

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,

second by Fink to have the City as an additional insured for liquor liability. Motion Passed.

Scott LeProwse of D & R Vending in Bozeman addressed the Council concerning tobacco Ordinance No.1674 and No. 1675. His Livingston clients were pulling some cigarette vending machines from their businesses, as they would not pay the additional \$35.00 licensing fee. D & R Vending has the City's retail license and paid a fee for each of his machines in the City. City Attorney Jovick read a portion of an ordinance where it's a requirement. Jovick stated the Ordinance could be amended so his clients would not be required also to buy a cigarette license. Motion was made by Harris, second by Ommundsen to amend the ordinance. Motion Passed.

Motion was made by Fink, second by McGee to approve Resolution No. 2229, A RESOLUTION APPROVING THE CONTRACT FOR THE INSURANCE COVERAGE BETWEEN THE CITY OF LIVINGSTON, MONTANA AND BLUE CROSS BLUE SHIELD OF MONTANA. City Manager Orndorff and Finance Officer Jeanne Hencz clarified a question for Councilmember Fink. Motion Passed.

Motion was made by Harris, second by Fink to approve Resolution No. 2231, A RESOLUTION APPROVING AN AMENDMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND LOCAL NO. 630, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS. All in favor. PASSED.

Second reading of Ordinance No. 1684, AN ORDINANCE AMENDING SECTIONS 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. All in favor. PASSED.

Second reading of 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. All in favor. PASSED.

The City of Livingston and the Livingston Police Department Employees Association decided upon an arbitrator, William Corbett, to settle the grievance on job classifications.

The Airport Board will meet Wednesday, at 1:00 p.m. with the Park County Commissioners to discuss an emergency transfer of funds from the reserves.

Letters were enclosed in the packet, opposed to the proposed traffic control system at the intersection of 2nd and Park Streets. The City Manager has suggested the Highway Department rewire and use the stop lights that were removed from Main Street a few years ago.

The Livingston Rebuild Center, Inc. sent a letter of appreciation to the Council for their continued support in approving the recent tax reliefs.

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Senator Lorents Grosfield wrote requesting a current list with telephone numbers of staff, Councilmembers and other City officials.

The American Lung Association of Montana sent a Certificate of Appreciation to the Livingston City Council recognizing the special efforts for a smoke free atmosphere.

Outside employment was approved for Officer Wadsworth, Officer Frederick and Fire Fighter Lobaugh.

Envirocon's November 1990 sampling results were enclosed in the packet.

There will be a public hearing for the Board of Adjustment on January 8th at 7:30 p.m., in the Council Chambers. Bennett Leather and Fiber Manufacturing Institute, Inc. is appealing a classification.

The City-County Board of Adjustment will hold a public hearing on the Billman Well House, January 17th, 7:30 p.m., East Room.

Maintenance Worker II John Betley, successfully completed his six months probation.

The Task Force, Womens Prison met January 7th, 12:00 p.m. Committees were assigned and work is progressing on the proposal.

The emergency generator in the basement of the City/County Building is in need of repairs. Fire Chief Frederick has brought this to the City Manager's attention. A radiator needs to be attached to the generator.

City Manager stated there has been several frozen water and sewer lines during the sub zero temperatures.

A separate account is being set up for the City Manager's insurance.

There was a meeting Janaury 7th, 1:30 p.m., with the Park County Commissioners and Department of Highways, Don Duchic, concerning the speed limit south of town. A speed study will be conducted and results reported next year.

Five large boxes of water revenue records were destroyed.

The large store room was rekeyed.

City Manager reported that the security of the main offices was breached.

City Manager is still investigating the computer system to replace our current system.

After discussion, Council agreed at this time, that alley behind the Post Office and Franzen Mortuary will not be a one-way alley. Franzen's did object to the idea of a one-way alley.

Councilmember Ommundsen requested that City Planner look into overhead signs on Park Street at 5th and B Streets.

Council will tour the Police Department Thursday, January 17th at 2:30 p.m.

Councilmember Fink questioned the Christmas decorations that were not used because of the Highway Department being in charge of Park Street. Fink stated the Highway Department could be asked for permission to put up the decorations next year at the same time discussion is held on the 2nd Street traffic light.

Mayor Dennis mentioned the railroad crossings on 5th Street and East of town have spikes sticking up.

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

The time was 9:30 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Bill R Dennis
MAYOR

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LIVINGSTON
CITY COUNCIL MEETING

January 21, 1991
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, January 21, 1991 in the council chambers of the City-County Building. Councilmembers present were George Ommundsen, Jody Fink and Bernice McGee, with Mayor Bill R. Dennis presiding. Councilmember Lee Harris was absent.

Motion was made by Fink, second by McGee to approve the minutes of the January 7, 1991 regular 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 \$36,723.76. Fink questioned the claims for Industrial Towel. City Manager Orndorff and Finance Officer Hencz clarified for her. City Manager also mentioned the Building Committee now meets the last Wednesday of each month. Motion Passed.

Mayor Dennis proclaimed January 15, 1991, as Yellow Ribbon Day.

Motion was made by McGee, second by Fink to approve the Board of Adjustments' recommendation to grant Gary Blakely a twenty-five foot front yard variance for a porch on his property. Motion Passed.

Motion was made by Fink, second by Ommundsen to approve Resolution No. 2206, AN RESOLUTION APPROVING AN INCREASE IN WATER RATES FOR THE CITY OF LIVINGSTON. The vote was three in favor, Harris absent. PASSED.

Motion was made by Ommundsen, second by Fink to approve Ordinance No. 1686, AN ORDINANCE DELETING APART OF CHAPTER 17-15 (18) REGARDING THE SALE OF TOBACCO PRODUCTS CONCERNING LICENSING FOR EACH LOCATION on first reading. McGee asked for clarification from Scott LeProuse of D & R Vending. The vote was three in favor, Harris absent. PASSED.

The Fire Department was partially successful as the department received a matching grant of \$3,585.15 from the Livingston Trust for the Fire Awareness Project.

The Council is invited to the Local Government Day at the Legislature, January 25th.

Minutes of the December 19, 1990 Airport Board Meeting were enclosed in the packet. The board discussed the City's involvement with the Rapid Response Program.

Letters were enclosed in the packet from LIFE. It is felt that the State is losing control of the clean up project. City Manager Orndorff will monitor responses to these letters.

A Special Parking Permit form was designed, for limited time parking areas, to replace the red meter bags. The fee will be \$2.00 per day with a \$5.00 minimum charge.

The Park County Human Services and Department of Family Services requested a handicapped parking space and parking permits. Discussion led to the decision to leave the situation as is in this area. The Family Services is encouraged to use the alley entrance.

The Police Department's and Fire Department's 1990 annual reports were included in the packet.

Supt. of Schools Keef wrote letters of commendation to the City for Fire Fighters Dick Wood and Pat Wagman, also Utilities Supt. Clint Tinsley, Maint. Worker II Stever Brewer and Utility Worker I Duane Frelich for their response to a broken water line and flooded furnace room at Washington School on Christmas Day.

The Utility Billing System Report, as of 12/31/90, was included in the packet.

City Manager reported this week should be the final stages for the Women's Prison Task Force. The report must be in Helena by January 30th.

The Utility Replacement Plan for Chinook Street, from Main Street to Yellowstone Street, was discussed.

Motion was made by Fink, second by Ommundsen to grant permission for the bidding of water main materials for the 1991-1992 Water Main Line Replacement Program. Projected cost is under \$50,000. This is a budgeted item. Motion Passed.

Public Service Commission, Ron Woods called, 1/14/91, to inquire if water and sewer rate increases exceeded 12% of total revenue. It is not necessary for PSC to review restructuring of the sewer rates unless there is an increase exceeding 12% of total sewer revenues.

City Manager Orndorff and Utilities Supt. Tinsley attended the City/County Planning Board's Public Hearing concerning the Billman Well House. Orndorff reported that everything was signed off properly. Councilmember Fink also attended this meeting.

The 24th Annual Governor's Conference on Disaster Preparedness for Public Officials will be held Wednesday, February 13th at the Colonial Inn in Helena. Council is invited to attend.

Envirocon's Sampling reports are on file in the City Office.

The City's auditors, Simmons and Company will give the audit report at the 2nd Council meeting in February, which will be Tuesday, February 19th. Monday is President's Day holiday.

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Enclosed in the packet were recent letters concerning the proposed traffic control signal at 2nd and Park Streets.

Motion was made by Ommundsen, second by McGee to accept the City Manager's recommendation that the retainage fee for Oltrogge Construction, be lowered from 10% to 5%. The 5% would not include penalty retainage. Motion Passed.

Permission was granted to purchase a computer for the Waste Water Treatment Plant. A larger computer system has been requested. Also, permission was granted to purchase a 24 hour sampler for the Waste Water Treatment Plant. Both are budgeted items.

Motion was made by McGee, second by Ommundsen to reappoint Dean Holmes and Dave Amsk to the City-County Planning Board. This is a 2 year term, expiring January 1, 1993. Motion Passed.

Mayor Dennis reappointed Fred Shellenberg for another 2 year term, expiring January 1, 1993. The Mayor will appoint another person at the next Council meeting.

Robert Harper has successfully completed his six months probation as Maintenance Worker I on the residential garbage truck. Harper was awarded this full-time employee classification, effective January 16, 1991.

Tom Butcher and Tom Schwiegart have successfully completed their six months probation as Meter Reader as of January 16, 1991. They were awarded the Maintenance Worker II classification, effective the same date.

Bennett Leather and Fiber Manufacturing Institute's appeal was denied by the Board of Adjustment.

Project Manager Royal Rice will be in Livingston within the next 10 days to survey the Mayor's Landing Site.

Motion was made by Fink, second by McGee to grant intern City Planner John Nerud permission to pursue a zone change, from RII (MH) to Industrial use, for K, L, M and N streets between Gallatin Street and the railroad property.

Intern City Planner Nerud reported on Council's questions from the previous meeting:

Traffic Light at Park and 2nd Streets. The State will put in the traffic light they selected.

Left Turn Lane/Through Lane Markings at Park and 5th Streets and Park and B Streets. The Highway Department is not willing to pay the cost of overhead signs at these intersections. Besides the cost of the signs, there would be additional easement costs. The State would be willing to install, if the City purchased the material.

Upgrading of Railroad Crossings. After talking with the railroad's assistant Road Master, they would be willing to install the crossings if the City paid for them.

Christmas Decorations. City Planner was unsure whether the State had stopped the Chamber of Commerce from putting up the additional Christmas decorations on Park Street. City Manager commented they had.

Councilmember Fink questioned Fire Chief Frederick why people were not allowed to burn thier own newspapers. He responded that the Air Quality Bureau stopped such burning about 4 years ago.

Mayor Dennis would like to a 4-way stop looked into at Main and Montana Streets.

The Centrafuse Spinner is out of order at the Waste Water Treatment Plant. The spinner is 18 years old. To replace the old bearings the cost would be \$450.00, to purchase a new Spinner would cost the City \$650.00. The City will buy the new Centrafuse Spinner.

Mayor Dennis sent information to Japan during his last term as Mayor. Recently, he was sent a book that he will donate to the Library. The book is written in Japanese.

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

The time was 8:55 p.m.

ATTEST:

APPROVE:

Julianne Blakely
RECORDING SECRETARY

Dennis
MAYOR

ACA017

LIVINGSTON
CITY COUNCIL MEETING

February 4, 1991
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, February 4, 1991 in the council chambers in the City-County Building. Councilmembers present were Jody Fink, Bernice McGee, Lee Harris and George Ommundsen, with Mayor Bill R. Dennis presiding.

Motion was made by Fink, second by Ommundsen to approve the minutes of January 21, 1991 regular council meeting. Councilmember Fink asked for a correction on the last page of the minutes. She asked why paper could not be burned. Newspapers can be recycled. Motion Passed.

Motion was made by Fink, second by Ommundsen to accept the bills and claims that listed for \$84,637.00. Finance Officer Jeanne Hencz added a claim for \$250.00 for John Nerud. Total bills and claims were \$84,887.00. Motion Passed.

Motion was made by McGee, second by Ommundsen to approve Resolution No. 2232, A RESOLUTION APPROVING A CONTRACT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND THE STATE DEPARTMENT OF COMMERCE, LOCAL GOVERNMENT ASSISTANCE DIVISION, LOCAL GOVERNMENT SERVICES BUREAU. Fink questioned why this resolution was needed. City Manager Orndorff, Finance Officer Hencz and Roger Vanlandingham, Big Sky Data Systems, explained the contract. All in favor. PASSED.

Motion was made by Fink, second by McGee to approve Resolution No. 2233, A RESOLUTION AMENDING RESOLUTION 2203, WITH REFERENCE TO THE PROMISSORY NOTE AMOUNT AND DEBT SERVICE SCHEDULE. Hencz clarified for Councilmember Ommundsen. All in favor. PASSED.

Second reading of Ordinance No. 1686, AN ORDINANCE DELETING APART OF CHAPTER 17-15 (18) REGARDING THE SALE OF TOBACCO PRODUCTS CONCERNING LICENSING FOR EACH LOCATION. All in favor. PASSED.

Motion was made by McGee, second by Harris to approve Ordinance No. 1687, AN ORDINANCE ADOPTING THE FLOODPLAIN AND FLOODWAY MANAGEMENT ORDINANCE (REVISED 1-9-90) TO CHAPTER 29 OF THE CODE OF ORDINANCES on first reading. City Attorney Jovick clarified for Harris. All in favor PASSED.

City Manager reported on the Traffic Control Light proposed for 2nd and Park Streets. A newspaper article stated the Council approved the plans, when actually the Building Inspector approved them. Discussion was heard whether Council would like to withdraw their approval for the light. Council was in agreement that the State should proceed with the light they have selected.

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A telephone complaint was received by the City Manager concerning a permit issued by the State for John's IGA's incinerator. The cost for the incinerator is now approximately \$150,000, due to additional requirements. Therefore Mr. Tecca will not use the incinerator at this time. Councilmember Harris questioned the enforcing of the Garbage Ordinance, why baled cardboard was not enforced. City Manager stated a draft ordinance will include recycling.

City Manager Orndorff requested permission to purchase an updated computer system for City Offices. Marcy Schottler, IBM-City County Industry Specialist, and Roger Vanlandingham, Big Sky Data Systems, answered questions from the Council and public. The purchase would be made through a 5-year Lease Payment Agreement. Fink made the motion to advertise for bids, with McGee seconding the motion. The vote was three in favor, Harris opposed. PASSED.

Snow removal and plowing was discussed. Piles of snow are left in the streets when sidewalks and driveways are cleared of snow. Mayor Dennis suggested permits be required of people plowing snow from sidewalks and driveways. City Attorney Jovick stated a draft ordinance could be written to require a permit, with a nominal fee and for following normal street regulations. Motion was made by Harris, second by McGee to have this ordinance drafted. Motion Passed.

Census figures were listed in the council packet, with 14,562 persons in Park County and 6,701 persons in the City.

The Personnel/Insurance Committee is working and employee's are using the system.

One vacancy still needs filled on the City-County Planning Board.

The Proposal for the Women's Prison was delivered to Helena on January 30th. One copy of the document is located in the City Office.

Envirocon's test results of the "B" Street Well, December 28th sampling, were enclosed in the packet.

An extract from a recent State Public Employee's Retirement Division letter, was enclosed in the packet. The letter concerned employee benefits when called to active duty in support of Desert Storm.

Public Services Supt. Kastelitz researched a requested 4-way stop sign at the intersection of Main and Montana Streets. A sign was not needed at this intersection as defined in the Uniform Traffic Control Devices - 1988 Edition.

D.A.R.E. Project Director Steve McCann's D.A.R.E. Grant Financial quarterly report was included in the Council's Packet.

City Planner Nerud discussed a calendar of events for the proposed zone change to Industrial Zone, area of the incinerator.

Two Montana Power Company claims, December, were included in the packet. They contained actual readings. Street lights were discussed. Some lights have been out for a while. Council would like City Manager to find out the total number of lights for which the City pays.

City Planner Nerud will meet Royal Rice at Mayor's Landing at 10:00 a.m., Wednesday, for surveying.

Council approved a request for one 15 minute parking stall next to the alley at the Montgomery Wards Building, now known as the Clark Building.

Jaycee's Convention will be in Livingston on February 8, 9 and 10th. Registration will be at the Chamber of Commerce's Office.

Southern "B" Boy's Basketball Tournament will be in Livingston on February 28, March 1 and 2.

Council received a copy of the January 1991 Utility Billing System's summary report.

Councilmember Fink commented on the requested parking space at the Welfare Office. The space was not granted at the previous meeting. She was informed the space was for personal use.

Councilmember McGee reported to the Police, that boys were jumping from the Yellowstone Street Bridge. Also, that a telephone is needed in that area. The phone at the Civic Center will be placed outside the building in the future.

Councilmember Harris stated he called the Water Office earlier in the day, and would like to know if Utility Billing System information was public information. City Attorney Jovick stated it was public information.

Councilmember Harris asked if downtown parking permits could be used for more than one vehicle. Police Chief Bryce stated a parking permit was needed for each vehicle.

Councilmember Harris questioned why water and sewer can be turned off when someone leaves town and not be billed for these services, and monthly garbage billing cannot be stopped. Utilities Supt. Tinsley stated that other towns have a service charge for water and sewer, regardless of whether the water is on or off. City Manager stated this would be covered at a work session in the next few weeks. Harris asked City Attorney Jovick, if this could be rewritten into the Ordinance. Jovick stated that a non-use concept could be drafted, with Council approving.

City Planner asked the Council, if they would like the highway markings to stay the way they are now, or change it to the way it was in the past, when the State Department of Highway personnel paint the markings on the highway at 5th and B Streets. Council agreed to have the highway painted the way it was in the past, right lane on Park Street to be "through" or "right turn" traffic.

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

The time was 9:35 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Bill R. Dennis
MAYOR

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LIVINGSTON
CITY COUNCIL MEETING

February 19, 1991
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Tuesday, February 19, 1991 in the council chambers in the City-County Building. Councilmembers present were Lee Harris, George Ommundsen, Jody Fink and Bernice McGee, with Mayor Bill R. Dennis presiding.

Motion was made by Fink, second by McGee to approve the minutes of February 4, 1991 regular council meeting. Motion passed.

Motion was made by Ommundsen, second by Fink to accept the bills and claims that listed for \$69,434.99. Motion passed.

Second reading of Ordinance No. 1687, AN ORDINANCE ADOPTING THE FLOODPLAIN AND FLOODWAY MANAGEMENT ORDINANCE (REVISED 1-9-90) TO CHAPTER 29 OF THE CODE OF ORDINANCES. All in favor. PASSED.

Discussion was heard on first reading of Ordinance No. 1688, AN ORDINANCE ADDING A SECTION 24-40 TO THE CODE OF ORDINANCES REQUIRING A PERMIT FOR COMMERCIAL SNOW REMOVAL OPERATORS. City Attorney Jovick will make changes to this ordinance for first reading at the next meeting. Motion and second was withdrawn to first reading. Harris made the motion to hold this ordinance, second by Fink. Motion passed.

Bids were opened for Water Materials February 19th in the council chambers. Two bids were received as follows:

Dana Kepner - Billings
\$13,079.75, with an additional bid of \$3,279.50.
Northwest Pipe - Billings
\$14,271.32, with an additional bid of \$3,650.30.

Motion was made by McGee, second by Fink to accept Dana Kepner's bid for \$16,359.25. Motion passed.

City Manager reported one computer bid was received and recommended accepting the IBM bid for a RISC Computer System, 8 workstations and 2 printers. The total computer system, installed, training etc will cost the City \$73,784, or less. The IBM bid was \$38,889. Big Sky Data system will supply the software, installation and training for \$17,395. Approximately \$5,500 will be spent for WordPerfect Software, (to be on the market in the near future), dedicated electrical wiring and supplies. An extended maintenance option is not included. The hardware would be purchased by using a 5-year Installment Purchase. approximately \$9,500 will be spent or paid and the balance would be purchased using a 60-month Lease Purchase Agreement. The computer project involves more than 12 months of research concerning what software was available and matching the software to hardware available on the market. City Manager Orndorff reported Jim Krusemark, Montana

Power, checked the electrical line situation and will study the maximum demand on the building. If the wiring into the main electrical panel is too small, Montana Power will replace, at no cost to the City or County. Motion was made by Ommundsen, second by McGee, to accept the bid for an IBM Computer System. City Attorney stated in response to City Manager's question, that a resolution would be needed prior to signing the agreements for the computer system. City Manager stated his understanding that he was given permission tonight to purchase the computer system and the resolution for signing the agreements would be presented at the next Council Meeting. The vote was three in favor, with Harris opposed. PASSED.

Mayor Dennis appointed Chan Libbey Jr. to the Police Commission. Term of office is 1/1/91 through 12/30/93. Motion was made by McGee, second by Fink. Motion passed.

L.I.F.E. letters were included in the packet and addendum for Council information.

Also, for Council information, was an Information Release of 2/5/91, from the Department of Administration, Public Employee's Retirement Division relating to Operation Desert Storm.

City Planner Nerud followed up a letter to Lee Alt, Montana State Department of Highways, concerning actions involving Park Street.

Supt. Public Services Ken Kastelitz reported the City is currently paying for 337 street lights, 12 of those are in Sacajawea Park. The majority of the lights are 100 or 200 watts High Pressure Sodium lights. The only Mercury Vapor lights are in the Park. Kastelitz also stated, Montana Power was crediting the City \$419.24 for 12 lights that were not operating for 49 days.

Professor William Corbett, University of Montana, was selected as arbitrator for the Livingston Police Department Association's grievance on classification. May 28, 1991 is the arbitration date.

Police Department Association and the Fire Fighter's Union have requested contracts be open for negotiation. Motion was made by Ommundsen, second by McGee to have consultant Dick Larsen handle negotiations. Motion passed.

Wednesday, March 6th, 2:30 p.m. was set for Council to tour the Fire Department.

City Manager requested a work session date be set to establish background for the budget. A date will be set later.

Jeanne Hencz, Julianne Blakely and Kevin Harrington completed a one-day course in writing skills.

Minutes of the City/County Joint Airport Board January 29, 1991 were enclosed in the packet. City Manager Orndorff reported on several items. The City Shops will be available for maintenance to be

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performed on airport equipment should the County Shop Building not be available.

Supt. Kastelitz reported on reserved parking requests. Bill Ross requested a reserved parking spot on Clark Street. Kastelitz recommended this not be granted because it does not meet City criteria. The Humble Heart Cafe, Clark and 2nd Streets, requested 2-hour parking in front of the cafe. Kastelitz recommended this not be granted. He stated it is the business owners responsibility to provide parking for their customers, not the City. Council was in agreement.

David Scrimm, Director of Park County Coalition, requested the Council help the Coalition develop a joint City/County Committee to study and develop a recycling program for the community and county. He would like at least nine members, 2 appointed from the City, with at least one a councilmember, 2 from the County, 1 from the Chamber of Commerce and the rest would be from a list of nominees. Mr. Scrimm discussed this request with the County Commissioners and they are willing to be involved. There are funds and grants available for a program. Speakers will be in Livingston this Thursday and the following Thursday. Council is agreeable with this committee.

Local Government Center, Montana State University, will hold a conference for elected officials Wednesday, March 20, 1991, continuing until Friday. Registration forms will be placed in council boxes if anyone is interested.

Supt. Kastelitz explained a sewer blockage problem which occurred Thursday evening the involved the jail. Kastelitz handed Council a design of the sewer system over a 2 block area, pointing out where the first blockage was and where the 2nd blockage occurred after the sewer jet cleared the first blockage. The sewer main line passes under the City/County Building and the East Wing of the school.

Brad Kirby called Friday, February 15, 1991, from Japan. His conversation concerned Mayor Dennis' letter, approximately 1988, inquiring about a "Sister City" Relationship, and material recently mailed to the Mayor. Naganohara's Planning Section desires to pursue a "Sister City" relationship with Livingston, and would like the City Manager to send a letter if interested. They would like to send a group in April or May and talk to the City. Council is in favor of the City Manager sending a letter.

Karen Leitch is resigning February 28th and the Finance Officer is in the application process.

City Manager filled out an evaluation for L.I.F.E. from Renew America. They are looking to recognize organizations who are helping their communities.

Councilmember Fink commented on the ads in the paper for garbage pickups due to a holiday, and not putting ads in the paper for street sweeping.

Councilmember McGee commended Matt Gibson of the Enterprise, for the articles he wrote about the city infrastructure, and John Sullivan for his editorial. Also, thanked Jody Fink for attending the meeting on aging at the Senior Citizens Center.

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

The time was 8:45 p.m.

ATTEST:

APPROVED:

Julianne Blakely

RECORDING SECRETARY

Bill R. Dennis

MAYOR

ACA017

LIVINGSTON
CITY COUNCIL MEETING

March 4, 1991
7:30 p.m.

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Motion was made by Ommundsen, second by Fink to approve the minutes of February 19, 1991 regular council meeting. Motion passed.

Motion was made by McGee, second by Ommundsen to accept the bills and claims that listed for \$171,400.21. Motion passed.

Motion was made by Harris, second by Fink to approve Ordinance No. 1688, AN ORDINANCE ADDING A SECTION 26-40 TO THE CODE OF ORDINANCES REQUIRING A PERMIT FOR SNOW REMOVAL OPERATORS on first reading. All in favor. Passed.

City Auditors Max Simmons and Alan Tronson, Simmons and Company, presented FY 1989-1990 audit report to Council. Mr Simmons summarized the material. Mr. Tronson stated Finance Officer Jeanne Hencz and staff did a tremendous job. The presentation ended at 8:25 p.m.

