

Minutes of the Livingston City Commission
June 21, 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 Spannring, James Bennett, Juliann Jones, and Rick VanAken.
- B) Consent Items (00:01:00):
 - a. Bennett moved to approve consent items, Spannring seconded.
 - i. All in favor, motion to approve Consent Items passed.
- C) Scheduled Public Comment:
 - a. David Lewis (00:01:30) commented in opposition to property tax increases.
 - b. Frank Horiel (00:04:30) commented in opposition to property tax increases.
 - c. Bill Moser (00:08:00) commented on the informal organization of the City.
- D) Public Hearing:
 - a. Resolution No. 4210 (00:20:46) – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING THE BUDGET FOR THE THIRD QUARTER FOR FISCAL YEAR 2010-2011, BY INCREASING EXPENDITURES IN THE AMOUNT OF \$125,725.00 BY TRANSFERRING FUNDS FROM RESERVES IN THE AMOUNT OF \$125,725.00.
 - i. Patricia Grabow (00:21:59) commented in opposition to the resolution.
 - ii. Nancy Adkins (00:24:01) commented in opposition to the resolution.
 - iii. Lenny Gregrey (00:24:39) commented in opposition to the resolution.
 - iv. VanAken (00:26:21) moved to approve the Resolution, Jones seconded.
 - 1. VanAken, Caldwell and Jones voted in favor of the resolution, Spannring and Bennett opposed.
 - a. The resolution passed.
- E) Resolutions:
 - a. Resolution No. 4201 (00:43:50)– A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, GIVING NOTICE THAT THE CITY COMMISSION HAS COMPLETED ITS PRELIMINARY BUDGET FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2011, AND ENDING JUNE 30, 2012, (FY2011-2012), THAT THE BUDGET IS ON FILE AND AVAILABLE FOR PUBLIC INSPECTION AND ON THE INTERNET AT www.livingstonmontana.org , GIVING NOTICE OF AN INCREASE IN PROPERTY TAXES IN THE AMOUNT OF SIX PER CENT (6%) OVER THE PRIOR FISCAL YEAR, AND CALLING FOR A PUBLIC HEARING FOR APPROVAL OF THE FINAL BUDGET AND MAKING APPROPRIATIONS.
 - i. The resolution was withdrawn from the agenda due to procedural error related to public notice requirements.
 - b. Resolution No. 4211 (00:44:12) – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN CONTRACTS TO PROVIDE EMERGENCY SERVICES DURING THE FLOOD EVENT OF THE YELLOWSTONE IN 2011.
 - i. Bennett moved to approve the Resolution, Jones seconded.
 - 1. All in favor, the motion passed.

- c. Resolution No. 4212 (01:03:15) – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OBJECTING TO A MAIL BALLOT ELECTION FOR CITY ELECTION.
 - i. Bennett moved to approve the Resolution, Spannring seconded.
 - 1. All in favor, the motion passed.
- d. Resolution No. 4213 (1:05:25) – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE REFINANCING OF THE LOAN MADE TO SOLID WASTE FUND AUTHORIZED BY RESOLUTION NO. 3870.
 - i. City Manager Meece suggested that the Resolution be withdrawn from the agenda.
 - ii. Bennett moved to postpone the consideration of the Resolution to July 5, Jones seconded.
 - 1. Bennett substituted a motion to consider the Resolution on July 19, Jones seconded.
 - a. All in favor, the motion passed.
- e. Action Items:
 - i. Action Item A (01:10:34) – Discuss/approve/deny the parking request for 3 spaces to be labeled “2 Hour Parking” in front of Mustang Catering located at 215 West Lewis.
 - 1. Spannring moved to grant a two space loading zone sign, Bennett seconded.
 - a. All in favor, the motion passed.
 - ii. Action Item B (01:16:10) – Discuss/approve/deny request of fee waiver for the Bandshell from Shauna Johnson for a benefit concert to be held on June 24, 2011.
 - 1. Bennett moved to approve the waiver, Spannring seconded.
 - a. All in favor, the motion passed.
 - iii. Action Item C (1:18:18) – Discuss street and light maintenance district at Mule Haven Subdivision.
 - 1. Steve Woodruff (01:21:06), a Mule Haven property owner, commented.
 - 2. Leroy Mathews (01:26:43), a Mule Haven property owner, commented.
 - 3. City Manager Meece proposed providing the commission with a draft ordinance and a list of relief amounts in increments of 10% for future discussion.
 - iv. Chairman Caldwell called for a 5 minute recess at 8:05 p.m.
 - v. Action Item D (00:00:00, Part 2) – Discuss FY 2011 third quarter budget reports.
 - 1. Miral Gamradt, Finance Director, commented on the budget report.
 - vi. Action Item E (00:13:48) – Schedule an Executive Session for the purpose of conducting the City Manager’s annual performance evaluation.
 - 1. Commissioners agreed by unanimous consent to schedule the performance evaluation on July 12 at 6:30 p.m.
 - vii. Action Item F (00:15:10) – Discuss/approve/deny Commissioner Bennett’s request for an Action Item to be added to the July 5, 2011, City Commission Agenda, regarding a discussion of Commissioner Spannring’s concerns with Fire Chief Davis’ comments to the newspaper.
 - 1. Seth Rivard commented on the Action Item.
 - 2. Bennett moved to place Action Item F as an agenda item for the July 5, 2011 City Commission Meeting, Spannring seconded.

- a. Caldwell, Bennett, VanAken, and Jones opposed the motion.
Spannring abstained.
 - i. The motion failed.
- viii. Action Item G (00:30:06) – Discuss FY 2012 Budget.
 - 1. Lenny Gregrey (00:42:20) commented on the budget.
 - 2. Rik Pittendorfer (00:55:49) commented on the budget.
 - 3. Patricia Grabow (01:05:45) commented on the budget.
- f. City Manager Comments (01:11:45):
- g. Public Comment:
 - i. Lisa Adams (1:23:58) made comments.
 - ii. Tom Kitts (01:28:57) made comments.

ATTEST:

APPROVE:

David Fine
Recording Secretary

Steve Caldwell
Commission Chairman