

Livingston City Commission Minutes
January 3, 2012
6:30 p.m.

1. Call to Order:
 - a. Chairman Caldwell called the meeting to order at 6:30 p.m.
2. Swearing in of Newly Elected City Commissioners:
 - a. Adam Stern and Mel Friedman were sworn in as city commissioners. (00:00:11)
3. Roll Call:
 - a. Caldwell, Bennett, Friedman and Stern were present. (00:01:45)
 - b. Spannring was absent.
4. Selection of Chair and Vice Chair for 2012 (00:02:00):
 - a. Bennett nominated Steve Caldwell as Chairman of Livingston City Commission. Stern seconded.
 - i. All in favor, the motion passed 4-0.
 - b. Stern nominated James Bennett as Vice-Chairman of Livingston City Commission. Bennett seconded.
 - i. All in favor, the motion passed 4-0.
5. Pledge of Allegiance:
 - a. Chairman Caldwell led the Pledge of Allegiance.
6. Consent Items (00:04:12):
 - a. Bennett moved to approve all the Consent Items. Stern seconded.
 - i. All in favor, the motion passed 4-0.
7. Review Committee Vacancies & Consider Nomination for Committee Appointments (00:04:40):
 - a. (I.) Chairperson Nominates/ Commission Confirms Appointments.
 - i. The vacancy in the Skate Park Committee listed on page 46 is, actually, already filled by Hillary Wheeler Smith, according to Commissioner Bennett.
 - ii. Two vacancies on with the Urban Renewal Agency caused by the resignations of Adam Stern and Daniel Schmidt will be advertised.
 - iii. Chairman Caldwell nominated Adam Stern for appointment to the Tree Board. Chairman Caldwell nominated James Bennett for re-appointment to the Skate Park Committee.
 1. The Commission voted to confirm Chairman Caldwell's commission appointments 4-0.
 - b. (II.) Commission Chairperson appoints City's Representatives (00:08:48):
 - i. Chairman Caldwell appointed Commissioner Friedman to the City-County Building Maintenance Committee.
 - ii. Chairman Caldwell appointed Commissioner Spannring to the City-County Health Board.
 - iii. Commissioner Caldwell resigned from the City Planning Board, thereby creating an additional vacancy.
 - iv. Caldwell nominated Commissioner Spannring and Commissioner Stern to the City Planning Board.
 - v. All vacancies will be advertised.
 - vi. Pam Payovich, Acting Recording Secretary called the roll. Stern ("Yes"), Caldwell ("For"), Freidman ("For"), Bennett ("Yes").
 - c. (III.) City Commission Appointments (00:12:05):
 - i. Stern agreed to be appointed to the Communications Advisory Committee.

- ii. Chairman Caldwell asserted that Spannring would be reappointed to the EMS Committee.
 - iii. Bennett agreed to be reappointed to the Livingston Urban Transportation Committee. Chairman Caldwell asserted that Spannring would be reappointed to the Livingston Urban Transportation Committee.
 - iv. Mel Friedman agreed to be nominated for the Sister City Committee.
 - v. Chairman Caldwell read the nominations of Stern for Communications Advisory Committee, Spannring for the EMS Committee, Bennett and Spannring for the Urban Transportation Committee and Friedman for the Sister City Committee.
 - 1. Payovich called the roll. Commissioners were in favor of the nominations 4-0.
- 8. Proclamations.
 - a. None.
- 9. Scheduled Public Comment.
 - a. None.
- 10. Public Hearings.
 - a. None.
- 11. Ordinances.
 - a. None.
- 12. Resolutions:
 - a. Resolution No. 4249 – A Resolution of the City Commission of the City of Livingston, Montana, Authorizing City Manager to enter into a Memorandum of Understanding (MOU) with the City of Bozeman for the Montana Site Selector Project. (00:17:23)
 - i. Bennett moved to approve Resolution No. 4249. Stern seconded.
 - 1. All in favor, the motion passed 4-0.
 - b. Resolution No. 4250 – A Resolution of the City Commission of the City of Livingston, Montana, Authorizing City Manager to sign joint request for assistance with the Montana Department of Labor and Industry Board of Personnel Appeals for the Mediation between the City of Livingston and the Association of Federal, State, County and Municipal Employees (AFSCME) #2711-A. (00:27:10)
 - i. Bennett moved to approve Resolution No. 4250. Stern seconded.
 - 1. All in favor, the motion passed 4-0.
 - c. Resolution No. 4251 – A Resolution of the City Commission of the City of Livingston, Montana, relating to general obligation refunding bonds, Series 2012; Authorizing the issuance and sale thereof; delegating the award of the bonds to certain city officials. (00:40:50)
 - i. Bennett moved to approve Resolution N. 4251. Friedman seconded.
 - 1. All in favor, the motion passed 4-0.
 - d. Resolution No. 4252 – A Resolution of the City Commission of the City of Livingston, Montana, Authorizing City Manager to Sign MasterCard Multi-Card Acknowledgement Agreement for the City of Livingston. (00:43:23)
 - i. Bennett moved to approve Resolution No. 4252. Friedman seconded.
 - 1. All in favor, the motion passed 4-0.
 - e. Resolution No. 4254 – A Resolution of the City Commission of the City of Livingston, Montana, Authorizing Use Agreement with the Livingston Ice Skating Association for the development of an ice hockey rink and establishing rules and regulations for use. (00:47:30)
 - i. Bennett moved to approve Resolution No. 4254. Friedman seconded.

1. All in favor, the motion passed 4-0.
 - f. Resolution N. 4255 – A Resolution of the City Commission of the City of Livingston, Montana, authorizing City Manager to sign recreational trails program project agreement with the Montana State Parks, A Division of fish, wildlife & parks for the Bitterroot Trail. (00:51:34)
 - i. Bennett moved to approve Resolution No. 4255. Stern seconded.
 1. All in favor, the motion passed 4-0.
13. Action Items:
- a. Action Item A – Discuss/approve/deny bid recommendation for catering at Summerfest Along the Yellowstone 2012 and 2013 to the 49'er Diner & Casino in the amount of \$2,500.00 in 2012 and \$3000.00 in 2013. (01:07:22)
 - i. Bennett moved to approve the recommendation for catering. Friedman seconded.
 1. All in favor, the motion passed 4-0.
 - b. Action Item B – Discuss/approve/ deny recommendation from Stahly Engineering & Associates for the 2012 Livingston Downtown Streetscape project. (01:08:48)
 - i. Stern moved to approve Action Item B. Bennett seconded.
 1. All in favor, the motion passed 4-0.
 - c. Action Item C – Discuss/approve/deny request to declare cemetery graves abandoned at Mountain View Cemetery and allow purchase of graves by Tom Davis. (01:13:44)
 - i. Bennett moved to direct the staff to bring back a Resolution of Intent to abandon graves. Friedman seconded.
 1. All in favor, the motion passed 4-0.
14. City Manager Comments.
15. Supplements.
16. Calendar of Events.
17. City Commissioner Comments:
- a. Stern made comments. (01:18:17)
 - b. Friedman made comments. (01:19:58)
18. Public Comment.
- a. None.
19. Adjournment:
- a. Bennett moved to adjourn the meeting. Friedman seconded.
 - i. All in favor, the motion passed 4-0.
 - ii. The meeting adjourned at 7:50 p.m.

Attest:

Approve:

David Fine
Recording Secretary

Steve Caldwell
Commission Chairman

Memorandum

To: Ed Meece, City Manager

From: David Fine, Recording Secretary

Re: Motions and Appointments Made at the January 3, 2012 meeting of the City Commission

I reviewed the minutes of the January 3, 2012 meeting and discovered that the vote made to confirm the Chairman's appointments (Part A) and the vote made to confirm the Commission's appointments (Part C) lacked motions and seconds.

In an effort to ensure that these appointments are made in an appropriate fashion, and in consultation with the City Attorney, I would recommend that a Consent Item be added to the next meeting's agenda ratifying and confirming the consensus of the January 3 Commission Meeting.

Consent Item: Ratify and Confirm the Appointment of the following people to Boards and Committees:

1. Adam Stern is appointed to the Tree Board.
2. James Bennett is re-appointed to the Skate Park Committee.
3. Mel Friedman is appointed to the City-County Building Maintenance Committee.
4. Bill Spannring is appointed to the City-County Health Board.
5. Bill Spannring is appointed to the City Planning Board.
6. Adam Stern is appointed to the City Planning Board.
7. Adam Stern is appointed to the Communications Advisory Committee.
8. Bill Spannring is re-appointed to the EMS Committee.
9. James Bennett is re-appointed to the Urban Transportation Committee.
10. Bill Spannring is appointed to the Urban Transportation Committee.
11. Mel Friedman is nominated to the Sister City Committee.

Livingston City Commission Minutes

January 17, 2011

6:30 p.m.

1. Call to Order:
 - a. Chairman Caldwell called the meeting to order at 6:30 p.m.
2. Roll Call:
 - a. Caldwell, Bennett, Spannring, Stern, and Friedman were present.
3. Pledge of Allegiance.
4. Consent Items (00:01:04):
 - a. Bennett moved to approve Consent Items A, B, C, D, and E. Stern seconded.
 - i. All in favor, the motion passed.
5. Proclamations.
 - a. None.
6. Scheduled Public Comment.
 - a. None.
7. Public Hearings.
 - a. None.
8. Ordinances.
 - a. None.
9. Resolutions:
 - a. Resolution No. 4229 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN COLLECTIVE BARGAINING AGREEMENT WITH AFSCME LOCAL 2711A FOR PERIOD JULY 1, 2011 THROUGH JUNE 30, 2014. (00:01:41)
 - i. Stern moved to approve Resolution No. 4229. Friedman seconded.
 1. Caldwell, Friedman, and Stern voted for the motion. Bennett and Spannring voted against the motion.
 - a. The motion passed 3-2.
 - b. Ed Meece asked for Chairman Caldwell for a 5 minute recess. (00:25:26)
 - i. Chairman Caldwell called for a 5 minute recess. (End Part 1 of the minutes recording.)
 - b. Resolution No. 4256 – A RESOLUTION RATIFYING THE ISSUANCE AND SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012; FIXING FORM AND SPECIFICATIONS OF THE BONDS; DIRECTING THE EXECUTION AND DELIVERY OF THE BONDS; LEVYING A TAX AND PROVIDING FOR THE PAYMENT OF THE BONDS. (00:00:00, Part 2)
 - i. Bennett moved to approve Resolution No. 4256. Stern seconded.
 1. All in favor, the motion passed.
 - c. Resolution No. 4257 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN PROFESSIONAL SERVICES AGREEMENT WITH STAHL ENGINEERING FOR 2012 LIVINGSTON DOWNTOWN STREETScape PROJECT IN THE AMOUNT OF \$51,800.00. (00:03:37)
 - i. Bennett moved to approve Resolution No. 4257. Friedman seconded.
 1. All in favor, the motion passed.
 - d. Resolution No. 4258 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA AUTHORIZING CITY MANAGER TO SIGN CATERING

