

**Livingston City Commission Minutes**  
**August 16, 2011**  
**6:30 p.m.**

1. Roll Call:
  - a. Steve Caldwell, Rick VanAken, Bill Spannring, James Bennett were present.
  - b. Juliann Jones was absent.
2. Consent Items:
  - a. Bennett moved to approve Consent Items A, C, D; VanAken seconded. (00:00:48)
    - i. All in favor, the motion passed 4-0.
  - b. Consent Item B was discussed. (00:01:14)
  - c. Spannring moved to approve Consent Item B; VanAken seconded. (00:17:57)
    - i. Spannring moved to "amend the motion to not pay the Clear Creek Hydrology invoice," Consent Item B; Bennett seconded. (00:18:26)
      1. Bennett, Caldwell, VanAken voted against the motion to amend; Spannring opposed.
      2. The motion to amend failed 1-3.
    - ii. Bennett, Caldwell, VanAken voted in favor of the motion to approve Consent Item B; Spannring opposed. (00:41:27)
      1. The motion passed 3-1.
3. Public Hearings:
  - a. Ordinance No. 2033 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ADOPTING THE FLOODPLAIN REGULATIONS FOR THE CITY OF LIVINGSTON. (00:41:45)
    - i. There was no public comment during the public hearing.
    - ii. Bennett moved to approve the Ordinance; VanAken seconded.
      1. All in favor, the motion to approve the Ordinance passed 4-0.
4. Resolutions:
  - a. Resolution No. 4201 - 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](http://www.livingstonmontana.org) , GIVING NOTICE OF AN INCREASE IN PROPERTY TAXES IN THE AMOUNT OF ONE PER CENT (1%) OVER THE PRIOR FISCAL YEAR, AND CALLING FOR A PUBLIC HEARING FOR APPROVAL OF THE FINAL BUDGET AND MAKING APPROPRIATIONS.(00:45:32)
    - i. Bennett moved to approve the Resolution; VanAken seconded.
    - ii. The City Commission discussed the Resolution.
    - iii. Chairman Caldwell called for a 5 minute recess.
    - iv. The City Commission meeting resumed following the recess. Commissioners continued their discussion of Resolution No. 4201).
      1. Begin Part 2 of the Official Record. (00:00:00, Part 2)
    - v. Don Gimbel commented on the Budget. (00:23:20)
    - vi. Patricia Grabow commented on the Budget. (00:28:14)
    - vii. Rik Pittendorfer commend on the Budget. (00:54:03)
    - viii. Lisa Kitts commented on the Budget. (00:58:09)
    - ix. Karla Pettit commented on the Budget. (00:59:50)

- x. Spannring moved to “cut the City Manager’s position and terminate the City Manager’s position.” (01:09:19)
    - 1. The motion, having received no second, failed.
  - xi. Patricia Grabow commented on the Budget. (01:33:29)
  - xii. Chairman Caldwell called for a 5 minute recess.
  - xiii. The City Commission meeting resumed following the recess. Commissioners continued their discussion of Resolution No. 4201
    - 1. Begin Part 3 of the Official Record. (00:00:00, Part 3)
  - xiv. Bennett moved to amend Resolution No. 4201 by reducing the Legislative expenditures by \$10,000, the lawnmower expenditures in the Parks and Cemetery fund by \$13,000, and \$2,000 of the tree expenditures budget; VanAken seconded. (00:39:55)
    - 1. Caldwell, VanAken, Bennett voted in favor of the motion to amend; Spannring opposed.
      - a. The motion to amend passed 3-1.
  - xv. Lenny Gregrey commented on the Budget Resolution. (00:53:30)
  - xvi. Patricia Grabow commented on the Budget Resolution. (01:09:15)
  - xvii. The City Commission voted on the motion to approve Resolution No. 4201 as amended. (01:16:31)
    - 1. Caldwell, VanAken, Bennett voted in favor of the motion; Spannring opposed.
  - b. Resolution No. 4226 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO FIX THE TAX LEVY FOR FISCAL YEAR 2011-2012 AND GIVING NOTICE OF A PUBLIC HEARING THEREON.
    - i. VanAken moved to approve Resolution No. 4226; Bennett seconded.
    - ii. VanAken moved to amend the motion to reflect the amendment made to the Budget Resolution eliminating the 1% increase; Bennett seconded.
      - 1. Caldwell, Bennett, VanAken voted in favor of the motion to amend; Spannring opposed.
        - a. The motion to amend passed 3-1.
    - iii. Caldwell, VanAken, Bennett voted in favor of the motion to approve Resolution No. 4226 as amended; Spannring opposed.
      - 1. The motion passed 3-1.
  - c. Resolution No. 4225 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO INCREASE THE RATE FOR COLLECTION AND DISPOSAL OF SOLID WASTE IN THE AMOUNT OF \$3.00 PER MONTH. (01:21:00)
    - i. VanAken moved to postpone consideration of the Resolution until the September 6 regular meeting; Bennett seconded.
      - 1. All in favor, the motion passed 4-0.
5. Action Items:
- a. Action Item A: (01:21:43)
    - i. Bruce Becker, City Attorney, provided the opinion that the Commission had already approved a special meeting on August 30 through their earlier actions.
6. City Manager Comments:
- a. The City Manager made no comments.
7. Commissioner Comments:
- a. Spannring made comments. (01:22:19)
8. Public Comment:

- a. No members of the public made comments.
- 9. Adjournment:
  - a. VanAken moved to adjourn the City Commission meeting; Bennett seconded.
    - i. All in favor, the motion passed 4-0.
  - b. The meeting adjourned at 11:33 p.m.

ATTEST:

APPROVE:

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David Fine  
Recording Secretary

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Steve Caldwell  
Commission Chairman