

LIVINGSTON
CITY COUNCIL MEETING

January 8, 1990
10:00 a.m.

The Livingston City Council met in regular session at 10:00 a.m., Monday, January 8, 1990 in the council chambers of the City-County Building. Council members present were George Ommundsen, Bill Dennis, Jody Fink and Ed Warfel, with Acting Mayor Bernice McGee presiding.

All persons elected in the November General Election were given the Oath of Office by City Manager John Orndorff. The officials who were sworn in as Councilmembers were Ed Warfel, Bernice McGee, Bill Dennis, Jody Fink and George Ommundsen.

Motion was made by Dennis, second by Fink to nominate Bernice McGee as Assistant Mayor. Fink closed the nominations, all in favor. PASSED.

Motion was made by Ommundsen, second by Warfel to nominate Bill Dennis as Mayor. Dennis closed the nominations, second by Ommundsen. Roll call vote was 4 in favor. PASSED. At this time, Acting Mayor McGee turned the meeting over to Mayor Dennis.

City Attorney Bob Jovick requested that the minutes of December 18, 1989, be corrected as follows: Paragraph 4 concerning the Eddy Public Hearing should read VARIANCE DENIED. Motion was made by Warfel, second by Fink to approve these minutes as amended. All in favor. PASSED.

Motion was made by Ommundsen, second by McGee to accept the bills and claims which had been listed in the amount of \$42,786.30. All in favor. PASSED.

Public Hearing was held for a Special Exception permit to Mr. Rex Pierson of the Gallatin Food Reserves Cannery to operate a light industrial use in a highway commercial zone. Motion was made by McGee, second by Fink to approve this permit. All in favor. PASSED.

Motion was made by McGee, second by Fink to approve first reading of Ordinance No. 1644, AN ORDINANCE AMENDING SECTION 6-40 OF THE CODE OF ORDINANCES TO INCLUDE THE 1986 EDITION OF THE MODEL ENERGY CODE WITH AMENDMENTS. All in favor. PASSED.

First reading of Ordinance No. 1645 was tabled until February 5th Public Hearing.

City Manager Orndorff recommended to Council they accept the bid in the amount of \$7,760.00 from Livingston Ford for a Compact Truck for the Water Department. Other bids were:

Kiefer Motors	\$8,095.00
Whitings	\$7,800.00
Cranky Ranky's	\$7,904.78

(2 bids) \$8,670.00

Motion was made by Fink, second by Ommundsen to accept this bid. All in favor. PASSED.

City Manager reported to the Council from the Engineer at Morrison-Maierle, had tests conducted on Mainline Project. A couple sites failed the compaction test and will have to be replaced next spring.

A second lab test sample was taken out of the trench on Lewis and the vicinity of K Streets. They reported diesel fuel was present in the water in the trench.

There was a small diesel spill on West Lewis Street. The Fire Department responded and City Crews soaked up the area with sand. The responsible individual was billed for the City involvement.

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

The time was 10:23 a.m.

ATTEST:

APPROVED:

Julianne Blakey
RECORDING SECRETARY

Bell R. Wensink
MAYOR

ACA017

LIVINGSTON
SPECIAL CITY COUNCIL MEETING

January 12, 1990
4:00 p.m.

The Livingston City Council met in a special session at 4:00 p.m., Friday, January 12, 1990 in the council chambers of the City-County Building. Council members present were Bernice McGee, Ed Warfel, George Ommundsen and Jody Fink with Mayor Bill Dennis presiding.

The meeting was called to accept a proposed agreement between the City of Livingston and Recreational Leasing, Inc. City Attorney Bob Jovick stated there were minor wording changes in the final draft that is before the Council. Jovick then handed the original copy of the Agreement to the Recording Secretary.

The Agreement is effective immediately subject to receipt by the City of underlying documents which will be covered.

City Attorney Jovick asked Glen Wood the engineer to the developer to give the Council a brief update on the testing of the lines, including pressure testing, submission of tests to the state on the bacteriological (Bac-T) and Certification.

Glen Wood reported to the Council that the Water System was pressure tested 2 days ago (Wednesday) and passed with no leaks. The Lift Station was started up Thursday and the manufacturer's representative was on hand to start the lift station. The only item that needed correction, was the pumps were turning backwards. This was a minor problem and was corrected.

The Alarm sequence and all the level controls worked well with no problems.

The Sewer line was tested in 2 major days. Two weeks ago half of the sewer line was low pressure air tested with no problems. Earlier this week the other half was tested with no problems. A manhole was leak tested and found no problems.

Mr. Wood stated a Bac-T Test is the last item done to the water line before it is turned into service. The sequence that leads to that is, the line was disinfected with chlorine and sat for 24 hours, then flushed, then the line is allowed to sit for another 24 hours and then samples are taken from the water line and sent to the Water Quality Bureau in Helena. The test results came back today (Friday) and show the water is suitable for drinking.

At this time City Attorney Jovick asked Mr. Wood if the line was ready to be turned on for actual commercial use to the Super 8 facility. Mr. Wood stated yes it was and produced a written Certificate of Substantial Completion which outlines what lines have been tested and

suitably constructed and passed all tests and has been issued with today's date (January 12, 1990) on it.

City Attorney Jovick asked the engineer about a punch list. Mr. Wood stated none of the items on the punch list affected the operation of the system, and they were mainly cleanup items. Jovick also asked Mr. Wood if the internal lines within the subdivision had been tested. Mr. Wood stated they had.

Mr. Wood clarified a question of concern that was presented during the hearing about a fire hydrant that leaked inside the Centennial Subdivision. When the lines were flushed it did remove whatever particle was in the hydrant.

On the Certificate of Substantial Completion, there is a time frame when all the items on the punch list would be completed. Most of the items can be completed in 60 days. Certain items cannot be completed in the 60 days such as, asphalt, patchwork, concrete sidewalk placement and seeding has to be done in the spring.

City Manager John Orndorff asked Mr. Wood when the City could expect a completed Certificate of Final Completion. Mr. Wood responded a Certificate would be sent to the state to verify all the work had been completed when the punch list is done and that would signify the work was 100% finished, which would probably be after the seeding is done.

Mr. Wood invited the City to be involved with the punch list procedure and go through a line with him checking on valve locks and general involvement.

City Attorney Jovick then asked the City Manager to describe for the Councils benefit the main areas of agreement which included the 60 day break in period, the Warranty period that follows, City reimbursements and the general reimbursement principle.

City Manager then stated once the City has the final Certificate from the Developer, there is 60 days to use the improvements and determine whether working. At the end of the 60 days, the City may accept or reject the lines. If accepted it goes into a 9 month warranty period. During the warranty period the developer is responsible to repair anything that is wrong with the line. Any problems that are caused by City employees or a third party would not be covered by the developer.

The City has agreed to pay to upgrade the lines. There is a 12" Water line going through most of the City now. We have upgraded the required 10" line to a 12" line out to the end, and the City has paid for this. The City hopes to install a well on the Adams property next spring and extend the line on out and connect that well to the line. If the well is connected to the water line before the end of the 9 month warranty period that would cancel the warranty at that time.

The City has agreed to upgrade the sewer line from a 8" line to a 10" line. Whoever develops south of Billman Creek and wants to extend the line, will have to install a lift station.

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Security for the warranty will be the reimbursement monies under the Agreement, and will be paid with the reimbursement money.

City Attorney Jovick asked Recreational Leasing, Inc.'s attorney Mr. Madden if he cared to speak. Mr. Madden stated that the proposed Agreement had been signed by Dave Folsom as President of Recreational Leasing, Inc. Mr. Madden stated that the Agreement had been properly summarized for the Council and that he had no further comment.

Jovick then advised the Council they were not directly accepting the improvements by their actions at this meeting, but there is a period of review by the City after receiving the Developer's Notice of Final Completion to determine if the City wishes to accept. After accepting, it would be subjected to the warranty and the warranty would be the responsibility of the developer. Caution was given to the City, that upon entering into this agreement, the City is agreeing to provide water service. This is not formally accepting the lines, but this is the 1st step.

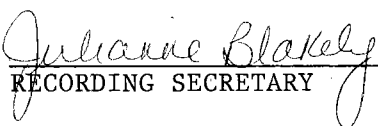
Motion was made by McGee, second by Fink to adopt Resolution No. 2163, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND RECREATIONAL LEASING, INC. AND CERTAIN RELEASES. There being no further discussion, all in favor. PASSED.

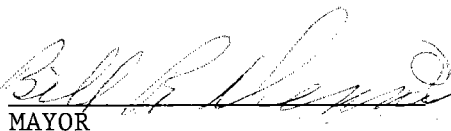
There being no further business, Motion was made by McGee, second by Ommundsen to adjourn this meeting. All in favor.

The time was 5:10 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


MAYOR

LIVINGSTON
CITY COUNCIL MEETING

January 15, 1990
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, January 15, 1990 in the council chambers of the City-County Building. Council members present were Ed Warfel, George Ommundsen, Jody Fink and Bernice McGee, with Mayor Bill Dennis presiding.

Motion was made by McGee, second by Warfel to approve the minutes of the January 8, 1990 meeting and the January 12, 1990 special meeting. City Attorney Bob Jovick requested the January 8 meeting be approved, the January 12th meeting is still being reviewed. Councilmember Fink stated the January 8 minutes should read, "Dennis moved to close the nominations". All in favor. PASSED AS AMENDED.

Motion was made by Ommundsen, second by McGee to accept the bills and claims which had been listed in the amount of \$347,956.62. Councilmember Fink questioned the Finance Officer Jeanne Hencz for a clarification on garbage refunds. All in favor. PASSED.

Motion was made by McGee, second by Fink to approve Resolution No. 2162, A RESOLUTION APPROVING A \$100 PER MONTH MILEAGE AND MAINTENANCE REIMBURSEMENT FOR THE CITY MANAGER. All in favor. PASSED.

Second reading of Ordinance No. 1644, AN ORDINANCE AMENDING SECTION 6-40 OF THE CODE OF ORDINANCES TO INCLUDE THE 1986 EDITION OF THE MODEL ENERGY CODE WITH AMENDMENTS. All in favor. PASSED.

City Manager Orndorff recommended to Council they accept the bid in the amount of \$15,998.65 from Strong and Bradley of Livingston for a Tractor/Loader for the Park Department. One other bid was received from Western Plains Machinery of Billings for the amount of \$23,143.00. Motion was made by Fink, second by Ommundsen to accept this bid. All in favor. PASSED.

Motion was made by Fink, second by McGee to approve cemetery increases as follows:

- a. Change Opening and Closing of Adult graves on Holidays and Weekends to \$350.00.
- b. Change Opening and Closing of Child graves to \$75.00.
- c. Change Opening and Closing of Child repository for ashes on Holidays and Weekends to \$125.00.

All in favor. PASSED.

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The local Police Union is attempting decertification from the American Federation of State, County and Municipal Employees, Montana Council No. 9.

Motion was made by McGee, second by Ommundsen to appoint Barbara Williams, Harry Bowers, Larry Raffety, Lyle Gillard and Dan Dunn to the City Board of Adjustment. This is a 2 year term that runs concurrent with the Council Members. All in favor. PASSED.

Mayor Bill Dennis recommended reappointing City Attorney Bob Jovick for another 2 year term. Motion was made by Warfel, second by Fink, all in favor. PASSED.

City Manager Orndorff investigated the issuing of a new wine/beer license which the Council had requested earlier. There will be a public hearing on this license in Helena. Two individuals have applied for this, and one application has been protested. The license will be issued in March.

City Manager Orndorff stressed to the Council the Agreement is with Recreational Leasing, Inc. and not with the Super 8 Motel.

Motion was made by McGee, second by Ommundsen to give the City Manager permission to pay for sewer upgrade to Recreational Leasing, Inc. when all the paperwork is finished. All in favor. PASSED.

John Orndorff commented to the Council, that all the new development south of Livingston will help to improve our community and also the Five Acre Tracts.

There will be a work session at 6:30 p.m. prior to the February 5th Council meeting covering the audit and Mr. Larsen's material.

Today (Monday) the office received UPS documents pertaining to the Livingston Rail Yard. These are as follows:

October 1989 Monthly Groundwater Sampling Results
 Amendments to The Interim Remedial Measures Work Plan
 Final Interim Source Control Work Plan Sludge Isolation
 Modified Consent Decree, Order and Judgment
 Modified Consent Decree, Order and Judgment (Redline Copy)

These copies have been given to Warren McGee for the LIFE Committee to review.

Councilmember McGee questioned if anything is being done with the Civic Center. City Manager stated the JayGee's have contacted Mr. Washington to see if he would donate a large sum of money to redo the Civic Center. John has no other details on the results.

Councilmember McGee asked City Manager Orndorff and Warren McGee to come forward, and at this time, Bernice and Warren donated \$2000.00 to the City for a pump and timer to be used for watering the picnic area and the playground area at night in the Park.

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

The time was 7:55 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

[Signature]
MAYOR

ACA017

LIVINGSTON
CITY COUNCIL MEETING

February 5, 1990

The Livingston City Council met in regular session at 7:30 p.m., Monday, February 5, 1990 in the council chambers of the City-County Building. Council members present were Bernice McGee, Ed Warfel and George Ommundsen with Mayor Bill Dennis presiding. Councilmember Jody Fink was absent.

Motion was made by McGee, second by Ommundsen to approve the minutes of January 12, 1990 special council meeting and January 15, 1990 regular council meeting. All in favor. PASSED.

Motion was made by Warfel, second by McGee to accept the bills and claims which had been listed in the amount of \$43,794.61. All in favor. PASSED.

A Public Hearing was held for a proposed Zone Change at the West Side School and Middle School. Steve Koontz was the first to speak in favor of this change. He also gave a brief outline of his plans for the proposed Apartment Complex. Local citizens speaking in favor of the project were Bob Weimer, Tom Lane, Tom Campbell, Henry Questad, Amanda Zecobie, Margret Collins, Architect to the project Larry Raffety, Bill Adamo and Fred Shellenberg. There were also 6 letters included in the council packet in favor of the project. Ernie Faure spoke against the project, with there being one letter in the council packet against the project. After discussion, motion was made by McGee, second by Ommundsen to pass Ordinance No. 1645, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP BY REZONING CERTAIN REAL PROPERTY FROM HIGHWAY COMMERCIAL AND PUBLIC TO RIII, HIGH DENSITY RESIDENTIAL OF THE CODE OF ORDINANCES on first reading. The vote was two in favor with Warfel opposed and Fink absent. PASSED.

Motion was made by McGee, second by Warfel to approve Resolution No. 2164, A RESOLUTION ANNEXING CERTAIN REAL PROPERTY TO THE CITY OF LIVINGSTON PLATTED AS CENTENNIAL SUBDIVISION. The vote was three in favor with Fink being absent. PASSED.

Motion was made by McGee, second by Warfel to approve Resolution No. 2166, A RESOLUTION AMENDING THE EXHIBIT "A" TO AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND PARK COUNTY POLO CLUB. The vote was three in favor with Fink being absent. PASSED.

Resolution No. 2165 was tabled at this time.

City Manager Orndorff received a letter from Roger Churness of the American Lutheran Church, praising 3 of the City's Patrolmen Dave Fenton, Darren Raney and Bill Wadsworth for being calm and compassionate during a call. The City Manager put a letter of commendation in their files.

ACAO17

The Department of Health and Environmental Sciences sent a letter to the LIFE Committee addressing some of the Committees questions. Also, John Wadhams, Project Coordinator for DHES sent a letter concerning the Chlorine residuals in the "B" Street Well that was sampled December 21, 1989. There is a trace of the chlorine residual in the water and the Well will still be monitored.

Envirocon will have a meeting February 8th to discuss the City's water distribution system. Representatives from the City of Livingston, MDHES, Morrison-Maierle, and Envirocon will be in attendance at this meeting.

City Manager reported to the Council on the City's Financial Status as of December 31, 1989.

Enclosed in the council packet is the Code Enforcement report for December 1989 and the Annual Reports for:

Fire Department
 Building Inspector
 Library
 Police Department

City Manager Orndorff recommended to Council they accept the bid in the amount of \$17,986.00 from Tractor and Equipment from Billings for a Vibratory Steel Drum Roller for the Public Works Department. Other bids were as follows:

Hall-Perry	\$28,175.00
Billings	
Modern Machinery	\$19,686.00
Billings	
Western Plains	\$22,053.00
Billings	

Motion was made by McGee, second by Warfel to accept this bid. The vote was three in favor with Fink being absent. PASSED.

Mayor Bill Dennis announced the meeting will go into 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 personnel matters.

Mayor Dennis appointed Ed Ford to the Airport Board for the remainder of this term.

Jean Swanson requested from the Council the use of the Civic Center for June 13-16, 1990 for HRDC's rummage sale at no charge. Motion was made by McGee, second by Ommundsen to approve this. The vote was three in favor with Fink being absent. PASSED.

City Manager mentioned the next Council Meeting would be on the 20th of February because the 19th is a holiday.

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

The time was 9:00 p.m.

ATTEST:

APPROVED:

Julianne Blakely

Bill R Dennis

LIVINGSTON
CITY COUNCIL MEETING

February 20, 1990

The Livingston City Council met in regular session at 7:30 p.m., Tuesday, February 20, 1990 in the council chambers of the City-County Building. Council members present were Bernice McGee, Ed Warfel, George Ommundsen and Jody Fink with Mayor Bill Dennis presiding.

Council member Fink requested that the minutes of the February 5th, 1990, be corrected as follows: Paragraph 4 should read Amanda Zakovi and Margaret Collins. City Attorney Bob Jovick stated Resolution No. 2165, was not tabled; it wasn't "not introduced at this time". Mayor Bill Dennis corrected that Ken Ford was appointed to the Airport Board. Motion was made by McGee, second by Warfel that the minutes of February 5, 1990 be approved as corrected. All in favor. PASSED.

Motion was made by Fink, second by Ommundsen to accept the bills and claims which had been listed in the amount of \$212,878.94. All in favor. PASSED.

Motion was made by Ommundsen, second by Warfel to approve Resolution No. 2165, A RESOLUTION APPROVING A ONE-YEAR EXTENSION TO AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND DAVID HAUG AT A PRICE OF \$1,100.00. All in favor. PASSED.

Motion was made by McGee, second by Fink to approve Resolution No. 2168, A RESOLUTION OF INTENT TO ANNEX CERTAIN REAL PROPERTY TO THE CITY OF LIVINGSTON. All in favor. PASSED.

Motion was made by Warfel, second by Fink to approve Resolution No. 2174, A RESOLUTION ADOPTING AN EMPLOYEE POLICY MANUAL FOR THE CITY OF LIVINGSTON. All in favor. PASSED.

Resolution No. 2175 was not introduced at this time.

Motion was made by Ommundsen, second by Warfel to approve Resolution No. 2170, A RESOLUTION OF INTENT TO ANNEX CERAIN REAL PROPERTY TO THE CITY OF LIVINGSTON CONSISTING OF THE INTERSTATE HIGHWAY SYSTEM ADJACENT TO AND EXTENDING FROM THE CITY. All in favor. PASSED.

Motion was made by McGee, second by Fink to approve Resolution No. 2172, A RESOLUTION OF INTENT TO ANNEX CERTAIN REAL PROPERTY TO THE CITY OF LIVINGSTON CONSISTING OF CERTAIN COUNTY ROADS RUNNING FROM PARK HIGH SCHOOL TO H STREET. All in favor. PASSED.

At this time City Manager John Orndorff requested that Ordinance No. 1645, second reading, be tabled because of a number of concerns outlined in a memo and because of legal questions which are unanswered. Motion was made by Fink, second by Warfel to table this Ordinance. All in favor. PASSED.

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Motion was made by McGee, second by Warfel to approve Ordinance No. 1646, AN ORDINANCE AMENDING SECTION 2-4 OF THE CODE OF ORDINANCES WHICH PROVIDES FOR REVIEW OF BID REQUIREMENTS FOR CITY PURCHASES on first reading. All in favor. PASSED.

Motion was made by Fink, second by McGee to approve Ordinance No. 1647, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO INCLUDE CERTAIN ANNEXED REAL PROPERTY AND ZONING SAID REAL PROPERTY AS H.C. HIGHWAY COMMERCIAL USE OF THE CODE OF ORDINANCES on first reading. All in favor. PASSED.

Motion was made by Warfel, second by Fink to approve Ordinance No. 1648, AN ORDINANCE AMENDING ARTICLE II SECTION 11-30 OF CHAPTER 11 TO PROVIDE FOR THE ADOPTION OF THE UNIFORM FIRE CODE, 1988 EDITION, OF THE CODE OF ORDINANCES. All in favor. PASSED.

City Manager Orndorff reported to the Council of a parent sending a letter to the City praising Steve McCann and the DARE Program.

Clay Williams of the County Extension Office asked the City to join with the County's Weed Control Board in forming a Knapweed District and in requesting grant money. City Manager said the City will be willing to help.

There will be a Special Council Meeting at 4 p.m., March 1st to prepare for labor negotiations with Mr. Larsen.

City Manager Orndorff commented on Foreman Ken Kastelitz receiving a certificate for a program he attended for Sign and Marking.

There will be an Audit Committee Meeting on February 27th at 2 p.m.

The Mayor reappointed the members of the Design Review Committee to another term of office. These members include:

James Shadoan
 Larry Raffety
 Patti Miller
 Doris Whithorn
 Barb Williams
 Carolyn Fisher
 Ted Williams
 Lyle Gillard
 Clay Ward

The term of office runs concurrent with the Mayor. Motion was made by Fink, second by Warfel to reappoint this Committee. All in favor. PASSED.

Mayor Dennis thanked all the organizations working to get the group homes in Livingston.

Barb Britt of the Dairy Queen sent a letter of appreciation to the Council thanking them for the tax break they approved for her.

Mayor Bill Dennis announced the meeting will go into closed session with City Attorney Jovick stating that the merits of individual privacy exceed the merits of public disclosure. The Council then went into executive session in regards to Personnel matters. The time was 7:55 p.m.

Council reconvened at 8:00 p.m. with City Attorney Jovick stating a good evaluation for the City Manager and that the Manager was to write a letter with the Mayor signing it.

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

The time was 8:05 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


MAYOR

ACA017

SPECIAL
CITY COUNCIL MEETING

March 1, 1990
4 p.m.

The Livingston City Council met in special session at 4:00 p.m., Thursday, March 1, 1990, in the council chambers of the City-County Building. Council members present were George Ommundsen, Jody Fink, Bernice McGee and Ed Warfel with Mayor Bill Dennis presiding.

Before the meeting went in Executive Session, Fireman Pat Wagman requested permission and spoke to the Council about the Union and the Council working together with labor negotiations and not spending money on a Consultant.

The Chair declared the meeting closed to discuss a matter where the merits of individual privacy exceed the merits of public disclosure, pertaining to labor negotiations. The time was 4:10 p.m.

The meeting resumed at 6:15 p.m. Motion was made by Warfel second by Fink to adjourn the meeting, there being no further business. All in favor. PASSED.

The time was 6:15 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Bill R Dennis
MAYOR

LIVINGSTON
CITY COUNCIL MEETING

March 5, 1990
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, March 5, 1990 in the Council Chambers of the City-County Building. Council members present were Bernice McGee, Ed Warfel, George Ommundsen and Jody Fink with Mayor Bill Dennis presiding.