AGREEMENT FOR SUMMERFEST ALONG THE YELLOWSTONE RIVER, 2012 AND 2013 EDITIONS WITH THE 49'ER DINER. (00:12:10)

- i. Bennett moved to approve Resolution No. 4258. Stern seconded.
 - 1. All in favor, the motion passed.
 - e. Resolution No. 4259 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN TEAM TRACK AGREEMENT NO. 400,323 WITH MONTANA RAIL LINK FOR THE PURPOSE OF LOADING RECYCLABLE GLASS FOR SHIPMENT. (00:13:33)
 - i. Ed Meece, City Manager, requested that the Resolution be tabled to provide the Commission with more information.
 - ii. Bennett moved to postpone consideration of Resolution No. 4259 until the March 6, 2012 meeting of the City Commission. Friedman seconded.
 - 1. All in favor, the motion passed.
10. Action Items:
- a. Action Item A – Discuss/ approve/ deny request to declare cemetery graves abandoned at Mountain View Cemetery. (00:16:15)
 - i. The Commission took no action on his item.
11. City Manager Comments:
- a. Meece made comments. (00:17:10)
12. Supplementals.
- a. None.
13. Calendar of Events.
- a. See Agenda.
14. City Commission Comments:
- a. Friedman made comments. (00:21:11)
 - b. Stern made comments. (00:21:46)
 - c. Spannring made comments. (00:23:06)
 - d. Bennett made comments. (00:26:09)
 - e. Caldwell made comments. (00:27:41)
15. Public Comments:
- a. No members of the public made comments.
16. Adjournment:
- a. Bennett moved to adjourn the meeting. Friedman seconded.
 - i. All in favor, the motion passed.
 - 1. The meeting adjourned at 7:30 p.m.

ATTEST:

APPROVE:

David Fine
Recording Secretary

Steve Caldwell
Commission Chairman

Livingston City Commission Minutes

February 9, 2012

6:30 p.m.

1. Call to Order:
 - a. Chairman Caldwell called the meeting to order at 6:30 p.m.
2. Roll Call:
 - a. Steve Caldwell, James Bennett, Bill Spanning, Adam Stern, and Mel Friedman were in attendance.
3. Pledge of Allegiance.
4. Consent Items (00:00:45):
 - a. Consent Item A: Approve January 17, 2012 City Commission meeting minutes.
 - b. Consent Item B: Ratify claim for American Express.
 - c. Consent Item C: Approve bills and claims for 2nd half of January 2012.
 - d. Stern moved to approve Consent Items A-C. Bennett seconded.
 - i. All in favor, the motion passed.
5. Proclamations.
 - a. None.
6. Scheduled Public Comment.
 - a. None.
7. Public Hearings.
 - a. None.
8. Ordinances.
 - a. None.
9. Resolutions.
 - a. Resolution No. 4253 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN CONTRACTS FOR SUMMERFEST ALONG THE YELLOWSTONE, 2012. (00:01:15)
 - i. Bennett moved to approve Resolution No. 4253. Stern seconded.
 1. All in favor, the motion passed.
 - b. Resolution No. 4260 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN CUSTOMER AGREEMENT WITH SPORTSITES, INC. (00:02:52)
 - i. Bennett moved to approve Resolution No. 4260. Friedman seconded.
 1. All in favor, the motion passed.
 - c. Resolution No. 4261 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN JOINT RESOLUTION NO. 2012-1. (Mutual Aid Agreement for Emergencies, Search and Rescue, and Ambulance Services.) (00:07:56)
 - i. Friedman moved to approve Resolution No. 4261. Stern seconded.
 1. All in favor, the motion passed.
 - d. Resolution No. 4262 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN CITY OF LIVINGSTON AND PARK COUNTY COMPACT. (00:23:22)
 - i. Bennett moved to approve Resolution No. 4262. Friedman seconded.
 1. All in favor, the motion passed.
10. Action Items.

- a. Action A: Discuss/approve/deny request from Livingston Youth Soccer Association to use funds available from the Skillman Trust fund for the third soccer field. (00:31:50)
 - i. Bennett moved to approve request for the use of the interest of the Skillman Trust Fund for the third soccer field. Stern seconded.
 - 1. All in favor, the motion passed.
 - b. Action B: Discuss possible changes to Chapter 4, Section 4-2 of the Livingston Municipal Code, Livestock, fowl or swine prohibited. (00:35:43)
 - i. Barbara Woodbury, City/County Sanitarian made a presentation,
 - ii. Stern moved to direct staff to recommend a change in the ordinance. Bennett seconded. (00:40:01)
 - 1. Stern moved (as a replacement to his initial motion), "to provide us with a recommendation on how to change Section 4-2 of the City Code to empower sanitarian with permitting authority." Friedman seconded.
 - a. All in favor, the motion passed.
 - c. Action C: Appoint two (2) City Commissioners to the Grants Committee. (00:43:15)
 - i. Bennett moved to appoint Commissioner Friedman and Commissioner Stern to the Grants Committee. Stern seconded.
 - 1. All in favor, the motion passed.
 - d. Action Item D: Discuss/approve/deny – Confirm appointment of Jason Cajune as a Firefighter/EMT for the Local #630 IAFF (International Association of Fire Fighters). (00:46:00)
 - i. Stern moved to approve the appointment. Friedman seconded.
 - 1. Caldwell, Bennett, Stern, and Friedman voted for approval of the appointment. Spannring abstained.
 - a. The motion passed 4-0.
11. City Manager comments.
- a. Meece made comments. (00:53:35)
12. Supplementals.
- a. None.
13. Calendar of Events.
14. City Commission Comments:
- a. Friedman made comments. (00:54:26)
 - b. Stern made comments. (00:55:27)
 - c. Bennett made comments. (00:59:06)
15. Public Comment:
- a. Lee Parriott made comments. (00:02:54)
16. Adjournment:
- a. Bennett moved to adjourn the meeting. Friedman seconded.
 - i. All in favor, the motion passed.
 - 1. The meeting adjourned at 7:35 p.m.

Attest:

Approve:

David Fine, Recording Secretary

Steve Caldwell, Commission Chairman

**Executive Session of the Livingston City Commission
February 21, 2012
6:00 p.m.**

1. Discuss litigation strategy in the case of City of Livingston, et. al. v. Burlington Northern Santa Fe Railroad (BNSF). (00:00:00, Part I)
 - a. Chairman Caldwell called the Executive Session of the Livingston City Commission to Order.
 - b. Chairman Caldwell closed the meeting to the public pursuant to MCA 2-3-203.

**Livingston City Commission Minutes
February 21, 2012
6:30 p.m.**

1. Call to Order:
 - a. Chairman Caldwell called the regular meeting of the City Commission to order. (00:00:00, Part 2)
2. Roll Call:
 - a. Steve Caldwell, James Bennett, Bill Spannring, Adam Stern, and Mel Friedman were present.
3. Pledge of Allegiance.
4. Consent Items: (00:00:47)
 - a. Approve February 7, 2012 City Commission meeting minutes.
 - b. Approve bills and claims for 1st half of February 2012.
 - c. Department heads monthly reports and other boards and committee minutes.
 - d. Bennett moved approve the Consent Items. Stern seconded.
 - i. All in favor, the motion passed.
5. Proclamations.
 - a. None.
6. Scheduled Public Comment:
 - a. Chris Benden made comments in support the Streamline bus service. (00:01:36)
7. Public Hearings.
 - a. None.
8. Ordinances:
 - a. Ordinance No. 2036 – AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE NO. 2030 AND CHAPTER 9, ARTICLE IV OF THE LIVINGSTON MUNICIPAL CODE ENTITLED “PARKING, STOPPING, AND STANDING” AND SPECIFICALLY SECTION 9-246 BY ESTABLISHING A RESERVED PARKING SPOT FOR “ANGEL LINE” ON SOUTH MAIN STREET IN ADJACENT TO THE SENIOR CENTER AND PROVIDING A PENALTY FOR VIOLATION. (00:21:20)
 - i. Bennett moved to approve Ordinance No. 2036. Friedman seconded.
 1. All in favor, the motion passed.
 - b. Ordinance No. 2037 – AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE NO. 2008 AS CODIFIED IN CHAPTER 4. ANIMALS, OF THE LIVINGSTON MUNICIPAL CODE BY AMENDING THE ORDINANCE TO ALLOW THE COUNTY SANITARIAN TO ISSUE PERMITS FOR LIVESTOCK AND CHICKENS. (00:25:55)
 - i. Bennett moved to approve Ordinance N. 2037. Stern seconded.

1. All in favor, the motion passed.
9. Resolutions:
- a. Resolution No. 4263 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGE TO SIGN EMERGENCY OPERATIONS PLAN FOR PARK COUNTY, CITY OF LIVINGSTON, AND TOWN OF CLYDE PARK. (00:27:35)
 - i. Bennett moved to approve Resolution No. 4263. Stern seconded.
 1. All in favor, the motion passed.
 - b. Resolution No. 4264 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO AMEND THE BUDGET FOR FISCAL YEAR 2011-2012, BY MAKING REVENUE ADJUSTMENTS IN THE AMOUNT OF \$92,900.00 AND APPROPRIATION ADJUSTMENTS IN THE AMOUNT OF \$130,400.00 AND CALLING FOR A PUBLIC HEARING. (00:30:20)
 - i. Bennett moved to approve Resolution No. 4264. Friedman seconded.
 1. All in favor, the motion passed.
 - c. Resolution No. 4265 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGE TO SIGN AGREEMENT WITH SCHOOL DISTRICT FOR STUDENT RESOURCE OFFICER THE FISCAL YEARS 2012-2013, 2013-2014, AND 2014-2015. (00:38:00)
 - i. Bennett moved to approve Resolution No. 4265. Friedman seconded.
 1. All in favor, the motion passed.
10. Action Items:
- a. Action Item A: Discuss/approve/deny changes to the “Rules of Conduct for the Livingston City Commission.” (00:45:30)
 - i. The Commission discussed Action Item A.
 - b. Action Item B: Discuss/approve/deny Collective Bargaining principles. (01:01:40)
 - i. The Commission discussed Action Item B.
 - c. Action Item C: Discuss/approve/deny appointment of Joe Fay to the Urban Renewal Agency. (2 vacancies) (01:46:55)
 - i. Bennett moved to approve the appointment of Joe Fay to the Urban Renewal Agency. Friedman seconded.
 1. All in favor, the motion passed.
 - d. Action Item D: Select City Commissioner to attend mediation for the City of Livingston, et. al. v. Burlington Northern Santa Fe Railroad (BNSF) on March 5, 2012 at 8:00 a.m. in Great Falls, Montana. (01:47:45)
 - i. Bennett moved to appoint the Commission Chairman, Steve Caldwell, to attend mediation. Stern seconded.
 1. All in favor, the motion passed.
11. City Manager comments. (01:48:47)
- a. City Manager Edwin Meece made comments.
12. Supplementals:
- a. Bridger Feeds letter.
13. Calendar of Events.
14. City Commission Comments:
- a. Friedman made comments. (01:54:01)
 - b. Stern made comments. (01:54:35)
 - c. Spannrng made comments. (01:55:05)
 - d. Bennett made comments. (01:56:20)

- e. Caldwell made comments. (01:56:150)
- 15. Public Comment:
 - a. Stan Bates made comments in favor of Streamline bus service. (01:57:29)
- 16. Adjournment:
 - a. Bennett moved to adjourn the meeting. Friedman seconded.
 - i. All in favor, the motion passed.
 - 1. The meeting adjourned at 8:32 p.m.

