

January 4, 1988

The Livingston City Council met in regular session at 7:30 p.m., Monday, January 4, 1988 in the council chambers of the City-County Building.

All persons elected in the November General Election were given the Oath of Office by City Clerk Jennie Adams after which time they were seated. The officials who were sworn in as City Commissioners were Louis Armentaro, Angela Cramer, Bill R. Dennis, Jody Fink, Rick Loftice, Louis Mayer, Bernice McGee, Marc Montgomery and John Phillips. Bill Dennis, who was Mayor under the previous form of Council/Mayor government, chaired the meeting.

Motion was made by Cramer, second by Montgomery that Rick Loftice be nominated for the position of Chairman of the Commission. Motion carried. Motion was made by Phillips, second by Armentaro that nominations be closed. Carried. Roll call vote was unanimous in favor of Rick Loftice as Chairman of the Commission and City Clerk Jennie Adams declared Rick Loftice as Chairman of the Commission at which time Mayor Dennis relinquished the seat to him. Chairman Loftice asked for a five minute recess to consult with the City Attorney. The Council resumed its meeting at 7:35 p.m.

The time being 7:35 p.m., a public hearing was held on a request for a zone change by Robert Boyd for Lots 17-22, Block 49 of the Minnesota Addition, from R2-MH, Residential Medium Density (Mobile Home) to I, Industrial. The City Zoning Commission unanimously recommended approval of the proposed change as reported by Ben Berto, City-County Planner. Harry Bowers questioned the impact on the neighborhood of unwashed stock trucks and was told by Berto that it would fall under the jurisdiction of health and sanitation regulations. Loss of value of residential areas was questioned and it was noted that the lots could possibly increase in value. George Smith spoke for Bob Boyd who was unable to attend, stating that the lots would be improved but if there were any further questions he would ask that the decision be postponed until Boyd could attend. Chuck Bragg spoke against the change citing that any decrease in valuation would be a liability of the City. Commissioner Dennis said that he would like to see the entire area zoned instead of piece meal as has been the practice. The hearing was closed at 8:00 p.m. with no action taken by the Commission.

Commissioner Dennis reported that the 90,000 gallon water reservoir is in need of major repairs; it leaks badly and is probably in need of a liner. The Water Committee had discussed the need for an updated water rate study. They felt that areas that are costing more to service should pay more for their water. A cost estimate will be obtained for updating this study.

Motion was made by Phillips, second by Dennis that the December reports from the City Judge, Police Chief and Fire Chief be accepted. Passed.

Motion was made by Cramer, second by McGee that the law firm of Holland & Hart be hired to investigate the city's responsibility to the Refuse District #1 in their operation of the incinerator. Commissioners John Phillips and Louis Armentaro questioned the need for hiring the firm. City Attorney Jovick said that the City needed to know their legal obligations before they could make any decisions as far as their Agreement with the Refuse District. Commissioner made a motion to table the motion until the Council could talk to the Park County Commissioners. The motion died for lack of a second. The original motion was then passed with a majority vote. Commissioner Phillips voted against the motion.

Motion was made by Dennis, second by Cramer that claims which had been audited be approved for payment. Motion carried.

Motion was made by Cramer, second by Dennis that Commission committees continue to operate until the city manager is hired, except the Legal Committee which will continue to function under the new system. Motion carried by unanimous vote.

City Superintendent Mike Jacobson told the Council that Ron Shorter will complete his probationary period on January 21, 1988, and that he would like to have the Council appoint him as a permanent employee at that time. Motion was made by Dennis, second by Montgomery that the appointment of Ron Shorter as a permanent employee as of January 21, 1988 be approved. Motion carried by unanimous vote.

Police Chief George Bryce told the Council that Peggy Glass, dispatcher, had requested permission to do some part-time work delivering circus tickets for the Police Protective Association. Motion was made by Cramer, second by Armentaro that permission be granted for Glass to do this part-time work. Vote was unanimous in favor.

City Attorney Jovick said that Wind Power Manufacturing has asked permission pursuant to its current lease to sub-lease a site for one machine to Hampton Power at the sole expense of Hampton Power. The City would require language to the effect that Wind Power Manufacturing would not be relieved of its obligations under its lease with the City. The Legal Committee recommended Council approve the lease. Motion was made by Cramer, second by McGee that the sub-lease by Wind Power Manufacturing to Hampton Power be approved. Motion passed by unanimous vote.

City Clerk Jennie Adams asked the Council to study and accept financial reports from her office. This has not been done recently and she asked that the Audit Committee review them.

Mayor Loftice appointed Bernice McGee as Chairman of the Committee for selection of the new city manager. Motion was made by Dennis, second by Cramer that the appointment be approved. Motion passed.

Commissioner Marc Montgomery made a motion that the present city ordinance regarding waivers of the right to annex before sewer or water service can be made be amended to grant special exceptions on a case by case basis. He referred to the case of Dan Endendi who owns a building on railroad property and thereby cannot sign the waiver. It was noted by members of the Council that Montana Rail Link may annex this property and thereby the problem would be absolved. Montgomery withdrew his motion until further information on the potential annexation is available.

There being no further business, the meeting was adjourned at 8:45 p.m.

Richard Loftice 1-4-88
Angela Cramer 1-4-88
Jody Fink 1-4-88
John Phillips 1-4-88
Attest:

Approved:

Rick Loftice
Rick Loftice, Chairman of the Commission

January 18, 1988

The Livingston City Council met in regular session at 7:30 p.m., Monday, January 18, 1988 in the council chambers of the City-County Building.

Roll was answered by Louis Armentaro, Angela Cramer, Bill Dennis, Louis Mayer, Bernice McGee, Marc Montgomery and John Phillips. Chairman of the Commission Rick Loftice presided. Councilperson Jody Fink arrived at 7:37 p.m.

Wally O'Hara, representing Forward Livingston, introduced Joe Kelsey, Steve Koontz and Tanner Ellis who are also part of the group. Kelsey urged the City Council to give all possible tax breaks to new businesses in order to encourage economic development. Koontz told the council that eight people meet weekly with businessmen in the community. He stated that Commissioner Jim Hunt represented Park County and they would like to have a representative from the City also. He indicated that Marc Montgomery had shown an interest. Chairman Loftice named Montgomery as the city representative whereby motion was made by Armentaro, second by McGee that the appointment be accepted. Motion passed.

Don Ellis was present to ask the Council to approve a plan for building an RV sanitary dump dump on John Tecca's old IGA site. He was referred to City Superintendent Mike Jacobson to arrive at costs and location in relation to the sewer line which is on the property.

Motion was made by Dennis, second by Cramer that Ordinance 1583, AN ORDINANCE AMENDING A PORTION OF SECTION 1-2 OF THE CODE OF ORDINANCES SETTING FORTH THE DEFINITION OF CITY COUNCIL be approved on first reading. Vote was unanimous in favor.

Motion was made by Cramer, second by Dennis that Ordinance 1584, AN ORDINANCE AMENDING SECTION 1-8 OF THE CODE OF ORDINANCES be approved on first reading. Vote was unanimous in favor.

Motion was made by Dennis, second by Cramer that Ordinance 1585, AN ORDINANCE AMENDING SECTION 1-9 OF THE CODE OF ORDINANCES DEFINING CITY LIMITS be approved on first reading. Vote was unanimous in favor.

Motion was made by Dennis, second by Cramer that Ordinance 1586, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON be approved on first reading. Bob Boyd was present to tell the council that he was requesting the change to accommodate his business which has expanded from a gross revenue of \$400,000 in 1982 to \$3,000,000 in 1987. The majority of the city block in which the change in zoning is requested is presently zoned Industrial. He stressed that he has cleaned up the area which at one time had unsightly buildings which he has since removed. He stressed that the refuse incinerator, utility installations and railroad were already located in the area and that the need for industrial sites for a community which is trying to encourage economic development is great. He also read an article which quoted economic development specialists as stating that increasing the size of already established businesses was the first step in development. If he cannot expand he would have to look for a site in another area which would welcome his business. George Smith, a resident in the area, said that he has no problems with the trucking industry which is immediately across the street from his home. Harry Bowers, also a resident, stated that he was concerned about sanitation problems and the statement that had been made that Boyd had been given a "free hand" to do what he wanted on his property. He was assured by City Attorney Jovick, Planner Ben Berto and the Council that Boyd would be under the jurisdiction of all State and City regulations regarding building and sanitation. After considerable discussion the roll was called and vote was unanimous in favor of passage on first reading of Ordinance 1586.

Commissioner Dennis reported that Mrs. Brent Noel had requested abandonment of a portion of Cambridge Street. The matter was referred to the Legal Committee for preparation of a resolution for abandonment.

Commissioner Dennis asked that a "Thank You" letter be written to the Montana Power and Park Electric Cooperative for putting up the Christmas decorations.

Commissioner Dennis reported that gas has been found in test wells downtown and it has been determined that ground water is flowing towards the river. The State Water Quality Bureau is concerned about the possibility of contamination of B Street well.

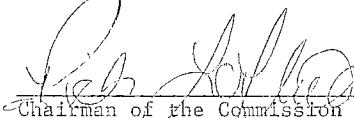
Motion was made by McGee, second by Cramer that Mike Fraser of Caspar Wyoming be hired as city manager subject to his acceptance of the employment agreement. Unanimous vote was in favor.

Motion was made by Cramer, second by Dennis that a lease agreement be drawn up between Jack Nardella and the City of Livingston for the building which had previously been leased by Ed Brandt. Passed.

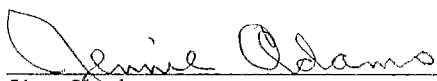
Motion was made by Montgomery, second by Dennis that claims which had been audited be approved for payment. Passed.

There being no further business, motion was made by Dennis, second by Armentaro that the meeting be adjourned. The time was 8:37 p.m.

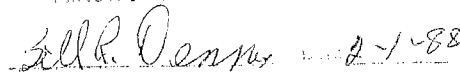
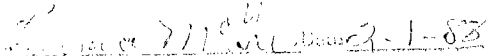
Approved:


 Chairman of the Commission

Attest:


 City Clerk

MINUTE READ AND APPROVED BY
 MINUTE & PROCEEDINGS COMMITTEE

 1-18-88
 1-18-88

Angela Cramer Date *2-16-88*
Bernice McGee Date *2-16-88*
Bill Dennis Date *2-16-88*

February 1, 1988

The Livingston City Commission met in regular session at 7:30 p.m., Monday, February 1, 1988, in the council chambers of the City-County Building.

Commissioners present were Louis Armentaro, Angela Cramer, Bill Dennis, Jody Fink, Louis Mayer, Bernice McGee, Marc Montgomery and John Phillips with Chairman Rick Loftice presiding.

Minutes of the previous meeting were approved upon motion by Dennis, second by Cramer.

Tom Berry of Dime Insurance presented Chairman Loftice with a dividend check from AIU Marketpac in the amount of \$3,141.70 as the City is a participant of the Marketpac Safety Group Program.

Ordinance 1583, AN ORDINANCE AMENDING A PORTION OF SECTION 1-2 OF THE CODE OF ORDINANCES SETTING FORTH THE DEFINITION OF CITY COUNCIL was approved by unanimous vote on second reading.

Ordinance 1584, AN ORDINANCE AMENDING SECTION 1-3 OF THE CODE OF ORDINANCES was approved by unanimous vote on second reading.

Ordinance 1585, AN ORDINANCE AMENDING SECTION 1-9 OF THE CODE OF ORDINANCES DEFINING THE CORPORATE CITY LIMITS was passed by unanimous vote on second reading.

Ordinance 1586, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON was approved by unanimous vote on second reading.

Motion was made by Dennis, second by Cramer that Resolution 2088, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND MICHAEL F. FRASER OF LIVINGSTON, MONTANA be accepted. Vote was unanimous in favor.

Commissioner Dennis stated that the Water Committee had recommended approval of a request made by Don Ellis and Bob Hampson of the Livingston Tourism Advisory Council to waive fees for the installation of a service connection for a proposed RV station to be located at the old John's IGA store. They were present before the Commission and asked that permission be given to encroach on the City's utility easement at the north edge of the IGA property, to hook up to city water and sewer lines and that fees for connection be waived. Motion was made by Phillips, second by Cramer that their request be granted. Motion passed by unanimous vote.

There was discussion involving the sewer connections at the CUT property. At the present time they are using MRL lines and lift station. No action was taken.

There had recently been a request for closure of the alley in the 900 Block of West Cambridge. Superintendent Jacobson reported that this had been done by council action on March 3, 1975 and would require no further Commission action.

Commissioner Jody Fink asked that a check be made on a pickup that has been continually parked in a loading zone at the city building on B & Park Street. Police Chief George Bryce will investigate. She noted that the sidewalk in that area had finally been shoveled.

Councilman Armentaro made a motion, seconded by Fink that council wages continue to be paid as in the past. It was noted that the lower wages had been approved in the current year budget as presented by then Mayor Bill Dennis as the savings could be applied to city manager salary. Motion was made by Phillips, second by Dennis that the matter be tabled until the new budget is presented in July of 1988. Motion passed.

The question of committee meetings was discussed with the decision to continue with them until the city manager assumes his office. It was noted by the city clerk that a motion had been passed at a previous meeting to continue with committees until such time as the city manager takes office except for the Legal committee which will keep on with its function.

Motion was made by Cramer, second by McGee to grant an easement to Mountain Bell to enable them to move a telephone pole in the Dental Building parking lot. Passed.

Motion was made by Cramer, second by Dennis that a resolution be drawn up to transfer funds from certain funds to the Treasury budget to cover the costs of a new cash register and health insurance for the treasurer who becomes an employee instead of an elected official as of January 1, 1988. Passed.

Motion was made by Montgomery, second by Cramer that claims which have been audited be approved for payment. Passed. It was noted that claims over \$1000 will continue to be listed for the Audit Committee until the City Manager takes office.

Commissioner Dennis made a motion, seconded by Cramer that the \$10 penalty for non-attendance at meetings be removed from the ordinance. Passed.

Committeeperson McGee said she wished to thank the sanding crews for being efficient at sanding after the snowstorms and for cleaning up the excess afterwards.

Committeeman Mayer nominated Bernice McGee as Vice-Chairman of the Commission. Motion was made by Cramer, second by Montgomery that nominations be closed. Passed. Roll call vote was unanimous in favor of Committeewoman Bernice McGee.

Chairman Loftice appointed Harry Bower to the Board of Adjustment. Motion was made by Cramer, second by McGee that the appointment be approved. Passed.

Motion was made by Dennis, second by Montgomery that Mel Kuippers be reappointed as the City representative to Yellowstone Country, Inc. at the request of Chairman Loftice. Passed.

There being no further business, motion was made by Cramer, second by Montgomery that the meeting be adjourned. The time was 7:58 p.m.

Attest: *Jody Fink* 2-1-88
Bill Dennis

Approved: *Rick Loftice*

February 16, 1988

The Livingston City Commission met in regular session at 7:30 p.m., Tuesday, February 16, 1988, in the council chambers of the City-County Building.