Motion was made by Warfel, second by Ommundsen that the minutes of February 20, 1990 be approved. 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 \$72,788.62. Councilmember Fink questioned the Finance Officer Jeanne Hencz for a clarification on claim number 1228. All in favor. PASSED.

A Public Hearing was held for a proposed change in zoning for the RII Mobile Home Zoning. City residents Theresa Wirtz, Linda Petrik and Dave Schriver spoke in favor of the proposed zone change. City residents Floyd Sumner, Eugene Birtch, Tom Shelly, Marty Claar, Tara Eddy, Henry Questad, Dan Eddy, Robert Dyer, Noni Kost and Robert Harper were opposed. After some discussion, Ordinance No. 1649, AN ORDINANCE AMENDING TABLE 30.41 OF SECTION 30.41 OF THE CODE OF ORDINANCES TO CHANGE THE RESIDENTIAL DENSITY REQUIREMENTS FOR MEDIUM DENSITY RII ONE UNIT AND TWO UNITS was read. Motion was made by Fink, second by McGee. Warfel and Ommundsen voted against. Fink and McGee voted in favor with Mayor Dennis breaking the tie with a no vote. Ordinance No. 1649 was killed upon first reading.

Second reading of Ordinance No. 1646, AN ORDINANCE AMENDING SECTION 2-4 OF THE CODE OF ORDINANCES WHICH PROVIDES FOR REVIEW OF BID REQUIREMENTS FOR CITY PURCHASES. All in favor. PASSED.

Second reading of Ordinance No. 1647, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO INCLUDE CERTAIN ANNEXED REAL PROPERTY AND ZONING SAID REAL PROPERTY AS H.C. HIGHWAY COMMERCIAL USE OF THE CODE OF ORDINANCES. All in favor. PASSED.

Second reading of Ordinance No. 1648, AN ORDINANCE AMENDING ARTICLE II SECTION 11-30 OF CHAPTER 11 TO PROVIDE FOR THE ADOPTION OF THE UNIFORM FIRE CODE, 1988 EDITION, OF THE CODE OF ORDINANCES. All in favor. PASSED.

Motion was made by Warfel, second by McGee to approve Resolution No. 2176, A RESOLUTION ANNEXING CERTAIN REAL PROPERTY TO THE CITY OF LIVINGSTON CONSISTING OF PROPERTY KNOWN AS THE GREEAR PROPERTY. All in favor. PASSED.

ACA017

City Manager John Orndorff reported to Council of a letter of Commendation from East Side School Principal, Charles Strand to DARE Instructor and City Policeman, Steve McCann, acknowledging him for the fine job he has done with the students in the last week from a tragic accident with a student.

Probationary Patrolman Samuel Frederick has advanced to Patrolman with Livingston Police Department effective March 1, 1990.

Water Material bids were opened Friday, March 2, 1990, the bids were as follows:

Dana Kepner	\$22,092.35
Billings	

Northwest Pipe Co.	\$22,214.71
Billings	

City Manager Orndorff requested to the Council they accept the bid from Dana Kepner. Motion was made by Ommundsen, second by Fink to accept the bid for \$22,092.35 from Dana Kepner of Billings. All in favor. PASSED.

City Manager Orndorff reported to the Council on Water Volumes at the Waste Water Treatment Plant.

Timothy Krein the new owner of the Clark City Club requested to the Finance Officer Jeanne Hencz for a refund on garbage from past tax bills. Only 1 year can be refunded according to the City Ordinance. Motion was made by McGee, second by Warfel to refund one year on garbage this fiscal year. All in favor. PASSED.

City Manager Orndorff stated to the Council that more animals were being poisoned around the City again. Mostly in the West Side School area. He reported the Code Enforcement Officer and Police Department were working on this problem, and cautioned people to watch out for their animals.

Motion was made by McGee, second by Ommundsen to approve the Street Department with bidding out Street Materials for their summer projects. All in favor. PASSED.

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

The time was 8:35 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Bill Rile
MAYOR

LIVINGSTON
CITY COUNCIL MEETING

March 19, 1990
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, March 19, 1990 in the Council Chambers of the City-County Building. Council members present were George Ommundsen, Jody Fink, Bernice McGee and Ed Warfel with Mayor Bill Dennis presiding.

Motion was made by Ommundsen, second by Warfel that the minutes of March 1, 1990 Special Council Meeting and March 5, 1990 Regular Council Meeting be approved. 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 \$77,066.48. All in favor. PASSED.

Motion was made by Fink, second by McGee to approve Resolution No. 2179, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND THE STATE OF MONTANA, ACTING BY AND THROUGH ITS DEPARTMENT OF HIGHWAYS. All in favor. PASSED.

Motion was made by Ommundsen, second by McGee to approve Resolution No. 2180, A RESOLUTION TRANSFERRING FUNDS FROM THE CIVIC CENTER CAPITAL IMPROVEMENT ROOF ACCOUNT TO AN ACCOUNT FOR THE RIPRAPPING OF THE RIVER BANK NEAR THE BALL FIELDS. McGee questioned which budget year the funds would be transferred from and that being the 1989-1990 budget. City Attorney asked the Recording Secretary to note on the bottom of this resolution that 1990-1991 should read 1989-1990. Three in favor with Fink opposed. PASSED.

Motion was made by McGee, second by Fink to approve Resolution No. 2181, A RESOLUTION APPROVING AN AMENDED PLAT OF LOT 1 OF SUBDIVISION PLAT 104, ALSO KNOWN AS THE CENTENNIAL SUBDIVISION OF THE CITY OF LIVINGSTON. All in favor. PASSED.

Motion was made by McGee, second by Fink to approve Resolution No. 2182, A RESOLUTION APPROVING AN EXPENDITURE OF FUNDS FROM THE CHILDREN'S RECREATION TRUST FUND. All in favor. PASSED.

Ron Flack completed his six month probation and will now be a full time laborer with the residential garbage truck effective 3-16-90.

City Manager Orndorff spoke to the Council about special parking signs. Foreman Kastelitz did a cost study and recommendation to charge the cost of the signs and a rental fee. Mayor Dennis stated this would be held over for the the worksession on April 2nd.

Motion was made by Fink, second by Ommundsen to approve a sign variance for the Goodyear Tire Center. Fink questioned the Board of Adjustments report and City Planner Linda Lang clarified. All in favor. PASSED.

ACA017

A public hearing is scheduled for the next Council meeting concerning mail being sent certified-return receipt.

The National Guard has notified the City Manager that they will be terminating their lease with the Civic Center as of June 1, 1990.

City Manager Orndorff spoke to the Council on Code Enforcement. The Code Enforcement Officer when answering a complaint or violation on garbage or a Community Decay Ordinance violation will take a picture of the scene to have on record and will have all pictures available for the Council to view in the event they receive complaints on any violations.

The week of March 11-17th was proclaimed as Girl Scout Week by Mayor Dennis, and the City Council does recognize the Girl Scouts.

The Planning Office's request for an Ordinance was bypassed at this time.

Motion was made by Ommundsen, second by McGee to approve a sign variance for Pamida for 2 sites. All in favor. PASSED.

Mayor Dennis requested the City Manager to rework the increase of fees for Subdivision Plat actions to one page and the Council will review at a later date.

After discussion, motion was made by Warfel, second by Fink to approve Street Material bids for:

BLACKTOP - Big Sky Asphalt	\$25.00 per ton
CHIPS - STS Gravel	\$5377.50 (450 cubic yards) \$11.95/ton over 450 cubic yards
OIL - Farmer's Union	\$.4983 per gallon

Other bids were:

Eggars - Livingston	
Blacktop - 1600 tons @ \$40,800.00,	\$25.50/ton over 1600 tons
Chips - 450 cubic yards @ \$5400.00,	\$12.00/ton over 450c/y

Pioneer Ready Mix - Bozeman	
Blacktop - \$25.50 per ton	
Chips - \$14.33 per ton	
Oil - \$.75 per gallon	

Farmer's Union Central Exchange - Laurel	
Blacktop - \$120.00 per ton	

All in favor. PASSED.

The Park Department would like to use \$1,500 for Recreation Equipment from the Childrens Recreation Fund for equipment at Webb Park. After discussion, the Council gave their approval for 3 new rides at Webb (G Street) Park.

City Manager reported to Council that the Montana Dept. Health and Environmental Sciences will hold a public meeting Tuesday, March 20th at 7:00 p.m., in the courtroom.

Public Works Director mentioned the City Alley Cleanup would start the week of April 30th.

Councilmember McGee would like the City Manager to look into coordinating with the town, Boy Scouts, etc., on Cleanup Week.

It was discussed on how much money the City pays for the incinerator per month. Mayor Dennis would like to appoint a Committee to look into costs and feasibility of recycling.

Councilmember Fink would like the City to send the State Department a thank you letter if one has not been sent, for changing the timing on the stop lights on 5th and Park Streets.

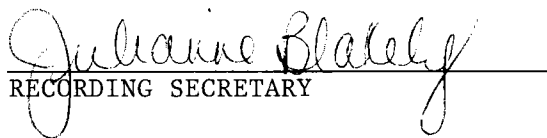
There will be a worksession at 6:45 p.m., April 2, 1990, before the Council Meeting.

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

The time was 8:20 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


MAYOR

ACA017

LIVINGSTON
CITY COUNCIL MEETING

April 2, 1990
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, April 2, 1990 in the Council Chambers of the City-County Building. Council members present were Jody Fink, Bernice McGee, Ed Warfel and George Ommundsen with Mayor Bill Dennis presiding.

Motion was made by Warfel, second by Ommundsen that the minutes of March 19, 1990 regular council meeting be approved. 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 \$58,112.76. City Manager Orndorff clarified a question for Councilmember Fink. All in favor. PASSED.

A public hearing was held for an amendment of the Livingston Municipal Code, Section 30.71.C.5, which was to change the required mail sent certified-return receipt requested to 1st class mailing. City-County Planner Linda Lang and Board of Adjustment Chairman Barb Williams spoke for changing to 1st class mailing. Local Citizen Ernie Faure spoke in favor of certified-return receipt mailing. After some discussion, motion was made by McGee, second by Warfel for First Reading of Ordinance No. 1653, AN ORDINANCE AMENDING SECTION 30.71 (C) (5) OF THE CODE OF ORDINANCES BY DELETING THE REQUIREMENT FOR RETURN RECEIPT REQUESTED MAIL ON ZONING CHANGE NOTIFICATIONS. Vote was four opposed and the Ordinance was killed on first reading.

The Board of Adjustments requested a public hearing to increase subdivision review fees by amending City of Livingston Subdivision Regulation, Section II.B.7. After discussion, motion was made by McGee, second by Warfel to have an Ordinance drawn up to increase the fees. All in favor.

Public Hearing on Resolution No. 2171, A RESOLUTION ANNEXING CERTAIN REAL PROPERTY TO THE CITY OF LIVINGSTON CONSISTING OF CERTAIN INTERSECTION HIGHWAY SYSTEM ADJACENT TO AND EXTENDING FROM THE CITY. No comments were heard. Motion was made by Ommundsen, second by Fink to approve this resolution. All in favor. PASSED.

Public Hearing on Resolution No. 2169, A RESOLUTION ANNEXING CERTAIN REAL PROPERTY WHOLLY SURROUNDED BY THE CITY OF LIVINGSTON TO THE CITY OF LIVINGSTON. No comments were heard. Motion was made by Warfel, second by Fink to approve this resolution. All in favor. PASSED.

Motion was made by Ommundsen, second by Warfel to approve Resolution No. 2169, A RESOLUTION OF INTENT TO ANNEX CERAIN REAL PROPERTY IN THE

GENERAL VICINITY OF MOUNTAIN VIEW LANE (PREVIOUSLY KNOWN AS ACREVILLE LANE) TO THE CITY OF LIVINGSTON. All in favor. PASSED.

First Reading of Ordinance No. 1652, AN ORDINANCE AMENDING SECTION 17-15 (4) OF THE CODE OF ORDINANCES TO RAISE APARTMENT HOUSE LICENSING FEES. Motion was made by Ommundsen, second by McGee to approve this Ordinance on first reading. All in favor. PASSED.

City Manager Orndorff reported to Council the 10 seasonal employees that were hired for the summer:

Park	April 2	Terry Tillet
Street	April 2	Craig Hahn
Solid Waste	April 16	Steve Counts
Cemetery	April 16	Bruce Gilman
Cemetery	April 16	Jean Sutherland *
Cemetery	April 16	Maury Kovar *
Solid Waste	May 1	Dave Phillips
Solid Waste	May 1	Sam Stephenson
Park	May 15	Zack Woodhull
Park	May 15	Larry Sanders

* are the returning seasonals. City Manager also stated that this year the laborers on the Garbage Truck would get a chance for job cross training in the Street Department and seasonals would be placed on the Garbage Truck.

Motion was made by Fink, second by Ommundsen to accept the proposed 1990 Sweeper Schedule. Council requested that the City look into enforcing vehicles that are on the street during the Sweeper's schedule. All in favor.

City Manager Orndorff reported to Council that Police Officer Terry Brack has tentatively been selected for a second D.A.R.E. Officer.

Motion was made by McGee, second by Ommundsen to waive building permit fees for the Middle School in the amount of \$7,449.50. All in favor. PASSED.

Motion was made by Fink, second by McGee to approve an additional land easement in the amount of \$2500.00 for the new Billman Well location. The City will bill the BN for this amount. All in favor. PASSED.

Motion was made by McGee, second by Fink to approve requested handicapped signs from citizens for a deposit of \$50 with the money being refunded when the sign was no longer needed. All in favor. PASSED.

Motion was made by Ommundsen, second by Warfel to approve Bob McLaughlin to develop Block 6 of the Palace Addition with curbs and gutters. Sidewalks would be installed later by the property owner. All in favor. PASSED.

ACA017

The City needs to establish a policy on renting property which it owns. Mayor Dennis would like the City Manager to address the Council with this issue next meeting.

Councilmember McGee asked if a cook could be hired for the Jail. Police Chief Bryce stated the Jail was County, so the City did not need to deal with this issue at this time.

McGee also stated the boulevard between the Streets of 5th and Clark have a snowmobile trailer and boat trailer obstructing the view for traffic. City Manager will check into this.

City Manager Orndorff stated to Council that an Ordinance is needed to be re-written to enforce the signs in the Park. City Attorney Jovick explained the difference between criminal and civil negligence with dogs in the Park.

City Attorney Jovick explained to Council the new Code Books. He also suggested having a policy, when a Councilmember's term is over and they do not return the Code Book to the City, a \$75.00 charge for the book will be taken out of their last check.


Ernie Faure spoke during Public Comments on alley parking, wanting to know what the policy is on this. Police Chief Bryce stated as long as a Fire Truck can get through the alley and a vehicle is not blocking someone else's garage, parking in the alley is acceptable.

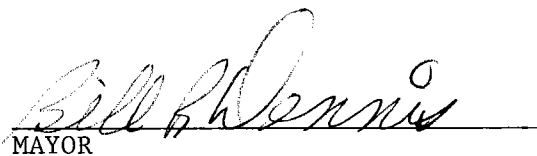
Motion was made by McGee, second by Warfel to adjourn this meeting, there being no further business. All in favor. PASSED.

The time was 9:10 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


MAYOR

LIVINGSTON
CITY COUNCIL MEETING

April 16, 1990
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, April 16, 1990 in the Council Chambers of the City-County Building. Council members present were Ed Warfel, George Ommundsen, Jody Fink and Bernice McGee with Mayor Bill Dennis presiding.

Motion was made by Warfel, second by Fink that the minutes of April 2, 1990 regular council meeting be approved. 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 \$56,995.90. All in favor. PASSED.

Motion was made by Warfel, second by Ommundsen to accept Resolution No. 2183, A RESOLUTION OF INTENT TO ANNEX HIGHWAY 89 FROM 11TH STREET TO MERRILL LANE SOUTH OF LIVINGSTON TO THE CITY OF LIVINGSTON. Council member Fink had a question which City Manager Orndorff clarified. All in favor. PASSED.

Motion was made by McGee, second by Fink to accept Resolution No. 2186, A RESOLUTION ANNEXING CERTAIN REAL PROPERTY KNOWN AS THE BERG PROPERTY TO THE CITY OF LIVINGSTON. City Manager Orndorff clarified a question for Council member Fink. All in favor. PASSED.

Motion was made by Fink, second by Ommundsen that Ordinance No. 1650, AN ORDINANCE AMENDING APPENDIX D OF THE SUBDIVISION REGULATIONS OF THE CODE OF ORDINANCES TO RAISE FEES FOR SUBDIVISION REVIEW, be approved on first reading. All in favor. PASSED.

Second reading of Ordinance No. 1652, AN ORDINANCE AMENDING SECTION 17-15 (4) OF THE CODE OF ORDINANCES TO RAISE APARTMENT HOUSE LICENSING FEES. Fire Chief Frederick answered a question for Council member Ommundsen. All in favor. PASSED.

Motion was made by McGee, second by Ommundsen to allow a sign variance for McDonald's on their property in Centennial Subdivision. The sign will be on a 95 foot tall pole, with McDonald's having a 206 square foot sign and CENEX having a 300 square foot sign and they are to meet all appropriate criteria. All in favor. PASSED.

Motion was made by Ommundsen, second by McGee to allow a sign variance for Pamida Corporation. The height is to be a total of 40 feet adjacent to Highway 89, and both signs (Highway 89 and Highway 10) be limited to 300 square feet of sign face each. City Planner Linda Lang clarified a question for Council member Ommundsen. All in favor. PASSED.

ACA017

Motion was made by Ommundsen, second by Warfel to grant Mr. & Mrs. R. Buettner a 20 foot setback for construction of a garage in line with their house in the Werner Addition. All in favor. PASSED.

City Manager Orndorff informed the Council of the recycling efforts David Scrimm of Livingston is doing in the Community. Sometime in April, large containers will be placed at Ricci's Food Farm and John's IGA for paper, cans, glass and plastics that can be recycled. The City Manager clarified a question for Council member Fink.

City Manager informed the Council charges for C.P.R. classes given by the Firemen will be increased from \$5 to \$10 effective May 1, 1990.

City Manager Orndorff reported that Mr. Scott LeProwse of D & R Vending asked permission to place a candy vending machine at the swimming pool this summer. Council member Fink had two questions for the City Manager to look into first. One, would it be safe for swimming and the other, would there be a litter problem.

The Staff will meet with City Attorney Jovick on May 2nd to discuss the opportunity and proposed ordinance on Solid Waste Collection.

Montana Power Company will be donating a tree to the City to commemorate Earth Day. Warren McGee will be contacted to determine a place for this tree.

City Manager Orndorff stated, with Council support, tickets will be issued for vehicles left in the Street Sweeper's route.

Mayor Dennis asked the Fire and Police Chief to look into parking on the Boulevards.

Fire Fighter Larry Phillips has completed his probationary period and is appointed to the regular position effective April 16, 1990.

City Manager Orndorff informed the Council of a letter (April 11, 1990) to the Department of Health and Environmental Sciences concerning the Comment upon Draft Community Involvement Plan for BN/Livingston Environmental Cleanup site.

Bids were opened April 11, 1990 in the Council Chambers for construction of the Clinic Well, Billman Creek Well and necessary piping. Bids were as follows:

Oltrogge Construction.....	\$595,509.55
Gray Construction.....	\$667,623.06
Sime.....	\$638,082.45
Mainline.....	\$710,383.00

The engineer's estimate for the project was \$483,619.00. The large difference in dollar amount was caused by the chlorine contact pipe. The engineer is still researching the issue and no bid has been awarded at this time.

City Manager will pursue a property insurance program the Montana Municipal Insurance Authority (MMIA) has developed.

There is a new form the City will be using for an Agreement for Handicapped Parking Signs. A \$50 deposit will be required along with a letter from a Doctor.

Sweeping Schedules, Spring Clean-up and the City Swimming Pool Schedules are now being distributed around the City.

Enclosed in the Council Packet is a letter from ENVIROCON dated April 12, 1990 addressing the latest results for tests of City Wells. The data sheets are available in the City Manager's Office.

Mainline Construction is back to work with the waterline project. They are putting tie ins to the mainline at the intersections. They should be completed by the end of May.

Motion was made by McGee, second by Ommundsen to retain Morrison-Maierle/CSSA Engineering Firm to design the water line that BN will pay for running from the north side of Gallatin Street to the bend by Green Acres to the Waste Water Treatment Plant. City Manager clarified a question for Council member Fink. City Attorney Jovick gave a general summary of this project and reminded the Council this is just a preliminary first step.

Council member Fink commented on the Council Packets, the Addendums, the amount of paper being used and the time the Packets are ready to be picked up.

The Mayor asked for a motion, that any Council member that does not return his or her Code Book at the end of their term, have \$75 taken from their last check. Motion was made by Warfel, second by McGee. All in favor. PASSED.

There will be a work session before the next council meeting on May 7th, at 6:30 p.m.

A Special Council Meeting will be held May 9th, at 4:00 p.m., concerning the letter size on the Pamida Building.

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

The time was 8:35 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Bill R. Dennis
MAYOR

ACA017

LIVINGSTON
CITY COUNCIL MEETING

May 7, 1990
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, May 7, 1990 in the Council Chambers of the City-County Building. Council members present were Bernice McGee, Ed Warfel, George Ommundsen and Jody Fink with Mayor Bill Dennis presiding.

Motion was made by Fink, second by McGee that the minutes of April 16, 1990 regular council meeting be approved. All in favor. PASSED.

Motion was made by Warfel, second by Ommundsen to accept the bills and claims which had been listed in the amount of \$38,542.71. All in favor. PASSED.

Motion was made by McGee, second by Warfel to accept Resolution No. 2178, A RESOLUTION ANNEXING CERTAIN REAL PROPERTY IN THE GENERAL VICINITY OF MOUNTAIN VIEW LANE (PREVIOUSLY KNOWN AS ACREVILLE LANE) TO THE CITY OF LIVINGSTON. All in favor. PASSED.

Motion was made by Ommundsen, second by McGee to accept Resolution No. 2187, A RESOLUTION VACATING GLOBE STREET ADJOINING LOT 11 OF BLOCK 36 OF THE PALACE ADDITION OF THE CITY OF LIVINGSTON. The City Manager clarified a question for Councilmember Warfel. All in favor. PASSED.

Motion was made by Fink, second by Ommundsen to accept Resolution No. 2188, A RESOLUTION ADOPTING THE "JOB DESCRIPTIONS FOR CITY EMPLOYEES" EFFECTIVE IMMEDIATELY AND THE "JOB CLASSIFICATIONS FOR CITY EMPLOYEES" EFFECTIVE JULY 1, 1990. All in favor. PASSED.

Second reading of Ordinance No. 1650, AN ORDINANCE AMENDING APPENDIX D OF THE SUBDIVISION REGULATIONS OF THE CODE OF ORDINANCES TO RAISE FEES FOR SUBDIVISION REVIEW. All in favor. PASSED.

Motion was made by Ommundsen, second by Warfel that Ordinance No. 1654, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO INCLUDE CERTAIN ANNEXED REAL PROPERTY KNOWN AS THE GREEAR PROPERTY AND ZONING SAID REAL PROPERTY AS H.C. HIGHWAY COMMERCIAL USE OF THE CODE OF ORDINANCES, be approved on the first reading. All in favor. PASSED.