Attest:

Approve:

David Fine
Recording Secretary

Steve Caldwell
Commission Chairman

Livingston City Commission Minutes

March 6, 2012

6:30 p.m.

- 1) Call to Order:
 - a. Chairman Caldwell called the meeting to order at 6:30 p.m.
- 2) Roll Call:
 - a. Caldwell, Bennett, Stern, and Friedman were present.
 - b. Spanring was absent.
- 3) Pledge of Allegiance.
- 4) Consent Items:
 - a. Bennett moved to approve Consent Items A-C. Stern seconded.
 - i. All in favor, the motion passed 4-0.
- 5) Proclamations:
 - a. A proclamation for Public Safety Dispatcher Week. (00:01:20)
- 6) Scheduled Public Comment:
 - a. Jeff Dickerson, President, Livingston Youth Soccer Association.
 - b. Mr. Dickerson was not immediately present, so this section was delayed. (00:23:20)
- 7) Public Hearings:
 - a. Ordinance No. 2036 – AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE NO. 2030 AND CHAPTER 9, ARTICLE IV OF THE LIVINGSTON MUNICIPAL CODE ENTITLED “PARKING, STOPPING, AND STANDING” AND SPECIFICALLY SECTION 9-246 BY ESTABLISHING A RESERVED PARKING SPOT FOR “ANGEL LINE” ON SOUTH MAIN STREET IN ADJACENT TO THE SENIOR CENTER AND PROVIDING A PENALTY FOR VIOLATION. (00:02:40)
 - i. Lee Parriott made comments. (00:03:25)
 - ii. Friedman moved to approve Ordinance No. 2036. Stern seconded.
 1. All in favor, the motion passed 4-0.
 - b. Ordinance No. 2037 – AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE NO. 2008 AS CODIFIED IN CHAPTER 4, ANIMALS, OF THE LIVINGSTON MUNICIPAL CODE BY AMENDING THE ORDINANCE TO ALLOW THE COUNTY SANITARIAN TO ISSUE PERMITS FOR LIVESTOCK AND CHICKENS. (00:05:28)
 - i. Bennett moved to approve Ordinance No. 2037. Stern seconded.
 1. All in favor the motion passed 4-0.
 - c. Resolution No. 4266 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING THE BUDGET FOR FISCAL YEAR 2011-2012, BY MAKING REVENUE ADJUSTMENTS IN THE AMOUNT OF \$92,900.00 AND APPROPRIATION ADJUSTMENTS IN THE AMOUNT OF \$130,400.00. (00:06:30)
 - i. Stern moved to approve Resolution No. 4266. Bennett seconded.
 1. All in favor, the motion passed 4-0.
- 8) Ordinances:
 - a. Ordinance No. 2038 – AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE NO. 1878 AS CODIFIED BY CHAPTER 31 OF THE LIVINGSTON MUNICIPAL CODE TITLED HISTORIC DISTRICT OVERLAY ZONING BY CHANGING THE NUMBER OF MEMBERS ON THE HISTORIC PRESERVATION COMMISSION, DELETING SIGNAGE REVIEW BY THE HISTORIC PRESERVATION

COMMISSION AND ESTABLISHING THE RESPONSIBILITIES OF THE BUILDING AND PLANNING DIRECTOR IN MATTERS OF HISTORIC PRESERVATION. (00:07:38)

- i. Stern moved to approve Ordinance No. 2038. Bennett seconded.
 - 1. Stern moved to amend Ordinance No. 2038 Section 31.05.E.1 (packet p.84) to strike "no project is pending review" and insert in its place "no items are on the agenda". Bennett seconded.
 - a. All in favor, the motion to amend passed 4-0.
 - 2. All in favor, the motion to approve Ordinance No. 2038 passed 4-0.

9) Resolutions:

- a. Resolution No. 4267 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN CITY-COUNTY EMERGENCY TRAINING CENTER DEVELOPMENT AND USE AGREEMENT. (00:22:31)
 - i. Stern moved to approve Resolution No. 4267. Friedman seconded.
 - 1. All in favor, the motion passed 4-0.

10) Action Items:

- a. Action Item A: Discuss/approve/deny recommendation from Clint Tinsley, Public Works Director, to award bid to RDO Equipment for one (1) 2012 John Deere 410K Loader Backhoe in the amount of \$93,250.00. (00:43:48)
 - i. Bennett moved to approve Action Item A. Friedman seconded.
 - 1. All in favor, the motion passed 4-0.
- b. Action Item B: Discuss/approve/deny appointment to the Urban Renewal Agency for Johanna DeVries. (Last Vacancy) (00:46:58)
 - i. Stern moved to approve Action Item B. Friedman seconded.
 - 1. All in favor, the motion passed 4-0.
- c. Action Item C: Discuss/approve/deny revised Labor Negotiation Principles and Procedures for FY 2012. (00:48:20)
 - i. The City Commission discussed Action Item C.
- d. Action Item D: Discuss/approve/deny revisions of City Commission Procedures (from 2/21/12 meeting. (1:51:55)
 - i. The City Commission discussed Action Item D.
 - ii. Patricia Grabow made comments. (01:57:01)
- e. Action Item E: Discuss/approve/deny settlement agreement with BNSF Rail (depending on results of the 3/5/12 negotiations). (02:09:50)
 - i. Action Item E was moot because there was no settlement.

11) City Manager comments.

12) Supplementals.

- a. None.

13) Calendar of Events.

14) City Commission comments:

- a. Friedman made comments (02:10:07)
- b. Stern made comments. (02:10:40)
- c. Bennett made comments. (02:16:33)
- d. Caldwell made comments. (02:23:00)

15) Public Comments.

- a. No members of the public made comments.

16) Adjournment:

- a. Stern moved to adjourn the City Commission meeting. Friedman seconded.
 - i. All in favor, the motion passed 4-0.

ATTEST:

APPROVE:

David Fine
Recording Secretary

Steve Caldwell
Commission Chairman

March 6, 2012

Livingston City Commission Minutes

March 20, 2012

6:30 p.m.

1. CALL TO ORDER:
 - a. Chairman Caldwell called the meeting to order at 6:30 p.m.
2. ROLL CALL.
 - a. Steve Caldwell, James Bennett, Bill Spanning, Adam Stern, and Mel Friedman were present.
3. PLEDGE OF ALLEGIANCE.
4. CONSENT ITEMS (00:00:50):
 - A. Approve March 3, 2012 City Commission meeting minutes.
 - B. Approve bills and claims for 1st half of March 2012.
 - C. Department heads monthly reports and other boards / committees minutes.
 - Bennett moved to approve Consent Items A-C. Friedman seconded.
 - All in favor, the motion passed 5-0.
5. PROCLAMATIONS:
 - a. None.
6. SCHEDULED PUBLIC COMMENT:
 1. Wayne & Kim Fink – Permission to install a temporary fence on North “H” Street. (00:01:20)
7. PUBLIC HEARINGS:
 - A. Ordinance No. 2038 – AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE NO. 1878 AS CODIFIED BY CHAPTER 31 OF THE LIVINGSTON MUNICIPAL CODE TITLED HISTORIC DISTRICT OVERLAY ZONING BY CHANGING THE NUMBER OF MEMBERS ON THE HISTORIC PRESERVATION COMMISSION, DELETING REDUNDANT SIGNAGE REVIEW BY THE HISTORIC PRESERVATION COMMISSION AND ESTABLISHING THE RESPONSIBILITIES OF THE BUILDING AND PLANNING DIRECTOR IN MATTERS OF HISTORIC PRESERVATION. (00:15:51)
 - Stern moved to approve Ordinance No. 2038. Bennett seconded.
 - All in favor, the motion passed 5-0.
8. ORDINANCES:
 - a. None.
9. ACTION ITEMS:
 - Bennett moved to exchange the order of Resolutions and Action Items for tonight. Stern seconded. (00:17:14)
 - All in favor, the motion passed 5-0.
 - A. Discuss/approve/deny appointment to the City Planning Board for Joseph Parriott. (Last vacancy). (00:18:50)
 - Stern moved to appoint Joseph Parriott to the Planning Board. Bennett seconded.

- All in favor, the motion passed 5-0.
- B. Discuss/approve/deny revised Labor Negotiation Principles & Procedures for FY 2012. (00:20:41)
 - Bennett moved to approve the Labor Negotiation Principles & Procedures for FY 2012. Stern seconded.
 - Bennett moved amend the Labor Negotiation Principles & Procedures for FY 2012 to add, “as well as an informative email after each negotiation session,” after the word “agenda” to Labor Negotiation Procedures, Section 3:A. Stern seconded. (00:24:46)
 - All in favor, the motion to amend passed 5-0.
 - All in favor, the motion to approve passed 5-0.
- C. Schedule City Manager’s evaluation and discuss process. (00:27:54)
 - The Commission set the City Manager’s evaluation for the April 3 meeting of the City Commission. A special meeting was scheduled for April 10 at 6:30 p.m.
 -
- D. Discuss/accept FY 2012 updated Capital Improvement Proposal (CIP). (00:46:13)
 - Stern moved to accept the FY 2012 updated Capital Improvement Proposal (CIP). Friedman seconded. (01:48:47)
 - Caldwell, Bennett, Stern, and Friedman voted in favor of the motion. Spannring abstained.
 - The motion passed 4-0.
- E. Discuss dogs on or off leash at Myers River View Trail. (01:49:20)
 - Rick VanAken made comments. (00:02:43)
 - The Commission took no action on this item.

