

Minutes of Livingston City Commission
April 5, 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, Juliann Jones, Bill Spannring, James Bennett, and Rick VanAken.

B) Consent Items:

- a. Commissioner Bennett moved to approve Consent Items B and C, Spannring seconded.
 - i. All in favor, motion to approve Consent Items B and C passed.
- b. Bennett moved to amend Consent Item A to have Action Item A include that he gave a presentation on the tree district. Spannring seconded the amendment.
 - i. All in favor, motion to amend passed.
- c. Bennett moved to approve Consent Item A as amended, Spannring seconded.
 - i. All in favor, motion to approve Consent Item A as amended passed.

C) Scheduled Public Comment (00:02:42):

- a. Barbara Woodbury, Sanitarian, explained to the Commission what her job entails and how she serves both city and county residents.

D) Resolutions:

- a. **Resolution No. 4193 (00:11:36)- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN BORROWER'S CERTIFICATION PURSUANT TO THE BUY AMERICAN PROVISION FROM THE AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) OF 2009.**
 - i. Bennett moved to approve Resolution No. 4193, VanAken seconded.
 - ii. All in favor, motion to approve Resolution No. 4193 passed.
- b. **Resolution No. 4194 (00:17:50)- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO ESTABLISH 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 HER PERSON FOR ANNUAL PASS, \$99.00 FAMILY PASS AND SWIMMING LESSONS AT THE RATE OF \$45.00 PER PERSON PER SEASON.**
 - i. Jones moved to approve Resolution No. 4194, VanAken seconded.
 - ii. All in favor, motion to approve Resolution No. 4194 passed.

E) Action Items:

- a. Action Item A (00:24:00) - Discuss/approve/deny applications for the Historic Preservation Commission. (3 applications, 6 vacancies)**
 - i. Jones moved to accept applications and continue to advertise for the remaining vacancies. Bennett seconded.
 - ii. All in favor, motion to accept applications passed.

- b. Action Item B (00:25:30) - Discuss/approve/deny the "URA Street Arts Program."**
 - i. Adam Stern made a brief presentation.
 - ii. Jones moved to extend \$2,000 of URA money in a 0% interest loan with approval of the Street Arts Program as presented. Spannring seconded.
 - iii. All in favor, motion passed.

- c. Action Item C (00:42:10) - Discuss/approve/deny appointment "At Large" for the City/County Airport Board to Ray Sundling.**
 - i. Jones moved to approve appointment of Ray Sundling to the Airport Board, Bennett seconded.
 - ii. Four in favor, one against (Spannring). Motion to approve appointment passed.

- d. Action Item D (00:43:24) - Discuss/approve/deny purchase of a 2006 Dodge Charger for the Police Department in the amount of \$12,725.00 from Veto Enterprises.**
 - i. Bennett moved to approve purchase of vehicle, Jones seconded.
 - ii. All in favor, motion to approve purchase of vehicle passed.

- e. Action Item F- Discuss/approve/deny budget work session dates and times.**
 - i. VanAken moved to approve scheduling budget workshops for the discussed dates and times of April 12th and April 20th, from 3:30-5:30 p.m. and May 4th from 6:30-8:30 p.m. Jones seconded.
 - ii. All in favor, motion to approve scheduling workshops for the discussed dates and times passed.

- f. Action Item G- Mediation has been set for May 23rd and May 24th, 2011 in the BNSF case. We need to designate a City Commissioner to go to Great Falls for mediation. We also need to set dates for Executive Session to discuss litigation strategy with our attorney's in the City of Livingston et al vs. BNSF case on proposed date May 17th, 2011 at 6:00 p.m. and an Executive Session on May 26th, 2011 at 6:00 p.m.**
 - i. Bennett moved to approve the dates and times for the Executive Sessions on May 17th and May 26th, 2011, VanAken seconded.
 1. All in favor, motion to approve dates and times passed.

- ii. VanAken moved to send the Commission Chairman to Great Falls for the mediation, Jones seconded.
- iii. All in favor, motion to send Chairman to Great Falls passed.

g. Action Item E-Andrew Baxley—Presentation “Economic Resource Profile”

- i. City of Livingston Intern, Andrew Baxley, made a presentation of his work on the Economic Resource Profile, and answered any questions the Commission had.

F) City Manager Comments:

- a. There were none.

G) City Commission Comments:

- a. Bennett, Spanning, and VanAken made comments.

H) Public Comments:

- a. Torsten Prah, representative for the IAFF #630, presented information regarding IAFF #630’s desire to fundraise to get a climbing boulder for Fireman’s Park, and asked for general support from the Commission.
- b. Adam Stern discussed the graphs he had provided Commissioner Bennett with regarding past budgets for the City of Livingston.

I) Adjournment:

- a. Bennett moved to adjourn the meeting, VanAken seconded.
- b. All in favor, motion to adjourn passed.
- c. Meeting was adjourned at 8:22 p.m.

Attest:

Approve:

Robyn Keyes
Recording Secretary

Steve Caldwell
Commission Chairman