

LIVINGSTON
CITY COMMISSION MEETING

January 3, 2000
7:30 p.m.

The oath of office was given to the City Commission-elect at 7:00 p.m. in the Community Room.

The Livingston City Commission met in regular session on Monday, January 3, 2000, 7:30 p.m. in the Community Room at the City/County Building. City Commissioners present were Matthew Henry, Tim Stevens, Mike Doyle, Caron Cooper and Bill Spannring.

Commissioner Bill Spannring nominated Mike Doyle for Chairman. Commissioner Matthew Henry nominated Bill Spannring for Chairman. Spannring wished to decline the nomination due to his job as a Firefighter/EMT. Motion was made by Spannring, second by Henry to close nominations. All in favor. Motion passed.

Motion was made by Cooper, second by Spannring, to cast unanimous consent for Mike Doyle as Chairman. All in favor. Motion passed.

Councilmember Tim Stevens nominated Caron Cooper for Vice Chair. Motion was made by Stevens, second by Spannring to close nominations. All in favor. Motion passed.

Motion was made by Spannring, second by Henry, to cast unanimous consent for Caron Cooper as Vice Chair. All in favor. Motion passed.

Motion was made by Cooper, second by Spannring, to approve the following consent items:

- December 20, 1999 Regular City Commission Meeting minutes;
- Accept the bills and claims for the amount of \$30,591.61;
- Adoption of Restricted Parking Zones;
- Approve Chairperson's Appointment to Historic Preservation Commission; and,
- Approve Chairperson's Appointment to City Board of Adjustments.

Staff clarified a question from Commissioner Henry regarding the restricted parking zones and a question from Commissioner Cooper regarding the appointment to the City Board of Adjustments.

All in favor. Motion passed.

Chairman Doyle will serve on the Job Placement Advisory Committee (JPAC), the Detention Committee and the Senior Transportation Board (Angel Line).

Commissioner Cooper will serve on the Transportation Coordinating Committee.

Commissioner Stevens and Commissioner Spannring will serve on the Infrastructure Committee.

Commissioner Spannring will serve on the Communications Advisory Committee.

Commissioner Henry will serve on the City/County Building Maintenance Committee.

The following City Manager Comment was provided for the Commissions information:

- Commendations for work done during power outage – Utilities Department.

The following calendar of events and activities was provided for the Commissions information:

Jan 3 rd	7:00 p.m. – City Commission Elect Swearing In and Thank You to Departing City Commissioners
Jan 3 rd	7:30 p.m. – City Commission Meeting
Jan 5 th	4:30 p.m. – City/County Meeting – County Commission Chambers
Jan 10 th	7:00 p.m. – City Commission Orientation Session #3 Department Goals Reviewed
Jan 12 th	2:30 p.m. – 5:00 p.m. – City Commission Tours
Jan 17 th	Martin Luther King Day City Offices Closed
Jan 18 th	7:30 p.m. – (Tuesday) City Commission Meeting
Jan 24 th	7:00 p.m. – City Commission Orientation Session #4 Legislative Issues
Jan 26 th	2:30 p.m. – 4:30 p.m. – City Commission Tours

City Manager Golnar stated that the Spring Clean Up 2000 Plan will be discussed during the upcoming City/County Meeting. Discussion took place of the City requesting an amendment to the current contract with the County, to allow for class IV demolition materials to be dumped and extending the time frame to three weeks from two.

Supt. of Public Services Ken Kastelitz defined demolition material and provided clarification of the refuse classifications for the Commission. Commissioner Cooper reported to the City Manager that there is a "Parking Handbook for Small Communities" through the Main Street Program.

Commissioner Stevens stated that it was good to be here.

Commissioner Spannring asked for a consensus from the other Commissioners if they would like the sidewalk issue to be looked at again. All Commissioners were in agreement. Ms. Cooper asked if further review of the sidewalk issue could initially be held as a worksession. Everyone was in agreement that this is where they should start.

Commissioner Spannring questioned the City Commission if they were happy with the Decency Ordinance, or does it need strengthening?

Extensive discussion was heard on this issue and clarification was provided that the zoning of sexually oriented businesses was a separate issue.

Commissioner Stevens stated that he would like to see more information. City Attorney Bruce Becker stated that he will provide the Commissioners a copy of the sexually oriented business ordinance and a map for the next meeting.

Chairman Doyle stated that he does not want to readdress the Decency Ordinance. The rest of the Commissioners would like further information and discussion on the Decency Ordinance.

Co Inglehart addressed the Commission with his thanks for the issues they were proposing to address. He asked that the Commission please speak louder as they cannot be heard from the audience. Mr. Inglehart stated that he has been trying to address the paving of L Street for 8 years, and he also asked the Commission to look at sidewalks and mending curbs.

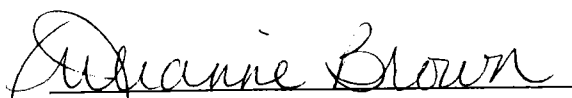
Bob Ebinger congratulated the new Commission. Mr. Ebinger requested that containers for animal droppings be placed in Miles Park where the public walks their dogs. He also requested that when there are new owners to the Yellowstone Motor Inn, if the City would ask them if they would be willing to lower their sign.

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

The time was 8:25 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


CHAIRMAN, CITY COMMISSION

LIVINGSTON
CITY COMMISSION MEETING

January 18, 2000
7:30 p.m.

The Livingston City Commission met in regular session on Tuesday, January 18, 2000, 7:30 p.m. in the Community Room at the City/County Building. City Commissioners present were Matthew Henry, Tim Stevens, Mike Doyle, Caron Cooper, and Bill Spannring.

Chairman Dòyle welcomed the public to the meeting and set the guidelines for the meeting protocol.

Motion was made by Cooper, second by Spannring, to approve the following consent items:

- January 3, 2000 regular City Commission meeting minutes.
- Bills and claims in the amount of \$70,058.25.
- Audit from Year Ending June 30, 1999 from Olness & Associates.
- Bid recommendation to Ameri-Tech to provide the City with a dump box sander.
- Bid recommendation to Wellspring Emergency Products to provide the City with a 75' quint ladder truck.
- City appointments, Bob Brown and Patty Kiderlen to the Park County Board of Health.

Commissioner Henry had a question pertaining to last years audit. Police Chief Steve McCann, City Manager Golnar and Finance Officer Shirley Ewan explained for the new Commission.

Commissioner Stevens had a question pertaining to the bidding. City Attorney Bruce Becker and Street Foreman Tom Bergsing explained.

All in favor. Motion passed.

Motion was made by Spannring, second by Cooper, to approve Resolution No. 3051, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, DESIGNATING FAIR LABOR STANDARDS ACT OVERTIME EXEMPT EMPLOYEES. City Manager Golnar clarified for Commissioners Spannring and Stevens.

All in favor. Motion passed.

Motion was made by Cooper, second by Stevens, to approve Resolution No. 3052, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF

LIVINGSTON, MONTANA, ADOPTING JOB DESCRIPTION FOR EXEMPT EMPLOYEES AND AMENDING FINANCE OFFICER JOB DESCRIPTION. A number of questions were brought up by the Commission. Commissioner Henry questioned the physical requirements of the Fire and Police Chiefs. City Manager Golnar will look further into the physical requirements of the Fire Chief.

Motion was made by Cooper, second by Henry, to table this resolution until the next meeting. All in favor. Motion passed.

Motion was made by Spanning, second by Cooper, to approve Resolution No. 3058, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ESTABLISHING PERMIT FOR WATER AND SEWER LINE REPAIR REPLACEMENT. Supt. of Public Utilities Clint Tinsley explained this item for the Commission. It was also noted that there is no fees charged for this permit.

All in favor. Motion passed.

Motion was made by Spanning, second by Stevens, to approve Resolution No. 3059, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH MISSOURI RIVER DRUG TASK FORCE. Extensive discussion was heard on this topic. City Manager Golnar will research answers for the Commission and whether the City's agreement with the County is for one third or one half.

Motion was made by Spanning, second by Henry, to table this resolution until the next meeting. All in favor. Motion passed.

Motion was made by Cooper, second by Stevens, to approve Resolution No. 3060, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ADJUSTING PAY FOR BUILDING INSPECTOR.

An amendment was made to the motion by Cooper, second by Spanning, to correct the resolution and attached letter to be effective July 1, 1999. All in favor of the amendment. Amendment passed.

All in favor of the motion as amended. Motion passed.

Motion was made by Cooper, second by Stevens, to approve Resolution No. 3061, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH WESTERN CONSULTING, INC. FOR DESIGN AND REPLACEMENT OF SEWER MAIN BETWEEN 10TH AND 11TH STREET FROM LEWIS TO GEYSER STREETS. City Manager Golnar stated that page 80 of the packet should read "Exhibit C".

Supt. Tinsley explained the purpose of this agreement for the Commission.

All in favor. Motion passed.

Motion was made by Spannring, second by Henry, to approve Resolution No. 3062, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AN AMENDMENT TO THE LIVINGSTON AREA TRANSPORTATION STUDY AGREEMENT. City Manager Golnar answered questions from the Commission.

All in favor. Motion passed.

Motion was made by Spannring, second by Cooper, to approve Resolution No. 3063, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN SEWER MAINTENANCE AGREEMENT FOR BLOCK 36 OF THE MINNESOTA ADDITION.

Supt. Tinsley explained further and answered questions from the Commission.

All in favor. Motion passed.

City Manager Golnar asked if any City Commissioners were interested in sitting on the Sister Cities Committee. Mr. Golnar stated that the committee usually met on the third Wednesday of the month at 7:00 p.m. at Winan's School.

As there were no Commissioner's able to regularly attend the committee meetings, Chairman Doyle stated that he would attend the next meeting.

Motion was made by Spannring, second by Stevens, to accept the letter and idea of Montana Municipal Insurance Authority's (MMIA) plans to purchase land and construct their own office space.

All in favor. Motion passed.

Motion was made by Cooper, second by Henry, that City Manager Golnar send a letter to Mr. Don Larson, that the City is not interested in pursuing rudder parts for Livingston's water front parks.

All in favor. Motion passed.

The City Commission reviewed a draft ordinance requiring all public uses, human occupancies and employment's within 500 feet of a sewer main to connect to the City sewer. Supt. Tinsley provided the City Commission further information.

This ordinance will come to the Commission after some rewording. No action was taken.

Department Head monthly reports were provided for the Commission's information. The Finance monthly report was provided separately.

The following City Manager Comments were provided for the Commission's information:

- Pending/Legal Policy Issues:
 - *Sidewalk Ordinance* – Separate information was provided.
 - *Sexually Oriented Businesses* – A copy of the proposed ordinance was provided.
 - *Decency Ordinance* – A copy of the current ordinance and a memo updating the Commission on the legal application of this ordinance and any additional changes was provided separately.
 - *Comp Time Concerns* – City staff and the Attorney's office are currently working with some employees who have identified concerns relating to Resolution No. 2053. City Manager Golnar will bring a proposal to the next meeting.
 - City Manager Golnar has asked the City Attorney to review the *Decay Ordinance* and determine why cars are excluded from the Decay Ordinance.
- City/County Issues:
 - City Manager Golnar will be providing a *Dispatch summary* to City Commissioners separately summarizing the Dispatch Study Groups recommendations and recent recommendations from the Communications Advisory Board. He also suggested that he would like to meet with each of the Commissioner's individually with the Police Chief.
 - *Detention Facility* :
 - Enclosed letter to county clarifying City's total commitment to architect.
 - Enclosed letter from County responding on juvenile detention and facility costs.
 - *Refuse Board Modification of Contract to Provide for Spring Clean Up* – the Refuse Board is recommending to the County Commission that they allow City crews to dump most Class IV garbage's for a three week period during spring clean up. This will be agendaed for a future City/County meeting.
 - *Legislative Meeting Schedule* – City Manager Golnar stated this meeting will probably be held in February.
 - *Insurance* – City/County Building Jim Hunt, Shirley Ewan, and City Manager Golnar will be getting together before the next meeting to discuss City/County Building insurance.

- *Communications Committee* is scheduled to meet on January 19th at 3:30 p.m. – A copy of their agenda was enclosed for the Commissions information.
- *Meeting Room Space* – We are coordinating with the Judge and the municipal Court Room on using that room more for City scheduled meetings.
- Legislative Issues – City Manager Golnar will be working with Montana League of Cities and Towns Executive Director Alec Hanson to develop a proposed list of legislative issues for discussion with the Legislatures in February.
- Stillwater Mine Status Quarter Four 1999.
- National Fire Protection Association Journal Recognizes Livingston Senior Assistance Program. Congratulations to Schmidt and the Fire Department.
- Historic Preservation Commission Comments are on Post Office Sign – see enclosed December 31, 1999 letter.
- Request for support for Montana's Indian Memorial at the Little Big Horn Battlefield – Enclosed is a draft letter requested from Mr. Chauncy F. Whitwright III, Chairman of the Strong Heart's Society which is working toward establishing a new Indian Memorial at the Little Big Horn Battlefield.
- Calendar of Activities and Events:
 - Jan 17th Martin Luther King Day – City Offices Closed
 - Jan 18th 4:00 p.m. – Park County Economic Development Corporation Meeting – Manager to Attend
 - Jan 18th 7:30 p.m. – City Commission Meeting
 - Jan 19th 3:30 p.m. – Communications Advisory Board; City Court Room
 - Jan 19th 7:00 p.m. – Sister Cities Meeting; Winan's School
 - Jan 24th 7:00 p.m. – Commission Orientation Session #5 – Legislative and Budget Issues Involving Alec Hanson with the Montana Leagues of Cities and Towns and Norm Klein with the Department of Commerce; City Court Room
 - Jan 26th 2:30 – 4:30 p.m. – Commission Orientation Session #6 – City Commission Tours – Meet at Street Department Shop on Bennett Street
 - Jan 26th 4:00 p.m. – Infrastructure Committee Meeting; Utilities Conference Room
 - Jan 26th 6:00 p.m. – Skate Park Meeting; City Court Room
 - Feb 2nd 4:00 p.m. – City/County Meeting; County Commissioner's Chamber
 - Feb 7th 7:30 p.m. – City Commission Meeting

Chairman Doyle stated that he would like the Board of Adjustment and Historical Preservation minutes added to the packet in the future.

Commissioner Cooper invited everyone to the Red Cross Annual meeting on Wednesday at 7:00 p.m. The Fire/Ambulance will be presented with a "good neighbor" award and there will be a presentation on seismic activity in our area.

Commissioner Cooper would like more information on the Parking Task Force; i.e. when they meet, minutes. Ms. Cooper also questioned the City Manager on the parking ticket issue. Mr. Golnar responded that he would be updating the Commission on the whole parking issue in the near future.

Commissioner Cooper questioned if there was a minimum lane width for streets. Ms. Cooper stated that she would like to find out more information on what we can do with our streets.

Local citizen Chris Spender addressed the Commission relating to garbage fees. Mr. Spender was directed to call the City Manager during the day.

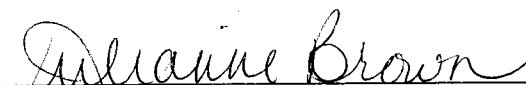
Fire Chief Robert Schmidt addressed the Commission to thanked them and staff for the recent awarding of a new ladder truck.

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

The time was 9:17 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


CHAIRMAN, CITY COMMISSION

LIVINGSTON
CITY COMMISSION MEETING

February 7, 2000
7:30 p.m.

The Livingston City Commission met in regular session on Monday, February 7, 2000, 7:30 p.m. in the Community Room at the City/County Building. City Commissioners present were Bill Spannring, Matthew Henry, Tim Stevens, Mike Doyle and Caron Cooper. Commissioner Spannring left the meeting at 7:36 p.m. and returned at 7:53 p.m.

Motion was made by Cooper, second by Spannring, to approve the following consent items:

- January 18, 2000 regular City Commission meeting minutes.
- Bills and claims in the amount of \$112,396.29.
- Revised recommendation for Dump Box Sander.
- Purchase of three new vehicles under State purchasing agreement.

All in favor. Motion passed.

The City Commission reviewed Park County Detention Committee's proposed facility plan and preliminary costs. Merlyn Miller of CTA Architects was present to explain the preliminary plans to the City Commission. Bob Jovick, City representative and Duane Huie, a County representative to the Detention Committee also addressed the Commission for additional input and to answer questions. Also discussed was:

- The County's renewed offer to operate a countywide dispatch by combining Dispatch with the jail;
- A recent tour of the Havre facility;
- The City's previous comments on the facility location and functions;
- Operational concerns relating to the facility location; and,
- Considering the City's support of a bond issue proposal, to identify questions, concerns and/or issues which need to be addressed.

Chairman Doyle read a memo to the City Commission to be included into the record: " I have many concerns regarding the issues surrounding the construction of a new detention facility; at this time however, I will address what is by far the most weighty concern. I would add that the statements I

make are my own and do not reflect any policy taken by the City Commission at this time.

At the past meeting of the detention committee, I was perhaps overly brusque in my remarks to Mr. Gutebier and to the committee as a whole. My attitude is born of a frustration with my fellows and their seeming lack of concern for what I perceive to be, and what is, a very serious situation. When the time comes to do so, I intend to call upon the county commissioners to vote down the recommendation of the detention committee regarding its choice of the east interchange location for the detention facility.

I cannot support a location which will double, or at times triple, the response time of city police officers who happen to be in that location while transporting or booking suspects. To me, it is all about safety – the safety of the residents of the city I have sworn an oath to protect.

Winter weather conditions will add to an already extended response time. The closure of I-90 is not an uncommon occurrence during severe weather, with traffic being rerouted down a two-lane Highway 89 and across a narrow bridge over the Yellowstone River, a highway and a bridge which will at the same time be experiencing the same severe weather conditions, with increased hazards to all motorists negotiating their way to the city.

Citizens calling for assistance during times such as these, whether they are experiencing rape, domestic violence or other violent crime, will simply have to wait – and wait- for help to arrive. I cannot in good conscience allow, through my inaction at this time, such an event ever to occur.

Yes, we need a new jail. But over these last months, I have heard mainly a great deal of talk about "fast-track timetables" and "cost-cutting" monetary concerns: I have heard precious little of the human factors involved. A more rigorous effort must be made, leaving no stone unturned, no path unexamined, to find a site with a closer proximity to the city population. No amount of construction time or money save is worth endangering the life of one Livingston resident."

Motion was made by Spanring, second by Henry, to approve sending a letter to Detention Committee as written by the City Manager declining the County's offer to cooperate a countywide dispatch by containing dispatch with the jail control room functions.

All in favor. Motion passed.

After a lengthy discussion of the proposed detention facility plan, a City Commission worksession was scheduled for Thursday, February 10th at 7:00 p.m., to bring the new Commission up to date and re-draft a letter to the Detention Committee.

Chairman Doyle called for a break in the meeting at 9:50 p.m. The meeting went back into open session at 9:53 p.m.

Motion was made by Cooper, second by Spannring, to bring off the table, Resolution No. 3052, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ADOPTING JOB DESCRIPTIONS FOR EXEMPT EMPLOYEES AND AMENDING FINANCE OFFICER JOB DESCRIPTION.

All in favor to bring off the table. Motion passed. City Manager Golnar explained the physical requirements of the Chief of Police position.

All in favor of the original motion made on January 18, 2000. Motion passed.

Motion was made by Spannring, second by Stevens, to approve Resolution No. 3067, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ADOPTING A COMPENSATORY TIME POLICY FOR NON-EXEMPT CITY EMPLOYEES AND REPEALING RESOLUTION NO. 2053.

An amendment to the motion was made by Cooper, second by Spannring to change the date in paragraph seven to "June 30, 2001". All in favor of the amendment. Amendment passed.

A second amendment to the original motion was made by Cooper, second by Spannring, to change the last sentence to the agreement to read"only hours accrued after March 1, 2000." All in favor of the second amendment. Amendment passed.

All in favor of the motion as amended. Motion passed.

Motion was made by Spannring, second by Stevens, to approve Resolution No. 3057, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ADOPTING ADMINISTRATIVE LEAVE FOR EMPLOYEES EXEMPTED FOR OVERTIME BY THE FAIR LABOR STANDARDS ACT (FLSA). All in favor. Motion passed.

Resolution No. 3059, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH MISSOURI RIVER DRUG TASK FORCE.

City Manager Golnar provided the Commission with additional information and asked the Commission to leave this resolution on the table until a future meeting.

No action was taken.

Motion was made by Spannring, second by Cooper, to approve Resolution No. 3064, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, RETAINING DORSEY AND WHITNEY AS BOND COUNSEL FOR ISSUANCE OF \$445,000.00 GENERAL OBLIGATION BONDS FOR THE PURCHASE OF FIRE EQUIPMENT AND AUTHORIZING CITY MANAGER TO SIGN RETAINER AGREEMENT.

All in favor. Motion passed.

Motion was made by Spannring, second by Stevens, to approve Resolution No. 3065, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN PROFESSIONAL SERVICES AGREEMENT WITH JAMES SNYDER FOR ARCHITECTURAL SERVICES FOR REMODELING OF THE CITY OFFICES.

All in favor. Motion passed.

Motion was made by Cooper, second by Spannring, to approve Resolution No. 3066, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH LOCAL GOVERNMENT CENTER FOR STUDY OF EMPLOYEE CLASSIFICATION AND COMPENSATION SYSTEM FOR CITY OF LIVINGSTON.

All in favor. Motion passed.

Discussion took place on the location of the proposed Skate Park Facility. City Manager Golnar recommended the location behind the Civic Center in Miles Park. After further discussion, the City Commission was unanimously in favor of offering the double tennis court in Sacajawea Park that was in need of repairs.

No official action was taken at this time. Mr. Golnar was instructed to speak to Verne Beffert in regards to the agreement and payment of \$5,000 already received from the school district for the re-surfacing of this tennis court.

City Manager Golnar provided the Commission with a notice of intended ATT Cable TV services price adjustments to become effective March 1, 2000.

No action was taken.

Motion was made by Cooper, second by Spannring, for the City Manager to negotiate a contract with Dave Carter for the City Office remodel.

All in favor. Motion passed.

City Manager Golnar and the City Commission reviewed the Urban Highway Pilot Improvement Program notice.

This was informational only at this time and no action was taken.

City Manager Golnar reviewed the City's State Legislative concerns with the City Commission. Commissioner Stevens stated that #3 and #7 were very important and needed to be flagged.

Discussion was heard. The Commission stated that Mr. Golnar should send the list after changing the order of the priorities.

Federal appropriation priorities and concerns were heard by the Commission. Chairman Doyle would like to see the railroad crossing and urban renewal moved further up on the list. Commissioner Spannring would like the expansion of the Communications Center moved higher up on the list. Commission Cooper reiterated her concerns on sending Federal appropriation information that is concise and can be acted upon by Federal legislators. She suggested that the City not request assistance which it knows will not be covered by Federal legislation and the need to prioritize the list and delete several uncovered items.

Chairman Doyle read a written statement from the Chamber of Commerce requesting a City Commission representative for the Lewis and Clark Bicentennial Committee.

No long term commitments were made by the Commission, but Commissioner Henry stated he would attend the first meeting.

The following City Manager Comments were provided for the Commission's information:

- Sexually oriented business zoning code amendments will come before the Commission at their next meeting.
- Summerfest 2000 plans were included.
- A letter was received from Mayor Tamuora of Naganohara
- The Department of Commerce reviewed the audit and responses for FY ending June 30, 1999 and has accepted the City's response and proposed corrective actions.
- Congratulations and commendations to Clint Tinsley, Supt. of Public Utilities for being awarded a \$10,000 Renewal Resource project Planning Grant.
- Letter City Manager sent to the Gates Foundation for Library support.
- Donald Larson's response to City's decision on submarine rudder parts.
- Response to Park County Environmental Coalition's November 19, 1999 letter regarding the Burlington Northern Rail Yard Site.
- Correspondence relating to meeting on the Indian Memorial.
- Request for proposals for engineering services distributed.
- Park County Economic Development Corporation Information.
- Information that was distributed separately:
 - Cemetery proposed policies and regulations.
 - Recent 21st Judicial Court decision regarding Ravalli County ordinance on distribution of Obscenity, Public Indecency and Displaying of Material Harmful to Minors.
 - Background information Dispatch Study Group Livingston/Park County Communications Advisory Committee.