10. RESOLUTIONS:

- A. Resolution No. 4268 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO RAISE THE WATER RATE IN THE AMOUNT OF 4% TO BECOME EFFECTIVE FOR WATER USAGE STARTING JULY, 2012, AND CALLING FOR A PUBLIC HEARING. (00:00:00, Part 2)
- Bennett moved to approve Resolution No. 4268. Friedman seconded.
 - All in favor, the motion passed 5-0.
- B. Resolution No. 4269 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO RAISE THE SEWER RATE IN THE AMOUNT OF 4% TO BECOME EFFECTIVE FOR SEWER USAGE STARTING JULY, 2012, AND CALLING FOR A PUBLIC HEARING. (00:01:38)
- Bennett moved to approve Resolution No. 4269. Stern seconded.
 - All in favor, the motion passed 5-0.
- C. Resolution No. 4270 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ESTIMATING THE COST OF MAINTAINING LIGHTS AND SUPPLYING ELECTRICAL CURRENT TO SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 20 IN THE AMOUNT OF \$47,260.00 FOR FISCAL YEAR 2012-2013 AND OF ITS INTENT TO LEVY AND ASSESS 100% OF

THE ESTIMATED COSTS AGAINST EVERY PARCEL OF PROPERTY WITHIN SAID DISTRICT FOR THAT PART OF THE COST WHICH ITS ASSESSABLE AREA BEARS TO THE ASSESSABLE AREA OF THE DISTRICT AND CALLING FOR A PUBLIC HEARING. (00:02:31)

- Friedman moved to approve Resolution No. 4270. Bennett seconded.
 - All in favor, the motion passed 5-0.

D. Resolution No. 4271 – 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 AND OTHER APPURTENANCES THEREIN AND TO LEVY AND ASSESS 100% OF THE ESTIMATED COSTS OF \$91,740.00 FOR FISCAL YEAR 2012-2013 AGAINST EVERY PARCEL OF PROPERTY WITHIN SAID DISTRICT FOR THAT PART OF THE COST WHICH ITS ASSESSABLE AREA BEARS TO THE ASSESSABLE AREA OF THE DISTRICT, AND CALLING FOR A PUBLIC HEARING. (00:03:53)

- Stern moved to approve Resolution No. 4271. Friedman seconded.
 - All in favor, the motion passed 5-0.

E. Resolution No. 4272 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO INCREASE THE RATE FOR COLLECTION AND DISPOSAL OF SOLID WASTE IN THE AMOUNT OF 2% PER MONTH PER RESIDENTIAL CUSTOMER AND 3% INCREASE IN THE RATE STRUCTURE FOR COMMERCIAL CUSTOMER TO BECOME EFFECTIVE STARTING WITH THE JULY, 2012, BILLING CYCLE, AND CALLING FOR A PUBLIC HEARING. (00:05:07)

- Stern moved to approve Resolution No. 4272. Bennett seconded.
 - All in favor, the motion passed 5-0.

F. Resolution No. 4273 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ESTIMATING THE COST OF MAINTAINING AND IMPROVING STREETS AND ALLEYS IN FURTHERANCE OF THE FIVE-YEAR CAPITAL IMPROVEMENT PLAN FOR STREET MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2012-2013 IN THE ESTIMATED AMOUNT OF \$755,000.00 AND OF ITS INTENT TO LEVY AND ASSESS 100% THE ESTIMATED COSTS AGAINST EVERY PARCEL OF PROPERTY WITHIN SAID DISTRICT FOR THAT PART OF THE COST WHICH ITS ASSESSABLE AREA BEARS TO THE ASSESSABLE AREA OF THE DISTRICT AND CALLING FOR A PUBLIC HEARING. (00:06:49)

- Bennett moved to approve Resolution No. 4273. Stern seconded.
 - All in favor, the motion passed 5-0.

G. Resolution No. 4274 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH JUHNKE'S COUNTRY LIVING EXCAVATION FOR THE REMOVAL OF BERM BETWEEN MAYOR'S LANDING AND PARK COUNTY FAIRGROUNDS ALONG VIEW VISTA DRIVE IN THE AMOUNT OF \$7,450.00. (00:09:31)

- Bennett moved to approve Resolution No. 4274. Stern seconded.
 - All in favor, the motion passed 5-0.

H. Resolution No. 4275 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH STATE OF MONTANA DEPARTMENT OF TRANSPORTATION FOR THE MILL, FILL, SEAL AND COVER FEDERAL AID PROJECT STPP11-1(69)53, LIVINGSTON SOUTH (US 89), CN-7579 FROM MOUNTAIN VIEW LANE TO LOVES LANE. (00:13:01)

- Stern moved to approve Resolution No. 4275. Friedman seconded.
 - All in favor, the motion passed 5-0

I. Resolution No. 4276 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, RELATING TO SEWER SYSTEM REVENUE REFUNDING BONDS, SERIES 2012, AUTHORIZING THE ISSUANCE OF AND PROVIDING FOR THE SALE THEREOF. (00:15:18)

- Bennett moved to approve Resolution No. 4276. Stern seconded.
 - All in favor, the motion passed 5-0.

11. CITY MANAGER COMMENTS:

- Ed Meece made comments. (00:18:57)

12. SUPPLEMENTALS:

- A. Letter of Appreciation – Park County Sheriff’s Office.
- B. Boards, Districts, Commissions, and Committees Workshop on April 6, 2012. (If you want to attend, or you know someone who would like to attend, please let Pam in the City Office know by March 27, 2012.)

13. CALENDAR OF EVENTS.

14. CITY COMMISSION COMMENTS.

- None.

15. PUBLIC COMMENTS:

- Wayne Fink made comments. (00:20:29)

16. ADJOURNMENT:

- Bennett moved to adjourn. Stern seconded.
 - All in favor, the meeting adjourned at 9:09 p.m.

ATTEST:

APPROVE:

David Fine
Recording Secretary

Steve Caldwell
Commission Chairman

Livingston City Commission Minutes

April 4, 2012

6:30 p.m.

1. CALL TO ORDER.

- Chairman Caldwell called the meeting to order at 6:30 p.m.

2. ROLL CALL.

- Steve Caldwell, James Bennett, Bill Spannring, Adam Stern, and Mel Friedman were present.

3. PLEDGE OF ALLEGIANCE.

4. CONSENT ITEMS (00:00:39):

- A. Approve March 20, 2012 City Commission meeting minutes.
- B. Ratify American Express claim. (Prepaid – Due Date).
- C. Approve bills and claims for 2nd half of March 2012.
- Bennett moved to approve the Consent Items. Friedman seconded.
 - Caldwell, Bennett, Stern, and Friedman voted in favor of the motion. Spannring voted against the motion.
 - The motion passed 4-1.

5. PROCLAMATIONS:

- None.

6. SCHEDULED PUBLIC COMMENT:

- A. Presentation of Parks & Trails Master Plan – Wayne Freeman (CTA Engineers). (00:01:12)

7. PUBLIC HEARINGS:

A. Resolution No. 4277 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, RAISING THE WATER RATE IN THE AMOUNT OF 4% TO BECOME EFFECTIVE FOR WATER USAGE STARTING JULY, 2012. (00:22:21)

- Public Hearing
 - Lenny Gregory made comments. (00:22:56)
 - Lee Parriott made comments. (00:28:00)
 - Patti Orndorf made comments. (00:30:58)
- Bennett and Stern asked that a discussion of inflation increases and incrementalism be placed on the next meeting agenda.
- Bennett moved to approve Resolution No. 4277. Friedman seconded.
 - Caldwell, Bennett, Stern, and Friedman voted in favor of the motion. Spannring voted against the motion.
 - The motion passed 4-1.

B. Resolution No. 4278 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, RAISING THE SEWER RATE IN THE AMOUNT OF 4% TO BECOME EFFECTIVE FOR SEWER USAGE STARTING JULY, 2012. (00:58:43)

- Public Hearing

- Lee Parriott made comments. (00:59:16)
- Bennett moved to approve Resolution No. 4278. Stern seconded.
 - Caldwell, Bennett, Stern, and Friedman voted in favor of the motion. Spanning voted against the motion.
 - The motion passed 4-1.

C. Resolution No. 4279 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ESTIMATING THE COST OF MAINTAINING LIGHTS AND SUPPLYING ELECTRICAL CURRENT TO SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 20 IN THE AMOUNT OF \$47,260.00 FOR FISCAL YEAR 2012-2013 AND OF ITS INTENT TO LEVY AND ASSESS 100% OF THE ESTIMATED COSTS AGAINST EVERY PARCEL OF PROPERTY WITHIN SAID DISTRICT FOR THAT PART OF THE COST WHICH ITS ASSESSABLE AREA BEARS TO THE ASSESSABLE AREA OF THE DISTRICT. (01:09:45)

- Public Hearing
 - Joe Parriott made comments. (01:10:45)
- Bennett moved to approve Resolution No. 4279. Friedman seconded.
 - All in favor, the motion passed 5-0.

D. Resolution No. 4280 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, MODIFYING SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 20 BY REPLACING STREET LIGHTS AND OTHER APPURTENANCES THEREIN AND TO LEVY AND ASSESS 100% OF THE ESTIMATED COSTS OF \$91,740.00 FOR FISCAL YEAR 2012-2013 AGAINST EVERY PARCEL OF PROPERTY WITHIN SAID DISTRICT FOR THAT PART OF THE COST WHICH ITS ASSESSABLE AREA BEARS TO THE ASSESSABLE AREA OF THE DISTRICT. (01:14:40)

- There was no Public Comment during the Public Hearing.
- Bennett moved to approve Resolution No. 4280. Stern seconded.
 - All in favor, the motion passed 5-0.

E. Resolution No. 4281 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, INCREASING THE RATE FOR COLLECTION AND DISPOSAL OF SOLID WASTE IN THE AMOUNT OF 2% PER MONTH PER RESIDENTIAL CUSTOMER AND 2% INCREASE IN THE RATE STRUCTURE FOR COMMERCIAL CUSTOMER TO BECOME EFFECTIVE STARTING WITH THE JULY, 2012, BILLING CYCLE.

F. Resolution No. 4282 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ESTIMATING THE COST OF MAINTAINING AND IMPROVING STREETS AND ALLEYS IN FURTHERANCE OF THE FIVE-YEAR CAPITAL IMPROVEMENT PLAN FOR STREET MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2012-2013 IN THE ESTIMATED AMOUNT OF \$755,000.00 AND LEVYING AND ASSESSING 100% THE ESTIMATED COSTS AGAINST EVERY PARCEL OF PROPERTY WITHIN SAID DISTRICT FOR THAT PART OF THE COST WHICH ITS ASSESSABLE AREA BEARS TO THE ASSESSABLE AREA OF THE DISTRICT. (01:18:27)

- There was no Public Comment during the Public Hearing.
- Bennett moved to approve Resolution No. 4281. Stern seconded.
 - All in favor, the motion passed 5-0.

F. Resolution No. 4282 – A RESOLUTION OF THE CITYCOMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ESTIMATING THE COST OF MAINTAINING AND IMPROVING STREETS AND ALLEYS IN FURTHERANCE OF THE FIVE-YEAR CAPITAL IMPROVEMENT PLAN FOR STREET MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2012-2013 IN THE ESTIMATED AMOUNT OF \$755,000.00 AND LEVYING AND ASSESSING 100% THE ESTIMATED COSTS AGAINST EVERY PARCEL OF PROPERTY WITHIN SAID DISTRICT

FOR THAT PART OF THE COST WHICH ITS ASSESSABLE AREA BEARS TO THE ASSESSABLE AREA OF THE DISTRICT. (01:29:20)

- There was no Public Comment during the Public Hearing.
- Bennett moved to approve Resolution No. 4282. Stern seconded.
 - Bennett moved to amend Resolution No. 4282 to “change the wording on the Resolution to include the 15% figure.” Stern seconded. (01:32:45)
 - All in favor, the motion to amend passed 5-0.
 - All in favor, the motion to approve Resolution No. 4282, as amended, passed 5-0.

