



# Livingston City Commission Minutes

June 06, 2023

5:30-8:30 PM

City – County Complex, Community Room

<https://us02web.zoom.us/j/89904889022?pwd=MWkrTXBYMGxBR2ZJTndLS21SUUkvQT09>

Meeting ID: 899 0488 9022 **Passcode: 135919** Call In: (669) 900-6833

## 1. Call to Order

2. Roll Call in attendance: Chair Nootz, Vice-Chair Kahle, Commissioner Friedman and Lyons, Commissioner Schwarz was excused. Staff in attendance City Manager Grant Gager, Interim City Attorney Jon Hesse, Planning Director Jen Severson, Finance Director Paige Fetterhoff, Police Chief Dale Johnson, and Recording Secretary Faith Kinnick.

## 3. Public Comment

*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)*

- Leslie Fiegel spoke to how the parade route has changed, shared how the festivities benefit the local economy.
- Lindie Gibson shared the City should explore the NW corner of Sacajawea Park for the new Rec center.
- Jay Kiefer spoke regarding a letter he received regarding federal COVID wastewater testing grant money the state has disbursed, the proposed Wellness Center and Summerfest
- Jan Lukenbill spoke about the parade route and the Community of Ennis. Chuck Tanner spoke regarding impacts as a local business owner.
- Eric Brandley spoke about the parade, encouraged the city to launch a mobile command center to mitigate any risks.
- Michael Adams spoke in support of the original parade route.
- Patricia Grabow gave public comment regarding the parade route, and encouraged the Commission to return the CVB back to the Chamber of Commerce.
- Jackie Fiegel Miller gave public comment in support of the original parade route.
- Christina Nelson gave public comment in support of the original parade route.

## 4. Consent Items 6:16 p.m.

### **A. APPROVE MINUTES FROM MAY 16, 2023, REGULAR MEETING.**

- B. RATIFY CLAIMS PAID 05/01/2023-05/23/2023.**
- C. ACCEPT CITY COURT FINANCIAL REPORT FROM APRIL 2023.**
- D. CONSIDERATION OF OPEN CONTAINER SPECIAL EXCEPTION REQUEST FOR THE 99TH ANNUAL LIVINGSTON ROUNDUP PARADE ON JULY 2ND.**
- E. 2023 SUMMERFEST OPEN CONTAINER EXCEPTION REQUEST FOR EVENT ON JULY 15, 2023.**
- F. NORTHWESTERN ENERGY UTILITY BORE/ REPLACEMENT UNDER FLESHMAN CREEK.**
- G. ACCEPT RECOMMENDATION FROM LIVINGSTON DESTINATION MANAGEMENT ORGANIZATION (FORMERLY CVB) BOARD TO FILL VACANCIES.**
- H. LBID BOARD MEMBER RECOMMENDATION.**

- Lyons motioned to pull consent item F for discussion, approving A-E & G-H, seconded by Kahle. All in favor, passed 4-0. Lyons asked clarifying question of Gager regarding consent item F. Lyons motioned to approve consent item F, seconded by Kahle, passes 4-0.

5. Proclamations 6:20 p.m.

- A. A PROCLAMATION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, DECLARING JUNE 30th - JULY 4th, 2023, AS RODEO DAYS IN LIVINGSTON, MONTANA.**

6. Scheduled Public Comment

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

9. Resolutions

10. Action Items 6:30 p.m.

- A. DISCUSS/APPROVE/DENY: SPECIAL EXCEPTION PERMIT REQUEST FROM SHANE LELANI CENTER. (Continued from the May 16th Meeting)**

Nootz called on Gager to open the discussion. Who advised staff had provided a new recommendation adding additional clarity to the recommendations made during the May

15<sup>th</sup> meeting. Nootz followed with a process question for Gager, and then reminded fellow commissioners that during the May 16<sup>th</sup> meeting, Schwarz made a motion to approve with the updated staff recommendations as provided by Jen Severson, and received a second by Kahle. 10-minute recess taken at 7:00 p.m.

Received public comments from Caleb Platt, Jay Kiefer, James Willich, Greg Coleman, Wyeth Wyndam, Joanne Gardner Lowell, Ava Petry, Amy Zannoi, Vicki Petry, Devin Johnson, Patricia Grabow, Sal Lalani, Adam Stern, Spencer Pucket, Jeannette Waldron, Charolette McGuinn Freeman, Tim Stevens and Fionna Shinn. The commissioners entered deliberations, reviewing their new deliberations process including identifying the goals, identifying the advantages of the project, and any existing challenges, problem solving, and finally discussed additional conditions for approval.

Additional recess at 8:20 p.m., reconvened at 8:27 p.m. Motion to extend the meeting by Kahle, seconded by Lyons, all in favor, passes 4-0.

Russel Lewis shared acoustic/decibel readings taken by Black Box Design. Nootz shared own independent results. Deliberations continued. Adding language covering noise with the addition of an agreement between the Shane LaLani Center and Lincoln school for the promotion of event parking at the Lincoln School. Events over 300 people in attendance will require additional city staff on duty or contracted/properly licensed and insured EMS providers.

Nootz made a motion to amend the Special Exception Permit for the Shane Center with the updated staff recommendations as provided by Jen S, Commission added additional condition #12 the applicant will not hold more than 3 events per week requiring LFR/EMS onsite and condition #13 will have provided evidence in advertisements that offsite parking has been secured and is available at Lincoln School. Seconded by Lyons, all in favor, passes 4-0. Vote on original motion with updated staff recommendations, passes 4-0.

**~~B. TRANSMITTAL OF THE CITY MANAGERS RECOMMENDED BUDGET~~**

Continued until 06/20/2023 meeting, due to late hour of the day 9:53 p.m.

**C. DISCUSS: SUMMER COMMISSIONER LISTENING SESSIONS AT FARMER'S MARKET.** Will see the Commission at the Market beginning the week of June 14<sup>th</sup>, suggested theme based market days with some staff in attendance.

11. City Manager Comment

12. City Commission Comments

13. Adjournment

Motion by Lyons, seconded by Friedman, all in favor, passes 4-0 10:06 p.m.

**Public in Virtual Attendance**

Rusty Trzpuć	Dain Rodwell	Sara Gillen
Jeannette Waldron	Valarie Kinley	Quincy Zabrowski
Julie Bendon	Charlotte Freeman	Victoria Gaparakis
Arlene Roemer da Feltre	Katheryn Lewis	Greg Coleman
Andrew Reichart	Pattie Ottoman	Becca Frucht
Carol Lalani	Dave Miller	Sarah Stands
Dann Babcox	Kris King	Paultte Epple
Tim Stevens	Diana Windham	Fionna Shinn
Emily Hutchinson		