

Minutes of Livingston City Commission
April 19, 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 Bill Spannring, James Bennett, Rick VanAken, and Steve Caldwell. Juliann Jones was absent.

B) Consent Items (00:01:00):

- a. Bennett moved to approve Consent Items, Spannring seconded.
- b. All in favor, motion to approve Consent Items passed.

C) Public Hearings:

- a. **Ordinance No. 2029 (00:01:20)- AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING THE ZONE CODE TO ALLOW BED AND BREAKFASTS IN THE SINGLE FAMILY RESIDENTIAL ZONE (R1) AND REMOVE THE SPECIAL EXCEPTION REQUIREMENT FOR BED AND BREAKFASTS.**
 - i. There was no public comment.
 - ii. Bennett moved to approve Ordinance No. 2029, VanAken seconded.
 - iii. All in favor, motion to approve Ordinance No. 2029 passed.

- b. **Resolution No. 4196 (00:02:25)- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ESTABLISHING A NON-CITY RESIDENT RATE FOR USE OF THE CITY'S SWIMMING POOL IN THE AMOUNT OF \$4.00 PER DAY PER PERSON, \$60.00 PER PERSON FOR ANNUAL PASS, \$99.00 FAMILY PASS AND SWIMMING LESSONS AT THE RATE OF \$45.00 PER PERSON PER SEASON.**
 - i. There was no public comment.
 - ii. VanAken moved to approve Resolution No. 4196, Bennett seconded.
 - iii. All in favor, motion to approve Resolution No. 4196 passed.

D) Ordinances:

- a. **Ordinance No. 2030 (00:06:00)- AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE 2009 AND CHAPTER 9, ARTICLE IV OF THE LIVINGSTON MUNICIPAL CODE ENTITLED "PARKING, STOPPING, AND STANDING" AND SPECIFICALLY SECTION 9-246 BY EXPANDING THE 2 HOUR PARKING RESTRICTION TO INCLUDE BOTH SIDES OF CALLENDER STREET BETWEEN "D STREET" AND "E STREET," AND DELETING REFERENCE TO EAST SIDE SCHOOL PARKING LOT AND PROVIDING A PENALTY FOR VIOLATION.**
 - i. VanAken moved to approve Ordinance No. 2030, Bennett seconded.
 - ii. All in favor, motion to approve Ordinance No. 2030 passed.

E) Resolutions:

- a. Resolution No. 4195 (00:15:50)- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH THE MONTANA HISTORIC PRESERVATION OFFICE FOR GRANT FOR LOCAL HISTORIC PRESERVATION FOR PERIOD APRIL 1, 2011 TO MARCH 31, 2012.**
 - i. Bennett moved to approve Resolution No. 4195, Spannring seconded.
 - ii. All in favor, motion to approve Resolution No. 4195 passed.

- b. Resolution No. 4197 (00:19:42)- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AN AGREEMENT WITH LOCAL GOVERNMENT ASSOCIATES, INC., FOR CONSULTING SERVICES RELATED TO A BALLOT REFERENDUM ON CHARTER GOVERNMENT.**
 - i. Bennett moved to approve Resolution No. 4197, VanAken seconded.
 - ii. Three in favor, one against (Spannring). Motion to approve Resolution No. 4197 passed.

F) Action Items:

- a. Action Item A (00:42:33)- Discuss/approve/deny application for the City/County Health Board as a City representative.**
 - i. VanAken moved to approve the application of Brandi Merman to the Health Board, Bennett seconded.
 - ii. All in favor, motion to approve application passed.

- b. Action Item B (00:45:36)- Discuss/approve/deny the recommendation of the Request for Qualifications (RFQ) for the “Master Plan” for the parks and trails.**
 - i. VanAken moved to approve recommendation of bid award to CTA Engineering on the condition of successfully negotiating a contract for the Master Plan.
 - ii. There was no second; the motion failed.

- c. Action Item C (00:50:06)- Discuss/approve/deny application for the Office of Board of Trustees for the Livingston Business Improvement District.**
 - i. Bennett moved to appoint the five (5) applicants to the BID Board of Trustees, Spannring seconded.
 - ii. All in favor, motion to appoint applicants passed.
 - iii. Consensus was given to continue advertising for the remaining vacant positions.

- d. Action Item D (00:53:15)- Bennett #1.**
 - i. Bennett made a presentation.
 - ii. Adam Stern made comments regarding Bennett’s presentation.

- iii. Warren Mabie made comments regarding Bennett's presentation.
- iv. Joe Parriott made comments regarding Bennett's presentation.
- v. Lisa Adams made comments regarding Bennett's presentation.
- vi. Seth Rivard made comments regarding Bennett's presentation.

e. Action Item E (01:35:30)- Bennett #2.

- i. Bennett made a presentation.
- ii. Seth Rivard made comments regarding Bennett's presentation.

f. Action Item F (01:51:50)- Discuss/approve/deny the Urban Renewal Agency Parking Lot Improvement Program projects.

- i. Adam Stern made a presentation of the proposed URA Parking Lot Improvement Projects.
- ii. Spannring moved to approve the proposed projects conditioned on approval of contract language by the City Attorney . Bennett seconded.
- iii. All in favor, motion to sign agreement passed.

g. Action Item G (02:05:10)- Discuss dates for a workshop to be scheduled to determine Street Maintenance District fees on Mulehaven Drive.

- i. Consensus was given to discuss the item at the April 20th, 2011 budget workshop.

G) City Manager Comments (02:07:30):

- a. Spannring and Caldwell made comments.

H) City Commission Comments (02:08:40):

- a. There were none.

I) Public Comments (02:08:57):

- a. There were none.

J) Adjournment:

- a. Bennett moved to adjourn the meeting, Spannring seconded.
- b. All in favor, motion to adjourn passed.
- c. The meeting was adjourned at 8:40 p.m.

ATTEST:

APPROVE:

Robyn Keyes
Recording Secretary

Steve Caldwell
Commission Chairman