8. ORDINANCES:

- None.

9. RESOLUTIONS:

A. Resolution No. 4283 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON RELATING TO WATER SYSTEM REVENUE REFUNDING BONDS, SERIES 2012; AUTHORIZING THE ISSUANCE OF AND PROVIDING FOR THE SALE THEREOF; DELEGATING THE AWARD OF THE BONDS TO CERTAIN CITY OFFICIALS. (01:39:08)

- Stern moved to approve Resolution No. 4285. Friedman seconded.
 - All in favor, the motion passed 5-0.

C. Resolution No. 4285 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN PROFESSIONAL SERVICES AGREEMENT WITH STAHL ENGINEERING FOR PRELIMINARY ENGINEERING REPORT FOR PARK 1 IN THE AMOUNT OF \$30,000.00 AND PART 2 IN THE AMOUNT OF \$34,000.00. (01:43:36)

- Stern moved to approve Resolution No. 4285. Friedman seconded.
 - All in favor, the motion passed 5-0.

B. Resolution No. 4284 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN MEMORANDUM OF UNDERSTANDING WITH PARK COUNTY, MONTANA, IN FURTHERANCE OF THE MONTANA COWBOY HALL OF FAME & HERITAGE CENTER. (02:06:30)

- Bennett moved to approve Resolution No. 4284. Friedman seconded.
 - All in favor, the motion passed 5-0.

D. Resolution No. 4286 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN MEMORANDUM OF UNDERSTANDING WITH THE MONTANA COWBOY HALL OF FAME & WESTERN HERITAGE CENTER. (02:17:25)

- Stern moved to approve Resolution No. 4286. Friedman seconded.
 - All in favor, the motion passed 5-0.

E. Resolution No. 4287 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN LAND CONVEYANCE AGREEMENT WITH THE MONTANA COWBOY HALL OF FAME & WESTERN HERITAGE CENTER. (02:29:55)

- Stern moved to approve Resolution No. 4287. Bennett seconded.
 - All in favor, the motion passed 5-0.

10. ACTION ITEMS:

A. Action Item A: Discuss/approve/deny 'obstruction permit' for Wayne and Kim Fink, 614 North "G" Street.

- Bennett moved to postpone consideration of Action Item A until April 17. Stern seconded. (02:29:55)

B. Action Item B: Closed Session for the purpose of starting the City Manager's annual performance evaluation. No Action to Follow.

- Stern moved to move Action Item B to after the Public Comment section of the agenda. Bennett seconded. (2:34:15)
 - Caldwell, Bennett, Stern, and Friedman voted in favor of the motion. Spanning abstained.
 - The motion passed 4-0.
- Chairman Caldwell closed the meeting in accordance with MCA 2-3-203 to discuss personnel issues. (02:55:00)

11. CITY MANAGER COMMENTS:

- Ed Meece made no comments. (02:34:50)

12. SUPPLEMENTALS:

- None.

13. CALENDAR OF EVENTS.

14. CITY COMMISSION COMMENTS

- Stern made comments. (02:35:00)
- Friedman made comments. (02:36:10)
- Bennett made comments. (02:36:24)
- Caldwell made comments. (02:50:18)

15. PUBLIC COMMENTS.

- Lee Parriott made comments. (02:51:29)
- Joe Parriott made comments. (02:53:00)
- Lisa Adams made comments. (02:53:56)

16. ADJOURNMENT.

- Following the conclusion of the closed session, Chairman Caldwell reopened the meeting of the City Commission and solicited Public Comment. Hearing no public comment, Chairman Caldwell entertained a motion for adjournment. (00:00:00, Part 2)
- Friedman moved to adjourn. Bennett seconded.
 - All in favor, the motion passed 4-0. (Spanning was not present for the Closed Session.)
 - The meeting adjourned at 10:43 p.m.

Livingston City Commission Minutes
April 17, 2012
6:30 p.m.

1. CALL TO ORDER.

- Chairman Caldwell called the meeting to order at 6:30 p.m.

2. ROLL CALL.

- Steve Caldwell, James Bennett, Bill Spannring, Adam Stern, and Mel Friedman were present.

3. PLEDGE OF ALLEGIANCE.

4. CONSENT ITEMS:

- A. Approve April 3, 2012 City Commission meeting minutes.
 - B. Approve April 10, 2012 Special City Commission meeting minutes.
 - C. Approve bills and claims for 1st half of April 2012.
 - D. Department heads monthly reports and other committee / boards minutes.
- Bennett moved to approve Consent Items A –D. Friedman seconded. (00:02:55)
 - All in favor, the motion passed 5-0.

5. PROCLAMATIONS:

- None.

6. SCHEDULED PUBLIC COMMENT:

- None.

7. PUBLIC HEARINGS:

- None.

8. ORDINANCES:

- None.

9. RESOLUTIONS:

- A. **Resolution No. 4288** – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, RELATING TO \$535,000 WATER SYSTEM REVENUE REFUNDING BONDS, SERIES 2012, AUTHORIZING THE ISSUANCE OF AND PROVIDING FOR THE SALE THEREOF. (00:03:25)
 - Miral Gamradt, Finance Director, made comments. (00:04:26)
 - Bridget Ekstrom of D.A. Davidson, the bond broker, made comments.(00:05:55)
 - Ben Johnson of Kennedy & Graven, the bond counsel, made comments. (00:09:39)
 - Bennett moved to approve Resolution No. 4288. Stern seconded.
 - All in favor, the motion passed 5-0.
- B. **Resolution No. 4289** – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, RELATING TO \$1,825,000 SEWER SYSTEM REVENUE REFUNDING BONDS, SERIES 2012, AUTHORIZING THE ISSUANCE OF AND PROVIDING FOR THE SALE THEREOF. (00:15:23)

- Stern moved to approve Resolution No. 4289. Friedman seconded.
 - All in favor, the motion passed 5-0.

C. **Resolution No. 4290** – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING AMENDMENT TO CHAPTER 4 – LIBRARY OF THE CITY OF LIVINGSTON AND PARK COUNTY COMPACT AND OTHER MINOR CHANGES. (00:16:10)

- Nancy Kessler made comments.
- Bennett moved to approve Resolution No. 4290. Stern seconded.
 - All in favor, the motion passed 5-0.

10. ACTION ITEMS:

A. **Action Item A:** Discuss/approve/deny recommendation from the Livingston Youth Soccer Association for the request of bids for the construction of the Northside Park and Soccer Fields Phase 2 – Field 3. (Due to bad timing, information will be provided Tuesday night). (01:15:06)

- John Dickerson, President of the Livingston Youth Soccer Association made comments. (01:17:07)
- Bennett moved to approve the George Rabel Logging base bid and the Alternative 2 bid. Stern seconded.
 - All in favor, the motion passed 5-0.

B. **Action Item B:** Discuss/approve/deny ‘obstruction permit’ for Wayne and Kim Fink, 614 North “G” Street. (01:23:26)

- Walter Nead, a resident at 315 E. Montana St., made comments. (01:26:34)
- Jackie Robbins, a resident at 602 N. H St., made comments. (01:42:07)
- Wayne Fink responded to questions and comments.
- Bennett moved to postpone consideration of Action Item B to the next regular City Commission meeting. Spannring seconded.
 - All in favor, the motion passed 5-0.

C. **Action Item C:** Discuss relationship with City Commission’s Boards and Committees. (01:56:20)

- Bennett and Stern asked that a discussion of the EMS Committee and Fund, and the Grants Committee be added to the agenda of the next commission meeting.

D. **Action Item D:** Discuss Patti Orndorff letter to City Commission.

- The commission directed the administration to find information and do signage as appropriate. (02:18:15)

E. **Action Item E:** Discuss inflation and incrementalism as they relate to municipal finances. (02:24:46)

- Ed Meece, City Manager, made a presentation.
- Lisa Adams, a resident at 414 N. Main St., made comments. (02:54:34)
- Lee Parriott, a resident at 614 W. Lewis, made comments. (03:02:44)

F. **Action Item F:** Schedule “City Manager’s Goals” session.

- The City Manager’s Goals work session was scheduled for Tuesday, May 8 at 6:30 p.m. (03:08:42)

11. CITY MANAGER COMMENTS:

- Meece made no comments. (03:02:27)

12. SUPPLEMENTALS:

- None.

13. CALENDAR OF EVENTS.

14. CITY COMMISSION COMMENTS:

- Stern made comments. (03:10:29)
- Friedman made comments. (03:15:39)
- Bennett made comments. (03:16:52)
- Caldwell made comments. (03:19:49)

15. PUBLIC COMMENTS.

- No members of the public made comments.

16. ADJOURNMENT:

- Bennett moved to adjourn the meeting. Friedman seconded.
 - All in favor, the motion passed 5-0.
- The meeting adjourned at 9:52 p.m.

ATTEST:

APPROVE:

David Fine
Recording Secretary

Steve Caldwell
Commission Chairman

Livingston City Commission Minutes
May 1, 2012
6:30 p.m.

1. CALL TO ORDER:

- Chairman Caldwell called the meeting to order at 6:30 p.m.

2. ROLL CALL:

- Steve Caldwell, James Bennett, Bill Spannring, Adam Stern, and Mel Friedman were present.

3. PLEDGE OF ALLEGIANCE.

4. CONSENT ITEMS (00:00:37):

- A. Approve April 17, 2012 City Commission meeting minutes.
- B. Approve bills and claims for 2nd half of April 2012.
- C. Approve request of waiver for the use of Mayor's Landing for overnight camping on Thursday, July 12, 2012 for the Yellowstone Boat Float.

- Bennett moved to approve Consent Items A-C. Stern seconded.
 - All in favor, the motion passed 5-0.

5. PROCLAMATIONS:

- None.

6. SCHEDULED PUBLIC COMMENT:

A. Christina Howell – Crossing guards at all intersections of Winans School at 10th and West Clark Street and 11th and Geyser Street. (00:01:08)

B. Chris Adams – Livingston Disc Golfers. (00:25:18)

C. Brad Bunkers – “Brand Livingston” project. (00:31:42)

D. Diana Seider, Museum Director – Depot Foundation (00:43:12)

7. PUBLIC HEARINGS:

- None.