Pat Owen, International Affairs, Department of Commerce spoke to Council pertaining to the letter and phone call from Japan wanting a Sister City Relationship with Livingston. Questions were asked from Council and local citizens interested in pursuing the relationship. Mayor Dennis stated the whole County should get involved. Councilmember McGee stated a Committee should be developed. Tom Berry, President Chamber of Commerce, would like to this pursued with other city clubs. Mr. Owen stated he and his staff would be available at anytime.

Cindy Nesmith, Livingston Depot Director, spoke to Council regarding the proposed traffic light at Park and 2nd Streets. Discussion was heard from Council, Staff and local business owners. Mayor Dennis asked for a motion to uphold the traffic light for further research. Motion was made by Harris, second by McGee. Motion passed with Ommundsen opposed.

Scout Master Mike Egeland of Boy Scout Troop #524 introduced some of his scouts to Council. They were attending the council meeting to see how local government works as part of their requirement for the "Citizenship of the Community" merit badge.

Shirley Ewan was hired as Part-Time Accounting Clerk, beginning work March 4th.

Motion was made by Harris, second by McGee to approve a temporary Mobile Home in Weimer Park for bathrooms and concessions. Motion passed.

Included in the packet, was the new policy for handicap parking that is now enforced.

City Manager stated there is still a vacancy on the Planning Board.

Mayor Dennis appointed intern City Planner John Nerud to the recycling committee. A councilmember will be appointed later.

A tour of the Fire Department will be held Wednesday, March 6th, 2:30 p.m., for councilmembers.

Disaster & Emergency Services Communications Meeting will be held Monday, March 11th, 7:00 p.m. in the Community Room.

Included in the packet was the Utility Billing System summary for February 1991. A correction was noted in the amounts billed FY 90-91 for October garbage. The figure should be \$39,506 with a total todate, \$322,677.

Public Services Supt. Ken Kastelitz reported that the Civic Center roofing job will be bid soon. There was \$15,000 budgeted for the repair and an Engineer's Study will be used to figure the cost.

The Rainbird heads to Sacajawea Park's sprinkler system are being worked on at this time. Seasonal employees will be hired April 1st, then the sprinkler lines will be installed.

The swimming pool basin will be painted before the 1991 season.

Included in the packet, was the hiring and start up schedule for the 1991 season at the swimming pool.

Utilities Supt. Clint Tinsley, reported that the Lewis Street Water Main Replacement Project will finish with all tie-ins the end of this week or beginning of next week.

Supt. Tinsley is preparing an asphalt bid request for the Chinook Street Project. The project will start in the next 2 weeks.

The 2 new wells are completed and ready for start up, as soon as the subcontractor connects the chlorination system.

An easement for the East Gallatin Street Water Line Project is still with the attorneys.

City Manager discussed a possible sewer line project for 1992 or 1993. The possibility is to use \$200,000 Sewer Reserve money (\$100,00 from Sewer Reserve, \$100,000 for reserves from rates) and attempt to get at least a matching grant. A Grant Writer would be used used to try for grants. The project would consist of laying 30" plastic sewer line

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from KPRK to Paradise Inn between Park Street and the tracks, with proper easements from the Highway Department and Burlington Northern Railroad. Supt. Tinsley added that this would benefit development in the 5 Acre Tracts and Weimer Addition. Mayor Dennis suggested looking into a City SID. Council agreed to have the City Manager investigate further.

Resolutions concerning the Computer System Agreements will be in the next Council packet. The computer system will be shipped March 22nd. City Manager made a recommendation to the Council, that since we have gone to monthly garbage billing, the six month reserve in Solid Waste is not being used at this time. Orndorff proposed using the \$21-25,000 of this reserve be used to pay for the Software Package (other than hardware). Annual payments, with higher interest, would be payed back to the fund over 5 years. Motion was made by McGee, second by Fink to approve a resolution for this recommendation. Motion passed.

The fire hydrant at Centennial Drive was repaired.

City Manager reported Firefighter Swanson and Officer Perkins are currently on Workers Compensation.

City Planner John Nerud reported on the progress of Mayor's Landing. As soon as Royal Rice sends the plans, the amount of fill will be placed and the boat ramp will be bid. At this time, they are 10 days behind the tentative schedule, due to the computerized transit had to be returned to California for retrieval of the information from the transit box.

The adjusted sheet to the Fire Departments Year End Report for 1990 was included in the packet.

Fire Chief Dave Frederick has requested permission to use the Sewer Plant House for training. They are looking for old furniture for the house and they now have a smoke generator. Videos will be made and analyzed to improve techniques.

City Manager reported Intern Planner Nerud is doing a good job. He will serve another quarter as Intern Planner.

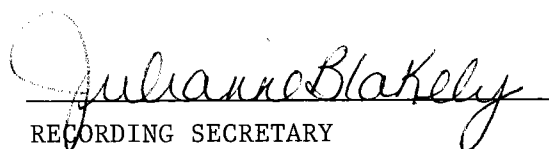
Bob Weimer requested that a portion of the new area at the Cemetery be set aside for Veterans. The Veteran section now is almost filled.

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

The time was 9:45 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


MAYOR

LIVINGSTON
CITY COUNCIL MEETING

March 18, 1991
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, March 18, 1991 in the council chambers in the City-County Building. Councilmembers present were Lee Harris, George Ommundsen, Jody Fink and Bernice McGee with Mayor Bill R. Dennis presiding.

City Manager Orndorff reported two changes in the minutes. Seventh paragraph of first page, third sentence should read Mayor Dennis asked for a motion to hold up the traffic light for further research. Third page, second paragraph, last sentence, should read, Motion was made by McGee, second by Fink to have a resolution drafted. Motion was made by Fink, second by Ommundsen to approve the minutes of March 4, 1991 regular council meeting with changes. Motion passed.

Motion was made by Fink, second by McGee to accept the bills and claims that listed for \$47,085.19. Fink questioned claim #3224, with Supt. Kasteliz clarifying. Motion passed.

Mayor Dennis proclaimed March 10-16, 1991 as Girl Scout Week.

Motion was made by McGee, second by Fink to approve Ordinance No. 1689, AN ORDINANCE ADOPTING THE FLOODPLAIN AND FLOODWAY MANAGEMENT ORDINANCE (REVISED 2-25-91) TO CHAPTER 29 OF THE CODE OF ORDINANCES on first reading. City Attorney Bob Jovick explained the Ordinance for Councilmember Harris. All in favor. Passed.

Second reading of Ordinance No. 1688, AN ORDINANCE ADDING A SECTION 26-40 TO THE CODE OF ORDINANCES REQUIRING A PERMIT FOR SNOW REMOVAL OPERATORS. All in favor. Passed.

City Manager received a letter of transmittal, March 4th from John Wadhams, Department of Health and Environmental Sciences. Council may review the letter in the City Office.

Enclosed in the packet was the Police Departments' Monthly Activity Report for February.

Included in the packet, was Police Chief Bryce's memo concerning number of intersection traffic accidents on Park Street.

City Manager reported on a County Commissioners' notice, concerning the parking lot across the street from the City/County Building. They stated the parking lot was not a private parking or storage lot.

Minutes of the City/County Joint Airport Board Meeting, 2/26/91 were included in the packet.

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City Manager stated in a verbal update on the computer system that the dedicated electrical wiring was complete except for a special breaker; the cabling was completed; shipment of components will start on/about March 22nd; the processor will go to IBM/Helena and Big Sky/Billings for entering of software; new Volume Purchase Agreement, IBM/State of Montana, was signed with higher discounts resulting in a savings of about \$3,500; and resolutions concerning payments should be ready next Council Meeting.

Intern Planner Nerud reported on a public hearing before the Zoning Commission, Tuesday, March 12, 1991, to rezone specific lots of Blocks 47, 48, 49 and 51 of the Minnesota Addition from RII(MH) to Industrial use. The zoning commission approved the proposed rezoning. Carlo Cieri, property owner in the Minnesota Addition, stated he did not want the zoning Industrial. That would limit him and other property owners on what they can build on their property. A public hearing will be held before City Council, April 1, 1991 at 7:30 p.m.

Motion was made by McGee, second by Fink to approve upon receipt, the final plat for Phil Young Minor Subdivision. Motion passed.

City Attorney Jovick stated a resolution would be prepared for the Railroad Pre-signalization Agreement.

Planner Nerud stated Lee Clonginger, State Dept. of Highways will contact Cindy NeSmith regarding the proposed traffic signal light.

Mayor Dennis set up a meeting concerning Mayor's Landing, Tuesday, March 19th, 2:30 p.m.

There will be a special council meeting March 27th, 2:30 p.m., to meet with Dick Larsen.

There will be a letter sent to local organizations, with arrangements for a meeting concerning the "Sister City Relationship" with Japan, Tuesday, March 26th, 7:00 p.m. in the Community Room.

A Wind Generator Firm, located in Belgium, had an American firm contact the City Manager concerning a meeting in Livingston relating to the Wind Generators and Wind Farm.

A call was received from Brad Kirby, Japan. The Deputy Mayor, Kirby and the person in charge of Sister City Relationships will arrive in Livingston about April 16th. They will leave Livingston on the 18th.

Councilmember Fink commented on Fire Negotiations with Consultant Larsen. She suggested the agreement be negotiated over 3 years instead of 1 year.

Councilmember Fink suggested the City approach the Livingston Trust for an auditorium at the Civic Center.

Councilmember Fink suggested the City look into a local auditor, instead of going out of town for City business. She stated Simmons & Co. was doing a fine job, but should compare with local accountants.

Councilmember Ommundsen question Supt. Kastelitz on the sprinkler system in Sacajawea Park. Kastelitz stated, when the seasons go to work, the sprinkler lines will be installed.

Local citizen Bob Weimer stated several people have approached him regarding an underpass from Star Road to Highway 10 around the Pamida area. Mr. Weimer said a petition with several thousand names was brought to the City a few years ago. Mayor Dennis stated a letter was on file from the BN declining the project.

Mr. Weimer also stated, he would like the old middle school to become a community building.

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

The time was 8:20 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Bill R. Dennis
MAYOR

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LIVINGSTON
SPECIAL CITY COUNCIL MEETING

March 27, 1991
2:30 p.m.

The Livingston City Council met in special session, Wednesday, March 27, 1991 in the council chambers of the City-County Building. Councilmembers present were George Ommundsen, Jody Fink and Bernice McGee with Mayor Bill R. Dennis presiding. Councilmember Harris was absent.

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 2:45 p.m.

The meeting resumed at 4:45 p.m. Motion was made by Fink, second by Ommundsen to adjourn the meeting there being no further business. Motion passed.

The time was 4:45 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Bill R Dennis
MAYOR

LIVINGSTON
CITY COUNCIL MEETING

April 1, 1991
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, April 1, 1991 in the council chambers, City-County Building. Councilmembers present were George Ommundsen, Jody Fink and Bernice McGee with Mayor Bill R. Dennis presiding. Councilmember Lee Harris was absent.

Motion was made by Fink, second by McGee to approve the minutes of March 18, 1991 regular council meeting and minutes of March 27, 1991 special council meeting. Motion passed.

Motion was made by McGee, second by Fink to accept the bills and claims listed for \$34,125.54. Mayor Dennis questioned claim #3334, Supt. Clint Tinsely clarified, dishwasher for Waste water Treatment Plant Laboratory. Motion passed.

A public hearing was held for a proposed zone change, from RII (MH) to Industrial for portions of Blocks 47, 48, 49, 51 and other parcels located in an area bounded on the north by East Gallatin Street, the east by M Street and on the west by the MRL/LRC. Opposition to the zone change was heard from Carlo Cieri, Debra Bower, Harry Bowers, Jerry Mergen, Judy Smith, Mrs. McKim, Jeanne Burly, Joanne Piazzola, Dave Burly. Ken Merideth stated he would like his property rezoned Industrial. Discussion also was heard from Councilmembers and City Attorney Jovick. Motion was made by Ommundsen to deny going further with the rezoning, second by McGee. Three in favor, Harris absent. Passed.

Harry Bowers commented that he was familiar with the methods used to develop Industrial areas in Havre and Kalispell, and knows who to contact if the City would be interested in advice concerning this area.

Motion was made by McGee, second by Fink to approve Resolution No. 2235, A RESOLUTION APPROVING AN AGREEMENT BETWEEN IBM CORPORATION AND THE CITY OF LIVINGSTON CONCERNING INSTALLATION OF CABLING FOR THE NEW COMPUTER SYSTEM AND ADDENDUMS TO UNPACK, INSTALL AND TEST 10 WORKSTATION DEVICES, AND FOR ADDITIONAL CABLING DROP. Three in favor, Harris absent. Passed.

Motion was made by Ommundsen, second by McGee to approve Resolution No. 2233-A, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE STATE OF MONTANA DEPARTMENT OF HIGHWAYS AND THE CITY OF LIVINGSTON CONCERNING RAILROAD PRE-SIGNALIZATION. Three in favor, Harris absent. Passed.

Second reading of Ordinance No. 1689, AN ORDINANCE ADOPTING THE FLOODPLAIN AND FLOODWAY MANAGEMENT ORDINANCE (REVISED 2-25-91) TO CHAPTER 29 OF THE CODE OF ORDINANCES. Three in favor, Harris absent. Passed.

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A petition was submitted to the Council by property owners in the Star Subdivision regarding a trailer placement in Jack Weimer Memorial Park for concession and bathroom facilities. Dean and Kathy Jehowski addressed the Council in objection to the trailer being allowed in their subdivision; covenant states trailers are not allowed. Discussion was heard from Bob Weimer and Mr. and Mrs. Jehowski. Mayor Dennis asked City Attorney Jovick for a legal opinion.

School Board Chairman Kuipers and Supt. of Schools Keef addressed Council on extending "E" Street to the Middle School property with a bridge and paving the street. This would be used only for emergency vehicle access. Local citizen Neil Travis presented Council with a petition from property owners in the area, against "E" Street being extended. Discussion was heard from Council, School Board officials and Travis. Motion was made by Ommundsen to accept the School Board's recommendation to extend "E" Street. No action was taken due to lack of a second.

City Manager Orndorff gave an update on the planned visit from Japan. The Chamber of Commerce is now handling arrangements through a committee.

There was a request to purchase a portion of city property at the City Water Plant. The City Council reaffirmed the policy that no city real estate will be sold.

Finance Officer Jeanne Hencz completed certified courses in "Conducting Performance Appraisal Interviews" and "Documenting Disciplinary Action".

The sweeper will start the summer schedule Monday, May 6th and sweep until August 3rd.

Spring clean-up will start April 29th. It will take about 3 weeks.

The packet contained work schedules for the Fire Department and Law Enforcement Department for April.

Included in the packet was the March 1991 Utility Billing System report.

City Council agreed to the same enforcement policy as last year for this year's street sweeper season. The Code Enforcement Officer will follow the Street Sweeper and issue parking tickets. Tickets issued the first four weeks will be "Reminders".

Videotapes from the Environmental Protection Agency's Office of Water on water quality standards are being loaned to the City free of charge.

Water Quality Bureau Environmental Specialists inspected the Wastewater Treatment Plant February 13, 1991 and the report is included in the council packet. It was noted in the report: the staff was very helpful.

Peggy Glass was the successful bidder for the day shift as dispatcher. Pam Murray will work the rotating shift. This creates a vacancy on the midnight shift that will be addressed at a later date.

Seasonal employees will start work on April 1st or April 16th depending on individual job.

There are vacancies to be filled on the Planning Board and the Health Board.

The packet included a letter and updated Joint Resolution from the City-County Joint Airport Board.

Included in the packet was the Police Department's Monthly Activity Report for March 1991.

A letter was received from Turbo Air Wind Generator Company, Wisconsin, concerning a party from Belgium to meet with the City Manager, Tuesday April 9th, inquiring about the windfarm. Dale Siegle from Job Service will give them a tour.

City Manager received a telephone call from Custom Steel, Billings, inquiring about going door to door looking for interested parties to steel side their homes. Discussion was heard from Council and City Staff. City Attorney Jovick stated the ordinance reads no door to door sales are allowed in residential areas, but does not prevent door to door sales in business areas. Daryl Anderson, Custom Steel, was in the audience requesting that Council allow him to purchase a permit for his crews to go "door to door".

Councilmember McGee stated Warren received a complaint from Mrs. McDonald, who lives next to Yellowstone Bridge at the Lagoon, that children were on the island in the canal harassing geese and ducks. She did report the incident to the Police. McGee would like no boats or float tubes to be allowed above Yellowstone Bridge.

Councilmember Fink stated she would like to see the meter posts downtown taken out. Jovick stated these were a liability hazard and suggested the city look into removing the posts.

Police Chief Bryce presented City Manager Orndorff with a Certificate of Appreciation for being a supportive employer of guard and reserve employees. The City has 4 employees that are members.

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

The time was 9:20 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


MAYOR

ACAO17

LIVINGSTON
SPECIAL CITY COUNCIL MEETING

April 12, 1991
2:30 p.m.

The Livingston City Council met in special session at 2:30 p.m., Friday, April 12, 1991 in the council chambers in the City-County Building. Councilmembers present were Jody Fink, Bernice McGee, Lee Harris and George Ommundsen with Mayor Bill R. Dennis presiding.

The special meeting was held to approve Resolution No. 2237, A RESOLUTION APPROVING AN LEASE AGREEMENT BETWEEN BIG SKY MOTION PICTURE COMPANY, A MONTANA CORPORATION AND THE CITY OF LIVINGSTON FOR RENTAL OF THE CIVIC CENTER AND PARKING AREA AT MILES PARK. Councilmember Harris asked how much of the Civic Center the company would be using. City Attorney Jovick and City Manager Orndorff stated all the grounds would be rented. Motion was made by Harris to approve the resolution, second by Fink. All in favor. Passed.

Councilmember Fink questioned why the Girl Scouts and Credit Union no longer rent the Civic Center. City Staff will check into it.

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

The time was 2:36 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Bill R. Dennis
MAYOR

LIVINGSTON
CITY COUNCIL MEETING

April 15, 1991
7:30 p.m.

The Livingston City council met in regular session at 7:30 p.m., Monday, April 15, 1991 in the council chambers of the City-County Building. Councilmembers present were Lee Harris, George Ommundsen, Jody Fink and Bernice McGee with Bill R. Dennis presiding.

Motion was made by Fink, second by McGee to approve the minutes of April 1, 1991 regular council meeting. City Manager Orndorff reported a change on page 2, paragraph 10, last sentence should read "Tickets issued the first two weeks will be Reminders". Motion passed.

Motion was made by Ommundsen, second by Fink to accept the bills and claims that listed for \$35,480.38. Motion passed.

Motion was made by Ommundsen, second by Fink to approve Resolution No. 2234, A RESOLUTION APPROVING AN INSTALLMENT PAYMENT AGREEMENT BETWEEN INTERNATIONAL BUSINESS MACHINES CORPORATION AND THE CITY OF LIVINGSTON. The vote was 3 in favor, with Harris declining to vote. Passed.

Motion was made by McGee, second by Fink to approve Resolution No. 2236, A RESOLUTION AUTHORIZING THE BORROWING OF FUNDS FROM THE SOLID WASTE ACCOUNT TO THE GENERAL FUND ACCOUNT FOR PURPOSES OF PURCHASE AND FINANCING OF COMPUTER SOFTWARE FROM BIG SKY DATA SYSTEMS AND FOR COMPUTER SYSTEM WIRING. All in favor. Passed.

City Manager reported the overall computer system, will be about \$8,000 under the original price.

Doug Crandall from the Livingston Rotary Club addressed Council with plans for a 3-4 year project at Judson Park. The first year will be the most extensive. They plan an underground sprinkling system, sidewalk, 9 old type light fixtures, iron and wood benches and a sign in the corner by 5th and Park Streets. Added future items are, picnic tables and restrooms.

Bids were opened for the 1991 Overlay Project for Chinook and Lewis Streets, April 11th in the council chambers. The 2 bids received were as follows:

Pioneer Ready Mix - Bozeman
\$57,606

Big Sky Asphalt - Bozeman
\$67,800

After further negotiating, Pioneer Ready Mix lowered the total bid amount to \$48,000. City Manager recommended to Council that this bid be accepted. Motion was made by Harris to accept the bid in the

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negotiated amount of \$48,000 from Pioneer Ready Mix, second by Fink. Motion passed.

The Airport Board Minutes of March 26, 1991, were included in the packet. City Manager stated to the Airport Board Secretary, that the City cannot enter into a contract for 20 years.

Enclosed in the packet was the monthly reports from the City Judge for January, February and March.

Motion was made by Harris, second by Fink to reappoint Cindy NeSmith as the City's Representative to "Yellowstone Country" for another 1 year term ending June 30, 1992. Motion passed.

Motion was made by Harris, second by McGee that the City would agree to give the Economic Development Council \$500 per year for 3 years, upon the EDC receiving a grant from the Trust Fund. The money would be used to establish an office and hire a director. Motion passed.

The Fire Department's Month End Report for March 1991 was enclosed in the packet.

The County Auction has been changed from April 20th to April 27th. Motion was made by McGee, second by Harris to include City items in the auction. Motion passed.

City Manager reported there is now a City-County Sanitarian and all complaints concerning livestock or fowl within the city limits will be directed to him. If a permit has been issued, it is this official's responsibility to follow through with the complaint. If a permit has not been issued, it then should be turned over to the Code Enforcement Officer.

The Yellowstone Boat Float Committee has requested permission again this year, to camp overnight and launch boats from Mayor's Landing for the annual Yellowstone River Boat Float, July 12, 13 and 14. Council was in agreement.

Information concerning the National Leadership Forum on Community Service was included in the packet. The Committee is honoring volunteers in communities. The convention is being held in Washington D.C.

Mark Black from Mark's In & Out Car Show requested approval from Council to use the green between 5th and 6th Streets on Park Street, for any overflow there may be during their car show June 21 & 22. Also, to allow the band to play an extra hour, until 12 midnight. Motion was made by Harris, second by Ommundsen to grant these requests. Discussion was heard on complaints from citizens in the past, if the band played until midnight. Harris moved to amend the motion and allow the band to play until 11:00 p.m., second by Ommundsen. Motion passed.

Mr. Soetens and his interpreter from Belgium, met with the City Manager last week concerning the Wind Farm.

City Manager sent the Department of Highways a letter stating the City of Livingston does not want the proposed traffic control signal installed at 2nd and Park Streets as designed. This is a closed issue.

Mayor Dennis handed Council the itinerary for the Naganohara Delegation's Visit. They will be arriving Monday night. There will be a reception for them after the council meeting in the lobby of the Murray Hotel.

Utilities Supt. Clint Tinsley reported the new wells are in the final process of approval, except for a few minor items on the punch list. The asphalt is the last major project to be completed.

The Chinook Street Project has been stopped due to the weather. It will start up again next monday. Patching and overlay of the streets will begin mid May.

Motion was made by Harris, second by Fink to bid street materials to chip seal 18 blocks. Money was budgeted for this project. Motion passed.

Motion was made by Harris, second by Fink to approve a "Loading Zone" sign request for the Absaroka Apartments. Motion passed.

Public Services Supt. Ken Kastelitz reported \$900 was donated to the Swimming Pool from the Swimming Pool Committee. The money will be used to sand blast the locker room floors. Supt. Kastelitz thanked the Committee for their donation.

The pool basin will be painted in the near future. Supt. Kastelitz reported the lagoon will have to be lowered about 4 feet, because of the empty pool and the groundwater problem. The lagoon will be filled after the swimming pool is filled.

Supt. Kastelitz reported why specific organizations were not using the Civic Center. The Girl Scouts used the Fairgrounds, as more floor area was available for a decorated dance floor with only the moving of a few dining tables. The City charged \$75 for rental of the Civic Center, while the Fairgrounds is only charging approximately \$15 for utilities and the Girl Scouts will do a service project for the Fairgrounds. The Credit Union had problems with the sound system at the Civic Center.

City Planner John Nerud stated bids would be opened for Mayor's Landing May 2nd. There will be a pre-bid conference April 22nd at Mayor's Landing. Planner Nerud stated the boat ramp will be installed before the Boat Float and the cement work will not be accomplished until Fall and the low water season.

City Manager requested a special council meeting for Wednesday, April 17th, 3:00 p.m. to meet with Dick Larsen.

ACAO17

City Manager handed out information concerning the elections. April 29th is the first day to file for office, and the last day for filing is June 27th with the General Election on November 5th.

City Manager asked Council if they would like to pursue changing the door to door selling ordinance. Discussion was heard by the Council. Motion was made by Fink, second by McGee to proceed with the change. The vote was two in favor, with Harris and Ommundsen opposed. Mayor Dennis broke the tie with a yes vote. Motion passed.

Council is in favor of changing the sign permit fee ordinance that was discussed during the worksession. The recommended fee is based on the previously adopted Building Code Fee Schedule.

The City will meet with property owners involved with the 8th Street Lift Station, as was discussed during the worksession.

Examples of water and sewer rates will be worked on in the near future.

City Manager has a draft Declaration for a Sister City Relationship with the Japanese.

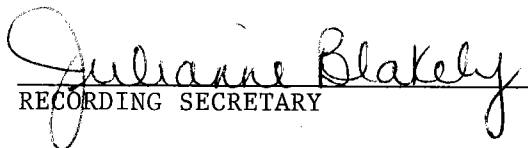
Councilmember McGee stated she received a call last Saturday from a gentleman on "D" Street, that had been walking and spotted oil or diesel in the water on "D" Street, where water goes into the lagoon. Fire Chief Dave Frederick will investigate.

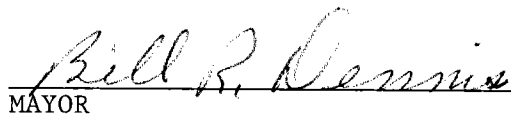
Motion was made by Harris, second by Ommundsen to adjourn this meeting there being no further business.

The time was 8:25 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


MAYOR

LIVINGSTON
SPECIAL CITY COUNCIL MEETING

April 17, 1991
3:00 p.m.