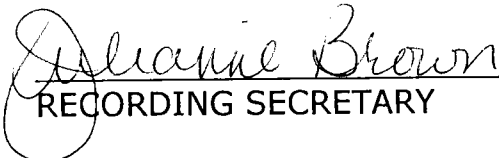
- Historic District Overlay Zone Codes, Ordinance No. 1878 and ordinances passed since the last code book update.
- Calendar of events and activities:
 - Feb 7th 7:30 p.m. – City Commission Meeting
 - Feb 15th 3:30 p.m. – Angel Line Board Meeting; *County Commission Chambers*
 - Feb 15th 4:00 p.m. – Park County Economic Development Committee; *1st Interstate Bank*
 - Feb 16th 7:00 p.m. – Sister Cities Committee; *Winan's School*
 - Feb 16th 7:00 p.m. – County Detention Facility Public Hearing; *Community Room*
 - Feb 17th 4:00 p.m. – City/County Meeting – see enclosed agenda (representatives of the Missouri River Drug Task Force anticipated to attend)
 - Feb 21st Presidents Day – City Offices Closed
 - Feb 22nd 7:30 p.m. – City Commission Meeting
 - Feb 23rd 4:00 p.m. – Infrastructure Committee Meeting; *Utility Building*
 - Mar 1st 4:00 p.m. – City/County Meeting; *County Commissioners Chamber*
 - Mar 6th 7:30 p.m. – City Commission Meeting
 - Mar 9th 10:00 a.m. – Transportation Coordinating Committee Meeting
 - Mar 13th 7:00 p.m. – Solid Waste Study Workshop
 - Mar 27th 7:00 p.m. – Transportation Study Workshop with City Commission and County Commission (or 4:30 p.m.?)

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

The time was 11:35 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


CHAIRMAN, CITY COMMISSION

LIVINGSTON
CITY COMMISSION MEETING

February 22, 2000
7:30 p.m.

The Livingston City Commission met in regular session on Tuesday, February 22, 2000, 7:30 p.m. in the Community Room at the City/County Building. City Commissioners present were Mike Doyle, Caron Cooper, Matthew Henry and Tim Stevens. City Commissioner Bill Spanning was absent.

Motion was made by Cooper, second by Stevens, to approve the following consent items:

- February 7, 2000 Regular City Commission Meeting Minutes.
- Accept the bills and claims in the amount of \$149,471.59.
- Amend the minutes of February 7, 2000 and Resolution No. 3053, A RESOLUTION OF THE CITY COMMISSION OF LIVINGSTON, MONTANA, ADOPTING A COMPENSATORY TIME POLICY FOR NON-EXEMPT CITY EMPLOYEES AND REPEALING RESOLUTION NO. 2053, by renumbering said resolution as Resolution No. 3067 and amending the minutes of said meeting accordingly.
- Department Head Monthly Reports.
- Down Town Hoe Down Special Event.
City Commissioner Cooper questioned the Police Chief if he was going to sign off on the event. Kitty Donahue, a member of the Roundup Association addressed the Commission to clarify that the street to be closed off was Main Street from Lewis to Park Streets. Police Chief Steve McCann stated that he did not have a problem with the closure of this street, but as always, is opposed to the open container law being lifted.

All in favor. Motion passed.

Chairman Doyle proclaimed March as Red Cross Month in the City of Livingston.

Chairman Doyle proclaimed African American History Month in the City of Livingston.

A public hearing was held on a text amendment for sexually oriented businesses. City Planner Jim Woodhull provided the Commission with background information. The City Zoning Commission recommended approval of the Sexually Oriented Business Text Amendment with the following amendments:

- Change the 500-foot minimum distance from non-compatible uses to 600 feet and include this buffer for County residential property also.
- Do not allow sexually oriented businesses to front on Park Street.
- Require a 250-foot setback from Bennett Street.

No public comments were heard. Discussion was heard of where the hours of operation would fit and a business license fee. Finance Officer Shirley Ewan stated that the fee could be incorporated in the business license ordinance and the City Attorney will insert business hours into the ordinance. This ordinance will come before the Commission at their next meeting for first reading.

Motion was made by Henry, second by Cooper, to bring off the table, Resolution No. 3059, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH MISSOURI RIVER DRUG TASK FORCE.

All in favor. Motion passed.

All in favor of the original motion made on January 18, 2000. All in favor. Motion passed.

Motion was made by Cooper, second by Stevens, to approve Resolution No. 3068, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CITY PERSONNEL MANUAL (Policy and Procedures Manual) BY INCORPORATING THE CITY'S COMPENSATORY TIME POLICY FOR NON-EXEMPT CITY EMPLOYEES AS ADOPTED BY RESOLUTION NO. 3067 AND THE ADMINISTRATIVE LEAVE POLICY FOR EXEMPT EMPLOYEES ADOPTED BY RESOLUTION NO. 3057 THEREIN.

All in favor. Motion passed.

Motion was made by Stevens, second by Henry, to approve Resolution No. 3069, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING THE CITY PERSONNEL MANUAL (Policy and Procedures Manual) TO INCLUDE THE DESIGNATED FAIR LABOR STANDARDS ACT OVERTIME EXEMPT EMPLOYEES THEREIN.

All in favor. Motion passed.

Motion was made by Cooper, second by Stevens, to approve Resolution No. 3070, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING THE CONTRACT OF EMPLOYMENT FOR THE FINANCE OFFICER. City Manager Golnar stated that he will assemble an updated contract incorporating all amendments approved by the City Commission to the Finance Officer's contract which will include this amendment.

All in favor. Motion passed.

Motion was made by Stevens, second by Cooper, to approve Resolution No. 3071, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH DNRC FOR PROJECT PLANNING GRANT.

All in favor. Motion passed.

Motion was made by Henry, second by Cooper, to approve Resolution No. 3072, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN INTERLOCAL AGREEMENT WITH PARK COUNTY SHARE IN DRUG FORFEITURE ASSETS RECEIVED FROM MISSOURI RIVER DRUG TASK FORCE.

An amendment to the motion was made by Cooper, second by Stevens, to amend Section 2. Purpose., of the Interlocal Agreement, last sentence, to add, "...from the Task Force which the parties acknowledge and agree will occur after the end of FY 99-00."

All in favor of the amendment. Amendment passed.

All in favor of the motion as amended. Motion passed.

Motion was made by Cooper, second by Stevens, to approve Resolution No. 3073, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ADOPTING RULES AND REGULATIONS FOR THE MOUNTAIN VIEW CEMETERY.

All in favor. Motion passed.

Motion was made by Stevens, second by Cooper, to approve Resolution No. 3074, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ESTABLISHING FEE SCHEDULE FOR MOUNTAIN VIEW CEMETERY.

All in favor. Motion passed.

Motion was made by Cooper, second by Henry, to approve first reading of Ordinance No. 1892, AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 22, CEMETERIES, OF THE LIVINGSTON MUNICIPAL CODE AS ENACTED BY ORDINANCES NOS.

1060, 1176, 1177, 1278, 1279, 1296, 1297, 1300, 1325, 1326, 1480, 1502, 1527, 1535, 1615, 1634, 1638, 1693, 1796, 1813 AND 1815.

All in favor. Motion passed.

Motion was made by Stevens, second by Henry, to approve first reading of Ordinance No. 1893, AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING SECTION 14-13.01 OF THE LIVINGSTON MUNICIPAL CODE BY REQUIRING ALL PUBLIC USES, HUMAN OCCUPANCIES AND EMPLOYMENT'S WITHIN 500 FEET OF A SEWER MAIN TO CONNECT TO THE CITY SEWER AND PROVIDING THAT EXISTING SEPTIC SYSTEMS TO CONTINUE UNTIL THE TIME THEY NEED TO BE REPAIRED.

All in favor. Motion passed.

Extensive discussion was heard concerning the location of the proposed Skate Board Park Facility. Chairman Doyle noted that he had received a petition from 170 youths in favor of a skate board park. The discussion that took place, related to locating the skate park facility at the double tennis courts that were in need of being resurfaced. Park High Tennis Coach Chris Bausch, Jim Hannon, and Leanne Sudbeck spoke in opposition of replacing the double tennis court as a skate board park facility. Nancy Mueller spoke in favor of the tennis court location as a skate park.

Motion was made by Stevens, second by Cooper, to approve the skate board park location by the Civic Center as previously discussed.

Four in favor. Henry opposed. Motion passed. (At this time, Henry had not been able to check out the Civic Center location and felt he could not vote in favor.)

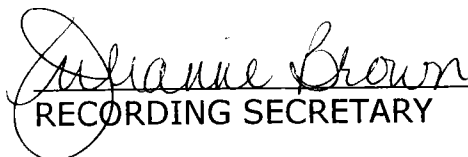
Rick Pittendorf addressed the Commission regarding the "icy road" signs that are located at the top and bottom of the short hill off of Gallatin Street. Mr. Pittendorf stated that the signs are not maintained with the weather conditions and feels that the City should sand this hill.

The Commissioners stated that this problem has been brought up before and directed the City Manager to find out what can be done.

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

The time was 9:25 p.m.

ATTEST:


RECORDING SECRETARY

APPROVED:


CHAIRMAN, CITY COMMISSION

LIVINGSTON
CITY COMMISSION MEETING

March 6, 2000
7:30 p.m.

The Livingston City Commission met in regular session on Monday, March 6, 2000, 7:30 p.m. in the Community Room at the City/County Building. City Commissioners present were Caron Cooper, Bill Spanring, Matt Henry, Tim Stevens and Mike Doyle.

Motion was made by Cooper, second by Stevens, to approve the following consent items:

- February 22, 2000 regular City Commission meeting minutes.
- Accept bills and claims in the amount of \$32,241.73.
- Approve bid recommendation for 2000 Tractor/Mower.

City Manager Golnar asked that claim #966063 to Staples in the amount of \$370.55 be pulled from the claim approval as it has already been paid.

An amendment to the motion was made by Cooper, second by Henry, to remove the claim to Staples in the amount of \$370.55 and approve the bills and claims amount of \$31,870.18. All in favor of the amendment. Amendment passed.

All in favor of the motion as amended. Motion passed.

Chairman Doyle proclaimed March as Women's History month in the City of Livingston.

A public hearing was held on second reading of Ordinance No. 1892, AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 22, CEMETERIES, OF THE LIVINGSTON MUNICIPAL CODE AS ENACTED BY ORDINANCES NOS. 1060, 1176, 1177, 1278, 1279, 1296, 1297, 1300, 1325, 1326, 1480, 1502, 1527, 1535, 1615, 1634, 1638, 1693, 1796, 1813 AND 1815. No public comments were heard.

All in favor. Motion passed.

A public hearing was held on second reading of Ordinance No. 1893, AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING SECTION 14-13.01 OF THE LIVINGSTON MUNICIPAL CODE BY REQUIRING ALL PUBLIC USES, HUMAN OCCUPANCIES AND EMPLOYMENT'S WITHIN 500 FEET OF A SEWER MAIN TO CONNECT TO THE

CITY SEWER AND PROVIDING THAT EXISTING SEPTIC SYSTEMS TO CONTINUE UNTIL THE TIME THEY NEED TO BE REPAIRED. No public comments were heard.

All in favor. Motion passed.

Motion was made by Cooper, second by Stevens, to approve first reading of Ordinance No. 1894, AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING THE OFFICIAL ZONE CODE BY DEFINING SEXUALLY ORIENTED BUSINESSES AND RESTRICTING SEXUALLY ORIENTED BUSINESSES TO THE INDUSTRIAL ZONES.

All in favor. Motion passed.

Motion was made by Henry, second by Cooper, to approve first reading of Ordinance No. 1895, AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 17 OF THE LIVINGSTON MUNICIPAL CODE AS ENACTED BY ORDINANCE NO. 1735 BY MAKING PROVISIONS FOR THE REGULATION OF SEXUALLY ORIENTED BUSINESSES.

Commissioner Stevens questioned why the 3 mile radius was struck from the ordinance. Staff and the City Attorney stated that the City has no jurisdiction in the County to require business licenses. City Attorney Becker will look into the history of the 3 mile radius for the Commission.

Commissioner Cooper questioned the 8:00 a.m. to 2:00 p.m. time frame for this type of business being opened. City Attorney Becker stated that it was a typographical error and was to be consistent with bar hours of 8:00 a.m. to 2:00 a.m. Commissioners Stevens, Henry and Spannring were in favor of the hours of operation extending only until 2:00 p.m.

Further discussion was heard. Mr. Stevens stated that he had information on a case law pertaining to this subject.

Motion to table was made by Stevens, second by Spannring, until the next meeting for further clarification. All in favor to table. Motion passed.

Motion was made by Henry, second by Stevens, to approve Resolution No. 3075, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN ADDENDUM TO SOLID WASTE DISPOSAL AGREEMENT WITH PARK COUNTY.

All in favor. Motion passed.

Debbie Demin and Leslie Cadby of the Livingston Jaycee's were present to request that the City Commission consider authorizing the Livingston Jaycee's to move forward with fundraising efforts for a proposed playground in Sacajawea Park.

Ms. Demin presented pictures of playgrounds from other areas. She stated that the labor and tools would be donated, but the wood for the

playground would need to be purchased. The cost of the project is approximately \$30,000. The City would own the playground after completion. The local Jaycee's would plan a "maintenance party" every two years for upkeep of the playground including power washing the structure and resealing it. Currently there are approximately 50 Jaycee members in the organization. If the City authorizes the proposed location for the playground, the Jaycee's will start soliciting for donations.

Motion was made by Henry, second by Stevens, to authorize the proposed playground location in Sacajawea Park as requested by the Livingston Jaycee's.

All in favor. Motion passed.

City Commissioner Cooper thanked the Jaycee's for their efforts.

Questions and discussion took place on the Infrastructure Committee's recommendation for an increase of \$87,150 in the Street Maintenance District to accomplish the five year infrastructure replacement plan.

Supt. of Public Utilities Clint Tinsley explained the increase and the five year plan upgrades to the Commission.

Motion was made by Spannring, second by Henry, to direct staff to prepare a resolution of intent to give public notice of the proposed \$87,150 increase to the Street Maintenance District to accomplish the five year plan.

All in favor. Motion passed.

Discussion was heard on creating an Ordinance prohibiting cement or asphalt in boulevards in any new or proposed infrastructure replacement areas. City Manager Golnar clarified questions asked by the City Commission. Supt. Tinsley added further clarification and answers.

Motion was made by Cooper, second by Spannring, to recommend the creation of an ordinance prohibiting cement or asphalt in boulevards in the City of Livingston.

Commissioner Henry stated his concerns on limiting the ordinance in the event that someone may have a good reason for doing this. Further discussion was heard. Mr. Golnar suggested that allowing for sidewalks across boulevards and for construction or reconstruction of driveways could be added to the proposed ordinance language.

All in favor. Motion passed.

After discussion regarding the review of ordinances and laws, and the City's authority relating to sidewalk repair replacement, it was decided that the City Manager will provide more information and schedule a workshop for the Commission. No action was taken.

The Commission reviewed a draft letter written by the City Manager to the School District on tennis court resurfacing cost sharing as requested by the

Commission at the last meeting. City Manager Golnar stated that he received Commission comments regarding the letter which he had tried to incorporate. Additional comments resulted in further revisions. Mr. Golnar will make changes to the letter and send it to Mr. Beffert.

The following City Manager comments were included for the Commission's information:

- Plan from Police Chief and Sheriff on addressing operating concerns if Detention Center moves to East I-90 Interchange. Mr. Golnar stated he will have further information from these parties by March 23rd.
- Contract Amendment authorizing increase in scope of work for Livingston Area Transportation Study for one additional presentation to the City. A March 27th meeting has been scheduled. The City Manager was favorable to the change.
- Growth Policy Development status. Mr. Golnar will copy the Commissioners on the economic section.
- Windfarm agreement update. The County has requested that proceeds from the Windfarm due to them, go to the Airport Board. Mr. Golnar will provide specific dollar information at the next meeting.
- Transportation Study and Infrastructure Committee Plan coordination. Mr. Golnar stated that everyone should work together on the major projects. Mr. Golnar will be meeting with staff, the MDT and the Transportation Coordinating Committee, and he will keep the Commission up to date as we move along.
- Gallatin Hill signage concerns by Rick Pittendorf. Mr. Golnar stated that Code Enforcement has been checking on these "icy road signs" Also, Police Chief McCann informed him that the Police Departments policy is to ticket those obstructing traffic on the Gallatin Hill in icy conditions and this was the case on 2/15/00 when Mr. Pittendorf was ticketed. Mr. Golnar will send Mr. Pittendorf a letter in follow up.
- Calendar of activities and events:
 - March 6 7:30 p.m. – City Commission Meeting
 - March 9 10:00 a.m. – Transportation Coordinating Committee
 - March 12 City Manager's Meeting – Great Falls (City Manager)
 - March 15 Noon – BPW – City/County Issues @ the Sport
(Chairman Doyle and Golnar)
 - March 15 3:30 p.m. – Parking Task Force – Community Room
 - March 20 7:30 p.m. – City Commission Meeting
 - March 27 7:00 p.m. – Transportation Study City/County Joint
Workshop
 - March 29 4:00 p.m. – Infrastructure Committee Meeting
 - March 28 or 29 Tentative Meeting with Legislatures
 - April 3 7:30 p.m. – City Commission Meeting

April 6 9-5 p.m. CTEP Workshop, (Bozeman) City Manager
 April 17 7:30 p.m. - City Commission Meeting
 April 24 7:00 p.m. - Solid Waste Study Workshop

A tentative workshop for the five mile response for structure fires with the Rural Fire Department, City Fire Department and the Commission was set for March 16th at 7:00 p.m.

Mr. Golnar will propose a date for the sidewalk worksession soon.

Commissioner Cooper suggested that the City look into and ownership verses leasing the land for the Skateboard Park facility.

Commissioner Cooper questioned why there was not an Assistant Fire Chief. Mr. Golnar responded that the Fire Chief determined the position was not necessary.

Commissioner Stevens stated that the Commission started good discussions tonight regarding design standards for future sidewalks and boulevards.

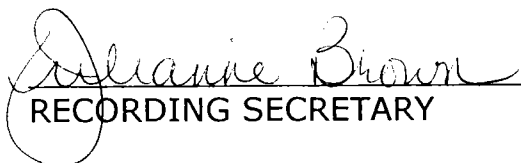
Chairman Doyle reported to the Commission on a grant from the Fish, Wildlife and Parks for the proposed Skateboard Park. City Manager Golnar reported that the application was due by the end of May and that a cash 50% match was required. Mr. Golnar stated that he ordered an application.

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

The time was 9:55 p.m.

ATTEST:

APPROVED:


 RECORDING SECRETARY


 CHAIRMAN, CITY COMMISSION

LIVINGSTON
CITY COMMISSION MEETING

March 20, 2000
7:30 p.m.

The Livingston City Commission met in regular session on Monday, March 20, 2000, in the Community Room at the City/County Building. City Commissioners present were Caron Cooper, Bill Spannring, Matt Henry, Time Stevens and Mike Doyle.

Chairman Doyle addressed the public informing them that they were welcome to speak on any issue during the meeting and that there is a public comment period at the end of the agenda if they wish to address any other issue.

Motion was made by Stevens, second by Spannring, to approve the following consent items:

- March 6, 2000 regular City Commission meeting minutes.
- Accept the bills and claims for the amount of \$54,450.26.
- Department Head monthly reports.
- Wellness Center Run request for a 5K and 10k run on May 20, 2000 starting in Sacajawea Park.

Commission Henry questioned the material in the packet from the Library. City Manager Golnar stated that the Library Director provides additional information with her monthly reports.

All in favor. Motion passed.

Karen Nelson & David Gaustad of 1106 W. Montana requested a variance from the side setback requirement for RII zoning districts as they wish to build a storage shed approximately two feet from the side property line. Code requires a five foot side setback.

City Planner Jim Woodhull reported that there was no quorum at the City Board of Adjustment's meeting, but the public hearing was held as advertised. Mr. Woodhull explained variance procedures for the Commission. Karen Nelson spoke in favor of the variance.

Motion was made by Spannring, second by Stevens, to accept the findings of fact as presented by staff. All in favor, motion passed.

Motion was made by Henry, second by Cooper, to approve this variance request. The vote was four in favor, Spannring opposed. Motion passed.

A public hearing was held on second reading of Ordinance No. 1894, AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING THE OFFICIAL ZONE CODE BY DEFINING SEXUALLY ORIENTED BUSINESSES AND RESTRICTING SEXUALLY ORIENTED BUSINESSES TO THE INDUSTRIAL ZONES.

No public comments were heard. All in favor. Motion passed.

A public hearing was held on Community Transportation Enhancement Program projects. City Manager Golnar reported on the proposed CTEP uses of the funds and his recommendations.

Public comments were heard from Bob Ebinger, Diana Sieder, John Fryer and Patty Kiderlen.

Motion was made by Cooper, second by Spannring, to propose as a CTEP project, irrigation water to median and clover leaf at South Highway 89 at the Interstate for \$18,837. All in favor. Motion passed.

Motion was made by Cooper, second by Stevens, to propose as a CTEP project, raised median landscaping at South Highway 89 at the Interstate for \$11,000. All in favor. Motion passed.

Motion was made by Henry, second by Cooper, to propose as a CTEP project, a welcome sign in the clover leaf South of the Interstate for \$8,000. All in favor. Motion passed.

Motion was made by Stevens, second by Cooper, to propose as a CTEP project, lawn maintenance landscaping of clover leaf North and South of I-90 Interstate for \$6,400. All in favor. Motion passed.

Motion was made by Henry, second by Cooper, to propose as a CTEP project, Depot Center roof consulting for up to \$15,000. All in favor. Motion passed.

Motion was made by Stevens, second by Spannring, to propose as a CTEP project, historically appropriate street lights from Front to Chinook, North 2nd to North 9th Streets for \$32,750. Commissioner Henry stated his concerns on visibility when driving at night on Front Street where new lights have been installed. Commissioners' Stevens and Doyle agreed with Mr. Henry's concerns. Commissioner Spannring explained the thinking behind the Infrastructure Committee for these lights.

Motion was made by Stevens, second by Henry, to table the motion upon receiving further information regarding these lights. All in favor to table. Motion passed.

Motion was made by Cooper, second by Stevens, to bring off the table, first reading of Ordinance No. 1895, AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 17 OF THE LIVINGSTON MUNICIPAL CODE AS ENACTED BY ORDINANCE NO. 1735 BY

MAKING PROVISIONS FOR THE REGULATION OF SEXUALLY ORIENTED BUSINESSES. All in favor. Motion passed.

An amendment was made by Stevens, second by Cooper, to change the hours of operation to 10: a.m. to 10: p.m. All in favor of the amendment. Amendment passed.

An amendment was made by Henry, to be closed on Sundays. Motion died due to a lack of a second.

All in favor of the motion to approve first reading of this ordinance as amended. Motion passed.

Motion was made by Cooper, second by Spannring, to approve first reading of Ordinance No. 1896, AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, PROHIBITING THE COVERING OF BOULEVARDS WITH MANMADE MATERIALS AND MAKING EXCEPTIONS FOR DRIVEWAYS AND APPROACH SIDEWALKS AND PROVIDING A CIVIC PENALTY FOR VIOLATION.

City Attorney Becker clarified questions of the Commission.

All in favor. Motion passed.

Motion was made by Cooper, second by Spannring, to approve Resolution No. 3076, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ESTIMATING THE COST OF MAINTENANCE FOR STREET MAINTENANCE DISTRICT NO. 1 AND OF ITS INTENT TO LEVY AND ASSESS ALL PARCELS OF PROPERTY WITHIN SAID DISTRICT FOR 100 PER CENT OF THE COSTS FOR IMPROVEMENTS AND MAINTENANCE FOR FISCAL YEAR 2000-2001 AND CALLING FOR A PUBLIC HEARING THEREON.

City Attorney Becker explained how the process works.

All in favor. Motion passed.

Motion was made by Stevens, second by Spannring, to approve Resolution No. 3077, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AMENDMENT IV TO THE LIVINGSTON AREA TRANSPORTATION STUDY - FUNDING AGREEMENT. All in favor. Motion passed.

Action Items A: Chinook Street Project Comments by Fred Hall was not addressed as Mr. Hall was not present.

City Manager Golnar introduced the Transportation Coordinating Committee's recommendation of Park Street and Front Street intersection with 5th Street project for Urban Highway Pilot Program.

Extensive discussion was heard from citizens concerned about losing parking spaces and the City Commission. Commissioner Cooper voiced her

interest in using the money to install sidewalks along critical school routes. Citizens addressing the Commission were: Bill Thomas, Stocky White, John Fryer, Bob Ebinger and Diana Sieder.

The Commission took a recess at 10:20 p.m. Chairman Doyle called the meeting into open session at 10:32 p.m.

Motion was made by Cooper, second by Spannring, to nominate for our Urban Pilot program funds, the construction and repair of sidewalks along critical school routes that are on the Urban System. The vote was Spannring and Cooper in favor, Henry, Stevens and Doyle opposed. Motion failed.

Motion was made by Henry, to authorize the City Manager to submit the 5th Street and Park Street recommendation for these funds. Motion died due to lack of a second.

Motion was made by Cooper, second by Spannring, that the City nominate the sidewalk project along critical school routes for the Urban Pilot Program money. Four in favor. Doyle opposed. Motion passed.

Mr. Golnar asked for clarification as to what the motion was. Mr. Cooper stated it was to use the Urban Pilot Program money for construction and maintenance of construction and rehabilitation repair in the Urban Route in critical school areas of up to \$177,000, with a contingency.

Review of a draft ordinance placing the responsibility for false alarm fees on the owner or lessee of the building to which the emergency response is made was removed from discussion at the request of the City Manager.

