

**Minutes of Livingston City Commission
February 1, 2011
6:30 p.m.**

A) Call to Order:

- a. Chairman Caldwell called the meeting to order at 6:30 p.m.
- b. Commissioners present were Steve Caldwell, Bill Spanning, Juliann Jones, Rick VanAken, and James Bennett.

B) Consent Items (00:00:40):

- a. Bennett moved to approve Consent Items A and B. Spanning seconded.
 - i. All in favor, motion to approve Consent Items A and B passed.
- b. Spanning moved to approve Consent Item C. VanAken seconded.
 - i. All in favor, motion to approve Consent Item C passed.

C) Scheduled Public Comment (00:06:49):

- a. Ted Madden with the Park County Community Foundation made a presentation and answered questions from the Commission.

D) Resolutions:

- a. **Resolution No. 4176 (00:22:40) - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO CREATE A BUSINESS IMPROVEMENT DISTRICT FOR THE PURPOSE OF PROMOTING THE HEALTH, SAFETY, PROSPERITY, SECURITY AND GENERAL WELFARE OF THE INHABITANTS OF THE DISTRICT AND THE PUBLIC AND WHICH WILL BE OF SPECIAL BENEFIT TO THE PROPERTY WITHIN THE BOUNDARIES OF THE DISTRICT, AND GIVING NOTICE OF 15 DAY PROTEST PERIOD.**
 - i. Jones moved to approve Resolution No. 4176, Bennett seconded.
 - ii. All in favor, motion to approve Resolution No. 4176 passed.
- b. **Resolution No. 4179 (00:29:30)- 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 INCREASING REVENUES IN THE AMOUNT OF \$962,052 AND BY INCREASING APPROPRIATIONS IN THE AMOUNT OF \$1,130,752,00 AND CALLING FOR A PUBLIC HEARING.**
 - i. VanAken moved to approve Resolution No. 4179, Jones seconded.
 - ii. All in favor, motion to approve Resolution No. 4179 passed.
- c. **Resolution No. 4180 (00:39:27)- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN CONTRACT WITH NUMEROUS BANDS FOR SUMMERFEST ALONG THE YELLOWSTONE, 2011.**
 - i. Jones moved to approve Resolution No. 4180, Bennett seconded.
 - ii. All in favor, motion to approve Resolution No. 4180 passed.

E) Action Items:

- a. **Discuss/approve/deny next steps regarding charter and self-governing powers (00:43:24).**
 - i. Spanning moved to direct staff to draft a self-governing charter for the City of Livingston. Jones seconded.

- ii. All in favor, motion to direct staff to draft a self-governing charter passed.
- b. **Discuss/approve/deny for board vacancies advertised. (None for the Board of Appeals, 1 [one] for the Board of Adjustments, none for the Historic Preservation Commission, 2 [two] for the Urban Renewal Agency, and 5 [five] for the City Planning Board). (00:58:52)**
 - i. Jones moved to appoint all applicants for all positions except for the Planning Board, whose applicants the City Commission will interview. VanAken seconded.
 - ii. All in favor, motion to appoint and interview passed.
 - iii. Interviews for Planning Board were set for February 15th, 2011, at 6:00 p.m.

F) City Manager Comments (01:02:33):

- a. VanAken and Spannring made comments.

G) City Commission Comments (01:05:40):

- a. Jones, Bennett, and Caldwell made comments.

H) Public Comments (01:14:27):

- a. There were none.

I) Executive Session:

- a. To discuss litigation strategy (following the 2/15/2011 deadline).
- b. The City Commission went into Executive Session at approximately 7:50 p.m.
- c. The City Commission came out of Executive Session at 8:45 p.m.

J) Action Item After Executive Session:

- a. **Discuss/approve/deny any actions necessary to implement litigation strategy.**
 - i. Spannring moved that the City of Livingston continues with the lawsuit against the Heart K Land and Cattle Company and the Park Conservation District. VanAken seconded.
 - ii. All in favor, motion to continue lawsuit passed.

K) Adjournment:

- a. Bennett moved to adjourn the meeting, VanAken seconded.
- b. Four in favor, one abstained (Spannring). Motion to adjourn passed.
- c. The meeting was adjourned at 8:47 p.m.

ATTEST:

APPROVE:

Robyn Keyes
Recording Secretary

Steve Caldwell
Commission Chairman