

LIVINGSTON
CITY COUNCIL MINUTES
JANUARY 3, 1989

ACA017

The Livingston City Council met in regular session at 7:30 p.m., Tuesday, January 3, 1989, in the council chambers of the city-county building. Council members present were Louis Armentaro, Bill Dennis, Jody Fink and Bernice McGee with Mayor Rick Loftice presiding.

Armentaro requested that the minutes of December 19, 1988, be corrected as follows: Paragraph 14 concerning health insurance the date should read January 1989. Motion was made by Dennis, second by Armentaro, to accept the minutes of the December 19, 1988 meeting as corrected. All in favor. Passed.

Motion was made by Dennis, second by Armentaro, to accept the claims which had been listed in the amount of \$23,507.97. Passed.

City Manager Fraser introduced the new Public Works Director, Dan Fielding.

Jim Spring and Dave Mosser of Morrison-Maierle/CSSA gave a presentation on the water well and distribution study and answered any questions the Council had. City Attorney Jovick requested a supplementary letter from Morrison-Maierle/CSSA outlining the cost of the wells.

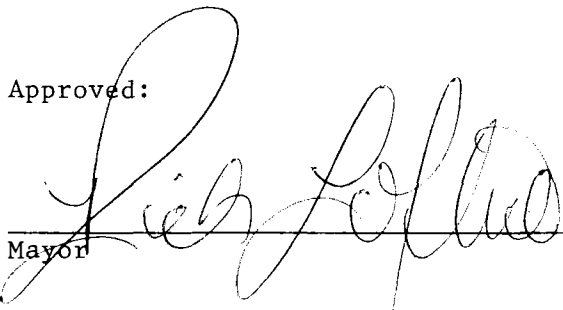
Mayor Loftice requested Council members Dennis and McGee to work on the water well study with City Manager Fraser and to bring it to the Council.

Motion by Armentaro, second by Dennis, to adjourn the meeting. The time was 9:00 p.m.

Attest:


Recording Secretary

Approved:


Mayor

LIVINGSTON
CITY COUNCIL MINUTES
JANUARY 16, 1989

The Livingston City Council met in regular session at 7:30 p.m., Monday January 16, 1989, in the Council Chambers of the City-County Building. Council members present were Louis Armentaro, Bill Dennis, Jody Fink and Bernice McGee with Mayor Rick Loftice presiding.

Motion was made by Dennis, second by McGee, that the minutes of January 3, 1989, meeting be accepted. Passed.

Motion was made by Dennis, second by Fink, to accept the claims which had been listed in the amount of \$38,401.41. Passed.

Motion was made by Dennis, second by Armentaro, to accept Resolution No. 2121, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND DAVID HAUG. Vote was four in favor. Passed.

Motion was made by McGee, second by Dennis, to authorize a formal agreement between Larry Raffety, Architect, and the City of Livingston to complete the Civic Center Energy Study for a fee of \$1500. The vote was three in favor with Armentaro being opposed. Passed. The City had received a grant of \$1,800 to complete this study from the Montana Local Government Energy Office this past year.

There was a request received from the Gallatin Dog Club to once again use Sacajawea Park for their 1989 Spring Dog Show on June 21 and 22. Motion was made by Armentaro, second by McGee, to grant this request. Vote was three in favor with Fink being opposed. Passed.

There was a presentation by Ed Flatt on the burning of medical wastes at the County incinerator. Many concerned citizens were present. After much discussion, motion was made by McGee that the Council direct City Attorney Jovick to draft a city ordinance to prohibit the incineration of infectious waste. Second by Dennis. All in favor. Passed.

McGee made a motion for the City to go on record opposing the incineration of infectious waste and that this be conveyed to the Park County Commissioners. Second by Fink. All in favor. City Manager Fraser was directed to forward a letter to the Park County Commissioners informing them of this motion.

City Manager Fraser had received the recommendation from Morrison-Maierle/CSSA on the 1988 water system and well analysis and made the following recommendations to the Council:

(1) That the Council accept the recommendation from Morrison-Maierle/CSSA to replace the "Q" and "L" street wells with new wells that could supply the City with up to 1,300 GPM and that new mains and upsizing should take place as outlined in the report. The cost estimates for this construction totaled \$2,016,000.


(2) That the Council authorize the City Manager to contact Burlington Northern Railroad with this information and get a commitment from them to pay for the replacement of our water supply system.

City Manager Fraser then reported to the Council that a letter had been received from John Etchart representing Burlington Northern. City Manager Fraser then recommended that the City Council postpone a decision on his above recommendations at this point in time and authorize the City Manager along with the City Attorney to set up a meeting with the representatives of Burlington Northern to discuss this matter on possible options and alternatives that they may want to bring to the Council for consideration. Motion was made by Dennis, second by McGee, to table this. All in favor. Passed.

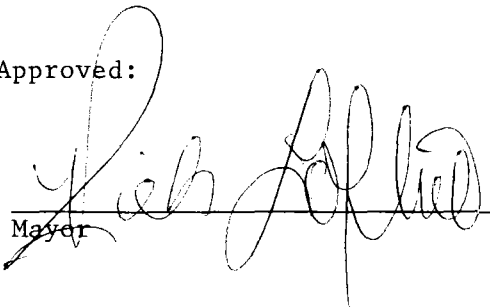
Councilmember Dennis passed out copies of a portion of the water study meeting he had with Councilmember McGee and City Manager Fraser on Wednesday, January 11. He informed the Council that as soon as all the information is compiled, they will then receive copies of that.

Motion was made by Armentaro, second by Fink, to adjourn the meeting at 9:10 p.m.

Attest:



Recording Secretary

Approved:


Mayor

ACA017

CITY COUNCIL MINUTES
FEBRUARY 6, 1989

The Livingston City Council met in regular session at 7:30 p.m., Monday, February 6, 1989, in the east room of the City-County Building. Council members present were Louis Armentaro, Bill Dennis and Jody Fink with President McGee presiding in the absence of Mayor Loftice.

Motion was made by Dennis, second by Armentaro, that the minutes of the January 16, 1989, meeting be accepted. Passed.

Motion was made by Dennis, second by Armentaro, to accept the claims which had been listed in the amount of \$20,747.53. Passed.

The State Department of Lands has paid the City of Livingston the sum of \$31,400 for the use of the Livingston fire truck during the fires of the summer of 1988. City Manager Fraser worked with Fire Chief Frederick and recommended a list of equipment for the Fire Department be purchased in the amount of \$31,189 with the money received. Motion was made by Dennis, second by Armentaro, that the recommended list of equipment be purchased. All in favor. Passed.

City Manager Fraser informed the Council that two members of the Police Commission needed to be either replaced or reappointed. Motion was made by Armentaro, second by Fink, to reappoint Chan Libby and Dennis Bruha. All in favor. Passed. The terms for the Police Commission are as follows:

Chan Libby	1988-91
Dennis Bruha	1989-92
Fred Sehllenberg	1990-93

City Manager Fraser had received a request from Kent Lombard of the Livingston Teen Center to lift the City's curfew for juveniles on Sunday, 2/19/89, and for that one night extend the curfew to 12:00 midnight. Motion was made by Dennis, second by Fink, to grant this request. All in favor. Passed.

City Manager Fraser reported on the meeting between Burlington Northern and City representatives to secure a commitment for BN to pay for the recommended water system improvements as outlined at the January 16, 1989, council meeting. He stated they were unable to get a commitment from BN, therefore, recommending that the Council turn this matter over to the City Attorney to put together a legal action plan to secure funding for the recommended improvements and to look at any other damages that the City could claim. The recommendation for improvements had been tabled at the January 16, 1989, council meeting. Motion was made by Dennis, second by Fink, to remove this from the table. After discussion, Council voted unanimously to oppose this motion. Motion failed.

Joanie Miller, representing Citizens Against Pollution, was present to request that the Council donate the use of the civic center for a public hearing they would be sponsoring concerning the burning of infectious wastes at the incinerator. This public hearing is planned for Tuesday, February 28 at 7:30 p.m. Motion was made by Fink to grant the use of the civic center at no charge, second by Armentaro. All in favor. Passed.

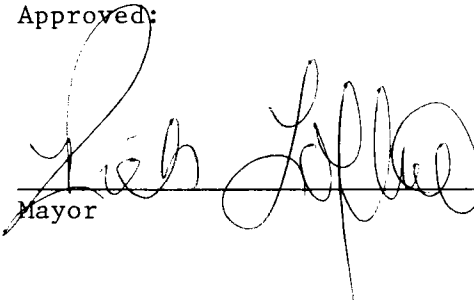
President McGee called for a closed executive session at 8:00 p.m. for the purpose of discussing contract talks with the Police Union and the Public Works union.

The meeting was reopened and adjourned at 10:55 p.m. Motion to adjourn was made by Dennis, second by Armentaro.

Attest:

Approved:


Recording Secretary


Mayor

ACA017

CITY COUNCIL MINUTES
FEBRUARY 21, 1989

The Livingston City Council met in regular session at 7:30 p.m., Tuesday, February 21, 1989, in the council chambers of the city-county building. Council members present were Louis Armentaro, Bill Dennis, Jody Fink and Bernice McGee with Mayor Rick Loftice presiding.

Motion was made by Dennis, second by McGee, that the minutes of February 6, 1989, be approved. All in favor. Passed.

Motion was made by Dennis, second by Fink, to accept the claims which had been listed in the amount of \$101,281.19. All in favor. Passed.

Motion was made by Dennis, second by Armentaro, to accept Resolution No. 2122, A RESOLUTION INCREASING AND APPROPRIATING FUNDS FOR THE BUDGET FOR THE CITY OF LIVINGSTON BUDGET FOR THE FISCAL YEAR 1989-1990. The vote was four in favor. Passed.

Motion was made by Fink to accept Mayor Loftice's recommendation to appoint Dave Amsk to the City/County Planning Board for a 2-year term, second by McGee. All in favor. Passed.

Motion was made by Dennis to accept the City Manager's recommendation to hire Samual Duane Frederick as a police officer, second by McGee. All in favor. Passed.

Marc Montgomery was present to request that the Council make a recommendation in the near future as to what improvements should be made to the civic center from the Civic Center Commission's report and what size of bond issue. He also requested that the Civic Center Commission now be disbanded as their purpose has been served. Councilman Dennis made the motion to disband the Civic Center Commission, second by Armentaro. All in favor. Passed.

City Manager Fraser reported that Senate Bill #265 on the water reservation rights did not pass the Legislature; therefore, there is no problem at the present time.

Burlington Northern has sent an agreement letter to the City stating that they would pay for the replacement of portions of the water system. City Attorney Jovick presented the resolution and agreement and recommended to the City Council that they accept BN's agreement. The resolution is in three parts: (1) the resolution, (2) the agreement and (3) the release. City Attorney Jovick explained that the release would not be signed until everything is complete. Motion was made by Fink, second by Dennis, to accept Resolution No. 2123, A RESOLUTION APPROVING AN AGREEMENT WITH BURLINGTON NORHTERN RAILROAD CONCERNING THE L AND Q STREET WELLS AND CERTAIN WATER LINES. The vote was three in favor with Armentaro being opposed. Passed.

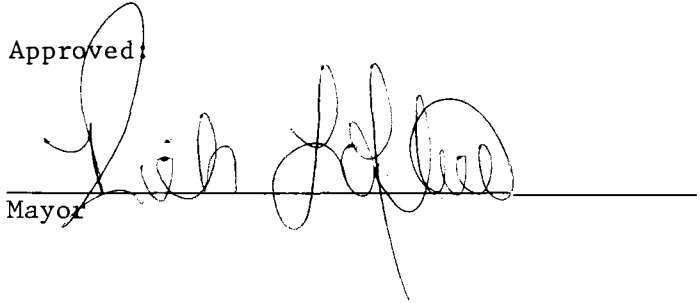
Councilmember McGee requested that the City Manager look into installing storm drains in the alley behind the Senior Citizen Center and also behind Floral Boutique.

Motion was made by Dennis, second by Armentaro, to adjourn the meeting at 9:50 p.m.

Attest:

Approved:


Recording Secretary


Mayor

ACA017

CITY COUNCIL MINUTES

MARCH 6, 1989

The Livingston City Council met in regular session at 7:30 p.m., Monday, March 6, 1989, in the council chambers of the city-county building. Council members present were Louis Armentaro, Bill Dennis, Jody Fink and Bernice McGee with Mayor Rick Loftice presiding.

Motion was made by Armentaro to correct the minutes of February 21, 1989, the last sentence of paragraph 9 concerning Burlington Northern's agreement letter on the water system to read "The vote was three in favor with Dennis being opposed." Motion was made by Dennis to accept the minutes of February 21, 1989, as corrected, second by Fink. All in favor. Passed.

Motion was made by Fink to accept the bills and claims in the amount of \$45,257.80 (this does not include the Library Fund claims), second by McGee. All in favor. Passed.

Motion was made by Dennis, second by McGee, that Ordinance No. 1596, AN ORDINANCE DELETING SECTION 11-63 OF THE CODE OF ORDINANCES, be approved on first reading. The vote was three in favor with Armentaro being opposed. Passed.

Motion was made by Dennis, second by Fink, that Ordinance No. 1597, AN ORDINANCE DELETING SECTION 11-51 OF THE CODE OF ORDINANCES AND AMENDING THE DUTIES IN SECTION 11-52 OF THE FIRE CHIEF, be approved on first reading. All in favor. Passed.

Motion was made by Dennis, second by McGee, that Ordinance No. 1598, AN ORDINANCE RENUMBERING CHAPTER 7 TO BE ENTITLED CHAPTER 22 OF THE CODE OF ORDINANCES AND DELETING AND AMENDING CERTAIN SECTIONS OF CHAPTER 22 TO DELETE THE CEMETERY BOARD AND TO GENERALLY REVISE THE CHAPTER, be approved on first reading. All in favor. Passed.

Motion was made by McGee, second by Dennis, that Ordinance No. 1599, AN ORDINANCE DELETING AND AMENDING CERTAIN SECTIONS OF CHAPTER 12 ENTITLED "GARBAGE, TRASH AND WEEDS" OF THE CODE OF ORDINANCES, be approved on first reading. All in favor. Passed.

Motion was made by Dennis, second by Fink, that Ordinance No. 1605, AN ORDINANCE RENUMBERING CHAPTER 22 TO BE ENTITLED CHAPTER 7 AND GENERALLY AMENDING CHAPTER 7 ENTITLED POLICE DEPARTMENT OF THE CODE OF ORDINANCES, be approved on first reading with a change to Section 7-6(17) to read: "Unjustified use of force." All in favor. Passed.

Motion was made by Fink, 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. All in favor. Passed.

Motion was made by Dennis, second by Fink, that Ordinance No. 1612, AN ORDINANCE RENUMBERING CHAPTER 28 TRAFFIC AND VEHICLES AND ENTITLING IT CHAPTER 9 OF THE CODE OF ORDINANCES, be approved on first reading. All in favor. Passed.

Motion was made by Fink, second by McGee, that Ordinance No. 1614, AN ORDINANCE RENUMBERING CHAPTER 29 ENTITLED WATER AND RENUMBERING IT CHAPTER 13 OF THE CODE OF ORDINANCES, be approved on first reading. All in favor. Passed.

Motion was made by Dennis, second by McGee, that Ordinance No. 1616, AN ORDINANCE RENUMBERING CHAPTER 16 ENTITLED SUBDIVISION REGULATION AND RENUMBERING IT CHAPTER 28 OF THE CODE OF ORDINANCES, be approved on first reading. All in favor. Passed.