The following City Manager comments were provided for the Commission's information:

- School District response to the Commission's request for 50% funding for double tennis court reconstruction project.
- Land and Water Conservation Fund Projects include:
 - 1967 - Sacajawea and Miles Park General Purpose Play Field and Support Facilities;
 - 1973 - Livingston City Park General Purpose Play Field and Support Facilities;
 - 1976 - Sacajawea and Miles Park - \$13,162.84, General Purpose Play Fields and Tennis Courts;
 - 1979 - Sacajawea and Miles Park - \$10,200, Tennis Courts.
- Renewed request for private well for irrigation from Mr. Lenny Gregrey. Mr. Gregrey was present to speak on his request.
- Outside employment for the Finance Officer was authorized.
- Update on City Manager's attendance at Montana League of Cities and Towns large cities meeting.
- Transportation Study status.


- Engineer proposals for SID's, Infrastructure and Waste Water Treatment Plant were received and contracts are in the process of being negotiated.
- Mayor's Landing follow up from Senator Baucus' visit.
- Parking Task force is nearing completion of recommendations.
- A cooperative agreement between Park County Rural Fire and the City of Livingston to provide for a reciprocal immediate response for structure fires is being developed.
- Budget Process status.
- City Manager Golnar is encouraging the City Commission to fill out or revise their goals survey and return them to him.
- Proposed agenda for scheduled sidewalk workshop.
- Calendar of events and activities:
 - March 20 7:30 p.m. – City Commission Meeting
 - March 22 10:00 a.m. – Transportation Coordinating Committee meeting
 - March 27 7:00 p.m. – Transportation Study City/County Joint Workshop
 - March 29 4:00 p.m. – Infrastructure Committee Meeting
 - March 29 Tentative Meeting with Legislators – Community Room
 - April 3 7:30 p.m. – City Commission Meeting
 - April 5 4:00 p.m. – City/County Meeting
 - April 6 9-5 p.m. CTEP Workshop, (Bozeman) City Manager
 - April 17 7:30 p.m. – City Commission Meeting
 - April 24 7:00 p.m. – Solid Waste Study Workshop
 - May 31 Land & Water Conservation Fund Project due by May 31, 2000

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

The time was 12:02 a.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


CHAIRMAN, CITY COMMISSION

SPECIAL LIVINGSTON
CITY COMMISSION MEETING

March 27, 2000
6:30 p.m.

The Livingston City Commission met in special session on Monday, March 27, 2000 at 6:30 p.m. in the Community Room at the City/County Building.

Chairman Doyle explained the rules of the meeting for the Commission, staff, and citizens present.

City Commissioners present were Caron Cooper, Bill Spannring, Tim Stevens, and Mike Doyle. City Commissioner Matt Henry was absent.

This special meeting was called to reconsider the City's proposal for Urban Highway Pilot Improvement Program.

Commissioner Cooper requested that this item be deferred until after the Transportation Coordinating Committee can reconvene.

Discussion was heard from the other members of the City Commission. City Manager Golnar responded.

Motion was made by Spannring, second by Stevens, to reconsider the City Commissions' vote on March 20th on the Urban Highway Project Program.

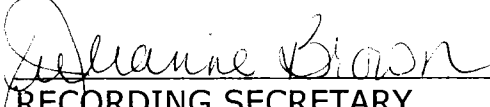
The vote was three in favor. Cooper opposed. Motion passed.


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

The time was 6:48 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


CHAIRMAN, CITY COMMISSION

LIVINGSTON
CITY COMMISSION MEETING

April 3, 2000
7:30 p.m.

The Livingston City Commission met in regular session on Monday, April 3, 2000, 7:30 p.m. in the Community Room at the City/County Building. City Commissioner's present were Mike Doyle, Caron Cooper, Bill Spanning and Matt Henry. City Commissioner Tim Stevens was absent.

Motion was made by Cooper, second by Henry, to approve the following consent items:

- March 20, 2000 regular City Commission meeting minutes.
- March 27, 2000 special City Commission meeting minutes.
- Accept bills and claims in the amount of \$49,920.10.
- Approve the Livingston Gallery Association's request to lift the open container law in the downtown area during the summer gallery walk's on June 16th, July 21st and August 18th from 6:00 p.m. to 10:00 p.m.
- Award bid recommendation for Cemetery Survey to Fred Hall in the amount of \$14,000.

Chairman Doyle answer a question from Commissioner Henry regarding the open container request.

All in favor. Motion passed.

A public hearing was held on second reading of Ordinance No. 1895, AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 17 OF THE LIVINGSTON MUNICIPAL CODE AS ENACTED BY ORDINANCE NO. 1735 BY MAKING PROVISIONS FOR THE REGULATION OF SEXUALLY ORIENTED BUSINESSES. No public comments were heard.

All in favor. Motion passed.

A public hearing was held on second reading of Ordinance No. 1896, AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, PROHIBITING THE COVERING OF BOULEVARDS WITH MANMADE MATERIALS AND MAKING EXCEPTIONS FOR DRIVEWAYS AND APPROACH SIDEWALKS AND PROVIDING A CIVIC PENALTY FOR VIOLATION. No public comments were heard.

All in favor. Motion passed.

A public hearing was held on Resolution No. 3078, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, LEVYING AND ASSESSING THE COST OF MAINTENANCE FOR STREET MAINTENANCE DISTRICT NO. 1 ON ALL PARCELS OF PROPERTY WITHIN SAID DISTRICT FOR 100 PERCENT OF THE COSTS FOR IMPROVEMENTS AND MAINTENANCE FOR FISCAL YEAR 2000-2001. No public comments were heard.

Motion was made by Spannring, second by Henry, to approve this resolution.

Concerns and comments were heard from the Commission. City Manager Golnar explained further.

All in favor. Motion passed.

Motion was made by Spannring, second by Cooper, to approve Resolution No. 3080, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ESTABLISHING A CASH RESERVE/RESTRICTED ACCOUNTS POLICY AS PART OF ITS OVERALL FISCAL POLICY FOR FISCAL YEAR 99-00.

All in favor. Motion passed.

Fred Hall was present to address his concerns regarding the Chinook Street project and to date, the contract with Big Sky Asphalt has not been terminated. Mr. Hall stated that the past Commission voted to terminate this contract at their last meeting in December and nothing has been accomplished. Mr. Hall stated that this contract needs to be closed out.

City Attorney Bruce Becker brought the Commission and Mr. Hall update on the status of the project.

Commissioner Spannring requested that the City Manager and City Attorney move forward with the termination of the contract and bring something to the next meeting.

Dawn Hiller, spokesperson for Chauncy Whitright III who could not attend this meeting, addressed the City Commission requesting that the City donate \$1,000, a City of Livingston Flag, and letters to cosponsor an honoring dinner for Indian Warriors who fought and died at the Little Bighorn Battlefield in 1876. Ms. Hiller also requesting a delegation to attend the dinner being held at the Holiday Inn in Billings on June 25th.

A planning meeting will be held at the Lagoon on April 13th from 9:00 a.m. to 4:00 p.m. Commissioner's Cooper and Doyle stated they may be able to attend portion's of the meeting.

City Manager Golnar stated that the City could not give donations, but could pay for the meals of those City officials who attend the honoring dinner. The Commission asked the City Manager to come back with possible fundraising ideas.

Ms. Hiller also relayed from Mr. Whitright, regarding if the City Commission's Chamber had been blessed.

The City Commission reviewed CTEP project nominations and City Manager Golnar provided additional information.

- Diana Sieder from the Depot Center will be sending the Manager more information regarding the Depot Roof Study.
- City Manager Golnar responded to City Commission concerns regarding street lighting.
- Ellen Woodbury, Park County Planner was present to address the extension of water to East Park Street Beautification Project coordinated by the County. Ms. Woodbury is requesting that the City pay for the water line and maintain the water bill. The 1" line would cost approximately \$6,065. After further discussion by the Commission, City Manager Golnar stated that this issue will be brought up at the upcoming City/County Meeting later this week.
- The Rotary Club has identified an interest in donating \$1,000 in the upcoming year for the Bike Path Improvement Project. Commissioner Cooper will talk with Rotary about using the \$1,000 next year.

Motion was made by Spannring, second by Henry, to approve and move ahead with the 5th Street intersection as our Urban Highway Pilot Program.

Comments were heard from Commissioner Cooper. Ms. Cooper requested that the application be distributed to the Commission prior to sending out and would like the comments from concerned citizens addressed.

The vote was three in favor. Cooper opposed. Motion passed.

Motion was made by Henry, second by Cooper, to table the consideration of proposed ordinance allowing exotic dancing in SOB's only and repealing Ordinance No. 1884 which allowed such dancing in bars, until the next meeting when Commissioner Stevens could be present.

All in favor. Motion passed.

Motion was made by Spannring, second by Henry, to adopt the Transportation Study. Upon discussion of this item, the Commission agreed to bring this back as a resolution to the next meeting. Spannring withdrew his motion and Henry withdrew his second: No other action was taken.

The following City Manager comments were provided for the Commission's information:

- Summary of the softball field vandalism.

- The draft Wellhead Protection Overlay Zoning District will be reviewed this month by the Zoning Board.
- The scheduling of the Sidewalk Workshop will be put on hold until an inventory can be assembled.
- Mr. Golnar will prepare a CDBG Planning Grant application that is due the end of this week.
- Legislative meeting issues held with local Legislators.
- Bike Path status – Mr. Golnar will try one more time to obtain donations the remaining balance due in this fund.
- Mayor's Landing status - Letters of intent are due on April 17, 2000 regarding the Brown Fields Initiative.
- Sister Cities exchange students and chaperone has been selected.
- Pending issues that will be delivered to the Commissions mail boxes include:
 - Job Descriptions; and,
 - Parking issue draft recommendation from the Park Task Force.
- Calendar of events and activities:

April 3	7:30 p.m. – City Commission Meeting
April 4	7:00 p.m. - TCC
April 5	4:00 p.m. – City/County Meeting
April 6	9-5 p.m. CTEP Workshop, (Bozeman) City Manager
April 13	Planning Committee Indian Memorial Planning Dinner – Lagoon (who to attend)
April 15	8:00 p.m. – Policeman's Ball At Livingston Country Club
April 17	7:30 p.m. – City Commission Meeting
April 18	4:00 p.m. – PCEDC – 1 st Interstate Bank
April 19	7:00 p.m. – Sister Cities – Winans School
April 24	7:00 p.m. – Solid Waste Study Workshop
April 26	4:00 p.m. – Infrastructure Committee Meeting
- Grant Funding Deadlines:

April 7	Urban Systems Pilot Program
April 7	CDBG Planning Grants
April 17	Brown Fields Initiative Letters of Intent
April 20 or later	– CDBG Economic Development Applications
May	Community Transportation Enhancement Program (CTEP) Proposals Due
May 31	Land & Water Conservation Fund Project due by May 31, 2000

Commissioner Cooper stated that she was recently in Missoula commenting that she seen a playground there like the one the Livingston Jaycee's are proposing to install in Sacajawea Park. Ms. Cooper stated that was the best playground she has ever seen and is glad that the Parks Department and City Commission is behind it, and will be a real asset in Livingston.

Commissioner Spannring stated that he has received a lot of phone calls of concern regarding transportation and the use of streets in Livingston and hopes that this Commission will try to make our transportation work, but also save our community from turning into something we may not want.

Doyle commented on recent discussions that took place with the Legislators, and with the needs of communities like Livingston who are coming up short of funds, and the role of the Chamber of Commerce. Mr. Doyle stated that he would like another City Commissioner, City Manager, a County Commissioner, a couple people from the Chamber and himself sit down for a lunch and discuss what is mutually important to Livingston, so that everyone is not at odds at the next Legislative session.


Paul Bergsing addressed the Commission stating the need for another railroad crossing to address the traffic congestion and safety concerns being experienced at the Park and 5th Street intersection.

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

The time was 9:35 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


CHAIRMAN, CITY COMMISSION

LIVINGSTON
CITY COMMISSION MEETING

April 17, 2000
7:30 p.m.

The Livingston City Commission met in regular session on Monday, April 17, 2000, 7:30 p.m. in the Community Room at the City/County Building. City Commissioners present were Bill Spannring, Matt Henry, Tim Stevens and Mike Doyle. City Commissioner Caron Cooper was absent.

Motion was made by Stevens, second by Spannring, to approve the following consent items:

- Approve April 3, 2000 regular City Commission meeting minutes.
- Accept bills and claims in the amount of \$62,519.11.
- Accept bid recommendations for street materials.
- Authorize sale of surplus fire hose to other governmental entities.
- Department Head monthly reports.

All in favor. Motion passed.

City Planner Jim Woodhull gave background information on a variance requested by Jerry Martello and Linda Sue Churchwell of 406 S. Yellowstone Street. The wish to construct a roof over an existing front deck which, like the deck, would extend out to eleven (11) feet from the front property line. Code requires a twenty-five (25) foot front setback for RII zoning districts.

Mr. Woodhull stated that no quorum was present at the City Board of Adjustments meeting, but members present felt that this application should be approve.

Mr. Martello was present to answer the Commission's questions.

Motion was made by Henry, second by Stevens, to approve the finding of fact in Staff's report. All in favor. Motion passed.

Motion was made by Henry, second by Stevens, to approve this variance request. All in favor. Motion passed.

A public hearing was held on Resolution No. 3081, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING THE BUDGET FOR FISCAL YEAR 1999-2000 FOR LIBRARY ACCOUNT #2220.365004 BY INCREASING THE BUDGET IN THE AMOUNT OF \$18,513.00 TO REFLECT A GRANT RECEIVED FROM THE BILL AND MELINDA GATES FOUNDATION. No public comments were heard.

Library Director Milla Cummins was present to answer the

Commission's question.

Motion was made by Spannring, second by Stevens, to approve Resolution No. 3081. All in favor. Motion passed.

Motion was made by Henry, second by Stevens, to approve Resolution No. 3079, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AMENDED FIRE MUTUAL AID AGREEMENT WITH PARK COUNTY MONTANA, PROVIDING FOR AUTOMATIC RESPONSE TO STRUCTURE FIRES IN 5 MILE AREA.

Discussion was heard from the City Commission with Training Officer Kevin Harrington providing clarifying the agreement. Questions were asked on the "reimbursement" section of the agreement, with the City Manager stating that he would obtain further information.

Motion was made by Spannring, second by Stevens, to table this resolution for so that the section on reimbursement can be specifically answered. All in favor. Motion passed.

Motion was made Spannring, second by Henry, to approve Resolution No. 3082, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ADOPTING LIVINGSTON AREA TRANSPORTATION STUDY AS A GUIDELINE FOR FUTURE DEVELOPMENT IN THE CITY OF LIVINGSTON. Discussion was heard between staff and City Commission.

Motion was made by Stevens, second by Spannring, to table Resolution No. 3082 as the Commission would like more specifics. All in favor. Motion passed.

Motion was made by Spannring, second by Henry, to approve Resolution No. 3083, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH LARRY RAFFETY, FOR ARCHITECTURAL SERVICE FOR THE D STREET PUMPHOUSE PROJECT.

All in favor. Motion passed.

Pat Mikesell, President of the Sister Cities Committee was present to request a waiver of the Civic Center rental fee of \$50 as an alternate basketball site for a tournament being held by the High School. The Sister Cities Committee scheduled a Montana Reparatory Theatre Presentation in High School gym and there has been a scheduling error for May 13th.

Motion was made by Henry, second by Stevens, to transfer \$50 from the administration budget "public relations" line item to the Recreation Department to pay for this waiver.

All in favor. Motion passed.

Motion was made by Stevens, second by Henry to bring the draft ordinance allowing exotic dancing in SOB's only and repealing Ordinance No. 1884 which allowed such dancing in bars, to the next meeting for 1st reading.

All in favor. Motion passed.

Motion was made by Spannring, second by Stevens, to approve the 2000 CTEP Application Scope of Work. All in favor. Motion passed.

Motion was made by Spannring, second by Stevens, to authorize the expenditure of \$6,065 in FY 2000-2001 for extension of water service across Park Street at M Street for Gateway Enhancement Irrigation. All in favor. Motion passed.

The following City Manager Comments were provided for the Commission's information:

- Livingston Levee Removal Project closeout requested. Mr. Golnar has a more detailed package of information if the Commission is interested.
- Termination of Big Sky Asphalt Contract for work on Chinook Street. This letter was sent today and copies were provided to the Commission.
- Baseball Field damage update. MMIA will pay the claim for damage.
- Donation from Stillwater Mine. The Recreation Department recently received a donation in the amount of \$2,600 that will be used for two glass backboards at the Civic Center. Mr. Golnar congratulated Recreation Director Lisa Swoboda and Ken Kastelitz for their efforts and initiative.
- It was brought to the City Manager's attention, that the lack of a quorum at the Board of Adjustments meetings was a continuing problem and 2 more Board of Adjustment members are needed. The Commission was asked to help in identifying candidates.
- City Attorney Bruce Becker gave his opinion that Park County is financially responsible for medical treatment of individuals arrested for violations of State Law by the Police Department. Mr. Golnar stated that this item should be discussed at a City/County meeting.
- The CDBG Planning Grant/Livingston urban Design and Integrated Capital Improvement Plan was applied for on April 7, 2000. This grant is in the amount of \$15,000 of matching funds.
- An Urban Highway Pilot Program for 5th and Park and Front Street Intersections has been nominated and submitted to MDT on April 7, 2000.

- Mr. Golnar has written a letter of the City's support to the Lewis and Clark Bicentennial Interpretive Sign and Kiosk for the Clark Trail proposed by the County.
- A false alarm memo from Justice of the Peace Deanna Egeland was included in the packet informing the City that the Court will not authorize the paying of the bill. Mr. Golnar suggested that this item be reviewed at the next City/County meeting.
- Playground in Sacajawea Park development status. A meeting will be held at 7:00 p.m. on April 18th. The City Commission is encouraged to attend.
- Legislative update.
- Future items to be addressed include: Mr. Golnar's recommendation to create a plan review and permitting process for construction in the City's right of ways; and, Parking Task Force report.
- Correspondence received was a letter dated April 12, 2000 on a complaint registered from Dennis Glick.
- Calendar of Events and Activities:
 - April 17 7:30 p.m. – City Commission Meeting
 - April 18 4:00 p.m. – PCEDC – 1st Interstate Bank
 - April 18 7:00 p.m. – Community Playground Design Meeting
– East Side School
 - April 19 7:00 p.m. – Sister Cities – Winans School
 - April 24 7:00 p.m. – Solid Waste Study Workshop
 - April 26 4:00 p.m. – Infrastructure Committee Meeting
 - May 1 7:30 p.m. – City Commission Meeting
 - May 3 4:00 p.m. – City/County Meeting
 - May 15 7:30 p.m. – City Commission Meeting
 - May 11 & 12 City Officials Meeting in Billings at the Holiday Inn (Please let Julie know as soon as possible as she needs to make the reservations)
- Grant Funding Deadlines:
 - April 17 Brown Fields Initiative Letters of Intent
 - April 20 or later – CDBG Economic Development Applications
 - May 2000 Community Transportation Enhancement Program (CTEP) Proposals Due
 - May 31 Land & Water Conservation Fund Project due

Commissioner Spanning stated his concern about the Bike Path being dug up across from County Market where the new church is being built. City Manager Golnar assured him that those installing the water line will repair the path.

Commissioner Stevens questioned the status of the Mayor's Landing Project Brownfields initiative letter that was due today. Mr. Golnar stated that it was sent in and copies are in the Commission's mail boxes.

Commissioner Stevens commented on the Land and Water Conservation Fund and hopes that the Commission will be able to spend some time on this issue.

Chairman Doyle stated that the Skate Park Committee now meets every Wednesday and that he will provide a fund raising report at the May 1st City Commission meeting.

Chairman Doyle stated that he has given the City Commission a letter and will send Mr. Glick a letter of apology for his recent comments.

City Manager Golnar reminded the Commission of the Firefighter's Easter Egg hunt this weekend and also reported that there is grass growing at Mayor's Landing and on the levee.

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

The time was 8:41 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


CHAIRMAN, CITY COMMISSION

LIVINGSTON
CITY COMMISSION MEETING

May 1, 2000
7:30 p.m.

The Livingston City Commission met in regular session on Monday, May 1, 2000, 7:30 p.m. in the Community Room at the City/County Building. City Commissioners present were Tim Stevens, Mike Doyle, Caron Cooper, Bill Spannring and Matt Henry. Commissioner Spannring left the meeting at 8:39 p.m.

Motion was made by Spannring, second by Cooper, to approve the following consent items:

- April 17, 2000 regular City Commission meeting minutes.
- Accept bills and claims in the amount of \$51,334.20.
- Approve Homecoming Parade route on September 22, 2000 at 3:55 p.m.
- Reappointment of Chan Libbey Jr. to Police Commission through 5/03.

City Manager Steve Golnar explained the purposed of the Police Commission for the new Commissioners.

All in favor. Motion passed.

Chairman Doyle proclaimed May 14-20, 2000 as Emergency Medical Services Week in the City of Livingston.

Motion was made by Spannring, second by Henry, to take off the table, Resolution No. 3079, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AMENDED FIRE MUTUAL AID AGREEMENT WITH PARK COUNTY MONTANA, PROVIDING FOR AUTOMATIC RESPONSE TO STRUCTURE FIRES IN 5 MILE AREA. All in favor to bring off the table. Motion passed.

City Manager Golnar referred to an addendum with 2 options for the Commission's consideration. Option A was similar to last meetings proposal that was tabled, but included revised reimbursement language. Option B included the same revised reimbursement language, but limited the agreement to a one year trial period.

An amendment to the original motion was made by Cooper, second by Spannring, to adopt the language of Option B. All in favor of the amendment. Amendment passed.

All in favor of the original motion as amended. Motion passed.

Motion was made by Henry, second by Stevens, to bring off the table, Resolution No. 3082, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ACCEPTING LIVINGSTON AREA TRANSPORTATION STUDY AS A GUIDELINE FOR FUTURE DEVELOPMENT IN THE CITY OF LIVINGSTON. Motion to bring off the table passed.

An amendment to the original motion was made by Cooper, second by Spannring, to approve the changes as proposed in the current resolution. All in favor of the amendment. Amendment passed.

All in favor of the original motion as amended. Motion passed.

Motion was made by Stevens, second by Spannring, to approve Resolution No. 3084, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, RETAINING D.A. DAVIDSON & CO. TO SELL GENERAL OBLIGATION BONDS FOR THE PURCHASE OF A FIRE TRUCK AND AUTHORIZING CITY MANAGER TO SIGN AGREEMENT.

All in favor. Motion passed.

Motion was made by Cooper, second by Stevens, to approve Resolution No. 3085, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN PROFESSIONAL SERVICES AGREEMENT WITH WESTERN MICRO-LINES, P.C., TO SURVEY UNDEVELOPED PORTION OF MOUNTAIN VIEW CEMETERY.

City Manager Golnar explained the City's process for going out for bid. All in favor. Motion passed.

Motion was made by Stevens, second by Spannring, to approve Resolution No. 3087, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AWARDED CONTRACT FOR CITY ADMINISTRATIVE OFFICE REMODEL AND PHASE I OF WORK.

All in favor. Motion passed.

Motion was made by Cooper, second by Stevens, to approve Resolution No. 3089, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, GUARANTEEING THAT THE CITY OF LIVINGSTON WILL PROVIDE THE BALANCE OF FUNDS NECESSARY TO MEET A \$15,000.00 MATCHING REQUIREMENT TO RECEIVE CDBG PLANNING GRANT APPLICATION FOR URBAN DESIGN/INTEGRATED CAPITAL IMPROVEMENT PLAN.

City Manager Golnar stated that by passing this resolution, it would make the application stronger for receiving funding. Mr. Golnar also explained the selection process for the Commission.

Commissioner Cooper stated that she would like to review the initial request for proposals when the process gets that far.

Commissioner Henry stated that public input was important when the time came .

All in favor. Motion passed.

Motion was made by Stevens, second by Spannring, to approve first reading of Ordinance No. 1898, AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ENACTING A CRIMINAL OFFENSE WHICH REQUIRES EXOTIC ENTERTAINMENT TO OCCUR IN THE INDUSTRIAL ZONE IN LICENSED SEXUALLY, PROHIBITING NUDITY IN ANY SEXUALLY ORIENTED BUSINESS, PROHIBITING CONTACT BETWEEN MEMBERS OF THE AUDIENCE AND EXOTIC ENTERTAINERS, AND ESTABLISHING A CRIMINAL PENALTY FOR VIOLATION THEREOF AND REPEALING ORDINANCE NO. 1884.

All in favor. Motion passed.

Two bids were received for the reconstruction of the double tennis courts in Sacajawea Park and are as follows:

Le Courts - Billings
\$32,000

JTL - Belgrade
\$29,000

Staff recommendation was that the City award the bid from JTL in the amount of \$29,000.

Extensive discussion was heard from the City Commission and City Manager. Mr. Golnar explained where funding could come from to pay for this reconstruction.