Motion was made by McGee, second by Warfel that Ordinance No. 1655, AN ORDINANCE OF THE CITY OF LIVINGSTON GRANTING A FRANCHISE TO TCI CABLEVISION OF MONTANA, INC. FOR THE CONSTRUCTION AND OPERATION OF A CABLE SYSTEM, be approved on the first reading. All in favor. PASSED.

Motion was made by Ommundsen, second by McGee that Ordinance no. 1656, AN ORDINANCE AMENDING SECTION 9-237 OF THE CODE OF ORDINANCES PROHIBITING TRAILERS FROM PARKING ON A BOULEVARD WITHIN 20 FEET OF A FIRE HYDRANT, be approved on the first reading. All in favor. PASSED.

Motion was made by McGee, second by Ommundsen that Ordinance No. 1657, AN ORDINANCE AMENDING SECTION 4-2 OF THE CODE OF ORDINANCES TO PLACE A LIMIT UPON THE NUMBER OF RABBITS AND CATS, be approved on the first reading. Three in favor with Fink being opposed. PASSED.

Motion was made by Fink, second by McGee that Ordinance No. 1658, AN ORDINANCE AMENDING CHAPTER 13 ENTITLED "WATER" OF THE CODE OF ORDINANCES, be approved on the first reading. All in favor. PASSED.

Motion was made by Ommundsen, second by McGee to waive the Civic Center fee for the Livingston Baseball Association's spaghetti dinner set for May 15, 1990, with the condition they clean up. All in favor. PASSED.

Counterpoint has selected the site at the corner of West Summit and North 9th Street as the location for the construction of the new group home.

City Manager Orndorff reported to the Council, the first of the water hearings will be held Tuesday, May 8, 1990 at 10 a.m. for the Livingston Clinic Well. There will be other hearings for the other wells at a later date.

The Police Department will be conducting an auction for surplus/abandoned property, tentatively set for June 16, 1990.

Foremen Ken Kastelitz and Clint Tinsley recently completed the in-service training course, Basic Supervision in Public Works, sponsored by MSU.

The City Manager commended Fire Chief Frederick for taking the time to write a letter to the Rural Fire Department complimenting the Firemen on a call they responded to.

Also, the City Manager spoke to the Council about the intersection of Callender and Park Streets. He would like input on the idea of closing Callender Street at Park Street to thru traffic.

Motion was made by Fink, second by McGee to give the City Manager permission to proceed with looking into the purchase of an interrogator computer system for the Water and Sewer Departments.

City Manager reported to the Council on the Garbage assessment research findings the staff has been working on over the last few weeks attempting to find ways to correct the garbage situation. The Mayor gave permission for the City Manager to proceed with the findings.

Labor negotiations are still going on with the Fire Fighters on May 10th, Public Works on May 23rd and the Police Association on May 24th.

There will be a Special Council Meeting May 9, at 4:00 p.m. to consider Pamida's variance for the size of letters to go on the front of the building with the City Manager adding to the agenda a plat amendment for Centennial Subdivision.

ACAO17

City Manager reported to the Council the Public Works Director, Dan Fielding, has given his 2 week notice to resign from his position, stating personal reasons.

Council gave the City Manager permission to enforce all contractors and sub-contractors working on the new Middle School to obtain a City Business License before they begin work in the City.

The Public Works Director and Building Inspector were sent to the new Middle School site to look at the water and sewer lines being layed. Two contractors were told to dig their lines up, as they were not according to specifications. The lines were dug up and layed properly. The contractor was requested to take compaction tests to see if compacted properly.

Councilmember Warfel wanted to know if the City has a Green River Ordinance in effect. City Attorney Jovick stated yes the City did and if a complaint was submitted to the Police Department, the Police did enforce it.

Also, Councilmember Warfel wanted to know if there was an ordinance concerning someone blocking someone elses garage doors and why it was not enforced if there was. Chief Bryce stated if the Police Department was notified of the complaint, it was enforced.

Councilmember McGee commented on what an eyesore the Black Market is coming into the City on the east end and someone needs to mention to the High School about keeping the school grounds picked up.

Councilmember Fink inquired about an attachment for the lawn mower in the Park that would pick up the duck droppings. Public Works Director Fielding stated he has heard of this attachment, and that it did not work that well.

Councilmember Ommundsen wanted to know how a complaint was handled. City Attorney Jovick clarified how a complaint would be dealt with.

Local citizen Ernie Faure spoke about an ordinance blocking a driveway. He feels the ordinance should be written, with the vehicle impounded and the owner paying the fee.

Motion was made by Fink, second by Warfel 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

Bill Dennis
MAYOR

LIVINGSTON
SPECIAL COUNCIL MEETING

May 9, 1990
4:00 p.m.

The Livingston City Council met in special session at 4:00 p.m., Wednesday, May 9, 1990 in the Council Chambers of the City-County Building. Councilmembers present were Jody Fink, Bernice McGee, Ed Warfel and George Ommundsen with Mayor Bill Dennis presiding.

The special meeting was held to approve a variance for the letter size on the front of the new Pamida Building.

Motion was made by McGee, second by Fink to grant a variance to allow the Pamida Store to put up a wall sign which is 257 square feet larger than allowed under the City of Livingston sign code. The total square footage of the sign will be 357 square feet. All in favor. PASSED.

The Centennial Subdivision Plat was not considered at this time.

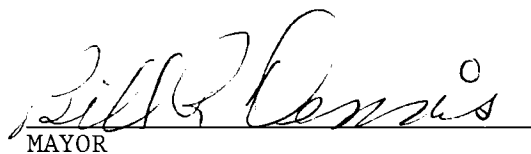
Motion was made by McGee, second by Fink to adjourn this meeting there being no further business. All in favor. PASSED.

The time was 4:02 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


MAYOR

LIVINGSTON
CITY COUNCIL MEETING

May 21, 1990
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, May 21, 1990 in the Council Chambers of the City-County Building. Council members present were Ed Warfel, George Ommundsen and Jody Fink with Mayor Bill Dennis presiding. Councilmember Bernice McGee was absent.

Motion was made by Warfel, second by Fink that minutes of May 7, regular council meeting and May 9, 1990 special council meeting be approved. Three in favor, McGee absent. PASSED.

Motion was made by Fink, second by Warfel to accept the bills and claims which had been listed in the amount of \$59,304.13. Council member Fink questioned the bill for power at the Swimming Pool and asked that someone look into it. All in favor. PASSED.

Motion was made by Warfel, second by Ommundsen to approve Resolution No. 2184, A RESOLUTION ANNEXING CERTAIN REAL PROPERTY CONSISTING OF HIGHWAY 89 FROM 11TH STREET TO MERRILL LANE SOUTH OF LIVINGSTON TO THE CITY OF LIVINGSTON. Local citizen, Archie Marcotte questioned what exactly was annexed, City Manager Orndorff clarified. Three in favor, McGee absent. PASSED.

Second reading of Ordinance No. 1658, AN ORDINANCE AMENDING CHAPTER 13 ENTITLED "WATER" OF THE CODE OF ORDINANCES. City Attorney summarized for Council an Amendment to Ordinance No. 1658, AN AMENDMENT TO ORDINANCE NO. 1658 AMENDING CHAPTER 13 ENTITLED "WATER" OF THE CODE OF ORDINANCES. After some discussion, roll call vote for the Amendment was first, with two in favor, Ommundsen opposed and McGee absent. PASSED. Roll call vote for Ordinance No. 1658 was three in favor, McGee absent. PASSED.

Motion was made by Warfel, second by Ommundsen to approve Resolution No. 2189, A RESOLUTION APPROVING A SUBSTITUTION OF CONCRETE FOR ASPHALT FOR CENTENNIAL DRIVE IN CENTENNIAL SUBDIVISION. Three in favor, McGee absent. PASSED.

City Manager Orndorff reported to the Council on a letter from CENEX Petroleum, Inc., that they understand and agree to the conditions they must meet to connect to the City's Sewer and Water.

City Manager explained to the Council where McDonald's and CENEX would be located in Centennial Subdivision. At this time, Centennial Subdivision developer Dave Folsom spoke to the Council, encouraging better working relations with the City and inviting all members of City staff to visit any of his developments at any time.

Second reading of Ordinance No. 1657, AN ORDINANCE AMENDING SECTION 4-2 OF THE CODE OF ORDINANCES TO PLACE A LIMIT UPON THE NUMBER OF RABBITS AND CATS. Discussion was made, with questions by Councilpersons Warfel and Fink with local citizens, Mark Egeland, Bill Armstrong, Jerri Newman and Mark Jones commenting on this Ordinance. Council member Fink requested this Ordinance be tabled at this time with motion being made by Fink, second by Ommundsen. All in favor. TABLED.

Second reading of Ordinance No. 1656, AN ORDINANCE AMENDING SECTION 9-237 OF THE CODE OF ORDINANCES PROHIBITING TRAILERS FROM PARKING ON A BOULEVARD WITHIN 20 FEET OF A FIRE HYDRANT. Three in favor, McGee absent. PASSED.

Second reading of Ordinance No. 1654, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO INCLUDE CERTAIN ANNEXED REAL PROPERTY KNOWN AS THE GREEAR PROPERTY AND ZONING SAID REAL PROPERTY AS H.C. HIGHWAY COMMERCIAL USE OF THE CODE OF ORDINANCES. Mr. Greear spoke against his property being zoned as Highway Commercial. After discussion, the City Manager and Mayor decided to Table this Ordinance until further inquiry was made. Motion was made by Warfel, second by Ommundsen to Table this Ordinance at this time. All in favor. TABLED.

Motion was made by Fink, second by Ommundsen to approve an Amendment to Ordinance No. 1655, AN AMENDMENT TO ORDINANCE 1655 OF THE CITY OF LIVINGSTON GRANTING A FRANCHISE TO TCI CABLEVISION OF MONTANA, INC. FOR THE CONSTRUCTION AND OPERATION OF A CABLE SYSTEM. Three in favor, McGee absent. PASSED.

Second reading of Ordinance No. 1655, AN ORDINANCE OF THE CITY OF LIVINGSTON GRANTING A FRANCHISE TO TCI CABLEVISION OF MONTANA, INC. FOR THE CONSTRUCTION AND OPERATION OF A CABLE SYSTEM. Three in favor, McGee absent. PASSED.

Motion was made by Ommundsen, second by Warfel that Ordinance No. 1659, AN ORDINANCE AMENDING SECTION 9-240 ENTITLED "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES be approved on the first reading. Three in favor, McGee absent. PASSED.

Motion was made by Warfel, second by Fink to approve Resolution No. 2190, A RESOLUTION TRANSFERRING \$19,500 IN FUNDS FROM THE SEWER REPLACEMENT AND DEPRECIATION ACCOUNT AND MACHINERY AND EQUIPMENT ACCOUNT FOR THE PURCHASE OF A COMPUTER BILLING SYSTEM. Three in favor, McGee absent. PASSED.

Motion was made by Fink, second by Ommundsen that Ordinance No. 1660, AN ORDINANCE AMENDING CHAPTER 12 ENTITLED "GARBAGE, TRASH AND WEEDS" OF THE CODE OF ORDINANCES be approved on first reading. Three in favor, McGee absent. PASSED.

Motion was made by Fink, second by Ommundsen to accept a letter from GENEX Petroleum, Inc. as a Letter of Agreement. All in favor. PASSED.

Motion was made by Warfel, second by Ommundsen to grant final approval

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for the filing of the division of Lot 1, Centennial Subdivision, to be filed as SD104. All in favor. PASSED.

Mayor Dennis proclaimed May 19, 1990 as the American Legion Auxiliary's Annual Poppy Day.

Motion was made by Ommundsen, second by Fink to allow overnight parking in Sacajawea Park on June 20 and 21 for the Gallatin Dog Club Show and the Alaskan Malamute Club of America's Rocky Mountain Area. All in favor. PASSED.

City Manager reported to Council on what action has been taken on some businesses not purchasing their City Licenses.

The Mainline Project should be finishing up work this Friday the 25th. If not finished by then, they would go into a penalty situation. The City Manager will check to see if Mainline oversees the chip seal of Lewis Street.

The City's Engineer informed the City Manager that the State approved a different system of chlorination for our proposed wells. The use of the system will lower the costs, but the City needs to retain the easement for the extended land area, because if there is ever any bad water samples, the State can go in and direct the City to put a 30-minute chlorine contact time. As of today, there is a easement for the Billman Well site.

Sergeant Lynn Gillett and Officer Darren Raney ran in the "Torch Run" for the Special Olympics.

A cash donation has been received from Doreen Kalien to start a fund to purchase a vacuum for bird droppings in Sacajawea Park.

The City Manager received a letter from Leeta Beebe, who is with the Livingston Clean-up Committee, thanking the City and Community for the efforts and accomplishments made over the last few years.

Police Chief Bryce has applied for a grant, to send one of the Officers to a "Grant Writing School". Chief Bryce clarified a question for Council member Fink.

Director of Public Works Fielding, Foremen Kastelitz and Tinsley met with 3 railroad employees on May 18th to view the water and sewer line project along the tracks of Recreational Leasing, Inc. They noted the items Recreational Leasing, Inc. must do to complete the project.

City Manager reported to Council about parking behind the Lehrkind Building. The Manager of the Credit Union is concerned about the vehicles parking in the alley when water customers are filling trucks up with water, that it might be a liability problem. When possible, the Big Sky Paving truck is to attempt to park on the driveway behind Jim Nardella's shop. Traffic cones are to be placed around the truck when it must park in the alley. Discussion was made and the City Manager is open to solutions.

City Manager and Police Chief Bryce, will have a final discussion before requesting to the Highway Department to re-sign Highway 89 on the south side of the J&L Country Store to 25 mph.

Motion was made by Warfel, second by Fink to disapprove of closing Callender Street/Park Street at the triangle. Three opposed, McGee absent. DENIED.

At this time, Dave Folsom spoke concerning the 25 mph speed limit on Highway 89 to J&L Country Store and would like the speed limit extended to Merrill Lane. Also, he inquired about the no parking signs along the same area, questioning if the Police would be enforcing this area now that it's annexed. Police Chief Bryce stated they would.

A local citizen has requested to the City Manager, to have their street blocked off for a Street party. City Attorney Jovick stated this would need to be reviewed before an answer could be given, because streets could only be blocked off for certain reasons.

Solid Waste letters will go out later in the week dealing with excess usage of the garbage system. The lowest limit that will be billed out is \$10 or more.

Union negotiations will be held this Wednesday with Public Works and Thursday with the Police Association. The Firefighters have requested a mediator, so no date has been set at this time.

The Code Enforcement Officer will be following the Street Sweeper in the mornings, writing tickets to cars that have not moved for the Sweeper.

The new garbage truck will arrive in one week.

Council member Ommundsen suggested finding out if the Burlington Northern would consider allowing people to park on their property for the days when the Street Sweeper is on their Street. City Manager will look into this.

Local citizen, Linda Chambers spoke to the Council on parking for the Street Sweeper. Her car and her neighbor's car has been hit before, when they were not parked in front their homes. Discussion was also made with Ernie Faure, Bob Buettner, Mark Egeland and Linda Lang. Supt. of Public Utilities Clint Tinsley stated sweeping the streets help keep the storm drains from plugging up. Council member Fink would like this to still be enforced. Mayor Dennis stated research would be made and for now, enforcement would be as it is.

City Manager explained to Council on a new wall that would be put up in the office for the new Billing Computer.

Mayor Dennis introduced Matt Gibson as the new reporter from the Enterprise.

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The Youth Court has requested an Amendment be written up on the Ordinance that pertains to bicycles and skateboards on the sidewalks, and would like the Subway to be included. City Manager stated this information has been passed to the City Attorney for an Amendment.

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

The time was 9:16 p.m.

ATTEST:

APPROVED:

Julianne Blakely

RECORDING SECRETARY

Bill Dennis

MAYOR

LIVINGSTON
CITY COUNCIL MEETING

June 4, 1990
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, June 4, 1990 in the Council Chambers of the City-County Building. Council members present were Ed Warfel, George Ommundsen and Jody Fink with Mayor Bill Dennis presiding. Council member Bernice McGee was absent.

Motion was made by Fink, second by Warfel that the minutes of May 21, 1990 council meeting be approved. Motion passed.

Motion was made by Warfel, second by Fink to accept the bills and claims which had been listed in the amount of \$31,723.65. Motion passed.

Motion was made by Warfel, second by Ommundsen to approve Preliminary Resolution No. 2191, A RESOLUTION REPEALING THE CITY OF LIVINGSTON EXISTING CITY WATER SERVICE REGULATIONS. Three in favor, McGee absent. PASSED.

Second reading of Ordinance No. 1659, AN ORDINANCE AMENDING SECTION 9-240 ENTITLED "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES. Three in favor, McGee absent. PASSED.

Second reading of Ordinance No. 1660, AN ORDINANCE AMENDING CHAPTER 12 ENTITLED "GARBAGE, TRASH AND WEEDS" OF THE CODE OF ORDINANCES. Three in favor, McGee absent. PASSED.

Motion was made by Ommundsen, second by Fink that Ordinance No. 1661, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO INCLUDE CERTAIN ANNEXED REAL PROPERTY AND ZONING SAID REAL PROPERTY AS H.C. HIGHWAY COMMERCIAL USE, be approved on first reading. Three in favor, McGee absent. PASSED.

Motion was made by Ommundsen, second by Fink that Ordinance No. 1662, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO INCLUDE CERTAIN ANNEXED REAL PROPERTY AND ZONING SAID REAL PROPERTY AS R-I, LOW-DENSITY RESIDENTIAL USE, be approved on first reading. Building Inspector Tim Parks clarified a question for Councilmember Fink. Three in favor, McGee absent. PASSED.

City Manager Orndorff reported to Council, concerning the traffic signal on Park Street that was requested from the Department of Highways last year. At this time the Highway Department informed the City a traffic signal would not be installed, but the site would still be monitored.

Motion was made by Ommundsen, second by Warfel to direct the City Manager to request that the Montana Department of Highways conduct an

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engineering study of the recently annexed portion of Highway 89 South to adjust the speed limits. Motion Passed.

The traffic engineer for the Department of Highways reported to the City Manager, that the cross walk and signal on 12th Street will be moved further south, to where the road crosses the tracks. This will be accomplished sometime this summer.

There will be an Airport Board Meeting Wednesday, June 6, 1990, at 4:30 in the office of the Commissioners. Members of the Council are urged to attend this meeting.

City Manager investigated Mr. Greear's property concerning which Ordinance No. 1654 was tabled last meeting. The proper zoning is still Highway Commercial. City Attorney Jovick stated this could be taken off the table for second reading on the next Council Meeting, June 18th.

The City stands to receive a grant for the D.A.R.E. Program. The Montana Department of Justice, Board of Crime Control is requesting each applicant to submit a letter indicating the intent of future funding. Motion was made by Warfel, second by Fink that the Council will provide support for this program and for the City Manager to write this letter. Motion Passed.

Also, the City Manager stated to Council that Bruce Erickson, President of the 1st Security Bank, presented a check in the amount of \$4,000.00 to the D.A.R.E. Program and a second officer is being trained to assist Sergeant McCann.

City Manager clarified for the record that the City did not have the Livingston Ditch shut-off on Thursday, May 24th as a citizen claimed. The Ditch was shut-off the following Monday, due to a leak, and Mainline Construction started working on North E Street at the ditch on Tuesday. Work was to be completed by Thursday, May 31st.

The Chief of Police was directed to enforce the Pawnbrokers and Junk Dealers, Chapter 21 of the Municipal Code of Ordinances.

Contract negotiations are proceeding with the Public Works Union on June 13th, and the Police Association on June 12th. Arlyn Plowman of the Department of Labor and Industry will be the Labor Mediator for the Firefighters Union on July 10th.

City Manager Orndorff reported to Council, that Meter Reader Ken Dyer retired as of the 31st of May. Also, Parking Attendant Linda Saunders resigned as of the 1st of June. Mayor Dennis requested a survey be done before a decision was made to fill the Parking Attendants position.

Police Chief Bryce will be attending a National Guard Camp the week of June 16th. Also, attending Guard Camp is Firefighter Dick Wood.

Swimming Pool Personnel hired are:

Manager - Carol Delgado

Assistant Manager - Rhonda Hochhalter
Lifeguard - Andy Gilbert
Lifeguard - Andrea Nelson (new)
Lifeguard - Wendy (Kemp) Wood
HRDC - Two - Names not available

The Pool opens for the summer on June 11th.

Tom Butcher was successful in bidding the Meter Reader job. John Betley was awarded the Commercial Garbage Truck driver position. The position for laborer on the Garbage Truck will open for bid.

Police Sergeant Lynn Gillet was given permission for outside employment.

The new street roller has arrived and is in use. The new garbage truck will be arriving the week of June 11th.

The Police Department will conduct an Auction on June 18th, 6:30 p.m.,

The State is forming a ADHOC Committee to conduct a health risk assessment as part of the overall studies being conducted at the BN/Livingston facility. The City is requested to designate an individual for this committee. The State is hiring another individual to be stationed in Livingston and will help with the BN Site Clean-up Program.

The City Manager researched the electrical and gas usage at L and Q Street Wells. The decision was to turn these utilities off for a savings to the City since the wells are no longer in use.

The City received \$33,147.33 from the State as the third quarter payment of revenue from poker and keno machines.

Motion was made by Fink, second by Ommundsen to award the contract for the development of 2 new wells and construction of pipeline to Oltrogge Construction, Inc. of Abasarokee, MT. The bid is now \$402,184.55 which is down from the original bid of \$595,684.55. The bids were tabulated in the Addendum for the April 16th Council Meeting. Motion Passed.

There will be an antique car parade on June 23rd. They are expecting about 40 cars and would like to park on the grass across from Mark's In & Out. City Manager is looking into getting permission to park on the grass. The City will be responsible for traffic control. They are also planning music, but will have to comply with City Ordinance and shut down at 11:00 p.m.

The Children's Trout Derby is set for August 11th at the Lagoon with sign up at the front steps of the Civic Center. This year there will be booths set up to teach kids how to cast, identify different fish and to tie fly's.

Local citizen's Howard Harper, Cheryl Egan and Lee Harris spoke to the Council in disagreement to the Sweeper. Also, a letter from Joe VanBlaricom was presented to the Council in disagreement.

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Superintendent of Public Services Ken Kastelitz spoke, that depending on the route, the sweeper is finished between 10 to 11 a.m. daily.

Motion was made by Fink, second by Warfel to pull from the table, Ordinance No. 1645 concerning zoning of the West Side and Old Middle Schools. Motion Passed. Motion was made by Fink, second by Ommundsen to re-submit the Ordinance back to the Zoning Committee to be re-noticed and re-heard for proper notice by certified mail. Motion Passed.

Councilmember Warfel questioned if the City was going to accept the road resurfacing on Gallatin Street between C and E Streets. City Manager Orndorff reported the Superintendent was taking measurements and so forth before it was accepted or rejected.

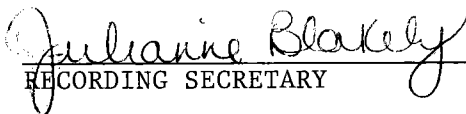
The Mayor announced the meeting will go into executive session, with the City Attorney stating that the merits of individual privacy exceed the merits of public disclosure. The meeting went into executive session at 8:20 p.m. The meeting was back in session at 8:33 p.m.

Motion was made by Fink, second by Warfel to adjourn this meeting there being no further business. Motion Passed.

The time was 8:34 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


MAYOR

LIVINGSTON
CITY COUNCIL AGENDA

June 18, 1990
7:30 p.m.