The Livingston City Council met in special session at 3:00 p.m., Wednesday, April 17, 1991 in the council chambers of the City-County Building. Councilmembers present were Lee Harris, Georg Ommundsen, Jody Fink and Bernice McGee with Mayor Bill R. Dennis presiding.


Mayor Dennis 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 3:00 p.m.

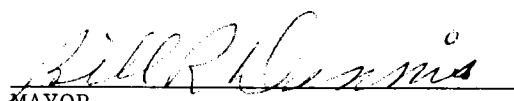
The meeting resumed at 4:05 p.m. Motion was made by McGee, second by Harris to adjourn this meeting there being no further business. Motion passed.

The time was 4:05 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


MAYOR

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LIVINGSTON
CITY COUNCIL MEETING

May 6, 1991
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, May 6, 1991 in the council chambers of the City-County Building. Councilmembers present were George Ommundsen, Jody Fink and Bernice McGee with Mayor Bill R. Dennis presiding. Councilmember Lee Harris was absent.

Motion was made by Fink, second by McGee to approve the minutes of April 12, 1991 Special Council Meeting, April 15, 1991 Regular Council Meeting and April 17, 1991 Special Council Meeting. Motion passed.

Motion was made by McGee, second by Fink to approve the bills and claims that listed for \$88,475.58. Mayor Dennis and Councilmember Ommundsen commented that the new computer system printout was easier to read. Motion passed.

Motion was made by McGee, second by Ommundsen to approve a recommendation from the City Board of Adjustment to grant Jean Glass a twenty foot front yard requirement variance. Motion passed.

Governor Stan Stephens and Mayor Dennis proclaimed the week of May 4-10, 1991 as Arson Awareness Week in Montana.

Mayor Dennis proclaimed May 7, 1991 as National Teacher Day.

Motion was made by Ommundsen, second by Fink to approve Resolution No. 2238, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND LOCAL NO. 630, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS. Three in favor, Harris absent. PASSED.

City Manager Orndorff reported that more discussion on the Clarence Street Sewer Project will be heard May 20th.

Motion was made by Ommundsen, second by McGee to waive the building permit fee for the installation of a new roof on Washington School. The fee is \$330.00. Motion passed.

The Monthly Activity Report for the Police Department was included in the packet. City Manager commented that 9,069 miles were put on the three Police cars during the month of April.

City Manager stated the residents and merchants of Livingston deserve a "thank you" for their support during the visit of the delegation from Naganohara, Japan. Mayor Dennis thanked the Fire Department and Jerry Weimer for making the enclosed stand to house the doll presented to the City, accepted by the Mayor, by Deputy Mayor Tsutomu Nagai.

A former resident who now lives in Japan, Gary Fish, wrote Mayor Dennis, offering his assistance in any way with Livingston's Sister-City Relationship with Naganohara.

City Manager discussed with Pat Owens, International Affairs Coordinator, the Japan Exchange and Teaching Program (JET). Mr. Owens stated that Montana's Japanese Sister State is interested in a Teacher exchange. They understand Montana's lack of funding but offered to have 3 teachers come to Montana for a year, without costs to the cities. Principal Beffert was going to follow up on this.

Motion was made by McGee, second by Ommundsen to appoint City Government employees Utilities Superintendent Clint Tinsley and Councilmember Jody Fink to the Park County Recycling Coalition Committee. John Nerud has already been appointed. Motion passed.

Motion was made by Ommundsen, second by Fink to appoint 3 City residents, Steve Beck, Pat Miller and Travis Chevallier to the Park County Recycling Coalition Committee. Motion passed. Project Director David Scrimm attended to answer questions.

There is still one vacancy on the City County Planning Board and one vacancy on the Health Board.

City Manager stated there will be a training session for the Montana Community Development Block Grant Program in Billings on May 8th and Helena on May 16th. He would like to attend the session on May 16th.

The Utility Billing System Report for April 1991 was included in the packet.

City Manager reported on the Enterprise Funds, stating that May and June are usually the high usage months for water and garbage prior to the end of the current fiscal year.

Enclosed was a letter from the Department of Health & Environmental Sciences concerning the Basement Gas Scope of Work. The letter is from John Wadhams to Envirocon, Inc.

Bids were opened May 1st for Street Materials. Bids were as follows:

STS Gravel - Livingston

CHIPS (450 cubic yards) \$5,220.00
over 450 cubic yards \$11.60 per ton

Eggars - Livingston

BLACKTOP (450 tons) \$12,375.00
over 450 tons \$27.50 per ton

CHIPS (450 cubic yards) \$9,900.00
over 450 cubic yards \$22.00 per cubic yard

Pioneer Ready Mix - Bozeman

ACA017

BLACKTOP (450 tons) \$22.50 per ton
 over 450 tons \$21.50 per ton

CHIPS (450 cubic yards) \$11.70 per cubic yard
 over 450 cubic yards \$11.70 per cubic yard

OIL (8100 gallons) \$0.75 per gallon
 over 8100 gallons \$0.75 per gallon

Cenex - Laurel

BLACKTOP (450 tons) \$140.96 per ton
 over 450 tons \$140.96 per ton

OIL (8100 gallons) 140.96 per ton
 over 8100 gallons \$140.96 per ton

Big Sky Asphalt - Bozeman

BLACKTOP (450 tons) \$24.25 per ton
 over 450 tons \$24.25

Motion was made by Ommundsen, second by McGee to accept the bid from Pioneer Ready Mix for BLACKTOP, STS Gravel for CHIPS and Cenex for OIL. Motion passed.

Motion was made by McGee, second by Fink to approve a request to bid the Telemetry System for the Water and Sewer Departments. Phase I is budgeted for this year. Phase II will be in the next budget and is expected to be bid in July 1991. This will be a 3 Phase project. Motion passed.

Motion was made by Fink, second by McGee to approve a request to bid a pickup for the Sewer Department. This is a budgeted item. There would be no trade in, as the truck they currently have will be used for Water and Sewer Department maintenance. Motion passed.

The Livingston Junior Women's Club is donating a "Lion Water Fountain" for Sacajawea Park.

City Manager reported to Council, that 2 Solid Waste Scales would be budgeted for the other 2 trucks. Discussion was heard, whether an additional 2 scales were needed. It was decided that all trucks have scales.

Discussion was heard about hiring a structural engineer to study and develop a means of reinforcing the Civic Center Roof.

Rhonda Hochhalter was hired as the Swimming Pool Manager for the 1991 season.

Tew Distributing of Bozeman was the successful bidder to install a vending machine at the swimming pool. D & R Vending was the other bidder. Councilmember Fink questioned the litter problem this could create. Staff suggested Supt. Kastelitz answer her questions at the next meeting.

Bev Koder has been hired as the midnight shift Police Dispatcher.

Officer Sam Frederick was on National Guard active duty during the State strike serving at the State Prison.

Shields Valley School District sent a letter commending Captain McCann and Officer Brack with their presentation of the DARE Program.

DARE received a \$2,000 donation from the Gabooney Foundation. The Gabooney Foundation is to be thanked for this donation.

Recently, the Livingston Fire Department underwent training for vehicle extrication. There were incidents within a few days that utilized this training.

An enclosed letter stated a few of the Fire Fighters will be medics for the movie being filmed in Livingston.

The City Manager approved outside employment with J & J Cleaning for Fire Fighter Lobaugh.

The Gabooney Foundation donated \$1,000 to the Fire Department, towards the education of the Livingston Community in fire prevention. The Gabooney Foundation is to be thanked for their donation.

Finance Officer Jeanne Hencz briefed Council on the training of the new computer system.

City Planner John Nerud reported on the Mayor's Landing Project and the bid opening on May 2 for contract work, was awarded to STS Gravel of Livingston. The Project Engineer was looking into getting the boat ramp installed before high water. Nerud stated Trout Unlimited was interested in the project and approaching the BN Foundation for the additional money that is not covered by State Fish and Game to help fund the project.

Planner Nerud sent an application signed by Mayor Dennis, to the Montana Historic Preservation Office. This would allow Livingston to be a Certified Local Government, which would help in the following ways:

Eligible for grants to use in the area of historic preservation,

Complete a new registrar for the Historic District,

Money for Design Review Committee to use in the Historic District for administrative purposes, and

Eligible for technical assistance.

City Manager reported the City made \$775 to \$800 on the Auction.

Included was Livingston Cleanup Site Documents from the Department of Health and Environmental Sciences. The letter of transmittal itemizes the three documents which were received.

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An application for Retail On Premise Consumption Beer/Wine License for Stefano's Chicago Style Pizza was included for Council to review.

The Month End Report from Fire Chief Frederick was included in the packet.

A copy of the March 1991 Monthly Progress Report for Mission Wye is in the office.

Police Chief Bryce will be leaving for National Guard Training from June 8-22, 1991.

The City recieved a quarterly payment from TCI Cablevision.

Rich King briefed the Council concerning the petition that had earlier been circulated to change the current City Manager Form of Government back to the elected, full-time Mayor Form of Government. The petition was not given to Council.

Motion was made by Ommundsen, second by Fink to agree that the City pay the portion only of the bridge work for the new Middle School, at the end of "E" Street over the creek, as designated in MCA 7-14-2204, provided the following conditions are met:

1. The bridge be only for Emergency Vehicle Access.
2. The bridge be cordoned off to vehicles for Emergency Vehicle Access only.
3. Not be connected to a street, cul-de-sac or any other thru way on the Middle School side of the creek.

Motion passed.

Mayor Dennis declared the meeting closed to discuss a matter where the merits of indiviudal privacy exceed the merits of public disclosure. At 8:27 p.m. the Council went into closed session to discuss labor negotiations.

The meeting resumed at 8:55 p.m., with Councilmember McGee reporting on a letter she wrote to staff and councilmembers. A duck and 3 baby geese were killed at Sacajawea Park over the weekend. Councilmember McGee offered a \$50 reward for information leading to the person or persons responsible. She would like the Council to put together an Ordinance for a \$500 fine and \$250 reward for anyone molesting the wildlife in the Park.

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

The time was 9:05 p.m.

ATTEST:

APPROVED:


REGORDING SECRETARY


MAYOR

LIVINGSTON
CITY COUNCIL MEETING

MAY 20, 1991
7:30 P.M.

The Livingston City Council met in regular session at 7:30 p.m., Monday, May 20, 1991 in the council chambers of the City-County Building. Councilmembers present were Jody Fink, Lee Harris and George Ommundsen with Mayor Bill R. Dennis presiding. Councilmember Bernice McGee was absent.

Motion was made by Fink, second by Ommundsen to approve the minutes of May 6, 1991 regular council meeting. Motion passed.

Motion was made by Ommundsen, second by Fink to accept the bills and claims that listed for \$42,006.86. Fink questioned claim 3582. Police Chief Bryce clarified. Motion passed.

Mayor Dennis proclaimed May 25, 1991 as American Legion Auxiliary's Annual Poppy Day.

Motion was made by Fink, second by Ommundsen to approve Ordinance No. 1690, AN ORDINANCE AMENDING SECTION 6-164 PERTAINING TO SIGN PERMIT FEES OF THE CODE OF ORDINANCES, on first reading. The vote was 2 in favor with Harris opposed. Councilmember McGee absent.

Included in the City Business section was a Calender of Events, through the month of October.

Mr. and Mrs. Gene Bensen, 115 Highground, addressed Council concerning motor vehicles and dirt bikes using an undeveloped City Park for jumps below their home. They find it very disturbing and would like Council's help on prohibiting motorized vehicles in this area. City Attorney Jovick stated it would be possible to have an ordinance drawn and also, it would need to be posted in the newspaper. Motion was made by Harris, second by Fink to have an ordinance prohibiting motorized vehicles in all developed or undeveloped City Parks. Motion passed.

Bids were opened at 11:00 a.m., May 20, 1991, for a 1991 Model Compact Pickup for the Sewer Department. Bids were as follows:

Kiefer Motors - Livingston
\$8,481.96 (No Bid Bond)

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Whiting Motors - Livingston
\$7,953.63

Livingston Ford - Livingston
\$7,750

Motion was made by Fink, second by Ommundsen to accept the bid from Livingston Ford in the amount of \$7,750.00. Motion passed.

Included for review were the Airport Board Minutes of April 23, 1991.

Council agreed to have the City Manager send to Naganohara, a Proposed Sister City Affiliation Declaration for their consideration.

Proposed Solid Waste Rates for FY 91-92 were included in the packet. Initial discussion was heard on proposed rates. The Solid Waste Budget and rates will be topics of discussion for a proposed work session, June 3, 1991, 6:00 p.m.

Supt. Public Services Kastelitz, reported the Cemetery would have extra help to prepare for Memorial Day Weekend.

Supt. Kastelitz also reported that 18 blocks of City streets will be chip sealed starting July 8th. This is only half of the normal amount of streets to be chip sealed, due to the Chinook & Lewis Street Project's.

The alley Spring-Cleanup took 12 days and 812 yards of trash was picked-up.

Monday was the first day the Code Enforcement Officer issued tickets in violation of the Street Sweeper. There were 25 tickets issued. This number is down from last year.

A office trailer was placed in the lot at the Civic Center, for an additional office. The Production Company is short of office space within the building.

Park Clinic personnel are donating their time to paint the basin of the City Park's two wading pools.

The Assembly of God youth group will donate their services, June 8th, for park cleanup. Donations from the community will be accepted for their OutReach Ministry.

Councilmember Harris questioned who was responsible for filling holes in streets and alleys that were dug by contractors. The contractor is responsible.

Utilities Supt. Tinsley reported on correspondence from the State's Water Quality Bureau concerning a gas problem, NOT a discharge problem, at the Waste Water Treatment Plant. Last year \$5,000.00

was budgeted for engineering costs. This will be an on going project until solved.

Supt. Tinsley stated the new Chinook Street water main was tested and approved by the State. The new main will be hooked up to the old main this week. Next week the service lines will be hooked up and the following week, street work will start on Lewis and Chinook Streets.

Supt. Tinsley requested permission to bid a new roof for the Sewer Plant. The roof is leaking in different areas, including on the control panels. Discussion was heard, with Councilmember Harris suggesting an engineering study to get an unbiased opinion and cost for the project. The City Manager stated an engineer will be utilized to develop specifications for the bid.

City Planner Nerud stated work on Mayor's Landing Boat Ramp will start after Memorial Day Weekend. STS Gravel will be supplying the gravel.

City Manager and City Planner Nerud, reported to Council concerning the official closure of the City's two landfills and costs for these closures. Planner Nerud stated the City needs to submit a plan to the state that they will accept. Motion was made by Ommundsen, second by Harris to request the Park County Commissioners to help fund the landfill closures, since the county also used these as dumping sites. Motion passed.

Planner Nerud stated we are in the area of the East Boulder Mine Project. The City has an Environmental Impact Statement if anyone would like to review it. Wednesday, June 5th, in the Big Timber Gymnasium, an open house will be held at 2:30 p.m. and 7:00 p.m., for public questions. At 8:00 p.m. a formal hearing will be held.

Big Sky Data System's Certificates of Completion were included in the packet for Hencz, Ewan, Wulf and Grigsby.

A City Judge's memo was submitted to the City Office's concerning the distribution of fines, costs, etc from City Court and included in the packet for informational purposes.

City Manger Orndorff received a Radon Monitoring Report from a test taken at the Extension Office in the City-County Building.

Envirocon's April Sampling of the "B" Street Well and April's Monthly Status Report were included.

Motion was made by Fink, second by Ommundsen to appoint Craig Whitlock to the City-County Planning Board. Motion passed.

A letter was received from Naganohara, thanking Livingston for their hospitality.

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City Manager attended a seminar in Helena on May 16th, concerning grant writing.

Councilmember Ommundsen asked for a update on the sprinkler system in the park. Supt. Kastelitz reported a woman from Billings is working on a Master Plan for the park. Ommundsen also stated the acoustic problem at the Civic Center needs to be addressed if a study should be done at the Civic Center. The City will have an engineer develop specifications for reinforcing the roof.

City Manager stated there may be a Special Council Meeting held on Thursday, May 23rd. Council will be notified.

Tony Ackerson, 316 N. 6th Street and Bart Bartlette addressed the Council concerning the Street Sweeper. Staff explained to them how the schedule worked and they may obtain a sweeper schedule from the City Office.

Mayor Dennis commented on the excellent turn-out for the D.A.R.E. Graduation Ceremony, May 16th. The Governor was the main speaker. Discussion was held concerning the funding of the program and the outstanding support by the business community.

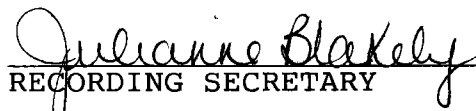
Councilmember Ommundsen commented on the new railroad ties stacked by Front Street.

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

The time was 9:05 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


MAYOR

LIVINGSTON
CITY COUNCIL MEETING

June 3, 1991
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, June 3, 1991 in the council chambers of the City-County Building. Councilmembers present were Lee Harris, George Ommundsen, Jody Fink and Bernice McGee with Mayor Bill R. Dennis presiding.

Motion was made by Fink, second by Ommundsen to approve the minutes of May 20, 1991 regular council meeting. Motion passed.

Motion was made by Fink, second by Harris to accept the bills and claims that listed for \$31,681.11. Fink questioned claim no. 1293. The description should read "parts". Motion passed.

A public hearing was held for Resolution No. 2240, A RESOLUTION APPROVING A TAX BENEFIT FOR THE CONSTRUCTION OF THE CENEX CONVENIENCE STORE. Councilmember Fink questioned the definition of new industry and how they qualified. City Manager Orndorff and City Attorney Jovick explained. Motion was made by Harris, second by Fink to approve the tax break. All in favor. Passed.

A public hearing was held for Resolution No. 2241, A RESOLUTION APPROVING A TAX BENEFIT FOR THE CONSTRUCTION OF THE MCDONALD'S RESTAURANT OF LIVINGSTON. McDonald's Manager Daryl Strelnik addressed Council concerning the tax break. Motion was made by Ommundsen, second by Harris to approve the tax break. All in favor. Passed.

Motion was made by Ommundsen, second by Fink to approve Resolution No. 2242, A RESOLUTION APPROVING AN ADDENDUM TO A LEASE AGREEMENT BETWEEN BIG SKY MOTION PICTURE COMPANY, A MONTANA CORPORATION AND THE CITY OF LIVINGSTON FOR RENTAL OF THE CIVIC CENTER AND PARKING AREA AT MILES PARK. Councilmember Ommundsen questioned this resolution. City Attorney Jovick stated this is a follow up to the agreement. Paragraph 12 was the only change. All in favor. Passed.

Motion was made by Ommundsen, second by McGee to approve Resolution No. 2243, A RESOLUTION OF INTENT TO ANNEX CERTAIN REAL PROPERTY TO THE CITY OF LIVINGSTON. Councilmember Harris questioned what the advantage would be. City Manager Orndorff clarified. The vote was three in favor, Harris abstained from voting. Motion passed.

ACAO17

Second reading of Ordinance No. 1690, AN ORDINANCE AMENDING SECTION 6-124 PERTAINING TO SIGN PERMIT FEES OF THE CODE OF ORDINANCES. There was some confusion to the ordinance after roll call vote was taken. After it was clarified, the City Attorney asked the Recording Secretary for an additional roll call vote. All in favor. Passed.

Motion was made by McGee, second by Fink to approve Ordinance No. 1691, AN ORDINANCE ADDING SECTION 9-157 TO THE CODE OF ORDINANCES PROHIBITING MOTORIZED VEHICLES FROM OPERATION IN CITY PARKS on first reading. Councilmember Fink stated there needed to be some way to let people know there is a park on the northside hill. Supt. of Public Services Kastelitz reported four signs were made, and in the next few days would be put in the area. All in favor. Passed.

Supt. of Public Utilities Tinsley stated the Water Department will be doing lawn work, a sprinkler system and cabling off the area at the 1 million gallon reservoir in the next budget year.

Steve Kratville and Barbara Timms from the Forest Service addressed the Council. They explained some of the Forest Service's history and that this year is their Centennial Birthday. There will be a pony express coming through Livingston on June 25th. The Livingston Post Office is working with the Forest Service by having a special mail drop and hand cancelling mail with a commemorative post mark on the letters that are in the special drop only. They requested a proclamation from the Mayor and working with the Police Department for an escort from Sacajawea Park to the Depot and from there to the city limits east and then back to the fairgrounds.

City Auditor Alan Thronson, Thronson and Cotterell addressed the Council concerning what changes have been made in the audit circles.

City Manager Orndorff reported on the Clarence Street Sewer Project. There was a meeting with Natalie Jenkins and David DePuy earlier in the day. Councilmember Harris stated the City should buy the parts first then have the work bid out. City Manager will have something in writing at the next council meeting.

The allocation of Gas Tax Revenue for FY 92 was included for Council to review.

The Draft Master Plan Schedule for the BN/Livingston Site was included for Council.

Fire Fighter Richard Woods will go to Colorado for National Guard training. Also, Police Chief Bryce and Officer Sam Frederick will leave for National Guard training during June.

Supt. Kastelitz reported 13 tons of grass clippings went to the landfill.

There were 318 parking violation tickets issued during the first 2 weeks of street sweeping. This number is down from last year by 156 tickets. 605 warning tickets were issued.

Registration for the Swimming Pool will be this weekend, June 8 & 9. The Pool will open for the season June 10 for 10 weeks.

Supt. Kastelitz reported a set back with the sprinkler system in Park. The woman working on the project was ill, and she is now back to work.

City Manager Orndorff reported to Council, that the State can not certify the solid waste scales on the garbage trucks. Orndorff also mentioned the solid waste rates that were discussed during the worksession before the Council meeting. He is proposing to raise the residential garbage rates from \$120 to \$126 per year. Councilmember Harris stated he would like it to stay at \$120. Councilmember Fink questioned Supt. Kastelitz concerning a 3 plex. There will be a legal notice for a public hearing at the next council meeting concerning proposed Solid Waste Rates.

Utilities Supt. Tinsley reported DNRC owns the Livingston Ditch. The ditch company only maintains it. Tinsley is in contact with DNRC's engineer to discuss ditch problems.

Supt. Tinsley will contact the asphalt company and work will start approximately next week paving Chinook and Lewis Streets. Comments were heard concerning a constant hole located on Lewis and 10th Streets.

The Front Street Project is still projected for work to start this fall.

The 2 new wells are now complete and running. A number of calls were received from West end residents, complaining of the chlorine in the water. Tinsley stated it would not go away. The people in this area are not use to water containing chlorine. Questions were asked of Tinsley concerning chlorination.

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Included in the packet was the electricity usage for Livingston Wells. City Manager Orndorff explained the usage to Council. Tinsley stated the cost to turn a well on and then off within the same day, is the same cost to leave the well on for a couple weeks, due to the demand of electricity.

City Planner Nerud reported the State will start the Mayor's Landing project after the boat float July 12th. Trout Unlimited is still interested in help funding the second part of this project. Trout Unlimited has not presented this to their voters yet.

There will be a question and answer session regarding the East Boulder Mine Project Wednesday, June 5th at 2:30 p.m., in Big Timber. The formal hearing is at 8:00 p.m. that night.

Planner Nerud presented Council with a petition from Ray Birkland, concerning Mr. Birkland having 4 dogs at his residence. The ordinance reads, only 2 dogs are allowed at one residence and there is no clause in the ordinance for special exceptions, therefore the Council took no action.

City Manager Orndorff explained revenue charts that were included in the packet pertaining to Municipal Water, Sewer and Solid Waste Income, FY 90-91.

The Utility Billing, Fire Department and Police Department Monthly Reports for May 1991 were included in the packet.

Mark's In & Out Second Annual Rod Run is scheduled for June 21 & 22. Mark Black was in the office to request a parade June 22nd at 5:00 p.m. Police Chief Bryce and City Manager Orndorff will coordinate the parade route.

Grant Writer Rusty Rokita will be in Livingston Friday, June 7th to meet with City Manager and anyone interested in meeting him. If the City applies for a grant or a loan, we would have to have some type of Capitol Improvement Plan. City Manager gave the Council a handout to look at and give him any comments they may have at the next Council meeting.

Motion was made by McGee, second by Ommundsen to approve the appointment of Dorothy Lorraine to the Park County Health Board.

The National Guard Brigade Commander will give a presentation at the Armory, Wednesday, June 5th at 9:00 a.m. Council is invited to attend.

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The Credit Union has an easement in the alley next to the Lehrkind Building. There were problems last summer and a complaint has been heard again this summer concerning trucks parked in the alley to fill their tanks with water from the side of the Water Shop. The vehicles obstruct vision for drivers utilizing the alley. Some of these drivers are Credit Union customers. Discussion was heard from staff and Council. Supt. Tinsley stated, if the water main was extended to the Sewer Plant, that would be an excellent spot for trucks to load water.

City Council approved the use of the lagoon for the Boy Scouts to learn about canoe safety.

City Manager received a request from the property owner at the end of Robin Lane. He is sodding and seeding his yard and would like to take care of a piece of triangular City land adjoining his property. City Attorney Jovick stated, no fence could be installed, but mowing and caring for the grass would be permitted.

Councilmember Ommundsen thanked City Manager Orndorff for his help in getting the railroad ties moved to another location.

Councilmember Harris questioned the City Manager concerning the Civic Center Roof. Supt. Kastelitz also provided input.

Councilmember Harris questioned what the boats were for in the fenced lot behind the Civic Center. City Manager stated they were the movie production company's.

Councilmember Harris questioned the alley behind Empire Savings and Loan. Supt. Tinsley stated he had been in touch with Montana Power Co. and when Lewis Street was paved, the hot mix for the alley patch would be accomplished at the same time.

Councilmember Harris questioned why 10 feet of the St. Mary's property could not be fenced and used as a walkway for students. City Manager stated this would not be possible as it is a liability problem.