Commissioners Cooper and Stevens were in favor of using the Skillman Trust money on other projects instead of putting all the money into one project.

A copy of the Skillman Trust guidelines will be provided to the Commission in their mail boxes.

Motion was made by Henry, second by Spannring, to award the bid to JTL for the tennis court reconstruction. The vote was three in favor, Cooper and Stevens opposed. Motion passed.

Additional comments were requested by the City Manager from the City Commission regarding the Solid Waste Study. Mr. Golnar stated that 3 of the 5 Commissioners attend the workshop last week with the consultant. It was noted that the City currently runs an excellent solid waste collection system.

Commissioner Cooper questioned the City Manager on the subsidy from the Street Department to the Solid Waste Department. Mr. Golnar stated that the Street Department provides crews for the Solid Waste Department when solid waste employees are sick or on vacation. The Street Department also performs Spring cleanup for the Solid Waste Department. Currently, no charges are assessed by the Street Department to Solid Waste for support provided.

Commissioner Stevens stated that he would like to see more discussions and information on the economics of recycling.

Discussion was heard on the need of new garbage trucks and the discussion of keeping the current system or going to an automatic pickup.

No official action was taken at this time.

Discussions took place on Land and Water Conservation Fund Project nominations.

City Manager Golnar reviewed on a list of projects that was compiled by Parks Foreman Eddie Miller. Mr. Golnar stated that some of the proposed project were not eligible and others could be eligible as part of a larger park improvement project.

Commissioner Cooper questioned if the match to a LWCF grant could be in kind verses in cash. Mr. Golnar will pursue this question.

The deadline for the grant application is May 31, 2000.

No official action was taken at this time.

Commissioner Stevens questioned the City Manager if planning was still on track for a sidewalk workshop.

Commissioner Cooper questioned the City Manager on parking ticket changes. Mr. Golnar stated that he has held up this issue and explained some of the proposed changes for the Commission.

Commissioner Cooper received a concern from a citizen regarding exclusive rights to the cable fiber optic lines and if there could be internet problems. Ms. Cooper questioned the City Manager on when the cable franchise agreement expired. Mr. Golnar will research this.

Commissioner Cooper received a complaint from a concerned citizen regarding the use of ATV's on top of the hill by the water tower as it is tearing up city land. Discussion took place about this area being posted in the past and could it be posted again. What enforcement is possible. Ms. Cooper stated that she has talked with Caren Roberty of the HRDC Housing Project and they are willing to work with the City in anyway possible.

Chairman Doyle asked the City Manager and City Attorney to put something together for the Commission relating to this ATV concern. This is to be addressed at the first meeting in June.

Chairman Doyle questioned the City Manager on what he was doing this week?

The Manager reviewed some of his plans and tasks for the week.

Chairman Doyle questioned when the goose round up was to take place.

Chairman Doyle stated that a Skate Park meeting was scheduled for this Wednesday at 6:30 p.m. in the City Court Room.

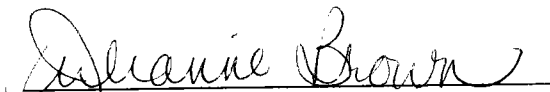
A visitor from Seattle Washington addressed the Commission with comments about ATV problems where he is from.

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

The time was 9:10 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


CHAIRMAN, CITY COMMISSION

LIVINGSTON
CITY COMMISSION MEETING

May 15, 2000
7:30 p.m.

The Livingston City Commission met in regular session on Monday, May 15, 2000, 7:30 p.m. in the Community Room at the City/County Building. City Commissioners present were Matt Henry, Tim Stevens, Mike Doyle and Caron Cooper.

Motion was made by Cooper, second by Stevens, to approve the following consent items:

- May 1, 2000 regular City Commission meeting minutes.
- Accept the bills and claims in the amount of \$51,336.84
- Department Head monthly reports.

All in favor. Motion passed.

A public hearing was held on second reading of Ordinance No. 1898, AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ENACTING A CRIMINAL OFFENSE WHICH REQUIRES EXOTIC ENTERTAINMENT TO OCCUR IN THE INDUSTRIAL ZONE IN LICENSED SEXUALLY ORIENTED BUSINESS, PROHIBITING NUDITY IN ANY SEXUALLY ORIENTED BUSINESS, PROHIBITING CONTACT BETWEEN MEMBERS OF THE AUDIENCE AND EXOTIC ENTERTAINERS, AND ESTABLISHING A CRIMINAL PENALTY FOR VIOLATION THEREOF AND REPEALING ORDINANCE NO. 1884.

Harry Nedens thanked the City Commission for addressing this problem. All in favor. Motion passed.

Motion was made by Stevens, second by Cooper, to approve Resolution No. 3086, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN PROFESSIONAL SERVICES AGREEMENT WITH WESTERN CONSULTING ENGINEERING, INC. FOR 2 YEAR SPECIAL IMPROVEMENT DISTRICT PRELIMINARY ENGINEERING AND DESIGN. Commissioner Henry asked the City Manager for additional background information on this agreement.

All in favor. Motion passed.

Motion was made by Cooper, second by Stevens, to approve Resolution No. 3091, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF

LIVINGSTON, MONTANA, ADOPTING JOB DESCRIPTIONS FOR EMPLOYEES OF THE CITY OF LIVINGSTON, MONTANA.

All in favor. Motion passed.

Motion was made by Henry, second by Stevens, to approve Resolution No. 3092, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN PROFESSIONAL SERVICES AGREEMENT WITH WESTERN CONSULTING ENGINEERING, INC. FOR DESIGN AND CONSTRUCTION MANAGEMENT OF RECONSTRUCTION OF 6TH, 7TH, 8TH, AND 9TH STREETS FROM PARK STREET TO CALLENDER STREET, INCLUDING CALLENDER STREET.

City Manager Golnar answered Commissioner Stevens's question on the timeliness of this agreement.

All in favor. Motion passed.

Motion was made by Stevens, second by Cooper, to approve Resolution No. 3093, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING AMBULANCE SERVICE FEE BY PROVIDING A FEE FOR FLIGHT TEAM TRANSFERS.

Fire Chief Robert Schmidt explained this fee for Commissioner Henry.

All in favor. Motion passed.

Motion was made by Cooper, second by Stevens, to approve Resolution No. 3094, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AMENDED AGREEMENT WITH THE HUMANE SOCIETY TO BOARD IMPOUNDED ANIMALS.

Code Enforcement Officer Brad Haefs answered questions asked by the Commission.

All in favor. Motion passed.

Motion was made by Henry, second by Stevens, to approve Resolution No. 3095, RESOLUTION RELATING TO \$445,000 GENERAL OBLIGATION BONDS, SERIES 2000; AUTHORIZING THE ISSUANCE AND CALLING FOR THE PUBLIC SALE THEREOF.

All in favor. Motion passed.

Motion was made by Cooper, second by Stevens, to approve Resolution No. 3096, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGENCY AGREEMENT FOR ELECTRIC POWER SUPPLY WITH MONTANA LEAGUE OF CITIES AND TOWNS.

All in favor. Motion passed.

City Manager Golnar explained a sign proposal request from the Yellowstone Gateway Museum (formally Park County Museum) for off premise sign placements. Mike Fleming, president of the museum spoke on behalf of the request. Mr. Golnar recommended if approved, coordination of any off premise sign placement to be accomplished with City staff. It was noted by the Commission that the museum is classified as a public facility and as an exception for such facilities is provided in the sign code, and that it does not set a precedent for other businesses. Museum board member Larry Lahren stated that the Yellowstone Gateway Museum is the only public museum in the City and Park County.

Motion was made by Cooper, second by Henry, to approve the request of the off premise signs for the museum. All in favor. Motion passed.

The process of filling the vacant City Commission seat was discussed. Applications will be due by 4:30 p.m. on Friday, May 26, 2000. The City Commission will hold a worksession on Tuesday, May 30, 2000 at 7:00 p.m. for review of the applications if necessary. Interviews will be scheduled for Friday, June 2, 2000.

Discussion was heard on the Land and Water Conservation Grant. City Manager Golnar explained that one of the requirements of the grant was to survey the needs of the community. Jaycee member Debbie Demin stated that she could assist the local survey. Finance Officer Shirley Ewan stated that she would coordinate and tabulate the results of the survey.

Motion was made by Cooper, second by Stevens, to approve Resolution No. 3097, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN APPLICATION FOR LAND AND WATER CONSERVATION FUND ASSISTANCE, with the stipulations that were stated by the City Manager.

All in favor. Motion passed.

The following City Manager Comments were provided for the Commission's information:

- ½ % Vehicle Option tax and proposed uses:
 - Police car Crown Victoria police Package – est. \$20,000;
 - ½ the cost of Dispatch remodeling expenses – est. \$15,000;
 - Administrative/Finance Office remodel – ext. \$13,000;
 - Dispatch and records software (City share) – est. \$20-25,000
- Mr. Golnar will be writing a letter to the County Commission for their consideration of this request.
- Health Insurance rate increase by 18.4%. A Employee Insurance meeting has been scheduled for May 17th at 1:00 p.m.

- Additional comments and questions relating to the Solid Waste Study were forwarded to the consultant.
- Captain Glenn Farrell and Officer Thomas Totland for were commended for their meritorious conduct. Mr. Golnar thanked them for their efforts and example.
- An extension of Coordinator of International Relations Koji Yamaguchi' visa is being sought.
- Vice President Gore responded to the Indian Memorial invitation as did George W. Bush, but both declined to attend.
- The Administrative Office remodel is currently underway.
- The East Side School appraisal has been completed.
- Fiber Optic line to be extended through Callender Street beginning May 15th. Mr. Golnar also stated that Touch America requested a 2" conduit for future expansion and also working with MRL.
- Calendar of events and activities:
 - May 15th 7:30 p.m. – City Commission Meeting
 - May 16th 7:00 p.m. – Yellowstone River Task Force – Lincoln Center
 - May 16th 4:00 p.m. – Park County Economic Development Committee
 - May 18th 7:00 p.m. – Mayor's Landing Follow Up Workshop – an agenda will be forthcoming on this
 - May 19th 10:00 a.m. – 12:00 p.m. – Senator Baucus regional listening session on Montana economy – Bozeman Chamber of Commerce, 200 Commerce Drive, Bozeman
 - May 22nd 4:00 p.m. – Building Committee Meeting – County Commissioner's Chamber
 - May 24th 7:00 p.m. – 1st Budget Workshop involving Commission and Department Heads
 - May 29th Memorial Day Holiday - CITY OFFICES CLOSED
 - June 5th 7:30 p.m. – City Commission Meeting
- A work schedule for Park, 6th, 7th, 8th and 9th Streets project were included for the Commission's information.

Commissioner Tim Stevens:

- Requested copies of the Special Session of the Legislators.
- Stated that he would like to see a sidewalk meeting sooner than later. Mr. Golnar stated that he has not forgotten.
- Requested an update on the status of the US West building. He requested that the City Manager draft a inquiry letter to US West and requested that the Fire Chief provide more information.

- Questioned the Mayor's Landing workshop for the 18th. City Manager Golnar will coordinate another date for rescheduling of this item, but a preliminary planning meeting will still be held on the 18th for whoever does show up.

Commissioner Caron Cooper:

- Questioned the parking ticket status and whether it was falling through the cracks.

- A citizen contacted her to report that the empty lots on 5th and Callender have recently been put up for sale and was the City interested in purchasing the lots.

- The use of the Skillman Trust Funds and she felt that the remodel of the tennis courts were not in this scope. City Manager Golnar explained the Skillman Trust further.

- Reminded everyone of the American Red Cross Blood Drive this Wednesday.

Chairman Doyle:

- Stated that there was a Skateboard Park meeting is Wednesday evening.

- Stated that there might be good things happening with the Land and Water Conservation Grant match and will know for sure this Wednesday.

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

The time as 9:07 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


CHAIRMAN, CITY COMMISSION

SPECIAL
LIVINGSTON
CITY COMMISSION MEETING

May 25, 2000
7:30 p.m.

The Livingston City Commission met in special session on Thursday, May 25, 2000, 7:30 p.m. in the City Court Room at the City/County Building. City Commissioners present were Mike Doyle, Caron Cooper, Matt Henry and Tim Stevens.

Extensive discussion took place on partial funding of the proposed Skateboard Park. Some members of the City Commission felt that the Skillman Trust interest was best used on the Skateboard Park rather than on the reconstruction of the tennis courts. Also discussed, was the commitment the City had with JTL Group, Inc. to do the reconstruction work at the tennis courts.

Laurie Bishop was present to report the status of the Skateboard Park Committee's efforts for fundraising.

Motion was made by Cooper, second by Stevens, that the City commits \$20,000 of the Skillman Trust funds to use as a match for the Land and Water Conservation Fund Grant application and if no match is received, to still use these funds for the Skateboard Park.

Three in favor. Henry opposed. Motion passed.

Motion was made by Cooper, second by Stevens to adjourn this meeting at 8:06 p.m.

The meeting was reopened at 8:13 p.m.

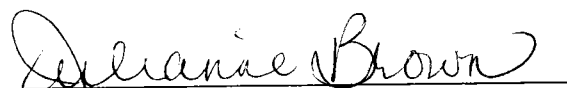
Motion was made by Cooper, second by Stevens, to approve Resolution No. 3090, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, COMMITTING PARTIAL FUNDING IN THE AMOUNT OF \$20,000 TO SUPPORT THE SKATE PARK PROJECT.

Three in favor. Henry opposed. Motion passed.

Motion was made by Cooper, second by Stevens, to adjourn this meeting at 8:15 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


CHAIRMAN, CITY COMMISSION

LIVINGSTON
CITY COMMISSION MEETING

June 5, 2000
7:30 p.m.

The Livingston City Commission met in regular session on Monday, June 5, 2000, 7:30 p.m., in the Community Room at the City/County Building. City Commissioners present were Tim Stevens, Mike Doyle, Caron Cooper and Matt Henry.

Two applications were received for the vacant City Commission position. They were Vicki Blakeman and Tony Ballew.

Commissioner Stevens nominated Vicki Blakeman for the new Commissioner. With no other nominations being made, Commissioner Cooper closed the nominations for City Commissioner and Ms. Blakeman was confirmed by acclamation.

Commissioner Henry voiced his opinion as not being opposed to Ms. Blakeman's nomination, but that his understanding was that there would be an interview process. He voiced concern about the selection process because he had not met the candidates. Mr. Henry stated that there needed to be a higher level of accountability for this process next time the City Commission is faced with filling a vacancy.

Commissioner Stevens stated that the City needs a policy on the hiring process for a open City Commission vacancy.

The vote was four in favor of Ms. Blakeman as the new City Commissioner.

Further discussion was heard concerning rules of procedure for filling vacant Commission seats. This item will be reviewed at a future meeting.

Chairman Doyle pulled consent item "D", Award Bond Purchase (Fire Truck) as it relates to Resolution No. 3099 later on the agenda and suggested that the award of the bond purchase would be accomplished by the resolution. Mr. Doyle also pulled consent item "E" for further discussion.

Motion was made by Cooper, second by Stevens, to approve the following consent items:

- May 15, 2000 regular City Commission meeting minutes;
- May 25, 2000 special City Commission meeting minutes;

- Accept the bills and claims in the amount of \$150,757.38;
- Approve Mark's In and Out Car Show Special Event.

All in favor. Motion passed.

Motion was made by Stevens, second by Henry, to approve the Chamber's Roundup Parade Special Event request, but to strike the request to lift the open container law during the time of the parade.

City Commission discussion took place regarding the request for open container during the parade and the Police Chief's comments opposed to this request. Commissioners stated that they did not feel that lifting the open container law for this family event was necessary and concurred with the Police Chief.

All in favor. Motion passed.

Chairman Doyle read a proclamation in: Appreciation to Bill Spannring for His Service to the City of Livingston as City Commissioner.

Chairman Doyle proclaimed June 30, 2000 – July 4, 2000 as Rodeo Days in the City of Livingston.

Motion was made by Stevens, second by Cooper, to approve Resolution No. 3098, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING EXPENDITURE OF \$3,447.00 AS CITY'S SHARE TO INSTALL 2" FIBER OPTIC DUCT BETWEEN CITY/COUNTY COMPLEX AND U.S. WEST BUILDING.

City Manager Golnar provided additional background comments for the Commission and explained where the money would come from within the budget. This item will also be discussed at the City/County Meeting.

All in favor. Motion passed.

Motion was made by Stevens, second by Henry, to approve Resolution No. 3099, A RESOLUTION RELATING TO \$445,000 GENERAL OBLIGATION BONDS, SERIES 2000; AWARDED THE SALE THEREOF AND APPROVING THE OFFICIAL STATEMENT RELATING THERETO.

All in favor. Motion passed.

Motion was made by Stevens, second by Cooper, to approve Resolution No. 3100, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH MONTANA LEAGUE OF CITIES AND TOWNS FOR GROUP HEALTH INSURANCE.

City Manager Golnar noted that there were two letters regarding the health insurance issue in the addendum.

Commissioner Cooper questioned exhibit "a" as to why it was not filled out.

Commissioner Stevens stated that he would be interested in hearing the Insurance Committee's input and ideas regarding health insurance.

Commissioner Henry requested that the City Manager look into what other cities pay into their employees health insurance and what their coverage is.

Motion was made by Cooper, second by Stevens, to table this item until the next Commission meeting.

All in favor of tabling. Motion passed.

Motion was made by Cooper, second by Stevens, to approve Resolution No. 3101, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH MORRISON-MAIERLE FOR ENGINEERING OF WASTE WATER TREATMENT PLAN ANALYSIS.

City Manager provided additional background information as was requested by Commissioner Henry.

Commissioner Stevens voiced his concerns of the proximity of the Waste Water Treatment Plant with the river and he hopes the engineers take a detailed look at task 8 in the agreement.

All in favor. Motion passed.

At this time, Chairman Doyle passed the gavel to Vice-Chair Cooper.

Motion was made by Doyle, second by Stevens, to revisit a decision made by the City Commission on May 1st for the reconstruction of the tennis courts. All in favor to revisit. Motion passed.

Mr. Doyle apologized to the School and tennis team for getting their hopes up on the reconstruction of the double tennis courts and went on to give his reasons why he has changed his mind.

Commissioner Henry commented that he appreciates Mr. Doyle's comments and apology, but does not like how the Commission has conducted their business on this issue. He felt that the Commission reversed its self on a commitment that was already made.

Comments were heard about some point in time, that funding for the tennis courts may be possible and that the City may be willing to match the School District for the funding of the reconstruction project.

Motion was made by Doyle, second by Stevens, to approve the canceling of the tennis court resurfacing bid with JTL Group, Inc., and directing that the \$5,000 contribution from the School District be returned.

Three in favor. Henry opposed. Motion passed.

At this time Vice-Chair Cooper returned the Gavel to Chairman Doyle.

Discussion was heard on the Police Chief's recommendation on the purchase of new Dispatch software and his letter that was included in the packet. This item is proposed to be purchased in part with the .5% Vehicle Option Tax. The County will share in the cost for this software also.

City Manager Golnar's recommendation was to schedule a meeting with the Communication Advisory Board and also discuss at the next City/County meeting.

No other action was taken.

Discussion was heard concerning a memo from Library Director Milla Cummins, regarding the 2001 budget and actual costs incurred for providing accounting services for the Library. City Attorney Bruce Becker stated that the letter from the State Librarian looks like a half of an opinion to him, and would like to see the whole letter.

Some Commission discussion was heard, and City Manager Golnar stated that he will look into this issue further. No action was taken.

Discussion was heard to consider a letter received from Montana Marginal Energy relating to the lease of the City Windfarm site.

City Manager Golnar's recommendation was to hire a title company to research the control of the Windfarm land and share the cost of the title search with the County.

Commissioner Stevens stated that he vigorously would be opposed to leasing any more ground for more windmills as this is Livingston's "view shed".

Finance Officer Shirley Ewan answered for the Commission, that the City only makes 3% on the energy generated at the Windfarm that came to approximately \$500 which included administrative fees.

Mr. Golnar's recommendation for a title search and the costs associated will be scheduled for the City/County meeting.

No other action was taken.

The following City Manager Comments were provided for the Commission's information:

- The Land and Water Conservation Grant for the playground and skateboard park has been submitted.
- Included was a report summarizing the status of the .5% Vehicle Option Tax.
- Police Chief McCann gave a verbal report on the ATV and motorcycle use on the North Hill.
- City Manager Golnar approves outside employment for Julianne Brown.

- Logo's for City vehicles – Mr. Golnar commented that the logo's would read City of Livingston and asked for opinions on various logos for different departments. Commissioner Cooper stated that there need's to be consistency with colors and fonts.
- The Denton Subdivision deteriorating streets were noted. The City has not heard back from the developer.
- Wellhead Protection Ordinance status – The Commission should have a recommendation from the City/County Planning Board by July 17th.
- The Livingston Ditch was closed on May 31st and is now back open. The Ditch Board will be meeting on June 1st to discuss ways of repairing the ditch with a contractor.
- Mr. Golnar will be contacting the City of Billings to get more information on their False Alarm Policy.
- Calendar of Events and Activities:

June 5th 7:30 p.m. – City Commission Meeting

June 7th 4:00 p.m. – City/County Meeting

June 8th 7:30 p.m. – Job Service Employer Committee Annual
Breakfast Meeting – Paradise Inn

June 19th 7:30 p.m. – City Commission Meeting

June 20th 4:00 p.m. – Park County Economic Development
Meeting – 1st Interstate Bank

June 21st 7:00 p.m. – Hard-Rock Mining Impact Board Meeting –
Sweet Grass County Courthouse, Big Timber

June 22nd 9:00 a.m. – Hard-Rock Mining Impact Board Meeting –
Little Stone Church, Columbus

June 25 & 26 – Montana Economic Development Summit –
University of Great Falls

Mr. Golnar will put together a budget worksession schedule for alternate Monday's at 7:00 p.m.

- Workshops to be scheduled include:
 - Sidewalk and siding at Civic Center workshop
 - Parking and Solid Waste workshop
- CTEP applications need City Commission signatures. Commissioner Henry questioned if the applications would be ready by Wednesday's City/County meeting.

Commissioner Cooper's comments included:

- The 9th Street and River Drive turn around by the Park Clinic. City Manager Golnar explained that the configuration of that park was the result of Commission approved changes to allow for vehicles with boat trailers to turn around down by the 9th Street boat ramp.
- Suggested using the Police Chief monthly reports as an informational survey for Detention Center information on how much the City Officers are on their beat vs. office work.

were Best Western Yellowstone Motor Inn, Rainbow Bar, and S-S Trailer Court. City Planner Jim Woodhull commented on the status of these two signs. The Commission concurred that City staff enforce the codes and have signs removed from the business when no longer in business.

- Mr. Cooper stated that she wanted the recent vandalism at the cemetery on the agenda this meeting. Ms. Cooper suggested that the City's Mountain View Cemetery hours be regulated somewhat like the Park's, closed at night. The City Commission will discuss this at their next meeting.

Commissioner Stevens's comments included:

- Would like the City Manager to look into the vehicle clearance onto the street from the Post Office mail drop boxes. Cars are scraping when they pull out onto the street.
- Concerned about the safety issues of the Livingston Ditch. Suggested that rebar be placed on the culvert on Chinook Street where the Livingston Ditch crosses the road. Mr. Stevens stated that the ditch is a serious issue and there is an open liability to the City.
- Requested from the City Manager, minutes of the previous Mayor's Landing meeting and the status of when the next meeting would be held.

Chairman Doyle's comments included:

- Will provide new names for the Skate Park Committee for the next meeting.
- Stated that the Detention Committee will be meeting again in July and encouraged the City Commission to contact Bob Jovick, the City's Detention Center representative, to go over issues and items that he has been involved in over the past two years relating to the proposed detention facility.

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

The time was 9:31 p.m.

ATTEST:


RECORDING SECRETARY

APPROVED:


CHAIRMAN, CITY COMMISSION

LIVINGSTON
CITY COMMISSION MEETING

June 19, 2000
7:30 p.m.

The Livingston City Commission met in regular session on Monday, June 19, 2000, 7:30 p.m. in the Community Room at the City/County Building. City Commissioner's present were Caron Cooper, Vicki Blakeman, Matt Henry, Tim Stevens and Mike Doyle.

Motion was made by Cooper, second by Stevens, to approve the following consent items:

- June 5, 2000 Regular City Commission Meeting Minutes.
- Accept Bills and Claims that list for \$111,976.65.
- Department Head Monthly Reports. (Finance provided separately)

Consent item number E was pulled to be considered later in the meeting.

All in favor. Motion passed.

City Planner Jim Woodhull gave the background information on a variance request from Dan and Lynda Gravage, owners of property located at 216 S. 9th, requesting a variance from the front setback requirement for RII zoning districts. They wished to build an awning onto their building, which would extend out beyond the front property line. Code required a twenty-five (25) foot front setback. Both the City Board of Adjustment and the City Zoning Administrator recommended approval.