Commissioners present were Louis Armentaro, Angela Cramer, Bill Dennis, Jody Fink, Louis Mayer, Bernice McGee, Marc Montgomery and John Phillips with Chairman of the Board Rick Loftice presiding.

Minutes of the previous meeting were approved upon motion by Cramer, second by McGee.

Motion was made by Dennis, second by Cramer that Resolution 2089, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND THOMAS, DEAN & HOSKINS, INC. OF BOZEMAN, MONTANA be approved. Vote was seven in favor with Commissioner Jody Fink abstaining. City Attorney Jovick explained that the Commission must give permission to abstain. Fink stated that she was not aware of what the Agreement consisted of and after explanation by City Attorney Jovick and members of the Commission Committee she then voted "aye". Vote was then unanimous in favor of passage.

Motion was made by Dennis, second by Phillips that Resolution 2090, A RESOLUTION TRANSFERRING FUNDS FROM VARIOUS LINE ITEMS IN THE EXECUTIVE, FACILITY MAINTENANCE AND ELECTION BUDGETS TO THE TREASURY BUDGET AND TRANSFERRING BUDGET ITEMS WITHIN THE TREASURY be approved. Vote was unanimous in favor.

Motion was made by Dennis, second by Cramer that Resolution 2091, A RESOLUTION TO ABANDON CERTAIN ALLEYS IN THE CITY OF LIVINGSTON be approved. Vote was unanimous in favor.

Motion was made by Dennis, second by Phillips that Ordinance 1587, AN ORDINANCE DELETING SECTION 2.35 OF THE CODE OF ORDINANCES be approved on first reading. Vote was unanimous in favor.

Motion was made by McGee, second by Cramer that the January reports of the Fire Chief and Police Chief be accepted. Passed.

Commissioner Angela Cramer stated that the first meeting of the Negotiating Committee was held and that the disciplinary action imposed on John Sutherland was not acceptable to the Union Grievance Committee. The State Union Representative was called in at which time four men who had complained about Sutherland were interviewed. It was quite evident none of them wished to be involved, stating that "this happened so long ago that"---. After questioning Sutherland in the presence of these men it was also quite evident that "the street ran both ways"---the men were guilty of some of the same things of which they accused Sutherland. The State Union representative and the Grievance Committee of the local union asked that the case be reviewed and a second meeting was held. The State Union representative said that the City does not have a disciplinary policy for its foremen and due to that fact the Negotiating Committee talked to Sutherland, cautioning him against further displays of temper and suggested he act in a more professional manner as befits a foreman. The Committee then recommended that he be reinstated to his former position. Commissioner Cramer then made a motion to reinstate Sutherland to his former position. Commissioner Bernice McGee seconded the motion. City Superintendent Jacobson asked that an effective date of the reinstatement be included in the motion. Commissioner Armentaro questioned if the City had no right to discipline just because they had no set policy. Commissioner Cramer stated that Nadine Jensen, State Union representative, suggested that the Commission's earliest convenience a discipline policy be set. Commissioner Phillips questioned the discipline policy in the union contracts however, it was noted that this applies only to foremen disciplining their employees. Superintendent Jacobson stated that Ms. Jensen will be sending him a copy of a standard discipline policy. Commissioner Cramer amended her motion by adding that the reinstatement be as of March 1, 1988. Commissioner McGee agreed to the amendment. After more discussion and the recommendation of the City Attorney, the motion was again amended by adding that a regular management review be held in six months. The final amended motion made by Cramer and seconded by McGee was to reinstate John Sutherland to his former position as foreman of the sewer plant as of March 1, 1988, and that a management review be made by the city manager at the end of six months. Motion passed.

Motion was made by Dennis, second by Montgomery that bids for the installation of a waste oil heater in the water department shop in the Libbey building. Bids were received as follows:

Ranger Plumbing & Heating, Inc.	\$7,394.00
S. L. Pynn & Son	6,550.00

All bids were accompanied by a bid deposit. Chairman Loftice referred the bids to the Water Committee for study and recommendation.

Motion was made by Montgomery, second by Dennis that claims which had been audited be approved for payment. Passed.

City Planner Ben Berto told the Commission that following January 12, 1988, and February 9, 1988, public hearings held pursuant to Section 30.74 of the City Zoning Ordinance, the City Board of Adjustment unanimously voted to recommend DENIAL of a request by W. J. Danielson to split his property located at Lots 8-10 and the west 1/2 of Lot 11, Block 46, Original Townsite, also known as 508 West Front Street. The split would result in two residences being located on one tract of 5,481 square feet, and buildings on either side being located 2 feet and 3.7 feet, respectively, from the property line. Zoning for the RII, Residential Medium Density, calls for a minimum lot size of 7000 square feet for two residences and a minimum sideyard setback of five feet. After some discussion, motion was made by Montgomery, second by Mayer to table action on the matter until Danielson can be present. Motion carried.

Chairman Loftice appointed Bill Garcia to fill the unexpired term of Bruce Shephard who resigned. The term ends in January, 1990. Motion was made by Cramer, second by McGee that the appointment be confirmed. Passed.

Chairman Loftice reappointed Robert Jovick as city attorney. Motion was made by Cramer, second by McGee that the appointment be approved. Passed.

After some discussion it was decided that Commissioner Marc Montgomery would attend the Public Official's seminar in Bozeman.

There being no further business, the meeting was adjourned at 8:05 p.m.

Attest:

Approved: *[Signature]*

[Handwritten notes and signatures on the right margin, including a date stamp: FEB 18 1988]

March 7, 1988

The Livingston City Commission met in regular session at 7:30 p.m., Monday, March 7, 1988, in the council chambers of the City-County Building.

Present were Commissioners Bill Dennis, Angela Cramer, Louis Armentaro, Marc Montgomery, Bernice McGee, Louis Mayer and Jody Fink with Chairman Rick Loftice presiding. Commissioner John Phillips was absent.

Minutes of the previous meeting were approved upon motion by Montgomery, second by McGee.

Motion was made by Cramer, second by Montgomery that claims in the amount of \$76,506.44 be approved for payment. Passed.

Motion was made by Dennis, second by Armentaro that March 13-19, 1988, be proclaimed Hospital Appreciation Week. Passed. A short slide show was shown to the City Commissioners by Charlie Brown, Hospital Administrator.

Motion was made by Montgomery, second by Armentaro that the City waive fees for use of the Civic Center on August 11, 12 & 13 as it will be used only in case of rain. A fee of \$200 will be charged for August 10 for a seated dinner. Motion passed. The request was made by Cynthia NeSmith, Director of the Livingston BN Depot which is sponsoring the International Fly Fishing conclave in August.

Motion was made by Montgomery, second by Dennis that St. Mary's School be allowed to pay a reduced rate of \$100 per day for the use of the Civic Center for their basketball tournament on February 18, 19 and 20th. Motion passed.

Motion was made by Armentaro, second by Montgomery that City manpower and equipment be used to start improvements on a softball field located at the east end of Miles Park Baseball Complex. Motion passed.

Motion was made by Montgomery, second by Dennis that Warren McGee be allowed to continue with his volunteer services in the city parks and that the chain of command will be thru the usual channels to City Superintendent Jacobson and City Manager Fraser in that order. Passed.

Ordinance 1587, AN ORDINANCE DELETING SECTION 2.35 OF THE CODE OF ORDINANCES was passed by unanimous vote on second reading. Commissioner John Phillips was absent.

Motion was made by Dennis, second by Mayer that Resolution 2092, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND LOCAL NO. 2711B OF THE CITY OF LIVINGSTON be approved. Vote was unanimous for passage. Commissioner John Phillips was absent.

Motion was made by Dennis, second by Mayer that monthly reports from the Police Chief, Fire Chief and City Judge be accepted. Passed.

Motion was made by Dennis, second by Cramer that the low bid for installation of a waste oil heater be accepted from S. L. Pynn, mechanical contractor. Motion passed.

Motion was made by Cramer, second by Armentaro that the variance request from W. J. Danielson be ^{put} ~~back on~~ the table. The request was to split property which would result in two residences being located on one tract of 5,481 square feet, and buildings on either side of the proposed property line being located 2 feet and 3.7 feet, respectively, from the line. Zoning in this area calls for a minimum lot size of 7000 square feet for two residences, and a minimum sideyard setback of 5 feet. The request was approved against the recommendation of the Board of Adjustment with Commissioners McGee, Mayer, Cramer and Armentaro voting in favor and Montgomery, Fink and Dennis voting against. Commissioner Phillips was absent. The motion to approve was made by Cramer, second by McGee. 96. Taken

Motion was made by Montgomery, second by Armentaro that the City of Livingston authorize Montana Power to upgrade the street lights in Livingston at no cost to the City. Motion passed. Work will begin at B Street east on Park Street.

Motion was made by Montgomery, second by Mayer that an amendment to Group Policy No. GO-45968 be made as follows:

1. Except as stated below, all of the provisions of all forms previously made parts of the Group Contract are replaced by the provisions of the forms listed in the Table of Contents of the attached Group Contract Schedule.
2. Employee insured under the Group Contract on the day before the Effective Date of this Amendment: Part 1 will not apply to that Employee's Employee Insurance until the first day, on or after that Effective Date, on which the Employee meets the Active Work Requirement of the Definitions.
3. Qualified Dependent for whom an Employee was insured under the Group Contract on the day before the Effective Date of this Amendment: If, on that Effective Date, the Qualified Dependent is confined at home or elsewhere for medical care or treatment, then Part 1 will not apply to that Qualified Dependent until final medical release from all such confinement.

Motion passed by unanimous vote.

Motion was made by McGee, second by Dennis that moving expense in the amount of \$589.91 be approved for Mike Fraser. The amount agreed upon in the contract was \$500. Motion passed.

City Manager Fraser noted that the Montana Coal Symposium will take place at the Sheraton Hotel in Billings between March 9 and March 11.

Commissioner McGee asked that police enforce the bicycle and skateboard ordinance. Fraser will handle the matter with the police department.

Commissioner Fink commented on the poor drainage where handicapped curbs had been installed.

Barbara Britt was present to ask about a variance request and she was referred to the Planner's office.

Larry Quigley was present as an observer.

The meeting was called back to open session at 9:55 p.m. There being no further business, the meeting was adjourned.

Approved:


Rick Loftice, Chairman of the Board

Attest:


Jennie Adams, City Clerk

565

March 21, 1988

The Livingston City Council met in regular session at 7:30 p.m., Monday, March 21, 1988, in the council chambers of the City-County Building.

Councilmen present were Bill Dennis, Jody Fink, Louis Mayer, Bernice McGee, Marc Montgomery, and John Phillips with Mayor Rick Loftice presiding. Councilperson Angela Cramer was excused and Louis Armentaro arrived at 7:33 p.m.

Motion was made by Dennis, second by Phillips that the minutes of the March 7, 1988, meeting be approved. It was noted by Councilperson Jody Fink that a correction in the minutes be made in which the motion was made by Cramer, second by Armentaro that the variance request from W. J. Danielson be put back on the table be changed to read "be taken off" the table. The minutes were approved as amended.

Motion was made by Dennis, second by Fink that claims which had been listed in the amount of \$44,938.07 be approved for payment. Passed.

A letter was received from the Girl Scouts and their leaders thanking the City for fixing the road to their clubhouse.

The Council agreed to a request from the Livingston Baseball Association for City assistance in compacting the infields of four of the baseball fields in the Miles Park Complex.

Dave King of the Livingston Jaycees asked the Council for \$1000 seed money which they could use to get the project going for landscaping around the Civic Center. They would be asking for additional funds from the Livingston Community Trust or other charitable organizations and would conduct fund raisers to get additional monies to cover the estimated cost of up to \$12,000. Money could be transferred from the Civic Center utility budget to the repair and maintenance services, according to Mike Fraser, City Manager. He suggested that the Jaycees could submit a list of bills to the City for services rendered during this project, not to exceed \$1000. Motion was made by Phillips, second by Armentaro that the Council grant the request. Passed.

Monthly reports were submitted by the Animal Warden and City-County Planner.

Motion was made by Dennis, second by Mayer that Ordinance 1588, AN ORDINANCE DELETING CHAPTER 9 OF THE CODE OF ORDINANCES be approved on first reading. Vote was unanimous in favor. Councilperson Angela Cramer was absent.

Motion was made by Dennis, second by McGee that Resolution 2093, A RESOLUTION APPROVING AN EXPENDITURE OF FUNDS FROM THE CHILDREN'S RECREATION TRUST FUND be approved. Bernice McGee noted that she felt any further expenditures from that fund should be directed to M Street Park, although she was in favor of this request. The question arose whether fencing at the Miles Park Baseball Field would come under the heading of childrens' recreation since the Trust was strictly for the benefit of children. It was noted by Dan Gutebier that approximately 450 registered participants, ages 6 to 18 as well as countless other children use the baseball fields during the year. City Attorney Jovick stated that he felt it would be covered by the terms of the David Williams will. Motion passed by unanimous vote. Councilperson Angela Cramer was absent.

Lyle Gillard reported on a March 8, 1988 public hearing held by the City Board of Adjustment where they unanimously voted to recommend the CONDITIONAL approval of a request by Jackson and Jewel Redmon to be allowed to operate a granola-making business as a home occupation on their property located at Lots 27 & 28, Block 74, Original Townsite, also known as 109 So. E. The condition for approval is that the Redmons be able to operate their business for one year from the date of City Council approval. This special exception concerns two items. The first is that they will be allowed to operate their business in a detached garage, instead of "wholly within the dwelling", as specified in the criteria for allowable home occupations. The total percentage of floor area devoted to the business, 42%, would also exceed the maximum allowed in the criteria (15%). Motion was made by Dennis, second by Montgomery that the recommendation be accepted. Passed.

Gillard then reported on a March 8, 1988 public hearing held by the City Board of Adjustment where they unanimously voted to recommend APPROVAL of a request by Otto and Alvine Juhnke to build a shed three feet from their side property line on property located at the W70' of Lot 30, Block 72, Original Townsite, also known as 702 E. Callender. Motion was made by Fink, second by McGee that the request be granted. Passed.

Mayor Loftice appointed Bob Spannring and Doris Whithorn to the Design Review Committee, replacing Martin Brecke, resigned, and Paul Working, deceased. Motion was made by McGee, second by Mayer that the appointments be approved. Passed.

Beverly Barnhart was present to request the use of the Civic Center for the Retired Seniors' Volunteer Program Fair and that the fee be waived. The date will be May 14 since the Army National Guard is using on the May 7th date which she originally requested. Motion was made by Dennis, second by Phillips that the fee be waived for the May 14 RSVP Fair. Passed.

Charles Gavin was present to protest the current dog leash law as he felt it was too restrictive. He asked that the council address the ordinance to see if it might be changed.

There being no further business, motion was made by Montgomery, second by Phillips that the meeting be adjourned. The time was 8:00 p.m.

Attest:

Jennie Adams
Clerk

Approved:

Rick Loftice
Mayor

April 4, 1988

The Livingston City Council met in regular session at 7:30 p.m., Monday, April 4, 1988, in the council chambers of the City-County Building.