Motion was made by Fink, second by Dennis, that Ordinance No. 1617, AN ORDINANCE RESERVING CHAPTERS 16, 18 AND 27 OF THE CODE OF ORDINANCES, be approved on first reading. All in favor. Passed.

Motion was made by Dennis, second by Fink, that Ordinance No. 1618, AN ORDINANCE CHANGING CHAPTER 2 ENTITLED "ADMINISTRATION" TO READ "GOVERNMENT AND ADMINISTRATION" OF THE CODE OF ORDINANCES, be approved on first reading. All in favor. Passed.

Motion was made by McGee, second by Armentaro, that Ordinance No. 1619, AN ORDINANCE CHANGING CHAPTER 19 ENTITLED "LIBRARY" TO CHAPTER 16 OF THE CODE OF ORDINANCES, be approved on first reading. All in favor. Passed.

Motion was made by Dennis, second by Fink, that Ordinance No. 1620, AN ORDINANCE AMENDING SECTION 5-8 TO ALLOW FOR PAYMENTS OF BILLS BY CHECK, be approved on first reading. All in favor. Passed.

Motion was made by Dennis, second by McGee, that Ordinance No. 1621, AN ORDINANCE RENUMBERING A SECTION OF CHAPTER 6 DEALING WITH INDUSTRIAL REVENUE BONDS OF THE CODE OF ORDINANCES, be approved on first reading. All in favor. Passed.

Motion was made by McGee, second by Dennis, that Ordinance No. 1622, AN ORDINANCE AMENDING SECTION 9-222(10) AND 9-240 OF CHAPTER 9 ENTITLED "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES, be approved on first reading. All in favor. Passed.

Motion was made by Dennis, second by McGee, that Ordinance No. 1623, AN ORDINANCE AMENDING SECTION 15-6 OF CHAPTER 15 ENTITLED "GAMBLING" OF THE CODE OF ORDINANCES, be approved on first reading. All in favor. Passed.

Motion was made by Dennis, second by McGee, that Ordinance No. 1624, AN ORDINANCE DELETING THE MAXIMUM FINE FOR PARKING VIOLATIONS OF SECTION 9-248 OF CHAPTER 9 ENTITLED "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES, Be approved on first reading. The vote was three in favor with Armentaro opposed. Passed.

City Manager Fraser recommended that the Council authorize the expenditure of funds be paid in the amount of \$50 per hour to Morrison-Maierle/CSSA to construct a pre-treatment and wastewater discharge permit for the City to help regulate Industrial Towel and a wastewater discharge permit for Montana Rail Link. Motion was made by McGee, second by Fink, to authorize the City Manager's recommendation. All in favor. Passed.

ACA017

City Manager Fraser informed the Council that our engineers, Morrison-Maierle/CSSA, for the water system project, have begun to compile pre-engineering information on our water system. In addition to using up to the \$1.7 million which was given to us by Burlington Northern, the engineers have been directed to begin putting the paperwork together for an application for CDBG money which the State might give us on this project. In this way, the \$1.7 million would be used as seed money to help obtain additional funds to expand the project. The grant application needs to be completed by the middle of September, submitted to the State for review and hopefully, awarded in December 1989. City Manager Fraser will keep the Council informed on this project.

Mayor Rick Loftice proclaimed March 5-11, 1989 as AMERICAN ASSOCIATION OF UNIVERSITY WOMEN WEEK.

Mayor Rick Loftice proclaimed March 8, 1989, as PARK HIGH RANGER BASKETBALL DAY in honor of the team for winning the State Class A Basketball Championship.

Motion was made by Dennis to extend the residency requirement for Finance Officer Reed until June 5, 1989, and that no more extensions will be granted, second by McGee. The vote was three in favor with Armentaro opposed. Passed.

Councilmember McGee asked what was determined on the alley behind the Senior Citizen Center. Public Works Director Fielding reported that a five-year street program is being prepared and this will be included in that. He will keep the Council posted.

Councilmember Fink requested that the City Manager find out about an ordinance on shovelling sidewalks and that it be enforced.

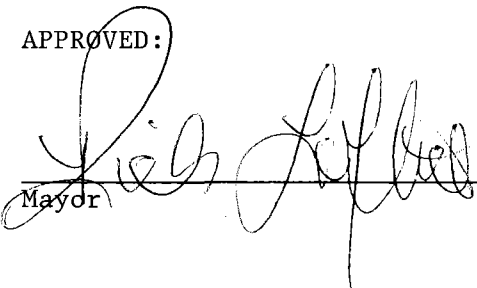
Councilmember Dennis suggested that the pasture land by the cemetery should not be leased for at least a year in order to let the grass grow.

Motion was made by McGee, second by Fink, to adjourn the meeting. The time was 8:15 p.m.

ATTEST:


Recording Secretary

APPROVED:


Mayor

LIVINGSTON
CITY COUNCIL MINUTES

MARCH 20, 1989

The Livingston City Council met in regular session at 7:30 p.m., Monday, March 20, 1989, in the council chambers of the city-county building. Council members present were Louis Armentaro and Bernice McGee with Mayor Rick Loftice presiding. Council members absent were Jody Fink and Bill Dennis.

Motion was made by McGee to accept the minutes of March 6, 1989, second by Armentaro. All in favor. Passed.

Motion was made by McGee, second by Armentaro, to accept the bills and claims in the amount of \$34,629.85 (these claims do not include Library Fund claims). All in favor. Passed.

Second reading of Ordinance No. 1596, AN ORDINANCE DELETING SECTION 11-63 OF THE CODE OF ORDINANCES, was passed by a vote of three in favor with Fink and Dennis absent.

Second reading of Ordinance No. 1597, AN ORDINANCE DELETING SECTION 11-51 OF THE CODE OF ORDINANCES AND AMENDING THE DUTIES IN SECTION 11-52 OF THE FIRE CHIEF, was passed by a vote of three in favor and Fink and Dennis absent.

Second reading of Ordinance No. 1598, AN ORDINANCE RENUMBERING CHAPTER 7 TO BE ENTITLED CHAPTER 22 OF THE CODE OF ORDINANCES AND DELETING AND AMENDING CERTAIN SECTIONS OF CHAPTER 22 TO DELETE THE CEMETERY BOARD AND TO GENERALLY REVISE THE CHAPTER, was passed by a vote of three in favor with Fink and Dennis absent.

Second reading of Ordinance No. 1599, AN ORDINANCE DELETING AND AMENDING CERTAIN SECTIONS OF CHAPTER 12 ENTITLED "GARBAGE, TRASH AND WEEDS" OF THE CODE OF ORDINANCES, was passed by a vote of three in favor with Fink and Dennis absent.

Second reading of Ordinance No. 1605, AN ORDINANCE RENUMBERING CHAPTER 22 TO BE ENTITLED CHAPTER 7 AND GENERALLY AMENDING CHAPTER 7 ENTITLED POLICE DEPARTMENT OF THE CODE OF ORDINANCES, was passed by a vote of three in favor with Fink and Dennis 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 three in favor with Fink and Dennis absent.

Second reading of Ordinance No. 1612, AN ORDINANCE RENUMBERING CHAPTER 28 TRAFFIC AND VEHICLES AND ENTITLING IT CHAPTER 9 OF THE CODE OF ORDINANCES, was passed by a vote of three in favor with Fink and Dennis absent.

Second reading of Ordinance No. 1614, AN ORDINANCE RENUMBERING CHAPTER 29 ENTITLED WATER AND RENUMBERING IT CHAPTER 13 OF THE CODE OF ORDINANCES, was passed by a vote of three in favor with Fink and Dennis absent.

Second reading of Ordinance No. 1616, AN ORDINANCE RENUMBERING CHAPTER 16 ENTITLED SUBDIVISION REGULATION AND RENUMBERING IT CHAPTER 28 OF THE CODE OF ORDINANCES, was passed by a vote of three in favor with Fink and Dennis absent.

Second reading of Ordinance No. 1617, AN ORDINANCE RESERVING CHAPTER 16, 18 AND 27 OF THE CODE OF ORDINANCES, was passed by a vote of three in favor with Fink and Dennis absent.

Second reading of Ordinance No. 1618, AN ORDINANCE CHANGING CHAPTER 2 ENTITLED "ADMINISTRATION" TO READ "GOVERNMENT AND ADMINISTRATION" OF THE CODE OF ORDINANCES, was passed by a vote of three in favor with Fink and Dennis absent.

Second reading of Ordinance No. 1619, AN ORDINANCE CHANGING CHAPTER 19 ENTITLED "LIBRARY" TO CHAPTER 26 OF THE CODE OF ORDINANCES, was passed by a vote of three in favor with Fink and Dennis absent.

Second reading of Ordinance No. 1620, AN ORDINANCE AMENDING SECTION 5-8 TO ALLOW FOR PAYMENTS OF BILLS BY CHECK, was passed by a vote of three in favor with Fink and Dennis absent.

Second reading of Ordinance No. 1621, AN ORDINANCE RENUMBERING A SECTION OF CHAPTER 6 DEALING WITH INDUSTRIAL REVENUE BONDS OF THE CODE OF ORDINANCES, was passed with a vote of three in favor with Fink and Dennis absent.

Second reading of Ordinance No. 1622, AN ORDINANCE AMENDING SECTION 9-222(10) AND 9-240 OF CHAPTER 9 ENTITLED "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES, was passed by a vote of three in favor with Fink and Dennis absent.

Second reading of Ordinance No. 1623, AN ORDINANCE AMENDING SECTION 15-6 OF CHAPTER 15 ENTITLED "GAMBLING" OF THE CODE OF ORDINANCES, was passed by a vote of three in favor with Fink and Dennis absent.

Second reading of Ordinance No. 1624, AN ORDINANCE DELETING THE MAXIMUM FINE FOR PARKING VIOLATIONS OF SECTION 9-248 OF CHAPTER 9 ENTITLED "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES, was passed by a vote of two in favor with Armentaro opposed and Fink and Dennis absent.

Mayor Loftice proclaimed March 22, 1989, as PARK HIGH RANGER GIRLS VOLLEYBALL DAY in honor of the team for winning the State Class A Volleyball Championship.

Mayor Loftice proclaimed March 23, 1989, as GARDINER HIGH BRUINS BASKETBALL DAY in honor of the team for winning the State Class C Basketball Championship.

City Manager Fraser had each Department Head put together an outline of what their current departmental training programs consist of in terms of operational, preventative maintenance, safety, inter-departmental training and emergency procedures and to present this to the Council.

A concerned citizen asked the Council why the City employees are picketing? Mayor Loftice replied that probably because they do not have a contract yet. He explained that negotiations are in progress and it is hoped that a contract will be drawn up soon.

Mayor Loftice asked if a spokesman from the group of City employees wanted to speak. Clint Tinsley spoke on behalf of the Public Works Union stating the reasons why the employees are dissatisfied.

Mayor Loftice called for a closed executive session for the purpose of evaluating the City Manager. The time was 8:05 p.m.

Mayor Loftice called the meeting back into open session at 8:45 p.m.

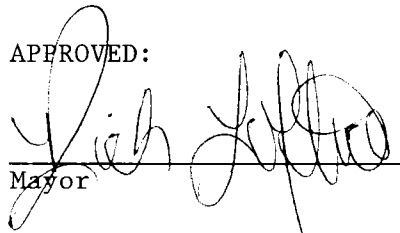
Councilmember Armentaro made a motion that after the evaluation of the City Manager's job performance for the year, the recommendation will be made to the full Council to terminate the City Manager effective April 1, 1989. Second by McGee. All in favor.

Councilmember McGee made the motion to adjourn, second by Armentaro. The time was 8:50 p.m.

ATTEST:


Recording Secretary

APPROVED:


Mayor

ACA017

LIVINGSTON
CITY COUNCIL MINUTES

MARCH 27, 1989

The Livingston City Council met in special session at 4:00 p.m., Monday, March 27, 1989, in the council chambers of the city-county building. Council members present were Louis Armentaro, Bill Dennis, Jody Fink and Bernice McGee with Mayor Rick Loftice presiding.

Mayor Loftice explained the reason for meeting in special session was to discuss the motion made at the March 20th regular council meeting to terminate the City Manager's contract with the City of Livingston. Mayor Loftice asked for any public comments before the council went into executive session to discuss the evaluation because of two councilmembers being absent at the last meeting.

Ernie Faure of 121 South Yellowstone stated that he feels the City Manager is not being given a fair chance, that any city manager should be given a longer term than 6 months or a year and that he should be given a chance.

There being no further comments, Mayor Loftice called for an executive session solely to discuss the evaluation of the city manager and that the merits of individual privacy exceed the merits of public disclosure. The time was 4:05 p.m.

Mayor Loftice reopened the council meeting at 5:05 p.m.

Armentaro made the motion that after the evaluation of the City Manager and his job performance for the year, the motion is to terminate the City Manager without cause and to terminate the City Manager's contract effective April 1, 1989. Second was made by McGee. Vote was three in favor with Fink opposed. Motion passed.

Mayor Loftice stated that an announcement to advertise for a new city manager will be done.

Mayor Loftice offered the appointment of Acting City Manager to Finance Officer Kent Reed who declined. Mayor Loftice stated that he wished to discuss this with Mr. Reed later before any decision is made.

Councilmember McGee wanted to clarify the fact that the decision made today will not have anything to do with union negotiations, that men have been layed off to help bring us out of the red and there is no money in the budget for raises at this time.

Motion to adjourn was made by McGee, second by Armentaro. The time was 5:20 p.m.

ATTEST:


Bernice McGee
Recording Secretary

APPROVED:


Rick Loftice
Mayor

LIVINGSTON
CITY COUNCIL MEETING
APRIL 3, 1989

The Livingston City Council met in regular session at 7:30 p.m., Monday, April 3, 1989, in the council chambers of the city-county building. Council members present were Louis Armentaro, Bill Dennis, Jody Fink and Bernice McGee with Mayor Loftice presiding.

Motion was made by Dennis, second by McGee, to accept the minutes of the March 20, 1989 regular council meeting and the March 27, 1989 special council meeting. All in favor. Passed.

Motion was made by Fink, second by McGee, to accept the bills and claims in the amount of \$17,090.71. All in favor. Passed.

Motion was made by Dennis, second by Fink, that Ordinance No. 1615, AN ORDINANCE AMENDING CHAPTER 3 ENTITLED "ALCOHOLIC BEVERAGES" OF THE CODE OF ORDINANCES, be approved on first reading. All in favor. Passed.

Motion was made by Armentaro, second by Dennis, to accept Resolution No. 2124, A RESOLUTION TERMINATING THE CONTRACT BETWEEN THE CITY OF LIVINGSTON AND MICHAEL FRASER, EFFECTIVE APRIL 1, 1989. The vote was four in favor. Passed.

Larry Raffety was present to review the list of improvements for the civic center project. The Council questioned him on a few items. No action was taken at this time.

Tom Lemke from the Department of Fish and Wildlife and Parks was present to the speak to the Council concerning the ducks and geese problems at Sacajawea Park. He gave a history of what started the geese population at the park stating they have increased from 18 flightless geese to some 150-200 birds. Concerning the wading pool, the best solution would be to put up a fence around it which his Department would pay for if the City were willing to put it up. Another solution to population control would be to remove the nesting sites and moving the goslings out of the area every year. He went on to say that there is equipment available for the purpose of vacuuming up the droppings. This would help out the soccer league to put their playing field in better condition. He suggested that maybe the league would be able to purchase the equipment. Mr. Lemke will keep in contact with the City concerning these problems.