Motion was made by Henry, second by Stevens, to accept the finding of fact of the City Board of Adjustments. All in favor. Motion passed.

Motion was made by Cooper, second by Blakeman, to approve this variance. All in favor. Motion passed.

Motion was made by Cooper, second by Stevens, to approve, Resolution No. 3105, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, APPOINTING CITY ATTORNEY AND APPROVING CONTRACT FOR SAID SERVICES. City Manager Golnar explained the contract changes. Discussion was heard on how to go forward with this evaluation. Additional City Attorney information was provided to the Commission in an addendum. Due to the fact that the Commission was not given enough time to go over the information with Mr. Becker, the motion to approve was withdrawn.

Motion was made by Cooper, second by Stevens, to extend the City Attorney's current contract until October 1, 2000. All in favor. Motion passed.

Motion was made by Stevens, second by Henry, to take off the table, Resolution No. 3100, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH MONTANA LEAGUE OF CITIES AND TOWNS FOR GROUP HEALTH INSURANCE. All in favor. Motion passed.

City Manager Golnar explained further the questions that the City Commission had at their previous meeting. Mr. Golnar also requested that the Commission approve the shortening of the Flex Plan to six months, so that if there are any changes that come about during negotiations, the employees will be able to adjust their plans.

The vote on the original motion made at the June 5, 2000 meeting to approve, was all in favor. Motion passed.

Motion was made by Cooper, second by Blakeman, to authorize the City Manager to shorten the Flex Plan to six months. All in favor. Motion passed.

Motion was made by Henry, second by Cooper, to approve Resolution No. 3102, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CERTAIN EMPLOYEES TO ACQUIRE FEDERAL SURPLUS FROM THE STATE OF MONTANA FOR THE CITY OF LIVINGSTON. All in favor. Motion passed.

Motion was made by Stevens, second by Blakeman, to award the bid for Sewer Main Replacement located between 10th and 11th Streets from Lewis to Geysler Streets. All in favor. Motion passed.

Motion was made by Henry, second by Blakeman, to approve Resolution No. 3103, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN CONTRACT WITH T. PATRICK O'HARA, INC. FOR SEWER MAIN REPLACEMENT LOCATED BETWEEN 10TH AND 11TH STREETS FROM LEWIS TO GEYSER. All in favor. Motion passed.

Motion was made by Henry, second by Cooper, to approve Resolution No. 3104, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN WIRELINE CROSSING PERMIT WITH MONTANA RAIL LINK. City Manager Golnar reported that this permit covered two locations on the East and West side of town.

All in favor. Motion passed.

Motion was made by Stevens, second by Henry, to approve Resolution No. 3106, A RESOLUTION RELATING TO \$445,000 GENERAL OBLIGATION BONDS, SERIES 2000; DETERMINING THE FORM AND DETAILS, AUTHORIZING THE EXECUTION AND DELIVERY AND LEVYING TAXES FOR THE PAYMENT THEREOF. All in favor. Motion passed.

Motion was made by Henry, second by Cooper, to approve first reading of Ordinance No. 1899, AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 22, CEMETERIES, OF THE LIVINGSTON MUNICIPAL CODE AS ENACTED BY ORDINANCES NOS. 1060, 1176, 1177, 1278, 1279, 1296, 1297, 1300, 1325, 1326, 1480, 1502, 1527, 1535, 1615, 1634, 1638, 1693, 1796, 1813, 1815, AND 1892 BY PROVIDING A CLOSING TIME FOR MOUNTAIN VIEW CEMETERY AND CREATING A CRIMINAL PENALTY FOR VIOLATION THEREOF.

All in favor. Motion passed.

The City Commission reviewed a draft policy for the procedure in filling a vacancy within the City Commission. Discussion was heard by the Commission. Staff was directed to come back with another draft at the next meeting.

Motion was made by Cooper, second by Stevens, to reject the siding bid of the Civic Center and direct staff to budget for repair of the west wall and structural engineering analysis of the Civic Center Building in FY 00-01. All in favor. Motion passed.

Commissioner Blakeman will fill the vacancy on the Livingston/Park County Communications Advisory Board.

Commissioner Henry will fill the vacancy on the Livingston Infrastructure Committee.

The following City Manager Comments were provided for the Commission's information:

- Livingston Rebuild Center Inc. CDBG loan request for transfer of assets to an assumption of debt by TALGO/LRC, LLC approved subject to conditions.
- New Employees Hired:
 - Amanda McDonald, Dispatcher in Police Department
 - Michelle Puetz, Firefighter in Fire Department
 - Michael Chambers, Firefighter in Fire Department

- Grant Status:
 - CDBG Livingston Urban Design and Integrated Capital Improvement Plan in the amount of \$15,000 has been chosen for funding by the Department of Commerce.
 - Three CTEP 2000 Applications have been submitted for landscaping, street lights, and an historic architectural analysis of the Depot Center Roof Replacement Project.
- The next budget workshop is scheduled for Monday, June 26th at 7:00 p.m. Discussion will include General Fund Revenues and Expenditures.
- The City Manager has contacted the Post Office twice since the last City Commission meeting regarding the ramp at the Post Office Mail Drops. An inspector from the Billings Regional Office has reviewed the situation and Mr. Golnar will report back to the Commission at their next meeting on the outcome.
- City Manager Golnar provided the Commission with a packet to prepare them for the City Manager's performance evaluation and contract review. Mr. Golnar proposes to schedule this for the first meeting in July. Commissioner Henry stated that he would not be able to make this meeting.
- The Waste Water Treatment Plant Facility Study is to include the review of the chlorine contact chambers issues during high water.
- Letters have been sent to Best Western Yellowstone Motor Inn and the Rainbow Bar relating to signs in existence after the business has terminated activity. A 30 day response time is associated with these letters.

The Planner has determined that a business at S-S Trailer Court is still in operation and has requested clarification from the owners in reference to the sign.

- Pending Issues:
 - Livingston Ditch
 - Mayor's Landing follow up meeting minutes
- Calendar of Activities and Events:
 - June 19th 7:30 p.m. - City Commission Meeting
 - June 20th 4:00 p.m. - Park County Economic Development Corporation - 1st Interstate Bank
 - June 21st 6 a.m. - 8 a.m. - Goose Roundup - Sacajawea Park
 - June 26th 7:00 p.m. - Budget Workshop #3
 - June 28th 4:00 p.m. - Infrastructure Committee Meeting - Utility Building
 - July 3rd 7:30 p.m. - City Commission Meeting
 - July 4th Holiday - City Offices Closed

Comments from Commissioner Stevens:

- Commented on the signs that the Museum recently installed and said that they look really nice.
- Commented on the underpass being closed tonight due to the recent rain. He stated that it was his understanding that the diameter of the drain was improper. Supt. Tinsley stated that he will initiate looking into the problem.

Comments from Commissioner Cooper:

- Questioned which way the City was going to go with a consultant to the CDBG grant. Ms. Cooper stated that she will email a contact from the National Trust to the City Manager.
- Commented on the fumbling of issues at the City Commission meetings.
- Threw out the idea of basketball hoops in Sacajawea Park on the tennis courts.

Comments from Chairman Doyle:

- Commented on the resolution of the City's position to the Detention Committee. Mr. Doyle stated that he is taking himself off of the Committee and hopes that all parties involved will move forward with options. Mr. Doyle stated that he would like this item on the next agenda for discussion.

Ms. Cooper questioned when the results of the survey will be ready.

No public comments were heard.

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

The time was 9:12 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


CHAIRMAN CITY COMMISSION

LIVINGSTON
CITY COMMISSION MEETING

July 3, 2000
7:30 p.m.

The Livingston City Commission met in regular session on Monday, July 3, 2000, 7:30 p.m. in the Community Room at the City/County Building. City Commissioner's present were Caron Cooper, Vicki Blakeman, Tim Stevens and Mike Doyle. City Commissioner Matt Henry was absent.

Motion was made by Cooper, second by Blakeman, to approve the following consent items:

- June 19, 2000 regular City Commission meeting minutes.
- Accept bills and claims for FY 99-00 in the amount of \$101,029.72.
- Accept bills and claims for FY 00-01 in the amount of \$2,160.30.

All in favor. Motion passed.

A public hearing was held on second reading of Ordinance No. 1899, AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 22, CEMETERIES, OF THE LIVINGSTON MUNICIPAL CODE AS ENACTED BY ORDINANCES NOS. 1060, 1176, 1177, 1278, 1279, 1296, 1297, 1300, 1325, 1326, 1480, 1502, 1527, 1535, 1615, 1634, 1638, 1693, 1796, 1813, 1815, AND 1892 BY PROVIDING A CLOSING TIME FOR MOUNTAIN VIEW CEMETERY AND CREATING A CRIMINAL PENALTY FOR VIOLATION THEREOF.

No public comments were heard. All in favor. Motion passed.

Motion was made by Cooper, second by Stevens, to approve Resolution No. 3107, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CHANGE ORDER FOR CITY OFFICE REMODELING.

All in favor. Motion passed.

Motion was made by Cooper, second by Stevens, to approve Resolution No. 3108, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH THE MONTANA HISTORIC PRESERVATION OFFICE.

City Manager Steve Golnar clarified for the Commission that this position would be budgeted as an employee verses a contractor. Mr. Golnar

stated that he would have a position description for this position at the next Commission meeting.

Office space was discussed, with the proposed Historic Preservation Officer position possibly sharing the Red Cross room.

All in favor. Motion passed.

Motion was made by Cooper, second by Blakeman, to approve first reading of Ordinance No. 1900, AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 2, SECTION 51, CITY ATTORNEY DUTIES AS ENACTED BY ORDINANCE 1521 BY DELETING THE PROVISION THAT THE CITY ATTORNEY DOES NOT HAVE TO APPEAR IN CITY COURT IN RESPECT TO PARKING AND DOG AT LARGE MATTERS.

City Manager Golnar explained the reason for the changes and stated that these changes do not anticipate much more activity for the City Attorney.

All in favor. Motion passed.

Motion was made by Cooper, second by Stevens, to approve first reading of Ordinance No. 1901, AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 9, SECTION 222, 227, 228, 230, 231, 234, 235, 236, 237, 238, 240, 246, BY ESTABLISHING MINIMUM FINES.

City Manager Golnar explained the changes that were made.

All in favor. Motion passed.

Motion was made by Cooper, second by Stevens, to direct the City Attorney to prepare a resolution for the procedure of filling a vacancy in the City Commission.

All in favor. Motion passed.

Discussion was heard with revising compensation for the City Commission in FY 2000-2001. City Manager Golnar stated that the Commission can raise their own salaries either during the annual budget process, or by resolution prior to its final passage. Commissioner Stevens voiced that he was uncomfortable with voting for a raise during this Commission but would be in favor of voting for a raise for the next Commission.

Finance Officer Shirley Ewan stated that this revised compensation is currently in the proposed budget.

No action was taken on this item, but it will be discussed at a future budget session.

Motion was made by Cooper, second by Blakeman, to allow retiring Police Officers with 20 years or more of service with the City, the opportunity to purchase their weapons for the cost of \$150.

All in favor. Motion passed.

Motion was made by Cooper, second by Stevens, to table item 7.D.: Discuss City Commission Concerns About Detention Center Committee Process and Direction and Consider Filling City Commission Vacancy Created by Commissioner Doyle's Resignation from the Committee, until the next Commission meeting and Mr. Stevens will attend the July 5th Detention Committee Meeting.

All in favor. Motion passed.

Motion was made by Cooper, second by Stevens, to set public hearing dates on the proposed Community Development Block Grant application for Monday, July 17th at 7:30 p.m. and Monday, August 7th at 7:30 p.m.

All in favor. Motion passed.

The following City Manager Comments were provided for the Commission's information:

- City Manager Golnar commented on the Parade and noted the Police Department in their dress uniforms and hats, as well as the presence of the bike patrol. He also reported that the street sweeper broke down before it could finish cleaning up after the Parade.
- Report of the Goose Roundup held on June 21st.
- Performance evaluations of the City Manager and City Attorney to be rescheduled when all Commissioners are present.
- Meeting to be scheduled with the Livingston Ditch.
- Status of Mayor's Landing. Senator Baucus and General Westphal of the Corps of Engineers will tour the site on July 6th.
- The Animal Control Ordinance is in the process of being updated.
- The Missouri River Drug Task Force funding in FY 00-01 budget will amount to \$7,300.
- Grant Updates:
 - The Urban Highway Pilot Improvement Program Grant was approved for Livingston.
 - Mayor's Landing application for Brownsfield Showcase Community was denied.
 - CTEP Applications are still under review by MDT.
- Tele-Com news from US West Report.
- North C Street Paving/SID/Roto Millings? An update was provided to the Commission. This was initiated in 1997.
- The Communications Advisory Committee is in the process of assembling recommendations for the City and the County relating to the creation of a proposed Communications District. The Committee will be making recommendations on a ballot issue for a

Communications District, a Communications Department budget, and also the Dispatch Remodel and Software Upgrades.

- Calendar of Activities and Events:

July 3 rd	7:30 p.m. – City Commission Meeting
July 4 th	Holiday – City Offices Closed
July 5 th	3:00 p.m. – Detention Committee Meeting
	7:00 p.m. – Mayor’s Landing Meeting; Community Room
July 6 th	11:00 a.m. – Mayor’s Landing Tour
	11:30 a.m. – Public Meeting with Senator Baucus and General Westphal – Community Room
July 10 th	7:00 p.m. – Budget Workshop #4
July 12 th	Livingston Kids leave for Naganohara Visit
July 12 th	4:00 p.m. – City/County Meeting
July 17 th	7:30 p.m. – City Commission Meeting


Terry Tillett addressed the City Commission with a number of concerns that he had relating to the City.

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

The time was 8:38 p.m.

ATTEST:

APPROVED:



 RECORDING SECRETARY



 CHAIRMAN, CITY COMMISSION

LIVINGSTON
CITY COMMISSION MEETING

July 17, 2000
7:30 p.m.

The Livingston City Commission met in regular session on Monday, July 17, 2000, 7:30 p.m. in the Community Room at the City County Building. City Commissioners present were Mike Doyle, Caron Cooper, Vicki Blakeman, Matt Henry, and Tim Stevens.

Motion was made by Stevens, second by Cooper, to approve the following consent items:

- Approve July 3, 2000 regular City Commission meeting minutes.
- Accept bills and claims for FY 99-00 in the amount of \$91,668.66. Also two claims in the addendum in the amount of \$233.70 and \$59.80 for FY 99-00.
- Accept bills and claims for FY 00-01 in the amount of \$192,142.95.
- Approve recommendation of fuel bid for FY 00-01.
- Appoint Jeffrey P. Nashan to Historic Preservation Committee.
- Summerfest Special Event for August 11th and 12th.
- Department Head monthly reports.

All in favor. Motion passed.

A public hearing was held on second reading of Ordinance No. 1900, AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 2, SECTION 51, CITY ATTORNEY DUTIES AS ENACTED BY ORDINANCE 1521 BY DELETING THE PROVISION THAT THE CITY ATTORNEY DOES NOT HAVE TO APPEAR IN CITY COURT IN RESPECT TO PARKING AND DOG AT LARGE MATTERS.

No public comments were heard.

All in favor. Motion passed.

A public hearing was held on second reading of Ordinance No. 1901, AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 9, SECTION 222, 227, 228, 230, 231, 234, 235, 236, 237, 238, 240, 246, BY ESTABLISHING MINIMUM FINES.

No public comments were heard.

All in favor. Motion passed.

A public hearing was held on a CDBG Housing request for Miles Building improvements and for the purpose of obtaining public comments regarding the City's overall community development and housing needs, including the needs of low and moderate income persons. HRDC Director Jeff Rupp summarized the project for the Commission. Also present were HRDC's representatives Caren Roberty, Robin Welch and Mary Martin. Project architect Ben Lloyd of Comma-Q in Bozeman answered questions asked by the City Commission.

No public comments were heard. A second public hearing will be noticed and scheduled for the second Commission meeting in August.

A public hearing was held on the Wellhead Protection Overlay Zoning Text Amendment. The City Zoning Commission recommended approval of the Wellhead Protection Overlay Zoning Text Amendment with the following amendments:

- Remove "new private water wells" from the list of uses not allowed in Section 32.05; and,
- Add Section 32.06, which would ban private water wells citywide.

Public comments were heard from Lenny Gregrey who is requesting that he be allowed to drill a well in his backyard for irrigating. Mr. Gregrey submitted a letter to the Commission for filing.

John Fryer, member of the Zoning Commission commented on the Zoning Commission's reasoning why private water wells should not be drilled citywide.

Staff and Commission discussion was heard, with Supt. of Public Utilities Clint Tinsley stated why he does not want the private wells drilled citywide.

Commissioner Stevens stated that he has not seen the engineering study on the affect of private wells within the city and would like the City Manager to provide the study to the Commission.

No other action was taken at this time.

David Jaeger and Kim Birrell of 622 N. Main requested a variance from the front and side setback requirements for RII zoning districts. They wish to build a garage approximately 21 feet from the front property line and 18 inches from the side property line. The proposed garage would replace an existing carport attached to the house. Code requires a 25 foot front setback and a 5 foot side setback. The City Board of Adjustment recommended approval of the side setback portion of the variance request and disapproval of the front setback portion.

Motion was made by Stevens, second by Cooper, to approve the City Board of Adjustment's finding of fact. All in favor. Motion passed.

Motion was made by Stevens, second by Cooper, to approve the side setback portion of the variance request and disapprove of the front setback portion. All in favor. Motion passed.

Motion was made by Cooper, second by Blakeman, to approve Resolution No. 3109, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ESTIMATING THE COST OF MAINTAINING LIGHTS AND SUPPLYING ELECTRICAL CURRENT TO LIGHTS IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 20 AND OF ITS INTENT TO LEVY AND ASSESS ALL PARCELS OF PROPERTY WITHIN SAID DISTRICT FOR 100 PER CENT OF SAID COSTS FOR FISCAL YEAR 2000-2001 ESTIMATED TO BE IN THE AMOUNT OF \$49,694.00 AND CALLING FOR A PUBLIC HEARING THEREON. City Manager Steve Golnar confirmed for Commissioner Cooper that this was only to notice a public hearing at this time.

All in favor. Motion passed.

Motion was made by Henry, second by Stevens, to approve Resolution No. 3110, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO MODIFY SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 20 BY REPLACING STREET LIGHTS HEREIN AND OF ITS INTENT TO LEVY AND ASSESS ALL PARCELS OF PROPERTY WITHIN SAID DISTRICT FOR 100 PER CENT OF SAID COSTS FOR FISCAL YEAR 2000-2001 ESTIMATED TO BE IN THE AMOUNT OF \$25,771.00 AND CALLING FOR A PUBLIC HEARING THEREON.

All in favor. Motion passed.

Motion was made by Stevens, second by Blakeman, to approve Resolution No. 3111, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ADOPTING JOB DESCRIPTION FOR HISTORIC PRESERVATION OFFICER. City Manager Golnar stated for Commissioner Henry that this was only adopting the job description for this position, not authorizing the hiring of the position.

All in favor. Motion passed.

Motion was made by Stevens, second by Cooper, to approve Resolution No. 3112, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ADOPTING PROCEDURE FOR FILLING VACANCY FOR CITY COMMISSIONER. An amendment to the motion was made by Henry, second by Cooper, to amend exhibit A, Review of applications, first sentence to delete "in a work session". All in favor of the amendment. Amendment passed.

All in favor of the motion as amended. Motion passed.

Motion was made by Cooper, second by Stevens, to approve first reading of Ordinance No. 1902, AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 4 OF THE LIVINGSTON MUNICIPAL CODE BY INCREASING THE BOARDING FEES, BY ESTABLISHING VACCINATION FEES, BY ESTABLISHING IMPOUNDMENT FEES AND GENERALLY REVISING THE CODES TO REFLECT THE CHANGE FROM A CITY DOG POUND TO CONTRACTUAL RELATIONSHIP WITH THE HUMANE SOCIETY FOR HANDLING OF IMPOUNDED DOGS.

Code Enforcement Officer Brad Haefs answered Commissioner Henry's questions.

All in favor. Motion passed.

Detention Center discussion was heard. Commissioner Stevens provided information he has researched. Technical Assistance from the National Institute of Corrections is a free service offered to public agencies to assist in the detention center planning process.

A draft letter to the County Detention Committee on the demolition of the old East Side School was discussed. The City Commission gave the City Manager input on what the letter should say. Mr. Golnar will rewrite the letter. A Detention Committee meeting is scheduled for Wednesday, July 19th at 3:00 p.m.

City Manager Golnar stated that there was no firm number at this time to consider a settlement offer from Big Sky Asphalt on the Chinook Street Project. Mr. Golnar stated that he will bring this back to the Commission when he has more information.

Motion was made by Cooper, second by Blakeman, to approve the special event request for Crazy Days in the downtown area on Saturday, July 29th pending their proof of insurance.

Grant Wicks was present to answer any questions of staff and the Commissioners.

All in favor. Motion passed.

Motion was made by Cooper, second by Stevens, to approve the Livingston Depot Foundation grant request to the Montana Cultural Trust.

Depot Director Diana Sieder was present to answer any questions.

All in favor. Motion passed.

The following City Manager comments were provided for the Commissions information:

- Mr. Golnar stated that he will seek to have a proposed settlement of past compensatory time liability for Captains, Building Inspector and some Department Heads out to the Commission prior to the next Commission meeting.
- HVAC Status.
- Status of the swimming pool closure of the deep end. Supt. of Public Services Ken Kastelitz updated the Commission.
- Budget workshop #5 memo listing budget issues. The next workshop is scheduled for July 24th.
- Supt. Kastelitz updated the Commission on the Summerfest.
- The Film Policy review almost nearing completion. Mr. Golnar stated that he should have recommendations for the revisions for the next Commission meeting.
- Mr. Golnar will be sending a letter to the Livingston Ditch Board requesting a meeting.
- North C Street dust complaint. Supt. Kastelitz stated that he is inquiring about a product to put on the street.
- Grant/Project funding status:
 - Urban Design/Integrated Capital Improvement Plan was funded for \$15,000.
 - Mayor's Landing funding efforts continue.
 - Land and Water Conservation Funds (Skate Park and Playground). The City should know about the State's recommendation to the Federal Government by the end of the month.
 - Three CTEP applications.
- Calendar of Events and Activities:
 - July 17th 7:30 p.m. – City Commission Meeting. An executive session is scheduled for this meeting if the Commission is ready for the Manager's evaluation.
 - July 18th 2:00 p.m. – National Defense University Briefing – Community Room
 - July 18th 4:00 p.m. – Park County Economic Development Committee Meeting – 1st Interstate Bank Building
 - July 19th 3:00 p.m. – Detention Committee Meeting – Community Room
 - July 19th 7:00 p.m. – Sister Cities Committee Meeting – Winans School
 - July 20th 2:00 p.m. – Montana League of Cities and Towns Legislative Meeting – Bozeman City Hall
 - July 20th 3:30 p.m. – Angel Line Board Meeting – County Commissioners Chamber
 - July 24th 7:00 p.m. – Budget Workshop #5
 - July 24th Livingston Kids return from Naganohara

- July 26th 4:00 p.m. - Infrastructure Committee Meeting -
Utility Building
- July 29th 4:00 p.m. - 6:00 p.m. - "Organization Day" -
Sacajawea Playground Effort by Livingston Jaycees - Meet
at the site in Sacajawea Park
- Aug 4th Sister Cities Exchange Students arrive from Japan
- Aug 6th 6:00 p.m. - Welcoming of exchange students at Park
High School Cafeteria
- Aug 7th 7:30 p.m. - City Commission Meeting
- Aug 11th and 12th - SUMMERFEST - Sacajawea Park
- Aug 13th 6:00 p.m. - Sayonara Party for Sister Cities visiting
students

Commissioner Stevens questioned the Commission if they felt it appropriated to discuss the holding pen behind the Civic Center for the skateboard park instead of at the side of the Civic Center. The Commission concurred that they would.

Commissioner Henry stated that he received a call about the proposed Jaycee playground in Sacajawea Park.

Debbie Demin was present to answer any questions about concerns to the location of the proposed Jaycee playground in Sacajawea Park.

No public comments were heard.

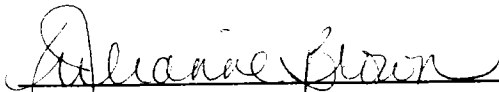
The executive session for the City Manager's performance evaluation was moved to the next Commission meeting.

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

The time was 10:40 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


CHAIRMAN, CITY COMMISSION

LIVINGSTON
CITY COMMISSION MEETING

August 7, 2000
7:30 p.m.

The Livingston City Commission met in regular session on Monday, August 7, 2000, 7:30 p.m. in the Community Room at the City/County Building. City Commissioners present were Matt Henry, Tim Stevens, Mike Doyle, Caron Cooper and Vicki Blakeman.

Motion was made by Cooper, second by Stevens, to approve the following consent items:

- July 17, 2000 regular City Commission meeting minutes;
- Approve flex claim for FY 99-00. City Manager Steve Golnar explained this claim for the Commission.
- Accept bills and claims for FY 00-01. City Manager Golnar noted a change on page 13 to Holiday Travel should be \$511 instead of \$923.50 for a total of \$148,389.46.