Councilmen present were Bill Dennis, Jody Fink, Louis Mayer, Bernice McGee, Marc Montgomery, Angela Cramer, John Phillips and Louis Armentaro with Mayor Rick Loftice presiding.

Motion was made by Dennis, second by Mayer that the minutes of the March 21, 1988, meeting be approved.

Motion was made by Cramer, second by McGee, that the claims which had been listed in the amount of \$15,357.09 be approved for payment. Passed.

Debbie Ricci was present on behalf of Vince Ricci from the Chamber of Commerce requesting permission to hold the annual Roundup Parade on July 2nd at 5:00. They would be using the traditional route which is north on 2nd Street, east on Park and south on Main. They would like to request assistance of the police in stopping traffic and clearing streets. Montgomery made the motion that the Chamber of Commerce be allowed to hold the annual Roundup Parade on July 2nd at 5:00 with police assistance, second by Cramer. Passed.

Armentaro made the motion to approve the request from the railroad family and friends to reserve the gazebo at Sacajawea Park for railroad community picnic on July 23rd, second by Cramer. Passed.

There has been a request from Trout Unlimited to have the Mayors Landing and old city dump site be reclaimed and renovated into a recreational access site, by means of help from the Department of Fish, Wildlife and Parks. City Manager Fraser replied that he has written a letter to Tom Travis of Trout Unlimited to give him authorization to investigate the possibilities of a plan of how such a facility could be constructed. Funding might possibly be received from the State for the construction of the boat ramp. No Council action is required at this time.

Motion by Cramer to approve the request from the University of Women to waive the fee at the civic center for their book sale that will be held on July 14, 15 and 16th, second by Dennis. Passed.

Motion by Phillips to approve the variance fee of \$100.00 be waived for the application for a proposed 42" x 72" church announcement board at St. Mary's Catholic Church, second by Armentaro. Passed. It was clarified by City Superintendent Jacobson that the fee is for the variance only, not the actual sign. City-County Planner Berto further explained that the sign is over the maximum normally permitted in a residentially-zoned area; they are in an R2 district and for a non-residential variance request, the filing fee is \$100.00.

Motion by Armentaro to deny the request from Dorothy Quesenberry to rent 15 to 18 tables and about 100 chairs for a family reunion, second by Cramer. Passed. The reasons for this denial is because there is a ruling from previous Park Board meetings that no tables or chairs will be rented out from the civic center.

Because Larry Raffety was not able to attend the meeting yet, City Manager Fraser spoke on his behalf generalizing what would be required of the city concerning a plan started by the Credit Union for improving the area surrounding the ramp from B Street to the railroad underpass. He is looking for support from the city for setting up water lines for the sprinklers, doing the ongoing maintenance of lawn care as far as cutting of grass and winterizing of sprinklers.

Ordinance No. 1588, AN ORDINANCE DELETING CHAPTER 9 OF THE CODE OF ORDINANCES was passed by unanimous vote on second reading.

Motion was made by Dennis, second by McGee that Ordinance No. 1589, AN ORDINANCE AMENDING SECTION 2-1 TO 2-4 OF THE ADMINISTRATION CHAPTER TO SET THE SIZE OF THE CITY COUNCIL AT FIVE MEMBERS AND TO PROVIDE FOR CONCURRENT TERMS PURSUANT TO THE VOTE OF THE ELECTORATE be approved on first reading. Vote was unanimous in favor. It was noted by City Attorney Jovick that this ordinance states that the chairman of the council would be chosen by the council for a one-year term to follow along with the proposed one-year terms of the council. Now that the council will be elected for a two-year term, the council would have the option of going for the election of a chairman for a two-year term instead of the original one-year term. In the event that between this meeting and the next meeting on the second reading if the council feels that it wants to change that to a two-year term, then an amendment can come from the floor.

Motion by Dennis, second by Phillips that Resolution No. 2095, A RESOLUTION ADOPTING A DEFERRED COMPENSATION PLAN TO BE ADMINISTERED BY THE ICMA RETIREMENT CORPORATION be approved. Vote was unanimous in favor.

City Manager Fraser explained that the City will be conducting a spring cleanup commencing on May 2nd. It should take between four to five weeks to conduct this plan. It will be starting south of Park Street on the east side and working westward. When that is completed, it will then go north of Park Street on the east side and working westward. One thing that will be done is that the crews will be picking up all items that are in the alleys that are rubbish and trash, branches, white goods, etc. One comment to be stressed to city residents is that if the paper products can be kept down, it will save costs because anything that is burnable as far as paper and plastic products, etc., cannot be taken to the landfill. They would have to be taken to the incinerator which would be an added cost to the City.

City Manager Fraser has taken time to review the current staffing situation in the City offices and feels that it's in the best interest of the City to have a reduction in work force. He felt that the City Treasurer position could be eliminated and that the work that was given to that person for that position could be distributed with existing staff. However, for the City Clerk's position, he recommended that at this point in time the position needs to be left on staff and reclassified into the position of Finance Supervisor and as time goes on, the position could be reviewed to see if anything needs to be done with it. Jennie Adams who is currently the City Clerk and the new Finance Supervisor is going to be retiring June 30th which puts us right in the middle of the budget season which means that we need to be able to bring somebody else on board to take Jennie's position as soon as possible. It doesn't look possible to have someone else by July 1st because this is a busy time of the year for all finance people. Mr. Fraser recommended a salary of \$27,000. per year with a required degree in business/public administration. With eliminating the City Treasurer position, a savings of \$20,483. is shown which could be put towards the salary of a Finance Supervisor. It was decided to have the City Manager get together comparative salary figures and to discuss this

Motion by Armentaro, second by Fink, to accept the application for the gaming license submitted by Linda Honaker of the Community Lifeline to enable her organization to hold a raffle. Passed.

City Manager recommended conditional approval of the recommendation made by the City/County Planning Board to allow Rich Adams at 802 East Butte Street to subdivide his property. The condition for approval is that State of Montana agrees to convey the portion of land to the south of the current property line, by means of quiet title action, to Mr. Adams. Motion by Dennis to accept this conditional approval second by Cramer. Seven Council members were in favor of this with McGee against this conditional approval.

A resignation has been announced from part-time Dispatcher/Parking Control Officer, Sharon Swingle. City Manager Fraser and Police Chief Bryce are in the process of researching this position to see if it is essential and they will inform the council if it should be filled or not.

Motion by Montgomery to require that the owners of 517, 523 and 529 be required to extend the water line at their own expense with the costs being shared, second by Cramer. Passed. After more discussion, it was decided that there may be more property owners involved in this than was originally thought. Since the motion was already passed, City Attorney Jovick recommended that no administrative action be taken until the staff prepares a recommendation on cost-sharing proposals and then consider their recommendation at the next meeting. The Council could then alter what had been passed at this meeting.

Police Chief Bryce reported that during the week of March 21-26, 1988, Police Officers James Perkins and Terry Brack completed a "First Responder's" first aid course. Police Officer Wonders, Dispatcher Koder and Animal Control Officer Fyffe volunteered to be accident victims for the Practical exercises. Sgt. Gillett taught part of the course and also graded the Practical exercises on a voluntary basis. On April 1, 1988, Police Officer Clyde O'Neill graduated from the Montana Law Enforcement Basic Academy.

Fire Chief Frederick reported that during the week of March 21-26, 1988, five firefighters completed a First Responder Course. They were full-time firefighters Kevin Harrington and Doug Lobaugh; and part-paid firefighters Dick Wood, Michael Nettles and Wendy Kemp. Instructors were Lieut. Art Swanson, Jerry Weimer and Pat Wagman.

Police Chief Bryce discussed the uniform change with the Council and showed them a new style uniform which is what they are planning on having. The effective date for these uniforms is January 1, 1989 to enable the employees to be able to use their clothing allowance for the actual purchase of these. They will not cost the City anything.

Larry Raffety discussed the proposed Park Street Underpass Project which the Livingston Employee's Federal Credit Union would like to develop. The area of development would be the area surrounding the ramp from B Street to the railroad underpass. Mr. Raffety has given the Credit Union some preliminary cost figures and they would donate from 1/3 to 1/2 of the cost. Two things are being requested from the City. They are water services and routine maintenance. City Manager Fraser and City Superintendent Jacobson have looked this over and would like to recommend to the Council that we study this and see if we can do it and if we can then see how it will impact our current service level. They will make this presentation to the Council when it is complete.

Councilperson McGee brought up the City Manager's authorization of 350 chairs to be loaned to the Depot Center. Her question was how are these chairs going to be brought back. City Manager Fraser said that arrangements have been made that the Depot will come and pick up the chairs and bring them back to the civic center at the Depot's own expense. These chairs will be brought back to the civic center by 8:00 on the morning of the 8th. The City Manager felt that we could work around this as long as they did this at their own expense and we could do that in the interest of community affairs. He was not aware that the Council did not like to loan these out. If the Council does not want to loan these chairs out in the future then it won't be done.

Mayor Loftice appointed Louis Mayer to the Health Board as a voting member and appointed John Phillips to replace Louis Mayer as Council Representative on the Health Board. Motion was made by Armentaro to approve this, second by Cramer. Passed.

Charles Gavin was present to address the Council on the dog lease law. Councilman Montgomery said this was brought up at the last work session and it was determined that when that law was passed and put into effect that the majority of the citizens of Livingston wanted a leash law, not just a control law. It was addressed and as council people with the majority of the public wanting something, it's not our right to change it. Mr. Gavin feels this law is unfair and should be looked into. He would be willing to work to get this changed.

There being no further business, motion was made by Armentaro, second by Montgomery that the meeting be adjourned. The time was 8:35 p.m.

Attest:

Jeanne Henry
RECORDING SECRETARY

Approved:

Rich Loftice
MAYOR

CITY COUNCIL MINUTES
APRIL 18, 1988

The Livingston City Council met in regular session at 7:30 p.m., Monday, April 18, 1988, in the council chambers of the City-County Building.

Councilmen present were Bill Dennis, Jody Fink, Louis Mayer, Bernice McGee, Marc Montgomery, Angela Cramer, John Phillips and Louis Armentaro with Mayor Rick Loftice presiding.

Motion was made by Cramer, second by McGee, that the minutes of the April 4, 1988, meeting be approved. Passed.

Motion was made by Montgomery, second by Cramer, that the claims which had been listed in the amount of \$49,961.26 be approved for payment. Passed.

Montgomery made the motion to approve the request from the Teen Center to waive the fee at the civic center, second by Mayer. Passed.

Motion was made by Armentaro, second by Montgomery, to approve the request from the Baseball Association to waive the fee at the civic center. Passed.

Ordinance No. 1589, AN ORDINANCE AMENDING SECTION 2-1 TO 2-4 OF THE ADMINISTRATION CHAPTER TO SET THE SIZE OF THE CITY COUNCIL AT FIVE MEMBERS AND TO PROVIDE FOR CONCURRENT TERMS PURSUANT TO THE VOTE OF THE ELECTORATE was passed by unanimous vote on second reading with the following motion to amend by Montgomery, second by Dennis, "Section 2-3. Chairman. The Chairman of the City Council shall be elected by the City Council at the first meeting of each year for a term of two years and shall be referred to as Mayor." Passed by unanimous vote.

Cramer made the motion to approve the request from the Heritage Baptist Church to waive the fee at the civic center, second by Mayer. Passed.

Motion by Dennis, second by McGee, that Ordinance No. 1590, AN ORDINANCE AMENDING SECTION 28-178 TO PERMIT THE RIDING OF SPECIALLY DESIGNED BICYCLES FOR THE PHYSICALLY IMPAIRED UPON SIDEWALKS be approved on first reading. Vote was unanimous in favor.

Motion by Dennis, second by Montgomery, that Resolution No. 2094, A RESOLUTION AMENDING SECTION 6-1 AND ADDING A SECTION 6-2 TO THE CITY OF LIVINGSTON WATER SERVICE REGULATIONS be approved. As this was also a public hearing, Mayor Loftice called for any public comment from the audience. No comments were made. Vote was unanimous in favor.

Cramer made a motion, second by McGee, to amend Resolution No. 2096, A RESOLUTION OF THE CITY OF LIVINGSTON, MONTANA, ABANDONING AND VACATING THE ALLEY IN BLOCK 3 OF THE PALACE ADDITION TO THE CITY OF LIVINGSTON, MONTANA to read Resolution No. 2096, A RESOLUTION OF THE CITY OF LIVINGSTON, MONTANA, ABANDONING AND VACATING THE ALLEY IN BLOCK 3 OF THE PARK ADDITION TO THE CITY OF LIVINGSTON, MONTANA. Vote was unanimous in favor.

Motion by Dennis, second by Montgomery, to approve Resolution No. 2096, A RESOLUTION OF THE CITY OF LIVINGSTON, MONTANA, ABANDONING AND VACATING THE ALLEY IN BLOCK 3 OF THE PARK ADDITION TO THE CITY OF LIVINGSTON, MONTANA. Vote was unanimous in favor.

Motion was made by Montgomery to set up a rental fee for all people who use the civic center effective July 1, 1988, for regular business and citizens at \$200 per day with the use of the kitchen and \$150 per day without the use of the kitchen and for service organizations at \$100 per day with the use of the kitchen and \$75 per day without the use of the kitchen. Second by Dennis. Passed.

Motion was made by McGee to select Option #2 (concerning tables and chairs) which is \$1.50 per day per table and 25¢ per day per chair with a \$10.00 deposit per table and \$1.00 deposit per chair, second by Armentaro. Passed.

Motion was made by Dennis to accept the Table and Chair Agreement with the addition that all tables and chairs should be returned only on a week day during normal working hours in order to save on overtime. Second by McGee. Passed.

City Manager Fraser notified the Council of the elimination of a Sewer Plant Operator position which has been vacant since 1/1/88. This would reduce the sewer budget by \$23,871 and would not cause a significant impact on the total operations. All state licensing requirements would be met.

Regarding the underpass project by the Livingston Employees Federal Credit Union, City Manager Fraser recommended that the City Council approve the cost of replacing a water service line into the sprinklers and paying for the annual water cost. He also recommended that the City handle the lawn cutting of this underpass area. Furthermore, he feels that the City should be given the right of final approval of the landscaping plan of this section due to the fact that it will be the City who shall maintain this for years to come. Motion was made by Montgomery to pay the \$660 cost for hooking up the water line and handle the cost of the water conditional upon final approval. Second by Fink. Passed.

City Manager Fraser submitted departmental organizational charts and each Department Head gave a brief presentation on their department in order to keep the Council better informed on departmental activities.

Motion was made by Armentaro, second by Dennis, to APPROVE a variance for St. Mary's Church to install a 3½' by 6' illuminated announcement sign per recommendation from the city Board of Adjustment. Passed.

Motion was made by Armentaro, second by Cramer, to APPROVE a variance to enlarge the reader board portion of the Dairy Queen sign at 1017 West Park Street per recommendation from the City Board of Adjustment. Passed.

