



# Livingston City Commission Minutes

April 18, 2023

5:30-8:30 PM

City – County Complex, Community Room, and Zoom

<https://us02web.zoom.us/j/84797439580?pwd=V0kxQU1vYTJMYmR3cFRHakpNcldDdz09>

Meeting ID: 847 9743 9580 **Passcode: 895303** Call in: (669) 900-6833

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(late start due to tech issues)

1. Call to Order (5:39pm).

2. Roll Call: In attendance Chair Nootz, Commissioner Kahle, Commissioner Schwarz, Commissioner Lyons. Commissioner Friedman arrived late (at 5:52pm). City Manager Grant Gager, City Planner Jen Severson, City Public Works Director Shannon Holmes, Project Manager Martha O'Rourke, Chief Johnson, and Recording Secretary Faith Kinnick.

3. Public Comment 5:39 p.m.(00:00:48)

*Individuals are reminded that public comments should be limited to item over which the City Commission has supervision, control jurisdiction, or advisory power (MCA 2-3-202)*

- **Bailey Brenna** owner of Silo Espresso gave public comment regarding the Livingston Municipal Code and vending in public spaces.
- **Leslie Feigel** of the Livingston Chamber gave public comment regarding food trucks and appropriate locations.
- **Angela Devani** gave public comments regarding vending and homeless services in our community.
- **Lindie Gibson** gave comments regarding resources for homeless in the community.

4. Consent Items 5:53 p.m. (00:14:21)

**A. APPROVE MARCH 29, 2023, SPECIAL MEETING MINUTES.**

**B. APPROVE MINUTES FROM APRIL 4, 2023, REGULAR MEETING.**

**C. RATIFY CLAIMS PAID 3.29.2023-04.11.2023.**

**D. ACCEPT THE PLEDGED SECURITIES REPORT AS OF MARCH 31, 2023.**

**E. PRESENTATION OF COSTS OF CITY MANAGER RECRUITMENT.**

**F. CONSIDERATION OF LETTER OF SUPPORT FOR RIVERS AND PARKS TRAILS CONSERVATION ASSISTANCE PROGRAM.**

- Nootz asked for a motion to pull consent item F. Kahle made motion to pull consent item F, Schwarz motioned to approve action items A-E, second by Kahle.
- Schwarz motioned to approve action item F, second by Lyons, passes 4-0, Kahle abstained.

## 5. Proclamations

## 6. Scheduled Public Comment 5:55 p.m. (00:16:23)

### **A. PRESENTATION OF WISHBERRY HOLLOW PROJECT PLAN FOR 2023.**

- Megan Eubank presented the 2023 project and noted that she anticipates event would be July 28-August 13. Megan and the Commission discussed the project and the Commission expressed support for the event.

## 7. Public Hearings

*Individuals are reminded that testimony at a public hearing should be relevant, material, and not repetitious. (MCA 7-1-4131 and Livingston City Code Section 2-21)*

## 8. Ordinances 6:02 p.m. (00:23:45)

### **A. ORDINANCE NO. 3041: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON MONTANA, AMENDING CHAPTER 30, OF THE LIVINGSTON MUNICIPAL CODE ENTITLED ZONING BY MAKING TEXT AMENDMENTS PERTAINING TO ZONING CODE CHAPTER 30 ARTICLE II. DEFINITIONS, SECTION. 30.30 DISTRICT DESCRIPTIONS, TABLE 30.40 LIST OF USES, TABLE 30.41, RESIDENTIAL DENSITY REQUIREMENTS AND SECTION 30.51 OFF-STREET PARKING AND LOADING ZONES.**

- Gager introduced item and discussed the text amendments would clean up the current code and alleviate confusion for staff and developers, before turning presentation over to Jen Severson. Severson reviewed the summary of proposed updates. The Commission discussed the zoning code updates, including ADU's, and what comes out of the Legislature, and cleaning up the code, and noted the recommendation from staff is different from the recommendation from the Zoning Commission.
- Motion by Schwarz to approve Ordinance No. 3041 as staff recommended, seconded by Kahle.
- Lindie Gibson inquired if the ordinance includes regulations on short-term rentals and parking. The draft ordinance was discussed further with the Commission and it was noted that the staff recommendations are in alignment

with the Growth Policy and is appropriate. The Commission was in agreement with the staff recommendation and the ordinance as presented and written.

- All in favor, motion passes 5-0.

## 9. Resolutions

## 10. Action Items 6:38 p.m. (00:59:44)

### **A. HISTORIC PRESERVATION COMMISSION ANNUAL REPORT PRESENTATION.**

- Planning Director Severson presented annual report from HPC Commission. City Commission thanked Severson for presenting on behalf of the Commission.

### **B. PRESENTATION OF STORMWATER PRELIMINARY ENVIRONMENTAL REPORT PROJECT. 6:42 p.m. (01:03:31)**

- The City Manager gave a brief introduction to the storm water engineering project prior to turning the meeting over to Public Works Director Holmes and Matt McGee of TD&H. The Commission recognized the importance storm water issues and thanked McGee for his presentation.

### **C. CONSIDERATION OF A PUBLIC ART PROJECT. 7:02 p.m. (01:25:10)**

- The City Manager introduced the item and provide background on the project and request for proposals noting that only one proposal was received.
- Kahle motioned to approve action item C, seconded by Lyons.
- Kelcey Lance, Art Teacher from SGMS spoke about the possibility of beautifying the space.
- Leslie Feigel spoke regarding vandalism and the cost of maintaining a mural.
- All in favor, motion passes 5-0.

### **D. CLOSED SESSION PURSUANT TO MCA 2-3-203(3). (01:38:44)**

- Nootz made motion to enter into closed session but before that, they would take a brief 10-minute break; seconded by Kahle.
- All in favor, motion passed 5-0.
- Entered closed session at 7:18 p.m.
- Returned to regular session at 8:30 p.m.

### **E. DISCUSS/APPROVE/DENY: APPROVAL OF CONTRACT 20012 FOR EXECUTIVE EVALUATION SERVICES. 8:30 p.m. (01:39:54)**

- The City Manager gave a brief introduction of the contract for his evaluation.

- Kahle motioned to approve contact with GMP consultants for Executive Evaluation services; seconded by Schwarz. No public comments were received.
- All in favor, passes 5-0.

11. City Manager Comment 8:33 p.m.

Gager expressed Happy Birthday wishes to his son Grey.

12. City Commission Comments 8:33 p.m.

The Commission wished Grey Happy Birthday.

13. Adjournment

- Motion by Lyons; seconded Schwarz.
- All in favor, motion passes 5-0.
- The meeting adjourned at 8:34 p.m.