All in favor. Motion passed.

Motion was made by Cooper, second by Stevens, to pull item D, Transfer of restricted fund from the consent items. All in favor. Motion passed.

Discussion was heard about the subway lights being paid from urban systems money instead of out of the lighting maintenance district. City Manager Golnar will look into this and report back to the Commission at their next meeting. No action was taken.

A public hearing was held on second reading of Ordinance No. 1902, AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 4 OF THE LIVINGSTON MUNICIPAL CODE BY INCREASING THE BOARDING FEES, BY ESTABLISHING VACCINATION FEES, BY ESTABLISHING IMPOUNDMENT FEES AND GENERALLY REVISING THE CODES TO REFLECT THE CHANGE FROM A CITY DOG POUND TO CONTRACTUAL RELATIONSHIP WITH THE HUMANE SOCIETY FOR HANDLING OF IMPOUNDED DOGS. No public comments were heard.

All in favor. Motion passed.

City Manager Golnar clarified two options for the Commission to decide on before they hold a public hearing on the Special Improvement Lighting

District. Motion was made by Cooper, second by Henry, to approve "option B", Resolution No. 3114, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, MODIFYING SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 20 BY REPLACING STREET LIGHTS HEREIN AND LEVYING AND ASSESSING ALL PARCELS OF PROPERTY WITHIN SAID DISTRICT FOR 100 PER CENT OF SAID COSTS FOR FISCAL YEAR 2000-2001 ESTIMATED TO BE IN THE AMOUNT OF \$19,271.00. This resolution excludes the subway lights.

No public comments were heard during the public hearing.

All in favor. Motion passed.

City Manager Golnar explained the difference between the two resolutions levying and assessing all parcels of property within the Lighting District. Motion was made by Stevens, second by Cooper, to approve "option B", Resolution No. 3115, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, LEVYING AND ASSESSING ALL PARCELS OF PROPERTY WITHIN SAID DISTRICT FOR 100 PER CENT OF SAID COSTS FOR FISCAL YEAR 2000-2001 ESTIMATED TO BE IN THE AMOUNT OF \$42,829.00.

A public hearing was held with no public comments.

Four in favor. Doyle opposed. Motion passed.

Motion was made by Henry, second by Blakeman, to approve Resolution No. 3113, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ACKNOWLEDGING RECEIPT OF PRELIMINARY BUDGET AND GIVING NOTICE OF A PUBLIC HEARING FOR AUGUST 14, 2000, ON THE PRELIMINARY MUNICIPAL BUDGET FOR FISCAL YEAR 2000-2001. Extensive discussion was heard on the preliminary budget. Not all the questions could be answered at this time.

Motion was made by Cooper, second by Blakeman, to table this item until the August 21st meeting, with the final budget to be passed in Special session on Monday, August 28, 2000. The vote to table was three in favor. Henry and Doyle opposed. Motion to table passed.

Motion was made by Cooper, second by Blakeman, to approve Resolution No. 3116, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN LOAN AGREEMENT WITH MATT AND HEIDI FELDTMAN, D/B/A MATT'S OLD FASHIONED BUTCHER SHOP IN THE AMOUNT OF \$22,500.00.

All in favor. Motion passed.

Motion was made by Cooper, second by Stevens, to approve the claim for CDBG PCEDC loan to Matt and Heidi Feldtman in the amount of \$22,500.

All in favor. Motion passed.

At this time Chairman Doyle confirmed with the Commission to move to item 6.E. on the agenda.

City Manager Golnar reported to the Commission that the next step to the Wellhead Protection proposed text amendment would be to consider first reading of an ordinance and that Lenny Gregrey requested to be on the agenda for this item. Mr. Gregrey addressed the Commission and provided them pictures he had taken in some of the City's parks. Mr. Gregrey also had a letter in the packet that he had delivered to the Commissioner's in the past week. Supt. of Public Utilities Clint Tinsley clarified for the Commission, regarding Mr. Gregrey's interpretation of what the pictures showed. The metal cylinders identified in Mr. Gregrey's pictures were main line valves, not water wells and the Utilities Department does not use herbicides on Water Park grass.

Besides discussion being heard amongst staff, Commission and Mr. Gregrey, other comments were heard from Mike Fleming and John Fryer.

Motion was made by Cooper, second by Stevens, to direct the City Attorney to draft an ordinance on the wellhead protection proposed text amendment for the next Commission meeting.

All in favor. Motion passed.

The following City Manager comments were provided for the Commission's information:

- Thank you note sent to the City for the kindness and courtesy provided by cemetery crews.
- Swimming pool filtration concerns.
- City's response to County letter regarding green box access. Commission discussion was heard. This item will be brought to the City/County meeting for further discussion. The City Commission was in agreement that they do not oppose mangates at the green boxes. County residents, Mr. and Mrs. Laurie were present to add their concerns.
- Calendar of events and activities:

Aug 6 th	6:00 p.m. - Welcoming Ceremony Sister Cities; High School Cafeteria
Aug 7 th	7:30 p.m. - City Commission Meeting
Aug 9 th	4:00 p.m. - City/County Meeting
Aug 10 th	6:30 p.m. - Sister Cities Picnic; Sacajawea Park
Aug 11 th	1:30 p.m. - Summerfest 2000; Sacajawea Park
Aug 12 th	9:00 a.m. - Summerfest 2000; Sacajawea Park
Aug 13 th	6:00 p.m. - Sayonara Party; Sister Cities; High School Cafeteria
Aug 14 th	7:30 p.m. - Special City Commission Meeting

Aug 15 th	4:00 p.m. – PCEDC
Aug 16 th	Noon – Luncheon Chamber, Economic Development & Stillwater Mining Group; Winchester Café
Aug 17 th	10:00 a.m. – MT DOT on 5 th & Park Streets
Aug 21 st	7:30 p.m. – City Commission Meeting

Commissioner Cooper stated that she will be out of town for the August 17th meeting with MDT and can it be rescheduled?

Sally A Mac Donald addressed the Commission during public comments and read a written statement of her concerns regarding the proposed sit of the new Jaycee's playground in Sacajawea Park.

Jaycee member Debbie Demin addressed the Commission to reassure everyone that trees would not be cut down to accomplish this playground. Other comments were heard from Fred Shellenburg, John Rogers, Frank Novelle, Tony Demin, David Lewis, Al MacDonald and Leslie Cadby.

Supt. of Public Services Ken Kastelitz was asked by the Commission to give his comments. After all discussion and comments were heard, the Commission stated that they stand in agreement where the proposed park is to be located.

Chairman Doyle called a 15 minutes recess at 10:25 p.m. The Commission went back into open session at 10:40 p.m.

Chairman Doyle will be the Commission appointee to the Sister Cities Committee.

Staff and Commission discussion was heard on a request from Mr. Nedens for dust control on North C Street. Mr. Kastelitz stated that the use of magnesium chloride at \$2,000 per application will only be a temporary solution to this problem.

City Manager Golnar will contact Mr. Nedens to see if he is in agreement for him and his neighbors to pay for the application and understand that this only a temporary solution.

Motion was made by Henry, second by Blakeman, that the City Manager write a letter of City support to encourage the FAA to continue manning the Livingston Weather Station at the airport.

All in favor. Motion passed.

Motion was made by Cooper, second by Blakeman, to authorize the City Manager to sign an application to the Economic Development Administration for \$30,000 in additional grant assistance to supplement the Urban Design and Integrated Capital Improvement Planning process.

All in favor. Motion passed.

Commissioner Henry stated that he received a call from a person that had been working on his truck and it had sat on the street for four days waiting for the parts to come and was ticketed. Mr. Henry stated that other vehicles have been overlooked and was there a policy where a person can call in to say what they are doing with their vehicles or if the Police are going to ticket someone for this reason, then they should do a 3-4 block radius.

Police Chief Steve McCann confirmed that the codes state that no vehicles can worked on in the street.

Commissioner Stevens stated that he received a call about the noise ordinance and that this person has a loud vehicle that goes by his residents 4-5 times a day. Police Chief McCann stated that the only way to enforce this type of noise is with a decibel meter and the City does not have one.

Commissioner Doyle stated that City trucks hauling gravel are overloaded.

The scheduled executive session for the City Manager's performance evaluation was proposed until after the final budget hearing on August 28th.

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

The time was 11:25 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


CHAIRMAN, CITY COMMISSION

LIVINGSTON
CITY COMMISSION MEETING

August 21, 2000
7:30 p.m.

The Livingston City Commission met in regular session on Monday, August 21, 2000, 7:30 p.m. in the Community Room at the City/County Building. City Commissioners present were Vicki Blakeman, Matt Henry and Mike Doyle. City Commissioner's Caron Cooper and Tim Stevens were absent.

Motion was made by Henry, second by Blakeman, to approve the following consent items:

- August 7, 2000 Regular City Commission Meeting Minutes.
- Accept the bills and claims for FY 00-01 in the amount of \$559,431.78.
- Approve transfer of restricted funds for subway lights and sidewalk project.
- Department Head monthly reports.

All in favor. Motion passed.

Chairman Doyle proclaimed September 6, 2000 as FTD Good Neighbor Day in the City of Livingston. At this time Rosie Holmes, along with 1st Interstate Bank, handed out one dozen roses to the Commission, asking that they take one and pass out the rest to friends and neighbors.

A public hearing was held regarding a proposed application on behalf of the Human Resource Development Council (HRDC) to restore and rehabilitate the Miles Building.

HRDC Director Jeff Rupp was present and in support of the application. Mr. Rupp explained the proposed project to the Commission and that the grant was for \$500,000. Ruth Williams and Russ Forsell spoke in favor of the project.

Motion was made by Blakeman, second by Henry, to approve Resolution No. 3117, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN APPLICATION TO THE MONTANA DEPARTMENT OF COMMERCE FOR THE REHABILITATION OF THE MILES BUILDING.

All in favor. Motion passed.

Motion was made by Henry, second by Blakeman, to approve Resolution No. 3113, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF

LIVINGSTON, MONTANA, ACKNOWLEDGING RECEIPT OF PRELIMINARY BUDGET AND GIVING NOTICE OF A PUBLIC HEARING FOR August 28th, 2000, ON THE PRELIMINARY MUNICIPAL BUDGET FOR FISCAL YEAR 2000-2001.

City Manager Steve Golnar directed the City Commission to the addendum that would revise the preliminary budget by adding 2.14 mills to the preliminary budget for assessment of the emergency mill levy for fiscal year 00-01. This mill levy is needed in order to pay off a loan from the General Fund to the Emergency Fund due to the levee removal. Mr. Golnar explained that this loan needs to be paid back before June of 2002.

The City Commission commented on items in the budget that had been discussed previously.

An amendment to the motion was made by Blakeman, second by Henry, to include the new exhibit "a", setting mill levies at 149.69 to be adopted with Resolution No. 3113.

All in favor of the amendment. Amendment passed.

All in favor of the motion as amended. Motion passed.

City Manager Golnar presented the Commission with a draft Wellhead Protection Overlay Zone ordinance and recommended that it be tabled for now. The contents of the draft ordinance was discussed.

Lenny Gregrey addressed the Commission regarding contamination of wells as he wants a well in his backyard.

Motion was made by Henry, second by Blakeman, to table this item. All in favor. Motion passed.

Motion was made by Blakeman, second by Henry, directing the City Manager to send a letter of the City's support of the Yellowstone County/Lewis and Clark Bi Centennial Commission's application for a national signature event "Clark on the Yellowstone".

All in favor. Motion passed.

Another item on the addendum included a recommendation from Engineer Scott Nelson for awarding the bid for reconstruction of 6th, 7th, 8th and 9th Streets including Callender Street.

Motion was made by Henry, second by Blakeman, to award the bid to Bainter Backhoe for the base bid amount of \$238,107 and additive alternate bid of \$42,102.

All in favor. Motion passed.

The following City Manager comments were provided for the Commission's information:

- Thanks to three of Livingston's Sanitation workers.

- Technology Infrastructure Summit planning underway. Mr. Golnar wrote that he would appreciate the Commission's input and comments related to who would be invited to this event and seeks to have it sometime in September.
- Letter received commenting on Knapp weed and request for making the community more aware of the problem.
- Mr. Golnar will be recommending at the next meeting, that the Commission approve a claim for \$173.44 to the MT League of Cities and Towns for a pro rated share of legal and consultant costs for the creation the Leagues Power Supply Program.
- Drought Committee meeting update.
- Calendar of Events and Activities:
 - Aug 21st, 7:30 p.m. – City Commission Meeting
 - Aug 22nd, 5:30 p.m. – PCEDC and Chamber of Commerce Joint Meeting; Gazebo in Sacajawea Park
 - Aug 26th, Livingston Area Chamber of Commerce Golf Tournament; \$50 entry fee
 - Aug 28th, 7:30 p.m. – Special City Commission Meeting, City Budget Hearing followed by Executive Session Performance Evaluation of the City Manager
 - Aug 30th, 4:00 p.m. – Infrastructure Committee Meeting
 - Oct 11th, 10:00 a.m. – Noon – Urban Outreach Meeting; MDT at MDT Auditorium at 2701 Prospect Avenue in Helena; see attached
 - Oct 11th – 13th Montana League of Cities Towns Convention; Holiday Inn Park Side Missoula; make reservations through Julie; see attached agenda

Commissioner Blakeman congratulated Ken and Julie on the Summerfest.

Commissioner Blakeman questioned the City Manager on the dust control status with Mr. Neden. Mr. Golnar replied that he has not met with Mr. Neden's yet, but will this week.

Chairman Doyle commented on the passing of the preliminary budget.

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

The time was 8:23 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


CHAIRMAN, CITY COMMISSION

SPECIAL LIVINGSTON
CITY COMMISSION MEETING

August 28, 2000
7:30 p.m.

The Livingston City Commission met in special session on Monday, August 28, 2000, 7:30 p.m. in the Community Room at the City/County Building. City Commissioners present were Tim Stevens, Mike Doyle, Caron Cooper, Vicki Blakeman, and Matt Henry.

A public hearing was held on the FY 2000-2001 preliminary budget. Public comments were heard from Robert Ebinger and Diana Sieder. Mr. Ebinger read a written statement in support of the Historic Preservation Officer's position being included in the proposed budget for FY 00-01. Ms. Sieder also spoke in support of the Historic Preservation position.

Motion was made by Stevens, second by Blakeman, to approve Resolution No. 3118, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ADOPTING THE FINAL BUDGET FOR THE CITY OF LIVINGSTON FOR FISCAL YEAR 2000-2001, ESTABLISHING THE TAX LEVY, AUTHORIZING APPROPRIATIONS AND AUTHORIZING CITY MANAGER TO AMEND BUDGET.

Further discussion was heard concerning the Historic Preservation Officer's position in the budget.

An amendment to the motion was made by Stevens, second by Cooper, to amend the budget to change the expenditure side to include \$10,394 in additional expenses for the Historic Preservation Officer position and \$4,125 in additional revenues to account for the State Historic Preservation office matching grant for this position.

All in favor of the amendment. Amendment passed.

Four in favor of the motion as amended, Cooper opposed. Motion passed.

Chairman Doyle stated that the Commission would go into executive session that the merits of individual privacy exceed the merits of public disclosure. Executive session was for the City Manager's performance evaluation. The time was 8:15 p.m.

The City Commission came back into open session at 10:19 p.m.

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

The time was 10:20 p.m.

ATTEST:

APPROVED:

Julianne Brown
RECORDING SECRETARY

Mike Sage
CHAIRMAN, CITY COMMISSION

LIVINGSTON
CITY COMMISSION MEETING

September 5, 2000
7:30 p.m.

The Livingston City Commission met in regular session on Tuesday, September 5, 2000, 7:30 p.m. in the Community Room at the City/County Building. City Commissioner's present were Vicki Blakeman, Matt Henry, Tim Stevens, Mike Doyle and Caron Cooper.

Motion was made by Stevens, second by Cooper, to approve the following consent items:

- August 21, 2000 regular City Commission meeting minutes;
- August 28, 2000 special City Commission meeting minutes; and,
- Accept the bills and claims in the amount of \$75,904.33.

All in favor. Motion passed.

Chairman Doyle proclaimed the month of September 2000 as Breastfeeding Awareness Month in the City of Livingston.

Motion was made by Stevens, second by Blakeman, to approve Resolution No. 3119, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH MONTANA RAIL LINK FOR LINE CROSSING.

City Manager Steve Golnar answered questions of the Commission. Mr. Golnar also stated that this line crossing runs from the intersections of Callender and Park Streets to Pamida.

All in favor. Motion passed.

Motion was made by Cooper, second by Stevens, to approve Resolution No. 3120, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH MONTANA DEPARTMENT OF COMMERCE FOR COMMUNITY DEVELOPMENT BLOCK PLANNING GRANT.

Comments heard from the Commission included: more effort to include the public earlier in the project, a question on the schedule and the scope of the project that was included into the packet and the proposed timing on adoption of the growth policy. City Manager Golnar was asked to follow up to ensure that the growth management plan does not have to be completed by January 2001 and that the Department of Commerce will allow for flexibility with regard to project scope.

All in favor. Motion passed.

Motion was made by Henry, second by Blakeman, to approve Resolution No. 3121, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHROZING CITY MANAGER TO SIGN AGREEMENT WITH BAINTER BACKHOE SERVICE FOR STREET RECONSTRUCTION FOR 6TH, 7TH, 8TH, 9TH AND CALLENDER STREETS.

City Manager Golnar will prepare a memo to the contractor about the 1% contractor's tax.

All in favor. Motion passed.

Motion was made by Stevens, second by Henry, to approve the sale of surplus property of a 1963 ladder truck to the Wilsall Fire Department in the amount of \$1,050.

City Manager Golnar reported that one other bid was received before the meeting. This bid was from a private citizen. The majority of the Commission was in favor of selling the fire truck to a neighboring community with Commissioner Cooper wanting the City of Livingston to get as much money from the truck as they could.

The vote was four in favor. Cooper opposed. Motion passed.

Discussion was heard on a request for authorization of planning for Summerfest 2001 to begin. City Manager Golnar responded to questions that were asked by Commissioners.

\$4,000 is proposed for next year for employees to be paid by the City. Co-Chair of the Summerfest and Supt. Of Public Services Ken Kastelitz stated that if there was any profit made, the event would reimburse wages in accordance to what the profit was. Mr. Kastelitz also addressed Ms. Blakeman's concern with the dates of this event and the Fly Fishing Federation's conclave.

Motion was made by Cooper, second by Stevens, to authorize planning for Summerfest 2001 to begin.

All in favor. Motion passed.

Commissioner Cooper questioned what playground equipment in Sacajawea Park is proposed to be taken out of the Park. Ms. Cooper also spoke of her concern of the wooden structure in the Firefighter's Park or the area on Butte Street by the swimming pool. Mr. Kastelitz stated that the wooden structure in Sacajawea Park would be coming down and he will check on the structure in the other park.

Commissioner Cooper requested that a monthly Planning Department report also be added to the Department Heads monthly reports that are in the second packet of the month.

Commissioner Cooper invited everyone to the Red Cross Blood Drive being held at the Moose Lodge on September 7th.

Commissioner Stevens questioned the status of the "dip" at the Post Office mail drop boxes. City Planner Woodhull reported that it will be under construction in about 2 weeks.

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

The time was 8:35 p.m.

ATTEST:

APPROVED:

Suzanne Brown
RECORDING SECRETARY

Mike Day
CHAIRMAN, CITY COMMISSION

LIVINGSTON
CITY COMMISSION MEETING

September 18, 2000
7:30 p.m.

The Livingston City Commission met in regular session on Monday, September 18, 2000, 7:30 p.m. in the Community Room at the City/County Building. City Commissioner's present were Mike Doyle, Caron Cooper, Vicki Blakeman, Matt Henry, and Tim Stevens.

Motion was made by Cooper, second by Stevens, to approve the following consent items:

- September 5, 2000 regular City Commission minutes;
- Bills and claims, except claim #968127 in the amount of \$22,504 to Park County for a total approval of \$99,866.71;
- Department Head monthly reports; and
- Sacajawea Park playground special event.

All in favor. Motion passed.

Chairman Doyle proclaimed September 16, 2000 as 163rd Infantry Regiment Remembrance Day in the City of Livingston.

Chairman Doyle proclaimed September 17-23, 2000 as Constitution Week in the City of Livingston.

City Planner Jim Woodhull gave background information on a variance requested by Joe and Lee Parriott of 614 W. Lewis. The Parriott's wish to construct an addition onto their existing home which, like the existing structure, would be three feet from the side property line. Code requires a five foot side setback. The City Board of Adjustments recommends approval of this variance.

Motion was made by Cooper, second by Blakeman, to approve the finding of fact. All in favor. Motion passed.

Motion was made by Henry, second by Stevens, to approve this variance. All in favor. Motion passed.

Motion was made by Stevens, second by Cooper, to approve Resolution No. 3122, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH TALGO-LRC FOR ASSIGNMENT OF CDBG LOAN.

City Manager Golnar summarized the status of this loan for the Commission.

All in favor. Motion passed.

Discussion was heard regarding the bill for solid waste charges from three previous years that was received from Park County. Commissioner Stevens asked the City Manager to go over the September 13, 2000 memo he recently sent the County Commissioners in follow up to the solid waste review/preview session. Commissioner Cooper asked what action was requested. Mr. Golnar recommended tabling the item until the next City/County meeting on October 4th. More discussion took place with Mr. Golnar informing the Commission that the City did have the ability to bring in an auditor to look at this issue, at the City's expense. Mr. Golnar stated that he will seek to get answers to the Commission's questions before the next Commission meeting.

No action was taken.

Discussion was heard regarding the 5th and Park Street contract with MDT. City Manager Golnar summarized the contract that was in the packet. Commissioner Cooper commented on her concerns regarding the design of the project and at what point the Commission could back out of the project and how much it would cost the City. Commissioner Stevens suggested adding another section to the agreement being historic preservation.

Motion was made by Henry, second by Blakeman, to direct the City Attorney to prepare a resolution for the City Manager to sign a contract with MDT for 5th and Park Streets. Four in favor. Cooper opposed. Motion passed.

Chairman Doyle discussed his inability to fulfill the obligations of attending meetings as a City Commission representative to the Job Area Placement Council (JPAC). No Commissioners volunteered, but City Manager Golnar was asked to write a letter to the JPAC Council requesting that they send minutes of their meeting to the City Commission to keep them informed.

The following City Manager comments were provided for Commission's information:

- A letter from the Department of Justice praising Officer Tom Totland for his candor and professionalism regarding the officer involved shooting case.
- Status of the Skate Park paving.
- Planning Department monthly report.
- Park equipment removal plan.
- 1% contractor's tax signed off on.
- Follow up on the Wellhead Protection Workshop.
- Historic Preservation Officer position to be advertised at a grade 9 position, starting at \$9.23 per hour.
- Proposed agenda for City/County meeting on October 4th.
- Grant status for Miles Building upgrades, Land and Water Conservation Fund Grant, and Section 206 Application for Mayor's Landing.

- Coordination with Federation of Fly Fisherman for 2001 conclave and Summerfest.
- A petition was received against the dimming of a street light on 9th and Chinook Street.
- Calendar of events and Activities:

Sept 18 th	7:30 p.m.	City Commission Meeting
Sept 20 th	7:00 p.m.	Sister Cities – Winans School
Sept 22	10:00 a.m.	MLCT Legislative/Resolutions Committee – City Manager; Helena
Sept 25 th	3:30 p.m.	(tent) Communications Advisory Committee Meeting
Sept 27 th	4:00 p.m.	Infrastructure Meeting; Utilities Building
Sept 28 th	3:30 p.m.	Urban Design/Integrated Capital Improvement Program (Scope and Scheduling Meeting); City Court Room
Sept 28 th	5:30 p.m.	Chamber of Commerce – Picnic at New Chamber Building
Oct 2 nd	5:00 p.m.	Firefighters Annual Pancake Supper
	7:30 p.m.	City Commission Meeting
Oct 4 th	4:00 p.m.	Local Legislative Forum – See agenda (#8 of report); County Commissioners Chamber
Oct 9 th		City Offices Closed – Columbus Meeting
Oct 11 th – 13 th		League of Cities and Towns – Missoula
Oct 11 th	2:00 p.m.	Health Insurance Committee- City Manager
Oct 11 th	3:00 p.m.	Legislation/Resolution Committee – City Manager
Oct 11 th – 15 th		Playground Build Dates; Sacajawea Park
Oct 16 th	10:00 a.m. – Noon	MDT Urban Outreach Meeting; Helena, MDT Conference Room
Oct 16 th	7:30 p.m.	City Commission Meeting

Commissioner Stevens questioned the status of the Post Office mail drop entryway. City Manager Golnar stated that he has not heard anymore on this item.

Commissioner Stevens stated the playground project scheduled for October 11th through 13th needed about 500 volunteers.