Motion was made by Dennis, second by Fink, to CONDITIONALLY APPROVE a request by Lawrence Douglas at west 40' of Lots 20 & 21, Block 117, Park Addition for a variance to be allowed to build a 260 sq. ft. addition onto his house per recommendation from the City Board of Adjustment. Passed. A member of the Aro family, who own property on Lots 19 & 20, was present to voice their opposition to this variance. Mr. Aro was informed by City-County Planner Ben Berto that he could make an appointment with him to discuss this further but that the approval had been made by the Board of Adjustment and that it was final. City Attorney Jovick informed the Council that they had the option to make a motion to reconsider this either at this meeting or the next meeting. There was no response from the Council; therefore, Mayor Loftice ended the discussion.

April 18, 1988

City Manager Fraser announced that Doug Lobaugh has been appointed to a regular firefighter after completing his six-month probationary period.

City Manager Fraser announced that the Livingston Police Department was recognized for their service to our community by the Heritage Baptist Church. The Department received a certificate of appreciation.

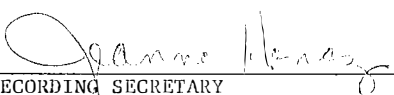
Mayor Loftice called for any public comments. There were none.

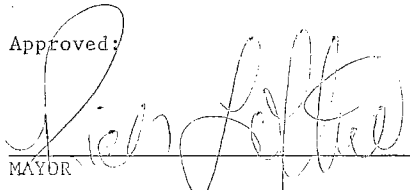
Mayor Loftice closed the meeting for an executive session.

The meeting was re-opened at 8:55 p.m. There being no further business, motion was made by Montgomery to adjourn the meeting, second by Phillips, at 8:56 p.m.

Attest:

Approved:


RECORDING SECRETARY


MAYOR

CITY COUNCIL MINUTES

May 2, 1988

The Livingston City Council met in regular session at 7:30 p.m., Monday, May 2, 1988, in the council chambers of the City-County Building.

Councilmen present were Louis Armentaro, Angela Cramer, Bill Dennis, Jody Fink, Louis Mayer, Bernice McGee, Marc Montgomery and John Phillips with Mayor Rick Loftice presiding.

Motion was made by Cramer, second by Mayer, that the minutes of the April 18, 1988, meeting be approved. Passed.

Motion was made by Dennis, second by Montgomery, that the claims which had been listed in the amount of \$18,773.11 be approved for payment. Passed.

Ordinance No. 1590, AN ORDINANCE AMENDING SECTION 28-178 TO PERMIT THE RIDING OF SPECIALLY DESIGNED BICYCLES FOR THE PHYSICALLY IMPAIRED UPON SIDEWALKS was passed by unanimous vote on second reading.

Motion by Dennis, second by Phillips, that Resolution No. 2097, A RESOLUTION APPROVING AN AMENDMENT IN THE CONTRACT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND MICHAEL J. FRASER, CITY MANAGER be approved. Vote was unanimous in favor.

Concerning the Police part-time Dispatcher/Parking Attendant position, City Manager Fraser recommended reducing this from a part-time Dispatcher/Parking Attendant at a budgeted rate of \$19,360 salary + benefits to a part-time Dispatcher at a budgeted rate of \$10,000 salary + benefits. This works out to a budget reduction of \$9,360.

City Manager Fraser gave an update on the underground fuel release. The situation has stabilized within the business at near normal levels. Our concerns are now focused on where the remaining product is and how it might contaminate the "B" Street water well.

City Manager Fraser recommended that the Council approve the application for keno machines at the Mini Mart Store in Livingston and to collect the license fee of \$100.00 per machine. Cramer made the motion to approve, second by Armentaro. Passed.

City Manager Fraser notified the Council of the opening of contract negotiations between the City and the Livingston Police Department. He will keep the Council informed on this matter.

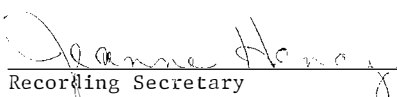
McGee reported that the people who take care of the triangle at Sacajawea Park need to have a way to bring water to it and would like to have underground pipes installed. They would also like to have electricity provided so that a spotlight can be put on the flag to enable them to keep the flag up at all times. Montana Power will provide what is needed for this. McGee questioned if the water pipes and electrical conduit could be put into the same trench. Public Works Superintendent Jacobson felt that this would be okay.

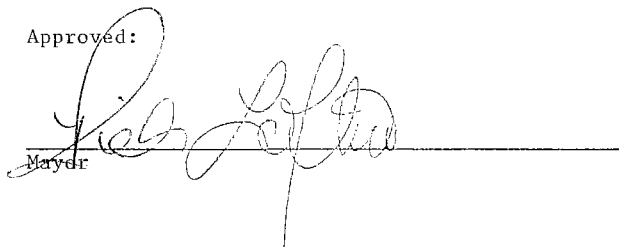
City Manager Fraser had submitted a memo to the Council members regarding a proposal from the National Guard asking if the City would be interested in a joint venture with them on a new armory. This would be a \$2,000,000 building; the City's share would be approximately \$250,000. This City share is what it would cost to expand the existing plans to what the City's requirements would be for the facility. The City has the option to either restore the existing civic center, which would cost approximately \$233,000, or to join into this venture with the National Guard. After discussing this, the Council requested that the City Manager investigate this proposal further.

There being no further business, motion was made by Dennis, second by Phillips, to adjourn the meeting at 8:12 p.m.

Attest:

Approved:


Recording Secretary


Mayor

CITY COUNCIL MINUTES

MAY 16, 1988

The Livingston City Council met in regular session at 7:30 p.m., Monday, May 16, 1988, in the council chambers of the City-County Building.

Councilmen present were Louis Armentaro, Angela Cramer, Bill Dennis, Jody Fink, Louis Mayer, Marc Montgomery and John Phillips with Mayor Rick Loftice presiding. Bernice McGee was absent.

Motion was made by Cramer, second by Mayer, that the minutes of the May 2, 1988, meeting be approved. Passed.

Motion was made by Dennis, second by Cramer, that the claims which had been listed in the amount of \$41,624.60 be approved for payment. Passed.

A request was received from the Ringling Women's Club of Ringling, Montana, for support in making U.S. Highway 89 into the Centennial Highway of Montana. Motion was made by Cramer, second by Montgomery, to support this. Passed. City Manager Fraser reported that the Livingston Chamber of Commerce expressed an interest in supporting this along with the City Council.

Mayor Loftice proclaimed May 27, 1988, as the American Legion Auxiliary's Annual Poppy Day to honor all veterans throughout the world. All citizens were urged to wear a red crepe paper poppy in memory of those who gave their lives and to honor all veterans throughout the world.

Mayor Loftice presented Certificates of Appreciation to Mr. & Mrs. Claude R. Erickson and Mr. & Mrs. Bruce Erickson of the First Security Bank in appreciation for their support and donations for making the swim pool a possibility and for distributing trash receptacles throughout the downtown area. The Ericksons in turn presented a picture of the swimming pool to the City of Livingston for their leadership and efforts in maintaining the pool itself.

Police Chief Bryce reported on the Special Olympic's Law Enforcement Torch Run held from May 15 to 18, 1988. Local police officers who participated in the run were Police Chief George Bryce, Sgts. Lynn Gillett and Steve McCann and Officer Clyde O'Neill. These officers raised nearly \$400 for the Special Olympics.

There was a request from the Friends of the Library asking that the City donate old books to them. They would sell the old books and in turn use that money for the Library itself, possibly in buying new books. Motion was made by Dennis to adopt this program, second by Montgomery. Passed.

Bid openings were held at 1:00 p.m., May 16, 1988. City Manager Fraser announced the successful bidders and asked Council approval on this. The successful bidders for street materials were:

Blacktop.....Big Sky Paving Co., Inc. of Bozeman
Chips.....STS Gravel of Livingston
Oil.....CENEX of Laurel

Motion was made by Dennis to accept the City Manager's recommendation, second by Cramer. Passed.

Cramer requested Council's consideration in allowing her to leave the state from May 29 to June 19, 1988. Motion was made by Dennis to grant this request, second by Armentaro. Passed.

City Manager Fraser announced that the City had received permission from the Yellowstone Country to use their logo on our City letterhead. The new letterhead has been made up. The Council approved of this new letterhead.

City Manager Fraser announced that in addition to the Certificates of Appreciation presented to the Ericksons, the City will be putting a sign up at the swimming pool that will state:

"City of Livingston Public Pool
Opened June of 1985

This pool was made possible by funds donated from Mr. & Mrs. Claude Erickson and Mr. & Mrs. Bruce Erickson of the First Security Bank of Livingston,"

Councilwoman Fink's comment on this was that the Ericksons were responsible for the reopening of the pool but that we should be very careful not to give the Ericksons full credit so as not to offend the other people who worked so hard to get this pool going in the first place. She suggested that the sign should state "The reopening or refurbishing of the pool was made possible by....". The City Manager will see that this is done.

Councilman Dennis asked City Manager Fraser if the street sweeper is on regular schedule yet? His reply was that the street sweeper is on regular schedule for now until the Council can meet with him to come up with a schedule. Councilman Phillips asked if they are advertising this schedule in the newspaper briefs? City Manager Fraser replied that this has not been done but that he will check into doing this.

Mayor Loftice opened the public hearing at 7:45 p.m. pertaining to the request from Don Ellis to amend the text of the Zoning Ordinance. The City received recommendation from the City Zoning Commission for the Council's DENIAL of a request by Don Ellis to amend the text of the Zoning Ordinance. The Council heard comments from Dan Yardley who is representing Don and Marcy Ellis and from Don Ellis who are in support of this amendment. The Council also heard comments against this amendment from Wally O'Hara. The proposed change is to have the text read schools, public and commercial, allowable by special exception in the HC, highway commercial zone. Zoning currently reads that schools, public and commercial, are not acceptable in the highway commercial zone. Motion was made by Montgomery to have an ordinance drafted to allow special exceptions, second by Dennis. Council members voting in favor of this were Dennis, Montgomery, Mayer, and Fink. Council members voting against this were Cramer, Armentaro and Phillips. McGee was absent. Passed.

CITY COUNCIL MINUTES
MAY 16, 1988

(Con't)

Councilwoman Fink commented that the Fire Department had a demonstration and practice session for the benefit of the public and that the Council had been invited. She reported it to be very interesting.

Motion to adjourn was made by Montgomery, second by Fink, at 8:12 p.m. Passed.

Attest:

Approved:

Jeane Henry
RECORDING SECRETARY

Leo H. [Signature]
MAYOR

CITY COUNCIL MINUTES

JUNE 6, 1988

The Livingston City Council met in regular session at 7:30 p.m., Monday June 6, 1988, in the council chambers of the City-County Building.

Council members present were Louis Armentaro, Jody Fink, Louis Mayer, Marc Montgomery with Mayor Rick Loft presiding. Angela Cramer, John Phillips and Bill Dennis were absent.

Motion was made by Montgomery, second by Armentaro, that the minutes of the June 6, 1988, meeting be approved. Passed.

Motion was made by Montgomery, second by Mayer, that the claims which had been listed in the amount of \$51 be approved for payment. Passed.

A request was received from the Post Office to waive the fee for their use of the civic center on June 21 for the examination they would be giving to postal employees from 1:00 p.m. to 3:00 p.m. Motion was made by McGee, second by Armentaro, to waive this fee. Councilman Montgomery requested that City Manager Fraser inform these people that as of July 1, 1988, the City will no longer give free use of the civic center ever.

A request was received from Trout Unlimited to waive the civic center fee for their "Teach a Kid to Fish" if the civic center is used in the case of rain. Councilman Armentaro made the motion to waive this fee, by McGee. All in favor. Councilman Montgomery again made the request of City Manager Fraser to inform the people that as of July 1, 1988, the City will no longer give free use of the civic center ever.

A request was received from Carol Goosey to have the City tennis courts used for tennis lessons. Motion was made by Mayer to allow this, second by Armentaro. Of the five council members present, four were in favor of this. Councilman Montgomery voted against this.

Motion by McGee, second by Montgomery, that Ordinance No. 1591, AN ORDINANCE AMENDING SECTIONS 6-40 AND 6-130 OF THE CODE OF ORDINANCES, CITY OF LIVINGSTON, TO PROVIDE FOR THE ADOPTION OF 1987 NATIONAL ELECTRICAL CODE WITH MONTANA AMENDMENTS, AND ADOPTION OF STATE AMENDMENTS TO TITLE 8, CHAPTER 70, ARM be approved on first reading. Vote was unanimous in favor.

Motion by Montgomery, second by Fink, that Ordinance No. 1592, AN ORDINANCE AMENDING SECTION 30.40 OF THE CODE OF ORDINANCES TO PROVIDE FOR USE BY SPECIAL EXCEPTION IN HIGHWAY COMMERCIAL DISTRICT FOR SCHOOLS, PUBLIC AND PRIVATE BE APPROVED ON FIRST READING. Council members Fink, Mayer and Montgomery voted in favor; Council members McGee and Armentaro voted against this. Passed on first reading.

Mr. Decunzo, an architect hired by the National Guard, made a presentation of plans for the proposed new armory. Speaking on behalf of the National Guard were General Duffy, Director of Maintenance, and Major Cottrill.

City Manager Fraser recommended that the Council vote to eliminate the ambulance subsidy for next year. The City is no longer bound by contract to continue the subsidy and the \$8,367. could be used to offset the 9% General Fund shortfall. Mr. Fraser also recommended that the June payment of \$697.25 to Community Lifeline, which is now owned by Halls Emergency, should not be made. Motion by Montgomery, second by Armentaro, to follow City Manager Fraser's above recommendations. All in favor.

City Manager Fraser recommended that the Council consider the City's involvement with ambulance calls. He suggested if the City was to adopt a policy of responding to emergency calls if requested by Halls Emergency after the ambulance service has assessed the situation, then the following conditions must be met:

1. All City equipment or supplies used in assisting Halls Emergency are to be replaced by Halls Emergency at their expense.
2. Fire Department personnel are to respond to these calls as part of their current job responsibilities.
3. There will be no increase in costs above current levels.

According to both Cliff Halls of Halls Emergency and Dave Frederick the Fire Chief, there should not be a problem with meeting these conditions. Motion was made by Montgomery, second by Armentaro, to allow this. All in favor.

City Manager Fraser asked the Council for consideration of continuing the investigation of the National Guard/City armory option. A motion was made by Montgomery, second by McGee, to put together a bond issue of \$300,000 to fix up the present civic center. If that fails, then the City should go along with the National Guard. City Attorney Jovick cautioned the Council about putting this before the taxpayers and that the Council should be prepared to fully justify their request to be ready with the appropriate types of plans, data and architectural statements that would back up that kind of money. It was decided that a more definite study should be made on exactly what is needed for the civic center repairs. The City Manager was directed to do so. Montgomery rescinded his motion to put together a bond issue of \$300,000. McGee rescinded her second on this motion. Motion was made by Montgomery that the City should give every bit of support they possibly can to the National Guard to get their armory built even if it means going up as a Council and lobbying for it and that even if we keep our current location at the civic center, it would be great if the National Guard had a new facility and we didn't have them down where they are now and we could utilize the grounds around it for other purposes. Second by Armentaro. Motion passed.