City Manager Fraser had submitted a memo and a letter from the Department of Commerce with a Certificate of Completion for the Community Development Block Grant Economic Development Project 1985-86 successful completion of the Depot Center.

Armentaro made a motion to reserve the gazebo for the Railroad Family & Friends on July 22, 1989, for their annual picnic. Second was by McGee. All in favor. Passed.

Finance Officer Kent Reed had submitted his resignation effective April 13, 1989. Motion was made by Dennis to accept his resignation, second by Armentaro. The vote was three in favor with Fink opposed. Passed.

City Manager Fraser had submitted a list of pending City business that will require Mayor and Council or Manager's attention in the coming weeks or months.

Council member Fink mentioned the opening of the Livingston Employee Federal Credit Union's new drive-in and suggested that someone look into putting up signs to ensure a better flow of traffic through that area.

Mayor Loftice announced that Richard Larson of Billings, who was their city manager for fifteen years, offered his services to help negotiate union contracts at \$35.00 per hour. Motion was made by Dennis, second by Armentaro to accept his services. All in favor. Passed. He will be here on April 5.

Mayor Loftice appointed Jeanne Hencz as Acting Finance Officer effective immediately at a starting annual salary of \$21,000. Motion was made by Armentaro, second by Dennis to accept this appointment. All in favor. Passed.

Mayor Loftice appointed Dan Fielding as Acting City Manager effective immediately at his existing annual salary of \$29,000. Motion was made by McGee, second by Armentaro. All in favor. Passed.

Robert Murphy was present representing the Knights of Columbus and mentioned that they will be having a convention May 4, 5 and 6. He asked if a special permit was needed from the City for when they had their march. The Council decided no permits were required but they did need to coordinate this through the Police Department. Police Chief Bryce replied that special permission might be needed from the State in order to cross Park Street. Mr. Murphy's comment was that he thought they would not be crossing Park Street. Motion was made by Armentaro to allow the march, second was made by Dennis. All in favor. Mr. Murphy also requested that the Council consider not assessing parking fines to out of county vehicles during this time. No action was taken.

Mayor Loftice proclaimed April 23 through 29, 1989, as NATIONAL CONSUMERS WEEK.

Motion to adjourn was made by Armentaro, second by Fink. The time was 8:20 p.m.

Attest:

Beki Crosby
RECORDING SECRETARY

Approved:

Kent Reed
MAYOR

LIVINGSTON
CITY COUNCIL MEETING
APRIL 5, 1989

The Livingston City Council met at 4:00 p.m., Wednesday, April 5, 1989, in the City Manager's office of the city-county building. Council members present were Louis Armentaro, Bill Dennis, Jody Fink and Bernice McGee with Mayor Rick Loftice presiding.

Mayor Loftice called the meeting to order and closed the session for the purpose of meeting with Richard Larson of Billings who is negotiating the union contracts, City Attorney Jovick and Acting City Manager Fielding.

The meeting was adjourned at 6:00 p.m.

Attest:

Approved:

Berki Crosby
RECORDING SECRETARY

Rick Loftice
MAYOR

ACA017

LIVINGSTON
CITY COUNCIL MINUTES
APRIL 11, 1989

The Livingston City Council met at 7:00 p.m. Tuesday, April 11, 1989 in the council chambers of the city-council building. Council members present were Louis Armentaro, Bill Dennis, and Jody Fink with Mayor Rick Loftice presiding. Council member absent was Bernice McGee.

Motion was made by Armentaro, second by Dennis, to accept Resolution #2125, A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT DATED JULY 1ST, 1987 BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND AFSCME 2711A. The vote was three in favor, with McGee absent. Passed.

Richard Larson of Billings went over the union contract and grievances, which were approved by the union and city. All public works grievances were settled.

Councilmember Dennis made the motion to adjourn the meeting, second by Armentaro. The time was 7:20 p.m.

ATTEST:

APPROVED:

Becki Crosby
RECORDING SECRETARY

[Signature]
MAYOR

LIVINGSTON
CITY COUNCIL MINUTES
APRIL 17, 1989

The Livingston City Council met in regular session at 7:30 p.m., Monday, April 17, 1989 in the council chambers of the city-county building. Council members present were Louis Armentaro, Bill Dennis, and Jody Fink with Mayor Rick Loftice presiding. Council member absent was Bernice McGee.

City Attorney, Bob Jovick requested that the minutes of the April 5th, 1989, be corrected as follows: add to paragraph 2 "In regards to closing the meeting the merits of individual privacy exceeded the merits of public disclosure". Council member Fink requested that the minutes of the April 3, 1989, be corrected as follows: Change paragraph 7, line 8 to read " some" nesting sites. Motion was made by Dennis, second by Armentaro that the minutes of April 3rd and 5th be approved as corrected and April 11th approved. All in favor. PASSED.

Motion was made by Dennis, second by Armentaro to accept the bills and claims in the amount of \$64,223.74. All in favor. PASSED.

Motion was made by Dennis, second by Armentaro to accept the request from Steve Adam's Eagle Scout Project with the understanding that he has State Highway approval. All in favor. PASSED.

Motion was made by Armentaro, second by Dennis to accept Mr. Harry Bowers request to plant elm trees on the boulevard of his property at 403 No. L Street. All in favor. PASSED.

Mayor Loftice recommended to the council to appoint Cindy NeSmith to the Yellowstone Country Montana, Inc. Board for a three-year term. Motion was made by Dennis, second by Armentaro. All in favor. PASSED.

Acting City Manager, Dan Fielding recommended to the council to accept a permit between the City of Livingston and L.R.C. Morrison-Maierle/CSSA put together an application and industrial users permit for the purpose of all types of businesses. Dave Mosser, from Morrison-Maierle was present to explain the permit and to answer any questions the council had. The council discussed the permit fee and Dan Fielding recommended \$300.00 for this application fee and an 8 inch gate valve at an estimated cost of \$300.00 to \$400.00 to be paid for by L.R.C. Motion was made by Armentaro, second by Fink to accept the Acting City Managers recommendations. All in favor. PASSED.

Acting Finance Officer, Jeanne Hencz, requested that Becki Crosby be compensated for taking on the extra duties in the office at a base salary increase of \$176.75 per month, retroactive to April 1, 1989. This was the base salary of the previous recording secretary. Motion was made by Dennis, second by Fink to accept the salary increase. All in favor. PASSED.

Dan Fielding, Acting City Manager, is asking the council to allow the City attorney to prepare a lease agreement between Art Yarger and the City of Livingston to lease approximately 5 acres of land for pasture behind the City Shop. A motion was made by Dennis, second by Fink to have the City Manager proceed with details to bring back to the Council.

Mayor Rick Loftice proclaimed May 1-6, 1989 as "National Drinking Water Week". The City Attorney, Bob Jovick, suggested a copy of this proclamation be sent to B.N.

Dan Fielding, reported that spring clean-up will begin earlier this year, the clean-up will start April 24, this will give him more time to prepare for the street program. Jody Fink, made a recommendation that the clean-up schedule be advertised highly by route and advertised daily. Motion was made by Dennis, second by Fink to begin clean-up April 24, 1989. All in favor. PASSED

Second reading of Ordinance No. 1615, AN ORDINANCE AMENDING CHAPTER 3 ENTITLED "ALCOHOLIC BEVERAGES" OF THE CODE OF ORDINANCES, was passed by a vote of three in favor with McGee absent.

Councilman Bill Dennis, requested that the council and city get together the 1st part of May and get a list of priorities for the new City Manager.

Betty Lahren, representing the downtown merchants, the merchants from the Livingston Plaza and the High Country Mall, requested permission to block off Main Street from Callender to Lewis, to be used for special activities planned on April 21, 1989 from 9 a.m. to 5 p.m. Merchants will be in charge of proper baracading in area before mentioned. Motion was made by Armentaro second by Fink. All in favor. PASSED.

Fire Chief Fredericks introduced Dick Wood as a new firefighter in his department. He was hired with assistance from job service.

Mayor Loftice mentioned the BN agreement to upgrade the water supply system and asked for a motion that a draft be sent to the BN to get the proceedings under way on the project. City Attorney Jovick clarified the need to send the letter. Motion was made by Dennis second by Armentaro. All in favor. PASSED.

Mayor Loftice appointed Bill Dennis, Police Chief Bryce, and the City Manager to discuss problems with the county concerning jail and dispatchers.

Dick Larsen, from Billings has agreed to assist in budget preparations, Police negotiations and in training Department Heads in cooperation with the City Manager. Mr Larsen requests a salary of \$2000.00 per month for the months of April, May and June. Motion by Armentaro second by Fink. All in favor. PASSED.

Dave Mosser, from Morrison-Maierle introduced Roger Miller a Geohydrologists who will be working with us on the construction for

the well project. CSSA will continually work with the City through completion of the eight sites if necessary.

Motion made by Armentaro, second by Fink to adjourn the meeting, there being no further business. All in favor. PASSED.

Meeting adjourned at 8:20 p.m.

Becki Crosby
RECORDING SECRETARY

[Signature]
MAYOR CITY OF LIVINGSTON

ACA017

LIVINGSTON
CITY COUNCIL MINUTES
MAY 1, 1989

The Livingston City Council met in regular session at 7:30p.m., Monday, May 1, 1989 in the council chambers of the city-county building. Council members present were Louis Armentaro, Bill Dennis, and Jody Fink with Mayor Rick Loftice presiding. Council member absent was Bernice McGee.

Motion was made by Dennis, second by Armentaro, that the minutes of April 17, 1989 meeting be accepted. PASSED.

Motion was made by Fink, second by Dennis, to accept the claims which had been listed in the amount of \$23,127.11. PASSED.

Motion was made by Dennis, second by Armentaro, to accept Resolution No. 2125, A RESOLUTION RATIFYING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON AND THE POLICE UNION, LOCAL 2711B, AFL-CIO. The vote was three in favor with McGee absent. PASSED.

Acting City Manager, Dan Fielding reported on the swim pool opening and hiring of personnel. Jody Fink questioned the need for an assistant manager when we have never had one before. Dan Fielding stated it was to replace the managers duties when he or she is not there. Jody Fink would like more information and discussion on this matter. Dan Fielding will give a memo concerning the assistant manager responsibilities.

Dan Fielding, reported the update in the Finance Department. Jess Miller retired from the City of Livingston effective May 1, 1989. Becki Crosby will be his replacement. Becki will assume these duties along with being Recording Secretary . A proper job description is being prepared for this position. Julie Blakely has been hired as a temporary employee to replace the Administrative Secretary. Julie will be temporary until July 1, 1989.

Mayor Loftice announced the Public Hearing at 7:45 p.m.. The hearing is in regard to a zoning map amendment requested by Wayne and Loretta Goben at 202 South H. The property is located at Lot 1 of Block 102 of the Original Townsite of the City of Livingston. They are seeking to change the zoning from R-2(MH) Residential to Commercial. The city-county planning board recommended approval of this zoning change. Tara DePuy, attorney for Ed and Mazie Fink and Wayne and Loretta Goben, gave a presentation on the zoning change. Hans Evanson and Cecil Hoeme, from the audience and neighbors of 202 South H, spoke opposing the change. Mazie Fink spoke to the council in favor of the zone change. Public Hearing was closed. Motion made by Dennis, second by Fink to reject the zone change at 202 South H. Three in favor with McGee absent.

Linda Wahl, President of the Baseball Association, announced the annual Spaghetti Dinner to be held on May 19th at the Civic Center. She is requesting that the fee for the civic center be waived because the money made goes back into Miles Park. She is also asking for the Civic Center fee to be waived when the State Softball and Baseball Tournament is here in Livingston, July 14th-17th. The Baseball Association will be

in charge of their own cleanup. Motion was made by Armentaro, second by Dennis to waive the fee. All in favor. PASSED.

The Livingston Convalescent Center and the Montana Heart Association are requesting permission to barricade 14th Street between Cambridge and Crawford on May 20, from 9:00 a.m. to 5:00 p.m. for a day time carnival. Dan Fielding, is recommending that the council grant permission to these organizations to put up and take down their own barricades on this day. Motion to grant permission made by Dennis, seconded by Armentaro. All in favor. PASSED.

Motion made by Armentaro, second by Fink to adjourn the meeting, there being no further business. All in favor. PASSED.

Meeting adjourned at 8:10 p.m.

Attest:

Approved:

Deeki Crosby
Recording Secretary

[Signature]
Mayor

LIVINGSTON
CITY COUNCIL MINUTES
MAY 15TH, 1989

The Livingston City Council met in regular session at 7:30p.m., Monday, May 15, 1989 in the council chambers of the city-county building. Council members present were Louis Armentaro, Bill Dennis, and Jody Fink with Bernice McGee acting as Mayor. Mayor Rick Loftice was absent.

Motion was made by Dennis, second by Armentaro, that the minutes of May 1, 1989 meeting be accepted. PASSED.

Motion was made by Fink, second by Armentaro, to accept the claims which had been listed in the amount of \$52,250.64. PASSED.

Acting Mayor Bernice McGee, announced that the Civil Air Patrol was asking to waive the fees for the Civic Center on August 18 in the afternoon through August 20 in the morning. The intended purpose of the building is to be used for sleeping and changing clothes. The event is a Civil Air Patrol Search and Rescue training exercise. The Civil Air Patrol are providing adult chaperones and will be responsible for the cleanup. Dennis had some discussion concerning waiving the fees. Motions was made by Armentaro to waive the fee for the Civil Air Patrol, second by Fink. The vote was two in favor with Dennis being opposed.

Mr. Steve Hicks from the public, spoke in concern of a letter he wrote to the council. Mr. Hicks would like to purchase one of the Carter wind generator towers. Mr. Hicks came to the council meeting and withdrew his request at this time. City Attorney Jovick, advised the council that if they were interested in selling the wind generator towers that they would have to be put up for bid and he would have to review the contract. This was tabled at this time.

Acting Mayor McGee, stated the City/County Planner is requesting the City to change the licensing ordinance to include all home occupations to be licensed. City/Council Planner, Linda Lang spoke to the council about the licensing and she stated it is in two parts. The first part is being dicussed with the City Board of Adjustments and will be presented at a later time. The next is the zoning ordinance, which has good criteria and we have a good enforcer the building inspector, but we have know way of knowing who is doing a home business unless we find out by complaints. We need to know who is operating what and where, it would be a general formality. The fee would be set at a later time. The Council spoke in favor of the licensing with the intention that the Acting City Manager, Fielding review the fees and bring information to the next council meeting.

Acting City Manager Dan Fielding, spoke about the pasture land between the City and Art Yarger. A lease agreement was drawn up by the City Attorney and the council accepted the lease. The lease is for one year from May 1989, to May 1990. It shall automatically renew each year for a maximum of three (3) years total, unless otherwise terminated,

according to the lease. The fee to the lessee, agrees to pay to the City for the (3) year lease of the property, the sum of \$225.00 for each year payable in advance. Motion made by Dennis, second by Armentaro to accept the lease agreement. PASSED.

Acting Mayor McGee asked Dan Fielding to address the matter concerning Police Officer Dave Fenton. Dan stated that Officer Fenton is requesting permission to work part-time outside the police department. Motion was made by Armentaro, second by Fink. PASSED.

Acting City Manager, Dan Fielding reported on the Park County Polo Club lease agreement. Mr Fielding stated that he has reviewed the sight and found it to be in excellent condition. The City Attorney, Jovick will prepare a five (5) year lease with the Polo Club. Motion made by Armentaro, second by Fink. PASSED.