Commissioner Cooper commented on the Yellowstone Motor Inn draft letter.

Commissioner Cooper commented on the impound lot behind the Civic Center and that she noticed and appreciated the moving of the pile of dirt and would staff to move forward with cleaning up of the impound lot.

This item will be added to the next Commission meeting.

Commissioner Cooper commented that now is the time for the City to start thinking about a year round swimming pool. Ms. Cooper suggested grant fundraising, donations, bond issue, or a special interest group for the swimming pool.

Commissioner Henry questioned the City Manager when would the Commission see a list of objectives and issues relating to his performance evaluation. Mr. Golnar responded soon.

Mr. Henry also suggested that a Personnel Committee of two City Commissioners be formed for evaluations of the City Manager and City Attorney. There was no general concurrence on this proposal from the rest of the City Commission.

Commissioner Henry questioned the status of the City Office remodel.

Commissioner Henry commented on a railroad crossing possibility on Front Street. Chairman Doyle requested that Mr. Golnar explain the realities of this issue for Mr. Henry.

Chairman Doyle commented on the Livingston Enterprise editorials and noted that a reporter from the Enterprise was not present at the meeting.

Lindie Gibson presented the City Commission with a check in the amount of \$190 in memory of her Mom, Jody Fink. Ms. Gibson requested that the money be used for low maintenance landscaping adorning the new Skate Park.

Chairman Doyle called for a 10 minutes recess at 8:45 p.m.

The meeting resumed with the performance evaluation of City Attorney Bruce Becker.

Motion was made by Henry, second by Cooper, to adjourn this meeting there being no further business. All in favor. Motion passed.

The time was 9:13 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


CHAIRMAN, CITY COMMISSION

LIVINGSTON
CITY COMMISSION MEETING

October 2, 2000
7:30 p.m.

The Livingston City Commission met in regular session on Monday, October 2, 2000, 7:30 p.m. in the Community Room at the City/County Building. City Commissioners present were Tim Stevens, Mike Doyle, Caron Cooper, Vicki Blakeman, and Matt Henry.

Motion was made by Cooper, second by Blakeman, to approve the following consent items with the revision to claim number 96084 to \$350.36:

- September 18, 2000 regular City Commission meeting minutes;
- Bills and claims in the amount of \$84,532.06 (revised);
- Award bid for double drum vibratory roller; and,
- Approve City's appointment to the City/County Joint Airport Board.

All in favor. Motion passed.

Steve Hicks addressed the City Commission regarding property he owns below the North side Hill adjacent to the Park County Museum that is assessed street lighting and street maintenance fees. Mr. Hicks stated that he is seeking a fair settlement to these assessments. In 1996 the Commission made an adjustment to the property assessment. He states that he is now being charged for 8 lots opposed to 4 lots that were agreed upon.

City Manager Golnar and City Planner Jim Woodhull will look at what is being assessed. No Commission action was taken at this time.

Motion was made by Stevens, second by Cooper, to approve Resolution No. 3105, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, APPOINTING CITY ATTORNEY AND APPROVING CONTRACT FOR SAID SERVICE. Discussion was heard concerning this contract. City Manager Golnar pointed out that on number 6 of the contract, he feels that on the last sentence, "and/or" should be incorporated into the agreement.

A concern was heard about the adoption of the contract at this time due to the other employee contracts that have not been negotiated. Mr. Golnar stated that this is a contractual services agreement between the attorney and Commission and is a different circumstance than with employment relationships. Mr. Golnar stated that a 2.5% raise per year was proposed.

An amendment to the motion was made by Cooper, second by Blakeman, to amend item 6, last phrase to readand"/or".... All in favor of the amendment. Amendment passed.

Motion was made by Henry, second by Stevens, to table this resolution pending union negotiations and to extend the City Attorney's current contract to January 1, 2001.

Three in favor. Doyle and Cooper opposed. Motion passed.

Motion was made by Stevens, second by Blakeman, to approve Resolution No. 3124, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS FOR THE PURPOSE OF IMPLEMENTING THE LAND AND WATER CONSERVATION GRANT.

All in favor. Motion passed.

Motion was made by Henry, second by Cooper, to approve Resolution No. 3125, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN CHANGE ORDER NO. 1 FOR THE SEWER MAIN REPLACEMENT PROJECT LOCATED BETWEEN 10TH AND 11TH STREETS FROM LEWIS TO GEYSER.

Supt. of Public Utilities Clint Tinsley explained that this fits into the budget and would be paid out of street maintenance.

All in favor. Motion passed.

Motion was made by Stevens, second by Blakeman, to approve Resolution No. 3126, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN CHANGE ORDER WITH BAINTER BACKHOE & CAT SERVICE.

Commissioner Stevens questioned item #2 of Mr. Bainters' memo, the use of ground sterilant. Supt. Tinsley will find out the use of this material.

City Manager Golnar explained that the Skate Park project did not need to be bid out due to the smaller size of the project.

All in favor. Motion passed.

Motion was made by Cooper, second by Stevens, to approve Resolution No. 3127, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN SETTLEMENT AGREEMENTS WITH CITY EMPLOYEES TO RESOLVE COMP-TIME ISSUES.

City Attorney Becker explained the legal background of this issue. City Manager Golnar stated that the funds to pay these settlement agreements will come from unrestricted funds and will require a budget amendment.

Commissioner Henry stated that he would be willing to settle with the non exempt employees and Mr. Woodhull, but would hold off with the Police and Fire Chief's agreements to appeal to their sense of honor and integrity. Mr. Golnar stated that he has not had time to meet with the Fire Chief as of yet on this issue.

An amendment was made to the motion by Henry, second by Cooper, to remove the settlement claims by Schmidt and McCann. Three in favor of the amendment. Stevens and Doyle opposed. Amendment passed.

Three in favor of the motion as amended, Stevens and Doyle opposed. Motion passed as amended.

Motion was made by Cooper, second by Blakeman, to approve Resolution No. 3128, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING AGREEMENT WITH CITY MANAGER.

Commissioner Henry stated that he had similar concerns with Mr. Golnar's contract as he did with Mr. Becker's.

Motion was made by Cooper, second by Blakeman, to table this resolution. Four in favor. Doyle opposed. Motion passed.

City Manager Golnar will agenda discussion of opening up and cleaning up of impound lot behind the Civic Center after the October 14th garage sale.

Discussion was heard to consider Dr. Healow's request for a new Windfarm lease and his request for an expansion of the lease to place up to 50 machines on the site.

City Commissioner Stevens would like to see a study describing what the 50 machines were based upon and how the impacts associated with 50 machines would be dealt with. More Commission comments and concerns were heard with the consensus being that they do not want more wind machines at this site.

The next two agendaed items, Review Solid Waste Charges from Previous Years from Park County, and Approve Payment of Selected Solid Waste Bills, were not addressed as the City Manager is not ready at this time.

The following City Manager comments were provided for the Commission's information:

- Summerfest 2001 date revised to July 20, 21, & 22, 2001.
- Dust control concerns on North C Street. Mr. Golnar will ask for an engineering analysis for a solution to the issue.
- Sister Cities visit thank you's.
- Controlled groundwater area status.
- Response from the Federal Aviation Administration on retaining weather observ~~e~~s at Mission Field Airport received.
- Street light brightness complaint follow up letter received.
- Urban Design and Integrated Capital Improvement Plan Status.
- Chinook Street close out update.
- Grant Status:
 - Economic Development Administration Economic Adjustment Grant notice of full funding in the amount of \$30,000 was received today.
 - Land and Water Conservation Grant was approved. (\$50,000; with \$20,000 for Skate Park and \$30,000 for Playground Project.)
 - A Brownsfield Assessment Grant for Mayor's Landing still needs to be assembled.
 - Legislative resolutions proposed by the League of Cities and Towns were provided separately.
 - AT&T Broadband and Internet service proposed customer billing initiative.
 - Quwest will not sell building on West Park Street. Commissioner Stevens stated that what to do with the Detention Center needs to be figured out.
 - Calendar of Events and Activities:
 - Oct 2nd 5:00 p.m. – Firefighters Annual Pancake Supper

Oct 2 nd	7:30 p.m. – City Commission Meeting
Oct 4 th	4:00 p.m. – Legislative Forum; City/County Meeting; Mr. Golnar questioned the possibility of moving this meeting to 5:00 p.m. as it would work better for the legislators. The City Commission agreed that 5:00 p.m. would be a better time. Mr. Golnar will contact the County Commission.
Oct 9 th	City Offices Closed; Columbus Day
Oct 10 th	10:00 a.m. – Transportation Coordinating Meeting
Oct 10 th	6:30 p.m. – Skate Park Committee Meeting
Oct 11-15	Sacajawea Park Playground Build Dates
Oct 11-13	Montana League of Cities and Towns; Missoula
Oct 16 th	10:00 a.m. – Montana Dept. Transportation Urban Outreach Meeting; Helena
Oct 16 th	7:30 p.m. – City Commission Meeting
Oct 17 th	4:00 p.m. – PCEDC Meeting

City Commissioner Stevens' comments:

- Congratulated City Manager Golnar for his grant writing.
- Would like to see the tabulated results of the recent Skate Park Survey and what other activities were listed.
- Stated that it would be useful to start thinking about ways of coming up with 35% match money if the City receives a Corps of Engineers Section 206 grant.

City Commissioner Blakeman's comments:

- Commended Ken Kastelitz for accommodating the Fly Fishing Federation and moving the Summerfest 2001 date.
- A citizen called he and was upset with City crews for the trimming of the carriage bushes along the railroad tracks.
- Questioned the painting of the underpass and could community service help out.

City Commissioner Cooper thanked the City Manager for the recent grant received and thanked Finance Officer Shirley Ewan for organizing the survey for the Skate Park when no one else would come forward.

City Commissioner Henry clarified his intentions of his comments from the last meeting about a City Commission Committee meeting monthly.

City Manager Golnar also thanked Finance Officer Shirley Ewan for stepping in and organizing the survey and also thanked the Commission for their wisdom in identifying the skate park and playground projects for the Land and Water Conservation Fund application.

Co Inglehart addressed the Commission with his comments regarding the paying of management personnel overtime after 10 hours, complemented City Manager for

grants, commented on the Windfarm, and believes that the Street sweeping should be put back as a penalty.

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

The time was 9:25 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


CHAIRMAN, CITY COMMISSION

LIVINGSTON
CITY COMMISSION MEETING

October 16, 2000
7:30 p.m.

The Livingston City Commission met in regular session on Monday, October 16, 2000, 7:30 p.m. in the Community Room at the City/County Building. City Commissioners present were Matt Henry, Tim Stevens, Caron Cooper, and Vicki Blakeman. Chairman Mike Doyle was absent.

Motion was made by Blakeman, second by Stevens, to approve the following consent items:

- October 2, 2000 regular City Commission meeting minutes.
- Accept the bills and claims in the amount of \$94,728.68.
- Award garbage truck and compactor bids. City Commissioner Henry asked for bidding and awarding information relating to these bids.
- Department Head monthly reports and other minutes. Vice Chair Caron Cooper noted that there was not a Planner report included. City Manager Golnar stated that he will have one in the one of the next two packets.

All in favor. Motion passed.

City Planner Jim Woodhull gave background information relating to the Foley/O'Connor variance located at 711 N. Yellowstone. They wish to build an addition onto their home, which would be approximately sixteen feet from the front property line. Code requires a twenty-five foot front setback. The City Board of Adjustments has recommended approval.

Motion was made by Stevens, second by Blakeman, to approve the Board of Adjustments finding of fact. All in favor. Motion passed.

Motion was made by Stevens, second by Blakeman, to approve the Bruce Foley and Teresa O'Connor variance. All in favor. Motion passed.

Motion was made by Henry, second by Stevens, to approve Resolution No. 3129, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, TO SIGN AGREEMENT WITH UNITED STATES DEPARTMENT OF COMMERCE FOR FINANCIAL ASSISTANCE AWARD. City Manager Steve Golnar addressed concerns and questions asked by members of the Commission. Mr. Golnar stated that there is one plan that will be funded by the CDBG grant for \$15,000 and the EDA grant for \$30,000 and the City will supervise the grant.

All in favor. Motion passed.

Motion was made by Stevens, second by Blakeman, to approve Resolution No. 3130, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, TO SIGN CONTRACT FOR AWARD OF LOCAL LAW ENFORCEMENT BLOCK GRANT.

City Manager Golnar reported that he did not know exactly what equipment the grant would be used to purchase, but would find out and let the Commission know.

All in favor. Motion passed.

Motion was made by Henry, second by Stevens, to approve Resolution No. 3131, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, TO SIGN ADDENDUM TO SETTLEMENT AGREEMENT WITH PARK COUNTY, MONTANA.

The City Commission voiced a number of concerns to this addendum agreement. The Commission did state that they still supported the mangates and that their concerns were the need for additional language to allow for monitoring of their impact within the agreement.

Motion was made by Blakeman, second by Stevens, to table this item and have the City Manager revise and make changes that were noted by the Commission and bring a counter proposal before the Commission at their next meeting.

All in favor to table. Motion passed.

The following City Manager comments were included for the Commissions information:

- Draft request for qualifications for Livingston Urban Design and Integrated Capital Improvements Plan. Extensive comments were heard on this draft request.
- Bid Opening for Skate Park Fencing. No proposals were received.
- City Manager received word that the City will be receiving letters approving the landscaping projects for Highway 89 Gateway, the Bike Path, and the historic lights on Chinook Street.
- Calendar of Events and Activities:
 - Oct 11th - 15th Playground Build Dates
 - Oct 16th 10:00 a.m. - City Manager in Helena at MT Department of Transportation Urban Outreach Meeting
 - Oct 16th 7:30 p.m. - City Commission Meeting
 - Oct 17th 4:00 p.m. - PCEDC Meeting; 1st Interstate Bank Conference Room
 - Oct 25th 4:00 p.m. - Infrastructure Committee Meeting
 - Oct 29th Fall Back; Daylight Savings Ends
 - Nov 1st 4:00 p.m. - City/County Meeting
 - Nov 6th 7:30 p.m. - City Commission Meeting

Nov 7th General Election Day; City Offices Closed

Commissioner Stevens Comments:

- Thanked everybody who donated their time with the playground project. He said it was neat to be apart of it.
- Commented on the vandalism of political signs in yards. Stated that this was a serious issue and put the Police Department and City on notice of this issue and hoped that extra effort was given.
- Questioned the City Manager on the time frame and where the City is regarding the Historic Preservation Officer. Mr. Golnar stated that he will put out a notice advertising the position.
- Commented that six weeks has passed regarding the drive through issue with the Post Office. Would like them to be gently nudged along. The sooner the better.
- Questioned the letter received by the Livingston Ditch and requested that the City get back into the issue. Mr. Golnar read a letter that he received today regarding the Livingston Ditch. The Commission tentatively scheduled a meeting with the Livingston Ditch Board for 7:00 p.m. on Monday, December 11th.
- Asked when the high tech meeting was going to happen. Mr. Golnar stated that he has talked with someone from Q west and will set something up in the next 3-4 weeks.

Commissioner Blakeman Comments:

- Would still like to meet with the PCEDC Director.
- Questioned where the City was at in regards to John Mable's letters with the Chinook Street lights. Mr. Golnar stated that he and Supt. Clint Tinsley made some vendor contact at the League of Cities and Towns meeting, and are reviewing possible solutions. Mr. Golnar stated that staff concerns are about starting a precedence and where the dimming of lights would end.
- Questioned a Main Street Program meeting at the end of October. City Manager Golnar explained that he would probably not be able to attend.
- City Manager Golnar explained the roto milling process and stated that the City does not have as large as supply of roto millings as when we received a significant amount from State interstate highway work. A limited amount of millings will be produced annually and recycled in conjunction with street maintenance district infrastructure work.

Commissioner Henry Comments:

- Questioned when the City Manager evaluation summary was going to be available. Mr. Golnar stated that he will get to it.

- Would like to get with the City Attorney regarding a Personnel Committee. This was with Commission consent.
- Commented that he received a call from a disgruntled citizen regarding the use of the gazebo in Sacajawea Park and if the City would implement a Reservation Policy.
- Questioned if the City has had further contact with Mr. Hicks, and if so, what was the outcome. Mr. Golnar stated that he is still researching the issue.

City Planner Woodhull reported further on the Hicks issue and that Mr. Hicks never asked for a break in his assessment of Block 39 and would need to revisit Block 39 of his property to request any tax breaks.

Vice Chair Cooper Comments:

- Questioned if Western Consulting has been advised on the North Side Hill issue. City Manager Golnar stated he has not.
- Stated that Travis Chevallier was interested in talking with the City Commission about weed control and asked Mr. Golnar to pull together his questions.
- Commented on political yard signs that are placed illegally on boulevards and would like to educate the public where the signs need to be placed. City Planner Woodhull stated that he ran an ad in the paper a few years ago explaining the legalities of the signs.

City Manager Golnar stated that the City has received a thank you from the Chamber of Commerce regarding their recent parking lot barbeque.

No public comments were heard.

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

The time was 8:55 p.m.

ATTEST:



 RECORDING SECRETARY

APPROVED:



 VICE CHAIR, CITY COMMISSION

LIVINGSTON
CITY COMMISSION MEETING

November 6, 2000
7:30 p.m.

The Livingston City Commission met in regular session on Monday, November 6, 2000, 7:30 p.m. in the Community Room at the City/County Building. City Commissioners present were Caron Cooper, Vicki Blakeman, Matt Henry, Tim Stevens and Mike Doyle.

Motion was made by Cooper, second by Blakeman, to approve the following consent items:

- October 16, 2000 regular City Commission meeting minutes.
- Accept bills and claims in the amount of \$180,587.09.
- Approve claim to Livingston Jaycees for one half grant expenditures for playground equipment and construction in the amount of \$15,000. City Manager Steve Golnar read a thank you letter to the Livingston Jaycee's and Debbie Demin.
- Approve claim to Ron's Tree Service for one half of City/County Building tree pruning in the amount of \$175.
- Approve Chamber of Commerce Christmas in Paradise-Holiday Shopping Kick Off Special Event. Chamber Director Patty Kiderlen requested more garbage containers on each corner.

All in favor. Motion passed.

Chairman Doyle proclaimed the support of Buddy Poppies on Saturday, November 11th in Honor of Veteran's Day.

Motion was made by Cooper, second by Stevens, to bring off the table, Resolution No. 3131, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, TO SIGN ADDENDUM TO SETTLEMENT AGREEMENT WITH PARK COUNTY, MONTANA. Motion passed.

City Manager Golnar presented the revised agreement for the Commission.

All in favor the motion to approve. Motion passed.

Motion was made by Stevens, second by Henry, to approve Resolution No. 3132, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN PROFESSIONAL SERVICES AGREEMENT WITH WESTERN CONSULTING

ENGINEERING, INC. FOR DESIGN AND CONSTRUCTION MANAGEMENT FOR WATER MAIN REPLACEMENT LOCATED IN 2ND, 3RD, YELLOWSTONE, 5TH, 6TH, 7TH AND 8TH STREETS BETWEEN FRONT AND CHINOOK STREETS.

Discussion of the Infrastructure Program was heard.

All in favor. Motion passed.

Motion was made by Blakeman, second by Cooper, to approve Resolution No. 3133, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN SETTLEMENT AGREEMENTS WITH CHIEF OF POLICE AND FIRE CHIEF TO RESOLVE COMP-TIME ISSUES. City Manager Golnar summarized on this issue.

Commissioner Henry apologized to the Police and Fire Chief's for comments he made at an earlier meeting on this issue.

All in favor. Motion passed.

Motion was made by Cooper, second by Stevens, to approve Resolution No. 3134, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN CHANGE ORDER NO. 2 WITH BAINTER BACKHOE & CAT SERVICE. City Manager Golnar answered questions from the Commission.

Laurie Bishop was present to answer questions regarding the Livingston Skate Park.

All in favor. Motion passed.

The City Commission considered a request for a loading zone in front of Livingston Floral and Gifts located at 120 S. Main Street. It was noted that the City normally does not approve loading zones in the two hour parking business district.

City Manager Golnar stated that he will talk with the property owners and will also seek to reconvene the Parking Task Force.

Motion was made by Cooper, second by Blakeman, to deny this request. Four in favor. Henry opposed. Motion passed.

City Manager Golnar and the City Commission reviewed the changes that were made to the request for qualification for the Livingston Urban Design and Integrated Capital Improvement Plan at an earlier Commission meeting.

Members of the Commission noted additional changes that they would like to see incorporated into the plan.

Bob Ebinger provided the Commission with historic information on the Livingston area and suggested that a "National Register of Historic Places Inventory - Nomination Form" prepared in 1976, be added to the request for qualifications to give consultants a flavor for the historic nature of the downtown area.

No official action was taken.

City Manager Golnar and City Commission reviewed and discussed the Refuse District bills and settlement status and to approve the partial payment of outstanding bills.

Motion was made by Cooper, second by Blakeman, to approve the payment of selected Refuse District bill in the amount of \$31,398.33.

All in favor. Motion passed.

The following City Manager comments were provided for the Commission's information:

- Thank you letter to Eagle Scout Nicholas Moody for his project involving improvements to River Side Park.
- City Attorney's comments relating to personnel committee proposed by Commissioner Henry.
- Discussion of the Planner's Report and Growth Policy Outline.
- Sewer main extension SID for residents of block 25 of the Palace Addition under evaluation.
- Shielding solution for street light on 9th and Chinook Streets. City Commission stated that the City should buy the 1st "prototype".
- Communications Advisory Committee recommends purchase of Sleuth Public Safety Software, both the Police Chief and the Sheriff have initiated the procurement process.
- Specific items to be purchased with the recent local Law Enforcement Block grant included 2 radar guns and 2 portable breath testers.
- Results of survey on Eagle Court in the Highground Subdivision. The results identified that there is no house in the right of way.
- The City of Livingston is expected to received approximately \$50,000 in one time dividends from the Montana Municipal Insurance Authority.
- A Billings resident parking ticket concern was received.
- Stillwater Mining Co. 3rd quarter monitoring report.
- AT&T (used to be TCI) restructuring announcement.
- Notice of award for \$500,000 2000 Community Development Block Grant for the Miles Building Rehabilitation.
- November 3, 2000 letter from Mr. Healow, curious if the City is interested in allowing additional wind generators on the hill or possibly near the Waste Water Treatment Plant. City Commissioners stated that they would like to meet with Mr. Healow.
- Calendar of activities and events:

Nov 6 th	7:30 p.m. - City Commission Meeting
Nov 7 th	General Elections - City Offices Closed
Nov 8 th	4:00 p.m. - City/County Meeting
Nov 10 th	Veteran's Day - City Offices Closed

Nov 13 th	7:00 p.m. – PCEDC/City Commission Workshop
Nov 16 th	10:00 a.m. – Transportation Coordinating Meeting
Nov 20 th	7;30 p.m. – City Commission Meeting
Nov 21 st	4:00 p.m. – PCEDC – Upstairs 1 st Interstate Bank
Nov 23 rd	Thanksgiving – City Offices Closed
Nov 29 th	4:00 p.m. – Infrastructure Committee Meeting
Dec 11 th	7:00 p.m. – Tentative Ditch Board Workshop

Bill Moser addressed the City Commission with his concerns on Solid Waste.

Patty Kiderlen addressed the City Commission about a tree being cut down in her neighborhood. Ms. Kiderlen stated that every option should be pursued before a tree was cut down and neighbors should be notified.

City Manager Golnar was directed to follow up.

Bob Ebinger commented about parking on Main Street and employees parking in the downtown.

Mr. Ebinger commented on the problem with the street light on 9th and Chinook streets, stating that Lewistown had similar problems and the lights were raised 2".

Mr. Ebinger commented on the garbage at Mayor's Landing. He stated that he has seen Ms. Blakeman picking up garbage and he has picked up garbage down there 3 times this week. Mr. Ebinger stated that something needs to be done.

Bill Moser commented on the Skateboard Park in Bozeman and that he noticed that the development of such a park raises the self esteem of the boys. He noted that he supports the effort for construction of the Livingston Skate Park. Mr. Moser stated that the City could borrow one of his metal tanks to use as a mold for ramps.

Mr. Moser then went on to question, what is there for girls and their self esteem in Livingston?

City Commissioner Stevens comments:

- Thanks for fixing the "dip" at the Post Office mail drop.
- Interested in meeting with PCEDC next Monday at 7:00 p.m. on their roles and vision and working with them.
- Questioned the City Manager if a High Tech meeting has been scheduled. Mr. Golnar stated no.
- Will not be at the next Commission meeting.

City Commissioner Henry comments:

- Stated that he has not seen a reservation policy for the gazebo in Sacajawea Park that he requested at the last meeting. Mr. Golnar explained that the gazebo was built by a Burlington Northern employees club and that it was for use of the community on a first come, first serve use basis.
- Commented that the personnel committee he has mentioned over the past few weeks, was not a sub committee of the Commission to supervise employees, but to provide the City Manager with immediate supervision and to possibly meet with the City Manager more instead of once a year. Mr. Henry also asked the Mr. Golnar when would the Commission be provided with his evaluation summary. Mr. Golnar stated next meeting.

