

**TOWN OF ENNIS COMMISSION MEETING  
AUGUST 11, 2022  
6:15 PM  
ENNIS TOWN HALL**

**2<sup>nd</sup> Reading: Zone Text Change submitted by Johnson/Moen to: Add to Section 11-2-2 of the Ennis Town Code to include “Automobile Washing Facility”, as defined, as a conditional use for the C-CR zoning district, Section 11-3C-2. Discussion and vote on 1<sup>st</sup> and 2<sup>nd</sup> readings.**

Sprout gives briefing on location and states the ZBA strongly suggests the Commission approve the text change.

Johnson briefs on the need – specifically speaks about language regarding car wash.

Emailed public comment:

*Dear Commissioners, July 26, 2022*

*We are writing to express our concern regarding the Moen-Johnson Carwash Conditional Use Permit application. We own two properties right behind the subject property on Block 7, North 40 Subdivision, and plan to develop our property which is zoned for commercial/residential according to the Town’s existing zoning rules and regulations, which were adopted to ensure compatibility amongst the land uses originally envisioned for this area and to preserve the unique character of Ennis. The proposed zoning text amendment to allow car washes as a conditionally permitted use in this area, along the Town’s primary access and visual resource corridor, will create land use conflicts with the various commercial, visitor serving and residential uses currently allowed in North 40, will be visually incompatible with development envisioned for the area, and directly conflicts with the purpose of the zone “To maintain and strengthen the downtown “core” area and facilitate the continuance of it’s western, small town character”. While we appreciate and respect all landowner rights to develop, use and enjoy their land, we believe that a landowner should respect the rules and regulation adopted to ensure the basic precepts of good land use planning and neighborhood development are upheld which, unfortunately, this proposed zoning text amendment does not do.*

*Please consider rejecting the proposed zoning text amendment. Approval of the amendment will compromise the ability to develop this area of North 40 consistent with the vision and purpose as established by existing law, and thereby severely compromise investment and value of other properties in this area.*

*Thank you for considering our comments and concerns.*

*Albert and Christina Verbanac*

*P.O. Box 362*

*McAllister, MT. 59740*

No further public comment.

Ranson moves to approve Zone Text Change. Hardy seconds. No Commission discussion.

Mayor calls to vote on 1<sup>st</sup> reading. All vote yes. Mayor calls to vote on 2<sup>nd</sup> reading. All vote

yes. Commission findings of fact include: Statement from client attorney, recommendation and approval from ZBA and Sprout’s staff report. Text amendment adopted.

**Johnson/Moen Conditional Use Permit application to construct an Automobile Washing Facility on Lot 8, Block 7, North Forty Subdivision. Discussion and Vote.**

Sprout reads summary of staff report.

Eric Olson, Public Works Director, brings up concerns with capacity report from Great West Engineering that states Town currently does not have capacity to meet certain DEQ permit standards – specifically in regards to the capacity/water production from current wells. He would like the Town to wait for updated capacity report in the coming months – believes it to be on schedule for September 2022.

Johnson wishes to make a few points of clarification regarding the CCR zoning district parking requirements. Addresses the capacity comment from Olson and provides estimated gallon per minute usage for the carwash. Johnson comments that the subdivision (North 40) was approved for capacity. States that the facility plans to use a holding tank for recycling some water – 300 gallon holding tank. Clarifies there would be a gradual release into the sewage system.

Commissioner Ranson states she would like a condition added that there is an environmental impact statement provided prior to permit approval and report from engineers and approval from Public Works stating that there is enough water capacity and volume for the Town to approve this project.

Hardy asks what the client's next steps are. Johnson says they would go into design phase after permits are secured.

Olson reiterates his concerns about water capacity. Ranson moves to approve with added condition that client engineers talk with GWE (Great West Engineering) to solidify that there is adequate water supply before permits are approved. Hankins seconds.

Attorney Greenbaum suggests that another condition be added that states DEQ standards are met.

Johnson confirms that their proposal already states they will meet DEQ standards.

No public comment.