8. ORDINANCES:

A. Ordinance No. 2039 – AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ADOPTING THE 2009 INTERNATIONAL FIRE CODE BY REFERENCE, AS MODIFIED BY THE STATE OF MONTANA, AND PROVIDING FOR A CIVIL PENALTY FOR VIOLATIONS OF THE INTERNATIONAL FIRE CODE. (01:05:40)

- Bennett moved to approve Ordinance No. 2039. Friedman seconded.
 - All in favor, the motion passed 5-0.

9. RESOLUTIONS:

A. Resolution No. 4291 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN CONSTRUCTION AGREEMENT WITH GEORGE RABEL LOGGING FOR THE NORTHSIDE PARK AND SOCCER FIELDS PHASE II – FIELD 3 PROJECT IN THE AMOUNT OF \$298,694.00. (01:11:53)

- Bennett moved to approve Resolution No. 4291. Stern seconded.
 - All in favor, the motion passed 5-0.

B. Resolution No. 4292 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH THE MONTANA HISTORIC PRESERVATION OFFICE FOR GRANT FOR LOCAL HISTORIC PRESERVATION FOR PERIOD APRIL 2, 2012 TO MARCH 31, 2013. (01:15:39)

- Bennett moved to approve Resolution No. 4292. Stern seconded.
 - All in favor, the motion passed 5-0.

C. Resolution No. 4293 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN MEMORANDUM OF UNDERSTANDING (MOU) WITH THE TOWN OF WEST YELLOWSTONE, MONTANA, FOR PERFORMING THE FUNCTION OF MUTUAL BACKUP 9-1-1 PUBLIC SAFETY ANSWERING POINTS (PSAP). (01:19:17)

- Friedman moved to approve Resolution No. 4293. Stern seconded.
 - All in favor, the motion passed 5-0.

D. Resolution No. 4294 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN CONTRACT WITH THE CLUMSY LOVERS FOR SUMMERFEST ALONG THE YELLOWSTONE, 2012. (01:25:55)

- Bennett moved to approve Resolution No. 4294. Stern seconded.
 - All in favor, the motion passed 5-0.

10. ACTION ITEMS:

A. Action Item A: Discuss/approve/deny bid for the “Nuisance Vegetation Cutting” to be awarded to Skyline Tree Service and waiving the general liability insurance limits. (01:27:59)

- Stern moved to “approve this.” Friedman seconded.
- Stern offered a substitute motion to accept the bid as submitted. Friedman seconded.
 - All in favor, the motion passed 5-0.

B. Action Item B: Discuss/approve/deny appointment of Elizabeth Lahren to the Business Improvement District Board. (01:32:57)

- Bennett moved to approve Action Item B. Stern seconded.
 - All in favor, the motion passed 5-0.

C. Action Item C: Discuss/approve/deny appointment of Jerome Miratsky to the Historic Preservation Commission. (01:34:28)

- Stern moved to Approve Action Item C. Bennett seconded.
 - All in favor, the motion passed 5-0.

D. Action Item D: Discuss/approve/deny sidewalk funding proposal from the Urban Renewal Agency. (01:35:55)

- Ryann Rivard, a representative of the Urban Renewal Agency, made a presentation.
- Stern moved to approve the Urban Renewal Agency Sidewalk Replacement Program. Friedman seconded.
 - All in favor, the motion passed 5-0.

E. Action Item E: Discuss "Impact Fees" study. (02:02:54)

- Jim Woodhull, Building and Planning Director, made comments.

F. Action Item F: Discuss/approve/deny obstruction permit for Wayne Fink. (02:20:28)

- Spanning moved to grant Wayne and Kim Fink's request. Bennett seconded.
 - Spanning withdrew his motion.
- Spanning moved to "grant the request by Wayne and Kim Fink [for an obstruction permit] to install a temporary fence, with proof of insurance." Bennett seconded.
 - Walter Nead made comments. (02:23:28)
 - All in favor, the motion passed 5-0.

11. CITY MANAGER COMMENTS:

- Ed Meece, City Manager, made comments. (02:34:52)

12. SUPPLEMENTALS:

- None.

13. CALENDAR OF EVENTS.

14. CITY COMMISSION COMMENTS:

- Friedman made comments. (02:35:38)
- Stern made comments. (02:35:57)
 - Budget meetings were scheduled for May 16 at 4 p.m., May 22 at 6 p.m., and May 23 at 6 p.m.
- Spanning made comments. (02:41:37)
- Bennett made comments. (02:43:56)
 - Bennett requested, with a second from Spanning, to place a discussion of starting City Commission meetings with prayer on the agenda for the June 5, 2012 Commission Meeting.

15. PUBLIC COMMENTS.

- Bill Stevens made comments. (02:45:38)
 - Stern and Bennett asked that the issues surrounding the Z-Barn be placed on the agenda for discussion.
- Joe Parriott made comments. (02:51:34)
- Darcy Dahle, Field Representative for the Montana Public Employees Association (MPEA) made comments. (02:55:38)
- Lee Parriott made comments. (02:57:05)
- Lisa Adams made comments. (03:02:35)

16. ADJOURNMENT:

- Friedman moved to adjourn the meeting. Bennett seconded. (03:05:30)
 - All in favor, the motion passed.

ATTEST:

APPROVE:

David Fine
Recording Secretary

Steve Caldwell
Commission Chairman

Livingston City Commission
Special Meeting on May 8, 2012

Minutes

6:00 p.m. City Commission convened

Roll Call

Steve Caldwell – Present
Adam Sterns – Present
Mel Friedman – Present
James Bennett – Absent
Bill Spannring – Absent

Staff Present: Ed Meece, City Manager, Bruce Becker, City Attorney

Pledge of Allegiance

6:03 Chairman Caldwell convenes Executive Session to discuss litigation strategy involving City of Livingston, et al. v. BNSF

6:28 Commissioner Bennett arrives

6:31 reconvene in public meeting

Motion by Adam Sterns, 2nd by Mel Friedman to accept \$36,000,000 offer of settlement from BNSF with \$16,000,000 to be used for clean-up and \$20,000,000 to plaintiffs and attorney fees

Commissioner Caldwell – For
Commissioner Sterns – For
Commissioner Friedman – For
Commissioner Bennett – For

Motion passed

Public Comment

John Kaufman concerning the quickness of settlement

Meeting adjourned at 6:34


Minutes prepared by Bruce Becker

Approved by Steve Caldwell

**Livingston City Commission Minutes
May 15, 2012
6:30 p.m.**

1. CALL TO ORDER:

- Chairman Caldwell called the meeting to order at 6:30 p.m.

2. ROLL CALL:

- Steve Caldwell, Adam Stern, and Mel Friedman were present.
- James Bennett and Bill Spanning were absent.

3. PLEDGE OF ALLEGIANCE.

4. CONSENT ITEMS (00:00:49):

A. Approve May 1, 2012 City Commission meeting minutes.

B. Approve bills and claims for 1st half of May 2012.

C. Department heads monthly reports and other boards / committees minutes.

- Stern moved to approve Consent Items A – C. Friedman seconded.
 - All in favor, the motion passed 3-0.

5. PROCLAMATIONS:

- None.

6. SCHEDULED PUBLIC COMMENT:

- None.

7. PUBLIC HEARINGS:

A. Ordinance No. 2039 – AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ADOPTING THE 2009 INTERNATIONAL FIRE CODE BY REFERENCE, AS MODIFIED BY THE STATE OF MONTANA, AND PROVIDING FOR A CIVIL PENALTY FOR VIOLATIONS OF THE INTERNATIONAL FIRE CODE. (00:01:12)

- No members of the public made comments.
- Friedman moved to approve Ordinance No. 2039. Stern seconded.
 - All in favor, the motion passed 3-0.

8. ORDINANCES:

- None.

9. RESOLUTIONS:

A. Resolution No. 4259 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN TEAM TRACK AGREEMENT NO. 400,323 WITH MONTANA RAIL LINK FOR THE PURPOSE OF LOADING RECYCLABLE GLASS FOR SHIPMENT. (00:02:26)

- Stern moved to approve Resolution No. 4259. Friedman seconded.

- All in favor, the motion passed 3-0.

B. Resolution No. 4295 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN A RELEASE IN THE MATTER OF THE CITY OF LIVINGSTON, ET AL. V. BURLINGTON NORTHERN SANTA FE RAILROAD, CAUSE NO. DV07-141 FILED IN MONTANA 6TH JUDICIAL DISTRICT COURT, PARK COUNTY. (00:09:54)

- Ed Meece, City Manager, requested the postponement of this Resolution until the next regular meeting.
- Stern moved to postpone consideration of Resolution No. 4295 until the next regular meeting. Friedman seconded.
 - All in favor, the motion passed 3-0.

10. ACTION ITEMS:

A. Discuss Memorandum of Understanding with American Federation of State, County, and Municipal Employees Local #2711-A; regarding economic conditions of the collective bargaining agreement for FY 2013; approve/deny bringing the MOU back for final approval at the June 5th City Commission meeting. (00:11:48)

- Stern moved to direct the Administration to bring back a Memorandum of Understanding (MOU) with AFSCME for approval at the June 5 meeting. Friedman seconded.
 - All in favor, the motion passed 3-0.

B. Discuss Third Quarter FY 2012 Financial Report. (00:22:51)

- Commissioners discussed the Third Quarter FY 2012 Financial Report.

C. Discuss/Approve/Deny proposal from Urban Renewal for additional street furniture and flower pots. (00:32:25)

- Karla Pettit of the Urban Renewal Agency made a presentation.
- Stern moved to approve Action Item C. Friedman seconded.
 - All in favor, the motion passed 3-0.

11. CITY MANAGER COMMENTS:

- The City Manager made no comments.

12. SUPPLEMENTALS:

13. CALENDAR OF EVENTS.

14. CITY COMMISSION COMMENTS:

- Friedman made comments. (00:35:03)
- Stern made comments. (00:36:09)

15. PUBLIC COMMENTS:

- No members of the public made comments.

16. ADJOURNMENT.

- Stern moved to adjourn the meeting. Friedman seconded.
 - All in favor, the motion passed.
 - The meeting adjourned at 7:07 p.m.

ATTEST:

APPROVE:

David Fine, Recording Secretary

Steve Caldwell, Commission Chairman

Livingston City Commission Minutes
June 19, 2012
6:30 p.m.

1. CALL TO ORDER.

- Chairman Caldwell called the meeting to order at 6:30 p.m.

2. ROLL CALL.

- Steve Caldwell, James Bennett, Bill Spanring, Adam Stern, and Mel Friedman were present.

3. PLEDGE OF ALLEGIANCE.

4. CONSENT ITEMS (00:00:41):

- A. Approve June 5, 2012 City Commission meeting minutes.
- B. Approve bills and claims for 1st half of June, 2012.
- C. Department heads monthly reports and other boards/commission minutes.

- Bennett moved to approve Consent Items A-C. Friedman seconded.
 - Caldwell, Bennett, Stern, and Friedman voted in favor of the motion. Spanring opposed.
 - The motion passed 4-1.

5. PROCLAMATIONS:

- None.