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The Livingston City Council met in regular session at 7:30 p.m., Monday June 18, 1990 in the Council Chambers of the City-County Building. Council members present were George Ommundsen, Jody Fink, Bernice McGee and Ed Warfel with Mayor Bill Dennis presiding.

Motion was made by Fink, second by Warfel that the minutes of June 4, 1990 council meeting be approved. Motion Passed.

Motion was made by McGee, second by Warfel to accept the bills and claims which had been listed in the amount of \$188,560.10. Motion Passed.

A Public Hearing was held to grant Cenex Petroleum, Inc. and 30-foot sign variance. Motion was made by McGee, second by Warfel to grant this variance. Motion Passed.

A Public Hearing was held on Resolution No. 2191, A RESOLUTION REPEALING THE CITY OF LIVINGSTON EXISTING CITY WATER SERVICE REGULATIONS. No comment from the Public was heard. Motion was made by Ommundsen, second by Fink to approve this Resolution. All in favor. PASSED.

Motion was made by McGee, second by Warfel to approve Resolution No. 2198, A RESOLUTION APPROVING THE CONTRACT BETWEEN THE CITY OF LIVINGSTON AND MORRISON MAIERLE/CSSA INC. FOR THE WATER WELL IMPROVEMENTS - 1990 FOR THE CITY OF LIVINGSTON, PROJECT MANUAL. All in favor. PASSED.

Motion was made by Warfel, second by Fink to approve Resolution No. 2175, A RESOLUTION ADOPTING AN EMPLOYEE PROCEDURES MANUAL FOR THE CITY OF LIVINGSTON. All in favor. PASSED.

Motion was made by Ommundsen, second by McGee to approve Resolution No. 2192, A RESOLUTION OF INTENT TO ANNEX CERTAIN REAL PROPERTY TO THE CITY OF LIVINGSTON CONSISTING OF A ONE-FOOT WIDE PARCEL LYING ADJACENT TO U.S. 89 SOUTH. Mr. Greear stated his objections. Council member Fink had a question and the City Manager clarified. All in favor. PASSED.

Motion was made by Ommundsen, second by McGee to approve Resolution No. 2194, A RESOLUTION OF INTENT TO ANNEX CERTAIN REAL PROPERTY WHOLLY SURROUNDED BY THE CITY OF LIVINGSTON TO THE CITY OF LIVINGSTON. All in favor. PASSED.

Motion was made by Fink, second by McGee to approve Resolution No. 2196, A RESOLUTION OF INTENT TO ANNEX CERTAIN REAL PROPERTY WHOLLY SURROUNDED BY THE CITY OF LIVINGSTON TO THE CITY OF LIVINGSTON. All in favor. PASSED.

Second reading of Ordinance No. 1654, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO INCLUDE CERTAIN ANNEXED REAL PROERTY KNOWN AS THE GREEAR PPROPERTY AND ZONING SAID REAL PROPERTY AS H.C. HIGHWAY COMMERCIAL USE OF THE CODE OF ORDINANCES. This Ordinance was Tabled on the second reading on the May 21 meeting. Brought back to the Table this meeting, all in favor. PASSED.

Second reading of Ordinance No. 1661, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO INCLUDE CERTAIN ANNEXED REAL PROPERTY AND ZONING SAID REAL PROPERTY AS H.C. HIGHWAY COMMERCIAL USE. All in favor. PASSED.

Second reading of Ordinance No. 1662, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO INCLUDE CERTAIN ANNEXED REAL PROPERTY AND ZONING SAID REAL PROPERTY AS R-I, LOW-DENSITY RESIDENTIAL USE. All in favor. PASSED.

Motion was made by Warfel, second by McGee that Ordinance No. 1663, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO ZONE LOTS 2 AND 3 OF STUMPS SUBDIVISION TRACT 2 AS R-I AND THE REMAINDER OF THE PARCEL AS R-II MOBILE HOME, be approved on the first reading. All in favor. PASSED.

Motion was made by Ommundsen, second by Fink that Ordinance No. 1664, AN ORDINANCE AMENDING SECTION 6-190 OF THE CODE OF ORDINANCES TO CHANGE THE MONTANA PUBLIC WORKS STANDARD SPECIFICATIONS, 1978 EDITION TO THE 1988 EDITION OR THAT EDITION WHICH IS MOST RECENTLY ISSUED, be approved on the first reading. All in favor. PASSED.

Motion was made by Warfel, second by Fink that Ordinance No. 1665, AN ORDINANCE AMENDING SECTIONS 9-158(B) OF THE CODE OF ORDINANCES TO PROHIBIT RIDING A SKATEBOARD OR BICYCLE ON THE SIDEWALK THROUGH THE MAIN STREET UNDERPASS, be approved on the first reading. All in favor. PASSED.

Motion was made by Fink, second by Ommundsen that Ordinance No. 1666, AN ORDINANCE AMENDING SECTION 11-37 OF THE CODE OF ORDINANCES TO CHANGE THE LIFE SAFETY CODE 1973 EDITION TO THE 1988 EDITION OR THAT EDITION WHICH IS MOST RECENTLY ISSUED, be approved on the first reading. All in favor. PASSED.

The Chief of Police will be enforcing City Business Licenses.

Bills were sent out to various property and business owners, billing them for extra Solid Waste usage in June.

The Solid Waste Department will be around \$25,000 short for this fiscal year. Operating reserves will cover this short fall. Discussion was made, with Council members Fink, McGee and Ommundsen having questions. Ken Kastelitz, Supt. of Public Services clarified their questions.

The Annual Trout Derby for Children 3 to 12 years of age, will be held at the lagoon on August 11th. The U.S. Forest Service, Montana Dept.

of Fish, Wildlife and Parks, Montana Sportsman Club, Chapter of Trout Unlimited and local merchants will be assisting the Fire Department.

The Gallatin County Dog Show will be held this week starting Wednesday, June 20th through June 22. All roads in the perimeter of the Park will be closed to through traffic.

Mark's In and Out Restored Car Parade will held on June 23rd at 3:00 p.m.. There will be live music in the grass area across from Mark's In & Out Drive In Saturday evening until 11:00 p.m.

Mary Pierson, the part-time Police Dispatcher has resigned effective June 30th.

As of this time, the County and City have not worked through a new jail agreement.

Motion was made by Warfel, second by McGee to approve a half time position for a City Planner. The hours would start out as 40 hours per week for the first 2 months, then go to half time. The starting date would be July 1st. Motion Passed.

City Manager reported to the Council, that 16 objections were received on the Livingston Clinic Site. Three objectors requested a hearing which will be held in August.

Also, the Billman Lane Well Site received 14 objectors. A meeting will be held with the objectors on Thursday, June 21st at 10:00 a.m. in the Council Chambers with Jan Mack from the Water Quality Office.

Craig Hahn was awarded the laborer's position on the Commercial Solid Waste Truck. He moves from being a seasonal employee to a probationary employee.

Motion was made by Warfel, second by Fink to accept the water line, sewer line and the lift station completed by Recreational Leasing, Inc., subject to 15 itemized items. All in favor. PASSED.

City Manager Orndorff requested a special council meeting for 4:00 p.m. on July 5th. Dick Larsen, the City's consultant will brief the Council on the tentative agreement with the Public Work's Union.

Motion was made by Ommundsen, second by Fink to appoint Roy Korkalo to the Airport Board for a 4 year term. Mr. Korkalo will be replacing Roy Kinne. Motion Passed.

Motion was made by Fink, second by McGee for Ordinance No. 1657, which was Tabled on second reading May 21st, to be put back on the Table at the next meeting.

City Manager was directed by the Council, to draw up a job description for a Code Enforcement/Metermaid position.

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Motion was made by Fink, second by Warfel to appoint Clare Lemke to the Risk Management Board Committee. Motion Passed.

City Manager would like to get started on the new sprinkler system for the Park, with money that has been received from donations, also, there is some unused money in the budget to help finance this. Only one section of the Park would be accomplished first. Council member Fink questioned who would do the work. City Manager stated, City employees would do as much of the work as possible. City Manager will have the City Attorney draw up a Resolution.

Council member Fink questioned the length of time the trains were blocking the street on 5th. Sergeant Gillett stated the time allowed to be 10 minutes.

Local citizen, Wendy Evanson questioned the staff and Council on the new garbage situation.

Motion was made by Ommundsen, second by McGee to adjourn this meeting there being no further business. Motion Passed.

The time was 9:10 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Bill R. Dennis
MAYOR

LIVINGSTON
CITY COUNCIL MEETING

July 2, 1990
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, July 2, 1990 in the Council Chambers of the City-County Building. Council members present were Bernice McGee, George Ommundsen and Jody Fink with Mayor Bill Dennis presiding. Council member Ed Warfel passed away earlier in the day.

Motion was made by McGee, second by Fink that the minutes of the June 18, 1990 council meeting be approved. Motion Passed.

Motion was made by Fink, second by Ommundsen to accept the bills and claims which had been listed in the amount of \$49,697.14. Motion Passed.

A Public Hearing was held on Resolution No. 2199, A RESOLUTION APPROVING THE GARBAGE RATES FOR THE FISCAL YEAR 1990-1991 FOR THE CITY OF LIVINGSTON. Motion was made by Fink, second by McGee to open this hearing. Comments against the proposed garbage rates were heard by Roy Keto, Winchester Cafe; Gina Nash, local citizen; Rob Campenella, Stop Over Cafe; Richard Brown, Chief Director, Livingston Memorial Hospital; Pat Miller, Murray Hotel; Mike Borgman, Convalescent Center; Mark Bolin, representing the Livingston Enterprise; Ernie Sanders, local citizen; Lee Harris on behalf of his business and residence; Marty Claar, local citizen and Jerry Claar a county resident. Discussions were held until 8:40 p.m., and at this time, motion was made by Ommundson, second by McGee to postpone the public hearing and voting on the rates until the July 16, 1990 meeting. Motion Passed.

Motion was made by Fink, second by McGee to approve Resolution No. 2198A, A RESOLUTION AMENDING RESOLUTION NO. 2198 APPROVING THE CONTRACT BETWEEN THE CITY OF LIVINGSTON AND OLTROGGE CONSTRUCTION OF ABSAROCKE, MONTANA INSTEAD OF MORRISON MAIERLE/CSSA FOR THE WATER WELL IMPROVEMENTS - 1990 FOR THE CITY OF LIVINGSTON, PROJECT MANUAL. The vote was two in favor with Ommundsen opposed. PASSED.

Motion was made by Ommundsen, second by Fink that Ordinance No. 1667, AN ORDINANCE AMENDING SECTION 30.93 OF THE CODE OF ORDINANCES TO CHANGE THE CHANGE OF ZONE FEE FROM \$100 TO \$300 be approved on first reading. All in favor. PASSED.

Second reading of Ordinance No. 1663, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO ZONE LOTS 2 AND 3 OF STUMPS SUBDIVISION TRACT 2 AS R-I AND THE REMAINDER OF THE PARCEL AS R-II MOBILE HOME. All in favor. PASSED.

Second reading of Ordinance No. 1664, AN ORDINANCE AMENDING SECTION 6-190 OF THE CODE OF ORDINANCES TO CHANGE THE MONTANA PUBLIC WORKS STANDARD SPECIFICATIONS, 1978 EDITION TO THE 1988 EDITION OR THAT EDITION WHICH IS MOST RECENTLY ISSUED. All in favor. PASSED.

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Second reading of Ordinance No. 1665, AN ORDINANCE AMENDING SECTIONS 9-158 AND 9-178 (B) OF THE CODE OF ORDINANCES TO PROHIBIT RIDING A SKATEBOARD OR BICYCLE ON THE SIDEWALK THROUGH THE MAIN STREET UNDERPASS. All in favor. PASSED.

Second reading of Ordinance No. 1666, AN ORDINANCE AMENDING SECTION 11-37 OF THE CODE OF ORDINANCES TO CHANGE THE LIFE SAFETY CODE 1973 EDITION TO THE 1988 EDITION OR THAT EDITION WHICH IS MOST RECENTLY ISSUED. All in favor. PASSED.

Mayor Dennis read the Proclamation - "GO WESTERN DAYS".

YELLOWSTONE COUNTRY granted \$1,500, to be matched, to promote an art show, the rodeo, and the parade according to Cindy NeSmith. This appears to be the first time any "bed tax money" has come to Livingston.

The Mission Wye Remedial Investigation Work Plan was received from the Department of Health and Environmental Sciences. A public informational meeting is scheduled for 7:00 p.m. on July 11th in the City County Building. A presentation will be given by the BN Consultant - ReTec. Comments will be accepted until July 25th.

Envirocon's May 1990 Monthly Status Report is available at the City Manager's office.

Valerie Counts was introduced to the Council as the new City Planner effective July 1st.

Steve Brewer has successfully completed his probationary period with the Water Department as of July 1st.

Jerry Parsons and Tom Schweigert have successfully completed their probationary period with the Street Department as of July 1st.

Mark and Scott Black sent a letter of thanks to the Council for permitting and supporting their 1st Annual Mark's In & Out Rod Run and Classic Car Show.

A letter of thanks had been received from the Chamber of Commerce thanking the City Council for supporting the various events held in the Livingston area.

City Manager Orndorff reported to the Council that the Special Council Meeting set for July 5th would be changed to July 11th at 4 p.m.

Council member McGee requested "No Swimming" signs be placed at the lagoon.

McGee suggested that there should be a fee charged for the Dog Show that was recently in Livingston at the Park. No action was taken.

Motion was made by McGee, second by Fink to have the City request in a letter to the Department of Fish & Game that at least 50 of the 84 geese in the Park be removed. Motion PASSED.

Mayor Dennis requested the City Manager pursue public parking in the Guest House parking lot.

City Manager Orndorff stated he would have the Firemen fly the flag at half mast for three days in memory of Council member Warfel.

Motion was made by Fink, second by McGee to adjourn this meeting there being no further business. Motion PASSED.

The time was 9:05 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Bill R. Dennis
MAYOR

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SPECIAL
CITY COUNCIL MEETING

July 11, 1990
4:00 p.m.

The Livingston City Council met in special session at 4:00 p.m., Wednesday, July 11, 1990 in the Council Chambers of the City-County Building. Council members present were George Ommundsen, Jody Fink and Bernice McGee with Mayor Bill Dennis presiding.

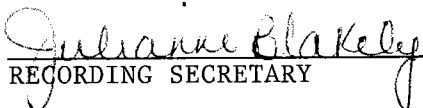
City Manager Orndorff requested to the Mayor the session go into Executive Session. The Chair declared the meeting closed to discuss a matter where the merits of individual privacy exceed the merits of public disclosure, pertaining to labor negotiations and personnel. The time was 4:02 p.m.

The meeting resumed at 5:15 p.m. Motion was made by McGee, second by Ommundsen to adjourn the meeting there being no further business. Motion Passed.

The time was 5:15 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


MAYOR

LIVINGSTON
CITY COUNCIL MEETING

July 16, 1990
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, July 16, 1990 in the Council Chambers of the City-County Building. Council members present were Jody Fink, Bernice McGee and George Ommundsen with Mayor Bill R. Dennis presiding.

Motion was made by Ommundsen, second by McGee that the minutes of the July 2, 1990 regular council meeting and July 11, 1990 special council meeting be approved. Motion Passed.

Motion was made by Fink, second by McGee to accept the bills and claims which had been listed in the amount of \$165,018.72. The Finance Officer clarified a question for Council member Fink. Motion Passed.

The Public Meeting on Solid Waste Rates continued from the last council meeting. Comments and questions asked by local residents and business owners were: Rob Campenella, Lee Harris, Ken Betley, Evelyn Chase, Mike Borgman, Francis Wood, Mrs. Faure, Dean Holmes, David Swart and Howard Harper. Discussion was made with Council members, City Manager and the public. City Attorney Jovick asked the City Manager to get the figures for Solid Waste in the budget to show the public where the money is spent. Motion was made by McGee, second by Ommundsen to approve Resolution No. 2199, A RESOLUTION APPROVING THE GARBAGE RATES FOR THE FISCAL YEAR 1990-1991 FOR THE CITY OF LIVINGSTON. The vote was one in favor, with Fink and Ommundsen opposed. DENIED.

Public Hearing of Resolution No. 2200, A RESOLUTION APPROVING A TAX BENEFIT FOR THE CONSTRUCTION OF THE PAMIDA DISCOUNT CENTER. No public comment was heard. Motion was made by Fink, second by McGee to approve this tax benefit. All in favor. PASSED.

Motion was made by Ommundsen, second by McGee to approve Resolution No. 2193, A RESOLUTION ANNEXING CERTAIN REAL PROPERTY TO THE CITY OF LIVINGSTON CONSISTING OF A ONE-FOOT WIDE PARCEL LYING ADJACENT TO U.S. 89 SOUTH. Andy O'Hair and Allen Nelson of the Rural Fire District protested this annexation. The vote was two in favor with Fink opposed. PASSED.

Motion was made by McGee, second by Fink to approve Resolution No. 2195, A RESOLUTION ANNEXING CERTAIN REAL PROPERTY WHOLLY SURROUNDED BY THE CITY OF LIVINGSTON TO THE CITY OF LIVINGSTON. Members of the Rural Fire District protested this annexation. All in favor. PASSED.

Motion was made by Ommundsen, second by McGee to approve Resolution No. 2197, A RESOLUTION ANNEXING CERTAIN REAL PROPERTY WHOLLY SURROUNDED BY THE CITY OF LIVINGSTON TO THE CITY OF LIVINGSTON. Members of the Rural Fire District protested this annexation. All in favor. PASSED.

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Motion was made by Fink, second by Ommundsen to approve Resolution No. 2201, A RESOLUTION APPROVING AN AGREEMENT DATED APRIL 2, 1990, BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND SIMMONS AND COMPANY. All in favor. PASSED.

Second reading of Ordinance No. 1667, AN ORDINANCE AMENDING SECTION 30.93 OF THE CODE OF ORDINANCES TO CHANGE THE CHANGE OF ZONE FEE FROM \$100 to \$300. All in favor. PASSED.

Motion was made by Fink, second by McGee that Ordinance No. 1660, AN ORDINANCE AMENDING SECTION 12-103 OF CHAPTER 12 ENTITLED "GARBAGE, TRASH AND WEEDS" OF THE CODE OF ORDINANCES be approved on first reading. Ernie Faure had a question and the City Manager clarified. All in favor. PASSED.

The Draft Partial Consent Decree between DHES and the LRC/MRL/Dennis R. Washington was received and is in the Finance Office. Also, the February Ground Water Sampling Results Report for the BN/Livingston Site was received and is in the Finance Office.

City Manager Orndorff reported on the Swimming Pool Manager's Report for June.

Water Hearing's for the proposed new wells will be held before Hearing Examiner Vivian A. Lighthizer at the Livingston City-County Building at 9:00 a.m. on August 14th & 15th.

A copy of the May 1990 Monthly Status Report from Envirocon is in the Finance Office.

Local citizen Joyce Mason wrote a letter to the City concerning sidewalk ramps and gutter plates for wheelchairs. The City is addressing the problem.

The Board of Crime Control ranked Police Departments with respect to their 1989 crime rate. The Livingston Police Department ranked 8th from the top.

A special council meeting was requested for July 20th, at 2:30 p.m., for the presentation of the proposed budget.

The Department of Fish, Wildlife and Parks assigned Royal Rice to work with the City on Mayor's Landing. He will meet with the City at 1:00 p.m., Friday, July 20th.

Enclosed in the packet was a letter and license application for Town Pump #1.

There were 15 new business licenses issued from June 16-30, and 11 new business licenses issued from July 1-12.

City Manager requested to Council what should be done with the weeds below Highground. This area is considered a City Park and it has never

been mowed before. Mayor Dennis told the City Manager to think about other options and report them at the next council meeting.

Complaints have been received regarding skunks and the traps that are used to trap them. Mayor Dennis suggested some research to other possibilities dealing with the skunks.

City Manager Orndorff questioned the Council on what figures should be used in the Solid Waste Department for preliminary budgeting this fiscal year, since the proposed rate was denied earlier in the meeting. Mayor Dennis directed the City Manager to prepare a new rate schedule to be voted on at the next regular council meeting.

Finance Officer Jeanne Hencz questioned City Attorney Bob Jovick if garbage collection could be added onto the July water and sewer bill. He stated, no it could not because the rate schedule has not been approved yet. August will have to have a double billing on garbage.

Council member McGee clarified that the City is not anti-business as someone had claimed. The City does try to help the businesses in the community whenever possible.

Council member Ommundsen questioned if the Fire Department was keeping watch of the alley's. Fire Chief Frederick reported they were.

Ommundsen also asked that the Code Enforcement job description be defined. Supt. of Public Services Ken Kastelitz clarified.

Supt. of Public Utilities Clint Tinsley reported the water rationing was still in effect. The water reservoir was only 1/3 full at this time.

Mayor Dennis announced that applications would be taken until July 31 for Councilperson to fill the vacated seat of Ed Warfel. Motion was made by Ommundsen, second by McGee. Motion Passed.

Motion was made by McGee, second by Fink to adjourn this meeting there being no further business. Motion Passed.

The time was 9:30 p.m.

ATTEST:

APPROVED:

Julianne Klatsky
RECORDING SECRETARY

Bill R. Dennis
MAYOR

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LIVINGSTON
SPECIAL CITY COUNCIL MEETING

July 24, 1990
2:30 p.m.

The Livingston City Council met in special session at 2:30 p.m., Tuesday, July 24, 1990 in the Council Chambers of the City-County Building. Council members present were George Ommundsen, Jody Fink and Bernice McGee with Mayor Bill R. Dennis presiding.

The purpose of the special meeting was to go over the preliminary budget.

City Administration reviewed the budget with the Council with discussion made throughout the meeting. Council felt consideration should be given to budget for a parking attendant and a code enforcement officer.

City Manager was directed to pursue connecting the siren at the top of the Fire Department Tower.

Motion was made by McGee, second by Fink to approve Resolution No. 2202, A RESOLUTION APPROVING THE PRELIMINARY BUDGET FOR FISCAL YEAR 1990-1991 FOR THE CITY OF LIVINGSTON. All in favor. PASSED.

Motion was made by McGee, second by Fink to adjourn this special meeting there being no further business. Motion Passed.

The time was 4:50 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


MAYOR

LIVINGSTON
CITY COUNCIL MEETING
PRELIMINARY BUDGET

August 6, 1990
7:00 p.m.

The Livingston City Council met in regular session at 7:00 p.m., Monday, August 6, 1990 in the Council Chambers of the City-County Building. Council members present were George Ommundsen, Jody Fink and Bernice McGee with Mayor Bill R. Dennis presiding.

Motion was made by Ommundsen, second by Fink that the minutes of the July 16, 1990 regular council meeting and July 24, 1990 special council meeting be approved. Motion Passed.

Motion was made by Fink, second by Ommundsen to accept the bills and claims which had been listed in the amount of \$285,389.31. Motion Passed.

A Public Hearing on the Fiscal Year 1990-1991 Garbage Rates continued from the last meeting with City Manager Orndorff explaining in detail the rate schedule. Questions and comments were heard from the audience with the City Manager answering their questions. Motion was made by Fink, second by McGee to approve Resolution No. 2199A, A RESOLUTION APPROVING THE GARBAGE RATES FOR THE FISCAL YEAR 1990-1991 FOR THE CITY OF LIVINGSTON. All in favor. PASSED.