Acting Mayor Bernice McGee proclaimed May 26, 1989 as American Legion Auxiliary's annual POPPY DAY.

Acting Mayor Bernice McGee proclaimed May 21, 1989 as CYSTIC FIBROSIS DAY.

Motion was made to adjourn the meeting, motion was made by Dennis, second by Fink. Meeting adjourned at 8:05p.m.

ATTEST:

APPROVED:

Baeki Crosby
RECORDING SECRETARY

[Signature]
ACTING MAYOR

LIVINGSTON
CITY COUNCIL MEETING
MAY 24, 1989

The Livingston City Council met at 4:00p.m., Wednesday, May 24, 1989, in the council chambers of the city-council building. Council members present were Louis Armentaro, Bill Dennis, Jody Fink, and Bernice McGee with Mayor Rick Loftice presiding.

The special meeting was called to discuss the hiring of a City Manager with direction from the City Council to Dick Larsen. Mr Larsen is helping select the City Manager for Livingston. Mayor Rick Loftice stated we would like to have someone here by August 1, 1989.

In reviewing the applications Mr. Larsen stated "You have a lot of good, qualified people" applying for the job. He told the council that there are at least 12 who are well qualified and asked if he could select the best 10 and bring those to the Council on June 5th. The council gave Mr. Larsen some insight as to what they wanted in the next City Manager's qualifications and character.

The question asked to Mr. Larsen, by councilmember Bernice McGee was concerning who really makes the decisions? Mr Larsen stated that the State Law sets the format and the Mayor and Council sets the policy for the manager to follow. Councilmember McGee stated that the council was told they could not talk to the employees and Mr. Larsen stated you are allowed to talk to employees but you are not allowed to give them personnel direction, this goes through the manager.

Councilmember Dennis showed concern that they were not included in any of the past employees that were hired. They had know idea who was hired or fired until after the fact. He mentioned that the manager and the council had lack of communications. The council was elected to represent the city and they were not informed about what was going on in the city. Councilmember Armentaro also mentioned there were communication problems. The council wants to set in on hiring of employees and setting up guide lines to follow.

Mr. Larsen asked what the council was looking for as a city manager. The council mentioned several different things that were of concern. One was that the manager needs to have good public relations. He needs to be a people person and also works good with council and employees. This is especially important in a small town. Also the knowledge of finances. Understanding budgets and practicality of finances. He needs to know knowledge of the different jobs, some on hand experience. He needs to know and understand city government and have the ability to work with other governmental agencies. He needs to understand the needs of the community that he is hired to manage.

Mr. Larsen will return on June 5th with 10 candidates and then have the council further reduce the applicants. Those selected for interviews would come from the group of finalists directed by the council.

Mr. Larson mentioned if the council has appointments to make in personnel, to do so before the city manager is hired.

Mr Larsen reported that fire negotiations are still in process.

Meeting adjourned at 5:00p.m.

ATTEST:

APPROVED:

Becki Crosby
RECRODING SECRETARY

Lisa K. [Signature]
MAYOR

LIVINGSTON
CITY COUNCIL MEETING
JUNE 5, 1989

The Livingston City Council met in regular session at 7:30 p.m., Monday, June 5, 1989, in the council chambers of the city-county building. Council members present were Louis Armentaro, Bill Dennis, Jody Fink and Bernice McGee with Mayor Loftice presiding.

Council member Fink requested that the minutes of the May 24, 1989, be corrected as follows: Change paragraph 5, line 2 to read "no" instead of know. Paragraph 5, line 7 to read "The council wants to sit in on hiring of employees. Motion was made by Dennis, second by Fink that the minutes of May 24, 1989 be approved as corrected. All in favor. PASSED.

Motion was made by Fink, second by McGee to accept the bills and claims in the amount of \$25,054.84. All in favor. PASSED

Motion was made by Dennis, second by Armentaro, to accept Resolution No. 2126, A RESOLUTION ANNEXING CERTAIN REAL PROPERTY TO THE CITY OF LIVINGSTON. The vote was four in favor. PASSED.

Motion was made by Dennis, second by McGee, to accept Resolution No. 2127, A RESOLUTION VACATING A PORTION OF GLOBE STREET AND A PORTION OF WASHINGTON STREET. The vote was four in favor. PASSED.

Motion was made by Dennis, second by Armentaro, that Ordinance No. 1626, AN ORDINANCE ZONING CERTAIN REAL PROPERTY AS INDUSTRIAL, be approved on the first reading. All in favor. PASSED.

Simmons & Company Auditing Firm was present to request a three (3) year contract with the city. Mayor Rick Loftice stated that any contract made would have to be passed by a resolution. Mayor Loftice requested that the council review the contract with Simmons and Company and discuss it later. Council Armentaro asked about the fees for the first year Max Simmons stated that the fees would be the same as the year before, \$9800.00

Linda Lang, City/County Planner, and Tim Parks, Building Inspector compiled a request for a change to the City Ordinance pertaining to home occupation licensing. They are asking the council to instate a fee for all businesses regardless of where they are located. They request that where an occupation which is listed in City of Livingston Ordinance #1380, the fee set for that occupation in the Ordinance be charged. Where an occupation is not listed, a fee of \$20.00 shall be charged. They are requesting the council to require all home occupations whether new or existing to be licensed as of July 1, 1989. The first license shall be for one-half year and shall be renewable each year thereafter beginning January 1, 1990. Motion was made by Fink second by Dennis. All in favor. PASSED.

Finance Officer Jeanne Hencz stated that the Livingston Employees Federal Credit Union has been overcharged for their garbage assessments for the past three years 1986-1988 due to a county clerical error made

in 1986. It is her recommendation that the full three year's overcharges be refunded. This amounts to \$1,260.00. Dennis stated that the City pay for one year's refund and the County pay for the other two years refund, this is the City Ordinances policy that a one year's garbage be refunded. Finance Officer Hencz stated that the City did receive the money and that the Credit Union has not received the actual garbage collection. Motion was made by Fink, second by McGee to refund the \$1260.00 to the Livingston Credit Union. All in favor. PASSED.

Mayor Rick Loftice informed the council there is an opening to the City/County Planning Board. The board recommends Mr. Ron Huisenga for the position of member-at-large. Mayor Loftice appointed John Phillips to replace Jim Burke on the City/County Planning Board. Motion was made by Dennis, second by McGee. All in favor. PASSED

Mayor Rick Loftice appointed Harold Mosback to the City/County Health Board for a three-year term to replace Diane Poeschl. Motion made by Dennis, second by Armentaro. All in favor. PASSED.

Acting City Manager Dan Fielding made a recommendation to the council to accept the bids for the street material. Fielding recommended acceptance of Pioneer Ready Mix for the blacktop, at \$24.00 a ton. Eggar Inc. for the chips at \$12.25 a cubic yard. Farmer's Union Central Exchange for the oil at \$.5625 a gallon. Motion was made by Dennis, second by McGee. All in favor. PASSED.

Mayor Rick Loftice, proclaimed June 19th through July 7th as Go Western Days.

Council member Fink, mentioned that proper credit be given and a certificate of recognition to all those who worked on the council room. A special mention to Bob Jenkins from Tri-State Builders. This project was done in the Centennial Year.

Council member McGee suggested the council join the Park County Refuse District to get representation on the board. City Attorney Jovick stated there are many unanswered questions regarding what liability the City would accept on the money owed on the incinerator. The council agreed more study is needed before deciding whether to join.

Motion made by Armentaro, second by Dennis to adjourn the meeting, there being no further business. All in favor. PASSED.

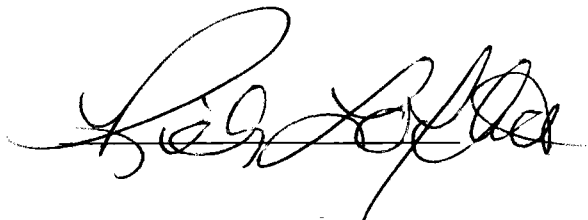
Meeting adjourned at 8:00p.m.

Attest:

Approved:

Bucki Crosby

1989 City Council Meeting Minutes



Livingston
Special City Council Meeting
June 22, 1989

Present were Louis Armentaro, Bernice McGee, Jody Fink and Bill Dennis with Mayor Rick Loftice presiding.

Police Chief Bryce announced that the Depot Center is requesting permission for an off-premises liquor license with catering through the Guest House. His recommendation to the Council was that this be denied. Janet Bernthal was present and spoke on the reasons for having this. Motion was made by Bill Dennis to allow the license, second by Armentaro. The vote was three in favor with Councilmember McGee being opposed. PASSED.

The purpose of the special meeting was to go over the General Fund Preliminary Budget. Changes were made as follows:

Motion was made by Armentaro, second by Fink, to cut the City Judge's typewriter budget from \$1,000.00 to \$500.00. All in favor. PASSED.

It was also decided with the Council being unanimous in favor that the City Judge's salary should have only a 3.5% increase instead of the 10% increase he was proposing. This would be in line with other personnel wage raises of 3.5%.

Motion was made by Armentaro, second by Fink, to add \$5,000.00 back into the Police Department budget for the ballistic vests. All in favor. PASSED.

Motion was made by Armentaro, second by Dennis, to add overtime of \$1,320.00 to the Police Department in-service training. All in favor. PASSED.

Motion was made by McGee, second by Dennis, to add the 10th Police officer back in for an added \$21,758.00. All in favor. PASSED.

It was discussed as to whether the police car budget request should be cut. The Council decided not to do so at this time.

The Council requested that the Finance Officer check into whether we should be budgeting for two elections or only one.

A question was made to Park Foreman Eddie Miller about whether the roof would be done for the civic center this year? He replied that if the grant is received then it will be completed but that if the grant is not received, enough money is in the budget for spot repairing. The Council was satisfied with this. Mayor Rick Loftice requested that Acting City Manager Fielding check with Marc Montgomery and Larry Raffety pertaining to the grant application.

Motion was made by Armentaro, second by McGee, to add two more seasonals to the Park Department. All in favor. PASSED

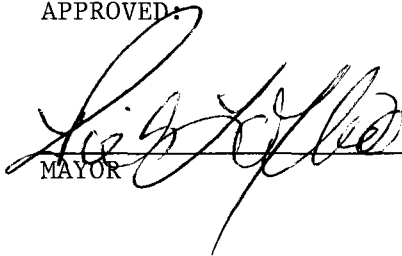
Councilmember Dennis requested that the County should help with maintaining the Cemetery. This will be brought up at a later meeting when the Dispatcher/Jailer is discussed with the County Commissioners.

The meeting was adjourned at 5:30 p.m. with the announcement that the rest of the preliminary budget will be discussed at a special meeting at 4:00 p.m. on Tuesday, June 27, 1989.

ATTEST:

APPROVED:

Becki Casby
RECORDING SECRETARY


MAYOR

LIVINGSTON
CITY COUNCIL MINUTES
JUNE 19, 1989

The Livingston City Council met in regular session at 7:30p.m., Monday, June 19, 1989, in the council chambers of the city-county building. Council members present were Louis Armentaro, Bill Dennis, Jody Fink and Bernice McGee with Mayor Loftice presiding.

Motion was made by Fink, second by McGee that the minutes of June 5, 1989 meeting be accepted. PASSED.

Motion was made by Dennis, second by Armentaro, to accept the claims which had been listed in the amount of \$107,449.89. PASSED.

Mayor Loftice introduced the Citizen's Advisory Committee, Warren McGee Chairman, Bill Leitch, George Wuerthner, Clare Lemke, Dan Porter, Netzy Durfey, Pam Murray, Nina Celander, Chris Petrik, Dee Hutsell, Frances Stewart, David Scrimm, John Hiatt. This committee was formed at the June 15, 1989 meeting in the community room. Councilman Dennis made a motion to accept this committee, Armentaro seconded the motion. PASSED.

The Mayor asked for a motion concerning the Gallatin Dog Show to be held in the Sacajawea Park, June 22, 1989 for their annual dog show. Armentaro made a motion stating that the dog show has been here several times in the past and they put on a good clean show and bring alot of people into the community, second by Fink. PASSED.

Warren McGee, Chairman of the Citizen's Advisory Committee had a request to ask of the council. Their name will now be Livingston Friends of the Environment, which is LIFE. The committee respectively requests that the City of Livingston formally intervene in the lawsuit that has been brought against BN by the State of Montana, with respect to the ground water contamination problem that besets our community. City Attorney Jovick stated that their request was a legitimate one for the community and that the City of Livingston intervene in the Federal Court laws that we attempt to engage in the Helena Law Firm, Gough-Johnson-Shanahan and Waterman and that the City Attorney's Office initiate contacts. The motion was made by Armentaro and second by Fink. PASSED.

Second reading of Ordinance No. 1626, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO INCLUDE CERTAIN ANNEXED REAL PROPERTY AND ZONING SAID REAL PROPERTY AS INDUSTRIAL, was passed by a vote of four in favor. PASSED.

Mr. Larsen was at the meeting to present the 1989-90 budget message. He mentioned the format was a little different and that it would be easier to understand. Mr. Larsen complimented Jeanne and her staff for working hard to put this together. Questions were asked and answered. The Mayor thanked Mr. Larsen.

Councilman Dennis asked to meet with the Department Heads for the Water Study on Wednesday at 9:00 a.m.

The Mayor announced the meeting will go into a closed session stating that the merits of individual privacy exceed the merits of public disclosure. The Council then went into executive session in regards to the city manager candidates.

Sandy Prom, a resident addressed a question to the council concerning which streets if any are singled out to be paved. Street Foreman Kastelitz stated that the City is on a chip seal program. The City is in a five year maintenance program and some of the concrete streets are very expensive to repair and that is why it hasn't been done. Mrs. Prom also addressed some problems with stop signs that can't be seen. Public Works Director Fielding will look into the streets and signs that Sandy Prom cited.


Jean Swanson from HRDC is asking permission to waive the fee of the Civic Center on July 7, 1989 for a large rummage sale to help finance the elderly at christmas time. Motion was made by Armentaro second by McGee. PASSED.

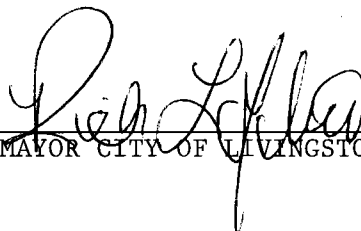
Mike Devine was at the council meeting to ask permission to close the roads around the band shell on July 2 and August 9th. The August 9th request is for a Centennial Show and July 2nd is in conjunction with the Big Brothers and Sisters. With roads being blocked off they will be able to collect a fee for the show. Blocking of the road will be only around the Civic Center leaving the Yellowstone entrance open to get around the park and around the swim pool. Motion was made and second by Armentaro. PASSED.

Mark Fiorentino from Hall's Emergency Service, wanted to know the status of his request to the council for changing from a part-time to a full time dispatcher. Mayor Loftice stated the council will discuss it at the next budget meeting.

Motion made by Armentaro, second by Fink to adjourn the meeting, there being no further business. All in favor. PASSED.

Meeting adjourned at 8:45p.m.


RECORDING SECRETARY


MAYOR CITY OF LIVINGSTON

LIVINGSTON
SPECIAL CITY COUNCIL MEETING
JUNE 27,1989

The Livingston City Council met in a special meeting on June 27,1989 in the council chambers of the city-county building. Council members present were Louis Armentaro, Bill Dennis, Jody Fink and Bernice McGee with Mayor Loftice presiding.