Councilperson Cramer requested City Manager Fraser to have the Council consider setting up a meeting with the Board of Adjustment. The Council was in favor of this. Mayor Loftice directed City Manager Fraser to set the meeting up.

Councilperson Fink requested that the street sweeper program be discussed. City Manager Fraser asked the Council if they wanted to change the present program that has been set up or not. Motion was made by Montgomery to not ticket any cars and just let the sweeper go around them, second by Mayer. After discussion and public comments, Mayor Loftice asked the Council for their vote on this. Montgomery and Mayer were in favor of the motion; McGee, Armentaro and Fink were opposed. Motion failed. The Council decided to hold off on any decisions for now.

City Manager Fraser informed the Council that there is not any money available for the paving of 10th Street and if the Council wants to make this a priority, it would be their decision. The Council decided not to do anything until the budget is looked at.

Mayor Loftice closed the meeting for an executive session, then reopened and adjourned the meeting at 9:40 p.m.

Attest:

Shanne Henery
RECORDING SECRETARY

Approved:

Richard Loftice
MAYOR

575

CITY COUNCIL MINUTES
JUNE 20, 1988

The Livingston City Council met in regular session at 7:30 p.m., Monday, June 20, 1988, in the council chambers of the city-county building.

Council members present were Louis Armentaro, Angela Cramer, Bill Dennis, Jody Fink, Bernice McGee, Marc Montgomery and John Phillips with Mayor Rick Loftice presiding. Louis Mayer was absent.

The minutes of June 6, 1988, were corrected as follows:

1. Council member McGee was present at the meeting.

2. Council member Armentaro requested that Montgomery's request of the City Manager "that the City will no longer give free use of the civic center ever that the word "ever" be deleted from the minutes as the Council would like to rent the civic center on a case by case basis.

Motion was made by McGee, second by Montgomery, that the minutes of the June 6, 1988, meeting be accepted as corrected. Passed.

Motion was made by Montgomery, second by Fink, that the claims which had been listed in the amount of \$67,739.08 be approved for payment. Passed.

City Manager Fraser had received a request from the School District for use of the civic center for their basketball programs. City Manager Fraser recommended renting the civic center to the School District at a lesser amount if they use their own custodian staff. Phillips made a motion that City Manager Fraser should negotiate with them and that the amount should be left up to the City Manager's own discretion. Second was made by Dennis. All in favor.

A request had been received from Ferne Questad to waive the fee of the civic center for the 12th Annual Homemakers Show which will be held on September 20, 1988. The Council decided to table this request until they could go over the service organizations list which is scheduled for Friday's work session on June 24.

Second Reading of Zoning Ordinance No. 1592 AMENDING SECTION 30-40, WHICH WILL PROVIDE FOR SPECIAL EXCEPTION IN THE HIGHWAY COMMERCIAL DISTRICT FOR SCHOOLS, PUBLIC AND PRIVATE was defeated with a vote of 7 opposed and 1 absent.

Ordinance No. 1591, AN ORDINANCE AMENDING SECTIONS 6-40 AND 6-130 OF THE CODE OF ORDINANCES, CITY OF LIVINGSTON, TO PROVIDE FOR THE ADOPTION OF 1987 NATIONAL ELECTRICAL CODE WITH MONTANA AMENDMENTS, AND ADOPTION OF STATE AMENDMENTS TO TITLE 8, CHAPTER 70, ARM was passed on second reading. Vote was unanimous in favor with one absent.

Motion by Dennis, second by McGee, that Resolution No. 2098, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA AND THE DEPARTMENT OF MILITARY AFFAIRS FOR RENTAL OF THE ARMORY AT THE CIVIC CENTER be approved. Vote was unanimous in favor with one absent.

Motion by Montgomery, second by Phillips, that Resolution No. 2099, A RESOLUTION AUTHORIZING THE TRANSFER OF MONIES BETWEEN FUNDS TO PROVIDE SUFFICIENT TERMINATION FUNDS IN THE CITY CLERK BUDGET be approved. Vote was unanimous in favor with one absent.

Motion by Dennis, second by Armentaro, that Resolution NO. 2101, A RESOLUTION ORDERING A HEARING UPON A PROPOSED 9% INCREASE IN WATER RATES be approved. Vote was unanimous in favor with one absent.

Motion by Armentaro, second by Phillips, that Resolution No. 2102, A RESOLUTION ORDERING A HEARING UPON A PROPOSED 9% INCREASE IN SEWER RATES be approved. Vote was unanimous in favor with one absent.

Motion by Dennis, second by Montgomery, that Resolution No. 2100, A RESOLUTION ADDING AN ADDITIONAL FUND TO THE BUDGET FOR THE CITY OF LIVINGSTON FISCAL BUDGET 1987-1988 be approved. Vote was unanimous in favor with one absent.

Motion was made by Phillips, second by Fink, that funds be budgeted to pay for Jennie Adams to serve until the City budget is complete. All in favor.

There was a recommendation from the Board of Adjustment for Council's DENIAL of a special exception request by Don Ellis. The Council agreed with the Board of Adjustment and voted for the DENIAL.

Motion was made by Dennis, second by Montgomery, that the Council accept the recommendation of the Board of Adjustment recommending CONDITIONAL APPROVAL of a request by Richard Stordalen. All in favor.

Motion was made by Dennis, second by Armentaro, that the Council accept the recommendation of the Board of Adjustment to CONDITIONALLY APPROVE a request by Robert Frederick. All in favor.

Motion was made by Dennis, second by Cramer, that the Council accept the recommendation of the Board of Adjustment to APPROVE the request made by Ben Jones. All in favor.

One bid had been received for the City code book bids which was from Book Publishing Company. Motion was made by Montgomery, second by Dennis, to accept the bid from Book Publishing Company. Passed.

City Manager Fraser presented a new street sweeper schedule to the Council and recommended that with this schedule that the City not issue tickets until they see if it works well or not. If it doesn't work, then stronger enforcement will need to be enforced. Motion by Cramer to accept this, second by Dennis. All in favor.

City Manager Fraser recommended that the Council pass a motion to budget for \$10,420. in next year's budget to cover the Lehrkind Building Rehabilitation costs. After discussion, the Council requested that City Manager Fraser do some more research on this before they make a decision.

City Manager Fraser announced that a joint meeting would be set up with the Zoning Board sometime after the first of July and asked the Council to set a date. The Council suggested that the meeting be either before or after the July 5th regular council meeting and requested that the City Manager make the arrangements.

A resignation was received from Public Works Superintendent Mike Jacobson. He will be staying with the City until either a replacement is found or he finds another job. City Manager Fraser announced that he would like to upgrade this position and start advertising as soon as possible.

A resignation was received from Police Officer Clyde O'Neill as of June 22, 1988. City Manager Fraser recommended that this position not be filled at this time and that this opening be reviewed during the budget sessions.

Perry Ahern from the Cemetery Department had given his resignation to City Manager Fraser. No certain time was given. City Manager Fraser recommended that the City not budget for this position in next year's budget.

City Manager Fraser suggested not going for a bond issue on the civic center at the present time and, instead, setting up a commission of 7 to 9 community business and organizational leaders to review the needs of this community and this facility. This commission could then develop a plan and submit a recommendation to the City Council. Motion was made by Phillips, second by McGee, to have the City Manager set up this commission and proceed. All in favor.

Mayor Loftice proclaimed June 27 through July 4, 1988, as "Go Western Days" for the City of Livingston.

Motion was made by Montgomery, second by Armentaro, to add hourly rates to the civic center rental schedule. The Council requested that City Manager Fraser review this and bring an hourly rate schedule back to the Council for approval. Six Council members voted in favor of this. Councilman Phillips was opposed and Louis Mayer was absent.

Council member McGee commended the street crews for doing a fine job of cleaning up after the chip sealing which was done on 8th Street.

Public Comments: Charles Gavin spoke on behalf of the dogs of Livingston and suggested the City research dog controls in other cities and that he would like to help in any way he could with this.

Mayor Loftice closed the meeting for an executive session at 8:30 p.m. The meeting was then reopened at 9:05 p.m.


Mayor Loftice announced that there will be a dedication of the Livingston Welcome sign on Park Street on July 2nd at 9:30 a.m.

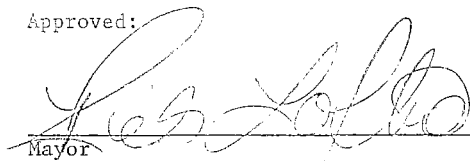
Motion was made by Montgomery, second by Dennis, to have City Manager Fraser advertise for a Public Works Director with a salary range of \$25,000 to \$29,000. After discussion the Council voted with five in favor of this, two opposed and one absent. Motion passed.

Motion was made by Armentaro, second by Montgomery, to adjourn the meeting at 9:22 p.m.

Attest:

Approved:


Recording Secretary


Mayor

577

57

July 5, 1988
City Council Meeting

The Livingston City Council met in regular session at 7:30 p.m., Tuesday, July 5, 1988, in the council chambers of the City-County Building.

Council members present were Louis Armentaro, Angela Cramer, Bill Dennis, Jody Fink, Louis Mayer, Bernice McGee, Marc Montgomery and John Phillips with Mayor Rick Loftice presiding.

Motion was made by Cramer, second by Fink, to approve the minutes of the June 20, 1988 meeting. Passed.

Motion was made by Dennis, second by Cramer, that the claims which had been listed in the amount of \$19,100 be approved for payment. Passed.

Motion by Dennis, second by Phillips, that Resolution No. 2103, A RESOLUTION ASSESSING AND LEVYING A BASIC GARBAGE TAX FOR THE FISCAL YEAR JULY 1, 1988 THRU JUNE 30, 1989, be approved. Vote was unanimous in favor.

Motion was made by Montgomery, second by Cramer, that Resolution No. 2104, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, A MUNICIPAL CORPORATION AND THE COUNTY OF PARK, A POLITICAL SUBDIVISION OF THE STATE OF MONTANA be approved. The vote was 6 in favor with Council members Armentaro and Fink opposed. Passed.

Motion was made by Montgomery, second by Dennis, to accept the Lehrkind Building Rehabilitation project as proposed by the City Manager. All in favor. The \$10,420 will be budgeted for in the FY 88-89 budget.

Motion was made by Cramer, second by Dennis, to accept the service organization list for the civic center and the hourly rates proposed by the City Manager of \$25.00 without the use of the kitchen and \$35.00 with the use of the kitchen. All in favor.

City Manager Fraser recommended the following list of people for the Civic Center Advisory Commission:

1. City Council (Marc Montgomery)
2. Depot Center (Cynthia NeSmith)
3. Yellowstone Country (Larry Quigley)
4. Senior Citizen Center (Donald Fraser)
5. Chamber of Commerce (Darwin Rabenberg)
6. MRL (John Weish)
7. Athletics/Sports (Don Pomeroy)

Motion was made by Fink, second by McGee, to accept this Civic Center Advisory Commission as is with the exception that a citizen be added who is not affiliated with any business. All in favor.

Motion was made by Montgomery, second by Armentaro, to have the City Manager draft a letter for Council signatures supporting a petition which is being circulated pertaining to a request to have the Public Service Commission back off and let the MRL and Livingston Rehab Center go on with setting up their business in Livingston. Seven Council members voted in favor of this with McGee being opposed.

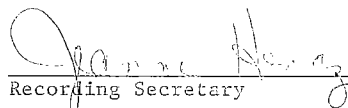
Lyle Gillard spoke before the Council on behalf of the new Frontier Personal Care Center. He had sent a letter to the Council previously concerning tax breaks for his new addition to his business and asked for advisement from the Council on what they could do. Mayor Loftice and Council requested City Manager Fraser to study this and bring it before the Council in the form of a resolution for Council consideration.

The City Council meeting was closed for an executive session concerning union contract talks and was reopened at 9:00.

Council requested City Manager Fraser to check into the possibility of installing emergency telephones at the Sacajawea Park and Civic Center. Council also requested the city manager to see about making the road around the Park a one-way street.

Motion was made by Cramer, second by Montgomery, to adjourn the meeting at 9:04 p.m. All in favor.

Attest:


Recording Secretary

Approved:


Mayor

City Council Minutes

July 18, 1988

The Livingston City Council met in regular session at 7:30 p.m., Monday, July 18, 1988, in the council chambers of the City-County Building.

Council members present were Louis Armentaro, Angela Cramer, Bill Dennis, Jody Fink, Louis Mayer, Marc Montgomery and John Phillips with Mayor Rick Loftice presiding. Bernice McGee was absent.

Motion was made by Cramer, second by Mayer, to approve the minutes of the July 5, 1988, meeting. Passed.

Motion was made by Dennis, second by Cramer, the claims which had been listed in the amount of \$75,737.43 be approved for payment. Passed.

Motion was made by Montgomery, second by Phillips, that Resolution No. 2106, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, A MUNICIPAL CORPORATION AND THE COUNTY OF PARK, A POLITICAL SUBDIVISION OF THE STATE OF MONTANA be approved. The vote was seven in favor with one absent.

City Manager Fraser presented copies of the Preliminary Budget for Fiscal Year 1988/89 to the Council for their review. The discussion of the Preliminary Budget will be conducted on Wednesday, July 20 at 7:00 p.m. The public hearing will be Wednesday, August 3 at 7:00 p.m. Final approval and passage of the budget will take place on Monday, August 8 at 7:30 p.m.

Presentation was made of the 1986/87 Audit Report from the City's auditing firm of Veltkamp, Simmons, Stannebein & Bateson, P.C. Max Simmons explained the audit to the City Council and answered any questions they had.

Presentation was made of the 1986/87 management letter from Veltkamp, Simmons, Stannebein & Bateson, P.C. Max Simmons explained the management letter to the City Council and answered their questions.

Montgomery made a motion that the Council direct City Manager Fraser and City Attorney Jovick to look into a tax break for Lyle Gillard for his new addition of the Frontier Retirement Home, second by Armentaro. Phillips made a motion that this motion be tabled until the Council can study this more, second by Cramer. Vote was 5 in favor of Phillips motion and 2 opposed. Motion carried.

Fink requested that the Friday morning work sessions be changed to a time when the Councilmembers who work can be there. The Council decided on Thursday evenings at 7:00 p.m. starting in August.

Mayor Loftice asked for any public comments from the audience. Netzy Durfee, John Fields and Bob Weimer requested that the Council reconsider cutting any job positions in the City especially taking into consideration the loss of the fire rating and a possible increase in crime. Jerry Weimer suggested that the Council look into annexation as possible means of added revenues. Mayor Loftice informed him that this is something the City is working on.

Mayor Loftice closed the meeting at 8:35 p.m. for an executive session concerning union contract talks.

Mayor Loftice then called for a recess of the Council meeting until Wednesday, July 20, at 7:00 p.m. The time was 9:30 p.m.

July 20, 1988

The Livingston City Council continued their budget meeting at 7:00 p.m. with all members present except Bernice McGee. Mayor Loftice was presiding.