A Public Hearing was held on the Rezoning of the Old Middle School and Westside School. Motion was made by Fink, second by McGee to vote on the Board of Adjustments decision. Supt. of Schools, Jim Kief spoke to the Council, requesting they not approve the City Board of Adjustments decision. Dan Indendi, Tim Krien and Ernie Faure also commented on the rezoning. After discussion was made with the Council, City Attorney Jovick requested that Councilmember Fink withdraw the motion and Councilmember McGee the second before the Ordinance was read. Motion was then made by McGee, second by Fink to approve Ordinance No. 1668, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP BY REZONING CERTAIN REAL PROPERTY FROM HIGHWAY COMMERCIAL ANDPUBLIC TO RIII, HIGH DENSITY RESIDENTIAL OF THE CODE OF ORDINANCES. The vote was three opposed. DENIED.

A Public Hearing was held on the Budget for the City of Livingston, Fiscal Year 1990-91. The City Manager Presented the Preliminary Budget to the Council with the following changes to be made:

Revenues:	CURRENT PROPOSED BUDGET	NEW PROPOSED BUDGET	INCREASE (DECREASE)
GENERAL FUND			
1000.322021	\$32,000	\$33,000	\$ 1,000
1000.323010	17,000	18,000	1,000
1000.335055	20,000	28,000	8,000
1000.341011	1,500	3,500	2,000

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1000.346010	1,000	4,000	3,000
	TOTAL REVENUES		\$15,000 Increase

Expenditures:

PARKING ATTENDANT

1000.420403.110	-0-	\$ 9,600	\$ 9,600
1000.420403.141	-0-	43	43
1000.420403.144	-0-	1,008	1,009
1000.420403.145	-0-	735	735
1000.420403.146	-0-	320	320

PERSONNEL

Parking Attendant	-0-	1/2	1/2
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PUBLIC WORKS ADMINISTRATION

1000.430100.391			
Weed Control	\$ -0-	\$ 400	\$ 400

PARK DEPARTMENT

1000.460430.110			
(Seasonal not hired until September)	\$11,440	\$ 9,440	(\$ 2,000)

Sprinklers

1000.460420.947	\$ 3,000	\$ 2,000	(\$ 1,000)
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Civic Center Water

1000.460420.343	\$ 1,500	\$ 800	(\$ 700)
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Swim Pool

1000.460445.221			
Pool Chemicals	\$ 3,500	\$ 2,000	(\$ 1,500)
1000.460445.343			
Water	\$ 2,500	\$ 2,000	(\$ 500)

FACILITIES

1000.411230.820			
Transfer to Lehrkind Building	\$ 8,420	\$ 3,594	(\$4,826)

TOTAL GENERAL FUND INCREASES (DECREASES)			\$ 1,580
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LEHRKIND BUILDING FUND

3003.396001	\$ 8,420	\$ 3,594	(\$ 4,826)
3003.411230.900	6,300	2,000	(\$ 4,300)
3003.490300.620	1,940	1,414	(\$ 526)

TOTAL LEHRKIND FUND (DECREASES)			(\$ 9,652)
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SEWER FUND

Administration-Travel

5310.430610.370	\$ 800	\$ 400	(\$ 400)
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Maintenance Crew

5310.430625.110	\$130,355	\$127,055	(\$ 3,300)
5310.430625.231	14,000	12,000	(\$ 2,000)
5310.430625.232	4,500	3,500	(\$ 1,000)
5310.430625.500	10,840	7,280	(\$ 3,560)

TOTAL SEWER FUND (DECREASES)			(\$10,260)
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No Public comments were heard.

Second reading of Ordinance No. 1660A, AN ORDINANCE AMENDING SECTION 12-103 OF CHAPTER 12 ENTITLED "GARBAGE, TRASH AND WEEDS" OF THE CODE OF ORDINANCES. Motion Passed.

Motion was made by McGee, second by Ommundsen to bring off the table, Ordinance No. 1657, AN ORDINANCE AMENDING SECTION 4-2 OF THE CODE OF ORDINANCE TO PLACE A LIMIT UPON THE NUMBER OF RABBITS AND CATS. Motion was made by McGee to approve this ordinance with the amendment, leaving 4 rabbits and eliminating the four (4) cats or more with the second by Fink. All in favor. PASSED.

City Manager Orndorff reported to the Council of the 59th Annual Montana League of Cities and Towns Conference to be held in Bozeman, Sept. 19-21.

AAA Pedestrian Protection Program awarded the City of Livingston the Pedestrian Safety Award for this year.

Complaints have been received on the Livingston Ditch. Fire Chief Frederick has addressed the issue of weeds and the wooden boards to the Livingston Ditch Board.

A letter has been received from Royal Rice, Project Manager for the Department of Fish, Wildlife and Parks, explaining the July 20th meeting at Mayor's Landing.

The Council has been invited to attend a demonstration of an Emergency Information System at 10:00 a.m., August 10th given by Bob Fry, Disaster & Emergency Services.

The Police Department received \$260.00 from the auction of various items.

Police Chief Bryce has started the hiring process for a Parking Attendent with a projected start date of August 16th.

Travis Chevallier was elected to a two year term on the Library Board of Trustees. The other members are Ed Thomas, Marge Warfield, Ethlyn Paris and Jane Haugen.

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Motion was made by McGee, second by Fink to charge the Annual Homemaker's Show \$150.00 for 3 days rental. Motion Passed.

The BNRR Attorney Leo Berry has been requested to draft an agreement with the City for the proposed new Gallatin Street water line.

The Department of Natural Resources and Conservation will hold water hearings in the Community Room of the City-County Building on August 14th for the Livingston Clinic Well and August 15th for the Billman Lane Well.

A pre-construction meeting with Oltrogge Construction from Absarokee Montana, is scheduled for August 13th at 10:00 a.m. in the Council Chambers. Work is to begin sometime during the week.

Councilmember Fink questioned if the State Department was in charge of the traffic lights on Park Street and feels the City needs some kind of traffic control at one of the intersections on Park Street. City Planner Valerie Counts stated she received a call from the Montana Highway Department requesting information concerning the Historical District and putting a traffic light at the intersection of Second and Park Streets.

Fink also questioned the watering of the Underpass Park, with Supt. Public Utilities Tinsley stating the Credit Union takes care of all the repairs, upkeep and the winterizing of the water line.

Supt. Public Services Kastelitz will look into the watering of G Street Park.

Councilmember Ommundsen suggested placing overhead direction signs on Park Street. Ommundsen also suggested a different type of drain system for the underpass.

Councilmember McGee questioned if there would be any money in the budget to put play ground equipment at the M Street Park besides a Merry-Go-Round.

Local citizen Ernie Faure complained to the Council concerning cars and trucks parking in the entrances to alley's. He feels there should be a 22 foot no parking zone either side of the alley entrance so the street would be visible.

Councilmember McGee asked if the \$50 deposit fee for a handicapped parking sign in front of the Sherwood Inn be waived. A person requested a handicap sign before the City had a policy, but the City did not have any signs on hand.

City Manager Orndorff is to set up interviews for Council applicants during the month, so a new Council person may start for the first meeting in September.

Mayor Dennis set the Final Budget Council Meeting for Monday, August 13, 1990 at 7:30 p.m. The meeting will continue at that time. The time was 8:57 p.m.

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LIVINGSTON
CITY COUNCIL MEETING
FINAL BUDGET

August 13, 1990
7:30 p.m.

The Livingston City Council continued their budget meeting at 7:30 p.m., Monday August 13, 1990. Council members present were George Ommundsen, Jody Fink and Bernice McGee with Mayor Bill R. Dennis presiding.

Motion was made by Ommundsen, second by McGee to approve Resolution No. 2203, A RESOLUTION RELATING TO PARTICIPATION IN THE WORKERS' COMPENSATION SELF-INSURANCE PROGRAM OF THE MONTANA MUNICIPAL INSURANCE AUTHORITY; APPROVING THE INDENTURE OF TRUST AUTHORIZING THE ISSUANCE OF BONDS BY THE AUTHORITY ON BEHALF OF THE MUNICIPALITY AND OTHER PARTICIPANTS; APPROVING THE DISTRIBUTION OF AN OFFICIAL STATEMENT RELATING THERETO; AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF A NOTE EVIDENCING THE MUNICIPALITY'S PROPORTIONATE SHARE OF PRINCIPAL OF AND INTEREST ON THE BONDS FOR THE CITY OF LIVINGSTON. Mr. Bob Worthington from MMIA was present to explain the program to the Council. All in favor. PASSED.

Finance Officer Jeanne Hencz presented the Final Budget to the Council with the following amendments:

EXPENDITURES	1990-91
	FINAL BUDGET
Road & Street Maintenance	\$ 143,603
TOTAL EXPENDITURES	\$1,640,726
CLOSING BALANCE	\$ 521,710
STREET DEPARTMENT	
.233 Street Materials	\$ 30,000
TOTAL EXPENDITURES	\$ 143,603

Other changes: Line item was added to the General Fund to transfer \$20,000 to the Library Fund in order to cover their budget shortfall. An agreement had been made with the Library at a previous meeting that the City's General Fund will have this line item and that it would not go over \$20,000 as long as the Library agrees to keep their budget at a minimum. This year's budget reflects \$10,500 in cuts made by the Library.

Finance Officer Hencz informed the Council that because of the Dept. of Revenue's errors, a certified mill levy is not available from the assessors Office; Therefore, the final budget tax levy requirements schedule is incomplete.

Motion was made by McGee, second by Fink to approve with amendments Resolution No. 2202, A RESOLUTION ADOPTING THE BUDGET FOR THE YEAR BEGINNING JULY 1, 1990, AND ENDING JUNE 30, 1991, 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. A Resolution setting the Mill Levy will be considered at the September 4th Council Meeting.

Members of the LIFE Committee, which included Warren McGee, Bill Leitch, Netzy Durfy, Clare Lemke and Dan Porter reported to the Council on what the Committee has been involved with in the last 14 months with the BN Cleanup. Bill Leitch asked the Council if they would have any recommendations for new members that would like to be involved with LIFE. Also, Mr. Leitch requested to the Council that they give Gretchen Rupp, the Environmental Engineer LIFE obtained for professional advise, a Letter of Commendation for the work she has given to this project and if the Council would approve of a \$150 compensation to Ms. Rupp for the volunteered out-of-pocket expenses she has incurred. He requested that Council also approve a professional fee to Ms. Rupp as her assistance is required. Motion was made by Ommundsen, second by Fink to approve these requests. Motion Passed. Clare Lemke spoke to the Council and explained what the LIFE Committee consisted of and how it helped the City.

Enclosed in the Council packet was a letter of commendation to Charles Counts and the Mountain View Cemetery.

City Manager Orndorff reported to Council on the Water Hearings, August 14th and 15th at 9:00 a.m. in the Community Room.

The City Manager will address the Administrative Rules for Solid Waste and other questions about the Solid Waste Program in a Work Session at 6:30 p.m. before the next Council Meeting August 20, 1990.

Local citizen Nadine Young complained of the garbage in the alley at her Mother's house at 218 S. F Street. She requested the City needed to take action on garbage racks and cans in the alley. Also, she complained of the dogs being left in the back of the Code Enforcement's vehicle on weekends, because of the barking and cars being parked for 8 hours at a time in front of her house.

Mike Owens from Livingston Bar and Grill and also representing the Park County Tavern Association spoke to the Council about his garbage rates. Mayor Dennis suggested Mr. Owens get with the City Manager and Supt. Public Services Kastelitz to get the problem solved.

Chief Bryce will be attending National Guard Camp September 9th through the 23rd.

City Manager Orndorff informed the Council about the television system the City has to check the sewer lines. Recently, City Crews have used the camera twice and both times have found problems in the sewer lines.

Mayor Dennis announced the meeting will go into executive session stating that the merits of individual privacy exceed the merits of

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public disclosure. The Council then went into executive session in regards to personnel matters.

Motion was made by Fink, second by McGee to adjourn this meeting there being no further business. Motion Passed.

The time was 8:43 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Bill R Dennis
MAYOR

LIVINGSTON
CITY COUNCIL MEETING

August 20, 1990
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, August 20, 1990 in the Council Chambers of the City-County Building. Council members present were Bernice McGee, George Ommundsen and Jody Fink with Mayor Bill R. Dennis presiding. City Attorney Jovick was absent.

Motion was made by Fink, second by McGee to approve the minutes of the August 6, 1990 Preliminary Budget Council meeting with an amendment to the Public Hearing on rezoning the two schools, adding: " Supt. Kief also informed the Council, the person who had submitted the bid for the 2 schools, has since withdrawn and the School District has refunded his money," and to approve the minutes of the August 13, 1990 Final Budget Council meeting. Motion Passed.

Motion was made by Ommundsen, second by Fink to accept the bills and claims which had been listed in the amount of \$48,954.97. Motion Passed.

City Manager Orndorff introduced Michael Shire and Laura Simon, of Quake Industries, and Rod Jorgensen, Finance Officer with the Montana Department of Commerce, to the Council. Quake Industries, incorporated in Montana, is a plastics manufacturing firm which uses the injection molding method to produce a variety of products from polymer beads. Shire stated that this is a "clean industry", and that minimal waste is generated in the production process. Therefore, Shire feels that this industry will have very little environmental impact. Quake Industries is interested in obtaining financing through the Montana Community Development Block Grant Program.

At this time, Rod Jorgensen went into considerable detail outlining the CDBG program. There are three categories in the program: economic development, housing and public facilities. The economic development category is designed to stimulate economic development activity by assisting the private sector in order to create or retain jobs for low and moderate income persons. CDBG funds are intended to be used in situations where a funding gap exists and alternative sources of public and private financing are not adequate. These funds are intended to complement conventional business financing techniques and those of other Federal programs such as the Economic Development Administration and Small Business Administration. Businesses are not eligible to apply directly to the State Department of Commerce for CDBG's. Eligible applicants are limited to local governments: Counties, Incorporated Cities and Towns, and consolidated City-County Governments. Interest rates for CDBG funded loans will generally be eight percent, but the Department of Commerce will provide a discount of one eighth of a percent (1/8%) for each permanent full time equivalent job created for low and moderate income persons over a two year period from the date of the grant award. In no case will the

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minimum allowable interest rate, including the job creation discount, be less than five percent. Local governments may apply more than once in a fiscal year for economic development and may be eligible to receive up to a maximum of \$375,000 in a fiscal year for economic development projects. Local governments are allowed to retain program income, any income earned from CDBG supported activities such as repayments of principal and interest from loans for economic development, at the local level if an acceptable program income plan is submitted with the application for the block grant. The local government must be able to demonstrate that it has, or can quickly develop, the capacity to set up and manage a revolving loan fund for economic development purposes. Administrative costs of up to eighteen percent of the total grant amount may be requested by the local government. In the event of default on the part of a loan recipient, the local government is not liable for the debt if the project has been properly monitored and managed according to the management plan. Loan applicants are required to submit a hiring and training plan. Job Service and/or HRDC may be enlisted to assist with management of this plan. The non-administrative CDBG cost per job to be created or retained for low and moderate income persons must not exceed \$20,000 per job.

Quake Industries is interested in borrowing \$140,000 through the CDBG program and indicated that a minimum of three low to moderate income jobs would be created the first year, with a minimum of five projected for the second year.

Motion was made by Ommundsen, second by Fink to approve the City to take the initial step with a public hearing for the block grant as discussed. The purpose of this hearing is to invite public comment, especially from low and moderate income residents, about the needs of the community. The City is not obligated to continue with the CDBG process following this first hearing. Should the City elect to proceed, pre-applications for economic development projects will be accepted for submittal to the State as long as funds for FY 1990 are available. Motion Passed.

City Manager Orndorff and the staff are talking with property owners between 12th and 14th Streets along Front Street concerning the installation of a water line.

The Hearing Officer's decisions on the two water well sites should be available in two weeks.

Staff is continuing with Parking Attendent interviews. A decision will be made in a couple of days.

Motion was made by Ommundsen, second by McGee to initiate the bid process for the new police car. Motion Passed.

Chief Bryce is on vacation through the 4th of September.

The City Manager will be on vacation September 5th through September 9th.

Envirocon's June & July 1990 Well results are on file in the Office.

City Manager is requesting all visitors and callers contact him after 10 a.m. to better document telephone calls and visitors.

There was a complaint about dogs being left in the back of the Code Enforcements pickup over the weekends. City Manager reported to the Council that after business hours or on weekends when an officer picks up a dog, the officer has the responsibility to feed and water the animal and if the animal is barking and a nuisance, the officer will take the truck to the City Shops until Dr. Colmey's office is open or the Code Enforcement Officer is on duty.

The Law Enforcement Academy has informed the City that Linda Fyffe has been accepted to attend the Investigating and Managing Animal Complaints program being held September 21-23, 1990 in Bozeman.

City Manager reported that when ever there is an alley complaint, for fairness, every property is looked at for compliance. More than one ticket may be issued for noted violations.

City Manager Orndorff reported on the Annual 1990 Montana League of Cities and Towns being held this year in Bozeman, September 20 & 21st. Councilmembers are encouraged to attend.

Mayor Dennis 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 closed session in regards to personnel matters.

Enterprise reporter Matt Gibson questioned the Council on when the Council vacancy would be filled. The City Manager stated the interviews would start this week.

Motion was made by McGee, second by Fink to adjourn this meeting there being no further business. Motion Passed.

The time was 8:20 p.m.

ATTEST:

APPROVED:

RECORDING SECRETARY



MAYOR

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VOID

LIVINGSTON
SPECIAL COUNCIL MEETING

August 23, 1990
2:30 p.m.

The Livingston City Council met in special session, August 23, 1990, at 2:30 p.m. in the Council Chambers of the City-County Building. Council members present were George Ommundsen, Jody Fink and Bernice McGee with Mayor Bill R. Dennis presiding.

The special session was called to interview applicants for the Council vacancy.

The five applicants were John Hiatt Jr., Tom Hard, Bill Costle, Richard Potter and Sandra Miller.

Council went into recess at 3:00 p.m. until the fifth applicant could be present. Council reconvened at 4:00 p.m.

Mayor Dennis 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 closed session to appoint a council member. The time was 4:10 p.m.

Council was back in session at 4:35 p.m. Mayor Dennis announced Richard Potter as the new Council member, with a vote of 2-1. Mr. Potter will be given the Oath of Office at the Sept. 4, 1990 Council Meeting.

Motion was made by Fink, second by McGee to adjourn this meeting there being no further business. Motion Passed.

The time was 4:40 p.m.

ATTEST:

APPROVED:

RECORDING SECRETARY

MAYOR

LIVINGSTON
CITY COUNCIL MEETING

September 4, 1990
7:30 p.m.

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The Livingston City Council met in regular session at 7:30 p.m., Tuesday, September 4, 1990 in the Council Chambers of the City-County Building. Council members present were Bernice McGee, George Ommundsen and Jody Fink with Mayor Bill R. Dennis presiding.

Motion was made by Ommundsen, second by McGee to void all action taken at the Special Council Meeting of August 23, 1990 and to declare the Council seat open. All in favor by unanimous vote of the City Council.

Motion was made by Ommundsen, second by McGee to postpone the appointment of a new Council Member until the September 17th Council meeting. Motion Passed.

City Attorney Jovick stated there would be no need to consider the August 23, 1990 Special Council Meeting minutes. Motion was made by Fink, second by McGee, that the minutes of the August 20, 1990 meeting not be approved. Motion Passed.

Motion was made by Fink, second by Ommundsen to accept the bills and claims which had been listed in the amount of \$28,759.03. Motion Passed.

A public hearing was held to change the zoning on a portion of a parcel located at 1200 W. Montana. City Planner Valerie Counts presented the zone change to the Council, with no public comments heard. Motion was made by McGee, second by Fink that Ordinance No. 1669, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY CHANGING THE ZONING DESIGNATION OF LOTS 1-16 OF BLOCK 22 OF THE PALACE ADDITION FROM I (INDUSTRIAL) TO RII (MEDIUM DENSITY RESIDENTIAL). ALSO THAT PORTION OF 12TH STREET BETWEEN MONTANA AND GALLATIN STREETS WHICH HAS BEEN VACATED BY THE CITY BE ZONED RII (MEDIUM DENSITY RESIDENTIAL), be approved on first reading. All in favor. PASSED.

A public hearing was held for public comment on the Montana Community Development Block Grant Program. City Planner Counts stated to the Council that the purpose of the first public hearing is to obtain views on the community's needs relative to housing, public facilities, and economic development. Posters and legal notice published in the newspaper encouraged low and moderate income individuals to attend. Counts gave brief background on housing and public facility needs in the City. Dale Siegle spoke representing the Park County Economic Development Corporation. He encouraged co-operation between this group and the City in promoting economic development. He also provided unemployment statistics and indicated that the Livingston Job Service is prepared to assist with administration of the hiring and training plan of a business that might receive block grant funding from the city in the future.

Motion was made by Fink, second by McGee to approve Resolution No. 2205, A RESOLUTION FIXING AND LEVYING A MILLAGE FOR THE ANNUAL TAX LEVY FOR THE YEAR BEGINNING JULY 1,1990 AND ENDING JUNE 30,1991 FOR THE CITY OF LIVINGSTON. All in favor. PASSED.

Motion was made by Ommundsen, second by Fink that Ordinance No. 1670, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO INCLUDE CERTAIN ANNEXED REAL PROPERTY IN THE VICINITY OF WILLOW AND WALNUT STREETS AND ZONING SAID REAL PROPERTY AS HC (HIGHWAY COMMERCIAL) USE, be approved on first reading. All in favor. PASSED.

Motion was made by Fink, second by McGee that Ordinance No. 1671, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO INCLUDE CERTAIN ANNEXED REAL PROPERTY IN THE VICINITY OF OAK STREET AND ZONING SAID REAL PROPERTY AS HC (HIGHWAY COMMERCIAL) USE, be approved on first reading. All in favor. PASSED.

Motion was made by McGee, second by Fink that Ordinance No. 1672, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO INCLUDE CERTAIN ANNEXED REAL PROPERTY BEING A NARROW STRIP OF LAND ADJACENT TO HIGHWAY 89 SOUTH AND ZONING SAID REAL PROPERTY AS HC (HIGHWAY COMMERCIAL) USE, be approved on first reading. All in favor. PASSED.

The Airport Board requested a meeting Wednesday, September 5th at 1:30 p.m. with the County Commissioners and the City Council to discuss Lark Unlimited dba Weather Observer Services, Unlimited.

City Manager Orndorff worked with the Middle School Principal to prepare a Civic Center Rent Calender for the current school year for physical ed classes. The school will be billed by the hour. The Principal has signed for 3 keys to the Civic Center. Motion was made by McGee, second by Ommundsen to approve the schedule with the Middle School for the current school year. Motion Passed.

Walkers will use the Lincoln School Gym from 7:30 - 10:00 a.m. during scheduled school days.

City Planner Counts will work part time during the months of September through June. Her hours will be:

Mondays 8 to 5
Tuesday through Thursday 8 to 12

Due to a September 1, 1990 deadline, City Manager Orndorff signed an application for the Livingston Depot Foundation, requesting a Cultural and Aesthetic Project Grant (Coal Tax Money) in the amount of \$29,800 through the Montana Arts Council. Orndorff qualified his endorsement of this grant application stating that Council approval would be required for the City to serve as the government unit sponsor. The grant would fund an Arts Education Program for the Depot Center. The City would receive \$1,920 for administrative costs the first year, and be responsible for overseeing management of grant funds. Motion was made by McGee, second by Fink to approve this application. Two in favor, Ommundsen opposed. PASSED.