Councilmember Harris questioned why a solid waste rate increase was needed when the Solid Waste Fund loaned money to the General Fund. The City Manager answered that the money was loaned from the Solid Waste Reserve Fund. It is best that reserve money not be used for operations; it should be for capital items.

Motion was made by Fink, second by Harris 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 Dennis
MAYOR

LIVINGSTON
CITY COUNCIL MEETING

June 17, 1991
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, June 3, 1991 in the council chambers of the City-County Building. Councilmembers present were Bernice McGee, Lee Harris, George Ommundsen and Jody Fink with Mayor Bill R. Dennis presiding.

Motion was made by Fink, second by Ommundsen, to approve the minutes of June 3, 1991 regular council meeting. Motion passed.

Motion was made by Fink, second by McGee, to accept the bills and claims that listed for \$76,194.55. Councilmember Ommundsen questioned Claim No. 3724; Supt. Tinsley clarified. Councilmember Fink commented the claim report was difficult to read and wasted paper. Councilmember McGee questioned Claim No. 3747 and 3748; Tinsley clarified. Motion passed.

A public hearing was held on Resolution No. 2248, A RESOLUTION APPROVING THE GARBAGE RATES FOR THE FISCAL YEAR 1991-1992 FOR THE CITY OF LIVINGSTON. City Manager Orndorff explained the proposed garbage rate table. Public comment was heard from Bob Zander, Daryl Strelnik, Refuse District Chairman Bob Braiser, Juanita Fatouros, Natalie Jenkins, Pat Miller and Councilmembers. Motion was made by Fink, second by McGee, to accept this resolution. The vote was three in favor with Harris opposed. Passed.

City Planner Nerud submitted a proposal to Council, for the City of Livingston to join the Park Conservation District. If Council elects to initiate this process, it will have to be approved by the voters. The cost to each taxpayer will amount to approximately \$1.25 per year. Bruce Malcolm, representative for the District, also briefed the Council. City Attorney Jovick wanted to research a legal question concerning mills before Council agreed to the proposal.

Motion was made by Ommundsen, second by McGee, to approve the Board of Adjustments recommendation to DENY a variance request from Steve Hicks, from a twenty-seven foot maximum height requirement specified for Medium Density Residential (RII) Districts for a 40 foot tower for a Wind Generator. Motion passed.

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Motion was made by Harris, second by Ommundsen, to approve the Board of Adjustments recommendation to APPROVE a variance request from Tom Shands, from a twenty-five feet front yard and a five foot side yard requirement specified for Medium Density Residential (RII) Districts to build a garage, provided the Mr. Shands establishes his property boundaries to the City's satisfaction. Motion passed.

Mayor Dennis proclaimed Tuesday, June 25, 1991 as "NATIONAL FOREST CENTENNIAL DAY", and June 24 - July 5, 1991 as "GO WESTERN DAYS" for the City of Livingston.

Motion was made by Fink, second by McGee, to approve Resolution No. 2246, A RESOLUTION APPROVING AN AGREEMENT DATED JUNE 3, 1991, BETWEEN THE CITY OF LIVINGSTON, MONTANA AND THRONSON AND COTTERELL. Councilmember Fink questioned the cost for the audit agreement. City Manager Orndorff stated the cost would be the same as the past couple years. Finance Officer Hencz stated the City would be working two computer reports this year. All in favor. Passed.

Motion was made by Fink, second by McGee, to approve Resolution No. 2247, A RESOLUTION AMENDING "JOB CLASSIFICATIONS FOR CITY EMPLOYEES" FOR THE 1991-1992 YEAR EFFECTIVE JULY 1, 1991. Councilmember Ommundsen questioned the Police Department Classification. City Manager explained the classification table. Councilmember Harris questioned the difference between Shift Commander compared to Captain. Orndorff answered Harris's question. Mayor Dennis questioned why Director of Public Works was still in the table. Orndorff explained the position has not been eliminated. Dennis commended Supt. Tinsley and Kastelitz on the fine job they are doing. All in favor. Passed.

Motion was made by Ommundsen, second by McGee, to approve Resolution No. 2249, A RESOLUTION TRANSFERRING A MAXIMUM OF \$8,500 IN FUNDS FROM THE SOLID WASTE RESERVE FUND 5410.102230 TO CAPITAL OUTLAY, 5410.186000 FOR THE PURCHASE OF SCALES AND INSTALLATION FOR THE SOLID WASTE COLLECTION TRUCKS FOR THE CITY OF LIVINGSTON FOR FISCAL YEAR 1991-1992. City Attorney Jovick stated "FISCAL YEAR" should read "1990-1991". All in favor. Passed.

Motion was made by Ommundsen, second by Fink, to approve Resolution No. 2250, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON AND HRDC.IX OF BOZEMAN, MONTANA. Fire Chief Frederick explained this was an 8 week project funded by HRDC, to provide work experience for a youth. All in favor. Passed.

Second reading of Ordinance No.1691, AN ORDINANCE ADDING SECTION 9-157 TO THE CODE OF ORDINANCES PROHIBITING MOTORIZED VEHICLES FROM OPERATION IN CITY PARKS. All in favor. Passed.

Motion was made by Fink, second by McGee, to approve Ordinance No. 1692, AN ORDINANCE AMENDING CHAPTER 31 TO RENAME THE DESIGN REVIEW COMMITTEE, TO CHANGE QUALIFICATIONS AND TERMS OF COMMISSION MEMBERS, AND TO CREATE THE POSITION OF PRESERVATION OFFICER, on first reading. Planner Nerud explained more funds could be available if the City was a certified local government. All in favor. Passed.

Motion was made by Harris, second by Ommundsen, to proceed with replacing the Edgewater Lift Station. The city will act as the main contractor and bid out the necessary supplies and contract work. Motion passed.

Mayor Dennis tabled a request from Rose St. Germain to use Sacajawea Park for an Art Appreciation Day. St. Germain was not in the audience.

Grant Writer, Rusty Rokita, visited with City Manager Orndorff, Thursday, June 13th. Orndorff summarized the discussion to City Council. Council was in favor of proceeding with a public hearing for public comment on a Community Development Block Grant (CDBG) for next council meeting and with Request for Proposals.

Motion was made by Ommundsen, second by McGee, to accept the Middle School Utility Project. The School District will be responsible for the stream bank restoration work on both sides of the creek as stated in the letters in the packet. All punch list items were completed. Motion passed.

City Manager Orndorff reported that the School District discussed installation of a foot bridge over Fleshman Creek, E Street, at this time. The School District would be responsible for the cost. An emergency vehicle entrance would not be installed at this time, perhaps at a later date. There were no objections from Council.

A sub-contractor will start paving the new well sites and 14th Street the end of this week or first part of next week.

City Manager discussed reimbursement rates for Recreational Leasing, Inc. with City Council. Supt. Tinsley was instructed to finish all remaining work which the Centennial Subdivision developer failed to complete. The City will be reimbursed for this work as reimbursement money is received.

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Motion was made by Harris, second by McGee, to charge 15% fee from any individual using a City Park and charging a fee of other individuals. Motion passed.

Mayor Dennis would like a timer put on the light post in the tennis court. The light is being left on all night. Supt. Kastelitz will check into the matter.

Supt. Kastelitz updated the Council on the movie company's activities. Selected streets and alleys will have 3/4" gravel placed on them for the movie. Big Sky Movie Production Co. will place a damage bond for any damages that may occur to the streets. The firm will also remove meter posts, street signs, street lights and business signs. Business owners are aware of these being removed. These will be replaced when shooting is completed.

Bulk fuel will be bid for FY 91-92. This year the bulk fuel will stay at the successful bidder's plant. The City's storage tanks are to be removed due to length of time in the ground.

Supt. Kastelitz, Warren McGee and Candy Doherty (2M Co. Billings), will review underground sprinkler system plans for Sacajawea Park next Wednesday.

Money was receipted from the Livingston Junior Women's Club for the "Lion's Head" drinking foundation which the Club donated for Sacajawea Park.

Supt. Tinsley gave an update on the Chinook Street Project. Thursday morning paving should start. The ditch will be patched first, then all of the street will be overlaid. Councilmember Ommundsen questioned the blockades on 3rd and Chinook Streets. Supt. Tinsley stated a cement storm drain was poured and needed 6 days to set and dry before vehicles drove on it. Lewis Street will be paved after Chinook Street is finished.

Planner Nerud reported the Boulder Mine Project could add to our area and help the economy.

An informational letter from the Livingston Business and Professional Women's Organization explaining the "Latch Key After School Program & Headstart Program" was included for Council.

City Manager received a Notice and Acknowledgment of Receipt of Summons and Complaint against the City by the AFCLU and acknowledged receipt.

Jim Magone, J & J Cleaning, arranged a "walk through" of the City/County Building, for June 19th, with County Commissioners, City Manager and City Council. This is to determine the areas that need repaired.

Included in the packet were the Minutes of the Joint City/County Airport Board Meeting for May 28, 1991.

City Manager received permission from Council for the HOME Organization to place a granite slab at the base of the flagpole in Sacajawea Park, engraved to read "Dedicated to Park County Men and Women in the Armed Forces". They will have a pig roast at the Gazebo on July 4th and the yellow ribbons will be removed July 5th.

It was reported that 20 acres of land would have to be donated to the State if the City would like to get the Women's Prison. Discussion was heard from Council and Staff. City Attorney Jovick stated City & County need to agree on the money and send a letter to the State tying up a option site. City Manager will look further into this matter.

Planner Nerud received a packet on tourism and will produce for anyone interested.

City Manager reported on a letter the L.I.F.E. Committee wrote to John Wadhams of State Department of Health and Environmental Sciences.

City Manager received a Community Involvement Plan from the State DHES. The plan will be in the office for review.

City Manger requested an executive session. Mayor Dennis 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 9:42 p.m.

The meeting resumed at 9:54 p.m.

Councilmember McGee mentioned the editorial that was in the Enterprise and commended John Sullivan.

Councilmember McGee also stated that City Manager Orndorff just brings items to Council for action. The Council acts on these items and makes the decisions.

Councilmember Harris stated not all of the Garbage Ordinance is being enforced. Harris requested a report from Supt. Kastelitz, listing what the Code Enforcement Officer has accomplished in the previous 2 weeks, for

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the next Council Meeting.

Supt. Tinsley stated he was in contact with Jim Krusemark of Montana Power Company concerning patched holes. The alley spots for which MPC is responsible, will be patched at the same time Lewis and Chinook Streets are paved with hot mix. It was also reported, that a hole across the road in the baseball complex behind the high school needed filled; where a water line was repaired.

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

The time was 10:12 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Bill Dennis
MAYOR

LIVINGSTON
CITY COUNCIL MEETING

JULY 1, 1991
7:30 P.M.

The Livingston City Council met in regular session at 7:30 p.m., Monday, July 1, 1991 in the council chambers of the City-County Building. Councilmembers 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 June 17, 1991 regular council meeting. Motion passed.

Motion was made by McGee, second by Fink to accept the bills and claims that listed for \$57,045.72. Motion passed.

A public hearing was then held in the District Court Room regarding the application process of a Community Development Block Grant within the City of Livingston (See attached Public Hearing Comments). The purpose of the hearing was to obtain comment from the residents of Livingston, especially low to moderate income residents, regarding the community development needs and priorities of the City for economic development, housing and public facilities. Supportive comments were heard from Dale Siegle, Marie Hicks, Harry Bowers, Mike Fleming, Vern Beffert, Carlo Cieri, Netzy Durfy, Richard Brown, Deb Corbett, Harvey Mayer and Bob Weimer. After comments were heard, Council resumed the meeting in the Council Chambers, with Planner Nerud remaining in the Court Room to answer additional questions.

A public hearing was held on Resolution No. 2245, A RESOLUTION AMENDING THE SOLID WASTE ADMINISTRATIVE RULES FOR THE CITY OF LIVINGSTON. Discussion was heard from local citizen Deb Corbett, City Council and City Staff. Motion was made by McGee, second by Ommundsen to approve this resolution. The vote was 3 in favor, with Harris opposed. Motion passed.

Second reading of Ordinance No. 1692, AN ORDINANCE AMENDING CHAPTER 31 TO RENAME THE DESIGN REVIEW COMMITTEE, TO CHANGE QUALIFICATIONS AND TERMS OF COMMISSION MEMBERS, AND TO CREATE THE POSITION OF PRESERVATION OFFICER. All in favor. Passed.

The Economic Development Council updated the Montana Community Profile Form; included in the packet for Council.

City Manager Orndorff reported on a Chamber of Commerce letter to the State Highway Department regarding the Livingston Parade on July 2nd, 5:00 p.m.

Finance Officer Hencz arranged a new system for supplying City employees with office supplies.

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Finance Officer Hencz made Workmen's Compensation adjustments' amounting to a savings of \$9,448 utilizing the new computer.

City Manager sent a letter to the State, withdrawing the City of Livingston/Park County from the Women's Prison competition.

A few different articles were included in the packet for Council. They covered local Government finances and Montana Water Systems, particularly an additional solid waste tipping fee, a state \$2.25 fee for each water connection and new EPA test requirements.

Police and Fire Monthly Activity Reports for June were included.

Fire Fighter Wagman will perform Annual Air National Guard training at Malstrom AFB; July 20th through August 3rd.

The City/County Joint Airport Board Minutes from June 26th were included. A draft Joint Resolution was also included for review.

Utility Billing Services for June were included.

The preliminary status of the Enterprise Funds revenues for the fiscal year were charted in the addendum.

The Code Enforcement Report for June 1-14, 1991, requested by a Councilmember was included.

The City Manager received BN/Livingston Site Documents Solid & Hazardous Waste Bureau transmitted by a Department of Health & Environmental Sciences letter. The documents are available in the City Office for Council to review.

The Livingston Junior Women's Club will present the Lion's Head Water Fountain, July 2nd at 10:30 a.m. The fountain is now installed in Sacajawea Park.

Supt. Tinsley reported the paving of Chinook and Lewis Streets will be completed Wednesday.

Overlay and paving will start on 14th Street by the Hospital and Convalescent Center when Chinook and Lewis Streets are finished.

Utilities Superintendent Tinsley stated engineering will start on Chinook Street (from Yellowstone Street to 8th Street) when the current year budget is approved. The actual construction project will be done next spring.

Water Tests and Sewer Tests will cost at least \$2000 more starting in 1992. Tinsley stated one of the tests will cost \$600 per year.

The budget calendar will be:

July 15th - Budget presented to Council
 August 5th - Preliminary Budget
 August 8th - Final Budget

Councilmember Ommundsen questioned Supt. Kastelitz on the sprinkler system in Sacajawea Park. Kastelitz stated the plans were received and the project was divided into 3 phases, for approximately \$5,000 per phase. The 1st phase was budgeted and material purchased FY90-91. The sprinkler system will be installed the end of August. Ommundsen questioned if the additional 2 phases could be included into the fiscal year budget. This will be looked into.

Councilmember Ommundsen questioned the Civic Center roof. Supt. Kastelitz stated engineering construction costs were included in the current year budget.

Councilmember Fink commented she was pleased with City crews picking up the grass clippings on Mondays for another month. Supt. Kastelitz stated branches would be picked up if they were in four foot lengths and sod, if in a container.

Councilmember Fink questioned why there was still 2 handicapped parking signs in front of Firehall Athletic Club. Supt. Kastelitz clarified.

Councilmember McGee commented on former Livingston resident Ernie Maedche contacting the City Manager about spraying hot linseed oil on the Gazebo in Sacajawea Park. This work will be done in the near future.

Councilmember Harris question why the branches need to be limited to four feet lengths for the garbage trucks. Supt. Kastelitz stated it was so the bundles would fit into the garbage trucks.

Planner Nerud reported back to Council on the outcome of the public hearing for the Community Development Block Grant. Nerud stated 25-30 people stayed for discussion.

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

The time was 9:12 p.m.

ATTEST:

APPROVED:


 RECORDING SECRETARY


 MAYOR

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PUBLIC HEARING
COMMUNITY DEVELOPMENT BLOCK GRANT

JULY 1, 1991
7:30 P.M.

A public hearing was held in the District Court Room (to accommodate the number of people) regarding the application process of a Community Development Block Grant with the City of Livingston. The purpose of the hearing was to obtain comment from the residents of Livingston, especially low and moderate income residents, regarding the community development needs and priorities of the City for economic development, housing and public facilities.

Opening comments were heard from City Planner John Nerud, who is leading the project. Planner Nerud read the following statement:

"Many American cities have reached a point where available finances are no longer adequate to provide the services that residents require. To fund community needs and development, many cities are attempting to procure federal and state funds. One of the sources of extra money is the Community Development Block Grant Program administered by the Montana Department of Commerce. The City of Livingston is currently interested in applying for a CDBG."

"These grants are awarded in three areas: housing, economic development, and public facilities. Regardless of the type of grant that is being sought, the benefits of that grant must be directed primarily to those residents who are of low or moderate income. To determine which type of grant to seek, and to identify those residents who ought to benefit from that grant, the city is conducting a community needs assessment. This needs assessment will consist of a comprehensive survey that will either be bulk mailed or hand delivered to the residents of Livingston."

"It is in the process of conducting this survey that the City needs immediate help. Since we are operating under a strict time schedule, it is necessary that this survey be conducted and compiled no later than July 31, 1991. And to meet this time schedule, the City will need the cooperation and help of the many civic groups that operate in Livingston. And, at this time, I am asking community and civic leaders to stay behind after the public comment portion of this public hearing, and help organize the conduct of this community needs survey."

Comments were heard from local citizens and business people:

Valerie Counts, Park County Planner who is also applying for a CDBG for Park County added further comments.

PUBLIC HEARING
CDBG
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Dale Siegle, Job Service and the Economic Development Council Corporation, "A program of this nature is definitely needed and I support that type of effort".

Local citizen, Marie Hicks supports the project and would like the property owners to get involved.

Harry Bowers, City Board of Adjustment, "These grants have done wonders." "...bring into the Community, and then in the long run, you will benefit by it (grant), there is no way you can lose"

Mike Fleming, Chief Probation Officer for this area, "I certainly feel that there is a tremendous need for some improved housing." "Probably over half of the youth I deal with are in the low income and a large portion of them come from homes that have windows broken out, it's very depressing and they need some self pride..."

Vern Beffert, Representative Livingston Public Schools, "...through our teachers, guidance counselors and school nurse, it's very apparent to us as the school district, that there is definite need for housing in this community as well."

Carlo Cieri, Park County Commissioner, "I really support this, I'm glad to see your doing this." "...all that is determined by the Needs Assessment, so that is very critical on getting this grant." "That is a very good program, and I support you people."

Netzy Durfy, Rocky Mtn. Development Council, "I have to say that there is many people in town, especially the East side that definitely needs some assistance."

Richard Brown, Livingston Memorial Hospital, "On health care... are definite short comings in housing, sanitary conditions, we do see some patients that come from some areas that have no electricity when they are trying to take care of a handicapped individual..." "There is a definite need in Livingston and in Park County for this type of program. We wholly support and we offer our full support and we also offer our full support from the hospital in anything you want to do with this endeavor."

Deb Corbett, Livingston Jaycees, "The welfare of the Community needs to be addressed."

Harvey Mayer, Knights of Columbus, "I have found there is alot of need in the surrounding communities along with Park County, and there is alot of homes that need help. I fully support this and all the members of the Knights of Columbus, I can speak for them and the Grand Knight, and they will support it too."

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PUBLIC HEARING
CDBG
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Bob Weimer, Contractor, "...people are renting houses that are very unsatisfactory for living in." "Our rentals, especially on the East side, I'm not pointing the finger at just the East side, but there are rentals in other places that need alot of maintenance and repair to bring them up to nearly standard so that they will meet the requirements for people to live in."

LIVINGSTON
CITY COUNCIL MEETING

July 15, 1991
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, July 15, 1991 in the council chambers of the City-County Building. Councilmembers present were Bernice McGee, Lee Harris and George Ommundsen with Mayor Bill R. Dennis presiding. Councilmember Jody Fink arrived at 7:40 p.m.

Motion was made by Harris, second by McGee, to approve the minutes of July 1, 1991 regular council meeting. Motion Passed.

Motion was made by Ommundsen, second by McGee, to accept the bills and claims that listed for \$60,433.66. Motion Passed.

A public hearing was held on Resolution No. 2244, A RESOLUTION ANNEXING CERTAIN REAL PROPERTY TO THE CITY OF LIVINGSTON. No public comments were heard. Motion was made by Harris, second by McGee, to approve this resolution. The vote was three in favor, Fink absent. Passed.

Motion was made by Ommundsen, second by Harris, to approve Resolution No. 2239, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON AND THE LIVINGSTON POLICE DEPARTMENT EMPLOYEES ASSOCIATION. The vote was three in favor, Fink absent. Passed.

Motion was made by McGee, second by Harris, to approve Resolution No. 2252, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA AND THE RURAL FIRE DISTRICT, NO. 1, PARK COUNTY, MONTANA. Discussion was heard between Staff and Council. City Attorney Jovick stated the agreement could be terminated on 30 days notice. All in favor. Passed.

Motion was made by McGee, second by Fink, to approve Resolution No. 2253, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA AND THE MONTANA ARTS COUNCIL. All in favor. Passed.

Motion was made by Fink, second by McGee, to approve Ordinance No. 1693, AN ORDINANCE AMENDING SECTIONS 22-12 TO 22-15 TO REQUIRE A CEMETERY PERMIT FOR BURIAL OF HUMAN ASHES AND TO PROHIBIT BURIAL OF HUMAN ASHES OTHER THAN IN A CITY CEMETERY on first reading. Discussion was heard between Staff and Council. Motion was made by McGee, second by Harris, to TABLE the ordinance until further research. Motion passed.

A "thank you" was received from Forest Service District Ranger Salinas, for the help and cooperation from the City in making the June 25, 1991 National Forest Centennial celebration in Livingston a success.

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A letter from Russia was received pertaining to Urban Development Design.

City Manager Orndorff updated Council on the Women's Prison Application. A decision to narrow the competition to four cities will be made July 16th.

Motion was made by McGee, second by Ommundsen to change the Child/Ashes Opening & Closing on Holidays or Weekends from \$125.00 to \$175.00. Motion passed.

City Manager Orndorff requested discussion concerning the Joint Resolution with City-County Airport Board. Orndorff stated there was only one City-County field when the Joint Resolution was approved. Now there is two to three airports in the County and the City should not be responsible supporting other than the City-County Airport. Council was in agreement. The City Attorney and City Manager will prepare a different draft with such changes.

City Manager will research contributing money to the City-County Airport Board; the duplicating of taxes.

Motion was made by Harris, second by Ommundsen, to approve Northern Energy's bid to supply propane to the City for \$.48 4/10ths per gallon for FY 91-92. Motion passed.

Motion was made by Ommundsen, second by Harris, to approve Jones Oil Company's bid for FY 91-92 to supply:

Regular Gas at \$.92 7/10ths per gallon
Unleaded Gas at \$.91 7/10ths per gallon
#2 Diesel at \$.58 9/10ths per gallon

Motion passed. Other bids included:

Treasure State Fuel
Regular Gas at \$.94 8/10ths per gallon
Unleaded Gas at \$.93 8/10ths per gallon
#2 Diesel at \$.62 4/10ths per gallon

Tri-Valley Petroleum
Regular Gas at \$.94 per gallon
Unleaded Gas at \$.93 per gallon
#2 Diesel at \$.60 2/10ths per gallon

The fuel will be obtained at the bidder's location and the City's underground tanks at the City Shops will be removed.

Included in the packet for Council review, was an Application of Transfer of Ownership of an All-Alcoholic Beverage License for Rod Lee at Treasure Lanes.

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A "thank you" letter was received from the Chamber of Commerce, thanking the City for approving Mark's In & Out Rod Run and the Gallatin Dog Show, held during the month of June.

Supt. Kastelitz reported the chip sealing of the streets were finished as of today. There was extra oil, so part of the road in Sacajawea Park was chip sealed.

All three scales are mounted on the garbage trucks and are operating well.

Supt. Tinsley reported that most of the paving was finished. The asphalt sidewalk at Highway 89's Underpass needs to be replaced.

Tinsley reported that as of today there were 5 service lines leaking, 8 fire hydrants and 10 valves needing repair. These areas will be dug up and the Water Department will patch the streets as they go.

Mayor Dennis questioned the hole in the street at G & Geyser Streets. Supt. Tinsley stated they have been waiting for a 4" valve, due to a leak last year that needed replacing. The valve is now on hand and will be replaced this year. The street will then be patched.

Mayor Dennis questioned the alley approach at "B" & "C" Streets on Callender Street. Supt. Kastelitz reported these will be replaced.

City Manager Orndorff reported the Street Chip Sealing Program is a 7 year program but the gas tax money is primarily used for street personnel.

City Manager Orndorff and Supt. Tinsley reported that all utilities, including power, fiber optics and phone were repaired or replaced before the streets were paved on South 12th Street and West Lewis Street.

City Planner Nerud received a letter of resignation from Ted Williams on the Design Review Committee, now know as the Historic Preservation Commission. Motion was made by McGee, second by Fink to appoint Travis Chevallier to this position and accept Ted Williams' resignation. Motion passed.

Motion was made by Harris, second by Fink to appoint Planner Nerud as the City's Historic Preservation Officer. Motion passed.

A resolution will be needed at a later time for an agreement with National Park Service for the City to become a Certified Local Government to receive \$1300 in funds for operating expenses.

Motion was made by Harris, second by Fink to allow businesses to sell merchandise on the streets during Crazy Days scheduled for July 18th and 19th. Motion passed.

Planner Nerud received a memo from Royal Rice (Dept. of Fish, Wildlife and Parks) to his Supervisor stating the Mayor's Landing Project will resume on August 5, 1991.

The Board of Adjustments met with the City-County Planning Board. Discussion concerned tall signs in the zoning areas. The Boards requested greater autonomy for settling variance requests without always going through Council for approval. The Boards agreed not to take any action with signs that are now in place and above the 30 foot allotted size, and will pay closer attention to future tall sign variances. The Council decided to take no action on the Boards' request.

