

Livingston City Commission Minutes
October 4, 2011
6:30 p.m.

- 1) Roll Call:
 - a. Steve Caldwell, James Bennett, Rick VanAken, and Bill Spannring were present.
 - b. Juliann Jones was absent.

- 2) Consent Items (00:00:48):
 - i. Bennett moved to approve the Consent Items. VanAken seconded.
 - ii. All in favor, the motion passed 4-0.

- 3) Scheduled Public Comment:
 - a. Hilary Wheeler-Smith and Alex Scaff made presented their proposed improvements to "G" Street Park. (00:01:14)
 - i. The Commission recommended that Ms. Wheeler-Smith and Mr. Scaff work with the administration to develop an action item concerning their proposal.

- 4) Public Hearings:
 - a. Resolution No. 2034 – AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE NO. 2033 ADOPTING THE FLOODPLAIN REGULATIONS FOR THE CITY OF LIVINGSTON AS MODIFIED BY THE STATE OF MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION. (00:13:50)
 - i. There was no public comment on the Resolution.
 - ii. Bennett moved to approve the Resolution. VanAken seconded.
 1. All in favor, the motion passed 4-0.
 - b. Resolution No. 4236 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, RAISING THE SEWER RATE IN THE AMOUNT OF 2%. (00:15:55)
 - i. Linda Mahr made comments.
 - ii. Bennett moved to approve Resolution No. 4236. VanAken seconded.
 1. Caldwell and VanAken voted in favor of the motion; Spannring and Bennett opposed.
 - a. The motion failed 2-2.
 - c. Resolution No. 4237 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, RAISING THE WATER RATE IN THE AMOUNT OF 2%. (00:25:50)
 - i. William Mahr made comments.
 - ii. Laura Bray made comments.
 - iii. Bennett moved to approve the Resolution. VanAken seconded.
 1. Caldwell and VanAken voted in favor of the motion; Spannring and Bennett opposed.
 - a. The motion failed 2-2.

- 5) Resolutions:
 - a. Resolution No. 4229 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN COLLECTIVE BARGAINING AGREEMENT WITH AFSCME LOCAL 2711A FOR PERIOD JULY 1, 2011 THROUGH JUNE 30, 2014. (00:42:53)
 - i. Bennett moved to approve the Resolution. VanAken seconded.

- ii. Caldwell and VanAken voted in favor of the motion; Spannring and Bennett opposed.
 - 1. The motion failed 2-2.
 - b. Resolution No. 4238 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO AMEND THE BUDGET FOR FISCAL YEAR 2010-2011, BY MAKING REVENUE ADJUSTMENTS IN THE AMOUNT OF \$127,000.00 AND APPROPRIATION ADJUSTMENTS IN THE AMOUNT OF \$135,655.00 AND CALLING FOR A PUBLIC HEARING. (00:58:55)
 - i. Bennett moved to approve the Resolution. VanAken seconded.
 - 1. All in favor, the motion passed 4-0.
 - c. Resolution No. 4239 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ADOPTING THE HAZARD MITIGATION PLAN DATED SEPTEMBER, 2011. (01:06:18)
 - i. Joe Parriott commented on the Resolution. (01:12:12)
 - ii. Bennett moved to approve the Resolution. VanAken seconded.
 - 1. All in favor, the motion passed 4-0.
 - d. Resolution No. 4240 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING THE CITY OF LIVINGSTON SPECIAL EVENTS POLICY TO REQUIRE ALCOHOL SERVER TRAINING FOR ALL EVENTS PROVIDING ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY AND DIRECTING THE CITY MANAGER TO CARRY OUT THE SPECIAL EVENT POLICY AS AN ADMINISTRATIVE PROCEDURE. (01:14:32)
 - i. Bennett moved to approve the Resolution. VanAken seconded.
 - 1. All in favor, the motion passed 4-0.
- 6) Action Items:
- a. Discuss/approve/deny appointment to the Historic Preservation Commission. (One vacancy left on this board). (01:20:40)
 - i. Bennett moved to approve the application for Mr. Luther. VanAken seconded.
 - 1. All in favor, the motion passed 4-0.
 - b. Discuss/approve/deny annual operating agreement with Livingston Ice Skating Association. (01:22:57)
 - i. Matthew Higgins from the Livingston Ice Skating Association board commented on the operating agreement.
 - ii. Bennett moved to approve the agreement with the Livingston Ice Skating Association. Spannring seconded.
 - 1. Bennett moved to amend the motion to approve ice skating and exclude hockey. Spannring seconded. (01:31:49)
 - a. David Milak made comments. (01:54:20)
 - b. Dana Christian made comments. (00:00:00, Part 2)
 - c. All in favor, the motion to amend passed 4-0.
 - 2. All in favor, the motion to approve the agreement with Livingston Ice Skating as amended passed 4-0.
 - c. Discuss/approve/deny Livingston Urban Renewal Agency Grant application from Vision Livingston Downtown Partnership Design Committee in the amount of \$3,115.00. (00:09:25)
 - i. Bennett moved to approve the grant application. VanAken seconded.
 - 1. All in favor, the motion passed.

- 7) Public Comment:
 - a. John Orndorff made comments. (00:28:30)
- 8) Adjournment:
 - a. VanAken moved to adjourn. Spanning seconded.
 - i. Caldwell, VanAken, and Spanning voted in favor of the motion.
 - 1. All in favor, the motion passed 3-0.

ATTEST:

APPROVE:

David Fine
Recording Secretary

Steve Caldwell
Commission Chairman