Motion was made by Ommundsen, second by McGee to have the Depot Center furnish copies of their budget and audit to the City. Motion Passed.

The Hearing Officers' findings, concerning the August 14th and 15th hearings on objections to the well permits, have not been released.

Enclosed in the packet was a letter from the Head of the Center, PERM, USSR. Anyone interested in any of their programs is welcome to contact them.

The Montana Tavern Associations State Convention will be in Livingston during September 10th through the 13th. Council member Ommundsen commended who provided the information with what Livingston has to offer visitors.

Marjorie Ruggles sent a note to the City Manager complimenting the City and employees on the improvements at the Sewer Plant.

The Police Department will use the Building Inspector's Cheverolet Nova for a trade in on their new police car. The Building Inspector will now have the police car that was being replaced. \$2,000 will be transferred from the Building Inspector's capital outlay to the Police Repair & Maintenance Budget. The balance of the Building Inspector's Capital Outlay for a vehicle will be transferred to the Building Inspector's parts and service line items. A resolution will be prepared for the next council meeting for this transfer.

City Attorney Bob Jovick stated the City has to recognize all out of town bidders.

A computer system which has been budgeted for Judge Travis will be purchased from IBM and delivered to G. Spears in Helena who will program the computer. Council member Fink stated she would like to see the Supreme Courts order for all judges to now have computers. City Manager read this information for Fink.

The Rural Technical Assistance Program (MSU) will enter the Microcomputer Data Management System Program on the computer when the Public Works Departments purchase their computer hardware.

The State Water Quality personnel has encouraged the City to become computerized and were entering our data on their computer discs. The software program will be given to the City with the stored data when computer hardware is purchased for the Waste Water Treatment Plant.

Engineering work is in progress with the Front Street Project. The City employees will do the work. Actual digging could start during November.

Motion was made by Ommundsen, second by Fink to proceed with the bidding process for the cleaning of the 140,000 gallon digester at the Waste Water Treatment Plant and to proceed with the Edgewater Lift Station/Sewer Line Project which would consist of eliminating the lift

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station, extending the sewer main and connection to the 8th Street and River Drive Lift Station.

The Water Maintenance Crew have repaired the leaking fire hydrant on Carol Lane. The Glenn Water Users Association approved this work on August 30th and the City will bill the association for work and materials.

City Manager reported the Library's 1989-1990 Annual report. Council member Fink questioned what Personal Services were. Finance Officer Hencz clarified that the Library Director had separated Employees Contribution from Salaries. Fink also questioned the Janitor from Salaries to Maintenance Contract with a difference of \$8000. City Manager will look into this and give a report.

Superintendent of Public Utilities, Clint Tinsley has prepared a scheduling calendar for the following year. It is posted on the wall next to his desk in the office.

City Manager brought up the possibility of the garbage trucks using portable scales for weighing garbage. Council members Fink and Ommundsen had questions on accuracy and how many would be needed. Supt. of Public Services, Ken Kastelitz stated the scales would be checked with the scales at the incinerator which have State Seals on them and two scales would be needed. Council felt they would be useful.

City Manager would like to meet with the City Attorney and Supt. of Public Services to refine the Solid Waste Administrative Rules. The rules would be presented to Council to be approved by motion.

Council member Ommundsen questioned if there could be something done if garbage was placed in someone else's garbage containers. City Attorney stated this would be a violation of the Ordinance that is written.

There was some confusion as utility bills were being paid. Some business owners that attended the 1st public hearing, thought those rates had passed. Others that attended the 2nd public hearing thought those were the rates that passed. There have been lots of questions being answered.

Margaret Jacobson was announced as the new Parking Attendent.

The City Manager will be on vacation next week, September 10-14th.

There was an objection from a door to door merchant from Billings, who was very vocal. The City Manager was not able to contact him when he tried the merchants 800 telephone number.

Council member Fink would like a microphone for the Mayor.

Council member McGee asked the City Manager to explain how the \$10 a month garbage fee would work and how the Tax Bill held up the City's money on garbage for at least five months.

Council and City Attorney would like a block article be placed in the news paper explaining the garbage being taken off the tax bill.

Motion was made by McGee, second by Fink to adjourn this meeting there being no further business. Motion Passed.

The time was 9:05 p.m.

ATTEST:

APPROVED:

Julianne Blakey
RECORDING SECRETARY

Bill R. Hennis
MAYOR

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LIVINGSTON
CITY COUNCIL MEETING

September 17, 1990
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday September 17, 1990, in the council chambers of the City-County Building. Council members present were George Ommundsen, Jody Fink and Bernice McGee with Mayor Bill R. Dennis presiding.

Mayor Dennis announced he would now accept nominations for the Council position. The Mayor asked for nominations of Mr. Costle, Mr. Hard, Mr. Hiatt, Mrs. Miller, Mr. Potter, Mr. Loftice, Mr. Harris and Mr. Craig. Motion was made by Ommundsen to nominate these individuals. Mayor Dennis asked for further nominations. Council member Fink moved the nominations be closed, second by McGee. Motion to close nominations passed. After discussion Mayor Dennis called for roll call with the Council naming their candidate with Council member Fink and Ommundsen voting for Lee Harris and McGee voting for John Hiatt. The vote being 2-1, the chair declared Lee Harris the new Council Person upon being sworn in at a later date.

Motion was made by Ommundsen, second by Fink to approve the minutes of the September 4, 1990 Council Meeting. Motion Passed.

Motion was made by Fink, second by McGee to accept the bills and claims which had been listed in the amount of \$43,653.49. McGee questioned voucher No. 2213-Yellowstone Locksmith for keys to the National Guard. Supt. Public Services Kastelitz stated this was for the back door of the Civic Center. Fink questioned voucher No. 2200, a subscription to a network. Acting Police Chief Gillett stated this subscription was for the Law Enforcement. Motion Passed.

A public hearing was held on a tax benefit for the Livingston Rebuild Center. Steve Swick spoke to the Council on behalf of the LRC. Questions were raised from Council members Fink, McGee and Ommundsen, City Planner Valerie Counts, Bill Hughes and Ernie Faure. Motion was made by McGee, second by Ommundsen to approve Resolution No. 2204, A RESOLUTION APPROVING THE APPLICATION OF THE LIVINGSTON REBUILD CENTER FOR NEW OR EXPANDING MANUFACTURING INDUSTRY PROPERTY IMPROVEMENTS OR MODERNIZED PROCESSES FOR THE CITY OF LIVINGSTON. All in favor. PASSED.

Motion was made by Ommundsen, second by Fink to approve Resolution No. 2207, A RESOLUTION TRANSFERRING OF \$2,000 IN FUNDS FROM THE BUILDING INSPECTOR'S DEPARTMENT ACCOUNT # 1000.420403.900 FOR THE PURCHASE OF A 1985 DODGE DIPLOMAT POLICE CAR TO THE LAW ENFORCEMENT ACCOUNTS OF CAPITAL OUTLAY, REPAIR AND MAINTENANCE SUPPLIES AND REPAIR AND MAINTENANCE SERVICE FOR THE CITY OF LIVINGSTON. All in favor. PASSED.

Motion was made by McGee, second by Fink to approve Resolution No. 2208, A RESOLUTION APPROVING THE AFSCME LOCAL 2711 CONTRACT FOR THE CITY OF LIVINGSTON. All in favor. PASSED.

Second reading of Ordinance No. 1669, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY CHANGING THE ZONING DESIGNATION OF LOTS 1-16 OF BLOCK 22 OF THE PALACE ADDITION FROM I (INDUSTRIAL) TO RII (MEDIUM DENSITY RESIDENTIAL). ALSO THAT PORTION OF 12TH STREET BETWEEN MONTANA AND GALLATIN STREETS WHICH HAS BEEN VACATED BY THE CITY BE ZONED RII (MEDIUM DENSITY RESIDENTIAL). All in favor. PASSED.

Second reading of Ordinance No. 1670, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO INCLUDE CERTAIN ANNEXED REAL PROPERTY IN THE VICINITY OF WILLOW AND WALNUT STREETS AND ZONING SAID REAL PROPERTY AS HC (HIGHWAY COMMERCIAL) USE. All in favor. PASSED.

Second reading of Ordinance No. 1671, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO INCLUDE CERTAIN ANNEXED REAL PROPERTY IN THE VICINITY OF OAK STREET AND ZONING SAID REAL PROPERTY AS HC (HIGHWAY COMMERCIAL) USE. All in favor. PASSED.

Second reading of Ordinance No. 1672, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO INCLUDE CERTAIN ANNEXED REAL PROPERTY BEING A NARROW STRIP OF LAND ADJACENT TO HIGHWAY 89 SOUTH AND ZONING SAID REAL PROPERTY AS HC (HIGHWAY COMMERCIAL) USE. All in favor. PASSED.

Motion was made by McGee, second by Fink to approve the bid from Whiting Motors for the Police Car in the amount of \$15,700 with trade in of the City's 1978 Chevrolet Nova. Council member Fink asked that more options be looked into on future bids. All in favor. PASSED.

City Planner Counts and Building Inspector Tim Parks have prepared a map of Willow, Walnut and Oak Streets that were recently annexed into the City. They presented a plan to rename these streets. City Attorney Jovick stated all property owners will need to be notified and a public hearing held.

Mayor Dennis proclaimed the week of October 1-5 as Fire Prevention Week.

Counterpoint, Inc. requested that the City Council waive the curb and gutter requirements and the building permit for the new group home located at 9th & Summit Streets. City Planner Counts and Building Inspector Parks summarized the request for the Council. Jon Hess, Secretary and Bob Visscher, Director for Counterpoint, spoke on behalf of the group home. Counterpoint received a grant to help construct the group home and the money saved by having these fees waived would help furnish the home with the special equipment needed for handicapped persons. Motion was made by Fink, second by McGee to waive the building permit. Motion Passed. Motion was made by Fink, second by McGee to waive the sidewalk curbs and gutters. Motion Passed.

Officer Wadsworth has successfully completed his probation and was advanced to Police Patrolman.

Officer Raney has completed one year of service, with an additional six months placed on his probation. Because of his fine performance, he was advanced to Police Patrolman.

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The new part-time accounting clerk in the Finance Department is Karen Leitch.

The Council heard Finance Officer Hencz explain the change to the Utility Billing System. Utility billing forms are on order.

The Livingston Memorial Hospital Staff will take blood pressure and cholesterol tests in the East Room as partial recognition of September being National Cholesterol Month.

An application for transfer of ownership of an all-alcoholic beverage license has been received from the Department of Revenue in the name of Whiskey Creek, formerly Sally's Saloon. The Revenue Department would need to be notified by September 24, 1990 if any deficiencies exist.

Librarian June Phillips was present to answer questions there might be on the Library's Custodial Services. Mayor Dennis asked Supt. Public Services Kastelitz if he would have a extra worker for shoveling of the Library walks in the winter. Kastelitz stated he only had three men, and would have to wait until winter to find out. Council member Ommundsen questioned the air conditioning at the Library. Librarian Phillips stated a fund drive was in the process and they would be applying for a grant to pay for items that were not budgeted.

Motion was made by Ommundsen, second by Fink to accept Municipal Services', Inc. bid in the amount of \$10,000 for cleaning of the Digester at the Waste Water Treatment Plant. This bid was under budget.

Supt. of Public Utilities Tinsley briefed the Council on four projects that are in the process:

Billman Creek Well is approximately 6 feet from completion of being drilled. The Clinic Well has not been started at this time. The water main from the Clinic Well is now being installed. Digging will start on 14th Street the middle of the week.

Tinsley will meet with engineers working on the Front Street Project Thursday, to obtain estimates of the job.

The Edgewater Lift Station will be bid out this week. A recommendation will be brought to the Council next meeting.

The Lewis Street Project started today with work being done by City employees. Work will start from 10th to 12th Streets on Lewis Street. The old line will still maintain water to the customers while the new line is installed. Following successful testing of the new lines, the old line will be connected to the new line.

Tom Olson has successfully completed his probation period and was appointed Maintenance Worker II for the Sewer/Maintenance Department as of September 16, 1990.

City Planner Counts requested to the Park County Commissioners, to waive the fees for the Floodplain Development Permit for the developing of a fishing access site at Mayor's Landing. The Commissioner's waived this fee.

The School District stated, by letter, the desire to place a plaque in the new middle school. The plaque is to express its appreciation to the Council.

Motion was made by McGee, second by Fink to allow Sacajawea Park's road closed to traffic on Sunday, September 30, 1990 from 12:30 to 5:00 p.m. to hold a bike-a-thon to benefit St. Jude Children's Research Hospital. This request was submitted by Diana Whithorn. Motion Passed.

City Manager Orndorff proposed to Council that the minimum for sewer usage be lowered to 3,000 gallons instead of the present 5,000 gallons. Fink questioned if a sewer increase would be used only in the sewer Department. Tinsley stated it would. The sewer department does not have any type of maintenance programs in progress at this time and an increase would start a small program for this department.

A computer that has already been approved will be purchased from the sewer accounts for the Waste Water Treatment Plant.

There will be a LIFE Committee Meeting, Wednesday at 7:00 p.m. in the Community Room.

The Montana League of Cities and Towns Convention will be in Bozeman at the Holiday Inn Thursday and Friday, September 20th and 21st.

Council member Ommundsen questioned Supt. of Public Services on the scales for garbage. Kastelitz stated different types of scales were being looked into and when more information was available, he would bring it to Council.

Ommundsen also questioned how the underground sprinkler system was progressing at the park. Kastelitz said there were a few problems, but once the pump was installed, they would start laying the pipe.

Metal pickup would be conducted Monday and Tuesday, September 17th & 18th. Anyone having metal they would like the City to haul to the dump should call the City Offices.

Ernie Faure questioned what the ordinance was concerning vehicles parked in alley's without a current license. Acting Police Chief Gillett stated the residential district is checked regularly. Any vehicles on private property are not cited. Junk vehicles are turned over to the Code Enforcement Officer.

Also, Faure asked about the street lights in his area. He would like to see brighter lights put in. This has been looked into before with Montana Power and the City Manager will look into it again.

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Motion was made by Ommundsen, second by Fink to adjourn this meeting there being no further business. Motion Passed.

The time was 9:08 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Bill B. Dennis
MAYOR

LIVINGSTON
CITY COUNCIL MEETING

October 1, 1990
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, October 1, 1990, in the council chambers of the City-County Building. Lee Harris was given the Oath of Office as the new Council member. Council members present were Lee Harris, George Ommundsen, Jody Fink and Bernice McGee with Mayor Bill R. Dennis presiding.

Motion was made by McGee, second by Fink to approve the minutes of the August 20th regular council meeting and the minutes of the September 17, 1990 regular council meeting. Motion Passed.

Motion was made by Ommundsen, second by Harris to accept the bills and claims which had been listed in the amount of \$62,030.16. Fink questioned voucher no. 2311, a subscription to the Livingston Enterprise. Finance Officer Hencz stated that articles are used for references and scrape book. Voucher no. 2327, Honeywell, this is a prepayment for the elevator. Voucher no. 2362, Computer Land in Bozeman was the only store that carried the type of disc that was needed for a computer problem. Voucher no. 2363, Office Stop in Bozeman used when the office can get the best prices. Voucher no. 2364, a physical that was requested by the City. Motion Passed.

Resolution No. 2210, A RESOLUTION OF INTENT TO ANNEX CERTAIN REAL PROPERTY WHOLLY SURROUNDED BY THE CITY OF LIVINGSTON KNOWN AS THE MOORE PROPERTY. City Planner Valerie Counts had previously reported on the agenda report that this would be an expenditure. Actually this property is already on City water and sewer. Mayor did not ask for a motion and this will be discussed at the next meeting.

Motion was made by Ommundsen, second by Fink to approve Resolution No. 2212, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE MONTANA RAIL LINK, INC. AND THE CITY OF LIVINGSTON. All in favor. PASSED.

Motion was made by McGee, second by Fink to approve Resolution No. 2213, A RESOLUTION APPROVING AN AGREEMENT ON THE D.A.R.E. PROGRAM BETWEEN THE COUNTY OF PARK AND THE CITY OF LIVINGSTON. All in favor. PASSED.

A letter was received from Patti Miller of the Park County Tavern Association, stating the M.T.A. Convention that was recently held in Livingston, had the best turn out in 50 years.

The City has received a PROPOSAL FOR DECISION from the Hearing Examiner on the 2 new wells. If no objections are heard within 20 days, these will become the final permit. The proposals are on file in the City Office.

Certificates of Completion were given to Becki Crosby and Sandy Wulf for participating in a TABS II Advanced Users Seminar in Belgrade.

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Finance Officer Jeanne Hencz prepared a letter of commendation to Becki Crosby, recognizing her as an outstanding employee.

BN Attorney, Leo Berry and City Attorney Jovick are working on an agreement for the proposed water line to the Waste Water Treatment Plant.

Enclosed in the packet was a humorous article on the wind farms in Palm Springs, stating wind farms were annexed into Palm Springs and increased revenues for the City by nearly \$2 million a year.

City Manager has sent a letter to Recreational Leasing, Inc. requesting information on the 15 items that the City qualified by motion accepting the three projects. Also, curbs are to be painted yellow and "No Parking" signs to be installed on Centennial Drive. So far the City has not heard from Recreational Leasing, Inc.

The LIFE Committee met on September 19th. The City Attorney was present to represent the City with discussion on testing for soil gas in residential areas.

City Manager reported to Council, he has a large selection of magazines in his office, if anyone is interested in any of the articles, they are welcome to use them.

City Manager and Finance Officer attended the League of Cities and Towns Meetings in Bozeman and found them to very informative. One item the City Manager mentioned was it took two years and \$100,000 to develop a landfill and in a few years it will cost \$1,200,000.

City Manager Orndorff explained the League of Cities and Towns proposed resolutions that might go before the legislature. Orndorff questioned the Council if they would be interested in meeting with the candidates that would be running for the legislature. He also stated Alec Hansen, Director of the League of Cities and Towns is willing to attend this meeting. The Council agreed on a meeting.

City Manager will be out-of-town October 25th - 30th.

City Planner up-dated the Council on the Mayor's Landing Fishing Access Site/Boat Ramp Project. All permits are approved except for the Floodplain Development Permit from the County. The Floodplain Administrator will not issue this permit until the fill violations are cleaned up. Written notice of this violation was received September 25, 1990.

Supt. of Public Utilities Tinsley explained about the two possible new sludge application sites.

The cleaning of the 140,000 gallon Digester at the Waste Water Treatment Plant is expected to start around October 15, 1990 according to Tinsley. He stated there will be an odor for 2-3 weeks while this is being cleaned.

Council member Ommundsen stated that a day should be set, for all council members to tour the Waste Water Treatment Plant and observe procedures. Supt. Tinsley offered to show them any of the City's functions.

City Manager addressed a citizen's request with a letter to Montana Power Company questioning the lighting level on South Yellowstone and Lewis Streets. Montana Power has not be able to accomplish vapor sodium lighting and they feel some of the loss of ground illumination could be due to the increased foilage growth from boulevard trees.

Ernie Faure was present and clarified that he did not request more lights on Yellowstone Street, but vapor sodium lighting for brighter lamination. City Manager Orndorff stated he would have this specifically addressed.

Motion was made by Fink, second by McGee to approve the bid for the Edgewater Lift Station/Sewer Line Removal from Johnston Exc. Inc. of Bozeman in the amount of \$34,977.50. Other bids were as follows:

GoPro Construction-Billings
\$64,000.00

Sime Construction-Bozeman
\$39,991.00

Mainline Construction-Billings
\$59,717.00

Valley Construction-Billings
\$42,103.01

Council members Fink and Harris questioned if the City was familiar with this Company and remarked on the price difference between companies. Supt. Tinsley stated the engineers estimate was in the amount of \$31,000. Tinsley also stated, Johnston Exc. Inc. put in the water and sewer lines at the Armory and they did a very good job. They have done other work in the city with good reports. All in favor.
PASSED.

The City Planner has sent letters to property owners that were recently annexed into the City and are on streets to be renamed. A public hearing is scheduled for the next council meeting.

Supt. of Schools, Jim Keef requested the City Manager and County Commissioners to use equipment and men for their soil project at the Middle School. Dirt will be brought in from East of town and the School District will supply gas. Work will take about 2 days.

The proposed Solid Waste Administrative Rules were included in the addendum and explained by the City Manager. A public hearing and resolution will be held at the next council meeting. City Staff is reviewing truck scales. Council member Harris asked that consideration be given to residents disposing of their own tires at the incinerator.

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City Manager reported the City had not received a tax check from Park County for July and August 1990. Approximately \$400 of interest was lost. A letter was written to the Commissioners and a check was received Monday morning for July's taxes. August tax monies were not received. City Manager will pursue loss of interest.

Council member Ommundsen questioned the sprinklers at Sacajawea Park. Council member McGee stated the water pump was rejected and until an acceptable pump is received, no further work will be done.

Ommundsen inquired about the drainage problems on I Street. Tinsley stated City crews have patched the holes, sidewalks and storm drains as a temporary fix.

Council member Fink questioned if Lewis Street was to be paved upon completion of work between 10th and 12th Streets. Tinsley reported the patch would be repaved. Fink was concerned about the dip in the street on 10th. Tinsley said this dip was concrete and could be this deep for drainage. He did not know if anything could be done, but would investigate.

The City Manager reported that a 10" Tee disappeared from the pipe trailer at the Lewis Street Project.

Council member McGee questioned why nothing has been done with the Civic Center roof. Each year it is put off. The roof is in need of repair and would like to know when work will be started. City Manager stated that there would be the possibility of starting in the spring, being the fall is not the best time to work on roofs. Council member Harris stated the spring was the best time to start on a roof and not the fall.

Also, McGee questioned why the street sweeper is going around vehicles and no tickets are issued. City Manager stated the sweeper schedule is only through August, and is not on a definite schedule now.

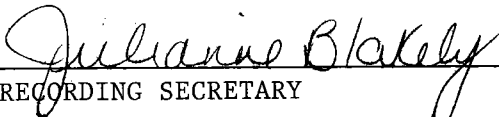
Council member McGee reported there was a trailer full of garbage in the alley between 5th and Yellowstone Streets on Front Street. City Manager stated this would be addressed.


Motion was made by Ommundsen, second by Harris to adjourn this meeting there being no further business. Motion Passed.

The time was 9:00 p.m.

ATTEST:

APPROVE:


RECORDING SECRETARY


MAYOR

LIVINGSTON
CITY COUNCIL MEETING

October 15, 1990
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, October 15, 1990 in the council chambers of the City-County Building. Council members present were Bernice McGee, Lee Harris, George Ommundsen and Jody Fink, with Mayor Bill R. Dennis presiding.

Motion was made by Ommundsen, second by McGee to approve the minutes of the October 1, 1990 regular council meeting. Motion PASSED.

Motion was made by Fink, second by McGee to accept the bills and claims which had been listed in the amount of \$46,680.31. Fink questioned voucher no. 2416, from Viking Office Products. Fink asked that the Finance Officer give her some comparable figures on savings. Motion PASSED.