6. SCHEDULED PUBLIC COMMENT:

- None.

7. PUBLIC HEARINGS:

A. Resolution No. 4302 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, APPROVING AND ADOPTING THE FINAL BUDGET FOR THE FISCAL YEAR BEGINNING OF JULY 1, 2012, AND ENDING JUNE 30, 2013, (FY2012-2013), IN THE AMOUNT OF \$14,164,414.00 AND MAKING APPROPRIATIONS AND ESTABLISHING SPENDING LIMITS AND AUTHORIZING TRANSFER OF APPROPRIATIONS WITHIN SAME FUND. (00:01:14)

- Seeing no member of the public wishing to comment, Chairman Caldwell closed the hearing.
- Bennett moved to approve Resolution No. 4302. Stern seconded.
 - Caldwell, Bennett, Stern, and Friedman vote in favor of the motion. Spanring opposed.
 - The motion passed 4-1.

B. Resolution No. 4303 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ORDERING SIDEWALKS TO BE CONSTRUCTED OR REPLACED ALONG "B" STREET BETWEEN PARK STREET AND LEWIS STREET AND ALONG CALLENDER STREET FROM "B" STREET TO "C" STREET. (00:18:05)

- Chris Rogers, a member of the Grabow Condo Association made comments. (00:21:19)
- Fred Shellenberg made comments. (00:27:40)
- Diana Seider, a member of the Historic Preservation Committee, made comments. (00:29:19)
- Jack Luther, a member of the Historic Preservation Committee, made comments. (00:38:35)
- Patricia Grabow, a member of the Grabow Condo Association, made comments. (00:41:07)
- Diana Sieder made comments. (00:41:48)
- Kurt Thompson of Stahly Engineering made comments. (00:45:45)
- Kurt Thompson of Stahly Engineering made comments in response to a question from Commissioner Stern. (00:56:38)
- Bennett moved to “amend Resolution No. 4303 with word to be incorporated into the Resolution that the City will follow the guidelines of the Historic Preservation Committee’s map for historical details that need to be preserved in regards to replacing sidewalks throughout the historic district of Livingston.” (00:58:48)
 - The amendment failed for lack of a second.
- Patricia Grabow made comments. (01:06:35)
- Stern moved to approve Resolution No. 4303. Friedman seconded.
 - All in favor, the motion passed 5-0.

C. CONSIDER REVOCATION OF THE BUSINESS LICENSE OF DOUBLE O FAMILY SUBS, LLC. (CANCELED – SEE CITY ATTORNEY’S MEMO). (01:10:14)

- No members of the public made comments.
- Bennett moved to revoke the business license of DoubleO Family Subs, LLC. Stern seconded.
 - Bennett offered, as a substitute to his original motion, a motion to place consideration for revocation of the business license for Double O Family Subs, LLC in the Action Items portion of the agenda for the July 3 meeting. Friedman seconded.
 - Bennett offered, an amended substitute motion, to consider [as an Action Item at the next City Commission meeting] revocation of the business license of Double O Family Subs, LLC and for the consideration of requiring that Double O Family Subs, LLC be required to come before the City Commission to obtain their next business license. Stern seconded. (01:15:45)
 - All in favor, the amended substitute motion passed 5-0.

8. ORDINANCES:

A. Ordinance No. 2040 – AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE NO. 2019 AS CODIFIED BY ARTICLE II – COMMISSION AND CHAIRMAN OF CHAPTER 2 – GOVERNMENT AND ADMINISTRATION OF THE LIVINGSTON MUNICIPAL CODE BY AMENDING THE AGENDA TO PROVIDE FOR A MOMENT OF SILENCE.

- Bennett moved to approve Ordinance No. 2040. Friedman seconded.
 - Bennett, Spannring, and Friedman voted in favor of the motion. Caldwell and Stern opposed.
 - The motion passed 3-2.

9. RESOLUTIONS:

A. Resolution No. 4301 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ESTABLISHING COMMITTED FUND BALANCES PURSUANT TO GASB 54. (01:24:47)

- Miral Gamradt, Finance Director, explained the Resolution.
- Bennett moved to approve Resolution No. 4301. Stern seconded.
 - All in favor, the motion passed 5-0.

B. Resolution No. 4304 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN PROFESSIONAL SERVICES AGREEMENT WITH STAHL ENGINEERING FOR ENGINEERING SERVICES FOR THE “B” STREET WATER MAIN AND ROAD REPLACEMENT PROJECT IN THE AMOUNT OF \$77,520.00. (01:29:52)

- Friedman moved to approve Resolution No. 4304. Bennett seconded.
 - All in favor, the motion passed 5-0.

C. Resolution No. 4305 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AMENDED SUBRECIPIENT AGREEMENT WITH PROSPERA BUSINESS NETWORK. (01:33:25)

- Stuart Leidner, Executive Director of Prospera Business Network, made comments.
- Bennett moved to approve Resolution No. 4305. Friedman seconded.
 - All in favor, the motion passed 5-0.

D. Resolution No. 4306 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN LETTER OF AGREEMENT WITH AFSCME LOCAL 2711A PROVIDING FOR CITY’S CONTRIBUTION FOR HEALTH INSURANCE IN THE AMOUNT OF \$655.00 PER MONTH PER EMPLOYEE. (01:56:36)

- Bennett moved to approve Resolution No. 4306. Friedman seconded.
 - Caldwell, Stern, and Friedman voted in favor of the motion. Bennett and Spanning opposed.
 - The motion passed 3-2.

10. ACTION ITEMS:

A. Action Item A: Discuss applications for the Police Commission. (One (1) vacancy – Two (2) applications received). (02:11:01)

- Bennett moved to approve Liz Zink’s application for a position on the Police Commission. Stern seconded.
 - All in favor, the motion passed 5-0.

B. Action Item B: Discuss/approve/deny application for a special parking space for Rosalie Deyerle at 120 North “F” Street. (02:14:00)

- Bennett moved to approve Rosalie Deyerle’s application for a special parking space. Stern seconded.
 - All in favor, the motion passed 5-0.

C. Action Item C: Discuss the suggested priorities from the “Steering Committee” for the Livingston Parks & Trails project. (02:17:38)

- Stern moved to approve the suggestions of the “Steering Committee.” Friedman seconded.
 - All in favor, the motion passed 5-0.

D. Action Item D: Discuss/approve/deny recommendation from Stahly Engineering for the 2012 "B" Street project to be awarded to Knife River in the amount of \$803,980.00. (02:43:41)

- Stern moved to approve Action Item D. Bennett seconded.
 - All in favor, the motion passed 5-0.

E. Action Item E: Discuss enforcement efforts, and other issues, related to Z –Barn Bar and the surrounding neighborhood. (02:48:17)

- The City Commission discussed Action Item E.

11. CITY MANAGER COMMENTS:

- Ed Meece, City Manager, made comments. (03:10:20)

12. SUPPLEMENTALS.

- None.

13. CALENDAR OF EVENTS.

14. CITY COMMISSION COMMENTS:

- Friedman made comments. (03:15:51)
- Bennett moved to cancel the July 3, 2012 meeting of the City Commission. Friedman seconded. (03:17:26)
 - Caldwell, Bennett, Stern, and Friedman voted in favor of the motion. Spannring opposed.
 - The motion passed 4-1.
- Spannring made comments. (03:18:31)
- Bennett made comments. (03:19:16)
 - Diana Seider, Executive Director of the Livingston Depot Foundation, made comments. (03:21:06)
 - Bennett asked that a discussion of street sweeping be placed on the agenda for the next meeting. Stern seconded.

15. PUBLIC COMMENTS.

- Lee Parriott, Board Chair of Angel Line, made comments. (03:37:20)

16. ADJOURNMENT.

- Bennett moved to adjourn the meeting. Friedman seconded.
 - The motion was approved by an affirmative voice vote.
 - The meeting adjourned at 10:07 p.m.

ATTEST:

APPROVE:

David Fine, Recording Secretary

Steve Caldwell, Commission Chairman

**Livingston
City Commission Minutes
July 17, 2012
6:30 p.m.**

1. CALL TO ORDER.

- Chairman Caldwell called the meeting to order at 6:30 p.m.

2. ROLL CALL.

- Steve Caldwell, James Bennett, Bill Spannring, Adam Stern, and Mel Friedman were present.

3. PLEDGE OF ALLEGIANCE.

4. CONSENT ITEMS (00:01:05):

- A. Approve June 19, 2012 City Commission meeting minutes.
 - B. Ratify some claims because of no meeting being held on July 3, 2012 that had to be paid.
 - C. Approve bills and claims for 2nd half of June, 2012.
 - D. Approve bills and claims for 1st half of July, 2012, FY 2012-13.
 - E. Department heads monthly reports and other boards/commission minutes.
- Bennett moved to have discussion on Consent Items. Friedman seconded.
 - All Commissioners having voted yes, the motion passed 5-0. (00:01:06)
 - Bennett moved to approve the Consent Items. Stern seconded. (00:11:28)
 - Caldwell, Bennett, Stern, and Friedman voted yes on the motion. Spannring voted no.
 - The motion passed 4-1.

5. PROCLAMATIONS:

- None.

6. SCHEDULED PUBLIC COMMENT:

- None.

PUBLIC HEARINGS:

A. Resolution No. 4309 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, REVOKING BUSINESS LICENSE ISSUED TO DOUBLE O FAMILY SUBS, LLC, AND REQUIRING DOUBLE O TO APPEAR BEFORE CITY COMMISSION BEFORE THE ISSUANCE OF A NEW BUSINESS LICENSE. (00:12:05)

- No members of the public made comments.
- Bennett moved to approve Resolution No. 4309. Stern seconded.
 - All Commissioners having voted yes, the motion passed 5-0.

B. Ordinance No. 2040 – AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE NO. 2019 AS CODIFIED BY ARTICLE II – COMMISSION AND CHAIRMAN OF CHAPTER 2 – GOVERNMENT AND ADMINISTRATION OF THE LIVINGSTON MUNICIPAL CODE BY AMENDING THE AGENDA TO PROVIDE FOR A MOMENT OF SILENCE. (00:14:19)

- Lisa Adams made comments. (00:15:01)

- Bennett moved to approve Ordinance No. 2040. Friedman seconded.
 - Bennett, Spannring, and Friedman voted yes on the motion. Caldwell and Stern voted no.
 - The motion passed 3-2.

8. ORDINANCES:

- None.

9. RESOLUTIONS:

A. Resolution No. 4307 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN CONTRACT WITH WESTERN SKIES FOR SUMMERFEST ALONG THE YELLOWSTONE, 2012. (00:17:13)

- Bennett moved to approve Resolution No. 4307. Stern seconded.
 - All Commissioners having voted yes, the motion passed 5-0.