The purpose of the special meeting was to go over the water, sewer and solid waste preliminary budget.

Councilman Armentaro asked about any new vehicles in capital outlay. Water Foreman Clint Tinsley, explained that there was one vehicle in capital outlay and the old one is to be given to Eddie Miller. Foreman Tinsley stated he had 5 full time and 2 seasonal employees, this is one less full time person than last year. Councilman Dennis asked about the main replacement program and Tinsley said if the council approves the budget this will be the first year the main replacement program will be off the ground after 5 years of trying, this is approximately 4 blocks of main per year on a 40 year program.

Foreman John Sutherland reported he had 4 full-time and 1 part-time employees. The Public Works Director Fielding mentioned the replacement of the lift station at the Edgewater. Fielding stated it is unsafe to work in, he stated it was not a good lift station to begin with, it was a poor design. Fielding stated the proposal is to eliminate the lift station totally and go to the lift station on 8th street which would reduce the electrical bill and eliminate any future maintenance. Foreman Kastelitz reported the lift station was designed by Gordon McGuire and he put it in and asked the city to accept it and the city did. The lift station is approximately 15 years old.

Foreman Kastelitz was asked about the garbage truck and he said he is asking for one complete truck, with the trade in on the 1962 truck and he will still have a spare. Kastelitz said the grader is in good shape and it is a 1972 or 1974 model.

Meeting adjourned at 4:30 p.m. The next meeting will be to adopt the preliminary budget and then on August 9th there will be a public hearing on the preliminary budget and the meeting on be August 14, 1989 will be to adopt the Final Budget.

Becki Crosby
RECORDING SECRETARY

[Signature]
MAYOR

ACA017

LIVINGSTON
CITY COUNCIL MEETING

JULY 5, 1989

The Livingston City Council met in regular session at 7:30 p.m., Wednesday July 5, 1989, in the council chambers of the city/county building. Council members present were Louis Armentaro, Bill Dennis, Jody Fink and Bernice McGee with Mayor Loftice presiding.

Motion was made by McGee, second by Armentaro that the minutes of June 19, 1989, regular meeting, June 22, 1989 special meeting, and June 27, 1989 special meeting be accepted. PASSED.

Motion was made by Dennis, second by Fink, to accept the claims which had been listed in the amount of \$67,289.01. PASSED.

Motion was made by Dennis, second by McGee to open two bids on Test Drilling and Aquifer Testing. Dave Mosser of Morrison/Maierle was asked to look the bids over and report back to the Council. ADT Hunt Drilling bid was \$42,999.00, and DeBuff Drilling Co. Inc. bid was \$43,390.00. ADT was awarded the contract. Motion was made by Dennis, second by Armentaro. All in favor. PASSED.

First reading of Ordinance No. 1625, AN ORDINANCE DELETING CERTAIN SECTIONS OF CHAPTER 15 OF THE CODE OF ORDINANCES ENTITLED "GAMBLING" TO COMPLY WITH STATE LAW AND REGULATION OF GAMBLING. Motion was made by Dennis, second by Armentaro, all in favor. PASSED.

First reading of Ordinance No. 1627, AN ORDINANCE AMENDING SECTIONS 6-1, 6-110, 6-191, 6-40, 6-130, AND SECTION 6-180 OF CHAPTER 6 OF THE CODE OF ORDINANCES ENTITLED "UNIFORM BUILDING CODE" TO INCLUDE THE 1988 EDITIONS OF THE UNIFORM BUILDING AND COMPANION CODES. Motion was made by Dennis, second by McGee, all in favor. PASSED.

Resolution No. 2128, A RESOLUTION ANNEXING CERTAIN REAL PROPERTY TO THE CITY OF LIVINGSTON. Motion was made by Dennis, second by McGee, all in favor. PASSED.

Resolution No. 2129, A RESOLUTION APPROVING AN AGREEMENT DATED JUNE 5, 1989 BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND SIMMONS AND COMPANY. Motion was made by McGee, second by Armentaro, all in favor. PASSED.

Resolution No. 2130, A RESOLUTION APPROVING THE ATTACHED AGREEMENT AND OPTIONS TO PURCHASE. Motion was made by Dennis, second by McGee. Armentaro had a question on who would be paying the bills. City Attorney Jovick stated the bills would be sent directly to the B.N., and they would pay the City, and in turn the City would pay the contractor. All in favor. PASSED.

Motion was made by Dennis, second by Armentaro to accept the bid from Northern Energy for propane for the fiscal year ending June 30, 1990, at \$.45 per gallon. All in favor. PASSED.

ACA017

Resolution No. 2132, A RESOLUTION APPROVING THE PRELIMINARY BUDGET FOR FISCAL YEAR 1989-1990 FOR THE CITY OF LIVINGSTON. Motion was made by Dennis, second by Armentaro. Jovick stated that the Council adopts the budget as preliminary, and the Council still has the right to change it. The budget is just adopted preliminary to date. The Public Hearing will be held next, August 9th, before the final adoption of the budget August 14th. All in favor. PASSED.

Motion was made by Dennis, second by Armentaro to appoint Jeanne Hencz as the Finance Officer for the City of Livingston at a salary of \$25,000.00. All in favor. PASSED.

Motion was made by Armentaro, second by Dennis to grant Police Chief George Bryce permission for outside employment with the Montana Army National Guard. All in favor. PASSED.

Council member McGee brought up that too many grown men are fishing in the Lagoon at the Park. She has had many people ask why we can't just have the Lagoon for the young people up to age 12, and the handicapped. We have talked to the Fish & Game about this and they cannot do anything about it, unless we pass an Ordinance or some kind of ruling to follow up on this matter. Motion made by McGee, second by Armentaro. All in favor. PASSED.

Council member McGee also brought up that she has been trying to get a hold of the President of the Jaycees Jr. Chamber of Commerce to see what is being done about the Civic Center, if anything is being done about getting Incorporated, or about getting any Grants. We need to be getting something done with it.

The Mayor announced the meeting will go into a closed session stating that the merits of individual privacy exceed the merits of public disclosure. The Council then went into executive session in regards to the city manager candidates.

Motion made by Dennis to offer the new candidate a contract, the candidate being John Orndorff, second by McGee. All in favor. PASSED

Resolution No. 2131, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND ADT HUNT DRILLING FOR TEST DRILLING AND AQUIFER TESTING IN THE YELLOWSTONE RIVER ALLUVIUM. Motion was made by Dennis, second by Armentaro. All in favor. PASSED.

Dan Fielding asked the City Council if they would approve a water ban, residents could only water between the hours of 7 to 11 p.m. This is because we cannot get the reservoir filled up after the water main break last weekend at the D Street Well. We would like to have 2 Million gallon storage and we are down to about 800,000 gallons. In the advent of a water main break or fire, we would not have adequate water. Have the Fire Department go out and reinforce this for us. Motion made by Dennis, second by Armentaro. PASSED.

Motion was made by McGee, second by Fink to adjourn the meeting, there being no further business. All in favor. PASSED.

Meeting adjourned at 8:15 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Rich L. Lee
MAYOR

LIVINGSTON
CITY COUNCIL MEETING

JULY 17, 1989
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday July 17, 1989, in the council chambers of the city/county building. Council members present were Jody Fink, Bernice McGee, Louis Armentaro and Bill Dennis with Mayor Rick Loftice presiding.

Motion was made by Dennis, second by McGee that the minutes of July 5, 1989, regular council meeting, be accepted. PASSED.

Motion was made by Dennis, second by Fink to accept the claims which had been listed in the amount of \$111,559.47. PASSED.

Second Reading of City Ordinance No. 1625, AN ORDINANCE DELETING CERTAIN SECTIONS OF CHAPTER 15 OF THE CODE OF ORDINANCES ENTITLED "GAMBLING" TO COMPLY WITH STATE LAW AND REGULATION OF GAMBLING. All in favor. PASSED.

Second Reading of City Ordinance No. 1627, AN ORDINANCE AMENDING SECTIONS 6-1, 6-110, 6-191, 6-40, 6-130 AND SECTION 6-180 OF CHAPTER 6 OF THE CODE OF ORDINANCES ENTITLED "UNIFORM BUILDING CODE" TO INCLUDE THE 1988 EDITIONS OF THE UNIFORM BUILDING AND COMPANION CODES. All in favor. PASSED.

First Reading of City Ordinance No. 1628, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO INCLUDE CERTAIN ANNEXED REAL PROPERTY AND ZONING SAID REAL PROPERTY AS PUBLIC USE. Motion was made by Dennis, second by Armentaro. All in favor. PASSED.

Resolution No. 2133, A RESOLUTION DECLARING THAT THERE SHALL BE NO CITY PRIMARY ELECTION FOR 1989. Motion was made by Dennis, second by Armentaro. All in favor. PASSED.

Resolution No. 2134, A RESOLUTION ASSESSING AND LEVYING A BASIC GARBAGE TAX FOR THE FISCAL YEAR 1989-1990. Motion was made by Dennis, second by Armentaro. All in favor. PASSED.

The Library budget was discussed as to how are we going to fund it. Council member McGee read a portion of the agreement signed with the County stating that the City will levy up to 7 mils and the County up to 5 mils. It was mentioned that the Library proposed budget is considerably larger than what the mils will be. Mayor Loftice will meet with the County Commissioners on this and it will be resolved.

Motion was made by Dennis, second by Armentaro, to grant Police Officer Sam Frederick permission for outside employment with the Billings Gazette. All in favor. PASSED.

Mayor Loftice appointed Clay Ward and Joan Sundling to the Design Review Committee. Motion was made by Dennis, second by McGee. All in favor. PASSED.

The Council was presented changes to the preliminary budget. They were as follows:

Council, an increase of,	\$3,238.00
Planning Services. an increase of	\$ 712.00
Switchboard, an increase of	\$6,616.00

Also, included was a transfer of money from one account to another in the amount of \$8,000.00, for a new well house at the "D" Street Well. The Council was in agreement of these changes.

Motion was made by Dennis, second by Fink to grant Kenneth & Carol Handl the requested variance to build 6 feet onto the front of their house at 127 S. M Street. All in favor. PASSED.

Motion was made by Armentaro, second by Fink to grant Jan Berntsen from KPRK, to block off Main Street between Callender & Lewis Street for a Crazy Days Promotional. All in favor. PASSED.

Dave Folsom was present to request a letter from the City for Morrison/Maierle, designating what requirements the City has regarding the design of the sewer line on his property South of the Interstate. He also wanted to know of the possibility of any sewer funds being available to assist in the expense for the potential lift station. The Mayor asked that Dan Fielding handle this and get back to him.

Marsha Bacon presented a petition to the Council to improve traffic control for the intersection at 12th and Cambridge. No action was taken at this time.

Council member Fink requested a sweeper schedule be put in the Enterprise daily. Dan Fielding will take care of this.

Council member Fink inquired as to the status of the extra office help as it was her understanding that this extra help was only until July 1 to help out during the budget process. Finance Officer Hencz responded that the extra help is needed for the full year and that it is in the budget. Fink also asked how the hiring had been done. Acting City Manager Fielding responded that Jeanne Hencz as the Finance Supervisor interviewed through applications received into the office from Job Service and that she had the authority to do the hiring.

Council member McGee stated the article in the Enterprise about the selling of the West Side School was an erroneous statement. This has not been brought before the Council.

Motion was made by Dennis, second by Armentaro to accept Big Sky Paving's bid for street repair. All in favor. PASSED.

Motion was made by Fink, second by Armentaro to allow Quality Consignment to close 12th Street for their Grand Opening. All in favor. PASSED.

Motion was made by Armentaro, second by Dennis to allow John Orndorff to attend a one-day course offered by Job Service. The vote was three in favor with Fink opposed. PASSED.

Charles Gavin was present to speak to the Council on changing the lease law. No action was taken at this time.

Netzy Durfy of the LIFE Committee gave the Council copies of the Committee's correspondence with the Montana Department of Health and Environmental Sciences.

Motion was made by Armentaro, second by Fink to adjourn the meeting, there being no further business. All in favor. PASSED.

Meeting adjourned at 7:55 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Richard J. Fink
MAYOR

ACA017

LIVINGSTON
CITY COUNCIL MEETING

AUGUST 7, 1989
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday August 7, 1989, in the council chambers of the city/county building. Council members present were Louis Armentaro, Bill Dennis, Jody Fink and Bernice McGee with Mayor Rick Loftice presiding.

Motion was made by Dennis, second by Armentaro that the minutes of July 17, 1989, regular council meeting be accepted. PASSED.

Motion was made by Fink, second by Dennis to accept the claims which had been listed in the amount of \$62,008.24. PASSED.

Second Reading of City Ordinance No. 1628, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO INCLUDE CERTAIN ANNEXED REAL PROPERTY AND ZONING SAID REAL PROPERTY AS PUBLIC USE, was approved. All in favor. PASSED.

Motion was made by Armentaro, second by Dennis, that Ordinance No. 1629, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO INCLUDE CERTAIN ANNEXED REAL PROPERTY AND ZONING SAID REAL PROPERTY AS PUBLIC USE, be approved on the first reading. All in favor. PASSED

Motion was made by Armentaro, second by Dennis, to accept Resolution No. 2135, A RESOLUTION ANNEXING CERTAIN REAL PROPERTY TO THE CITY OF LIVINGSTON. All in favor. PASSED.

Motion was made by Dennis, second by McGee to accept Resolution No. 2136, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND TOM ROTH AND MARILYN ROTH. All in favor. PASSED.

Motion was made by Dennis, second by Armentaro, to accept Halls Ambulance request to expand their dispatching service to full time at the existing fee of \$250.00 per month. The dispatchers in the Police Department also dispatch for other agencies for free, and the Council feels this is not fair, and will be looked into. All in favor. PASSED.

Motion was made by Dennis, second by Armentaro, to approve the Library Budget of \$124,000.00. All in favor. PASSED.

Motion was made by Dennis, second by Armentaro, to accept the bid from Tri Valley Petroleum for bulk fuel for the fiscal year ending June 30, 1990, as follows:

Regular Gasoline at \$1.01 and 8 tenths
 Diesel #2 at \$.62 and 2 tenths
 Unleaded Gasoline at \$1.00 and 8 tenths

Other bids received were as follows:

Treasure State Fuel of Livingston, Inc.,
 Regular Gasoline at \$1.02 and 3 tenths
 Diesel #2 at \$.64 and 8 tenths
 Unleaded Gasoline at \$1.01 and 3 tenths

Jones Oil Co.
 Regular Gasoline at \$1.15
 Diesel #2 at \$.673 NO TAX
 Unleaded Gasoline at \$1.12

Motion was made by Armentaro, second by Dennis to accept Officer Doug Wonders resignation. All in favor. PASSED.

Motion was made by Dennis, second by Armentaro to grant Police Chief George Bryce permission to fill Officer Doug Wonders position immediately. All in favor. PASSED.

Councilmember Dennis announced the Water & Sewer Review Committee will meet Thursday morning, August 10, 1989, at 9 a.m., in the Council Chambers.

Sam Lemert, Chairman of the Downtown Christmas Decorations Committee, requested to the City if the new Christmas Decorations could be stored and maintained by the City. The Chamber of Commerce will pay for any replacements the decorations may need. Acting City Manager Dan Fielding suggested the Old Water Plant building for a storage area. Racks will be provided. Motion was made by Dennis, second by Armentaro to grant this request. All in favor. PASSED.

Chairman for the LIFE Committee, Warren McGee requested to the Council, to hire an Environmental Engineer to help the Committee with all the reading material they have received. Motion was made by Fink, to allow the Committee up to \$5000.00 for an Engineer, second by Armentaro. All in favor. PASSED.