City Manager Fraser presented a memo to the City Council explaining more revenues than originally anticipated. He listed the following as an explanation of the reduction in the projected deficit:

Libby Building (Rent).....	\$ 18,000.
Departmental Savings.....	\$ 52,000.
Taxes.....	\$ 8,000.
Judges Fines Up.....	\$ 5,000.
Consulting Reserve Adjustment.....	\$ 7,951.
Additional Mill Levy.....	\$ 11,309.
Dispatcher (Audit Request for Double Entry).....	\$ 46,170.

City Manager Fraser went on to explain that with the budgeted cuts, the Council will have the opportunity to replace \$50,188 to any cuts previously proposed and gave the following list as an example of the costs for some of the higher priority items:

Fireman (Salary + Benefits + Adjustments).....	\$ 20,667.
Policeman (Salary + Benefits + Training).....	\$ 23,300.
Water Department Operator.....	\$ 24,874.
Cemetery Laborer.....	\$ 22,675.
Sewer Department Operator.....	\$ 24,578.
Building Inspector.....	\$ 8,000.
Police Car.....	\$ 15,000.
Additional Operating Money (All Departments).....	\$ 2,000.
Vehicle & Equipment Replacement Program.....	\$ 37,233.
Computer Terminal (Finance Officer).....	\$ 3,600.

City Manager Fraser recommended the following as replacements:

Fireman (Salary + Benefits + Adjustments).....	\$ 20,667.
Building Inspector.....	\$ 8,000.
Police Car.....	\$ 15,000.
Computer Terminal (Finance Officer).....	\$ 3,600.
Additional Operating Money (All Departments).....	\$ 2,921.

Motion was made by Montgomery that in the General Fund \$45,975 be taken out of the cash reserves and use that money to fund a policeman and a cemetery laborer plus the items mentioned by Fraser totalling \$50,1 second by Armentaro. Jennie Adams commented that there are no cash reserves in the General Fund and that the CDs are invested and the interest from these is used for operating expenses only. The vote was one in favor and six opposed. Motion failed.

Motion was made by Cramer to cut the budget to hire a policeman and keep the cemetery worker position, second by Montgomery. This motion also included adding back in the fireman, building inspector, and the police car and not to add back in the computer terminal for the Finance Officer and additional operating money for all departments. The vote was seven in favor, one absent. Motion carried.

Montgomery made a motion to make the following budget cuts in order to keep the policeman and cemetery laborer positions proposed by Cramer:

Council Salaries.....	\$ 1,500.
Parking Attendant.....	\$ 10,309.
City Planner.....	\$ 8,000.
Sidewalk Program.....	\$ 6,000.
Police Car.....	\$ 15,000.

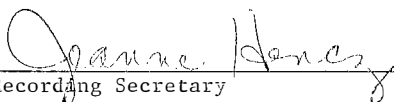
Second was by Cramer. The vote was six in favor, one opposed. Motion carried.

Motion was made by Montgomery, second by Mayer, to approve Resolution No. 2105, A RESOLUTION ADOPTING THE BUDGET FOR THE YEAR BEGINNING JULY 1, 1988, AND ENDING JUNE 30, 1989, SETTING SALARIES FOR OFFICERS AND EMPLOYEES FOR THE CITY OF LIVINGSTON, MONTANA, AND ESTABLISHING THE FUNDS UPON WHICH ACCOUNTS WILL BE DRAWN. Vote was six in favor, one opposed and one absent. Passed.

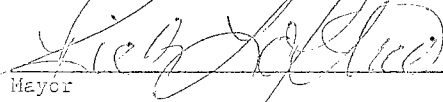
City Manager Fraser explained that there is a \$39,000 deficit in the Water Fund and a \$30,000 deficit in the Sewer Fund.

Montgomery made the motion to adjourn, second by Cramer. The time was 8:30 p.m.

Attest:


Recording Secretary

Approved:


Mayor

CITY COUNCIL MINUTES
August 3, 1988

The Livingston City Council met at 7:00 p.m., Wednesday, August 3 in the council chambers of the City-County Building to hold a public hearing on the preliminary budget. Council members present were Louis Armentaro, Angela Cramer, Jody Fink, Louis Mayer, Marc Montgomery, and John Phillips with Mayor Rick Loftice presiding. Council members absent were Bill Dennis and Bernice McGee.

The meeting was held to hear comments for and against the 1988/89 Preliminary Budget. Before Mayor Loftice called for any public comments, City Manager Fraser recommended the following:

Omit the Police Officer from the previous meeting's motion which would add \$22,356 back in to work with to an additional \$18,877 making a total of \$41,233 to be disbursed as follows:

Police Car.....	\$ 14,000.
Meter Maid.....	\$ 14,720.
Computer Terminal & Software.....	\$ 3,000.
City Planner.....	\$ 7,750.
Differential for Bldg. Inspector.....	\$ 1,200.
Training for Bldg. Inspector.....	\$ 563.

City Manager Fraser also recommended keeping the full-time water operator and omitting the two water seasonals.

Cramer made the motion to accept the preliminary budget with the City Manager's recommendations of adding back in the police car, meter maid, computer terminal & software, city planner, differential for the building inspector and training monies for the building inspector and removing the police officer position, second by Montgomery. Vote was five in favor with Armentaro being opposed. Motion passed.

Montgomery made the motion to accept adding the full-time water operator back in and omitting the two water seasonals, second by Cramer. All in favor. Motion passed.

Mayor Loftice called for any public comments:

Dave King, representing Big Brothers & Sisters, requested that a contribution be considered in the budget for the Big Brothers and Sisters. He was informed that the Council passed Resolution No. 2055, A RESOLUTION SETTING CITY COUNCIL POLICY NOT TO CONTRIBUTE OR GIVE MONIES TO OUTSIDE ORGANIZATION REQUESTS on May 18, 1987. The reasons for passing this resolution were because the financing and budgeting of the City would be seriously affected by the Federal revenue sharing monies being discontinued and also would be seriously impacted by the effect of Initiative 105 concerning an imposition of limits upon real property tax increases.

Mayor Loftice called for any other public comments concerning the preliminary budget. There being none, the public hearing was closed at 7:25 p.m.

Motion was made by Phillips, second by Armentaro to adjourn the meeting at 7:28 p.m.

August 8, 1988

The City Council met at 7:30 p.m. in special session for the purpose of passing the final budget for 1988/89. Council members present were Louis Armentaro, Angela Cramer, Bill Dennis, Jody Fink, Louis Mayer, Bernice McGee, Marc Montgomery, John Phillips with Mayor Rick Loftice presiding.

City Manager Fraser requested that the Council omit from Addendum A of Resolution No. 2105 the amount of \$50.00 for the Wind Farm.

Motion was made by Cramer, second by Armentaro, to delete the Public Works Director and hire a secretary to handle the paperwork. Vote was two in favor and six opposed. Motion failed.

Motion was made by Montgomery, second by Phillips, that Resolution No. 2105, A RESOLUTION ADOPTING THE BUDGET FOR THE YEAR BEGINNING JULY 1, 1988, AND ENDING JUNE 30, 1989, SETTING SALARIES FOR OFFICERS AND EMPLOYEES FOR THE CITY OF LIVINGSTON, MONTANA, AND ESTABLISHING THE FUNDS UPON WHICH ACCOUNTS WILL BE DRAWN be accepted. Roll call vote was four in favor and five opposed. Motion failed.

Motion was made by Montgomery that the City Council should receive salaries of \$50 per meeting, which means work sessions and formal council meetings, not to include anyone absent from a meeting and the money should be funded out of the vacant cemetery laborer position. Second by Fink. Vote was five in favor and three opposed. Motion passed.

Motion was made by Phillips, second by Montgomery, that Resolution No. 2105 as amended by adding Council salaries be accepted. Roll call vote was five in favor with McGee, Mayer and Cramer being opposed. Motion passed.

Motion was made by Dennis, second by Armentaro to accept Resolution No. 2110, A RESOLUTION FIXING AND LEVYING A MILLAGE FOR THE ANNUAL TAX LEVY FOR THE YEAR BEGINNING JULY 1, 1988 AND ENDING JUNE 30, 1989 FOR THE CITY OF LIVINGSTON with the allowance for the changes made in Resolution NO. 2105. All in favor. Motion passed.

Motion was made by Montgomery, second by Armentaro, to accept Resolution No. 2107, A RESOLUTION LEVYING AND ASSESSING GARBAGE TAXES UPON ALL PROPERTY IN THE CITY OF LIVINGSTON, MONTANA, IN ACCORDANCE WITH THE PROVISIONS OF SECTIONS 12-80 TO 12-89 OF THE CODE OF ORDINANCES AND OF RESOLUTION 2102 OF THE CITY OF LIVINGSTON. All in favor. Motion passed.

McGee made a motion to appoint City-County Library Board members Ethelyn Paris and Jane Haugen, second by Cramer. All in favor. Passed.

McGee made the motion to change work sessions to the 2nd and 4th Monday of every month at 7:30 p.m., second by Montgomery. This will begin August 22, 1988. All in favor. Motion passed.

Motion to adjourn was made by Montgomery, second by Fink. All in favor. The time was 8:00 p.m.

CITY COUNCIL MINUTES
AUGUST 15, 1988

The Livingston City Council met in regular session at 7:30 p.m., Monday, August 15, 1988, in the council chambers of the City-County Building.

Council members present were Louis Armentaro, Angela Cramer, Bill Dennis, Jody Fink, Louis Mayer, Bernice McGee, Marc Montgomery, John Phillips with Mayor Rick Loftice presiding.

Motion was made by Dennis, second by Cramer, to accept the minutes of July 18, July 20, August 3 and August 8 meetings. Passed.

Motion was made by Cramer, second by Mayer, to accept the claims which had been listed in the amount of \$155,444.45 for payment. Passed.

Motion was made by Montgomery, second by Dennis, that Resolution No. 2108, A RESOLUTION AUTHORIZING FILING OF APPLICATION WITH THE ENVIRONMENTAL PROTECTION AGENCY, UNITED STATES OF AMERICA, FOR A GRANT UNDER THE WATER POLLUTION CONTROL ACT (33 U.S.C. 466 ET SEQ.), be approved. The vote was eight in favor. Passed.

Motion was made by Cramer, second by McGee, that Resolution No. 2109, A RESOLUTION SUPPORTING AN INCREASE IN THE SIZE OF THE BOARD OF DIRECTORS FOR THE MONTANA MUNICIPAL INSURANCE AUTHORITY, be approved. The vote was eight in favor. Passed.

The public hearing on water and sewer 9% rate increases for the next five years was opened at 7:45 p.m. Max Simmons and Alan Tronson from Veltkamp, Simmons, Stannebein & Bateson, P.C. in Bozeman, gave a presentation on the proposed rate increases and were present to answer any questions. After hearing all public comments the public hearing was closed at 9:05 p.m.

City Manager Fraser recommended approval of the final landscaping plans for the Credit Union Underpass Project. Motion was made by Montgomery to accept these plans as recommended by the City Manager, second by Phillips. All in favor. Passed.

City Manager Fraser made a recommendation of consideration of restructuring meeting times for the City Council by having the work sessions right after the Council meetings; thereby, cutting the cost of meetings in half. Motion was made by Cramer to accept the City Manager's recommendation with the exception that this be a trial basis, before the Council meetings and that there will be no pay for work sessions from now on, second by McGee. All in favor. Passed.

Cramer made a motion to approve the Danielson Minor Subdivision, second by Dennis. Vote was 6 in favor and 2 opposed. Motion passed.

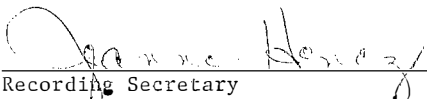
Motion by Dennis, second by McGee, to approve the Board of Adjustment's recommendation for CONDITIONAL APPROVAL of a variance request from Ella Howard at 217 South G. All in favor. Motion passed.

Motion was made by Montgomery to form a committee to study combining the police department and sheriff department services, second by Phillips. Vote was seven in favor and one opposed. Mayor Loftice appointed Montgomery, Phillips and Cramer on the committee.

Mayor Loftice and the City Council requested that City Manager Fraser see that the Police Department enforce Ordinance No. 1554, AN ORDINANCE ADDING A SECTION 28-234 TO THE CODE OF ORDINANCES PROHIBITING PEDESTRIANS FROM LOITERING, FISHING OR PLAYING UPON ANY BRIDGE IN THE CITY.

Dennis made the motion to adjourn at 9:30 p.m., second by McGee.

ATTEST:


Recording Secretary

APPROVED:


Mayor

CITY COUNCIL MINUTES

September 6, 1988

The Livingston City Council met in regular session at 7:30 p.m., Tuesday, September 6, 1988, in the council chambers of the City-County Building. Council members present were Louis Armentaro, Angela Cramer, Bill Dennis, Jody Fink, Louis Mayer, Bernice McGee, Marc Montgomery and John Phillips with Mayor Rick Loftice presiding.

Motion was made by McGee, second by Cramer, to accept the minutes of the August 15, 1988 meeting. Passed.

Motion was made by Montgomery, second by Mayer, to accept the claims which had been listed in the amount of \$49,561.18 for payment. Passed.

Mayor Loftice opened the public hearing at 7:35 p.m. on levying and assessing garbage taxes upon all property in the City of Livingston and asked for any public comments. There being none, the public hearing was closed.

City Manager Fraser introduced the new Finance Officer, Kent Reed.

A request was received from the Big Sky Softball Association to dedicate the city softball fields to Dean Ward. Motion was made by Cramer, second by Armentaro, to approve this request. Passed.

Motion by Montgomery, second by Dennis, that Ordinance No. 1594, AN ORDINANCE AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES ENTITLED ALCOHOLIC BEVERAGE be approved on first reading. Vote was unanimous in favor.

Motion by Dennis, second by Montgomery, that Ordinance NO. 1595, AN ORDINANCE DELETING SECTION 4.30 OF THE CODE OF ORDINANCES be approved on first reading. Vote was unanimous in favor.

Motion was made by Dennis, second by McGee, that final approval be made on Resolution No. 2107, A RESOLUTION LEVYING AND ASSESSING GARBAGE TAXES UPON ALL PROPERTY IN THE CITY OF LIVINGSTON, MONTANA, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 12-80 TO 12-89 OF THE CODE OF ORDINANCES AND OF RESOLUTION 2102 OF THE CITY OF LIVINGSTON. Vote was unanimous in favor. Passed.

Motion was made by Dennis, second by Phillips, to accept Resolution No. 2111, A RESOLUTION APPROVING AN INCREASE IN WATER RATES FOR THE CITY OF LIVINGSTON. Vote was seven in favor with Montgomery opposed. Passed.

Motion was made by Phillips, second by Cramer, to amend Resolution No. 2111, A RESOLUTION APPROVING AN INCREASE IN WATER RATES FOR THE CITY OF LIVINGSTON as follows:

amend Section 1(a) to read "one year" instead of "five years".

Vote was seven in favor with Montgomery opposed. Passed.

Motion was made by Cramer, second by Dennis, to accept Resolution No. 2112, A RESOLUTION APPROVING AN INCREASE IN SEWER RATES FOR THE CITY OF LIVINGSTON. Vote was seven in favor with Montgomery opposed. Passed.