City Commissioner Blakeman stated that she would not be at the next Commission meeting.

City Commissioner Cooper comments:

- Questioned the material that the City Manager provided the Commission on the Fire Association grievance. Mr. Golnar stated that it was for the Commission's information.
 - Questioned if there was a missing Union response. Mr. Golnar stated that he would have to look and see.
- Commented on the Billings citizen's letter regarding a parking ticket in Livingston stating that she has no problem with gracious assistance for downtown parking.

City Commissioner Henry questioned if the Chamber of Commerce has seen the parking ticket letter.

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

The time was 9:37 p.m.

ATTEST:

Stephanne Brown
RECORDING SECRETARY

APPROVED:

Mike Brown
CHAIRMAN, CITY COMMISSION

LIVINGSTON
CITY COMMISSION MEETING

November 20, 2000
7:30 p.m.

The Livingston City Commission met in regular session on Monday, November 20, 2000, 7:30 p.m. in the Community Room at the City/County Building. City Commissioners present were Caron Cooper, Matt Henry and Mike Doyle. City Commissioner's Vicki Blakeman and Tim Stevens were absent.

Chairman Doyle amended the agenda to include the addendum of Resolution No. 3135 as item #4.B.

Chairman Doyle congratulated Acting Police Chief Darren Raney on his appointment.

Motion was made by Cooper, second by Henry, to approve the following consent items:

- November 6, 2000 regular City Commission meeting minutes.
- Accept the bills and claims in the amount of \$94,310.37.
- Department Head monthly reports and other reports.

Commissioner Cooper commented that she would like to address the Growth Policy when all Commissioners are present.

All in favor. Motion passed.

Motion was made by Cooper, second by Henry, to approve Resolution No. 3132, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN PROFESSIONAL SERVICES AGREEMENT WITH WESTERN CONSULTING ENGINEERING, INC. FOR DESIGN AND CONSTRUCTION MANAGEMENT FOR WATER MAIN REPLACEMENT LOCATED IN 2ND, 3RD, YELLOWSTONE, 5TH, 6TH, 7TH AND 8TH STREETS BETWEEN FRONT AND CHINOOK STREETS.

After some discussion and questions by Commissioner Henry, Commissioner Cooper questioned that the title on the agenda page did not correspond with the actual resolution within the packet which was Resolution No. 3123.

Motion was made by Cooper, second by Henry, to table this resolution. Motion passed. **(An amendment to this section was made at the November 20th meeting, that Resolution No. 3132 was inadvertently put on the agenda and no action was necessary, as it was passed at the November 6th regular City Commission Meeting.)**

Motion was made by Cooper, second by Henry, to approve Resolution No. 3135, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA,

ENCOURAGING THE DEVELOPMENT OF PASSENGER RAIL SERVICE BETWEEN DENVER AND SPOKANE.

All in favor. Motion passed.

Cole Ingram addressed the City Commission for their consideration to sell City land on Block 19 of the Palace Addition. City Manager Golnar gave background information on this piece of City property the sale of which has been requested by other parties in the past.

Mr. Ingram would like to build an assisted living facility for the elderly or those people in need of assistance in performing everyday functions.

Commissioner Cooper requested that a decision not be made tonight, and that the issue be readdressed at the next meeting when all Commissioner's can be present.

No other action was taken.

Motion was made by Cooper, second by Henry, to approve the draft Request for Qualifications for the Livingston Urban Design and Integrated Capital Improvement Program and the advertisement for this.

All in favor. Motion passed.

Motion was made by Cooper, second by Henry, to direct the City Attorney to consider City membership in the Park County Refuse District and legal issues associated with such an action.

All in favor. Motion passed.

Discussion took place on when to schedule a legislative Worksession with local legislators. The three Commissioner's in attendance stated that the 27th of November would work for them. City Manager Golnar will contact the legislators to see when they can meet.

The considering of the role of the Transportation Coordinating Committee will be addressed when there is a full Commission.

The following City Manager comments were provided for the Commission's information:

- Introduction of the Acting Police Chief, Darren Raney.
- Follow up on request for loading zone by Livingston Floral and Gifts at 120 S. Main Street. Mr. Golnar still needs to write the follow up letter from his visit.
- The settlement agreement on solid waste green box magnates was signed by the County Commission.
- City Manager to meet with Refuse Board on status of solid waste bills.
- City Manager evaluation follow up was provided separately. Mr. Golnar is requesting a goals workshop with the Commission in the near future.
- The Growth Management Plan will be discussed further with a full Commission.
- Another copy of the Recreation Survey summary results was included for the Commission's information.

- Progress was halted on all infrastructure and Skatepark projects until the Spring. Additional questions were asked by the Commission with the City Manager stating that he would provide them with more information relating to halting of the projects by the next meeting.
- Follow up with a tree that was cut down on South 3rd Street.
- Garbage cans at Mayor's Landing. Supt. of Public Services Ken Kastelitz has been notified.
- Meetings held over the past two weeks include:
 - November 8 – City/County Meeting
 - November 9 – Public Works Union Negotiations
 - November 13 – Telephone System Review with County
 - November 13 – Economic Development – Relationship w/ PCEDC
 - November 15 – Detention Center Interviews with Butch Reynolds of the National Institute of Corrections
 - Telecommunications Infrastructure with Qwest and Bridgeband Communications
 - Transportation Coordinating Committee.
- Calendar of Upcoming Activities and Events:
 - Nov 20th – 10:00 a.m. – Fire Mediation
 - Nov 20th – 3:30 p.m. – Angel Line Board Meeting
 - Nov 20th 7:30 p.m. – City Commission Meeting
 - Nov 21st – 4:00 p.m. – PCEDC Board of Director's Meeting
 - Nov 29th – 5:30 – 7:30 p.m. – MPC Reception Bozeman Holiday Inn
 - Nov 30th – 2:00 p.m. – Refuse Board
 - Dec 4th – 7:30 p.m. – City Commission Meeting
 - Jan 8th – 7:00 p.m. – Livingston Ditch Board and City Commission

Commissioner Cooper asked the City Manager for a Union update. Mr. Golnar stated that he went to mediation with the Fire Union today, that mediation was requested for the Public Works Union, and the Police Association will meet again this or next week. Mr. Golnar explained what mediation means.

Commissioner Henry asked if there was a timetable for these Unions to be resolved by with mediation. Mr. Golnar stated that the idea of bringing in a mediator was to hopefully expedite the process, but he could not unless the mediator would be available.

Mr. Golnar guessed that sometime in December is when he anticipates the meeting with the mediator for the Public Works Contract.

Commissioner Cooper questioned if the agreements with the Unions included retroactive pay. Mr. Golnar stated that they did not. Ms. Cooper further questioned if it was possible for the employees to get partial retro pay due to the upcoming holidays, as it was difficult to be working and taking so long to get a raise. Finance Officer Shirley Ewan stated that it would be a payroll nightmare to accomplish a partial retro pay.

Commissioner Henry encouraged City Manager Golnar to get done with the Unions as soon as possible.

Pamela Miller, Field Representative for the Public Works Union was present to speak out on behalf of this union and join in with the City Commission's comments on urging to get this matter resolved.

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

The time was 8:12 p.m.

ATTEST:

APPROVED:

Sylvanie Brown
RECORDING SECRETARY

Mike O'Connell
CHAIRMAN, CITY COMMISSION

LIVINGSTON
CITY COMMISSION MEETING

December 4, 2000
7:30 p.m.

The Livingston City Commission met in regular session on Monday, December 4, 2000, 7:30 p.m. in the Community Room at the City/County Building. City Commissioner's present were Caron Cooper, Vicki Blakeman, Matt Henry, Tim Stevens and Mike Doyle.

Motion was made by Cooper, second by Stevens, to approve the following consent items:

- November 20, 2000 regular City Commission meeting minutes, with the motion to include that Resolution No. 3132 was inadvertently put on the agenda and no action was necessary as it was passed at the November 6th regular City Commission meeting.
- Bills and claims in the amount of \$144,807.63.

All in favor. Motion passed.

Bill Moser addressed the City Commission in regards to the "Arizona crossings" that are present throughout on the city streets. Mr. Moser provided contacts of another City in the nation that could inform Livingston on how to solve its problem with the dips in the streets.

Lenny Gregrey addressed the City Commission requesting a status report on the progress of allowing private well drilling in the city limits. City Manager Golnar referred to City Planner Jim Woodhull for an update.

Mr. Gregrey also stated that he would like a waiver to the moratorium that is currently in effect on the drilling of private wells in the city limits.

Motion was made by Henry, second by Blakeman, to approve Resolution No. 3132, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN THE URBAN HIGHWAY PILOT IMPROVEMENT PROGRAM GENERAL PROJECT DEVELOPMENT AND CONSTRUCTION AGREEMENT WITH THE MONTANA DEPARTMENT OF TRANSPORTATION FOR THE INTERSECTION LOCATED AT 5TH AND PARK STREET, LIVINGSTON, MONTANA.

Commissioner Cooper went on record to say that she is not in favor of this project. Extensive discussion was heard from the Commission, Mr. Golnar and a comment from Mr. Moser.

Motion was made by Cooper, second by Stevens, to table this item until the City hears back from MDT in writing with a minimum to what lane width MDT will go with.

Three in favor. Henry and Doyle opposed. Motion passed to table.

Motion was made Stevens, second by Blakeman, to approve Resolution No. 3136, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO ENTER INTO AGREEMENT WITH PARK COUNTY, MONTANA, TO CONTINUE D.A.R.E. PROGRAM IN SCHOOL SYSTEM OUTSIDE OF THE CITY OF LIVINGSTON.

A couple of date typo's were noted and will be changed.

All in favor. Motion passed.

City Manager Golnar reported that he would like to bring Resolution No. 3137 to the table at the next Commission meeting offer public notice was provided per the Attorney's request.

Motion was made by Stevens, second by Henry, to direct the City Manager to advertise for a public hearing, that it is the intent of the City Commission to increase the appropriation authority for the solid waste fund for the next Commission meeting.

All in favor. Motion passed.

Motion was made by Cooper, second by Blakeman, to approve Resolution No. 3138, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN ON BEHALF OF THE CITY OF LIVINGSTON THE COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT NO. MT-CDBG-00HR-02.

All in favor. Motion passed.

Motion was made by Blakeman, second by Stevens, to approve Resolution No. 3139, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT WITH HRDC FOR ADMINISTRATION OF CDBG PUBLIC FACILITIES GRANT, and to add a provision for an addendum to be negotiated to include an administration fee.

HRDC Director Jeff Rupp answered questions asked by City Manager Golnar.

All in favor. Motion passed.

Discussion was heard again this meeting on the request for sale of City land on Block 19 of the Palace Addition by Cole Ingram.

Commissioner Stevens asked the City Manager to explain Ordinance No. 1827. Commissioner Blakeman stated that she is not in favor of selling City land. Other comments heard were; list of other categories of land for disposal, more information on disposal of city land, highest and best use of city land, possible save this land for trade of other property in the future, does land fit in with the City's economic development, past plans, history of the land, what is property worth.

Motion was made by Henry, second by Blakeman, to direct the City Manager to research further what steps are needed for disposal of property for the next meeting. All in favor. Motion passed.

Extensive discussion was heard on the role of the Transportation Coordinating Committee on whether it should continue, be advisory or a decision making body.

Members of the Commission stated that the committee should continue and be an advisory board. Other comments heard, was the possibility of expanding

board members to include the Depot Board and a couple of Park Street businesses located North and South.

City Manager Golnar stated that he believes the committee should act in the same capacity as it has and this item should be discussed at the next City/County meeting. The Manager will prepare a draft letter conveying the Commission's thoughts to the TCC Board to be reviewed at the next Commission meeting.

Motion was made by Blakeman, second by Cooper, to endorse the 7 members proposed on the Livingston Area Chamber of Commerce Board of Directors Ballot to serve in the upcoming year. All in favor. Motion passed.

The following City Manager comments were included for the Commission's information:

- Status of playground equipment removal.
- Cost of delay in construction on South 6th – 9th and Callender Streets project.
- Review of Urban Design RFQ revisions. It was discussed that the Schools and Hospital should be added and the City Manager will give the City Commission a list of who the RFQ is sent to.
- Vicki Blakeman will be the City Commission representative to the Parking Task Force.
- Additional parking related information.
- The Legislative meeting with area legislators is set for Monday, December 11th at 7:00 p.m.
- Reconsideration of application for removal/trimming of trees on boulevard. Supt. of Public Services Ken Kastelitz addressed the Commission on this procedure.
- Issues for consideration regarding City membership in Refuse District. City Attorney Bruce Becker will provide the Commission with additional information.
- Additional recent meetings of note:
 - Park County Economic Development Committee met on November 21st.
 - The City and PCEDC and the Internet User's Group met regarding Telecommunications to on November 16th.
- Calendar of upcoming activities:

Dec 4 th	7:30 p.m. – City Commission Meeting
Dec 6 th	4:00 p.m. – City/County Meeting
Dec 11 th	3:30 p.m. – Communications Advisory Committee
Dec 11 th	7:00 p.m. – Legislative Meeting
Dec 15 th	10:00 a.m. – Local Gov. Funding Meeting sponsored by MACO; Bozeman Holiday Inn
Dec 18 th	7:30 p.m. – City Commission Meeting
Dec 19 th	4:00 p.m. – PCEDC; 1 st Interstate Bank Upstairs
Dec 22 nd	City Offices Closed
Dec 25 th	City Offices Closed
Jan 1 st	City Offices Closed

Jan 2nd 7:30 p.m. – TUESDAY City Commission Meeting
 Jan 3rd 4:00 p.m. – City/County Meeting
 Jan 8th 7:00 p.m. – Livingston Ditch Board and City
 Commission Worksession
 Feb 13th 10:00 a.m. – Transportation Coordinating Committee

- Future Meetings:
 Complete Commission Goals for 2000-2005.

Bob Ebinger addressed the Commission and asked them to speak up during their meetings as they cannot be heard in the audience.

Mr. Ebinger also stated that the electric conduit in Miles Park is in bad shape. Mr. Kastelitz will look into this.

Bill Moser addressed the City Commission to speak about electronic incarceration and the parking issue. Mr. Moser provided the City Commission with comments on the Livingston Traffic Study prepared by the Marvin Group and a proposal to perform a downtown area parking study.

City Commissioner Blakeman's comments:

- Questioned if the height of the Christmas decorations downtown would allow semi's to go under them. Fire Chief Robert Schmidt stated that they would, as the Fire Department drove the new fire truck underneath them to test this.
- Asked the City Manager to do more follow up on "courtesy" parking tickets for out of towners.

City Commissioner Stevens apologized to the Commission that he promised to get them his comments on the economic chapter of the growth management plan and will do so in the near future.

City Commissioner Cooper commented on a meeting that was held in Bozeman last week on, how can communities protect themselves from the big box stores. Ms. Cooper stated that she would like more follow up at some point. It was decided that general discussion will take place first at the 2nd meeting in January.

Commissioner Stevens suggested the Commission might want to consider passing a resolution supporting a Bozeman decision to allow no more box stores, but that further observation of the Bozeman study was necessary prior to any action by the City of Livingston.

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

The time was 9:55 p.m.

ATTEST:


 RECORDING SECRETARY

APPROVED:


 CHAIRMAN, CITY COMMISSION

LIVINGSTON
CITY COMMISSION MEETING

December 18, 2000
7:30 p.m.

The Livingston City Commission met in regular session on Monday, December 18, 2000, 7:30 p.m. in the Community Room at the City/County Building. City Commissioners present were Tim Stevens, Mike Doyle, Caron Cooper, Vicki Blakeman, and Matt Henry.

Motion was made by Henry, second by Blakeman, to approve the following consent items:

- Approve December 4, 2000 regular City Commission meeting minutes.
- Accept bills and claims in the amount of \$84,325.63.
- Approve Studebaker Driver's Club special event request. Supt. of Public Services Ken Kastelitz confirmed for the Commission that this event will coincide with the City's Summerfest and the Car Show will be located in the large part of Sacajawea Park.
- Authorization for waiver of downtown parking enforcement from December 11th through December 30th.
- Authorize Manager to sign CTEP participation election form. Commissioner Stevens stated that he hopes someone from the City will attend the CTEP workshop. City Manager Golnar confirmed that a staff member will attend.
- Approve addendum to contract with HRDC for administrative fee agreement for Miles Building CDBG funded rehabilitation approved by Resolution No. 3139.
- Approve claim to Kerry Willson for sewer extension payback.
- Waiver of Civic Center fees for Community Christmas Dinner.
- Department reports.

All in favor. Motion passed.

City Planner Jim Woodhull gave background information on a variance requested by Tom Shellenberg for property located at the 100 block North of 8th and 9th Streets. Mr. Shellenberg is requesting a variance from the minimum lot size requirements for Highway Commercial Zoning Districts. The property is currently vacant and the prospective buyer wants to ensure that it is a viable building site. The parcel contains approximately 4,787 square feet and code requires a minimum lot size of 6,000 square feet in this zone. Staff and the City Board of Adjustment recommends approval of this variance.

Discussion was heard from the Commission about if the variance was necessary at this time, and that if the property sold a variance would not be needed.

Motion was made by Cooper, second by Henry, to approve the finding of fact. Three in favor. Stevens and Doyle opposed. Motion passed.

Motion was made by Cooper, second by Blakeman, to approve this variance. Three in favor. Stevens and Doyle opposed. Motion passed.

A public hearing was held on Resolution No. 3143, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, APPROVING AN INCREASE IN APPROPRIATION AUTHORITY FOR THE SOLID WASTE FUND #5410 BY \$22,724.00 FOR FISCAL YEAR 2000-2001. No public comments were heard.

Motion was made by Cooper, second by Stevens, to approve this resolution. All in favor. Motion passed.

Motion was made by Henry, second by Blakeman, to bring off the table, Resolution No. 3123, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN THE URBAN HIGHWAY PILOT IMPROVEMENT PROGRAM GENERAL PROJECT DEVELOPMENT AND CONSTRUCTION AGREEMENT WITH THE MONTANA DEPARTMENT OF TRANSPORTATION FOR THE INTERSECTION LOCATED AT 5TH AND PARK STREET, LIVINGSTON, MONTANA.

Discussion was heard that new information was not available to the Commission from MDT in a timely manner to allow the City Commission to fully consider it.

The vote to bring off the table was two in favor. Cooper, Blakeman, and Stevens opposed. Motion failed to bring off the table.

Motion was made by Stevens, second by Henry, to approve Resolution No. 3140, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO ENTER INTO AGREEMENT WITH MONTANA DEPARTMENT OF TRANSPORTATION FOR CTEP PROJECT - PERIOD LIGHTING FOR FRONT STREET FROM 10TH STREET EASTERLY TO 2ND STREET.

Commissioner Cooper questioned the time table for this construction. City Manager Golnar stated that the infrastructure project will be accomplished next year and the street lights, after the beginning of fiscal year 2001-2002.

All in favor. Motion passed.

Motion was made by Cooper, second by Blakeman, to approve Resolution No. 3141, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO ENTER INTO AGREEMENT WITH MONTANA DEPARTMENT OF TRANSPORTATION FOR CTEP PROJECT - LANDSCAPING I-90 INTERCHANGE.

Commissioner Cooper questioned the time table for this project. City Manager Golnar stated that the construction would be accomplished this fiscal year as it was budgeted. The match was also budgeted this fiscal year, but the City has a couple years to complete the project if needed.

All in favor. Motion passed.

Motion was made by Stevens, second by Cooper, to approve Resolution No. 3142, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO ENTER INTO AGREEMENT WITH RICK D'HOOGHE

FOR ASSISTANCE IN THE COLLECTIVE BARGAINING PROCESS AND RELATED ISSUES.

City Commissioner's questioned the August 1999 effective date in the contract. City Manager Golnar replied that he has been using Mr. D'Hooge for union negotiations and this includes payment for past services.

Commissioner Henry questioned the ramifications if this contract was not approved and that it was awkward approving a contract at this time effective August of 1999. Mr. Golnar stated that future relationships would be at risk if the contract were not entered into, but the effective date could be revised. He suggested an effective date of July 1, 2000.

Motion was made by Cooper, second by Henry, to amend the contract date effective July 1, 2000. All in favor. Amendment passed.

All in favor of the motion as amended. Motion passed.

Motion was made by Cooper, second by Blakeman, to deny the request of sale of City land on Block 19, Palace Addition by Cole and Michele Ingram.

Four in favor. Henry opposed. Motion passed.

City Manager Golnar will send the draft letter that states the Commission's view on the role of the Transportation Coordinating Committee to the TCC Chairman.

Motion was made by Cooper, second by Stevens, to deny the parking study proposal by Mr. Bill Moser, but to provide his proposal to the Urban Design and Integrated Capital Improvement Program consultant, as this may be a useful tool.

Commissioner Blakeman stated that she would like to see where the Parking Task Force goes with the parking issue, before a study is contracted for.

All in favor. Motion passed.

Motion was made by Cooper, second by Stevens, to approve the claim to Rick D'Hooge in the amount of \$1,500 for union consulting. All in favor. Motion passed.

Motion was made by Cooper, second by Henry, to approve the claim to Park County in the amount of \$5,162.64 for landfill charges. All in favor. Motion passed.

In response to a protest filed by Mr. Steve Hicks, a motion was made by Henry, second by Cooper, to reduce the number of lots that will be assessed for the street maintenance district, for the particular parcel of property that was being protested, to 6 lots for FY 2001-2002. These lots would include, lots 1,2,31,& 32 of Block 38 of the Original Townsite and lots 31 & 32 of Block 39 of the original Townsite.

All in favor. Motion passed.

The following City Manager comments were provided for the Commission's information:

- City Manager approves secondary employment for Dispatcher Greg Kessler.
- Legislation to be introduced to expand definition of Street Maintenance to include sidewalks.

- Cost of winter shut down on Callender, 6th, 7th, 8th, and 9th Streets. City Manager Golnar is to bring back more detailed information to the Commission.
- Follow up with Mr. Moser on his traffic plan comments.
- Refuse District participation issues which need to be considered.
- City supports the Great Bend of the Yellowstone Lewis and Clark Heritage Commission Grant application. Commission Stevens requested a copy of the grant summary.
- Request for bids for the dispatch remodel have been advertised.
- Recent meetings of note.
 - Dec 7th, Parking Task Force. The next meeting is scheduled for January 18th at 3:00 p.m.
 - Dec 11th, Communication's Advisory Committee. The next meeting is scheduled for January 17th.
- Calendar of activities and events:

Dec 18 th	7:30 p.m. - City Commission Meeting
Dec 19 th	4:00 p.m. - PCEDC; 1 st Interstate Bank Upstairs
Dec 22 nd	City Offices Closed
Dec 25 th	City Offices Closed
Jan 1 st	City Offices Closed
Jan 2 nd	<u>TUESDAY</u> - 7:30 p.m. - City Commission Meeting
Jan 8 th	7:00 p.m. - Livingston Ditch Board and City Commission Worksession
Jan 10 th	4:00 p.m. - City/County Meeting
Jan 15 th	City Offices Closed
Jan 16 th	<u>TUESDAY</u> - 7:30 p.m. - City Commission Meeting
Jan 17 th	3:00 p.m. - Communication Advisory Committee
Jan 18 th	3:00 p.m. - Parking Task Force
Feb 13 th	10:00 a.m. - Transportation Coordinating Committee

City Manager Golnar noted that the two Commission meetings in January were on Tuesday's.

Commissioner Stevens will send the whole Commission the link to Montana Legislation that is on the web.

Commissioner Stevens requested that staff summarize draft bills which affect the City at the legislative level early in the session. Mr. Stevens stated that City's presence in Helena was important.

Commissioner Blakeman questioned if the light shield was in place on the street light next to John Mabie's residence. City Manager Golnar stated that he did not think so, but would check it out with him next week.

Commissioner Cooper received a call complaining about the pigeon droppings and snow in the underpass. Supt. Public Services Kastelitz responded that the underpass is checked on a regular basis.

Commissioner Henry questioned the status of the flooding of the skate rink by the incinerator.

Chairman Doyle stated that he has been contacted by someone who would like to create of full size rink.

Commissioner Stevens suggested that someone contact Belgrade to see how they run their rink as it is not ran by City employees and this would take a burden off the Park Department.

City Manager Golnar stated that the City needs to find out what interest is out there first.

Mr. Henry suggested a short term plastic liner to hold the water.

Commissioner Henry questioned the status of the Historic Preservation Officer. Mr. Golnar stated that they should be through with the selection process by mid January.

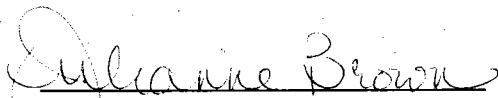
Bill Moser addressed the Commission regarding traffic in the city limits.

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

The time was 9:02 p.m.

ATTEST:

APPROVED:


RECORDING SECRETARY


CHAIRMAN, CITY COMMISSION