Planner Nerud updated Council with the Community Development Block Grant Application. Nerud reported that approximately 1700 Needs Assessment applications were mailed to residents today. Another 1200 applications will be hand delivered to the rest of the residents over the next week. The project is on schedule and the City and Community are providing funding and volunteer labor.

City Manager read a letter from the Livingston Junior Women's Club, dated July 2, 1991, donating the Lion's Head Drinking Fountain to Sacajawea Park, signed by Lois Huntizinger, outgoing President and Suzie Blatter, incoming President.

City Manager Orndorff received a letter from the Director of Correction Institutions, Helena, dated July 3rd. The letter was postmarked July 9th and received July 10th. Senator Grosfield received his copy of the letter by facsimile on July 8th.

Brad Kirby, Naganohara Japan, sent the City Manager information on the Teaching Exchange Program. One requirement is the person be age 35 or under. Mr. Kirby extended an invitation to two or three officials to visit their City in the next two or three months.

Mayor Dennis received a video tape of Naganohara, Japan. A copy of the tape is available in the office for interested individuals to review.

The Montana League of Cities and Towns annual conference will be in Missoula September 18th - 20th. The information is with the City Manager for interested Councilmembers.

The City's Auditor stated that if any of the Departmental Funds were overspent, the fact should be read into the minutes. City Manager Orndorff reported, that preliminary figures shows the Fire Department as overspent approximately \$1,028.

A ball team that practices at "M" Street Park, requested permission to put a slide area at the Park for practice sliding. They would pay for the sand and do the work themselves. Council was in favor of allowing this request.

City Manager Orndorff presented Council with FY 91-92 Draft Budget. There is a copy of the budget in the office for public review.

City Manager Orndorff requested a special council meeting July 24th at 2:00 p.m. Primary purpose is to select a Grant Writer and may have an answer to the Airport Board Budget question. The Council will go into a worksession for the budget after the special council meeting. The next worksession will be July 30th at 2:00 p.m.

The Preliminary Budget will be presented August 5th, regular council meeting, 7:30 p.m. and the Final Budget will be presented at a special council meeting, August 8th, 7:30 p.m.

City Manager reported figures in the budget are preliminary, and the City has taken in more revenue than proposed. Part of this revenue is from the money received from the State for video machines and the fact more vehicles licensed in the County in the past year.

Councilmember Harris commented on a memo to the Police Chief from the City Manager, concerning extended parking in an alley during unloading of delivery trucks. Discussion was heard between Police Chief Bryce and Council. Harris asked that the alley behind Empire Savings also be included in the patrolling of the alley.

Councilmember Harris commented that children and adults on bicycles are not following traffic laws riding bikes on the streets. Harris questioned Police Chief Bryce on educating bicycle safety, with Bryce stating the Police Department does give bicycle safety when requested by organizations. More discussion was heard with Staff and Council.

Councilmember Fink commented on trains being stopped for more than 10 minutes at the 5th Street Crossing and questioned if an agreement with Burlington Northern stated this. Trains have been stopped for 20 and 30 minutes at a time and that kids are crawling over the trains when they are stopped.

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

The time was 8:45 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Bill Harris
MAYOR

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SPECIAL
LIVINGSTON
CITY COUNCIL MEETING

July 24, 1991
2:00 p.m.

The Livingston City Council met in special session July 24, 1991, in the council chambers of the City-County Building. Councilmembers present were George Ommundsen, Jody Fink and Bernice McGee with Mayor Bill R. Dennis presiding. Councilmember Lee Harris was absent.

Motion was made by Fink, second by Ommundsen, to approve Resolution No. 2255, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA AND ROKITA ASSOCIATES, INC. City Manager Orndorff summarized the agreement and stated Rusty Rokita would be in town Tuesday, July 30th to be introduced to Council at the 2:00 p.m. worksession. Orndorff also thanked the press and volunteers who have spent their time with the "Needs Assessment" for the Community Development Block Grant applications. Three in favor. Councilmember Harris absent. Passed.

A budget worksession was to follow the special meeting.

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

The time was 2:07 p.m.

ATTEST:

APPROVED:



RECORDING SECRETARY



MAYOR

LIVINGSTON
CITY COUNCIL MEETING
PRELIMINARY BUDGET

August 5, 1991
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, August 5, 1991 in the Council Chambers of the City-County Building. Councilmembers present were George Ommundsen, Jody Fink, Bernice McGee and Lee Harris with Mayor Bill R. Dennis presiding.

Motion was made by Ommundsen, second by McGee, that the minutes of the July 15, 1991 regular council meeting and July 24, 1991 special council meeting be approved. Motion passed.

Motion was made by Fink, second by McGee, to accept the bills and claims that listed for \$101,810.67. Motion passed.

A Public Hearing was held on the Budget for the City of Livingston, Fiscal Year 1991-1992. State personnel notified Supt. Tinsley the Sewer Plant may have to run Preliminary Treatment Analysis tests; costs of \$1,000 a quarter. This should be included in the new Sewer Department budget. Expenditure changes are as follows:

** City Manager Orndorff recommended the City levy 65 mills for General Fund. This is a 16.1% reduction from the mills levied last year and equates to \$25 in lower City taxes on a \$30,000 property.

** Councilmember Harris questioned the budget item for Volunteer Firefighters. City Manager stated this was a \$10.00 per month raise for each volunteer.

** Motion was made by Harris, second by McGee, to approve an additional \$50 per month for the Mayor, effective January 1, 1992.

** Motion was made by McGee, second by Fink, to transfer \$204.00 monthly from the Insurance Fund to the City Manager's salary and disenroll him from the City's Insurance Program.

** Change 3½ Police Dispatchers to a total of 4½ full time Police Dispatchers. This is not a dollar figure change.

** The CDBG Program for \$1,350 was added during the last meeting.

** Retirement Payoff for Law Enforcement was added, due to the resignation of a Dispatcher.

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City Manager Orndorff read a portion of a letter from the City-County Airport Board, formally requesting the City Council to approve a .5 mill budget appropriation for Mission Field operation for the 1991-92 Fiscal Year. Jerri Miller, Secretary for the Airport Board addressed Council for discussion and answering questions. One Council concern was double taxation. City Attorney Jovick explained the State Statutes for this area. City Manager Orndorff will research further. Thursday, August 8th, 7:30 p.m. will be the consideration for Final Budget.

Motion was made by Fink, second by McGee, to approve Resolution No. 2254, A RESOLUTION ABANDONING THE PLATTED ALLEY IN PARTIAL BLOCK 39, PARK ADDITION OF THE CITY OF LIVINGSTON. City Attorney Jovick stated this was just a technicality to follow up with what was intended years ago. Discussion was heard from Council. Motion was withdrawn by Fink, second withdrawn by McGee, until the service lines are located. (waiting staff action)

Motion was made by McGee, second by Fink, to approve Resolution No. 2256, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, THE STATE OF MONTANA THROUGH ITS DEPARTMENT OF HIGHWAYS AND MONTANA RAIL LINK INC., A MONTANA CORPORATION. All in favor. Passed.

Motion was made by Fink, second by McGee, to approve Resolution No. 2258, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF LIVINGSTON, MONTANA, AND THE MONTANA STATE HISTORIC PRESERVATION OFFICE. All in favor. Passed.

Motion was made by Ommundsen, second by Harris, to approve Ordinance No. 1693, AN ORDINANCE AMENDING SECTIONS 22-15 TO CLARIFY THE SECTION TO REQUIRE A CEMETERY PERMIT FOR BURIAL OF HUMAN ASHES, on first reading. All in favor. Passed.

Motion was made by Ommundsen, second by Fink, to approve Ordinance No. 1694, AN ORDINANCE AMENDING SECTION 17-15 (52) (ff) PERTAINING TO LICENSING OF WHOLESALERS OF ALCOHOLIC BEVERAGES, on first reading. City Attorney Jovick clarified a question for Councilmember Harris. All in favor. Passed.

City Manager Orndorff introduced Gary Fish, former local resident, to address Council. Mr. Fish is a teacher at an American School in Japan. He will be returning to Japan soon and is willing to represent Livingston in Naganohara, Japan. Mr. Fish stated he would like to have a City Official or representative to visit Naganohara with him, if at all possible.

Clare Lempke, L.I.F.E. Committee Member and City Representative with the Health Risk Steering Committee addressed Council concerning the AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY (ATSDR) Meeting she recently attended in San Francisco. She stated a Health Assessment will be done in Livingston during the next two years.

Envirocon's sample results for the "B" Street Well and the City's Well at the Waste Water Treatment Plant were received. "B" Street Well was good, but results of the City Well at the WWTP contained pollutants.

The packet included, a letter from Attorney John Larsen concerning the water supply to Ralph Hanks property.

Police Dispatcher Pamela Tracy resigned effective August 7, 1991. The City is in the process of filling the position.

Letters of transmittal were received from the Department of Health and Environmental Sciences.

City Manager Orndorff requested discussion concerning the Airport Board Joint Resolution. The Resolution has not been updated for some 30 years. Discussion was heard from Council and Airport Board Secretary Jerri Miller. Mayor Dennis suggested having a joint meeting with the Airport Board and City Council. A date for the meeting will be set later.

City Manager read into the minutes that the FY90-91 budget was not overspent but the Central Store portion was overspent by \$2,024.

State Project Section Engineer Kurt Hafferman, walked the Livingston Ditch along with city staff. City Planner Nerud reported on the Ditch Right-of-Ways. A petition was received concerning the condition of the Livingston Ditch and the hazard it could create. Discussion was heard and the City Manager will express in writing, to the State and the Ditch Company, the action that needs to be accomplished.

City Manager Orndorff gave an update on a letter he wrote to Department of Highways Engineer Sprunger in Butte concerning the traffic study, sweeping on Park Street and painting of the pedestrian crossings.

The Livingston Kid's Trout Derby, sponsored by the Livingston Fire Fighters, will be held August 10, 1991. The weigh-in station will be in front of the swimming pool.

A small area of road on 14th and Crawford Streets still needs to be blacktopped. City Staff will meet, to discuss penalty costs.

City Manager has addressed a sewer manhole violation. A motor home has dumped directly into the manhole.

A Special Council Meeting will be held August 8th, 7:30 p.m., for approval of the final budget. Mayor Dennis stated a decision will be made at a later time, as to whether the August 19th meeting will be held. City Manager included in the packet a calendar of tasks for the next few months.

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Superintendent Kastelitz reported there will be a "Metal Only" pick-up Monday, August 12, 1991. Anyone wanting metal picked up must call the City Office.

Superintendent Tinsley reported holes in the streets were patched. Service lines are being fixed. Tinsley stated a service line, Robbin's Store, in the new alley will be dug up and repaired.

City Planner Nerud reported work on Mayor's Landing Project started today.

Rusty Rokita, Grant Writer for our Community Development Block Grant Application, will be here Wednesday and Thursday to tabulate survey results. Banks will be invited to match funds for loans. Montana Power Company and Human Development Resources Council will also be invited to match funds for weatherization. In the next week, two local people will be hired for a sidewalk survey.

City Planner Nerud reported the landfill behind Mayor's Landing was officially closed in June, 1966. Nerud stated paper work needed to be completed to close the other landfill.

Supt. Kastelitz stated Street Department personnel had been removing old car bodies and other large appliances from Fleshman Creek and the old landfill behind the City Shops.

July 1991 Utility Billing System Report was included in the packet.

The National Environmental Awards Council, Searching for Success, presented the L.I.F.E. Committee with an Environmental Achievement Award and certified them in the "1991 ENVIRONMENTAL SUCCESS INDEX".

Dispatcher Bev Koder was granted permission for outside work with J & Cleaning Service.

July 1991 Fire Chief Report was included in the packet.

City Manager stated the Police Chief's Report was distributed today.

The Fire Department requested permission to spend the funds received from the National Forest Service for use of the Departments' fire truck during the Thompson Creek fire. Assistant Fire Chief Tim Parks answered Council's questions. A list was included in the addendum.

Librarian June Phillips thanked Council for their support during the past year. Librarian Phillips will present Council an Annual Report for the Library in the next couple weeks.

Councilmember Harris requested an update on salaries for the next council meeting.

Councilmember McGee recommended that the Council view the video tape of Naganohara, Japan.

Councilmember Fink questioned what was done with the garbage bags used for grass pickup. Supt. Kastelitz stated they were taken to the incinerator.

Councilmember Fink stated Bev Koder was not on the employee list.

Councilmember Fink questioned the brightness of the street lights. Supt. Kastelitz stated they are the brightest lights Montana Power installs.

Councilmember Ommundsen question Supt. Kastelitz concerning trees being trimmed. Kastelitz stated a Tree Trimming Program was started last year.

City Judge Travis will be on vacation from August 10 - September 3. City Manager Orndorff will be out of town August 15 & 16.

City Manager stated there would be a special council meeting, Thursday, August 8, 1991, 7:30 p.m. to consider resolutions approving the Final Budget and the Mill Levy. The meeting will continue at that time.

The time was 8:40 p.m.

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LIVINGSTON
CITY COUNCIL MEETING
FINAL BUDGET

August 8, 1991
7:30 p.m.

The Livingston City Council continued their budget meeting at 7:30 p.m., Thursday August 8, 1991, in the Council Chambers of the City-County Building. Councilmembers present were Bernice McGee, Lee Harris, George Ommundsen and Jody Fink with Mayor Bill R. Dennis presiding.

Motion was made by Harris, second by Fink, to approve Resolution No. 2259, A RESOLUTION ADOPTING THE BUDGET FOR THE YEAR BEGINNING JULY 1, 1991, AND ENDING JUNE 30, 1992, SETTING SALARIES FOR OFFICERS AND EMPLOYEES FOR THE CITY OF LIVINGSTON, MONTANA, AND ESTABLISHING THE FUNDS UPON WHICH ACCOUNTS WILL BE DRAWN.

Changes which resulted from the Preliminary Budget Meeting on August 5, 1991 were:

**Add Thompson Creek Fire Revenue and Expenditure line items which are additions within the General Fund.

**Change City Manager's health insurance cap to salary which also affected the employer's contributions. City Manager changes are made in the General Fund, Water Fund, Sewer Fund and Solid Waste Fund.

**Add \$4,000 to the Sewer Fund for the quarterly State testing fees mentioned by Superintendent of Public Services Tinsley.

Councilmember Harris questioned the maintenance of the Civic Center within the Budget. City Manager Orndorff clarified the Civic Center is a separate account within the Parks Department.

Mayor Dennis asked for clarification regarding the City Councils' Budget. \$2,400 is budgeted for each City Councilmember, but actual salary is \$1,800. Mayor Dennis believes the \$600 difference should be set aside for a line item as overtime or extra council meetings etc.

Councilmember McGee questioned the budgeted amount for the part-time accounting clerk and part-time cashier clerk. Finance Officer Hencz stated the part-time cashier clerk works more hours.

Councilmember Fink questioned the position in the budget for Public Works Director. The City Manager stated the position was not authorized for this year.

Discussion was heard concerning City funding to the City-County Airport Board at Mission Field. Jerri Miller, Secretary to the

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Airport Board stated the Airport Board would like to meet with the County Commissioners and City Council. Mrs. Miller stated she would provide a copy of the accounting report of each airport within Park County to the City Manager for review. City Attorney Jovick provided an explanation of I-105. Finance Officer Hencz stated the total mills the City budgeted FY 91-92 is 110.66. Whereas FY 86-87 mill levy was 111.57 which cannot be exceeded this year. The City can still levy .91 mills for a district and still be within the mill limit i.e. An Airport District could be developed for one year using .86 mills. Motion was made by Fink, second by Ommundsen to amend the original budget to include an Airport District for 1 year for the Joint City-County Airport. All in favor. Passed. During discussion, Councilmember Harris went on record, opposing 30% of City Manager Orndorffs' salary coming out of Solid Waste and 50% of the Code Enforcements' salary coming out of the Solid Waste Fund. The vote was all in favor for Resolution No. 2259. Passed.

Motion was made by Ommundsen, second by Harris, to approve Resolution No. 2260, A RESOLUTION FIXING AND LEVYING A MILLAGE FOR THE ANNUAL TAX LEVY FOR THE YEAR BEGINNING JULY 1, 1991 AND ENDING JUNE 30, 1992 FOR THE CITY OF LIVINGSTON and revising Exhibit "A", by adding a line item for an Airport District and raise the tax levy. All in favor. Passed.

City Manager Orndorff reported Police Chief George Bryce will be on vacation during August 9-25, 1991. Captain Lynn Gillett will be Acting Police Chief during his absence.

Helen Tobiason was hired as full-time dispatcher for the Police Department effective August 12, 1991.

A member of the Rotary Club and Gill Easton a member of the Depot Board requested permission to drill a well in Judson Park for watering purposes. There was no majority objection.

City Manager will arrange with County Commissioners and Joint Airport Board to meet with City Council during the September 3rd council meeting.

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

The time was 8:25 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Bill R. Danneberg
MAYOR

LIVINGSTON
CITY COUNCIL MEETING

August 19, 1991
7:30 p.m.

The Livingston City Council met in regular session Monday, August 19, 1991, 7:30 p.m., in the council chambers of the City-County Building. Councilmembers present were Jody Fink, Bernice McGee, Lee Harris and George Ommundsen with Mayor Bill R. Dennis presiding.

Motion was made by Fink, second by McGee, to accept the minutes of August 5, 1991 regular council meeting and August 8, 1991 special council meeting. Motion passed.

Motion was made by Ommundsen, second by Fink, to approve the bills and claims that listed for \$21,702.95. Fink had questions on 2 claims, which City Attorney Jovick and City Manager Orndorff clarified. Motion passed.

Kurt Hafferman, Project Section Engineer for the State Department of Natural Resources and Conservation addressed Council concerning the Livingston Ditch. Mr. Hafferman presented an outline to Council and City Manager, which included options that were discussed during the meeting. Discussion was heard by Council, staff, local residents who live on or by the Ditch and Hafferman. After an extensive discussion Mayor Dennis asked the audience for a raise of hands for having the Ditch Association temporarily cover the Ditch until a permanent solution can be made at a later date. The audience was in favor of this. Hafferman will present a solution in several weeks.

Motion was made by Fink, second by Harris, to approve Resolution No. 2254, A RESOLUTION ABANDONING THE PLATTED ALLEY IN PARTIAL BLOCK 39, PARK ADDITION OF THE CITY OF LIVINGSTON. City Manager Orndorff explained changes to the attached map i.e. The Roth House is the only house on that sewer line. Reuterwall's sewer line goes directly to Clarence Street and then connects to the main line. All in favor. Passed.

Second reading of Ordinance No. 1693, AN ORDINANCE AMENDING SECTIONS 22-25 TO CLARIFY THE SECTION TO REQUIRE A CEMETERY PERMIT FOR BURIAL OF HUMAN ASHES. All in favor. Passed.

Second reading of Ordinance No. 1694, AN ORDINANCE AMENDING SECTION 17-15 (52) (ff) PERTAINING TO LICENSING OF WHOLESALERS OF ALCOHOLIC BEVERAGES. All in favor. Passed.

City Manager Orndorff reported the Grant Writer, Community Development Block Grant Application, will be in Livingston the end of the week with the preliminary results of the survey. A public hearing will be held on the application for the housing grant at the next council meeting, September 3rd.

Permission was granted for staff to bid a budgeted Tractor, Mower and Vacuum for the Park Department. Also, permission was granted to bid 2 each 3/4 ton pickups and 2 small pickups, that are budgeted items.

The Airport Board Minutes from July 24, 1991 were included in the packet.

Motion was made by McGee, second by Harris, to approve paying the \$75.00 membership to the National Trust for Historic Preservation. The City has belonged to this organization for a few years. Motion passed.

Sampling results for July were received from Envirocon concerning the "B" Street Well. Results were within limits.

The Livingston Auto Club and Bozeman Auto Club will have an old car get together on Friday, August 23, 1991. The 100 block of North 8th Street will be barricaded that evening for parking. This will last approximately until 10:00 p.m.

Supt. Kastelitz reported the Swimming Pool closed for the season on August 18th. The Swimming Pool year end report will be in the next packet. Kastelitz stated a bus load of children from Gardiner attended a session. The pool and the instructors received good reports. One bus from Mammoth and two buses from Gardiner are considering coming back next season.

The metal pickup resulted in 5 truck loads or about 40 yards of metal.

The projected date of the movie company vacating the Civic Center is September 15th. They should be done shooting by the end of next week.

Some of the downtown street light posts were painted green during the film shooting. It was questioned if the poles should be left that color. Council was in agreement that the posts be painted back to silver.

Councilmember Harris questioned why the Swimming Pool closed so early in the summer. Supt. Kastelitz stated the pool is budgeted for a 10 week period and the pool does not pay for itself. Also, the attendance slowly declines during the month of August.

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Councilmember Fink questioned if the pool was to be sand blasted this fall. Kastelitz stated the Sewer Department budgeted for a commercial sandblaster. Research is underway to determine if that sandblaster will do the job. If it does, the City will do the work themselves in the Spring.

The Gardiner Water District loss of licensed operator was discussed. Utilities Supt. Tinsley was approached to help that system. Permission was granted to Utilities Supt. Clint Tinsley for outside work with the Gardiner Water Board. This will not conflict with his job with the City, and the Gardiner Water Board will name Supt. Tinsley on their liability insurance.

Tinsley contacted an engineer to conduct a study concerning a digester roof at the Waste Water Treatment Plant. This same engineer will do the study on reinforcing the Civic Center roof.

The engineering process started on the Edgewater Liftstation. The plans are ready and only need State approval before work can begin.

City Planner Nerud stated the Community Development Block Grant is due by September 16th. Grant Writer Rusty Rokita will be here at the end of the week. The final application will be put together at this time. Three Livingston banks have agreed to provide housing loans to qualified borrowers as a part of Livingston's C.D.B.G. Application, if the City receives the grant. Nerud talked to the Human Resources and Development Council from Bozeman, and they have agreed to a 'Weatherization Program' should we receive the grant.

The initial Mayor's Landing Project should last about 2 more weeks. Trout Unlimited representative, Paul Gates, will meet with Planner Nerud on finalizing the application to the Livingston Foundation/Trust for additional money to finish Mayor's Landing Project.

The Chamber of Commerce contacted Planner Nerud concerning presenting the City with a bench or picnic table for Mayor's Landing. This would be to commemorate the filming of "A River Runs Through It". This effort would be between the Big Sky Movie Company and the Chamber of Commerce.

Ms. Lonnie Stimac, State movie office, will be in Livingston to talk with the City Manager concerning the new proposed movie that may be filmed in the Livingston area.

Councilmember McGee questioned the disposal of tires. Supt. Kastelitz stated the Solid Waste Department will pick them up during normal garbage pickup. The Administrative Rules were changed for residential solid waste during June 1991.

Councilmember McGee stated that the City was complimented by the movie company. Livingston was a very nice place to work.

Councilmember McGee suggested the City needs to take some kind of action concerning cats. Supt. Kastelitz stated staff was working on the Animal Ordinance and this would be a good time to address this problem. Council was in agreement.

Councilmember McGee also said bows and arrows should be addressed in the Ordinances.

Motion was made by Harris, second by Fink, to adjourn this 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

September 3, 1991
7:30 p.m.

The Livingston City Council met in regular session Tuesday, September 3, 1991, 7:30 p.m., in the council chambers at the City-County Building. Councilmembers present were Jody Fink, Bernice McGee, Lee Harris and George Ommundsen with Mayor Bill R. Dennis presiding.

Motion was made by Fink, second by McGee, to accept the minutes of August 19, 1991 regular council meeting. Councilmember Fink clarified that Councilmember McGee had questioned if the pool was to be sand blasted this fall, and that Councilmember Fink suggested the City needs to take action concerning cats. Motion passed.

Motion was made by Ommundsen, second by Fink, to approve the bills and claims that listed for \$106,104.42. City Manager asked that a bill from Dime Insurance for \$22,549.00 be added for a total of \$128,653.42. Councilmember Fink questioned claim no. 4231, City Manager Orndorff believed it to be for the D.A.R.E. Program. Motion passed.

A second public hearing was held on the Proposed Application for a Housing and Community Revitalization Project under the Montana Community Development Block Grant Program. City Planner John Nerud explained the result of the Community Needs Assessment and Income Survey. The City and its CDBG Advisory Board determined the Needs Assessment showed that a Housing and Community Revitalization project would be appropriate and necessary to address needs expressed by the public.

As a part of the planning process, Planner Nerud explained that the City retained Rokita Associates, Inc. to assist with development of the application and Rusty Rokita would provide an overview of the proposed project. The City conducted a community-wide Housing Condition Survey which indicated nearly 80% of housing is substandard in the east-side and north-side areas. More than 88% of the people in the area are low and moderate income, with 38% being elderly and about 35% Female Head of Household. Nerud noted Livingston, overall, has 16.1% handicap and the proposed project area contains over 20% handicapped; 55% of the people feel there is a need for additional low income housing. The Planner then described the proposed project area and asked for questions.

Mr. Bowers asked if the City would have to repeat these surveys and the entire process or if the information could be re-used in other area. Grant writer Rokita responded by stating the Needs Assessment Survey usually has a shelf-life of five years and that in general, the survey would not have to be repeated. He noted that the data is being incorporated into other housing and

community development planning.

Grant Writer Rokita presented an overview of the proposed project. It includes performing 40 units of housing rehabilitation, 5 demolitions, 5 workshops and a host of activities to implement a comprehensive strategy. He discussed several activities to address community problems, such as a Summer Youth Program which would clean-up and remove blight, and a paint program which would protect siding and improve the visual image of the area. He then discussed the CDBG proposed budget request of \$375,000 and the matching fund commitments of more than \$400,000.