At this time, 3 applications for the Environmental Engineer's position was presented to Acting City Manager Fielding for him to review.

The Mayor announced the meeting will go into executive session, stating that the merits of individual privacy exceed the merits of public disclosure. The Council then went into executive session in regards to fire contract negotiations and City Manager Contract.

Motion was made by McGee, second by Dennis to adjourn the meeting, there being no further business. All in favor. PASSED.

Meeting adjourned at 9:35 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Rich Laffey
MAYOR

LIVINGSTON
CITY COUNCIL MEETING
PUBLIC HEARING PRELIMINARY BUDGET
AUGUST 9, 1989

ACA017

The Livingston City Council met at 7:00 p.m., Wednesday, August 9, 1989, in the council chambers of the City-County Building to hold a public hearing on the preliminary budget. Council members present were Louis Armentaro, Bill Dennis, Jody Fink and Bernice McGee with Mayor Rick Loftice presiding.

The meeting was held to hear comments for and against the 1989/1990 Preliminary Budget.

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

Finance Officer Jeanne Hencz presented some changes in the budget to the Council as follows:

LIBRARY Fund shows decreased salaries & health insurance which made their shortfall.....\$	14,458.00
that will be taken out of their reserve.	
PUBLIC WORKS phone.....\$	540.00
Transfer from General Fund into the LIBBEY BUILDING Fund for loan payment, 4 years left.....\$	8,123.00
Total GENERAL FUND expenditures to date...\$	1,478,150.00
WATER FUND for meter book pages.....\$	1,000.00

City Attorney Robert Jovick announced to the Council, that John Orndorff has signed the revised proposed City Manager's contract, and the Council will be presented with that contract at Monday night's meeting.

Motion was made by McGee, second by Armentaro to continue this meeting Monday, August 14, 1989, at 7:30 p.m. The time was 7:06 p.m.

LIVINGSTON
CITY COUNCIL MEETING

August 14, 1989
7:30 p.m.

The Livingston City Council continued their budget meeting at 7:30 p.m. All members were present, with Mayor Rick Loftice presiding.

Motion was made by Dennis, second by Fink to accept the claims which had been listed in the amount of \$160,378.71. PASSED.

Second Reading of City Ordinance No. 1629, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO INCLUDE CERTAIN ANNEXED REAL PROPERTY AND ZONING SAID REAL PROPERTY AS PUBLIC USE. All in favor. PASSED.

Motion was made by Fink, second by McGee to accept the Final Budget Amendments. The funds that were effected were, Fund #2260, 2190, 2370, 2371, 2373, 2374, 3001, 3002 and 5710. All in favor. PASSED.

Finance Officer Jeanne Hencz presented a memo to the Council informing them that the tax levy had been recalculated, based on I 105. This recalculation allowed the Council to put \$20,422.00 back into the budget in appropriations. The Council made the following additions:

City Judge, typewriter.....	\$ 500.00
Police Dept., special op. vests & chair.....	\$ 800.00
Fire Dept., typewriter & computer.....	\$ 3,000.00
Park Dept., aluminum seating.....	\$ 1,000.00
Civic Center, roof repair.....	\$10,122.00

Motion was made by Dennis, second by Armentaro to approve these additions. All in favor. PASSED.

Motion was made by Dennis, second by McGee to contribute \$5,000.00 for the Boat Ramp at Mayor's Landing. All in favor. PASSED.

Motion was made by Dennis, second by McGee to accept Resolution No. 2132, A RESOLUTION ADOPTING THE BUDGET FOR THE YEAR BEGINNING JULY 1, 1989, AND ENDING JUNE 30, 1990, SETTING SALARIES FOR OFFICERS AND EMPLOYEES FOR THE CITY OF LIVINGSTON, MONTANA, AND ESTABLISHING THE FUNDS UPON WHICH ACCOUNTS WILL BE DRAWN. All in favor. PASSED.

Motion was made by Armentaro, second by McGee to accept Resolution No. 2137, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND THE CITY MANAGER. All in favor. PASSED.

Motion was made by Dennis, second by Armentaro to accept Resolution No. 2138, A RESOLUTION FIXING AND LEVYING A MILLAGE FOR THE ANNUAL TAX LEVY FOR THE YEAR BEGINNING JULY 1, 1989, AND ENDING JUNE 30, 1990 FOR THE CITY OF LIVINGSTON. All in favor. PASSED.

ACA017

Motion was made by Dennis, second by Armentaro to accept Resolution No. 2139, A RESOLUTION LEVYING AND ASSESSING GARBAGE TAXES UPON ALL PROPERTY IN THE CITY OF LIVINGSTON, MONTANA, IN ACCORDANCE WITH THE PROVISIONS OF SECTIONS 12-86 TO 12-88 OF THE CODE OF ORDINANCES AND OF RESOLUTION 2134 OF THE CITY OF LIVINGSTON. All in favor. PASSED.

Public Works Director Dan Fielding asked for Council permission to hire Gretchen Rupp as Environmental Engineer for the LIFE Committee. Ms. Rupp had submitted with her application, an estimate of expenses totaling \$1,438.00. Motion was made by Dennis, second by Armentaro. All in favor. PASSED.


Motion was made by McGee, second by Fink to keep Richard Larsen working with the Firefighters Union negotiations, at the rate of \$35.00 per hour and .20 per mile. All in favor. PASSED.

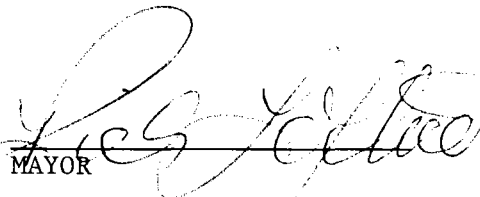
Motion was made by Armentaro, second by Dennis to adjourn the meeting, there being no further business. All in favor. PASSED.

Meeting adjourned at 8:00 p.m.

ATTEST:

APPROVED:


 RECORDING SECRETARY


 MAYOR

LIVINGSTON
CITY COUNCIL MEETING

September 5, 1989
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Tuesday September 5, 1989, in the council chambers of the city/county building. Council members present were Bill Dennis, Jody Fink, Bernice McGee and Louis Armentaro with Mayor Rick Loftice presiding.

Motion was made by Dennis, second by Armentaro that the minutes of August 7, August 9 and Final Budget Meeting August 14, 1989, be accepted. PASSED.

Motion was made by Fink, second by McGee to accept the bills and claims which had been listed in the amount of \$94,139.29. PASSED.

The Mayor announced the meeting will go into executive session, stating that the merits of individual privacy exceed the merits of public disclosure. The Council then went into executive session in regards to Labor Negotiations and ratifying the Fire Union contract.

Motion was made by Dennis, second by Armentaro to accept the Fire Fighters Union Contract. All in favor. PASSED.

Motion was made by Armentaro, second by McGee to accept the final passage of Resolution No. 2139, A RESOLUTION LEVYING AND ASSESSING GARBAGE TAXES UPON ALL PROPERTY IN THE CITY OF LIVINGSTON, MONTANA, IN ACCORDANCE WITH THE PROVISIONS OF SECTIONS 12-86 TO 12-88 OF THE CODE OF ORDINANCES AND OF RESOLUTION NO. 2134 OF THE CITY OF LIVINGSTON. All in favor. PASSED.

Motion was made by Dennis, second by McGee to accept Resolution No. 2140, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND HALLS EMERGENCY, INC. All in favor. PASSED.

Motion was made by Dennis, second by McGee to let the Homemaker's School, set for September 21, 1989 rent the Civic Center for the same fee as last year. All in favor. PASSED.

Warren McGee, Chairman for the LIFE Committee, commented on the LIFE's letter to the Council, recommending the Council appoint a committee to assess, review and draft recommendations for the Council related to the issue of community compensation.

Mr. McGee also stated that Bill Dennis and he would be meeting with the Fish & Game from Bozeman, on Monday, September 11, 1989, at 10:00 a.m., at Mayor's Landing and the Fish & Game would like an agreement from the City at this time.

ACA017

Mayor Loftice appointed Warren McGee and Bill Dennis as co-chairmen of the Mayor's Landing Project. Motion was made by Armentaro, second by Fink, all in favor. PASSED.

Police Chief, George Bryce explained about the new DARE program, (Drugs, Abuse, Resistance, Education) . The Police Dept. received \$6,744.23 in grant money from the U.S. Department of Justice. Sgt. Steve McCann is the DARE Project Director. He will instruct his first classes in the school system September 12, 1989.

City Manager, John Orndorff has signed a letter with Superintendent of Schools, Dr. James L. Keef, for off-duty policemen to be present at school events at \$20.00 per hour per policeman.

Motion was made by Dennis, second by Armentaro to accept the time schedules listed in the letter from David Mosser of Morrison/Maierle/CSSA, dated August 22, 1989, as the City's official time schedules for the water improvements. All in favor. PASSED.

Councilmember Dennis stated City Manager Orndorff was going to get in touch with the manager of the Polo Field and let him know the City is going to move the fence back about 40 feet. There will be a meeting at Mayor's Landing on the 11th, and will discuss at that time water being available to the horses at the Polo Field.

Dennis also stated the State Highway on 5th and Park Street was in need of repair. Mayor Loftice mentioned the State has it scheduled to repair the road. Loftice asked John to follow up on this matter.

City Manager Orndorff, mentioned the Refuse District is charging \$60 a ton tipping fee to the City. Council in past years has never made this official, just continued to pay the fee. Mayor Loftice gave the City Manager permission to pursue the billing of the Refuse District as he deems fit.

The City Manager also requested that Main Street , between Callender and Lewis Streets be closed for 15 minutes for a football rally, from 5:15 to 5:30 p.m. Police Chief Bryce was also informed.

Councilmember McGee, would like a letter of commendation to Eilene Berrum, for taking care of the flowers in the triangle at the Park and also at the swimming pool all summer. Also, Dwight Herauf has finished the steps at River Drive for a Scouts project, and a letter of commendation should be sent to his Scout Leader. We need to find out who the Eagle Scout is who put the rails on the walkway at River Drive last year. Mayor Loftice asked the City Manager to handle this matter.

Motion was made by Armentaro, second by Dennis to appoint Carolyn Fisher to the Design Review Board to replace Joan Sundling. All in favor. PASSED.

Motion was made by Armentaro, second by Dennis to adjourn the meeting, there being no further business. All in favor. PASSED.

Meeting adjourned at 8:15 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Rich F. Kelly
MAYOR

LIVINGSTON
CITY COUNCIL MEETING

September 18, 1989
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday September 18, 1989, in the council chambers of the City/County building. Council members present were Jody Fink, Bernice McGee, Louis Armentaro and Bill Dennis with Mayor Rick Loftice presiding.

Motion was made by McGee, second by Fink that the minutes of September 5, 1989 be accepted. All in favor. PASSED.

Motion was made by Dennis, second by McGee to accept the bills and claims which had been listed in the amount of \$10,890.55. All in favor. PASSED.

The Livingston Police Department and the City of Livingston was awarded the AAA Pedestrian Safety Citation.

The Livingston Youth Soccer Association sent out a bulletin to the Soccer League, with special rules to be applied for continued use of the City's property at the Old Water Plant on 9th Street for their soccer games.

The following vacancies were awarded to:

John Betley - Waste Water Treatment Plant Operator/Trainee
Ron Flack - Laborer, Residential Garbage Truck

Both positions will start September 16, 1989.

City Manager John Orndorff would like his office to handle all incoming information dealing with the Mayor's Landing Project.

Police Car Bids were opened, Monday September 18, 1989 at 8:30 a.m. Present were Police Chief George Bryce, Recording Secretary Julianne Blakely and City Manager John Orndorff. Only one bid was received. After some discussion, motion was made by Dennis, second by McGee to award Whiting Motors the bid in the amount of \$13,200.00 with trade. All in favor. PASSED.

Livingston citizen John Greear spoke to the Council about a sewer back up problem he is having on a home he just purchased. The City has the only equipment he can find to clean out his sewer line because of the length of the line. He would like to hire the City to clean the line out. The City does have a policy about not hiring out to private parties. The Council, City Manager, City Attorney Bob Jovick and Public Works Director Dan Fielding discussed the situation. Fielding was not in favor of the City hiring out the men and equipment because

of damage factors. After some discussion, a decision was made to write an agreement with Mr. Greear, under the following conditions:

1. full release to the City, and indemnification to the City.
2. conditional on the property owner signing a waiver of protest of annexation and would have to prove that he is the fee owner and not buying on contract.
3. Council would have to make a motion, because of the extraordinary length of the sewer line and the lack of availability of local service and that there will be an exception with the City's policy due to the fact there are very few private lines at this length in the City.

Motion was made by Fink, second by Armentaro to let the City draw up an agreement with Mr. Greear to clean his sewer line. All in favor.
PASSED.

City Manager Orndorff attended a convention of the Montana League of Cities and Towns September 13th - 15th. The Director of the Department of Highways would like cities to react to an idea of cities donating land near highway exits for Rest Areas and picnic areas. It costs the state nearly \$500,000.00 to put in a rest area and \$900 - \$1,000 per month to maintain one. Also, they would include a dump site for RV's. The Department of Highways would be willing to pay the cost of fixing the area up to accommodate the RV's. They would consider sharing the maintenance cost with the City. Council gave City Manager permission to check into this.

Motion was made by Armentaro second by Dennis to a 12% increase on Water and Sewer Rates. All in favor. PASSED.

City Manager Orndorff requested that there would be a Special Council Meeting, Monday September 25, 1989 at 4:00 p.m., concerning the Water System Improvements in Livingston.

City Manager received a request from a St. Mary's teacher, asking permission to clean up the lower end of G Street Park for her classes to have a nature trail. It will not cost the City. Maybe only hauling a load of garbage.

The City Manager also received a call from a citizen about the intersection between Main and Geyser Streets. She feels the need for a four way stop because of all the traffic. Councilmember Dennis stated that about 2 years ago they tried a four way stop and there was too much traffic build up into the business district and around the School. Dennis feels this should just be done on a trial basis and not permanent, unless proven to work.

Dick Larsen will be in Livingston Tuesday, September 19, 1989 to start his Employee Evaluation. He will meet with Department Heads starting at 8:00 a.m. and with the Council at 2:00 p.m.

Motion was made by Armentaro, second by McGee to compensate Councilmember Dennis for the time he has spent on the Water & Sewer Review Committee. All in favor. PASSED.

Motion was made by Armentaro, second by Fink to adjourn the meeting, there being no further business. All in favor. PASSED.

The time was 8:15 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Robert L. Lico
MAYOR

ACAO17

LIVINGSTON
SPECIAL COUNCIL MEETING

SEPTEMBER 25, 1989
4:00 p.m.

The Livingston City Council met in special session at 4:00 p.m., Monday September 25, 1989, in the council chambers of the city/county building. To consider the Water Improvement Project. Council members present were Louis Armentaro, Bill Dennis and Bernice McGee Acting Mayor. Council member Jody Fink and Mayor Rick Loftice were absent.