Hardy comments on conversation with West Yellowstone Public Works that they have similar number of hook ups and WY has 4 wells while their reserve well pumps 540 gpm. Asks if Town is tapping into well by Rodeo Grounds – mayor states no. Discussion on O'keefe well testing and hydrological study.

Mayor calls to vote. Palmerton votes no; states there are too many unanswered questions and unknowns including a traffic study on the corridor as well as water capacity. Client requests to know what Palmerton's questions are and states that Vujovich did a traffic study. Commission comments that the traffic study was not known and has not been seen with this permit. All other vote yes.

**1<sup>st</sup> Reading: Zone Text Amendment submitted by Adams Ale LLC, Riverside Annexation. The proposal requests that "Recreational Vehicle Park" be added to 11-3C-1 of the Ennis Town Code. The property where the text amendment would be used, in this application, is described as: Parcel A of Certificate of Survey 7/1009 and lots 1 and 2, Block 1 of the Chowning Addition to the Town of Ennis located in the Southeast Quarter of Section 33, Township 5 South, Range 1 East. Discussion and vote on the 1<sup>st</sup> reading.**

Forest Mandeville briefs on his staff report.

Hankins asks about restrictions for length of time living in RV. Statement that there is no restriction on length of time specified in Town Code.

Client gives briefing. States there is a subdivision application that has been put in at the County. Discusses conditions on subdivision plans and states that Town Code is missing the specs for RV. Client states that Local-Commercial Residential zoning district is a reasonable area for RV site.

Hardy asks about plans for 70 acres, why is there no plan for agricultural areas. Client states the plans are to in-fill - to grow the town of Ennis with various size residential lots, park land and open spaces included – to expand the urban area of the Town.

#### Public Comment

Lisa Roberts comments that the text fee of \$500 is too low. LCR is multiple areas of town and she is opposed to text amendment. Believes that Ennis should strive for year-round development rather than more of an influx of short-term living in the area. Comments on the struggles for businesses that currently cannot staff enough to keep up with the demand. States RV parks is not adequate for affordable housing. Comments applicant has other projects within the Town of Ennis that have been left with unfulfilled promises. The empty storefronts and apartments are an unfulfilled promise from this same developer. Respectfully requests the Commission not approve the text amendment change. RV park does not fit within the intents and purpose of LCR district as defined.

Emailed public comment.

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*Dear Commissioners,*

*I am writing to you today to express my opinion on the RV park proposal behind the Riverside. While I am busy running my business I can not attend the meeting so I figured this was the best way. I strongly oppose this project moving forward. Being a business owner I usually support any measure to make the pie of Ennis bigger. I always figured with a bigger pie everyones slice gets bigger. But, on this occasion I can not support this for several reasons.*

*First, with no environmental impact report how do we know the outcome of things like sewage, water, runoff so close to the river. Your river is our town lifeblood and any developments of this size need an environmental impact report.*

*Second, where is the water coming from to service this development? Our town has done a good job with water but we all know the limits of our system. I applaud you in the upkeep going on currently but I feel we have reached the limits of our water system capacity. Until this problem is solved I do not see how we can move forward with any development. Lets not put the cart before the horse.*

*Third, while I love tourists in my business the RV crowd typically does not spend on Main Street. They have the ability for meals, and are mostly self contained not needing the services of our town beyond hook ups.*

*Lastly, parking and traffic flow on our tiny street is already a huge problem. The future with large RV's making left turns on Main Street will congest an already choke point.*

*While I commend the idea to bring more "beds" to town this is not the answer. I ask for a no vote.*

*If you have any questions please let me know and Thank you for your service to our great town. I appreciate all you do.*

*Good Fishing and God Bless,*

*John Way*

*The Tackle Shop*

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*Commissioners,*

*Because I cannot attend tonight's meeting, I am compelled to write to you today.*

*I want to express my opposition to the proposed RV park that is being considered by the town commission tonight. I will keep this short and sweet. Without an environmental impact study any proposed development in town or along the river is ill conceived and*

*foolish at best. The impact of so many things must be considered, not limited to: traffic, ingress and egress from the proposed site, the health of the river (our most valuable asset), water and sewer infrastructure, waste and garbage collection and SO MUCH more.*