Motion was made by Cramer, second by Phillips, to amend Resolution No. 2112, A RESOLUTION APPROVING AN INCREASE IN SEWER RATES FOR THE CITY OF LIVINGSTON as follows:

amend Section 1(a) to read "one year" instead of "five years".

Vote was seven in favor with Montgomery opposed. Passed.

Motion was made by Dennis, second by Armentaro, to amend Resolution No. 2112, A RESOLUTION APPROVING AN INCREASE IN SEWER RATES FOR THE CITY OF LIVINGSTON as follows:

amend Exhibit A (sewer rate schedule) from 3,000 minimum usage to 5,000 minimum usage.

Vote was seven in favor with Montgomery opposed. Passed.

Enforcement of lights on bicycles at night was discussed. As this is a state law and bicycle riding at night has increased, Mayor Loftice requested that City Manager Fraser have the Police Department enforce this law by first issuing warning tickets and maybe later issuing tickets if need be. It was also requested that a notice of this be published in the local newspaper.

Recommendation was given from the Board of Adjustment to grant CONDITIONAL APPROVAL to George and Dixie Lee Bullock to build a garage at 319 South 7th. Motion was made by McGee, second by Cramer, to grant conditional approval. Passed.

Recommendation was given from the Board of Adjustment to grant APPROVAL for special exception to John Hiatt to build and operate a storage business at 309 South Main. Motion was made by Dennis, second by Armentaro to grant this approval. Passed.


Martin Kolence requested that something be done about paving the 250 feet on the end of 10th Street to Clarence. After discussion, Council requested that City Manager Fraser study this and bring it back to the Council for consideration.

Cramer requested that the Council grant her permission to leave on vacation to China, Korea and Japan. Motion was made by Dennis, second by Armentaro, to grant this permission. Passed.

Mayor Loftice closed the meeting for an Executive Session on union contract talks for police and public works at 8:10 p.m.

The meeting was then reopened and adjourned at 9:20 p.m. Motion was made for adjournment by Montgomery, second by Phillips.

ATTEST:


Recording Secretary

APPROVED:


Mayor

OCTOBER 3, 1988

The Livingston City Council met in regular session at 7:30 p.m., Monday, October 3, 1988, in the council chambers of the City-County Building. Council members present were Louis Armentaro, Bill Dennis, Jody Fink, Louis Mayer, Bernice McGee, Marc Montgomery, and John Phillips with Mayor Rick Loftice presiding. Angela Cramer was absent.

Motion was made by Dennis, second by McGee, to accept the minutes of the September 19, 1988, meeting. Passed.

Motion was made by Montgomery, second by Fink, to accept the claims which had been listed in the amount of \$36,506.28 for payment. Passed.

Motion was made by Dennis, second by Phillips, that Ordinance No. 1593, AN ORDINANCE AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES ENTITLED ADMINISTRATION be approved on first reading with the following changes to be included:

Section 2-10: should read "City County Building" instead of City Council Building.

Section 2-49: add (e) "Day by day supervision of Finance Department personnel." Change first (e) to (f).

Vote was seven in favor with one absent. Passed.

Motion was made by Dennis, second by Mayer, to accept Resolution No. 2113, A RESOLUTION TRANSFERRING FUNDS FROM COUNCIL SALARIES TO BUILDING INSPECTION DIFFERENTIAL AND BUILDING INSPECTION TRAINING. Vote was seven in favor with one absent. Passed.

City Manager Fraser presented an amendment to the existing lease agreement with Burlington Northern. This amendment allows the City to lease the underpass area at no cost, and then be able to allow the sprinkler systems to be placed in the ground and maintain this land. Motion was made by McGee, second by Armentaro, to accept the City Manager's recommendation and to sign this lease agreement. Vote was seven in favor and one absent. Passed.

Motion was made by Dennis, second by Phillips, to consider Herb Deutsch for replacement on the City/County Health Board. All in favor.

Finance Officer Kent Reed requested a sixty-day extension to the city residency ordinance that requires persons working for the City to move into the City limits within thirty days of the start of work. Motion was made by Dennis, second by Armentaro to allow this sixty-day extension. All in favor.

Mayor Loftice proclaimed October 23-30, 1988 as "Red Ribbon Week" for the Park County Drug and Alcohol Task Force.


City Manager Fraser recommended that the City contact the engineering firm of Christian, Spring, Sielbach & Associates to conduct a study to evaluate our water supply system in light of some of the potentially long term groundwater issues brought up by the State. Motion was made by Dennis, second by Phillips, to accept the City Manager's recommendation. Vote was seven in favor and one absent.

Motion was made by Marc Montgomery, second by Phillips, to lower the hourly rental rate of the civic center to \$10.00 per hour without the use of the kitchen and to keep the hourly rate with the use of the kitchen at \$35.00. All in favor. Passed.

Motion was made by Dennis, second by McGee, to adjourn the meeting at 8:30 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


MAYOR

The Livingston City Council met in regular session at 7:30 p.m., Monday, September 19, 1988, in the council chambers of the City-County Building. Council members present were Louis Armentaro, Angela Cramer, Bill Dennis, Jody Fink, Louis Mayer, Bernice McGee, Marc Montgomery and John Phillips with Mayor Rick Loftice presiding.

Motion was made by Dennis, second by McGee to accept the minutes of the September 6, 1988, meeting with the following addition: "The dates of Councilperson Cramer's vacation leave will be from 9-20-88 to 10-9-88." Passed.

Motion was made by Montgomery, second by Mayer, to accept the claims which had been listed in the amount of \$81,685.87 for payment. Passed.

Ordinance No. 1594, AN ORDINANCE AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES ENTITLED ALCOHOLIC BEVERAGE was passed on second reading. The vote was unanimous in favor.

Ordinance No. 1595, AN ORDINANCE DELETING SECTION 4.30 OF THE CODE OF ORDINANCES was passed on second reading. The vote was unanimous in favor.

Motion was made by Dennis, second by McGee, to table first reading of Ordinance #1593, AN ORDINANCE AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES ENTITLED ADMINISTRATION. All in favor.

The City Board of Adjustment voted unanimously to recommend City Council conditional approval of a request from Renae and Herman Wilson to be allowed to receive a special exception to be allowed to build and operate a Quick-Lube business at Lots 7-8, Block 110, O.T., 316 South B. The condition for approval is that the house and the tree on the east half of the property remain as an interim buffer for the neighboring residences. Motion was made by Dennis, second by Armentaro, to accept the City Board of Adjustment's recommendation. All in favor. Passed.

Bids were received for a patrol car as follows: Whiting Motors, \$11,937., Cranky Ranky's, \$11,990., and Livingston Ford, \$13,295. for the full size (with trade) and Whiting Motors, \$10,769. for the mid size (with trade). City Manager Fraser recommended that the Council accept the bid for a full-sized patrol car of \$11,990 from Cranky Ranky's which was \$53 more but included a police package. Motion was made by Dennis to accept the City Manager's recommendation, second by Phillips. Vote was six opposed, two in favor. Motion defeated. Motion was made by Armentaro, second by Cramer, to accept Whiting Motors bid. Vote was five opposed, three in favor. Motion defeated. After more discussion, motion was made by Montgomery, second by Fink, to reconsider the motion to accept Cranky Ranky's bid. Vote was six in favor, two opposed. Motion passed. Motion was made by Montgomery, second by Fink, to accept Cranky Ranky's bid. Six were in favor, two were opposed. Motion passed.

Councilperson Dennis requested an update on the removal of the concrete behind the civic center. City Manager Fraser reported that as summer is the busiest time of year, the concrete will probably be removed this winter as time allows.

Councilperson Dennis suggested looking into using tape instead of paint for the painting of the crosswalks throughout the City.

Councilperson Dennis reported several street lights out around the City. He suggested that maybe the police could make note of these as they are on their patrols.

Councilperson Cramer mentioned Harrington's request to change the city ordinance about truck parking in the alley. The Council was not in favor of changing this ordinance.

Mayor Loftice called for a closed executive session at 8:08 for the purpose of discussing the union contract negotiations and an evaluation of the City Manager.

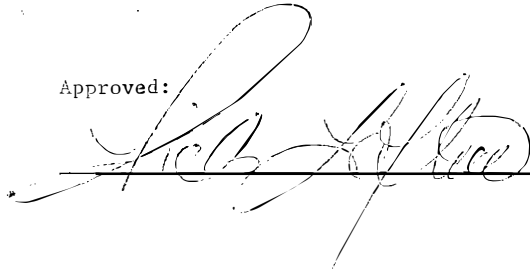
The meeting was reopened. Mayor Loftice reported that it was the general consensus of the City Council that Mike Fraser is doing a good job, the Council is happy with his work and he is to work on his PR with the employees.

Motion was made by Dennis, second by Montgomery, to adjourn the meeting. The time was approximately 10:30 p.m.

Attest:



Approved:



35

CITY COUNCIL MINUTES
OCTOBER 17, 1988

The Livingston City Council met in regular session at 7:30 p.m., Monday, October 17, 1988, in the council chambers of the city-county building. Council members present were Louis Armentaro, Angela Cramer, Bill Dennis, Jody Fink, Louis Mayer, Bernice McGee, Marc Montgomery and John Phillips with Mayor Rick Loftice presiding.

Motion was made by Dennis, second by Mayer, to accept the minutes of the October 3, 1988 meeting. Passed.

Motion was made by Montgomery, second by McGee, to accept the claims which had been listed in the amount of \$42,878.80 for payment. Passed.

Second Reading of Ordinance No. 1593, AN ORDINANCE AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES ENTITLED ADMINISTRATION was passed by unanimous vote.

Motion was made by Dennis, second by Montgomery, to accept Resolution No. 2114, A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND THE LOCAL #630 INTERNATIONAL ASSOCIATION OF FIREFIGHTERS. Vote was unanimous. Passed.

Ann Bystock and Norma Gullickson from the University of Women made a presentation to the Council of plans for a fence to go around the wading pool at Sacajawea Park to keep out the ducks and geese. The City Council gave their approval on this.

Recommendation was made from the Board of Adjustment for Council APPROVAL of a variance request from Richard and Iris Zeusner at 120 North D Street. Motion was made by Dennis, second by Cramer, to accept this recommendation. Passed.

Recommendation was made from the Board of Adjustment for Council DENIAL of a variance request from Clara Ward at 209 South I. Motion was made by Dennis, second by Phillips, to accept the Board of Adjustment's recommendation for denial. Passed.

City Manager Fraser reported that one bid had been received on the Waste Water Treatment Plant Inverter Bid. This bid was from Tech Electric in the amount of \$8,500. City Manager Fraser recommended Council acceptance of this bid. Motion was made by Dennis, second by Phillips, to accept the Tech Electric bid. Passed.


There was a request from Steve Dennison, representing St. Mary's Church and School, to use the civic center for their basketball tournament on February 2, 3 and 4 at the service organization rate of \$75 per day. Motion was made by Cramer, second by Armentaro, to grant this request. All in favor. Passed.

Mayor Loftice proclaimed October 16-23, 1988 as National High School Activity Week in Livingston.

Motion to adjourn the meeting was made by Montgomery, second by Mayer. The time was 8:00 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


MAYOR

CITY COUNCIL MINUTES

NOVEMBER 7, 1988

The Livingston City Council met in regular session at 7:30 p.m., Monday, November 7, 1988, in the council chambers of the city-county building. Council members present were Louis Armentaro, Angela Cramer, Bill Dennis, Jody Fink, Louis Mayer, Bernice McGee, Marc Montgomery and John Phillips with Mayor Rick Loftice presiding.

Motion was made by Dennis, second by Cramer, to accept the minutes of the October 17, 1988 meeting. Passed.

Motion was made by Montgomery, second by Mayer, to accept the claims which had been listed in the amount of \$83,205.46 for payment. Passed.

Motion was made by Montgomery, second by Armentaro, to accept Resolution No. 2117, A RESOLUTION APPROVING A TAX BENEFIT FOR CERTAIN RECONSTRUCTION WORK BY THE FRONTIER RETIREMENT HOME OWNED BY CLARA AND LYLE GILLARD. Vote was unanimous in favor. Passed.

Motion was made by Dennis, second by Armentaro, to accept Resolution No. 2116, A RESOLUTION APPROVING A TAX BENEFIT FOR CERTAIN RECONSTRUCTION WORK BY THE LIVINGSTON EMPLOYEES FEDERAL CREDIT UNION. Vote was unanimous in favor. Passed.

Motion was made by Dennis, second by Phillips, to accept Resolution No. 2115, A RESOLUTION APPROVING A CONTRACT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND HALLS EMERGENCY, INC. Vote was unanimous in favor. Passed.

City Manager Fraser reported that the pickup truck being used by the animal control officer is not suitable for use. He recommended that the City purchase a new small pickup using the extra money available in Council salaries. After discussion, Mayor Loftice requested that the City Manager check the rest of the City's fleet to see if there is a vehicle available for this use and to bring this recommendation back to the next Council meeting.

City Manager Fraser informed the Council that Livingston Rebuild Center is requesting a tax break. Because they need to apply for a different tax break than the previous ones, a form completed by the LRC must be considered by the Council and a public hearing is required. No action was taken at this meeting.

Montgomery made a motion that the Council look at each tax break request on a case by case basis, second by Cramer.

Motion was made by Dennis, second by Cramer, to disband the Law Enforcement/Sheriff's Committee as there will be nothing more done about it. Passed.

Mayor Loftice called for a closed executive session at 8:00 p.m. for the purpose of discussing contract talks with the Police union.

The meeting was reopened at 8:25 p.m.

Motion was made by Phillips, second by McGee, to accept the tentative contract agreement with the Police Union. Passed.

Mayor Loftice requested City Manager Fraser to meet with City Attorney Jovick on the opinions for the attorneys concerning the incinerator and to bring some alternatives to the Council at the next work session.

Motion was made by Fink, second by Montgomery, to adjourn the meeting. The time was 8:30 p.m.

Attest:

Approved:


RECORDING SECRETARY


MAYOR

CITY COUNCIL MINUTES

NOVEMBER 21, 1988

The Livingston City Council met in regular session at 7:30 p.m., Monday, November 21, 1988, in the council chambers of the city-council building. Council members present were Louis Armentaro, Angela Cramer, Bill Dennis, Jody Fink, Louis Mayer, Bernice McGee, Marc Montgomery and John Phillips with Mayor Rick Loftice presiding.

Motion was made by Cramer, second by Mayer, to accept the minutes of the November 7, 1988 meeting. Passed.

Motion was made by Montgomery, second by Cramer, to accept the claims which had been listed in the amount of \$43,517.87 for payment. Passed.

Motion was made by Dennis, second by McGee, that Ordinance No. 1600, AN ORDINANCE AMENDING CERTAIN TERMS OF CHAPTER 27 OF THE CODE OF ORDINANCES, Be approved on first reading. Vote was unanimous in favor. Passed.