Mayor Dennis asked if there were any questions or comments from the Council or the audience. Mr. Bowers said that he supported the project and felt it would be good for the area. He noted that he was in Havre when the City began the CDBG process and that the Block Grant had made a substantial difference in that community. City Manager Orndorff said he was pleased with the information gathered to date and noted the data could be used to address other issues, many of which relate to housing.

It was noted the HRDC Office, Bozeman, sent a letter of support verifying Livingston has a huge housing need, especially for families.

Mayor Dennis pointed out several ways in which he felt the CDBG program would benefit the City and expressed the importance of the program. He asked if there were any additional comments. Hearing none, motion was made by Ommundsen, second by Fink, to approve Resolution No. 2257, A RESOLUTION APPROVING A COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM REQUIREMENTS. All in favor. Passed.

Motion was made by Harris, second by McGee, to approve Resolution No. 2262, A RESOLUTION APPROVING THE EQUAL EMPLOYMENT OPPORTUNITY POLICY FOR THE CITY OF LIVINGSTON. All in favor. Passed.

Motion was made by McGee, second by Fink, to approve Resolution No. 2263, A RESOLUTION APPROVING THE CONFLICT OF INTEREST PROVISIONS IN 24 CFR 85.36 AND OMB CIRCULAR 1-110 IN THE PROCUREMENT OF SUPPLIES, EQUIPMENT, CONSTRUCTION AND SERVICES BY RECIPIENTS AND BY SUB-RECIPIENTS IN RELATION TO THE CDBG ACTIVITIES FOR THE CITY OF LIVINGSTON. All in favor. Passed.

Motion was made by Fink, second by Ommundsen, to approve Resolution No. 2264, A RESOLUTION ADOPTING THE POLICIES OF THE DEPARTMENT OF HOUSING & URBAN DEVELOPMENT SECTION 8 HOUSING STANDARDS WHEN DETERMINING ELIGIBILITY FOR CDBG FUNDS FOR THE CITY OF LIVINGSTON. All in favor. Passed.

Motion was made by Ommundsen, second by Harris, to approve Resolution No. 2265, A RESOLUTION ADOPTING THE PROGRAM INCOME EXPENDITURE PLAN FOR DOC/CDBG PROGRAM FOR THE CITY OF LIVINGSTON.

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All in favor. Passed.

Motion was made by McGee, second by Ommundsen, to approve Resolution No. 2266, A RESOLUTION AUTHORIZING SUBMISSION OF APPLICATION TO THE MONTANA CDBG (DEVELOPMENT BLOCK GRANT PROGRAM) FOR THE PURPOSE OF HOUSING REHABILITATION AND COMMUNITY REVITALIZATION FOR THE CITY OF LIVINGSTON. All in favor. Passed.

Motion was made by Ommundsen, second by Fink, to approve Resolution No. 2268, A RESOLUTION TO ENGAGE ROKITA ASSOCIATES FOR ADMINISTRATIVE SERVICES FOR THE CDBG HOUSING PROJECT. All in favor. Passed.

Motion was made by Harris, second by Fink, to approve Resolution No. 2267, A RESOLUTION APPROVING AN AGREEMENT CONTINUING THE D.A.R.E. PROGRAM BETWEEN THE COUNTY OF PARK AND THE CITY OF LIVINGSTON. All in favor. Passed.

Motion was made by McGee, second by Fink to approve Ordinance No. 1695, AN ORDINANCE AMENDING SECTION 9-158 TO INCLUDE WEST CALLENDER STREET FROM THIRD STREET TO MAIN STREET AND THIRD STREET FROM PARK STREET TO CALLENDER STREET TO PROHIBIT SKATEBOARDS ON SIDEWALKS on first reading. City Attorney Jovick clarified a question for Councilmember Fink. Discussion was heard from Council and Staff. City Attorney Jovick stated the second reading would be amended to include the Library property. All in favor. Passed.

Motion was made by Ommundsen, second by McGee, to accept Resolution No. 2269, A RESOLUTION APPROVING A CONTRACT BETWEEN LARRY RAFFETY, ARCHITECT AND THE CITY OF LIVINGSTON FOR ARCHITECTURAL SERVICES REGARDING SEWAGE TREATMENT PLANT ROOF. Utilities Supt. Tinsley explained the contract and project to Council. All in favor. Passed.

Ray Wadsworth, Executive Director of the Montana Rural Water Association will be present at the October 7th Council Meeting.

Discussion was heard concerning a request from Mr. and Mrs. Dwight Krohne, concerning a Waiver of Protest of Annexation and Withdrawal from the Rural Fire District Form for a mobile home site on the Krohne property. They want to waiver the lot for the mobile home thus, creating a waived island in the County. Discussion was heard from Staff and Council. It was felt that the waiver should be for a parcel of land that is legally definable and adjoins the City Limits with the mobile home site being within that parcel. City Manager Orndorff and Utilities Supt. Tinsley will review for final action.

Motion was made by Harris, second by Ommundsen, to accept the bid from Micro Comm for the Base Bid of \$41,759 and Alternate Bid 1 of \$25,870 for a total cost of \$67,629. Micro Comm also bid an Alternate Bid 2 for the amount of \$6,465. This bid is for the first and second phase of a Telemetry System for the Water and Sewer Departments. Other bids were as follows:

Terrex Industries

Base Bid	\$54,332
Alternate Bid 1	\$44,082
Alternate Bid 2	<u>\$ 7,933</u>
TOTAL	\$106,347

Townsend Electric

Base Bid	\$56,117
Alternate Bid 1	\$23,687
Alternate Bid 2	<u>\$ 6,675</u>
TOTAL	\$86,479

Motion passed.

The City should receive a letter from the Department of Health and Environmental Sciences, concerning closure of the landfill behind the City Shop Building.

The Utility Billing System Report for August 1991 was included for Council review.

A chart was listed for Council review in the City Business section of the packet, showing the costs to water each of the City's Parks.

An employee of the Department of Health and Environmental Sciences, at a recent L.I.F.E. Committee Meeting, expressed concern that the City was taking so long in getting started on the water line to the Waste Water Treatment Plant and to serve other properties with contaminated wells. The delay has been the refusal of the Park County Commissioners to grant an easement along East Gallatin Street. This situation is being worked and surveying for the project may start within a few days.

An update to the Code of Ordinances was received. Supplement No. 1 is available to individuals who have purchased the Code Books at the cost of \$10.00.

Included in the packet were articles from the Livingston Post, June 12, 1913, concerning the Livingston Ditch.

Mayor Dennis presented the Key to the City of Livingston and a letter to Director Robert Redford on the Post Office steps August 28th, thanking him for filming "A River Runs Through It" in our City.

Utilities Supt. Tinsley had prepared a graph depicting the amount of water pumped into the City Water System, by month, compared to the amount of waste water treated by corresponding month. Infiltration must be present in the system during the months of October and November as more water was treated at the Waste Water

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Treatment Plant than what was pumped into the water system.

The City Manager received an inquiry concerning the relocation of a small business to this area. This information was relayed to the Economic Development Council. This request indicates the need for Livingston to have a small industrial park.

Big Sky Motion Picture Co. will vacate the Civic Center around September 12th. The building will be closed for the rest of the month to refinish the floors. The Civic Center will be opened at the end of the month for walking.

Arbitrator Kath Alten will be here September 10, 1991, 9 a.m. for arbitration.

Public Services Supt. Kastelitz stated that in July the Solid Waste Department hauled 372 tons of garbage.

The gazebo in Sacajawea Park will be sprayed with linseed oil this week.

A contractor is working on the alley approach on East Callender Street between "B" & "C" Streets. This is a location where gutter plates would not stay in place.

Councilmember Ommundsen questioned Supt. Kastelitz on the sprinkler system in Sacajawea Park. Kastelitz stated crews will be starting on this project soon.

Councilmember McGee question Supt. Kastelitz on the condition of the Civic Center. Kastelitz stated it was in good shape and a final report would not be known until the movie company was gone.

Utilities Supt. Tinsley received a letter from Morrison-Maierle for engineering costs for the Lift Station Program and replacement of the Lift Station at the Edgewater. Their cost for engineering was \$6,450.00. This includes preliminary plans and final inspections for the entire project. The total cost of the project is estimated to be \$53,000.00. Tinsley will attempt to obtain actual costs during the next week. Tinsley asked for approval to proceed with the engineering report. This report must be forwarded to the State for approval. Approval was granted by the Council.

Supt. Tinsley received a letter from Kerin & Associates, certifying the completion of work on Chinook Street.

Supt. Tinsley reported there is a broken water line at the Waste Water Treatment Plant. Crews are in the process of digging water lines to find the leak. The leak has not been pin pointed. This is a slow process, as all lines are plastic and there is no map. Also, all the power and gas lines are buried.

Tinsley reported that the 1972 backhoe was in the shop being checked. Water was found in the oil.

The water main extension on Front Street is planned to start in October.

City Planner Nerud stated the Mayor's Landing Project is virtually completed. Trout Unlimited's application was submitted to Margaret Monical for the Livingston Community Trust . It will take 90 days for a decision.

Motion was made by Fink, second by McGee to accept Carolyn Comer-Fishers' resignation from the Historic Preservation Commission. Motion passed.

City Manager Orndorff received a letter from the Human Resources Development Council, Bozeman, stating there is a "vital need" for housing in Livingston.

The National Park Service has concurred with Livingston being a Certified Local Government.

The State of Montana has paid the City \$4,680.00 for the use of a City fire engine during the Mill Creek Fire.

An ICMA representative will give a presentation to interested employees at 9:30 a.m. on September 19th. Employees can schedule individual meetings with the representative for after the presentation.

Brad Kirby called from Japan and asked if a delegation might visit October 27-30th. Their Town Council has approved the Sister City Proclamation and they would like to officially sign the Proclamation while they are here. Permission was granted to request the Chamber of Commerce to arrange the scheduling.

City Manager Orndorff summarized his FY 90-91 Budget Policy Report, included for Council.

City Manager Orndorff reminded the Council that he is a contract employee. The Manager's contract contains clauses which are different than clauses in Union Contracts i.e. immediate dismissal by Council, benefits etc.

Councilmember Fink questioned neon lights in the Historic District. Planner Nerud explained this was being looked into at this time.

Councilmember Fink asked for an explanation of summer salaries at the Swimming Pool. City Manager clarified.

Councilmember Fink stated a sprinkler system was to be auctioned at the movie company auction on Saturday, if anyone was interested to look at it for the City.

Councilmember Fink received a request for a yield sign at West Yellowstone Street and North 5th Street. Supt. Kastelitz stated a study was done for that area and he would place a copy in

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Council's box. Also, at 5th and Chinook Streets there is a problem with the yellow markings. Fink asked if 6th and Chinook Streets needed a stop sign, being the rest of Chinook has become a through street. City Manager Orndorff stated he has the Chief of Police and Public Services Supt. conduct a traffic study when there is a question concerning signs.

Councilmember McGee requested, for a citizen, if a yield sign could be replaced with a stop sign at 2nd and Montana Streets. Supt. Kastelitz stated, a study was conducted at that location, and he would put a copy of the letter in Council's box.

Councilmember Harris commented on the big dip on 3rd and Chinook Streets. Supt. Tinsley stated, the whole intersection would have to be remove and redone. Most residents in the area are happy with the dip.

Mayor Dennis received a couple calls concerning the speed of trains passing through Livingston.

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

The time was 9:30 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


MAYOR

LIVINGSTON
CITY COUNCIL MEETING

September 16, 1991
7:30 p.m.

The Livingston City Council met in regular session Monday, September 16, 1991, 7:30 p.m., in the council chambers at the City-County Building. Councilmembers present were Jody Fink, Bernice McGee, Lee Harris and George Ommundsen with Mayor Bill R. Dennis presiding.

Motion was made by Fink, second by McGee, to approve the minutes of September 3, 1991 regular council meeting. Councilmember Fink clarified she received a request for a yield sign at West Gallatin Street and North 5th Street. Motion passed.

Motion was made by Harris, second by Ommundsen, to accept the bills and claims that listed for \$100,509.43. City Manager Orndorff explained that Dime Insurance submitted an additional \$3,663.00 to the City for an insurance premium that was approved for payment last meeting for \$22,549.00. The new total for bills and claims is \$77,960.43. Councilmember McGee questioned the bill for tree removal and Supt Kastelitz clarified. Councilmember Fink questioned claim #1168 for the Livingston Utility Billing. The City Manager will obtain an explanation. Motion passed.

A public hearing was held for a variance at 228 West Front Street, Earl Hollingsworth, from the five foot side yard requirement specified for High Density Residential (RIII) Districts. City Planner Nerud clarified a question for Councilmember Fink. Motion was made by McGee, second by Harris to grant this variance. Motion passed.

Second Reading of Ordinance No. 1695, (As Amended), AN ORDINANCE AMENDING SECTION 9-158 TO INCLUDE WEST CALLENDER STREET FROM THIRD STREET TO MAIN STREET AND THIRD STREET FROM PARK STREET TO CALLENDER STREET TO PROHIBIT SKATEBOARDS ON SIDEWALKS. Discussion was heard from Council, Staff, Terry Fahler of the Ebert Apartments and Mike Fleming. Motion was made by Fink, second by McGee to table the amendment at this time. Motion passed.

A letter of gratitude, addressed to Mayor Dennis from "A River Runs Through It", was included in the packet.

A Montana Rail Link, Inc. letter, September 3, 1991 was received, thanking the Police Department for their assistance in effort to remove trespassers from their property.

City Manager Orndorff informed Council that Ray Wadsworth, Montana Rural Water Association Executive Director will discuss the Variable Ratio Unit Billing for Utilities, at the October 7th

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council meeting. Information was included in the packet for Council to review.

Discussion was heard concerning City Manager's request for a policy decision concerning the requirement for a 10% certified check or bid bond being required to accompany bids. City Attorney Jovick and City Manager Orndorff will do further study.

Newspaper articles from June 3, 1913 were researched and obtained by Councilmember McGee concerning the Livingston Ditch. The articles contained the fact that a youth had died in the ditch.

City Manager Orndorff sent Police Chief Bryce a memo concerning the speed of trains traveling through Livingston. The dispatcher is to contact the Trainmaster in Laurel when a train is radared exceeding 30 m.p.h. Then, the recording tape can be removed from the engine and appropriate action taken.

Utility Supt. Tinsley spoke with Mr. and Mrs. Dwight Krohne and they are not willing to sign a Waiver of Protest of Annexation for a larger parcel of their property.

Various traffic sign questions were discussed at the last council meeting. Enclosed are letters answering the requests and explaining the procedure which is now followed.

A Department of Health and Environmental Sciences letter of transmittal, Final Addendum 14-9 and July Monthly Status Report, was received and are on the counter in the Recording Secretary's office.

City Manager reported the claim question, from the previous council meeting, for Creative Concepts was for the D.A.R.E. Program.

The Montana League of Cities and Towns meeting will be in Missoula September 18th through 20th. City Manager Orndorff, Finance Officer Harrington and Utility Clerk Crosby will be attending.

A correction concerning total amounts, was noted in the August 1991 Utility Billing System Report. This problem was brought to the attention of the programmer to correct.

A Department of Health and Environmental Sciences letter was received, stating the official closure of the old landfills located by Mayor's Landing and behind the City Shops.

The Police Department's Monthly Activity Report for August was included.

Arbitrator Kath Althern conducted an arbitration hearing on September 10th for the Livingston Police Department Employees Association. The Arbitrator's decision will be post marked no later than October 22nd.

City Manager will file charges with the Police Commission concerning Officer Perkins.

Included in the packet was the Fire Department's Monthly Activity Report for August.

Public Services Supt. Kastelitz reported 378 tons of solid waste was hauled in July, and 365 tons of solid waste was hauled in August. Preliminary figures of "Solid waste tonnage hauled" indicate the weight is split almost 50% commercial and 50% residential. The figures show that large multi-unit buildings without dumpsters may be overcharged for residential garbage based on the weight generated. Speculations are that these larger apartment buildings have older renters with only one or two persons to a unit who generate less weight per person. Also, the City may be making money on the minimum pickup of \$2.65 per stop.

Supt. Kastelitz was told by Robert Redford's location manager that the Civic Center is ideal for a movie company's special needs. There are up to 10 offices, a film room, art room and the main floor could be used for a sound stage.

The movie, "Keep the Change" started filming in Livingston on September 9th. Next week they will complete shooting in the City.

The Park Department will start sealing the Civic Center floor next week. The Civic Center will be reopened for rental the end of the month.

Work will start next week on the underground sprinkler system in Sacajawea Park.

Discussion was heard concerning a manhole cover on Lewis Street at the alley between 7th and 8th Streets. There was a citizen complaint concerning the depth of the manhole within the street. Action will be taken to raise the manhole to street level.

Utilities Supt. Tinsley reported the engineer's drawing for the new Edgewater Lift Station was completed and will be sent to the State this week for approval, 2-3 weeks required.

The Waste Water Treatment Plant water leak was found in a two inch water line and was repaired.

The problem with the 1972 backhoe was the head gasket.

City Planner Nerud reported the City of Livingston is now a Certified Local Government with the State Department of Interior.

Planner Nerud sent a letter to the manager of the Lucky Cuss concerning their awning in the Historical District. The manager asked for an extension until January 1st and then will replace with an acceptable awning.

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The Mayor's Landing Project is completed except for the boat ramp. It was noted STS Gravel did a fine job. Everyone is awaiting a Livingston Trust Fund decision on Trout Unlimited's request for a grant to do additional work at the site.

City Manager Orndorff explained possibilities for the future of the City of Livingston. The City Manager, Planner and Building Inspector have received inquiries concerning possible relocation of businesses and development of subdivisions. A major question exists as to whether the municipal utilities can handle a heavier load.

A letter was received expressing concern about skateboards and bicycles on the sidewalks. City Manager talked with Supt. of Schools Vern Beffert about this problem. Supt. Beffert plans to hold a "bike safety" assembly at the middle school and discuss the problem with the students.

Planner Nerud reported to Council on a concept to organize a Special Zoning District for certain parts of town, regarding home improvements in the Historical District. Council was in agreement to this.

The deadline for Community Development Block Grant Application was today and the City's application "is in the mail".

Councilmember Harris reported the river bank trail by the baseball fields was full of weeds.

Councilmember Harris questioned the field with partially cut hay behind the baseball fields. Supt. Kastelitz explained.

Councilmember Harris reported that a wire was hanging loose on a light pole at the baseball field.

Councilmember Fink received complaints concerning the possible need for a traffic sign at North 5th and Gallatin Streets.

Councilmember Fink stated the need for a long range plan concerning the City's swimming pool having a longer season; and, having pickup of sod, branches and grass later into the summer.

Councilmember Ommundsen commented positively on the stop bar located at the top of Gallatin Street hill where there is a yield sign. Vehicles are stopping when they see the stop bar painted at yield sign.

An invitational open house for the new Sleeping Giant Middle School was held August 20th. Mayor Dennis was presented a plaque for the City's help in the project. Mayor Dennis mounted the plaque and presented it to the City for the Council Chambers.

Motion was made by Harris, second by Fink, 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

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LIVINGSTON
CITY COUNCIL MEETING

October 7, 1991
7:30 p.m.

The Livingston City Council met in regular session Monday, October 7, 1991, 7:30 p.m., in the council chambers at the City-County Building. Councilmembers present were Bernice McGee, Lee Harris, Jody Fink with Mayor Bill R. Dennis presiding. Councilmember George Ommundsen was out of the Council Chambers during roll call and returned a few minutes later.

Motion was made by McGee, second by Harris, to approve the minutes of September 16, 1991 regular council meeting. Motion passed.

Motion was made by Fink, second by McGee, to accept the bills and claims that listed for \$52,750.96. Fink questioned the number of D.A.R.E. Officers the City now has employed. City Manager Orndorff clarified that one officer resigned the position and another Officer is to be trained. City Manager explained the Water, Sewer and Garbage Claims question from the previous council meeting. Orndorff stated each Department is now billed for the services.

Mayor Bill R. Dennis proclaimed October 19, 1991 as Orients Chapter 6, Eastern Star's 100th Birthday Day.

Motion was made by Fink, second by McGee, to approve Resolution No. 2270, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE MONTANA HISTORIC PRESERVATION OFFICE, MONTANA HISTORICAL SOCIETY, HELENA, MONTANA AND THE CITY OF LIVINGSTON FOR FUNDING. Three in favor. Ommundsen absent, passed.

Motion was made by McGee, second by Fink, to approve Resolution No. 2271, A RESOLUTION APPROVING AN ADMINISTRATIVE SERVICES AGREEMENT BETWEEN THE INTERNATIONAL CITY MANAGEMENT ASSOCIATION RETIREMENT CORPORATION AND THE CITY OF LIVINGSTON. City Manager provided background information regarding the Resolution. Three in favor. Ommundsen absent, passed.

City Manager asked for discussion concerning Ordinance No. 1695 (As Amended), AN ORDINANCE AMENDING SECTION 9-158 TO INCLUDE WEST CALLENDER STREET FROM THIRD STREET TO MAIN STREET AND THIRD STREET FROM PARK STREET TO CALLENDER STREET TO PROHIBIT SKATEBOARDS ON SIDEWALKS, that was tabled at the previous meeting. Comments were heard from local residents Greg Burcham, Roxanne Haidle (who explained a new formed group, "Boards in Motion"), Charlotte Libsack (who read letters of support from various people within the community), Mike Fleming, John Haney, Lee Phillips, Shawn Gadbury and members of City Council. Different concepts were discussed and the new group, "Boards in Motion" had talked with Supt. of Schools Vern Beffert concerning the skateboard issue and they are willing to work together on solutions. After discussion, it was decided

to keep the Ordinance tabled until spring.

Motion was made by Harris, second by McGee, to no longer require a bid bond or certified check when bidding City supplies (including a motor vehicle) totaling not more than \$10,000. A Bid Bond, Certified Check and now a Certificate of Deposit (where the bidder can still earn interest on his/her money) will be required when the bid amount is over \$10,000. Motion passed.

Executive Director Ray Wadsworth of the Montana Rural Water Systems addressed Council, at the City Manager's request, regarding the Variable Ratio Unit Billing for Municipal Utilities. The system has been discussed at previous meetings. The Variable Ratio Unit Billing is a fair and equitable rate schedule for city water and sewer charges. This system of billing was defended successfully in court cases.

City Manager Orndorff received a letter from the Department of Health and Environmental Sciences Water Quality Bureau stating the City has 20 days to come up with a plan to correct a methane problem at the Waste Water Treatment Plant. Engineers will be here on Tuesday.

The Utility Billing System Report for September 1991 was included. The Manager discussed the summer usage and how it will average with the low winter usage.

Enclosed was a Department of Commerce letter to Mayor Dennis acknowledging receipt of Livingston's grant application. An attached list identified all applications.

The Department of Commerce will hold a "Every Town A Global Village" Conference in Butte on October 9th. Council is invited to attend.

Naganohara's (Japan) Mayor, Head of the Town Council, Planning Officer, and Brad Kirby will visit Livingston October 27-30. They would like to sign the Sister City Proclamation during the visit. Doug Crandall will go to Japan in November and was asked to represent Livingston during his visit. A special council meeting will be held October 28th, 2:30 p.m., for signing of the Proclamation.

Livingston is to receive the Pedestrian Safety Citation from the 52nd Annual AAA Pedestrian Protection Program again this year.

The Police Department's September Monthly Activity Report was in the addendum.

A letter from the Department of Institutions was sent to Police Chief Bryce and City Council, commending the professional work of the dispatchers in the Police Department. The Dispatchers were Peggy Glass, Bev Koder, Claudia Swanson, Helen Tobiason and Gayle Pruitt. A letter will be placed in their personnel file.

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The Fire Department will hold a Emergency Medical Technician Class in the near future.

A Disaster and Emergency Services Newsletter, September/October 1991 was included. There will be a Communications Meeting in a few days.

The Fire Department is experiencing maintenance problems with Fire Engines 1 and 2. A letter from Fire Chief Frederick was included. Engine Number 2 is a 1958 International and parts are considered obsolete.

The Fire Department's September Monthly Activity Report was included.

City Manager Orndorff thanked the Council for permitting him to attend the Montana League of Cities and Towns Convention held in Missoula September 19th and 20th. Orndorff reported on items from the Convention.

The Local Government Office will hold a two day course for elected officials at Montana State University in March . City Manager will keep Council informed.

City Manager mentioned Park County Tavern Association's Question Night for Council Candidates.

The City Manager reported on the subject of landfills and recycling. Councilmember Harris stated recycling was a good idea, but how were people supposed to dispose of the refuse? Orndorff stated that if efficient recyclable refuse was generated, there should be a market for such recyclables. Councilmember Ommundsen stated K-Mart in Bozeman would buy vehicle batteries for \$1 each, whether you purchased a new one or not.

Councilmember Harris asked City Manager Orndorff if he knew of anyone in the area that recycles oil. Orndorff stated someone passes through about once a quarter.

John Haney was on the agenda to address Council, concerning the number of dogs that he may have under the City's Ordinance, but was not present.

Jack Jones was on the agenda to address Council, concerning a traffic ticket, but was not present.

Bruce Gilman has satisfactorily completed his probationary period and was named Maintenance I Worker effective October 1st.

Charges were prepared concerning Officer Perkins and presented to members of the Police Commission on October 4th. The Commission will meet tomorrow (Tuesday) to establish a date for the hearing.

City Manager asked Council if now would be the time for City-County Officials to take a serious look at considering the East Side School as an addition to the City-County Complex should the building become available.

The City Manager will be out of state October 10th - 13th to attend a seminar in Chicago.

The Livingston Volunteer Fire Department will sponsor a dance for students at the new Sleeping Giant Middle School on November 1st. If this is a success, they will hold a dance for High School students at a later date.

Senator Grosfield sent a letter to the Department of Commerce in support of the Community Development Block Grant.

A new schedule for the Japanese visit is included in the packet. The visit will cover the period October 27-30.

