when approving claims.

Legal – Restates continuous work on legislative items.

Commission Reports

Hardy comments again on recent training. Comments on recent Tree Board meeting and resignation of Keri Kesinger and new appointment of Katherine Ripperger. Ranson comments in favor of training and is thankful for the opportunity to attend. Ranson asks to move forward on increasing water rates for the purpose of funding. Voices frustration that this subject has been discuss for the entirety of her time on the Commission and no action has been taken. Hankins comments in favor of training in Bozeman, thankful to attend. Palmerton comments on using CIP funds for equipment needs.

Mayor Report

Third well site is in progress. Drilling company has been contracted to begin testing. Mayor has been working on pretreatment. Comments on damage to dike and process to repair – including masses of paperwork. Cost of repair is Town responsibility.

Unscheduled Matters: Any item(s) not listed for the current meeting with the purpose of such discussion shall be to decide if to schedule the item(s) for discussion /vote on a subsequent agenda.

Library, marijuana ordinance, tour lagoon June 9, 2022 at 2:00 pm. Possible work session on water rates to follow.

Claims – Ranson moves to approve. Palmerton seconds. All present vote yes.

Adjourn – Hardy moves to adjourn. Hankins seconds.

*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-L4QnVftQqOD2QEOsWVA>

Nici Haas, Mayor

Brittney Hirsch, Deputy Clerk