A public hearing was held on Resolution No. 2209, A RESOLUTION RENAMING THE STREETS OF WILLOW, WALNUT AND OAK WITHIN THE CITY OF LIVINGSTON. No public comments were heard. Motion was made by McGee, second by Ommundsen to approve this resolution. All in favor. PASSED.

Motion was made by Fink, second by McGee to approve Resolution No. 2210A, A RESOLUTION OF INTENT TO ANNEX CERTAIN REAL PROPERTY WHOLLY SURROUNDED BY THE CITY OF LIVINGSTON KNOWN AS THE MOORE PROPERTY. All in favor. PASSED.

Motion was made by Ommundsen, second by McGee to amend and approve Resolution No. 2214, A RESOLUTION APPROVING THE SOLID WASTE ADMINISTRATIVE RULES FOR THE CITY OF LIVINGSTON. Superintendent of Public Services Kastelitz, responded to questions and participated in the discussion. Mark Bolin of the Enterprise, asked if there was a charge for the extra garbage accumulated following a holiday, if the dumpster was overflowing. City Attorney Jovick stated the Solid Waste Administrative Rules could be amended to include this as item No. 14, stating "No extra billing shall be imposed due to lack of City pickup due to City holiday". All in favor. PASSED.

Motion was made by Fink, second by Ommundsen to approve Resolution No. 2215, A RESOLUTION TRANSFERRING OF \$4000 IN FUNDS FROM THE SOLID WASTE RESERVE FUND 5410.102130 TO CAPITAL OUTLAY, 5410.186000 FOR THE PURCHASE OF SCALES FOR THE COMMERCIAL SOLID WASTE COLLECTION TRUCK FOR THE CITY OF LIVINGSTON. Supt. Kastelitz explained the "Load Cell Scale". Kastelitz answered questions and clarified points. The incinerator Board of Directors discussed an extra charge for individual firm weighings and the scales are a necessity. All in favor. PASSED.

Resolution No. 2216, A RESOLUTION APPROVING A CONTRACT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND JOHNSTON CONSTRUCTION FOR THE EDGEWATER LIFT STATION was read, with City Attorney Jovick stating "FOR THE

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EDGEWATER LIFT STATION" be deleted from the Resolution. The 8th Street Sewer/Joint Venturers spokesperson, Natalie Jenkins, addressed the Council with their concerns. Others in the discussions that followed included Council members, property owners with interests in the liftstation, local citizens, City Attorney, City Manager, Supt. of Public Utilities Tinsley, City Auditor Alan Tronson, and engineer of the project, Karl Helvick of Morrison Maierle/CSSA of Bozeman. After a lengthy discussion, motion was made by Harris, second by Fink to TABLE the Resolution at this time. All in favor. PASSED.

City Planner Valerie Counts presented a variance request from D.W. Shuyler, requesting a five foot side yard requirement of the Zoning Ordinance. Mr. Shuyler spoke on his behalf. The City Board of Adjustment recommends denial of this request stating it does not prove observable hardship. Motion was made by Fink, second by McGee to approve the Boards recommendation. The vote was two in favor, Harris and Ommundsen opposed, with Mayor Dennis breaking the tie with a yes vote. Request DENIED.

City Planner Counts presented Phil Young's application submitted to the City-County Planning Board. Mr. Young would like to divide his property and a neighbor is interested in buying the divided vacant lot to park a recreational vehicle. Motion was made by Fink, second by Harris to approve the Board's recommendation for the minor subdivision. Motion PASSED.

Mayor Dennis proclaimed October as National Cosmetology Month.

City Manager Orndorff stated a public discussion will be held Wednesday, October 24th at 7:30 p.m. in the Council Chambers for the purpose of City Council to meet with the Candidates running for State Legislature. Subject of discussion will be the League of Cities & Towns' resolutions proposed for enactment into law.

Parking Attendent Margaret (Peggy) Jacobson was granted permission to work part-time at Anthony's.

Results of August 28th test of SEWAGE TREATMENT FACILITY WELL and August 29th tests of the B and D Street Wells were received. The two municipal wells had no detectable concentrations of VOCs or TPHs. The Sewage Treatment Well did have detectable contamination. Results are on file in the City Office.

City Manager reported 64 business licenses were issued during the months of July, August and September.

Liquor license applications have been received from the Department of Revenue for the Exxon Mini Mart and Livingston Cenex. If anyone objects to these applications, written protests need to be received by November 9th in Helena.

Jim Nardella requested to install a walk-in door to the shop he rents from the City at the Lehrkind Building. His request has been approved and installation will be at the renter's expense.

City Manager commented on the Middle School's water main line work. The contractor doing the work should not request a Council member to do something for the contractor's benefit. Refer the contractor to the City Manager or one of the Superintendents.

Updates were given by Supt. Public Utilities Tinsley on the following:

1. The Company that is going to clean the Digester at the Waste Water Treatment Plant arrived today. They had problems with their equipment and had to return to Billings to get different type of piping so they can continue the job.

2. The Clinic Well has not been pumped or tested yet. Final testing of the Clinic and Billman Wells will start in the next couple days. Pipe will be layed the end of this week. The Well buildings will be started within the next two weeks.

3. Estimated costs were received for the Front Street Water Line Project. A letter, with costs, was written to involved property owners, but have not been delivered. One concern the State has with the plans is hooking an 8" main to a 4" main. Because of the small main, the State will limit how many fire hydrants would be allowed on the larger line. Additional fire hydrants could not be added until the 4" main is replaced with a larger line. The 4" main is part of a three year replacement program.

4. Tinsley reported that barricades and the blinking lights have been disappearing during the water main breaks in the last couple weeks. Only one blinking light is left. Supt. Kastelitz and Street Foreman Bergsing are designing a cage to enclose the lights and attach to the barricades.

Mayor Dennis questioned if the asphalt work on the Lewis Street Project was accomplished. Tinsley stated the entrances to the alleys and driveways were not included in the project and City crews must finish that work as workload permits.

There was a Pre-Construction Meeting with the School Board. Steve Koontz Construction is working on Phase II of the water main project. Department of Fish, Wildlife and Park's, Brad Shepherd was also present and stated Fleshman Creek could not be lowered more than halfway. Councilmember McGee questioned if dirt was being placed in Fleshman Creek. Tinsley stated it was and the School's contractor would have to take the dirt out when the project is completed.

A tentative schedule was discussed for Council to visit City facilities. The first visit will be at the Waste Water Treatment Plant on October 27th.

The Park County Drug and Alcohol Task Force has donated \$600 to DARE. The money is for educational materials.

Enclosed in the packet were letters from Supt. Tinsley, thanking Peggy Glass for an outstanding job during the recent water main breaks;

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Ken Kastelitz, Jerry Parsons and Craig Hahn for their help during the water main breaks.

The Director of the Refuse District wants to start charging when the City uses the scales. City Manager will write a letter to the Refuse District.

Sewer bills for tourist oriented and seasonal businesses can be billed on the actual amount of water used during that months billing period. This process will start in January.

Last Council meeting the City Manager mentioned the problem pertaining to tax checks from the County. Computer problems have caused the August's tax check to be delayed for a few more days.

The Fire Department had some tools taken from the station. The tools were recovered and locks will be changed at the Fire Station. Please use the Law Enforcement entrance and not the Fire Station when entering and exiting the building.

The County Commissioners contacted the State Highways about changing the speed limit south of town. There will be a meeting in Livingston in the future to discuss the speed limit. The City's two requests were not forwarded to the appropriate office in Helena.

Landon Blatter would like to paint house numbers on the curbs for his Eagle Scout project. He would need to get the homeowners permission, and then paint a white background on the curb and use a florescent pigment paint, preferably red for the numbers.

Netzy Durfey from United Way of Park County will be contacting City employees for donations.

City Manager would like to establish a policy concerning financial direction for budgetary and planning purposes. Discussion was with recognizing inflation and cost of living expenses and what approach to take. Federal Laws, regulations, and money are the influencing factors for the Enterprise Funds. The Federal Government is requiring more things of these funds (tests - many more tests than in the past), but it is the City that must pay for these things. This payment is made utilizing money generated by rates. The forecast is that the Sewer Fund and the Water Fund will have to make tests in 1992 that will necessitate the expenditure of \$1,000 per month from each fund. The current Middle East crisis increased fuel costs and other items i.e. plastic pipe. Auditor, Alan Tronson questioned Supt. Public Utilities Tinsley about his budget including the proposed 9% rate increase. Tinsley stated if the 9% was not approved, the budget must be cut. Motion was made by McGee, second by Fink to approve the advertisement of the water and sewer increase and a public hearing held on the Nov. 5th Council meeting. Motion PASSED.

Council member Ommundsen reported the stop sign was gone from the top of the short hill, at W. Gallatin and N. 2nd Street.

Ommundsen questioned City Planner Counts on the planned traffic signal for Park Street and 2nd Street intersection. Counts stated the State is looking for a Plat with the right-of-way for the Highway. It will also have to go before the Design Review Committee as it is in the Historical District.

Council member Fink questioned if there was a way to move the Livingston Clinic Well building one way or another. Tinsley stated he did not know if this would be possible, but he would look into it.

Council member McGee complimented the person who worked on the fireplaces in Sacajawea Park.

Council member Harris questioned the fuel conservation within the City. The City Manager stated this item is being addressed.

Harris requested the City Manager not ask for discussion of material or business placed in distribution box after 4:30 p.m. on Council Meeting night, because of lack of time to review.

Motion was made by McGee, second by Harris to adjourn this meeting there being no further business. Motion PASSED.

The time was 10:37 p.m.

ATTEST:

APPROVED:

Julianne Blakeley
RECORDING SECRETARY

Bill R. Rossis
MAYOR

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LIVINGSTON
CITY COUNCIL MEETING
November 5, 1990
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, November 5, 1990 in the council chambers of the City-County Building. Council members present were Jody Fink, Bernice McGee, Lee Harris and George Ommundsen, with Mayor Bill R. Dennis presiding.

Motion was made by McGee, second by Harris to approve the minutes of the October 15, 1990 regular council meeting. City Attorney Jovick asked for a motion to amend Resolution No. 2214, to include item 14 of the Solid Waste Administrative Rules. Motion was made by Fink, second by Ommundsen to amend the resolution. Motion PASSED.

Motion was made by Fink, second by Ommundsen to accept the bills and claims which had been listed in the amount of \$57,165.99. Motion PASSED.

Motion was made by Ommundsen, second by Fink to approve Resolution No. 2220, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON AND COBRA SERVICE AGENT, BLUE CROSS AND BLUE SHIELD OF MONTANA. Finance Officer Jeanne Hencz and City Attorney Jovick explained the agreement for Council member Ommundsen. All in favor. PASSED.

City Manager John Orndorff requested that Resolution No. 2221, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON AND THE LIVINGSTON POLICE DEPARTMENT EMPLOYEES ASSOCIATION be addressed at the next council meeting.

City Attorney Jovick requested that Resolution No. 2222, A RESOLUTION RELOCATING A PORTION OF FINCH LANE be addressed at the next council meeting.

Motion was made by Ommundsen, second by Harris to approve Ordinance No. 1674, AN ORDINANCE PROHIBITING THE SALE OF TOBACCO PRODUCTS TO MINORS, PROHIBITING POSSESSION AND PURCHASE OF TOBACCO PRODUCTS BY MINORS, AND REGULATING VENDING MACHINES FOR SALE OF TOBACCO PRODUCTS BY ADDING SECTIONS 10-17 TO 10-17.3 TO THE CODE OF ORDINANCES on first reading. Park County Attorney Nels Swandal explained why the ordinance was started. Businesses that sell tobacco products have been notified and are 100% in favor. Youth Court Probation Officer Mike Fleming and Netzy Durfey, President of the Park County Drug and Alcohol Task Force also addressed the council in favor of passing the ordinance. Mrs. Durfey read 2 letters in favor of the ordinance also. They stated enforcement was not the importance of the issue, but preventing younger children from purchasing tobacco, they may never start using the products. Council member Harris stated he wanted to see the ordinance enforced also if this was to be a City law. City Attorney Jovick stated if a juvenile was picked-up for possession, it would be a civil

offense and they could be fined up to \$50 and the tobacco confiscated. All in favor. PASSED.

Motion was made by Harris, second by Fink to approve Ordinance No. 1675, AN ORDINANCE AMENDING CHAPTER 17 SECTIONS 17-1. (b) AND SECTION 17-15 (18) TO INCLUDE TOBACCO PRODUCTS AND RAISING THE LICENSE FEE on first reading. All in favor. PASSED.

Motion was made by McGee, second by Harris to approve Ordinance No. 1681, AN ORDINANCE AMENDING SECTION 14-95 OF CHAPTER 14 OF THE CODE OF ORDINANCES ENTITLED "HEALTH AND SANITATION" PROVIDING FOR RATE CHANGES FOR SEWER SERVICES TO BE MADE BY RESOLUTION on first reading. City Attorney Jovick explained State Laws on water and sewer rate increases. All in favor. PASSED.

Motion was made by Ommundsen, second by Fink to approve Ordinance No. 1682, AN ORDINANCE AMENDING SECTIONS 13-80 AND 13-81 TO PROVIDE THAT WATER RATES SHALL BE SET BY RESOLUTION on first reading. All in favor. PASSED.

Mayor Dennis proclaimed November 11-17 as American Education Week.

Finance Officer Hencz reported that the Department Heads met with Tom Berry on October 16th, to discuss the City's property insurance. A few changes were made. The premium amount is being calculated at this time.

The Personnel and Insurance Committee will meet on November 15th with 3 health insurance companies. The Committee will make a decision by the end of November as to what insurance company to go with for the next year.

The Finance Officer gave a report on August's financial transaction of the new Utility Billing System. Councilmember Harris questioned why August and not current months report. Hencz stated August was an example and there are current reports in the office.

Four routes have been accomplished with the Interragator and have been "downloaded" into the computer.

The Audit was started November 5, with the auditors working in the office for the next 2 weeks and then periodically over the next couple months. The Audit Report should be ready in January.

A public hearing for the LRC Tax Break is scheduled for November 19th.

Supt. Public Services Kastelitz reported on special services collections from July to October. \$600 has been received for contracting out the Sweeper. \$722.95 has been received from special garbage collections.

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The commercial garbage truck #222 has been bid out to have the engine overhauled. The bid is under budget. This overhaul also was in the budget last year but was not done.

Kastelitz reported on garbage pickup during a holiday week. Each day after a holiday, residential garbage pickup will be a day late. A Saturday crew will be added for this residential pickup for the next six months. Commercial garbage will be picked up on the regular day.

There were 49 dumpsters in use at the end of June. Now there are 74 dumpsters in use.

Supt. Public Utilities would like to set up an appointment in the next couple weeks with the property owners involved with the 8th Street Lift Station Project. Tinsley suggested to Council member Harris, that he would meet with him at any time to discuss lift station prices.

The proposed water line to the Waste Water Treatment Plant is in the engineering phase at this time. The project may start next spring. Tinsley stated to Council member Ommundsen that the line would run parallel to Gallatin Street to the Treatment Plant.

Research is still underway for the Front Street Project. Work may be started next summer.

Final Water Permits are on file in the office for the two new wells. All drilling has been completed and the buildings are close to being constructed. Several tests have been taken to determine any drawdown. The wells are producing more water per minute, than the City by law can pump. Tinsley stated he could not foresee any drawdown problems.

The hole by the Convalescent Center was back-filled today. The water line from the Clinic Well should be completed by the end of the month, weather permitting.

City Planner Valerie Counts contacted the Department of Highways concerning the proposed traffic signal at Park and 2nd Streets. This project is still planned for next spring.

Sergeant Steve McCann has been named Montana D.A.R.E. Officer of the Year. Council member Fink suggested the City present McCann with a plaque in recognition with what he has achieved.

Code Enforcement Officer, Linda Fyffe completed a course in Investigating and Managing Animal Complaints at the Montana Law Enforcement Academy.

City Manager Orndorff reported that there is an interest in starting a City Band. The Chamber of Commerce will decide whether to pursue this matter.

A tour of the City Shops has been scheduled with Council members for Thursday, November 8 at 4:15 p.m.

There will be a communications meeting on December 10th at 7:00 p.m. in the Community Room with Bob Fry to discuss the various systems within the building. City Manager requested that Council attend if possible.

City Manager reported on the Regional Unity Meeting he attended on November 1st. He also met a professional grant writer from the Bridger area. Council member McGee questioned if it would be possible to look into a grant for an auditorium for the Civic Center. City Manager will contact the grant writer.

City Planner Counts has been given permission to do contract work for the County.

Council member Harris questioned the City Planner if the Board of Adjustment or herself went out and looked at Mr. Schyler's property that was before the Council last meeting for a variance request. She stated they make a practice to look at all property that comes before the Board. Other members of the Council also inspected the property.

Ernie Faure addressed the City Manager about the street light issue, on vapor sodium lighting.

Motion was made by Fink, second by Harris to adjourn this meeting there being no further business. Motion PASSED.

The time was 8:50 p.m.

ATTEST:

APPROVE:

Julianne Blakely
RECORDING SECRETARY

Bill Dennis
MAYOR

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LIVINGSTON
CITY COUNCIL MEETING

November 19, 1990
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, November 19, 1990 in the council chambers of the City-County Building. Council members present were Lee Harris, George Ommundsen, Jody Fink and Bernice McGee, with Mayor Bill R. Dennis presiding.

Motion was made by Ommundsen, second by Fink to approve the minutes of the November 5, 1990 regular council meeting. Council member Fink clarified page 3, 4th paragraph from bottom of page, should have been a picture or plaque displayed in the council chambers in Steve McCann's honor. City Attorney Jovick stated that the correction to the minutes of the November 5th council meeting should have read that the motion to amend Resolution No. 2214 passed and the Resolution as amended then passed. Ommundsen and Fink agreed to incorporate the corrections in the motion. Motion passed as amended.

Motion was made by Fink, second by McGee to accept the bills and claims which had been listed in the amount of \$112,761.14. Motion PASSED.

A public hearing was held on Resolution No. 2211, A RESOLUTION ANNEXING CERTAIN REAL PROPERTY WHOLLY SURROUNDED BY THE CITY OF LIVINGSTON KNOWN AS THE MOORE PROPERTY. One protest from the Rural Fire Department was received. Motion was made by McGee, second by Ommundsen to approve this resolution. All in favor. PASSED.

A public hearing was held on Resolution No. 2219, A RESOLUTION APPROVING TAX RELIEF FOR THE APPLICATION OF THE LIVINGSTON REBUILD CENTER FOR NEW OR EXPANDING MANUFACTURING INDUSTRY PROPERTY IMPROVEMENTS OR MODERNIZED PROCESSES FOR THE CITY OF LIVINGSTON. Steve Swick, the accountant for LRC was present to answer questions. Questions from Council members Harris and McGee were answered. Also from the City Planner, City Attorney and local citizen Ernie Faure. Motion was made by Ommundsen, second by Fink to approve this resolution. All in favor. PASSED.

City Planner Valerie Counts presented a variance request from Donald and Marjorie Beckman for a five foot side yard requirement of the zoning ordinance. City Board of Adjustment approves this request. Motion was made by McGee, second by Harris to approve the City Board of Adjustment's recommendation. Motion Passed.

Motion was made by Harris, second by Fink to approve Resolution No. 2221, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON AND THE LIVINGSTON POLICE DEPARTMENT EMPLOYEES ASSOCIATION. City Manager Orndorff stated a letter with a correction to the agreement was included in the packet. All in favor. PASSED.

Resolution No. 2222, A RESOLUTION RELOCATING A PORTION OF FINCH LANE, was tabled at this time by Mayor Dennis.

Second reading of Ordinance No. 1674, AN ORDINANCE PROHIBITING THE SALE OF TOBACCO PRODUCTS TO MINORS, PROHIBITING POSSESSION AND PURCHASE OF TOBACCO PRODUCTS BY MINORS, AND REGULATING VENDING MACHINES FOR SALE OF TOBACCO PRODUCTS BY ADDING SECTIONS 10-17 TO 10-17.3 TO THE CODE OF ORDINANCES. Scott LeProwse of D & R Vending was present to speak against the ordinance. Mike Fleming, Netzy Durfey and Janet Bannon spoke in favor with Mrs. Durfey reading a letter in favor from Mel Kuipers, chairman of the Livingston School District No. 4 & 1. All in favor. PASSED.

Second reading of Ordinance No. 1675, AN ORDINANCE AMENDING CHAPTER 17-15 (18) TO INCLUDE TOBACCO PRODUCTS AND RAISING THE LICENSE FEE. All in favor. PASSED.

Second reading of Ordinance No. 1681, AN ORDINANCE AMENDING SECTION 14-95 OF CHAPTER 14 OF THE CODE OF ORDINANCES ENTITLED "HEALTH AND SANITATION" PROVIDING FOR RATE CHANGES FOR SEWER SERVICES TO BE MADE BY RESOLUTION. All in favor. PASSED.

Second reading of Ordinance No. 1682, AN ORDINANCE AMENDING SECTIONS 13-80 AND 13-81 TO PROVIDE THAT WATER RATES SHALL BE SET BY RESOLUTION. All in favor. PASSED.

Motion was made by Fink, second by McGee to approve Ordinance No. 1676, AN ORDINANCE ADDING SUBSECTIONS D, E, F, AND G TO SECTION 17-1 OF THE CODE OF ORDINANCES TO EXEMPT NONPROFIT GROUPS, MINORS, AND GROWERS OF FARM PRODUCE FROM CITY LICENSING, AND REQUIRING THE POSTING OF LICENSES BY LICENSEES on first reading. All in favor. PASSED.

Motion was made by McGee, second by Fink to approve Ordinance No. 1677, AN ORDINANCE AMENDING SECTION 17-1 (b) OF THE CODE OF ORDINANCES TO CLARIFY EFFECT AND APPLICATION FOR MULTIPLE BUSINESSES on first reading. Finance Officer Jeanne Hencz clarified a question for Harris. All in favor. PASSED.

Motion was made by Fink, second by McGee to approve Ordinance No. 1678, AN ORDINANCE AMENDING SECTION 17-4 OF THE CODE OF ORDINANCES TO INCREASE THE DELINQUENT CHARGE FOR CITY LICENSES, AND DELETING THE REQUIREMENT FOR NOTIFICATION OF THE LICENSEES UPON EXPIRATION AND OF THE RENEWAL FEE on first reading. Council member Harris questioned whether seasonal workers needed to obtain a license in a new year before they would be considered delinquent. Hencz stated that at this time, when a seasonal worker worked within the City limits, a license would then be obtained and a delinquent charge was not included. City Attorney Jovick stated this could be addressed as an amendment on second reading to this Ordinance, that a seasonal worker not be charged a late charge. All in favor. PASSED.

Motion was made by Fink, second by McGee to approve Ordinance No. 1679, AN ORDINANCE AMENDING SECTION 17-8 OF THE CODE OF ORDINANCES TO

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INCREASE THE LICENSE TRANSFER FEE FOR CITY LICENSES on first reading.
All in favor. PASSED.

Motion was made by McGee, second by Fink to approve Ordinance No. 1680, AN ORDINANCE AMENDING SECTION 17-15 OF THE CODE OF ORDINANCES TO REVISE THE LICENSE FEE FOR AUCTION SALES AND FOR HEAVY OR HIGHWAY CONSTRUCTION AND REVISING THE DEFINITION OF ITINERANT VENDOR on first reading. All in favor. PASSED.