The meeting was called to accept the bid on the Water System Improvements. City Manager John Orndorff gave the Council a report on the bid opening, which was Friday, September 22, 1989 at 10:00 a.m. in the council chambers. The bids received were as follows:

Holm Sutherland Company Inc. Billings, MT	\$955,863.00
Kenney's Inc. Hardin, MT.	\$928,385.00
L H C Inc. Kalispell, MT	\$967,487.55
Mainline Const. Inc. Billings, MT	\$852,921.00
Williams Bros. Const. Lewistown, MT	\$884,687.00

The low bid did have a error in the extention of their unit prices and transposed numbers in their total. The actual bid value was \$859,521.50 versus the \$852,921.00 read during the bid opening. Mainline Construction remained the low bidder with the bid correction and Dave Mosser, engineer for Morrison/Maierle/CSSA, recommended Mainline Const. to be awarded the bid. City Attorney Jovick discussed the benefits and liabilities of making a decision at this time. Discussion followed. It was decided that the project must move foward to insure a supply of water for the City.

Motion was made by Dennis, second by Armentaro that Resolution No. 2146, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND MAINLINE CONSTRUCTION FOR THE CONSTRUCTION OF WATER IMPROVEMENTS, be accepted in the amount of \$859,521.50. All in favor. PASSED.

City Manager John Orndorff reported to the Council that the Clinic well seemed to be a good well, and that it was pumping in the range of 600 gallons per minute. John received a verbal report from the Director of Public Works that a trace of contamination had been found at the Edgewater Well, being less than 1 part per billion. There will be written confirmation on this. Also, an alternative at this point is a test site by Billman Creek.

The City's agreement with the Burlington Northern, states the City may drill 6 test wells to find 2 that will work. Four more wells may be drilled.

Motion was made by Armentaro, second by Dennis to adjourn the meeting, there being no further business. All in favor. PASSED.

Meeting adjourned at 4:50 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Rich Folio
MAYOR

LIVINGSTON
CITY COUNCIL MEETING

October 2, 1989
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday October 2, 1989, in the Council Chambers of the City/County Building. Council members present were Jodi Fink, Louis Armentaro, Bill Dennis and Bernice McGee, Acting Mayor. Mayor Rick Loftice was absent.

Motion was made by Armentaro, second by Dennis that the minutes of September 18, 1989 Regular Council Meeting and September 25, 1989 Special Council Meeting be accepted. All in favor. PASSED.

Motion was made by Dennis, second by Fink to accept the bills and claims which had been listed in the amount of \$54,184.36. All in favor. PASSED.

Motion was made by Dennis, second by Armentaro to accept Resolution No. 2144, A RESOLUTION OF INTENT TO ANNEX CERTAIN REAL PROPERTY TO THE CITY OF LIVINGSTON. All in favor. PASSED.

Motion was made by Armentaro, second by Dennis to accept Resolution No. 2145, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND PARK COUNTY POLO CLUB. All in favor. PASSED.

Motion was made by Armentaro, second by Dennis to grant Gary Growney of The Appliance Place a special exception permit to run a retail business in an industrial zone. All in favor. PASSED.

City Manager John Orndorff reported on MPC's Protested Taxes. He stated that they would not be paid until next year, and we would get a very small portion of it because of it being out of the city limits.

The Water Improvement Schedule is as follows:

Oct 5, 10:00 a.m., Pre Construction meeting in Council Chambers

Oct 9, Mainline Construction starts work. The starting point will be near the eastern edge of the mini-mall, across from the Dairy Queen.

Nov 1, This is the approximate date that the water main will be in place near the VIP Motel and ready to bore under the highway and go to Werner Well.

City Manager Orndorff will establish in written form a policy the City does have in effect concerning Public Works Employees not working on water and sewer lines outside the city limits.

October 8 - 14 is proclaimed as Fire Prevention Week.

Dale Siegle of the Special Service Support Organization spoke of the group homes that may be coming to Livingston. The City donated \$300 to the Organization.

The Knights of Columbus are starting work on a beautification project for St. Mary's between the church and Fleshman Creek.

The City Manager received a letter from Envirocon on September 29, 1989 with results concerning the City's wells. None of the operating city water wells showed detectable levels of any of the contaminants analyzed for by method 524.2. The sample from the Q Street well, which was shut down last year, did show 0.95 parts per billion of tetrachloroethene. This is consistent with previous sampling results. Envirocon was not able to turn on the B Street well for sampling due to construction around the wellhead. The B Street well was sampled late in September, and the results are expected within days. The samples were taken September 6, 1989.

There will be a work session before the next Council Meeting, October 16th at 6:30 p.m.

Motion was made by Armentaro, second by Fink to adjourn the meeting, there being no further business. All in favor. PASSED.

The time was 7:50 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Rich Armentaro
MAYOR

ACA017

LIVINGSTON
CITY COUNCIL MEETING

OCTOBER 16, 1989
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday October 16, 1989, in the Council Chambers of the City/County Building. Council members present were Bernice McGee, Jody Fink and Louis Armentaro with Mayor Rick Loftice presiding. Bill Dennis was absent.

Motion was made by Fink, second by McGee that the minutes of October 2, 1989 regular council meeting be accepted. All in favor. PASSED.

Motion was made by McGee, second by Fink to accept the bills and claims which had been listed in the amount of \$62,186.18. All in favor. PASSED.

Motion was made by Armentaro, second by Fink to open Public Hearing of Resolution No. 2142, A RESOLUTION APPROVING AN INCREASE IN SEWER RATES FOR THE CITY OF LIVINGSTON. Livingston citizens, Tana Miller, George and Margret Johnson and W.J. Hash questioned what the increase would be used for. City Manager John Orndorff stated that the 12% increase was needed for expenses at the Treatment Plant, for a lift station, and overall increase in service costs. Motion was made by McGee, second by Armentaro to approve this increase. Three in favor, one absent. PASSED.

Motion was made by McGee, second by Armentaro to open Public Hearing of Resolution No. 2143, A RESOLUTION APPROVING AN INCREASE IN WATER RATES FOR THE CITY OF LIVINGSTON. Livingston citizens, George and Margaret Johnson, Pat Miller, Bill Bickle and Dave Schriver questioned where the money would be used for the 12% water increase. City Manager Orndorff stated the money would be used to replace old water lines that keep breaking and for operating costs. Motion was made by Armentaro, second by Fink to approve this increase. Three in favor, one absent. PASSED.

Motion was made by Armentaro, second by McGee to approve Resolution No. 2147, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND THE STATE OF MONTANA DEPARTMENT OF FISH, WILDLIFE & PARKS FOR THE DEVELOPMENT AND MANAGEMENT OF A FISHING ACCESS SITE TO BE KNOWN AS MAYOR'S LANDING. Two in favor, Armentaro opposed, one absent. PASSED.

Motion was made by Armentaro, second by McGee to approve Resolution No. 2148, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND PROPERTY AND SUPPLY BUREAU, SURPLUS PROPERTY PROGRAMS, HELENA, MONTANA. Three in favor, one absent. PASSED.

Public Hearing of Ordinance No. 1631, AN ORDINANCE AMENDING ARTICLE II AND ARTICLE IV OF CHAPTER 30 ENTITLED "ZONING" OF THE CODE OF ORDINANCES TO PROVIDE FOR CERTAIN ADDITIONAL USES. Motion was made by

ACA017

Armentaro, second by Fink to approve this Ordinance on the 1st reading. Three in favor, one absent. PASSED.

Fire Chief Dave Frederick introduced to the Council, the new fireman, Larry Phillips.

Public Works job changes were as follows:

- Charles Counts - Cemetery
- Dwight Haines - Street Dept. Laborer
- Tom Butcher - Commercial Solid Waste Truck Driver
- Tom Olson - Laborer, Commercial Solid Waste Truck

Mayor Loftice asked the City Manager to look in to the City's Wind Generators and give the Council a recommendation.

City Manager Orndorff reported on the Home Occupations and Home Businesses.

There will be a special council meeting Friday, October 27, 1989 at 4:00 p.m. to consider bids that will be opened the 26th, for the D Street Well House.

Mayor Loftice proclaimed October 23-29 as Red Ribbon Week. (Park County Drug and Alcohol Task Force)

Fire fighter Dick Wood has completed his six months probation period, and is now a regular fire fighter.

Motion was made by McGee, second by Armentaro to adjourn this meeting, there being no further business. All in favor. PASSED.

The time was 8:20 p.m.

ATTEST:

APPROVED:

Julianne Blakely

 RECORDING SECRETARY

[Signature]

 MAYOR

LIVINGSTON
CITY COUNCIL MEETING

November 6, 1989
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday November 6, 1989, in the Council Chambers at the City/County Building. Council members present were Bill Dennis, Jody Fink, Bernice McGee and Louis Armentaro with Mayor Rick Loftice presiding.

Motion was made by Dennis, second by Fink that the minutes of November 6, 1989 regular council meeting be accepted. Council member Fink had a correction of the last meeting. Paragraph four, line four should read W.J. Nash. All in favor. PASSED.

Motion was made by Fink, second by Armentaro to accept the bills and claims which had been listed in the amount of \$110,219.23. All in favor. PASSED.

Motion was made by Dennis, second by McGee to approve Resolution No. 2150, A RESOLUTION APPROVING A FIVE (5) YEAR EXTENSION TO AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND BILL BARNHART. All in favor. PASSED.

Motion was made by Dennis, second by McGee to approve Resolution No. 2151, A RESOLUTION VACATING A PORTION OF GLOBE STREET. All in favor. PASSED.

Motion was made by Dennis, second by Armentaro to approve Resolution No. 2152, A RESOLUTION AMENDING SECTIONS 5,6,7 and 9 OF THE CITY OF LIVINGSTON WATER SERVICE REGULATIONS. All in favor. PASSED.

Motion was made by Dennis, second by Armentaro to approve Resolution No. 2153, A RESOLUTION ANNEXING CERTAIN REAL PROPERTY TO THE CITY OF LIVINGSTON. All in favor. PASSED.

Motion was made by Dennis, second by McGee to open Public Hearing of Ordinance No. 1630, AN ORDINANCE AMENDING SECTION 30.55 OF THE CODE OF ORDINANCES ENTITLED "HOME OCCUPATIONS". City/County Planner, Linda Lang explained what this ordinance entailed. Local resident, James Bourque spoke out against the ordinance. Harry Bower felt it was a good idea. The ordinance was approved, all in favor. PASSED.

Motion was made by Dennis, second by Armentaro to approve 2nd reading of Ordinance No. 1631, AN ORDINANCE AMENDING ARTICLE II AND ARTICLE IV OF CHAPTER 30 ENTITLED "ZONING" OF THE CODE OF ORDINANCES TO PROVIDE FOR CERTAIN ADDITIONAL USES. All in favor. PASSED.

Motion was made by Dennis, second by Fink to approve 1st reading of Ordinance No. 1632, AN ORDINANCE DELETING SECTION 9-239 (b) ENTITLED "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES. All in favor. PASSED.

Motion was made by Fink, second by McGee to approve 1st reading of Ordinance No. 1633, AN ORDINANCE AMENDING SECTION 12-91 1. OF CHAPTER 12 ENTITLED "GARBAGE, TRASH AND WEEDS" OF THE CODE OF ORDINANCES. All in favor. PASSED.

Motion was made by Dennis, second by Fink to approve 1st reading of Ordinance No. 1634, AN ORDINANCE AMENDING SECTION 22-6 OF THE CODE OR ORDINANCES. All in favor. PASSED.

Motion was made by Dennis, second by McGee to approve 1st reading of Ordinance No. 1635, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO INCLUDE CERTAIN ANNEXED REAL PROPERTY AND ZONING SAID REAL PROPERTY AS R-1 LOW DENSITY RESIDENTIAL OF THE CODE OF ORDINANCES. All in favor. PASSED.

Motion was made by Dennis, second by Fink to approve 1st reading of Ordinance No. 1637, AN ORDINANCE AMENDING THE LAST PARAGRAPH OF SECTION 17-15 OF THE CODE OF ORDINANCES TO PROVIDE FOR LICENSING FEE FOR HOME OCCUPATIONS. All in favor. PASSED.

Mayor Loftice appointed B. Dean Holmes to the City/County Planning Board. Motion was made by Armentaro, second by Dennis. All in favor. PASSED.

Mayor Loftice appointed Jim Magone to the City/County Airport Board. Motion was made by Dennis, second by McGee. All in favor. PASSED.

Motion was made by Dennis, second by Armentaro to accept the bid from Hall/Perry of Billings for the Compactor Body in the amount of \$20,372.00. Other bids were as follows:

Kois Brothers of Great Falls - 2 different models
\$22,606.00 and \$26,703.00

Johnson Distributing of Great Falls - 2 different models
\$24,595.00 and \$26,795.00

H.C.L. Equipment of Billings
\$25,117.00

Hall/Perry were the low bidder and met the specifications. All in favor. Passed.

City Manager Orndorff informed the Council, the Christmas Decorations have started arriving and they will be stored at the rifle range at the Civic Center for now.

The City Manager also reported on the status of the water project. Mainline Construction is still working in the Werner Addition at Finch Lane. They should be there for another week, then going to Lewis Street. At the present time, there is work being done at Gallatin and D Street.

Council member McGee would like the City to get with the State Highway Department and get a crosswalk put back in along the highway near John's IGA. City Manager Orndorff will contact the State.

City Manager reported to the Council there were no bids for the D Street Well House. It will be looked into again with the architect for rebidding.

John Mills of Envirocon reported to the Council with an update of the water testing in Livingston. City Attorney Bob Jovick asked John for copies of his maps for the City to have on file also.

Motion was made Dennis, second by McGee to adjourn this meeting, there being no further business. All in favor. PASSED.

The time was 8:25 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Leg Orndorff
MAYOR

LIVINGSTON
CITY COUNCIL MEETING

November 20, 1989
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday November 20, 1989, in the Council Chambers at the City-County Building. Council members present were Louis Armentaro, Bill Dennis, Jody Fink and Bernice McGee with Mayor Rick Loftice presiding.

Motion was made by McGee, second by Armentaro that the minutes of November 6, 1989 regular council meeting be accepted. All in favor. PASSED.

Motion was made by Fink, second by Dennis to accept the bills and claims which had been listed in the amount of \$45,356.50. All in favor. PASSED.

Public Hearing of Resolution No. 2152, A RESOLUTION AMENDING SECTIONS 5,6,7 AND 9 OF THE CITY OF LIVINGSTON WATER SERVICE REGULATIONS. Council member McGee pointed out to the City Attorney, page 2 of the agreement should read "possible" instead of "possibly". Motion was made by Dennis, second by McGee to pass this resolution as amended. All in favor. PASSED.

Motion was made by McGee, second by Dennis to approve Resolution No. 2149, A RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA AND JIM NARDELLA. All in favor. PASSED.

Second Reading of Ordinance No. 1630, AN ORDINANCE AMENDING SECTION 30.55 OF THE CODE OF ORDINANCES ENTITLED "HOME OCCUPATIONS". All in favor. PASSED.

Second Reading of Ordinance No. 1632, AN ORDINANCE DELETING SECTION 9-239 (b) ENTITLED "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES. All in favor. PASSED.

Second Reading of Ordinance No. 1633, AN ORDINANCE AMENDING SECTIONS 12-91 1. OF CHAPTER 12 ENTITLED "GARBAGE, TRASH, AND WEEDS" OF THE CODE OF ORDINANCES. All in favor. PASSED.

Second Reading of Ordinance No. 1634, AN ORDINANCE AMENDING SECTION 22-6 OF THE CODE OF ORDINANCES. All in favor. PASSED.

Second Reading of Ordinance No. 1635, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO INCLUDE CERTAIN ANNEXED REAL PROPERTY AND ZONING SAID REAL PROPERTY AS R-I LOW DENSITY RESIDENTIAL OF THE CODE OF ORDINANCES. All in favor. PASSED.