City Planner Nerud attended a National Trust workshop for Historic Preservation at Gallatin Gateway and found it very informative.

Construction will start on the concrete boat ramp at Mayor's Landing on Tuesday, October 15th.

A public hearing is scheduled for the October 21st Council Meeting regarding a variance requested by Joseph Scalise, 221 South D Street.

The minutes of the City-County Joint Airport Board were included. A letter was received from the Board, requesting a joint meeting on October 21st with City Council. Mayor Dennis stated a separate date should be scheduled. Council decided on October 16th, if possible.

Two letters were received from the L.I.F.E. Committee. Gretchen Rupp, Environmental Engineer, will help with a review. A L.I.F.E. meeting will be held this Wednesday, 7:30 p.m., at the City-County Building.

The office has a video tape of Naganohara, Japan available for viewing.

The City Manager included and discussed the ordinance on the City Manager Form of Government.

Councilmember Harris questioned who is liable at Mayor's Landing. City Attorney Jovick clarified, stating the City or County would have to be proven negligent before there would be a question of who would be liable.

Councilmember Harris questioned if the sweeper was on a schedule. City Manager Orndorff stated the sweeper was now being used to sweep leaves.

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Councilmember Harris questioned the area behind the ball fields. Only half of the field is mowed due to a mower breakdown. City Manager stated he thought it was still going to be mowed.

Councilmember Fink commented on how long it took the City to receive a letter for a seminar that was to be held in 2 days.

Councilmember Ommundsen questioned the progress of the sprinkler system in Sacajawea Park. City Manager Orndorff stated digging will begin tomorrow (Tuesday).

City Attorney Jovick stated the Finance Officer is putting together a final accounting of the \$1.7 million dollar Water Project with Burlington Northern Railroad. After completion, the City books will show the BN paid the full amount of the maximum available of \$1.7 million. The Mayor will execute the release to Burlington Northern. This will only be a release of liability associated to the 2 new wells, not on the City's additional wells. If Council wanted to see this release, they would need to contact the City Attorney before it was sent to Burlington Northern in the next couple weeks.

Mike Fleming commented on the tobacco ordinance the City passed about a year ago. Mr. Fleming stated there was only one second offender to date. He also thanked Council for their support of the ordinance.

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

The time was 9:55 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


MAYOR

LIVINGSTON
CITY COUNCIL MEETING

October 21, 1991
7:30 p.m.

The Livingston City Council met in regular session Monday, October 21, 1991, 7:30 p.m., in the council chambers at the City-County Building. Councilmembers 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 October 7, 1991 regular council meeting. Motion passed.

Motion was made by McGee, second by Fink, to accept the bills and claims that listed for \$52,110.45. City Manager added claim numbers 4551 and 4552 for \$484.46, for a total of \$52,594.91. Motion passed.

A public hearing was held for a five foot yard side yard requirement variance for Joseph Scalise, 221 South D. The City Board of Adjustment recommends granting this variance. Motion was made by Harris, second by Ommundsen, to grant the variance. All in favor, passed.

Motion was made by Harris, second by Ommundsen, to approve Resolution No. 2272, A RESOLUTION ADOPTING A PROCLAMATION FOR A "SISTER CITY" RELATIONSHIP BETWEEN NAGANOHARA, JAPAN AND THE CITY OF LIVINGSTON, MONTANA USA. All in favor, passed.

Motion was made by Ommundsen, second by McGee, to approve Resolution No. 2273, A RESOLUTION APPROVING AN AGREEMENT BETWEEN MICRO-COMM, INC. AND THE CITY OF LIVINGSTON FOR A RADIO TELEMETRY SYSTEM.

Motion was made by Fink, second by McGee, to approve Resolution No. 2274, A RESOLUTION APPROVING AN AGREEMENT BETWEEN CERTAIN PROPERTY OWNERS AND THE CITY OF LIVINGSTON FOR A WATERLINE PROJECT ON WEST FRONT STREET. City Manager Orndorff updated Council on this project. All in favor, passed.

Motion was made by McGee, second by Fink, to approve Ordinance No. 1696, AN ORDINANCE ADDING SECTION 10-27 TO THE CODE OF ORDINANCES TO PROHIBIT THE MOLESTING OF PARK BIRDS, DUCKS OR GEESE AND OFFERING A REWARD, on first reading. Councilmembers McGee and Fink amended their motions to include "wantonly" chasing, to the ordinance. All in favor, passed.

Motion was made by Fink, second by McGee, to approve Ordinance No. 1697, AN ORDINANCE AMENDING SECTION 10-26 (a) TO THE CODE OF ORDINANCES REGARDING SACAJAWEA PARK CLOSURE OVERNIGHT, on first reading. Councilmembers Fink and McGee amended their motions to

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change "Sacajawea Park" to "City Parks". All in favor, passed. Motion was made by Harris, second by McGee, to approve Ordinance No. 1698, AN ORDINANCE AMENDING SECTION 9-321 OF THE CODE OF ORDINANCES ALLOWING FISHING FROM THE 7TH STREET PEDESTRIAN BRIDGE, on first reading. All in favor, passed.

Letters were received from Envirocon. October 26, 9:00 a.m., a public open house will be held at the Livingston Rail Yard.

August Sampling Results were received from Envirocon. The City Sewage Facility Well tested three contaminates exceeding the minimum dosage levels.

The Dispatch Radio/Telephone Recorder in the Law Enforcement does not work. This device records incoming calls on two lines and radio activity on Law and Fire frequencies. This information is used by Police and Fire Departments and prosecuting attorneys. Council is in agreement to pursuing a new one.

Police Chief Bryce was questioned about 911. Bryce stated 911 was at least one year in the future of coming to this area. Plans have been submitted.

Local citizen, Sharon Kay Klima sent a letter of commendation to the City Manager stating the City employees that helped her as a newcomer to the area, were "extremely courteous, polite and helpful".

A thank you letter, received from Principal Strand, recognizing Chief Frederick and the Fire Department for making Fire Prevention Week a "worthwhile learning experience".

Minutes of the City/County Airport Board Meeting, September 24, 1991 were included. Council is invited to attend the City/County Airport Board Meeting on October 22nd, 7:30 p.m.

The joint meeting with the City Council and City/County Airport Board was moved to January 1992.

City Manager gave Council an update on Methane Gas at the Waste Water Treatment Plant. Engineers have been to the plant and are studying the system.

Bids were opened for the Reroofing of the Waste Water Treatment Plant, October 15, 1991. Bids received were as follows:

McLeen, Inc. - Belgrade
\$28,740

Winters Roof Co., Inc. - Bozeman
\$17,654

Quality Roofing & Sheet Metal, Inc. - Bozeman
\$32,895

City Manager recommended Council approve the bid from Winters Roof Co., Inc. for the amount of \$17,654. Discussion was heard between Staff and Council. Motion was made by Fink, second by McGee, to approve the recommendation. The vote was three in favor, Harris opposed. Motion passed.

The AAA Montana Pedestrian Safety Citation was presented to the City on October 17th in the Council Chambers.

The Police Commission is scheduled to meet on October 29th, 10:00 a.m. to consider Officer Perkins' charges. Officer Perkins has requested a delay, which the City is resisting.

The Livingston Community Trust granted Trout Unlimited \$14,131 to finish the Mayor's Landing Project. This grant is to Trout Unlimited.

John Nerud, City Planner accepted two picnic tables from Jason Westfall, Boy Scout Troop 524 for Mayor's Landing. He is working for the rating of Eagle Scout. Mark Melin is working on garbage containers for Mayor's Landing for his Eagle Scout Project.

Two park benches will be donated to Mayor's Landing from the Chamber of Commerce on behalf of "A River Runs Through It" Productions.

The Gallatin Dog Club donated \$1,000 to Sacajawea Park for the use of the park during last years dog show. It has been suggested the money be used for the sprinkler system within Sacajawea Park. Orndorff stated 600 feet of the sprinkler pipe line was installed.

Bob Fry is resigning the position of DES Coordinator.

The Delegation from Japan will arrive Sunday October 27th, 5:15 p.m. Jimmy Brown's will provide their limousine for the visit.

There will be a Groundwater Protection and Wells seminar in Lewistown Thursday November 14th. The registration form is in the office. Council is requested to attend.

Councilmember McGee stated the importance of Council attending the open house October 26th at the Livingston Rail Yards.

Councilmember Harris questioned Utilities Supt. Clint Tinsley about the manhole cover for the alley between 7th and 8th Streets on Lewis Street. Tinsley stated the manhole lift was on backorder and would be installed when received.

Councilmember Harris questioned Planner Nerud concerning the finishing work at Mayor's Landing.

City Manager will research the cutting of alfalfa behind the baseball fields.

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There will be a special council meeting Monday, October 28th at 2:30 p.m. for the signing of the "Sister City Proclamation".

Ruth Eggar addressed Council on behalf of the Manager at Pamida Discount Store concerning semi trucks and hay trucks taking a short cut through their parking lot. City Attorney Jovick stated that possibly an ordinance could be written or a sign installed using gross vehicle weight prohibiting larger vehicles from using the parking lot for a short cut.


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

The time was 8:40 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


MAYOR

SPECIAL
LIVINGSTON CITY COUNCIL MEETING

October 28, 1991
2:30 p.m.

The Livingston City Council met in special session Monday, October 28, 1991, 2:30 p.m., in the council chambers at the City-County Building. Councilmembers present were Bernice McGee, George Ommundsen and Jody Fink, with Mayor Bill R. Dennis presiding. Councilmember Harris was absent.

Motion was made by Ommundsen, second by Fink, to approve Resolution No. 2275, A RESOLUTION APPROVING AN AGREEMENT BETWEEN WINTERS ROOF COMPANY, INC. AND THE CITY OF LIVINGSTON FOR THE REROOFING OF THE WASTE WATER TREATMENT PLANT. Three in favor, Harris absent. Motion passed.

Bids were opened Thursday, October 24, 1991 for one 1992 3/4 Ton Full Size Pickup Cab & Chassis for the Water and Sewer Department. Bids received were as follows:

Jimmy Brown's - Livingston
1992 Dodge - \$12,217

Kiefer Motors - Livingston
1992 GMC - \$13,067.00

Whiting Motors - Livingston
1992 Chevrolet - \$13,519.39

Motion was made by McGee, second by Ommundsen, to approve the City Manager's recommendation to accept the bid from Jimmy Brown's for the amount of \$12,217. Motion passed.

Bids were opened Thursday, October 24, 1991 for one 1992 3/4 Ton Full Size Pickup Cab & Chassis with Flat Bed Box and two 1992 Compact Pickups for the Public Service Departments. Bids received were as follows:

Jimmy Brown's - Livingston
1992 Dodge Cab, Chassis, Flat Bed Box - \$14,561.00
2 - 1992 Dodge Compact Pickups - \$7,926 each

Kiefer Motors - Livingston
1992 GMC Cab, Chassis, Flat Bed Box - \$16,222.30
2 - 1992 GMC Compact Pickups - \$8,686 each

Whiting Motors - Livingston
1992 Chevrolet Cab, Chassis, Flat Bed Box - \$15,683.93
2 - 1992 Chevrolet Compact Pickups - \$8,040 each

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Motion was made by Fink, second by McGee, to approve the City Manager's recommendation to accept the bid from Jimmy Brown's for the 1992 Dodge Cab, Chassis, Flat Bed Box in the amount of \$14,561.00 and 2-1992 Dodge Compact Pickups for the amount of \$15,852.00. Motion passed.

Bids were opened Thursday, October 24, 1991 for one Lawn and Garden Tractor, with Mower, with Vacuum for the Park Department. One bid was received as follows:

Strong and Bradley's - Livingston
John Deere 322 Lawn and Garden Tractor, 46: Mower Deck and a Hydraulic Dump Material Collection System - \$9,450

Motion was made by Ommundsen, second by Fink, to approve the City Manager's recommendation to accept the bid from Strong and Bradley's for the amount of \$9,450. Motion passed.

City Manager Orndorff introduced Matthew Cohn, International Division of the Department of Commerce, who recently visited Naganohara. He, in turn, introduced employee Tammy Lanning who had lived in Japan for a couple of years.

Brad Kirby, Translator with the Japanese Delegation introduced Naganohara Mayor Mamoru Tamura, Town Council Chairman Shohachior Asai, and Town Planner Satoski Ichimura to Livingston City Council.

Mayor Bill R. Dennis and Mayor Mamoru Tamura then moved to the front table for the signing of the "Declaration of a Sister City Affiliation" between Naganohara and Livingston.

Mayor Dennis commented on the history of how today's signing of the "Sister City Declaration" came about starting in 1987.

Mayor Mamoru Tamura thanked the City of Livingston for the warm welcome the delegation received and Mayor Tamura stated Naganohara is looking forward to pursuing the relations with Livingston in the future. Naganohara celebrated their Centennial Birthday in 1989, the same as Livingston and Montana and he feels there is a certain amount of fate behind the "Sister City Proclamation". They are especially interested in establishing communications between schools in the respective towns and exchange programs for the students.

Town Council Chairman Shohachior Asai then addressed Council, thanking them for this visit and the visit earlier this year. He hopes for a prosperous relations in many fields.

City Manager stated a reception at the Livingston Bar and Grill will be held at 4:00 p.m.

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

The time was 2:50 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Bill R Dennis
MAYOR

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LIVINGSTON
CITY COUNCIL MEETING

November 4, 1991
7:30 p.m.

The Livingston City Council met in regular session November 4, 1991, 7:30 p.m. in the Council Chambers at the City-County Building. Councilmembers present were George Ommundsen, Jody Fink, Bernice McGee and Lee Harris with Mayor Bill R. Dennis presiding.

Motion was made by Fink, second by McGee, to approve the minutes of October 21, 1991 regular council meeting and October 28, 1991 special council meeting. Motion passed.

Motion was made by McGee, second by Fink, to accept the bills and claims that listed for \$32,969.26. Supt. Public Services Kastelitz and City Manager Orndorff answered questions for Councilmember Fink. City Attorney Jovick clarified a question for Mayor Dennis concerning witness fees. Motion passed.

Second Reading of Ordinance No. 1696, AN ORDINANCE ADDING SECTION 10-27 TO THE CODE OF ORDINANCES TO PROHIBIT THE MOLESTING OF PARK BIRDS, DUCKS OR GEESE AND OFFERING A REWARD. All in favor. Passed.

Second Reading of Ordinance No. 1697, AN ORDINANCE AMENDING SECTION 10-26 (a) TO THE CODE OF ORDINANCES REGARDING CITY PARK CLOSURE OVERNIGHT. All in favor. Passed. Councilmember Fink questioned where a person would get permission to take pictures in the parks after closure. Orndorff stated from the City Manager. All in favor. Passed.

Second Reading of Ordinance No. 1698, AN ORDINANCE AMENDING SECTION 9-321 OF THE CODE OF ORDINANCES ALLOWING FISHING FROM THE 7TH STREET PEDESTRIAN BRIDGE. All in favor. Passed.

City Manager Orndorff thanked Council for those who attended the signing of the Sister City Declaration. Brad Kirby called before the council meeting to thank the City again for their generosity. A couple local residents are interested in the JET Teaching Program.

A presentation of PANCREATIC CANCER CLUSTER INVESTIGATION OF LIVINGSTON AND PARK COUNTY, MONTANA was held October 24, 1991 and presented by Dr. Hutchinson. The report is available in the City Office.

Burlington Northern Railroad Company sponsored an on site tour of the Livingston rail yard cleanup October 26, 1991.

Grievances of Officer Fenton and Officer Perkins were heard by an Arbitrator on September 10th and denied in the Arbitrator's Report

dated October 20, 1991.

The Police Commission's Hearings on the City's Charges against Officer Perkins were heard on October 29th and continued on November 1st. A decision will not be made until 3 weeks.

A "Thank you" letter was received from Dixie Bowman, Orient Chapter No. 6, Order of the Easter Star to City Council and Mayor Dennis.

A letter was received from the Montana Department of Transport concerning Policy-Contribution Collection on Highway Facilities. The letter states, the Fire Department can continue the fund raiser with their "boot", but different guide lines need to be followed.

The Engineer from HKM has visited the Waste Water Treatment Plant. The Engineer will meet with City Staff sometime in December to review the data.

No bids were received for the final gravel work at Mayor's Landing. This will be rebid.

The City-County Planning Board is drawing the Council's attention to the need for a new Comprehensive City-County Plan.

The Utility Billing System, October 1991 Report was included in the packet.

Enclosed is a Statement of Expenditures versus Appropriations by department for Council review.

1990-1991 Annual Library Report is enclosed for Council review.

A Civic Center key was issued to Principal Tim Dunn of Park High School. The key is only to be used in conjunction with the High School Evacuation Plan. Fire Chief Frederick is working with Principal Dunn.

Mike Nelson resigned from the City effective November 16, 1991.

Enclosed is the Application for Transfer of Ownership of Montana Retail On-Premise Consumption Beer License No. 49-047-5509-101, Pizza Hut, Livingston, Montana.

City Manager Orndorff summarized a request from the Gardiner Water System Board of Directors. The Board has requested that the City of Livingston contract with them, to become the contractor to operate the entire Gardiner Water System. After discussion, motion was made by Harris, second by McGee to proceed with investigating the City of Livingston contracting their services to the Gardiner Water System. Motion passed.

Ken Kastelitz, Supt. of Public Services, reported Lee Eberling, Lacy Engineering, looked at the trusses at the Civic Center last week. He will send a contract for the engineering work.

ACAO17

The 1st phase of the underground sprinkler system at Sacajawea Park has been completed. Crews will be working on the system as weather permits.

Supt. Kastelitz stated 95 yards of sand was put on the streets during the last week. He stated 15 yards of sand is needed to sand every intersection in Livingston.

Staff has been looking into the street light problem. The wind is creating a problem with the sensors in the lights. Montana Power is addressing the situation at this time.

Councilmember Fink questioned if a set of plans from about four years ago that included an air conditioning system at the Civic Center, could be included with fixing the roof. Supt. Kastelitz stated he was unaware of these plans but, would look for them.

A Sister City Committee was formed consisting of the following members:

Doug Crandall, Chairman
 Shirley Young, Chamber of Commerce
 City Manager John Orndorff
 Superintendent Vern Beffert
 Principle Shelly Blatter
 Teacher Marla Bray
 Tara Depuy, Chamber of Commerce President
 Bob Gersack
 Pastor Tom Boller
 Meredith Thompson
 Mike & Eva Art
 Clara Gillard
 Cindy NeSmith
 Travis Chevallier

The Fire Department's and the Law Enforcement Department's End of Month Reports, October 1991, were included in the addendum.

City Manager mentioned receiving a letter from the DNRC. It was mailed October 18th, with the City receiving it November 4th, and the meeting being held November 6th.

City Attorney Jovick clarified a question for Councilmember Fink concerning the streets in the area of the Pamida Parking lot, that was discussed at the last council meeting.

Supt. Public Services answered Councilmember Ommundsen's question on the rules at the Civic Center. Walker's can use the Civic Center 8-11 a.m., Monday thru Friday, with policy stating no dogs are allowed in the Civic Center.

City Planner John Nerud stated a 2nd prize winner came forward this morning for the Community Development Block Grant Questionnaire drawing.

City Manager and City Planner will prepare a draft for Council recommending changing RII and RII Mobile Home Zoning Districts to allow professional and business offices and grocery stores in residential areas. A special exception hearing would be needed before the Board of Adjustment and City Council before final approval.

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

The time was 8:35 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Bill R. Dennis
MAYOR

ACA017

LIVINGSTON
CITY COUNCIL MEETING

November 18, 1991
7:30 p.m.

The Livingston City Council met in regular session Monday, November 18, 1991, 7:30 p.m., in the council chambers at the City-County Building. Councilmembers 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 November 4, 1991 regular council meeting. Motion passed.

Motion was made by Fink, second by Ommundsen to accept the bills and claims that listed for \$20,466.06. Councilmember Harris questioned claim number one. City Manager Orndorff stated this was an Equal Employment Opportunity ad that the City has placed for a few years. Orndorff stated this ad could be omitted in the future. Motion passed.

A public hearing was held for a special exception from the terms of the Livingston zoning Ordinance for the purpose of operating a Bed and Breakfast establishment at 122 South Yellowstone Street for Gary and Linda Lee. City Planner John Nerud stated the Lee's meet all the requirements for this exception. The City Board of Adjustment recommends the City Council grant the special exception to the Lee's. Nerud read a letter from neighbors in favor, along with public comment from the Board of Adjustment public hearing. Three letters were received before the Council meeting opposing the Bread and Breakfast in the neighborhood. Discussion was heard from Council and Staff. At this time, motion was made by Ommundsen, second by Harris, to table this recommendation. Motion passed.

City Manager stated a replacement for Herb Deutsch was needed on the City-County Health Board. Mayor Dennis suggested this be looked into for the next council meeting.

Motion was made by Harris, second by McGee to reappoint Dorothy Lorraine to the City-County Health Board. Her term expired October 1991. The new Mayor will then reappoint the City's members to the City-County Health Board in January. Motion passed.

The application for Transfer of Ownership of the Murray Bar All-Alcoholic Beverage License was enclosed for Council.

Chairman Doug Crandall held a meeting of the Sister City Committee on November 13th. Ideas were discussed on different ways to further the Sister City Relationship. Crandall will leave November 18th for his trip to Japan where he will also visit Naganohara. Sometime next summer, 10 of their students may visit Livingston with a "Homestay Program". Two or Three of Livingstons' students

may visit Japan at the same time.

The Airport Board Minutes, October 22, 1991 were enclosed for Council review.

Councilmember Ommundsen attended the annual meeting of the Livingston Ditch Company, October 6th. Ommundsen reported the City has 58 miner inches of water for the cemetery. The State of Montana wants to be out of the ditch business by 1995. The material Ommundsen received, will be copied and placed in the City's files.

City Manager spoke on a Letter to the Editor in the Livingston Enterprise November 11th. The letter, from Mr. & Mrs. J.H. Swenson, Chippewa Falls, Wisconsin, states "special thanks" included the City Police Department and the City Fire Department.

Enclosed for Council information, is a page from LAW ENFORCEMENT TECHNOLOGY, October 1991, entitled "The Typical Police Officer". Using the national average would translate to Livingston having 14 rather than 10 officers.

City Manager stated the Fire Protection Repair and Maintenance Services Account was overspent. A fuel pump and governor on Engine #1 had to be replaced.

Assistant Chief Tim Parks was accepted to attend the National Emergency Training Center for Fire Arson Investigation in Emmitsburg, Maryland, January 6 - 17, 1992.

On November 5th, the Fire Department and equipment "stood by" while downed power lines were being replaced and lines reconnected to houses. \$1,438.30 is being requested for this service.

City Manager Orndorff reported on an article that was in the Bozeman Chronicle. It was written that the City Council (Bozeman) should have a bond issue to raise money for water main line repair and replacement. Orndorff reported this is a very good article drawing attention to infrastructure.

The position of Maintenance Worker II, Water and Sewer, is awarded to Steve Brewer effective December 1, 1991.

The Municipal Sewer Utility Annual Report, June 30, 1991, was submitted for Council information.

A Sewer Line Pamphlet was distributed last week to Council. This pamphlet contains City Manager's memos concerning sewer problems.

The Municipal Water Utility Annual Report, June 30, 1991, was submitted for Council information.

Utilities Supt. Clint Tinsley successfully completed his Class 2C Waste Water Treatment Plant Operator License Test.

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Maintenance I Worker Ron Flack successfully completed his Class 2C Water Operator License Test.

The City of Livingston has been working with the City of Gardiner on a possible contract to maintain, operate and administer their water system for the Gardiner Water Board. A fair agreement has been reached between City staff and the Gardiner Water Board, it is now up to the attorneys to look at the legal portion of the agreement. A Resolution before Council may be possible mid-December.

Motion was made by McGee, second by Fink, to bid a pickup vehicle for the Park Department. Discussion was heard concerning old vehicles in the City's fleet. Motion passed.

A parking space request was received from Architect Foote, November 7, 1991. This request is for a "No Time Limit" parking spaces along the west side of 'B' Street within the first block south of Callender. Discussion was heard with a motion by McGee, second by Ommundsen to deny this request. Motion passed.

A Street complaint on 2nd Street (between Montana Street and Gallatin Street) and East Gallatin Street (up the hill), was received from Carroll Shorthill and neighbors, November 8, 1991. The City does not normally sand these 2 or 3 blocks. There is a policy where the City does plow this area because the streets will dry quickly due to the steepness of the hill. Attempting to sand these streets is dangerous for City crews. Council is in agreement to stay with the same policy. City Manager Orndorff will send them a letter stating this fact.

A letter from DNRC, November 1, 1991, explains that the City must use the old floodplain elevations rather than determining a new floodplain from aerial photos.

Planner Nerud presented an update to Council on Mayor's Landing. Cement was poured today for part of the boat ramp. Also, cement was poured today for the garbage rack, which is an Eagle Scout project. Tomorrow, cement for the other portion of the boat ramp is to be poured. Nerud stated this will be a deluxe boat ramp, as it is wider and longer than normal boat ramps.

The Lucky Cuss will remove their current awning and install a new sign complying with the Historical District requirements. City Manager Orndorff congratulated Planner Nerud and the Commission for cooperating and arriving at a workable solution.

A City-County Planning Board letter dated October 22, 1991 was included in the November 4th packet and is again included in this packet. An update of the Comprehensive Plan for the Livingston Area must be accomplished as soon as possible, especially in the 4½ mile radius, to control planned developments. City Manager Orndorff recommends that the reaccomplishment of this Comprehensive Plan be given the highest priority possible.

ACAO17

City Manager introduced Professor Ken Weaver, MSU to Council, who in turn introduced colleague Judy Matthews. Mr. Weaver discussed the City Manager Form of Government to present and new Councilmembers.