*Our town needs infrastructure improvements not tourists that are self-contained and do NOT contribute to the economic well-being of our town. RVers historically do NOT eat in restaurants or shop local stores. Now is the time to encourage retail establishments to fill vacant store fronts, add to the needs of the local residents and not pander to a wealthy developer that seeks to line his own pockets without ANY benefit to the residents.*

*I implore you to please vote NO on this proposed project.*

*Brandt Williams*

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*Please vote no. I agree with Brandt Williams comments.*

*Greg Tsairis*

Hardy would like the discussion around subdivisions to revolve around community. Discussion on the intent behind Town code in regards to RV parks. Hardy spoke with Bozeman; they no longer allow RV parks within Town limits due to the 'land consumption' that comes with RV parks. Mayor poses question if seasonal land use is what the Town wants more of. Hankins states she does not believe RV parks contribute much to community.

Palmerton motions to approve. Hardy seconds. All vote no. Findings of fact; public comment, letters, staff report.

### **Open meeting**

**Roll Call of the Council** – Allison, Hankins, Palmerton, Ranson, Hardy

**Pledge of Allegiance**

### **Approval of Minutes of July 14, 2022 Meeting**

Palmerton moves to approve. Hardy seconds. Calls to vote. Palmerton abstains. All others vote yes.

### **Approval of Minutes of July 28, 2022 Meeting**

Allison moves to approve. Hankins seconds. Palmerton and Hardy abstain. All others vote yes.

### **Public Comment on Non-Agenda Items**

Lisa Roberts gives thanks for Town for continuing to use video and requests looking into another platform for better sharing of documents on the screen. Comments on the need to take a look at zoning fees that need increased as soon as possible and requests Commission to look at zoning code changes. Mentions previously proposed TOE subdivision regulations. Requests access to Master Plan on the Town website as well as access to meeting packets online prior to meeting.

### **Unfinished Business**

#### **Pretreat Ordinance**

Pretreat to be put back on for public hearings. Organize Great West to attend. First reading to be put on regularly scheduled October meeting.

### **North 40 Parking Changes**

No parking Otis ordinance was never assigned an ordinance number. To be on the October

meeting.

### **Budget**

Taxable value was received Monday. Mayor requests work session Aug 25 at 615 pm.

### **Public Record Request Fees**

Mayor suggests Public Record Request be in ordinance with fees set by resolution. To be on Oct meeting agenda.

### **Department Reports**

**Library** Written report.

**Law Enforcement** Written report.

**Public Works** Written report. Discussion on water usage and leaks. Discussion on paving roads. Stopped selling bulk water until Town has adequate water supply for residents. Discussion on finding new well.

**Zoning** Written report. Discussion on annexation of hospital property and water rights to be turned over to Town before approval. Ranson asks for update on ZBA meeting re: Pippin and Heckler. ZBA extended meeting to another date for need to research details of zoning.

**Deputy Clerk** Mentions plans on training Maria, temporary staff, on some utility clerk and office tasks in the coming weeks. Process guides in the works.

**Clerk/Treasurer** Written report. Ranson asks if cash reconciliation is done for past fiscal year. Guinn states she is close. Ranson asks about claims for water damage. Guinn states some claims have closed; others are still pending. \$750 deductible for each claim. Ranson comments on possible Temp Use application coming in for family in need while basement repairs.

**Commission Reports** Allison requests to work with Ranson on zoning fees for Oct meeting.

**Mayor Report** Town planning board update – County Commissioner Heckler would like written request from Mayor to County Commissioners to designate member for Town Planning Board. Mayor plans to write letter to commissioners. One letter of interest submitted. Mayor would like others to find interested parties so that there are options to find best fit. Discussion on Master Plan Revision in October. Anti-Camping ordinance in the works; meeting with Town Attorney.

### **Claims**

Hankins makes motion to approve claims. Palmerton seconds. All vote yes.

### **Adjourned at 9:15 pm**

Allison moves to adjourn. Ranson 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-L4QnVfTQqOD2QEOsWVA>

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Nici Haas, Mayor

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Brittney Hirsch, Deputy Clerk