Motion was made by McGee, second by Ommundsen to approve Ordinance No. 1683, AN ORDINANCE AMENDING SECTION 17-13 OF THE CODE OF ORDINANCES DELETING SPECIFIC PERCENT ALLOCATIONS AND ADDING THE COST OF ADMINISTRATION OF BUSINESS LICENSE PRODUCTS on first reading. All in favor. PASSED.

Mayor Dennis proclaimed November 26 through 28, 1990 as "Up With People Days".

The Disaster and Emergencies Coordinator, Bob Fry reported on a Communications Meeting, December 10, 1990 at 7:00 p.m., in the Community Room. Fry stated the communications system for our area needs improvement and would like to familiarize everyone with the system by inviting the Council to the meeting.

The City Manager has given permission to the Livingston Downtown Merchants Association for the First Annual Christmas Promotion that will be held on the 100 block of South Main Street and is set for November 30th from 6-9 p.m.. They requested the street be barricaded and will contract with the Police Department to help with diagonal parking in the 100 block of W. Callender and the 100 block of W. Lewis Streets.

The Mayor of Billings wrote Mayor Dennis to report on actions Billings takes for their street sweeper parking violations. Council member Fink stated that this year the local sweeper schedule was not advertised in the newspaper and the previous year it had been. Supt. of Public Services, Kastelitz stated the Enterprise started charging for briefs and before it was a free service. The City has stopped advertising to reduce expenditures.

The October 1990 Monthly Status Report for the BN/Livingston Site was enclosed in the packet.

A complaint was received from the Sherwood Inn concerning garbage blowing onto their property. The City Manager reported that the Code Enforcement Officer will address the situation.

The Police Department's monthly activity report for October 1990 was enclosed in the packet. August and September's reports were also included. It was noted that the Officers, using three patrol cars, drive approximately 9,000 miles per month.

Enclosed in the packet for informational purposes was a letter from two Czechoslovakian students would like to work in the United States next summer, or become pen-pals if anyone is interested.

City Manager reported on a news release concerning the City's sanding and snow removal policy.

The City Manager requested consideration be given to a Council Policy that no fee waiver request be brought before the Council other than a day's rent of the Civic Center. The City is losing money on building permits etc. Council has agreed to bring this subject up again at a work session or council meeting.

City Planner Counts has notified Royal Rice, Department of Fish, Wildlife and Parks, that all permits required for development of the Mayor's Landing Fishing Access Site were finalized. Mr. Rice will survey the site in December after the dirt is leveled.

City Planner Counts resigned as of November 30th as she accepted the position of County Planner. City Manager was in contact with the staff of MSU's Local Government Office. There may be a student available as an Intern.

The Police Department is holding private keys to a few buildings in the City. A letter was written requesting appropriate managers to make other arrangements with the keys. The City would be willing to keep written names of people to contact in case of an emergency. The Fire Department does have keys to the buildings.

City Manager reported on a letter to the non-residential sewer users, explaining how their sewer charges will be calculated starting with January's water meter reading.

City Manager thanked the Council for taking the tour through the City Shops and the LRC Shops.

The legal notice for the water and sewer rates are to be published with the City Manager requesting a special council meeting on December 20th at 7:00 p.m. to hold a public hearing on the rates.

City Manager would like to clean up the storeroom downstairs to make more room for other storage. Permission was granted to sell various old items of City property by bid or auction.

A Water Committee meeting was held Friday, November 16th to review the School District's public utility easement agreement for the new Middle School area. Supt. of Public Utilities Tinsley will verify that the agreement is correct, as the location of a water line had changed.

The L.I.F.E. Committee has prepared a list of names of people that has had cancer in the Livingston area. Anyone can add to the list if they know of someone that has had cancer.

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Council member Harris commented on new laws that the Federal or State requires of the City. Harris's comments were that he would like to see what would happen if the City billed the government function that required certain guidelines, but would not fund it. Tinsley and Fire Chief Frederick stated that the City did need to stay within compliance of the requirements, or they could be fined. City Attorney Jovick stated, in the right circumstances, it would be possible to take legal action.

Motion was made by Fink, second by McGee to adjourn this meeting there being no further business. Motion Passed.

The time was 9:10 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Bill R. Dennis
MAYOR

SPECIAL LIVINGSTON
CITY COUNCIL MEETING

November 28, 1990
1:30 p.m.

The Livingston City Council met in special session at 1:30 p.m., Wednesday, November 28, 1990 in the council chambers of the City-County Building. Council members present were George Ommundsen, Bernice McGee and Lee Harris with Mayor Bill R. Dennis presiding. Council member Jody Fink absent.

At this time the Mayor declared that the meeting would go into executive session, stating that the merits of individual privacy exceed the merits of public disclosure. The meeting was regarding Labor Relations.

The meeting was back in session at 2:45 p.m. with motion made by McGee, second by Harris to adjourn the meeting there being no further business. Motion Passed.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Bill R. Dennis
MAYOR

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LIVINGSTON
CITY COUNCIL MEETING

December 3, 1990
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, December 3, 1990 in the council chambers of the City-County Building. Council members present were Bernice McGee, Lee Harris, George Ommundsen and Jody Fink, with Mayor Bill R. Dennis presiding.

Motion was made by Ommundsen, second by Lee to approve the minutes of the November 19, 1990 regular council meeting and the November 28, 1990 special council meeting. Motion Passed.

Motion was made by Fink, second by McGee to accept the bills and claims which had been listed in the amount of \$40,063.04. Council members, Fink and Ommundsen asked for clarification on certain claims, with Staff explaining. Motion Passed.

Motion was made by McGee, second by Fink to approve Resolution No. 2225, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND THE LOCAL NO. 630, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS. All in favor. PASSED.

Motion was made by Fink, second by McGee to approve Resolution No. 2226, A RESOLUTION FOR AN INTERDEPARTMENTAL TRANSFER OF \$408.00 IN FUNDS WITHIN THE POLICE DEPARTMENT IN THE GENERAL FUND FOR THE PURPOSE OF PURCHASING A PAPER SHREDDER. City Manager Orndorff explained that the money was left over from the purchase of two capital line items within the Police Department. All in favor. PASSED.

Motion was made by Ommundsen, second by Harris to approve Resolution No. 2227, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON AND THE MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS. Council member McGee questioned the fill dirt. Mayor Dennis stated the Engineer to the project would insist on more fill dirt. All in favor. PASSED.

Second reading of Ordinance No. 1676, AN ORDINANCE ADDING SUBSECTIONS D, E, F, AND G TO SECTION 17-1 OF THE CODE OF ORDINANCES TO EXEMPT NONPROFIT GROUPS, MINORS, AND GROWERS OF FARM PRODUCE FROM CITY LICENSING, AND REQUIRING THE POSTING OF LICENSES BY LICENSEES. All in favor. PASSED.

Second reading of Ordinance No. 1677, AN ORDINANCE AMENDING SECTION 17-1 (b) OF THE CODE OF ORDINANCES TO CLARIFY EFFECT AND APPLICATION FOR MULTIPLE BUSINESSES. All in favor. PASSED.

Second reading of Ordinance No. 1678, AN ORDINANCE AMENDING SECTION 17-4 OF THE CODE OF ORDINANCES TO INCREASE THE DELINQUENT CHARGE FOR CITY LICENSES, AND DELETING THE REQUIREMENT FOR NOTIFICATION OF THE LICENSEES UPON EXPIRATION AND OF THE RENEWAL FEE. Motion was made by

Harris, second by McGee to amend second reading to include, "New businesses or seasonal businesses, however, may obtain or renew licenses by the date they first conduct business in any year." Roll call vote on the amendment was all in favor. Roll call vote on the Ordinance as amended was all in favor. PASSED as amended.

Second reading of Ordinance No. 1679, AN ORDINANCE AMENDING SECTION 17-8 OF THE CODE OF ORDINANCES TO INCREASE THE LICENSE TRANSFER FEE FOR CITY LICENSES. All in favor. PASSED.

Second reading of Ordinance No. 1680, AN ORDINANCE AMENDING SECTION 17-15 OF THE CODE OF ORDINANCES TO REVISE THE LICENSE FEE FOR AUCTION SALES AND FOR HEAVY OR HIGHWAY CONSTRUCTION AND REVISING THE DEFINITION OF ITINERANT VENDOR. All in favor. PASSED.

Second reading of Ordinance No. 1683, AN ORDINANCE AMENDING SECTION 17-13 OF THE CODE OF ORDINANCES DELETING SPECIFIC PERCENT ALLOCATIONS AND ADDING THE COST OF ADMINISTRATION APPLICATION OF BUSINESS LICENSE PRODUCTS. All in favor. PASSED.

Thank you letters were enclosed in the packet from local residents, thanking Fire Fighters for their help.

Council gave their approval to not ticket parking violations during the week of December 17-24th, as a courtesy to Christmas Shoppers.

City Manager Orndorff stated that the red "No Parking Bags" that are rented for contractor's vehicles parking more than two hours, are being abused and a policy needs to be established. Council approved that the City Manager and Police Chief devise a form for the window of a contractor's vehicle that will be parked in the same place for more than two hours. This will be incorporated the first of January 1991.

The Montgomery Wards Building was sold and the buyer has approved plans with the Building Inspector to change the front of the building. The building will be called the Clark Building and the owners are requesting a new Clark Street address.

Supt. of Utilities Tinsley, has obtained approval to dispose of sludge from the Waste Water Treatment Plant with no charge. The City has paid a private citizen in the past to allow disposal of sludge on his property.

Work is still in progress on the Water Well Projects. The leaking valve at Crawford and 14th Streets, is part of the line to be abandoned when the service lines are connected to the new main line.

The sub-contractor that was to bore under the Livingston Ditch, left for another job. Staff is negotiating with Oltrogge Construction Co. to place the pipe under the Livingston Ditch for the Front Street Project. This may be done in the next week.

Depending on the weather, a temporary patch may be put on the street near the Convelescent Center to keep dust down to a minimal.

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The Digester has been cleaned and is back in operation. The second Digester is planned to be cleaned in the next fiscal year. The staff did learn more about the cleaning process of the digesters and should be able to clean a digester each year.

Various steps were taken at the Waste Water Treatment Plant to conserve electricity.

Motion was made by McGee, second by Fink to approve the bidding of a backhoe for the Water and Sewer Departments. This is a budgeted item. Motion Passed.

The scales were installed on the Commercial garbage truck and are accurate in comparison with the scales at the Incinerator. The weights are being logged by the driver.

It was reported that vehicles were driving in the alleys looking for empty garbage cans or unlocked dumpsters to dump their garbage. The City will attempt to obtain pictures or get license plate numbers so this matter can be followed up on.

Some uptown businesses noticed the savings involved in having a dumpster. Some businesses still do not agree with the garbage charges.

Businesses were notified that garbage crews will not go inside the establishments to get the garbage. The businesses must make arrangements to have garbage outside in containers.

City Manager is coordinating with the Montana State University's Local Government Office to have an Intern fill the position of City Planner. The selected student will not be able to start until the 17th of December.

There will be a Hazardous Material Training conducted December 5th from 8 a.m.-5 p.m. Supt. Tinsley and Fire Chief Frederick explained about chlorine and related laws. Council is invited to attend.

The Personnel/Insurance Committee is working on the details for our Medical Insurance Program for the employees.

Fire Fighter Pat Wagman completed U.S. Air Force Basic Training and Specialty Training during his leave of absence.

There will be a Special Council Meeting on December 20th at 7:00 p.m. to hold a public hearing on rate increases for water and sewer.

A Montana League of Cities and Towns bulletin, enclosed in the addendum, contains 1987 information on funding.

More names were added to the cancer list. A list is in the office on which to add other names.

The City Manager would like to have a policy that no fee's be waived pertaining to garbage. One church would like its fees lowered because

of lack of refuse. Council agreed with City Manager that no garbage fees should be waived.

The telecommunications meeting with Disaster and Emergency Director Bob Fry will be held on December 10, 1990 in the Community Room.

The Council will tour the well locations on Thursday at 2:00 p.m.

At this time, Mayor Dennis stated the meeting would go into executive session and that the merits of individual privacy exceed the merits of public disclosure regarding the evaluation of the City Manager.

Mayor Dennis called the meeting back in session with City Attorney Jovick stating the City Manager's evaluation will be submitted at a later date and the evaluation was generally good.

Council member Ommundsen submitted a list of Grant Writer names to the City Manager.

Council member Harris received a call from a citizen questioning whether the City was going to apply for the new Women's Prison. The City Manager would get in touch with Dale Siegle from Job Service.

Harris also was asked, if the new Middle School site had a soil contamination test. No one was certain.

Harris asked why the S-S Trailer Court has not been annexed. Mayor Dennis stated that particular piece of land is "on hold" because State Law legally held up the annexing a few years ago. The new Middle School is within the City Limits.

Harris questioned Supt. of Public Utilities, if holes on Lewis Street, between 10th and 11th Streets would be patched. Tinsley stated they would be maintained in gravel until spring and then paved.

Mayor Dennis stated the Building Maintenance Committee will start meeting the 1st Monday of every month. Dennis will keep everyone informed.

Motion was made by McGee, second by Fink to adjourn this meeting there being no further business. Motion Passed.

The time was 9:17 p.m.

ATTEST:

APPROVED:

Julianne Blakeley
RECORDING SECRETARY

Bill R. Dennis
MAYOR

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LIVINGSTON
CITY COUNCIL MEETINGDecember 17, 1990
7:30 P.M.

The Livingston City Council met in regular session at 7:30 p.m., Monday, December 17, 1990 in the council chambers of the City-County Building. Council members present were Bernice McGee, Lee Harris, George Ommundsen and Jody Fink, with Mayor Bill R. Dennis presiding.

Motion was made by Fink, second by McGee to approve the minutes of the December 3, 1990 regular council meeting. Motion Passed.

Motion was made by Fink, second by McGee to accept the bills and claims which had been listed in the amount of \$80,492.45. Questions by Council members Fink and Ommundsen were verified by city staff. Motion Passed.

Motion was made by Ommundsen, second by Harris to approve Resolution No. 2228, A RESOLUTION APPROVING AN AMENDMENT TO PARAGRAPH 8 OF AN EMPLOYEE AGREEMENT DATED AUGUST 15, 1989, BETWEEN THE CITY OF LIVINGSTON, MONTANA AND THE CITY MANAGER. All in favor. PASSED.

City Manager Orndorff requested Resolution No. 2229 be held until the following meeting.

Motion was made by Fink, second by McGee to approve Ordinance No. 1684, AN ORDINANCE AMENDING SECTION 6-1, 6-110, 6-40, 6-130, AND SECTION 6-180 OF CHAPTER 6 OF THE CODE OF ORDINANCES ENTITLED "UNIFORM BUILDING CODE" TO INCLUDE THE NEWEST EDITIONS OF THE UNIFORM BUILDING AND COMPANION CODES on first reading. City Attorney Jovick clarified points for the Council. All in favor. PASSED.

Motion was made by McGee, second by Fink to approve Ordinance No. 1685, AN ORDINANCE ADDING SECTION 10-19.1 TO THE CODE OF ORDINANCES PREVENTING PURCHASE AND POSSESSION OF FIREARMS BY A PERSON WHO HAS BEEN ADJUDICATED AS MENTALLY INCOMPETENT, WHO IS AN ILLEGAL ALIEN, AND PREVENTING PURCHASE OF A FIREARM BY A MINOR on first reading. Police Chief Bryce explained how this Ordinance would help his department. All in favor. PASSED.

Sharon Cochran, co-chairman of the Gallatin Dog Club, asked permission to hold the 1991 Spring Dog Show at Sacajawea Park. Council member McGee stated that the Dog Club would have to leave the Park clean. Ms. Cochran stated that the Dog Club was willing to make a donation to the Park also. Motion was made by Ommundsen, second by Harris to allow the Gallatin Dog Club to use Sacajawea Park for their show. Motion Passed.

Bids were opened at 11:00 a.m., Monday December 17th for a used backhoe for the Public Utilities Department. Bids were as follows:

Western Plains Machinery	1) 1987 580Case.....	\$34,750.00
Billings	2) 1985 580Case.....	\$27,350.00
	3) 1985 580Case.....	\$20,395.00
Gallatin Equipment	1986 410B John Deere....	\$21,400.00
Belgrade		

Motion was made by Fink, second by Ommundsen to accept the bid from Gallatin Equipment in the amount of \$21,400.00. Motion Passed.

Fire Chief Frederick reported to Council, concerning the new Middle School and the lack of an emergency access road to the back of the building as required by the Uniform Fire Codes. Discussion was made by Council, Police Chief Bryce and Chief Frederick. It was agreed upon that the school would have to provide an emergency access road. The road would not be for public use - Emergency Vehicles for patrol and emergencies only.

Fire Chief Frederick was requested by City Manager to explain to Council, the reports the Fire Departments computer was capable of. Enclosed in the packet was the computer analysis, using the 1988 Uniform Building Code, of the Middle School plan.

Joe Michaletz was recently hired by the State as an assistant to John Wadhams, who is overlooking the BN Clean Up.

John Nerud was introduced to Council as the Intern City Planner for the next 3 months. Nerud is a student at Montana State University and will be serving as an intern for the City.

Enclosed in the packet was a letter of thanks from Water Cashier's Becki Crosby and Sandy Wulf, for allowing them to attend a seminar in Billings.

City Manager reported a box of water records was destroyed. Destruction of utility records is regulated by the National Association of Regulatory Utility Commissioners, published pamphlet. More old records will be destroyed to make room in the storeroom.

The November end of the month printout summary on the UBS was enclosed for Council's information.

The Blue Oyster Cult band has asked to use the Civic Center for a concert in January. They requested the use of the balcony. Fire Chief Frederick has reviewed evaluations of the balcony, and recommended it unsafe for use. Discussion was heard, and the City Attorney recommended that a security plan be approved by the City Manager and Police Chief, that a minimum of two or more police officers be contracted for security for the grounds outside as suggested by the Police Chief and a minimum \$250 security deposit be required before the concert. City Manager will write an agreement and bring it to Council at the next meeting.

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City Manager reported that a grant writer would be passing through the area in January and will stop in to talk.

Motion was made by Harris, second by Fink to proceed with an application for the Women's Prison.

Park County Nurse Annie LeBlond requested the City Manager write a letter in support of the Park County Homemaker Program for our community to Director Roger Ala, Rocky Mountain Development Council from Helena. This was accomplished.

The F.A.A. has requested the participation of the City Fire and Police Departments in the event of an air crash. They would like the City to provide them with a list of names and phone numbers in case of an emergency. Fire Chief Frederick stated a modification to the underground water tank would be needed at the airport, so the fire truck could connect and use that water.

Craig Hahn has been hired full-time as a Maintenance Worker I for the commercial garbage truck.

City Planner John Nerud clarified a letter submitted by Bennett Leather & Fiber Manufacturing Institute, Inc. They are objecting to an administrative decision by the City Planning Board classifying them as a trade school for zoning purposes.

City Manager reminded the Council there will be a special council meeting Thursday, December 20, 1990 at 7:00 p.m. for a public hearing on water and sewer rates.

Mayor Dennis questioned who was responsible for the Christmas Decorations and has received calls questioning why the decorations were not extended to Clark Street on Main and Second Streets. City Manager has been asked to look into this.

Dennis stated the outside mail boxes at the Post Office have been moved to the other side of the building. He would like a one-way sign be placed in the alley, running north to south. City Manager will have action taken.

Motion was made by Harris, second by Ommundsen to adjourn this meeting there being no further business. Motion Passed.

The time was 8:55 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


MAYOR

LIVINGSTON
SPECIAL COUNCIL MEETING

December 20, 1990
7:00 p.m.

The Livingston City Council met in special session at 7:00 p.m., Thursday, December 20, 1990 in the Council Chambers of the City-County Building. Council members present were Bernice McGee, Lee Harris, George Ommundsen and Jody Fink with Mayor Bill R. Dennis presiding.

The purpose of the special meeting was a public hearing for a proposed 9% water rate increase and a 9% sewer rate increase by structure change.

Local resident, James Warnick requested that the meeting be postponed until the weather warmed up and more people could attend. City Attorney Bob Jovick stated the hearing had to be held at this time because of State Laws. Mayor Dennis asked for Council comments. Council agreed to listen to comments and continue with the public hearing at the next council meeting.

Discussion was held on the Water increase by Councilmembers Harris and Ommundsen, City Manager Orndorff, Utilities Supt. Tinsley.

Comments heard opposed to the Sewer structure change were: Ernest Faure, Nathan Kovash, Pat Miller, Raylene Durgen, Tommy Thompson, David Rust, Judy Smith, Harlan Durgen and John Craig. Councilmembers Harris, Ommundsen and Fink also stated their comments. Tinsley and Orndorff answered questions.

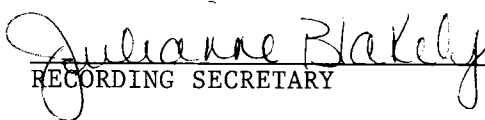
Mayor Dennis requested a worksession Thursday, January 3rd at 2:30 p.m. Council was in agreement.

Motion was made by Harris, second by Fink to adjourn this meeting there being no further business. Motion Passed.

The time was 8:35 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


MAYOR

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LIVINGSTON
CITY COUNCIL MEETING

January 7, 1991
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, January 7, 1991 in the council chambers of the City-County Building. Council members present were Bernice McGee, Lee Harris, George Ommundsen and Jody Fink with Mayor Bill R. Dennis presiding.

Motion was made by Ommundsen, second by McGee to approve the minutes of the December 17, 1990 regular council meeting and the December 20, 1990 special council meeting. Motion Passed.

Motion was made by Ommundsen, second by Fink to accept the bills and claims which had been listed in the amount of \$49,280.04. Councilmember McGee stated claim #2832 was paid by a private citizen. Finance Officer Jeanne Hencz stated this claim would be deleted. Total claims paid were \$49,128.04. Motion Passed.

Motion was made by McGee, second by Ommundsen to approve Resolution No. 2222, A RESOLUTION RELOCATING A PORTION OF FINCH LANE. Councilmember Fink questioned Fire Chief Frederick if there would be any problem with access for the Fire Department. He stated there would not be. All in favor. PASSED.

The public hearing for water and sewer was continued at this time. Comments were heard by Lester Sunvison, Judy Smith and Councilmembers. Fink asked the City Manager to explain the sewer change for the benefit of the people who had not attended the December 20th public hearing. After all discussion was heard, motion was made by Fink, second by Ommundsen to approve Resolution No. 2230, A RESOLUTION APPROVING AN INCREASE IN SEWER REVENUES FOR THE CITY OF LIVINGSTON. The vote was three in favor with Harris opposed. PASSED. Due to over sight, there was no motion on water rate increase and although a vote was taken (3 to 1 in favor of passage) it will have no effect.

The City Manager will write a policy letter addressed to the Council and Finance Officer for an written application for adjusting sewer charges for the industrial district users.

Homer Terry, the spokesperson for Backroad Productions addressed the Council on behalf on the Concert that is scheduled for January 18, 1991 at the Civic Center. City Attorney Jovick questioned the group's liability insurance. Also, the Longbranch will be selling liquor and the appropriate insurance will be needed. Mr. Terry stated that Mark Willis, a Helena Police Officer will be in charge of security. Backroad Productions have already paid for the rental of the Civic Center, a deposit and the contracted services charge for Officers that will patrol the Civic Center area that night. The City Manager will draft a contract for the group to sign. Motion was made by McGee,