City Manager addressed the new Councilmembers present in the audience, stating that he will hold worksessions, on Monday night's when there is not a Council meeting, for their benefit.

City Manager Orndorff gave his resignation effective March 1, 1992 and thanked Council for their support during the time he has filled this position. Orndorff summarized many of the recent accomplishments, stating the items centered on one thing - accountability. Orndorff gave the Council a packet that contained a list of tasks that must be addressed during the next twelve months. Motion was made by Fink, second by McGee to approve the City Manager advertise for a new City Manager. Motion passed.

Councilmember Ommundsen asked that the City Manager look into a rubber matt for across the 5th Street Crossing. Ommundsen stated the spikes are starting to stick up.

Mayor Dennis asked that the City Manager look into lights at the East of town train crossing.

Councilmember Fink would like Council to think about the cat issue for the next council meeting.

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

The time was 9:30 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Bill Dennis
MAYOR

LIVINGSTON
CITY COUNCIL MEETING

December 2, 1991
7:30 p.m.

The Livingston City Council met in regular session Monday, December 2, 1991, 7:30 p.m., in the council chambers at the City-County Building. Councilmembers present were Bernice McGee, Lee Harris, George Ommundsen and Jody Fink with Mayor Bill R. Dennis presiding.

Motion was made by Ommundsen, second by Fink, to approve the minutes of November 18, 1991 regular council meeting. Motion passed.

Motion was made by Fink, second by McGee, to accept the bills and claims that listed for \$62,658.32. Motion passed.

A letter was received from Supt. Beffert, Livingston School District No. 4 & 1, concerning financial support to Livingston students that will be involved in a "Home Stay" Program in Naganohara, Japan. City Manager Orndorff had requested information in joining Sister Cities International. He will now request additional information on "Home Stay" Program.

Bids were opened December 2, 1991, 11:00 a.m. for one (1) 1992 Compact Pickup for the Public Service Department. Bids received were as follows:

Jimmy Brown's - Livingston
1992 Dodge Dakota - \$8,086.30

Livingston Ford - Livingston
1992 Ranger - \$8,390.00

Whiting Motors - Livingston
1992 Chevrolet - \$7,989.40

Motion was made by Harris, second by Fink, to accept the City Manager's recommendation to award the bid to Whiting Motors for the amount of \$7,989.40.

The "Third Quarterly Ambient Air Monitoring Report for the Livingston Rail Yard" is available for review in the City office.

The "November 1991 Status Report, Livingston Rail Yard" is on file in the office.

Robert Watson, Water Quality Bureau, inspected the Waste Water Treatment Plant, November 19, 1991. His report was included in the packet. The three main areas of concern were: Methane gas control system, standby power source, and infiltration. City Manager noted

that the Bureau received a telephone call from a local resident stating the City is disposing of sludge in the old landfill behind the City Shops. Orndorff stated this is not the case. Someone from the State was to check both old landfills. The City has not heard the results of such an inspection.

The draft "1992 State of Montana Comprehensive Housing & Affordability Strategy (CHAS) on Montana Statewide Housing Issues" is in the office for review.

A Montana State Library Memo is enclosed for anyone interested in attending a session on "Hands-on experience" December 3rd, 7 p.m., at the Holiday Inn in Bozeman.

Several employees attended a presentation by Bob Worthington, Montana Municipal Insurance Authority, November 20, 1991. He stressed taking pictures of projects to document what was actually done. These pictures may be used in litigation if the need arises.

Motion was made by Ommundsen, second by Harris, to allow the City Manager to pursue a report from Huntington & Associates regarding refunding of the 1980 Sewer System Revenue Bonds. A potential savings of \$159,000 is possible. The City Manager will look into a question for Councilmember Fink concerning the payment dates on the Sewer Bond.

City Planner Nerud gave Council an update on the Buttrey's Store construction plans. Nerud received a fax letter stating Buttrey's would employ 120 people. They plan to start building in February and will petition for annexation and tapping City water and sewer. Buttrey's will donate land to widen Loves Lane. The lane is currently 20 feet wide and the street should be 66 feet in width.

Nerud was in contact with Hardy's. Hardy's plan to build a restaurant on the Old John's IGA lot where the log building now stands. They will employ 19 people and will start construction in February. Councilmember Fink asked the Planner to investigate a new traffic crossing connecting the parking lot with 11th Street.

Nerud reported that the railroad crossing east of town is not in the City and that rubber mats are being looked into for the 5th Street crossing. The mats would cost the City approximately \$24,000. MRL stated they would install the mats when the City purchased them.

City Manager Orndorff stated snow will be removed tonight in the business district. Work will start at midnight. Completion is planned for 8:00 a.m. Seven City employees will be involved and the project will cost some \$780 plus equipment.

Code Enforcement Officer Linda Fyffe was to talk with snow removal operators today concerning plowing snow from sidewalks & driveways into the streets.

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Utilities Supt. Clint Tinsley reported that his employees will address some minor service problems during the winter.

The position of City Manger was advertised. The closing date for applications is December 23rd.

The City of Livingston Police Commission Findings and Order stating that James Perkins be discharged from employment was agreed with and upheld by the City Manager.

A public hearing will be needed when the ordinance is read for the "Variable Ratio Unit Billing". This will be considered at the first meeting in January for an amended Ordinance.

The first informative session for new Councilmembers was held November 25th.

Motion was made by Harris, second by McGee, to grant permission to use Dick Larsen as negotiator for AFSCME Local 2711, Public Works Union negotiations. Councilmember Fink questioned if the City could try one meeting not using a negotiator. Discussion was heard, City Attorney Jovick stated this was the best investment the City has made over a few years. Motion passed.

The Utility Billing System Total Report for November 1991 was included for Council review.

A printout of Statement of Expenditures versus Appropriations through November 1991 was included in the packet. This report shows the status of the budget todate.

Fourth Quarterly Ambient Air Monitoring Report for the BN Livingston Site is available in the City office.

The City Manager reported on the Annual Hydrant Test. Orndorff commended the staff for fire hydrant improvements. Chief Frederick has the report if anyone is interested.

A City mailing permit was discussed.

This year there will be a check off box on the income tax forms for a D.A.R.E. donation.

City Manager reported he will write the State requesting a written response stating how the millage should be calculated in reference to I-105.

The contract with the Gardiner Water District will not be pursued.

The Mental Heath Services will change services the first of the year. They will no longer provide after hours emergency coverage.

Councilmember Harris suggested the City Manager explain all details of the Variable Ratio Billing for the public to understand when is presented.

Council commented on the snow being pushed into the streets.

City Planner Nerud will investigate how Bozeman funded the railroad crossings mats.

Councilmember Fink would like Montana Power Co. to change back to the previous type of street lights. Fink feels these new lights do not give off adequate light.

Councilmember Fink feels cats should be limited to 2 cats per household like with the dogs. She would like to some action taken.

Councilmember McGee questioned the City Manager about the Civic Center. Orndorff stated a letter was received from the engineer with plans and a contract. This will be before Council at the next meeting.

Councilmember Harris stated Lyle Gillard will be going to Japan in the next few months and he would represent Livingston in Naganohara.

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

The time was 8:10 p.m.

ATTEST:

APPROVED:

Julianne Blakely
RECORDING SECRETARY

Bill R. Ommundsen
MAYOR

ACAO17

LIVINGSTON
CITY COUNCIL MEETING

December 16, 1991
7:30 p.m.

The Livingston City Council met in regular session Monday, December 16, 1991, 7:30 p.m., in the council chambers at the City-County Building. Councilmembers present were Lee Harris, George Ommundsen and Bernice McGee with Mayor Bill R. Dennis presiding. Councilmember Jody Fink was absent.

Motion was made by Harris, second by Ommundsen, to approve the minutes of December 2, 1991 regular council meeting. Motion passed.

Motion was made by Ommundsen, second by McGee, to accept the bills and claims that listed for \$67,077.06. Councilmember Harris questioned claim #4826 to Agrineeds. Warren McGee stated this was for bird feed at the Park. Motion passed.

Motion was made by Ommundsen, second by McGee, to approve Resolution No. 2276, A RESOLUTION ANNEXING CERTAIN REAL PROPERTY TO THE CITY OF LIVINGSTON OWNED BY BUTTREY FOOD AND DRUG COMPANY. Three in favor, Fink absent. Motion passed.

Motion was made by Harris, second by Ommundsen, to approve Resolution No. 2277, A RESOLUTION ANNEXING CERTAIN REAL PROPERTY TO THE CITY OF LIVINGSTON OWNED BY HAROLD R. CROWELL AND YVONNE CROWELL. Three in favor, Fink absent. Motion passed.

Public Works negotiations will start on January 22nd, 10:00 a.m. An executive session will be needed at the January 21st Council Meeting.

Doug Crandall spoke to Council about his recent trip to Naganohara Japan. Crandall stated he was in the process of putting together a slide show from the pictures that were taken. He will show them to different organizations in the City. Friday he will show the slides at the Sister City Committee luncheon. Mayor Dennis questioned Crandall on the proposed Dam in Naganohara. Crandall stated it will be placed in the old part of town, but is still a few years from being constructed.

The Montana League of Cities and Towns Bulletin was enclosed for Council review. City Manager Orndorff stated the bulletin has important information concerning the Gambling Revenue in fiscal year 1991.

City Manager reported on a letter from the Department of Highways, December 5th. The response concerned the street markings at Park and 5th Streets and Park and "B" Streets. Lee Alt, District Traffic Engineer will look at other alternatives, including post

mounted signs for these intersections.

The City received a petition signed by some stockholders of the Livingston Ditch Water Users' Association, requesting that the Department of Natural Resources and Conservation develop a mutual plan to transfer the Livingston Ditch Project to the Association. Discussion was heard between staff and council. The City Manager will look further into the options of the Association taking over the Ditch versus the State keeping control of the Association.

John Betley was awarded the Maintenance Worker II position in the Sewer Department.

Craig Hahn was awarded the Maintenance II-Commercial Solid Waste Truck Driver position effective December 16th.

Police Chief George Bryce has advertised the officer position in his department.

Two "thank you's" were received for the Fire Department. One was from Dick Dehn, Santa Chairman, and the other from the Park County Sheriff's Office thanking Chief Frederick to his assistance in shutting down the Interstate on Thanksgiving weekend.

Police Chief Bryce and Firefighter Richard Wood will attend the Basic Noncommissioned Officer Course at Fort Harrison January 11-18.

The Police Department Monthly Activity Report for November 1991 was included.

A LIFE Committee letter to Dr. Hutchinson was enclosed for Council information. The letter concerns the presentation of the results of the pancreatic cancer study for Park County.

A LIFE Committee letter to John Wadhams, Department of Health and Environmental Sciences, was enclosed for Council information. The letter emphasized certain issues contained in the Livingston Rail Yard Draft Remedial Investigation Report.

The City-County Joint Airport Board Meeting minutes of November 26 were included.

A copy of THE U.S. SISTER CITIES ORGANIZATION handout/application and A SISTER CITIES PROGRAM CAN PUT YOU IN GOOD COMPANY! were included for Council review.

Supt. of Utilities Clint Tinsley reported a preconstruction meeting for the roofing project at the Waste Water Treatment Plant will take place in the next couple days.

Tinsley stated personnel of the State's Water Quality Bureau checked the Municipal Water Wells and Water Main System December 10th. The report is not back at this time, but sounds good.

ACAO17

Personnel of the State's Water Quality Bureau were at the Waste Water Treatment Plant on December 9th and took sample tests on the accuracy of the laboratory equipment. These test were in compliance and met requirements. The engineer also stated that pretreatment tests on incoming sewage will be required in 1992.

Staff met with an engineer from HKM Engineering, to discuss the digester and gas system problems. In doing analysis work, a problem was discovered in a water cooling line. Supt. Tinsley stated correcting this problem should reduce the heat bill and trucking costs of hauling digested sludge.

Included was a list of Water and Sewer Projects for 1991-1992.

Three items were reproduced from the Montana Rural Water System's magazine for Council information.

City Planner John Nerud reported that Gus Byrum, Department of Commerce visited the area of the Housing Application.

Nerud stated the rubber mats Bozeman has across their railroad tracks were purchased by the State. The mats are on a State road which is also a Bozeman Street.

City Manager Orndorff reported on a letter to Don Dooley, Department of Commerce. This letter was written by the City's Auditors Tronson and Cotterell and concerned the City of Livingston Tax Levies. An interpretation to the question is forthcoming.

An instructional work session for the newly elected Councilmembers was held December 9th. The history and background of sewer and water problems were explained.

A Federal employee, John Rogers, will visit Livingston on December 19th to view the proposed new sewer line project. Grant Writer Rusty Rokita and Engineer Dave Mosser, Morrision Maierle/CSSA, will be present to help explain the proposed project.

City Manager Orndorff reported that applications for City Manager were arriving.

City Manager presented a Certificate of Appreciation to outgoing Councilmembers Bernice McGee and George Ommundsen. Councilmember Jody Fink was absent.

Councilmember Ommundsen questioned the progress of the sprinkler system at the Park. City Manager Orndorff stated that depending on the weather and extra help it could be spring before the project is finished.

Councilmember McGee commented on serving as City Councilmember, working with City Staff and City Manager John Orndorff. McGee wished good luck to the new Councilmembers and hoped the City would keep progressing.

Councilmember Harris questioned the Civic Center roof. Orndorff stated other possibilities were being investigated including the possibility of taking down the balcony.

Harris asked that the impounding of trailers be added to the current Ordinance.

Mayor Dennis thanked the outgoing Councilmembers for the service they gave.

Warren McGee stated, if the balconies at the Civic Center were removed, it would take a sufficient load off the girders.

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

The time was 8:20 p.m.

ATTEST:

APPROVED:

Julianne Blakely

RECORDING SECRETARY

Bill R. Dennis

MAYOR

ACAO17

LIVINGSTON
CITY COUNCIL MEETING

January 6, 1992
7:30 p.m.

The Livingston City Council met in regular session at 7:30 p.m., Monday, January 6, 1992 in the council chambers at the City-County Building.

All persons elected as Councilmember in the November General Election were given the Oath of Office by the Recording Secretary. Elected Officials sworn in were Lee Harris, Ruth Eggar, Bill R. Dennis, Pat Mikesell and Lyle Gillard.

Motion was made by Harris, second by Gillard, to nominate Bill Dennis as Mayor. All in favor. Motion passed.

Mayor Dennis stated a Councilmember will be selected to fill the Vice Mayor's position during the second council meeting.

Motion was made by Harris, second by Eggar, to approve the minutes of December 16, 1991 regular council meeting. Motion passed.

Motion was made by Gillard, second by Eggar, to accept the bills and claims that listed for \$64,650.11. Motion passed.

A public hearing was held for a special exception from terms of Livingston's Zoning Ordinance for the purpose of building an addition on the Church of Jesus Christ of the Latter Day Saints located on Block 6 of the Original Township. The City Board of Adjustment recommended granting approval. No public comments were heard. Motion was made by Gillard, second by Harris, to approve Resolution No. 2285, A RESOLUTION APPROVING A SPECIAL EXCEPTION FOR THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS TO ADD A CLASSROOM TO THEIR STRUCTURE AT BLOCK 6 OF THE ORIGINAL TOWNSITE. All in favor. Motion passed.

A public hearing was held for a special exception from terms of Livingston's Zoning Ordinance for the purpose of operating a Bed and Breakfast establishment at 122 South Yellowstone Street. This special exception was tabled at a November 1991 council meeting. Planner John Nerud stated he has received 45 comments in favor and 4 opposed. Motion was made by Harris, second by Mikesell to bring this subject off the table. Lyn Lee spoke on her own behalf, stating they have met all City regulations. Public comments in favor of the special exception were heard by: Kevin and Pam Haugen, Bonnie Hyatt-Murphy, Charles Loughridge, John Mabie, Ellen Easton, Rhonda Ellis and Brenda Adams. Motion was made by Harris, second by Mikesell, to approve Resolution No. 2284, A RESOLUTION APPROVING A SPECIAL EXCEPTION FOR A BED AND BREAKFAST IN BLOCK 82, OF THE ORIGINAL TOWNSITE. All in favor. Motion passed. Motion was made by Gillard, second by Eggar, to approve Resolution

No. 2278, A RESOLUTION AMENDING THE EMPLOYEES PROCEDURES MANUAL, SECTION PROMOTION/TRANSFERS CONCERNING BIDS FOR NEW POSITIONS. All in favor. Motion Passed.

Motion was made by Harris, second by Eggar, to approve Resolution No. 2279, A RESOLUTION APPROVING THE CONTRACT FOR THE INSURANCE BETWEEN THE CITY OF LIVINGSTON, MONTANA AND BLUE CROSS/BLUE SHIELD OF MONTANA. All in favor. Motion Passed.

Motion was made by Mikesell, second by Eggar, to approve Resolution No. 2280, A RESOLUTION SETTING THE HEARING DATE FOR AN INCREASE IN WATER RATES TO GENERATE A 12% PERCENT INCREASE IN TOTAL ANNUAL REVENUES AND TO CHANGE THE CLASSIFICATION AND METHODOLOGY OF SETTING CITY WATER RATES BY ADOPTING A VARIABLE RATIO UNIT RATE STRUCTURE. Councilmember Harris commented he was not in agreement. After some discussion was heard, motion was made by Harris, second by Gillard, to table the Resolution at this time. Motion passed.

Motion was made by Eggar, second by Mikesell, to approve Resolution No. 2283, A RESOLUTION APPROVING THE SUBMITTAL OF A PRE-APPLICATION FORM TO THE U.S. DEPARTMENT OF COMMERCE, ECONOMIC DEVELOPMENT ADMINISTRATION, FOR A MATCHING \$700,000 GRANT TO INSTALL A SEWER LINE FROM THE WASTE WATER TREATMENT PLANT TO THE VICINITY OF ROGERS LANE. Discussion was heard between Staff and Council. All in favor. Motion passed.

Motion was made by Gillard, second by Mikesell, to approve Ordinance No. 1699, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO INCLUDE CERTAIN ANNEXED REAL PROPERTY OWNED BY BUTTREY DRUG AND FOOD COMPANY AND ZONING SAID PROPERTY AS HC (HIGHWAY COMMERCIAL) USE on first reading. City Manager Orndorff clarified a question for Councilmember Harris. All in favor. Motion passed.

Motion was made by Eggar, second by Gillard, to approve Ordinance No. 1700, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP TO INCLUDE CERTAIN ANNEXED REAL PROPERTY OWNED BY HAROLD R. CROWELL AND YVONNE CROWELL AND ZONING SAID REAL PROPERTY AS HC (HIGHWAY COMMERCIAL) USE on first reading. Clarification made on Ordinance No. 1699, actually pertained to Ordinance No. 1700. All in favor. Motion passed.

Motion was made by Harris, second by Eggar, to approve Ordinance No. 1701, AN ORDINANCE AMENDING SECTION 9-25 AND 9-26 OF THE CODE OF ORDINANCES TO INCLUDE THE IMPOUNDMENT AND LIEN ON TRAILERS LEFT ILLEGALLY PARKED ON CITY STREETS on first reading. All in favor. Motion passed.

City Manager Orndorff introduced Kris Kok from Envirocon, to give the new Councilmembers a brief update on the Burlington Northern Cleanup Site.

The second Council Meeting will be held January 21, 1992, 7:30 p.m., due to a State Holiday January 20th.

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Motion was made by Harris, second by Mikesell, to endorse a Resolution for a Microbusiness Finance Program. The Microbusiness Finance Program (non-profit) provides loans at 3%-4% interest to firms with less than ten full-time employees and an annual gross under \$500,000. HRDC in Bozeman administers the program for Gallatin/Park/Meagher Counties. This endorsement only shows Livingston is supporting the program.

Motion was made by Harris, second by Mikesell, to approve the City signing a petition concerning the Livingston Ditch. The petition needs Association members' signature's representing 2/3rd's of the shares, before additional State engineering time will be spent on the project. Motion passed.

City Manager Orndorff reported that the Economic Development Plan needs to be rewritten. An update has not been accomplished since 1975. Orndorff recommends the Economic Development Council, City Planner and County Planner be asked to develop a current plan. Mayor Dennis gave approval.

A letter from the Montana Department of Commerce, December 20th, explains the results of the Community Development Block Grant. City Manager Orndorff requested Mayor Dennis and Grant Writer Rusty Rokita visit Helena with him to question staff at the Dept. of Commerce concerning Livingston's below average ranking. A date will be set later.

Livingston's Informed Friends of the Environment letter, December 16th, was enclosed. State employees Vic Anderson and Janie Stiles were removed from their duties with the Livingston B.N. Cleanup. City Manager will inquire when he visits Helena.

Motion was made by Harris, second by Eggar, to approve the Gallatin Dog Club using Sacajawea Park for their 1992 Spring Dog Show. The date is set for June 17th and 18th. The Club donated \$1,000 to Sacajawea Park in 1991. Motion passed.

The Utility Billing System totals printout, December 1991, was included.

City Manager explained the Statement of Expenditures versus Appropriations, through December on the Fiscal Year basis.

A meeting with City Council, City-County Airport Board and County Commissioners has been tentatively scheduled for February 10th, 7:30 p.m.

A meeting with City Council and the Refuse Board has been tentatively scheduled for February 24th, 7:30 p.m. All Councilmembers will attend.

The Mayor received a letter from the Governor stating there will be a "Disaster Preparedness for Public Officials Meeting" in

Lewistown, February 12th. Council may attend if interested.

A Solid Waste Management Conference will meet January 22-24th if anyone is interested.

Supt. Public Services Ken Kastelitz researched garbage rates around the State. Kastelitz reported to Council on the findings. Landfills are being closed and rates increased.

Motion was made by Gillard, second by Harris, to retain Barbara Williams, Harry Bowers, Dan Dunn, Larry Raffety and appoint new member Lee Phillips to the City Board of Adjustment/Zoning Commission. City Council accepted Lyle Gillard's resignation from this Commission. This Board runs concurrent with the Mayor. Motion passed.

Motion was made by Gillard, second by Eggar, to appoint Jim Shadoan, Larry Raffety and Tom Hardy to one year terms, Travis Chevallier, Valerie Counts and Chris Petrik to two year terms, and Bob Segil, Clay Ward and Barbara Williams to three year terms on the Historic Preservation Commission. Motion passed.

Motion was made by Gillard, second by Eggar, to appoint City Attorney Robert Jovick for another two year term. Motion passed.

Results are not yet available on a Speed Study that was taken last August concerning the speed limits on Park Street. Planner Nerud stated the Highway Department has promised a Geometric Study to decide what is needed for traffic South of Livingston if the City requests it.

Nerud stated the Mayor's Landing Project is nearly completed. The railroad ties are being installed to designate parking areas and to keep traffic away from the old landfill area. The handicapped toilet will be installed in April. An Eagle Scout Project will do the reseeding of the area in the spring.

Supt. Public Utilities Clint Tinsley reported on a memo to the City Manager, concerning sewer problems in the last two - three weeks. There is a lack of records, showing where sewer service lines are located. Tinsley reported some houses are on septic tanks that were supposed to be on City sewer, some houses had no records at all. The sewer fund is already in the red from all the repairs to the sewer service lines and mains this fiscal year.

Tinsley has received letters from the State, requesting the methane gas situation at the Waste Water Treatment Plant be addressed as soon as possible. Some engineering studies were done. A recent report directed staff to review the list, item by item, and address the most serious problems the City can handle.

Purchase of budgeted items, an air compressor that will be used to operate the valves to the digester at the Waste Water Treatment Plant and a new lawn mower for the Water and Sewer Plant is

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underway.

Tinsley stated there should be an on-site pre-construction meeting sometime during the week, concerning the Waste Water Treatment Plant Reroofing Project.

City Manager Orndorff included a copy of the "Report on Operation and Maintenance of Water Supply Systems--Wells" in the packet for Council information.

City Manager commented on the sewer/water problem behind Pamida during the Christmas Holiday.

Mayor Namoru Tamura wrote a letter to the editor of the Livingston Enterprise thanking Livingston for their efforts with the Sister City Relationship and wishing everyone a Merry Christmas.

The Law Enforcement Monthly Activity Report for December was included for Council information.

Motion was made by Eggar, second by Mikesell, to allow City staff to rearrange the office. Three in favor. Harris opposed. Motion passed.

The Department of State Lands is inviting proposals for SBA Tree Planting Grant Money (55% Federal money, 45% Local money) for projects. One proposal may be submitted and postmarked by March 2, 1992. City Attorney Jovick stated the Livingston Rotary may be interested.

Previous discussion has been heard concerning refunding of the Sewer Bonds. A negotiated sale is needed with a Bonding Company if the City wishes to call in the Bonds due March 1, 1992. The Finance Officer is waiting for more information so City Manager requested a Special Council Meeting Wednesday, January 8th. Council was in agreement.

A staff meeting was held earlier in the day reference the \$1.7 Million BN Contract. The cost over-run is between \$17,000 - \$21,000. City Manager Orndorff will write a letter to Burlington Northern's Attorney concerning a final payment and after that the contract can then be closed out.

City Manager stated his retirement has been a "programmed event". He announced last summer during budget time, he would retire within the next 9 to 18 months.

Discussion was heard concerning the hiring process of the new City Manager. Council was in favor of having Consultant Dick Larsen assist them with the applications. This subject will also be included in the agenda with the Sewer Bonds on the January 8th Special Council meeting.

City Manager included a "City Council Calendar of Tasks" in the

packet.

Since Monday, January 20th, is a State Holiday, the next Council Meeting will be held on Tuesday, January 21st.

Mayor Dennis stated he appreciated being appointed Mayor for another term and hoped everyone can work together on the upcoming issues.

Councilmember Harris questioned Supt. Tinsley on sleeving the sewer line.

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

The time was 9:30 p.m.

ATTEST:

APPROVED:

Julianne Blakeley
RECORDING SECRETARY

Bill Dennis
MAYOR

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