ACA017

Second Reading of Ordinance No. 1637, AN ORDINANCE AMENDING THE LAST PARAGRAPH OF SECTION 17-15 OF THE CODE OF ORDINANCES TO PROVIDE FOR LICENSING FEE FOR HOME OCCUPATIONS. All in favor. PASSED.

Motion was made by Dennis, second by Armentaro to approve First Reading of Ordinance No. 1638, AN ORDINANCE AMENDING SECTION 22-11 (14) OF THE CODE OF ORDINANCES TO PROVIDE FOR A PRICE OF THREE HUNDRED FIFTY DOLLARS (\$350.00) FOR THE REMOVAL OF A BODY AND ONE HUNDRED FIFTY DOLLARS (\$150.00) FOR A BODY UNDER FIVE (5) YEARS OF AGE FROM A CITY CEMETERY GRAVE. All in favor. PASSED.

City Manager John Orndorff reported City Business to the Council. The Park Street/Werner Well line has been completed. The Werner Well line will be activated in a few days.

Billman Creek Well Drilling was to start 11-17-89. Test pumping will be accomplished the week of November 27th.

Construction work has started at the new Pamida location. City Manager Orndorff wrote to the Highway Department requesting a traffic light for the Park Street entrance to the mall.

Utility customers may now pay their water bills at the parking ticket box at the drive-up mail drop at the Post Office, at the Past Time and behind the Police Station.

The City Manager also reported to the Council that he billed the Thompson/Formby Company for the chemical spill in the railroad yards. This Company is the shipper.

Motion was made by Dennis, second by McGee to increase the adult grave opening charges to \$175.00 from \$150.00. All in favor. PASSED.

The Street Department will be putting in four more handicapped parking signs in the business district. Their locations will be the 200 block of south 2nd Street, Miles Building, front of the Mint Bar and in front of the City-County Building.

There was no bid recommendation for the cab and Chassis for the new garbage truck. The bids were all over budget. This will be rebid. Motion was made by McGee, second by Armentaro to keep this bid under advisement until the next meeting. All in favor.

Barbara Britt requested a tax benefit for the new Dairy Queen Building. Motion was made by Armentaro, second by Dennis to have a resolution drawn up. All in favor.

The Part Time Police Dispatcher has resigned and the City Manager has given Police Chief George Bryce permission to contact the person on the top of his hiring sheet.

Motion was made by Dennis, second by Fink to have a resolution drawn up for the next Council Meeting, to approve hiring one full time man back into the Water Department. With all the construction that is being

done in the City, the Water Department is having a tough time keeping up with the everyday maintenance along with the other projects. It is requested that money for the employee be transferred from Capital Outlay to Salaries. All in favor. PASSED.

The Gallatin Dog Club Show and the Alaskan Malamute Club of America's Rocky Mountain Area again this year request the use of Sacajawea Park for their dog shows June 21 and 22, 1990. City Manager Orndorff will send them a letter approving these dates.

The Mayor announced the meeting will go into a closed session stating that the merits of individual privacy exceed the merits of public disclosure. The Council then went into executive session in regards to the evaluation of the City Manager.

Council member Fink is concerned with the Entrance/Exit to the new Pamida Store, which is the same from when John's IGA was located there. With the traffic soon to be heavier in the area, there needs to be a different approach so it is not as dangerous.

City Manager Orndorff asked that his evaluation be put on record. Mayor Loftice said a letter would be written.

Mayor Loftice stated he will be absent from the next Council Meeting.

Motion was made by McGee, second by Armentaro to adjourn this meeting, there being no further business. All in favor. PASSED.

The time was 8:15 p.m.

ATTEST:

APPROVED:

Julianne Blakely

 RECORDING SECRETARY

Bob Loftice

 MAYOR

LIVINGSTON
CITY COUNCIL MEETING

December 4, 1989
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday December 4, 1989, in the Council Chambers at the City-County Building. Council members present were Jody Fink, Louis Armentaro and Bill Dennis with Bernice McGee as Acting Mayor presiding. Mayor Rick Loftice was absent.

Motion was made by Dennis, second by Armentaro that the minutes of November 20, 1989 regular council meeting be accepted. All in favor. PASSED.

Motion was made by Fink, second by Armentaro to accept the bills and claims which had been listed in the amount of \$39,596.74. All in favor. PASSED.

Motion was made by Dennis, second by Armentaro to accept Resolution No. 2141, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND LOCAL NO. 630, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS. All in favor. PASSED.

Motion was made by Armentaro, second by Fink to accept Resolution No. 2154, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO LOCAL 2711B. All in favor. PASSED.

Motion was made by Dennis, second by Fink to accept Resolution No. 2155, A RESOLUTION TRANSFERRING FUNDS FROM CAPITAL OUTLAY ACCOUNTS TO WATER EXPENSE ACCOUNTS. All in favor. PASSED.

Motion was made by Armentaro, second by Dennis to accept Resolution No. 2156, A RESOLUTION APPROVING A TAX BENEFIT FOR CERTAIN RECONSTRUCTION WORK BY THE DAIRY QUEEN OWNED BY BARBARA BRITT. All in favor. PASSED.

Motion was made by Armentaro, second by Dennis to accept Resolution No. 2157, A RESOLUTION VACATING A PART OF GLOBE STREET. All in favor. PASSED.

Second Reading of Ordinance No. 1638, AN ORDINANCE AMENDING SECTION 22-11 (14) OF THE CODE OF ORDINANCES TO PROVIDE FOR A PRICE OF THREE HUNDRED FIFTY DOLLARS (\$350.00) FOR THE REMOVAL OF A BODY AND ONE HUNDRED FIFTY DOLLARS (\$150.00) FOR A BODY UNDER FIVE (5) YEARS OF AGE FROM A CITY CEMETERY GRAVE. Three in favor. Mayor Loftice absent. PASSED.

First Reading of Ordinance No. 1639, AN ORDINANCE AMENDING SECTION 14-13.2 TO ADD CERTAIN REQUIREMENTS FOR SEWER MAIN EXTENSIONS. Three in favor. Mayor Loftice absent. PASSED.

First Reading of Ordinance No. 1640, AN ORDINANCE AMENDING SECTION 14-83 (2) OF THE CODE OF ORDINANCES TO PROVIDE FOR FEES FOR CONNECTION TO CITY SEWER. Three in favor. Mayor Loftice absent. PASSED.

First Reading of Ordinance No. 1641, AN ORDINANCE AMENDING SECTION 9-240 OF THE CODE OF ORDINANCES FOR PARKING IN THE CITY PARKS AFTER 11:00 P.M. Three in favor. Mayor Loftice absent. PASSED.

First Reading of Ordinance No. 1642, AN ORDINANCE AMENDING SECTION 13-22 OF THE CODE OF ORDINANCES FOR WATER MAIN EXTENSIONS. Three in favor. Mayor Loftice absent. PASSED.

First Reading of Ordinance No. 1643, AN ORDINANCE ADDING A SECTION 13-23 TO THE CODE OF ORDINANCES ENTITLED "CONNECTION FEES". Three in favor. Mayor Loftice absent. PASSED.

Under City Business, Clint's Family Restaurant was listed for approval of a Wine/Beer License from the Council. City Attorney, Bob Jovick stated Council approval is not needed for future Wine/Beer Licenses. Council did approve this License all in favor.

City Manager Orndorff reported to the Council about two news releases for City Sanding and Snow Removal Policy's. They were to inform the public what the City will do during the winter snow.

Police Chief George Bryce introduced Mary Pierson to the Council, as the new part time dispatcher.

City Manager reported to the Council there would be a meeting Dec. 7th with the Department of Health and Environmental Sciences, Envirocon and Attorney Larson concerning the Consent Decree and Work Plan. It will start at 11:00 a.m.

City employee, Duane Frelich is now a certified Waste Water Treatment Plant Operator and has obtained his license.

Mainline Construction is working on Lewis and B Streets at this time. They will be coming back and tying a 4" line, running up and down the 11 Streets into the 12" lines. At the same time, they will be installing the new Fire Hydrants. There will be a day of overtime on Saturday the 9th to install this, so the Middle School will not lose a day. They will try to get the East Side School the following Saturday.

City Manager Orndorff is preparing a booklet for the new Council Members, informing them of the City Manager Form of Government, the Budget, the Organization of the City and the man power etc.

The new budget is in the computer. The Accounting should be up to date in a couple of weeks.

December 13th there is a meeting with all City employees and Carl Walton the Insurance Agent for the City, concerning the Medical Insurance. There will be more to report at a later date.

Acting Mayor McGee announced the meeting will go into a closed session stating that the merits of individual privacy exceed the merits of public disclosure. The Council then went into executive session in regards to the City Manager's Contract.

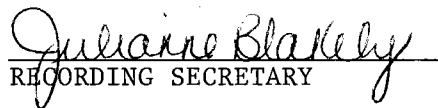
Local citizen Ernie Faure questioned if the Dec. 7th meeting with the Department of Health and Environmental Sciences was for public comment. The City Manager stated it was an informative meeting.

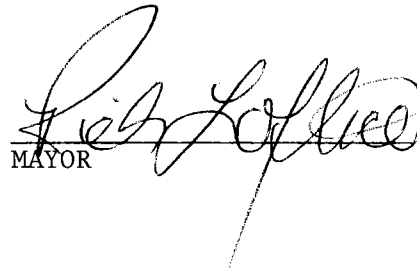
Motion was made by Fink, second by Dennis to adjourn this meeting, there being no further business. All in favor. PASSED.

The time was 8:15 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


MAYOR

LIVINGSTON
CITY COUNCIL MEETING

December 18, 1989
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday December 18, 1989, in the Council Chambers at the City-County Building. Council members present were Bill Dennis, Jody Fink, Bernice McGee and Louis Armentaro with Mayor Rick Loftice presiding.

Motion was made by Dennis, second by Fink that the minutes of December 4, 1989 regular council meeting be accepted. All in favor. PASSED.

Motion was made by Fink, second by McGee to accept the bills and claims which had been listed in the amount of \$361,825.44. All in favor.

A Public Hearing was held for Dan and Tara Eddy, requesting a Variance for property located at Lots 29-32 of Block K of the Riverside Addition, otherwise known as 103 S. M Street. Tara Eddy spoke on her behalf, explaining to the Council where the mobile homes would be set on the property. Livingston Attorney Jon Hesse spoke for his clients, Theresa Wirtz and Bruce Gilman, who are against the variance. Theresa Wirtz and Linda Petrik, a neighbor, also spoke against the variance. Some of the concern was this would be considered a mobile home park. City Attorney Bob Jovick stated it would not be a mobile home park. Motion was made by Fink to deny this variance request, second by Dennis. All in favor. DENIED.

Motion was made by Dennis, second by Armentaro to approve Resolution No. 2158, A RESOLUTION CONCERNING THE CLEANUP OF FORMER BURLINGTON NORTHERN PROPERTY. All in favor. PASSED.

Motion was made by Armentaro, second by Dennis to approve Resolution No. 2159, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND MORRISON-MAIERLE/CSSA, INC. FOR THE PREPARATION OF A COST ESTIMATE TO BRING SANITARY SEWER SERVICE TO BLOCK 25 OF PARK ADDITION. All in favor. PASSED.

Motion was made by Dennis, second by McGee to approve Resolution No. 2160, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND MORRISON-MAIERLE/CSSA, INC. FOR ENGINEERING SERVICES FOR THE ELIMINATION OF THE CLARENCE AVENUE LIFT STATION. All in favor. PASSED.

Motion was made by Dennis, second by Armentaro to approve Resolution No. 2161, A RESOLUTION OF COMMENDATION FOR THE LIFE COMMITTEE. All in favor. PASSED.

Second reading of Ordinance No. 1639, AN ORDINANCE AMENDING SECTION 14-13.2 TO ADD CERTAIN REQUIREMENTS FOR SEWER MAIN EXTENSIONS. All in favor. PASSED.

ACA017

Second Reading of Ordinance No. 1640, AN ORDINANCE AMENDING SECTION 14-83 (2) OF THE CODE OF ORDINANCES TO PROVIDE FOR FEES FOR CONNECTION TO CITY SEWER. All in favor. PASSED.

Second Reading of Ordinance No. 1641, AN ORDINANCE AMENDING SECTION 9-240 OF THE CODE OF ORDINANCES FOR PARKING IN THE CITY PARKS AFTER 11:00 P.M. All in favor. PASSED.

Second Reading of Ordinance No. 1642, AN ORDINANCE AMENDING SECTION 13-22 OF THE CODE OF ORDINANCES FOR WATER MAIN EXTENSIONS. All in favor. PASSED.

Second Reading of Ordinance No. 1643, AN ORDINANCE ADDING A SECTION 13-23 TO THE CODE OF ORDINANCES ENTITLED "CONNECTION FEE". All in favor. PASSED.

City Manager Orndorff spoke to the Council about a letter he received from Doug Porter at the Jet Cleaner's commending Clint Tinsley with the consideration he gave to the business at the time of the water turn offs during Mainline's construction work. Also, the City Manager commended Kim Eyerly and Chuck Counts for volunteering their time on a Saturday, to bury a baby, whose mother did not have money.

City Manager Orndorff has prepared a handbook for the Councilmembers. This should be helpful for the new Councilmembers.

Mainline Construction Project shut down for the winter was last Friday, December 15th. They will start up again in the spring. They do have all the big pipe underground.

Employee's Medical Insurance Committee is meeting at the present time and have not made a decision at this time. They are waiting for a bid to see what other options the City employee's could have.

Motion was made by Armentaro, second by Dennis to accept Kiefer Motors Garbage Truck Bid in the amount of \$37,318.00. All in favor. PASSED.

A water sample was taken from the Mainline Trench on December 7th. Oil was seeping into the trench in the vicinity of Lewis and "K" Streets. Mainline took a sample of the water and the tests came back inconclusive. A sample was sent to Energy Labs in Billings and their remarks were, "Judging from the lack of any lighter hydrocarbon constituents the hydrocarbon contaminant appears to be diesel fuel." The State has taken a sample and the results are not back at this time.

Also City Manager Orndorff has received a letter from Envirocon on the "B" Street Well. After sampling, the well showed 0.1 parts per million of total petroleum hydrocarbons. The EPA has not set a maximum contaminant level for petroleum hydrocarbons. The qualification limit for this by the EPA is .1 parts per million, therefore the amount detected at the B Street Well is at the qualification limit. It is uncertain where this came from and Envirocon did retest the Well on Dec. 7th and the tests should be back shortly.

At this time, the City Manager presented a Certificate of Recognition to outgoing Mayor Rick Loftice and Councilman Louis Armentaro.

City Manager reported to the Council the Gardiner Airport has received a grant for study work.

Mayor Rick Loftice presented a proclamation and plaque to Warren McGee for Livingston Citizen of the Year 1989.

Patti Miller protested a beer/wine license that is open in Livingston. She is protesting Roger B. Hougen applying for a liquor license. Motion was made by Armentaro, second by Fink to have the City Manager look into this matter. City Attorney Bob Jovick clarified this gave authority to write a letter of protest. All in favor.

Max Simmons, the City's auditor from Simmon's and Company in Bozeman, presented the City's audit for the fiscal year 1988-89.

Motion was made by Armentaro, second by Dennis to adjourn this meeting, there being no further business. All in favor. PASSED.

The time was 8:55 p.m.

ATTEST:

APPROVED:

Julianne Blahy
RECORDING SECRETARY

Bill Dennis
MAYOR

ACA017