Motion was made by Cramer, second by Dennis, that Ordinance No. 1601, AN ORDINANCE REPEALING THE ENTIRE CHAPTER 23 ENTITLED PRIZEFIGHTS, PUBLIC SPARRING, BOXING AND WRESTLING AND EXHIBITIONS OF THE CODE OF ORDINANCES RENAMING CHAPTER 23 TO READ "TREES", Be approved on first reading with the following change:

First sentence of Section 23-5 to read "no person shall remove, destroy, cut, deface, trim, or in any way injure or interfere with any tree or shrub (on) any of the avenues, streets, alleys, or public grounds, including parks and parkways of the City, without a permit from the City. (change in parenthesis)

Vote was unanimous in favor. Passed.

Motion was made by Dennis, second by Cramer, that Ordinance No. 1602, AN ORDINANCE AMENDING THE ENTIRE CHAPTER 19 ENTITLED TREES AND LIBRARY OF THE CODE OF ORDINANCES AND RENAMING CHAPTER 19 TO READ "LIBRARY", be approved on first reading. Vote was unanimous in favor. Passed.

Motion was made by Dennis, second by Montgomery, that Ordinance No. 1604, AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 17 ENTITLED OCCUPATIONAL LICENSES AND REGULATIONS OF THE CODE OF ORDINANCES, be approved on first reading. Vote was unanimous in favor. Passed.

Leslee Finck of the Talented and Gifted Program from the Livingston School System was present to request permission from the Council to use small pine trees and place them in the old parking meters along Main Street and/or Park Street and then have the children from the elementary schools decorate the trees. Motion was made by Montgomery, second by Armentaro, to grant permission to Ms. Finck for this project. All in favor. Passed.

City Manager Fraser requested that the Council pass a motion to pass an administrative policy and a user agreement between the City and the County concerning the law enforcement telecommunications system. This agreement has been reviewed by the City Manager and City Attorney and meets with their approval. Motion was made by Dennis, second by Montgomery, to grant this. All in favor. Passed.

Montgomery made a motion to have the Council allow the Civic Center Commission to hire an architect for the renovation of the civic center at approximately \$500, second by Dennis. Passed.

Cramer made a motion, second by McGee, not to charge the people who use the civic center for walking. All in favor.

Armentaro made a motion, second by Montgomery, for the Council to receive backpay to July 1, 1988, and also, that all Council members should receive the \$50 per meeting pay even if they do not attend the meeting as long as they notify someone before the meeting if they are unable to attend. Passed.

Phillips made a motion, second by Dennis, to amend Section 4-40 of the dog ordinance to read as follows:

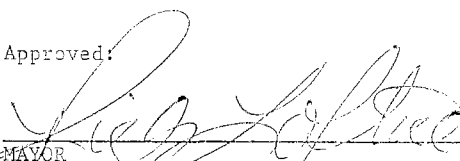
Controlled by a leash not longer than six feet or within the enclosed portion of a motor vehicle or by voice control of a competent person or at heel. Motion was passed by six in favor and two opposed. The City Attorney will have an ordinance drafted with this change.

Motion to adjourn was made by Dennis, second by Cramer. The time was 8:00 p.m.

Attest:


RECORDING SECRETARY

Approved:


MAYOR

CITY COUNCIL MINUTES

DECEMBER 5, 1988

The Livingston City Council met in regular session at 7:30 p.m., Monday, December 5, 1988, in the council chambers of the city-county building. Council members present were Louis Armentaro, Bill Dennis, Jody Fink, Louis Mayer, Bernice McGee, Marc Montgomery and John Phillips with Mayor Rick Loftice presiding. Angela Cramer was absent.

Motion was made by Dennis, second by McGee, to accept the minutes of the November 21, 1988 meeting. Passed.

Motion was made by Montgomery, second by Fink, to accept the claims which had been listed in the amount of \$20,954.51 for payment. Passed.

Mayor Loftice opened the public hearing concerning the Livingston Rebuild Center's tax break and asked for any public comments. David Brastrup, representing the Chamber of Commerce, voiced his approval of this tax break and stated that the Chamber of Commerce was also in favor of it. Mayor Loftice, after receiving no further comments, closed the public hearing at 7:35 p.m. stating that the resolution concerning this tax break would be considered later on in the meeting.

Second reading of Ordinance No. 1600, AN ORDINANCE AMENDING CERTAIN TERMS OF CHAPTER 27 OF THE CODE OF ORDINANCES, was passed by a vote of seven in favor and one absent.

Second reading of Ordinance No. 1601, AN ORDINANCE REPEALING THE ENTIRE CHAPTER 23 ENTITLED PRIZEFIGHTS, PUBLIC SPARRING, BOXING AND WRESTLING AND EXHIBITIONS OF THE CODE OF ORDINANCES RENAMING CHAPTER 23 TO READ TREES, was passed by a vote of seven in favor and one absent.

Second reading of Ordinance No. 1602, AN ORDINANCE AMENDING THE ENTIRE CHAPTER 19 ENTITLED TREES AND LIBRARY OF THE CODE OF ORDINANCES AND RENAMING CHAPTER 29 to READ LIBRARY, was passed by a vote of seven in favor and one absent.

Second reading of Ordinance No. 1604, AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 27 ENTITLED OCCUPATIONAL LICENSES AND REGULATIONS OF THE CODE OF ORDINANCES, was passed by a vote of seven in favor and one absent.

Motion was made by Montgomery, second by Armentaro, that Ordinance No. 1603, AN ORDINANCE GENERALLY AMENDING CHAPTER 29 ENTITLED "WATER" OF THE CODE OF ORDINANCES, be approved on first reading. Vote was seven in favor and one absent. Passed.

Motion was made by Montgomery, second by Dennis, that Ordinance No. 1606, AN ORDINANCE AMENDING SECTION 15-37(J) AND DELETING SECTION 15-44 OF THE CODE OF ORDINANCES, be approved on first reading. Vote was seven in favor and one absent. Passed.

Motion was made by Montgomery, second by Mayer, that Ordinance No. 1607, AN ORDINANCE DELETING CERTAIN SECTIONS OF CHAPTER 14 ENTITLED "HEALTH AND SANITATION" OF THE CODE OF ORDINANCES, be approved on first reading. Vote was seven in favor and one absent. Passed.

Motion was made by Dennis, second by Phillips, that Ordinance No. 1608, AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 14 ENTITLED "HEALTH AND SANITATION" OF THE CITY CODE OF ORDINANCES, be approved on first reading. Vote was five in favor, two opposed and one absent. Passed.

Motion was made by Dennis, second by Montgomery, that Ordinance No. 1609, AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 26 ENTITLED "STREETS AND SIDEWALKS" OF THE CODE OF ORDINANCES, be approved on first reading. Vote was five in favor, two opposed and one absent. Passed.

Motion was made by Montgomery, second by Phillips, that Ordinance No. 1610, AN ORDINANCE DELETING CERTAIN SECTIONS OF CHAPTER 26 ENTITLED "STREETS AND SIDEWALKS" AND CHANGING THE LANGUAGE ON CERTAIN SECTIONS OF CHAPTER 26 OF THE CODE OF ORDINANCES, be approved on first reading. Vote was seven in favor and one absent. Passed.

Motion was made by Phillips, second by Montgomery, that Ordinance No. 1611, AN ORDINANCE CHANGING THE DEFINITION OF "RESTRAINT" FOR THE FAILURE TO RESTRAIN A DOG OF CHAPTER 4 ENTITLED "ANIMALS" OF THE CODE OF ORDINANCES, be approved on first reading. Vote was four in favor, three opposed and one absent. Passed.

Per City Manager Fraser's recommendation in reference to Resolution No. 2118, motion was made by Montgomery, second by Armentaro, that a limit of \$1,000 be set for moving expenses for all department heads and city managers. Vote was six in favor, one opposed and one absent. Passed.

Motion was made by Montgomery, second by Dennis, that Resolution No. 2118, A RESOLUTION TRANSFERRING FUNDS FROM PUBLIC WORKS DIRECTOR SALARY TO TRAVEL, MOVING EXPENSES AND INTERVIEW be accepted. Vote was six in favor, one opposed and one absent. Passed.

Motion was made by Dennis, second by Armentaro, to accept Resolution No. 2119, A RESOLUTION APPROVING TAX BENEFITS FOR LIVINGSTON REBUILD CENTER UNDER SECTION 15-24-1402, MCA. Vote was seven in favor and one absent. Passed.

Max Simmons, the City's auditors from Veltkamp, Simmons, Stannebein and Eateson in Bozeman, presented the City's audit for the fiscal year 1987-88. Motion was made by Montgomery, second by Dennis, to accept the audit report. Passed.

City Manager Fraser had received a request from Nancy Luberts of the Optik Shoppe at 406 South Main to designate two 30-minute parking spots at her place of business. He recommended the Council should do so. Motion was made by Dennis, second by McGee, to designate two 30-minute parking spots at 406 South Main. Passed.

Mayor Loftice recommended that Fred Shellenberg be appointed to the City County Planning Board. Motion was made by Dennis, second by Montgomery, to appoint Fred Shellenberg to the City County Planning Board. Passed.

City Manager Fraser recommended that the Council approve a 90-day extension on the residency requirement for Kent Reed, the Finance Officer. Motion was made by Dennis, second by McGee. Passed.


City Manager Fraser recommended a proposed investment policy be adopted by the Council. Finance Officer Kent Reed made a presentation of the investment policy to the Council. Motion was made by Dennis, second by Armentaro, that City Attorney Jovick should pursue this policy and get an opinion from the Attorney General before any other decisions are made on this.

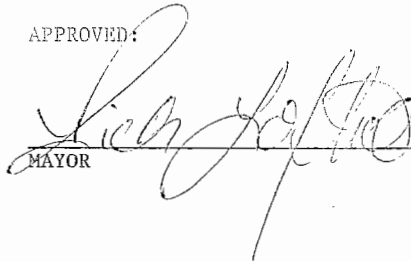
Motion was made by Fink that a street light be installed at the end of North Fifth street. Motion died for lack of a second. Mayor Loftice requested that City Manager Fraser research this as to need and cost and present it for Council consideration then.

There being no further business, the meeting was adjourned at 9:50 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


MAYOR

CITY COUNCIL MINUTES

DECEMBER 19, 1988

The Livingston City Council met in regular session at 7:30 p.m., Monday, December 19, 1988, in the council chambers of the city-county building. Council members present were Louis Armentaro, Bill Dennis, Jody Fink, Louis Mayer, Bernice McGee, Marc Montgomery and John Phillips with Mayor Rick Loftice presiding. Angela Cramer was absent.

Motion was made by Dennis, second by McGee, to accept the minutes of the December 5, 1988 meeting. Passed.

Motion was made by Montgomery, second by Fink, to accept the claims which had been listed in the amount of \$3,022.69 for payment. Passed.

Second reading of Ordinance No. 1603, AN ORDINANCE GENERALLY AMENDING CHAPTER 29 ENTITLED "WATER" OF THE CODE OF ORDINANCES, was passed by a vote of seven in favor and one absent.

Second reading of Ordinance No. 1606, AN ORDINANCE AMENDING SECTION 15-37(J) AND DELETING SECTION 15-44 OF THE CODE OF ORDINANCES, was passed by a vote of seven in favor and one absent.

Second reading of Ordinance No. 1607, AN ORDINANCE DELETING CERTAIN SECTIONS OF CHAPTER 14 ENTITLED "HEALTH AND SANITATION" OF THE CODE OF ORDINANCES, was passed by a vote of seven in favor and one absent.

Second reading of Ordinance No. 1608, AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 14 ENTITLED "HEALTH AND SANITATION" OF THE CITY CODE OF ORDINANCES, was passed by a vote of seven in favor and one absent.

Second reading of Ordinance No. 1609, AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 26 ENTITLED "STREETS AND SIDEWALKS" OF THE CODE OF ORDINANCES, was passed by a vote of seven in favor and one absent.

Second reading of Ordinance No. 1610, AN ORDINANCE DELETING CERTAIN SECTIONS OF CHAPTER 26 ENTITLED "STREETS AND SIDEWALKS" AND CHANGING THE LANGUAGE ON CERTAIN SECTIONS OF CHAPTER 26 OF THE CODE OF ORDINANCES, was passed by a vote of seven in favor and one absent.

Second reading of Ordinance No. 1611, AN ORDINANCE CHANGING THE DEFINITION OF "RESTRAINT" FOR THE FAILURE TO RESTRAIN A DOG OF CHAPTER 4 ENTITLED "ANIMALS" OF THE CODE OF ORDINANCES, was defeated by a vote of three in favor and one absent with McGee, Mayer, Fink and Dennis opposed.

Motion was made by Dennis, second by McGee, to accept Resolution No. 2120, A RESOLUTION REVOKING RESOLUTION NO. 2118 AS IT ERRONEOUSLY TRANSFERRED \$2,000 FROM PUBLIC WORKS DIRECTOR SALARY TO TRAVEL, MOVING EXPENSES AND INTERVIEW AND TRANSFERRING THE \$2,000 BACK TO PUBLIC WORKS DIRECTOR SALARY, and Resolution No. 2121, A RESOLUTION TRANSFERRING FUNDS FROM PUBLIC WORKS DIRECTOR SALARY TO PUBLIC WORKS DIRECTOR TRAVEL, MOVING, AND INTERVIEW. Vote was seven in favor and one absent. Passed.

Motion was made by Dennis to accept the City Manager's recommendation not to install a light at the 500 block of North 5th Street, second by McGee. All in favor.

City Manager Fraser submitted a memo on the response to the 6/30/88 year end audit management letter stating that many of the items discussed are being worked on and others are being planned for a future completion date.

Carl Walton from Blue Cross/Blue Shield was present to answer any questions on the health insurance proposal. Finance Officer Kent Reed announced that he had received notification from Prudential that a 40% increase would be going into effect as of January 1, 1989. City Attorney Jovick suggested that the Council make a decision on which plan to accept because of the expected increase from our current carrier. Motion was made by Armentaro to accept Plan #7 from Blue Cross/Blue Shield effective January 1, 1989, second by Dennis. All in favor. Passed. Motion was made by Dennis, second by McGee, to terminate the present health insurance plan with Prudential. All in favor. Passed.

Phillips made a motion that all City of Livingston monies be invested with local banking institutions and not to exceed 75% with any one institution and the remaining 25% with the other local institutions, second by Dennis. Fink made a motion to table the motion on the financial institutions until it could be studied further, second by Mayer. Vote was six in favor and one absent with Phillips opposed. Motion passed.

Mayor Loftice appointed Toby Eastin as the City representative on the City/County Airport Board. He will be replacing Bernard Blankenship.

Mayor Loftice appointed Louis Mayer as the City representative on the City/County Health Board.

Ed Haerr was present to request that the Knights of Columbus organization be put on the service organization list for the civic center. Motion was made by Montgomery to have the Knights of Columbus put on the service organization list for the civic center, second by Dennis. All in favor. Passed.

Motion to adjourn was made by Armentaro, second by Montgomery. The time was 8:15 p.m.

ATTEST:

RECORDING SECRETARY

APPROVED:

MAYOR