B. Resolution No. 4308 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, RATIFYING CONTRACT WITH KNIFE RIVER CONSTRUCTION FOR THE 2012 "B" STREET PROJECT IN THE AMOUNT OF \$803,980.00. (00:18:37)

- Bennett moved to approve Resolution No. 4208. Friedman seconded.
 - All Commissioners having voted yes, the motion passed 5-0.

C. Resolution No. 4310 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH NITTANY GRANTWORKS FOR GRANT WRITING AND GRANT MANAGEMENT SERVICES FOR FISCAL YEAR 2012-2013 IN THE AMOUNT OF \$50,400. (00:28:39)

- Bennett moved to approve Resolution No. 4310. Stern seconded.
 - All Commissioners having voted yes, the motion passed 5-0.

D. Resolution No. 4311 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING THE COLLECTIVE BARGAINING AGREEMENT WITH AFSCME LOCAL 2711A FOR PERIOD JULY 1, 2011 THROUGH JUNE 30, 2014 TO INCLUDE CERTIFICATION COMPENSATION FOR POOL AND AQUATIC FACILITY OPERATORS. (00:37:00)

- Stern moved to approve Resolution No. 4311. Friedman seconded.
 - All Commissioners having voted yes, the motion passed 5-0.

E. Resolution No. 4312 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO RELEASE TRUST INDENTURE FOR CRAZY MOUNTAIN PRODUCTIONS. (00:41:19)

- Lisa Adams made comments. (00:44:48)
- Bennett moved to approve Resolution No. 4312. Friedman seconded.
 - All Commissioners having voted yes, the motion passed 5-0.

10. ACTION ITEMS:

A. Action Item A: Discuss/approve/deny appointment of a City representative for the Burlington Northern Santa Fe Railroad settlement. (00:45:34)

- Bennett moved to appoint Steve Caldwell as City representative for the Burlington Northern Santa Fe Railroad settlement. Stern seconded.
 - Caldwell, Bennett, Stern, and Friedman voted yes on the motion. Spanning voted no on the motion.
 - The motion passed 4-1.

B. Action Item B: Discuss/approve/deny application for special parking space for Eugene B. Blaney to be located at 119 North "E" Street. (00:54:40)

- Bennett moved to approve Action Item B. Stern seconded.
 - All Commissioners having voted yes, the motion passed 5-0.

C. Action Item C: Discuss Street Sweeper operation. (00:58:29)

- The City Commission discussed Action Item C.
- The Administration agreed to draft recommendations on street sweeping for the second meeting in August.

11. CITY MANAGER COMMENTS:

- Ed Meece, City Manager, made comments.(01:21:10)

12. SUPPLEMENTALS:

- None.

13. CALENDAR OF EVENTS.

14. CITY COMMISSION COMMENTS:

- Friedman made comments. (01:31:39)
- Stern made comments. (01:33:20)
- Bennett made comments. (01:42:27)
- Caldwell made comments. (01:52:32)

15. PUBLIC COMMENTS.

- No members of the public made comments.

16. ADJOURNMENT.

- Hearing majority support for adjournment, Chairman Caldwell adjourned the meeting at 8:25 p.m.

ATTEST:

APPROVE:

David Fine, Recording Secretary

Steve Caldwell, Commission Chairman

Livingston City Commission Minutes
August 7, 2012
6:30 p.m.

1. CALL TO ORDER.

- Steve Caldwell called the meeting to order at 6:30 p.m.

2. ROLL CALL.

- Steve Caldwell, James Bennett, Bill Spanring, Adam Stern, and Mel Friedman were present.

3. PLEDGE OF ALLEGIANCE.

4. CONSENT ITEMS (00:01:01):

A. Approve July 17, 2012 City Commission meeting minutes.

B. Approve bills and claims for FY 2011-12.

C. Approve bills and claims for 2nd half of July, 2012.

- Stern moved to approve Consent Items A – C. Bennett seconded.
 - Caldwell, Bennett, Stern, and Friedman voted in yes, in favor of the motion. Spanring voted no.
 - The motion passed 4-1.

5. PROCLAMATIONS:

- None.

6. SCHEDULED PUBLIC COMMENT:

- None.

7. PUBLIC HEARINGS:

- None.

8. ORDINANCES:

- None.

9. RESOLUTIONS:

A. Resolution No. 4313 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN LEASE A PORTION OF MILES PARK BALL FIELDS TO LIVINGSTON SCHOOL DISTRICT #4 FOR USE AS FOOTBALL PRACTICE FIELDS FOR PARK HIGH SCHOOL. (00:01:33)

- Derek Stringer representing Park High School and Jeff Gavne representing the Baseball Association made comments.
- Bennett moved to approve Resolution No. 4313. Stern seconded.
 - All in favor, the motion passed 5-0.

10. ACTION ITEMS:

A. Action Item A: Discuss/approve/deny change order to contract with George Rabel Logging for “screening compost” as part of Phase 2 construction at Northside Soccer Field Complex in the amount of \$8,400.00. (See City Attorney’s memo). (00:05:07)

- Bennett moved to approve Action Item A. Stern seconded.
 - Caldwell, Bennett, Stern, and Friedman voted yes, in favor of the motion. Spanning voted no.
 - The motion passed 4-1.

B. Action Item B: Discuss/approve/deny Urban Renewal Agency request to transfer two (2) benches from current stock/installation to install at East Side School. (00:24:37)

- Stern moved to approve Action Item B. Friedman seconded.
 - All in favor, the motion passed 5-0.

C. Action Item C: Discuss/approve/deny bid recommendation from Darren Raney for the purchase of two police cars in the amount of \$48,261.66 to be awarded to Duval Ford Fleet Sales. (00:28:22)

- Bennett moved to approve Action Item C. Friedman seconded.
 - All in favor, the motion passed 5-0.

11. CITY MANAGER COMMENTS:

- None.

12. SUPPLEMENTALS:

- A. Western Sustainability Exchange.
- B. Memorandum – Update on Solid Waste efforts with Park County.

13. CALENDAR OF EVENTS.

14. CITY COMMISSION COMMENTS:

- Friedman made comments.(00:35:34)
- Stern made comments. (00:38:09)
- Bennett made comments. (00:38:19)

15. PUBLIC COMMENTS.

- Hillary Wheeler Smith made comments. (00:39:45)

16. ADJOURNMENT.

- Bennett moved to adjourn the meeting. Stern seconded.
 - Seeing majority support for adjournment, Chairman Caldwell adjourned the meeting at 7:12 p.m.

ATTEST:

APPROVE:

David Fine, Recording Secretary

Steve Caldwell, Commission Chairman

Livingston City Commission Minutes
August 21, 2012
6:30 p.m.

1. CALL TO ORDER:

- Chairman Caldwell called the meeting to order at 6:30 p.m.

2. ROLL CALL:

- Steve Caldwell, James Bennett, Bill Spanring, Adam Stern, and Mel Friedman were present.

3. MOMENT OF SILENCE.

4. PLEDGE OF ALLEGIANCE.

5. CONSENT ITEMS:

- A. Consent Item A:** Approve August 7, 2012 City Commission meeting minutes.
 - B. Consent Item B:** Approve bills and claims for 1st half of August, 2012.
 - C. Consent Item C:** Department heads monthly reports and other boards/committee's minutes.
- Spanring moved to approve Consent Items A and C. Bennett seconded.
 - All in favor, the motion passed 5-0.
 - Spanring moved to approve Consent Item B. Bennett seconded.
 - Caldwell, Bennett, Stern, and Friedman voted yes in favor of the motion. Spanring voted no in opposition to the motion.
 - The motion passed 4-1.

5. PROCLAMATIONS:

- None.

6. SCHEDULED PUBLIC COMMENT:

- A.** Presentation of possible development of a golf course for Livingston Disc Golf. (Chris Adams or another representative). (00:03:15)
 - Mark Watson made a presentation for Livingston Disc Golf.

7. PUBLIC HEARINGS:

- None.

8. ORDINANCES:

- None.

9. RESOLUTIONS:

- A.** Resolution No. 4314 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO FIX THE TAX LEVY FOR FISCAL YEAR 2012-2013 AND GIVING NOTICE OF A PUBLIC HEARING THEREON. (00:22:55)
 - Miral Gamradt, Finance Director, made comments.
 - Bennett moved to approve Resolution No. 4314. Friedman seconded.

- Caldwell, Bennett, Stern, and Friedman voted yes in favor of the motion. Spannring voted no in opposition to the motion.
 - The motion passed 4-1.

10. ACTION ITEMS:

- A. Action Item A:** Discuss/approve/deny administration proposed changes to impact fees. (00:36:26)
 - Jim Woodhull, Building and Planning Director, made comments.
 - Bennett moved to approve Action Item A. Friedman seconded.
 - All in favor, the motion passed 5-0.

- B. Action Item B:** Discuss FY 2013-2015 Collective Bargaining Agreement with the Montana Public Employees Association Livingston Police Unit. (01:04:14)
 - Stern moved to direct the administration to bring back a Resolution authorizing the City Manager to sign the Collective Bargaining Agreement. Friedman seconded.
 - Caldwell, Spannring, Stern, and Friedman voted yes in favor of the motion. Bennett abstained.
 - The motion passed 4-0.

- C. Action Item C:** Discuss possible increase to coal train traffic. (01:34:48)
 - Kerry Fee, representing Park County Environmental Council, made comments.
 - Bill Shannon made comments.

- D. Action Item D:** Discuss U-Turns. (02:02:26)

- E. Action Item E:** Award bid for Phase 1 of Water Spray Park. (02:13:05)
 - Bennett moved to approve Action Item E. Stern seconded.
 - All in favor, the motion passed 5-0.

- F. Action Item F:** Discuss Cooperative Agreement with Montana Department of Natural Resources and Conservation (Wildland Fire Assistance). (02:21:40)
 - Jeff Schoenen, Fire Chief, made comments.
 - Bennett moved to bring back a resolution authorizing the City Manager to sign the Cooperative Agreement. Stern seconded.
 - Caldwell, Bennett, Stern, and Friedman voted yes in favor of the motion. Spannring voted no in opposition to the motion.
 - The motion passed 4-1.

11. CITY MANAGER COMMENTS.

- None.

12. SUPPLEMENTALS:

- None.

13. CALENDAR OF EVENTS.

14. CITY COMMISSION COMMENTS:

- Mel Friedman made comments. (02:36:15)
- Spanring made comments. (02:38:01)
- Bennett made comments. (02:40:36)

15. PUBLIC COMMENTS.

- No members of the public made comments.

16. ADJOURNMENT.

- Bennett moved to adjourn the meeting. Friedman seconded.
 - Hearing no opposition, Chairman Caldwell adjourned the meeting at 9:13 p.m.

ATTEST:

APPROVE:

David Fine, Recording Secretary

Steve Caldwell, Commission Chairman

Livingston City Commission Minutes
September 4, 2012
6:30 p.m.

1. CALL TO ORDER.

- Chairman Caldwell called the meeting to order at 6:30 p.m.

2. ROLL CALL:

- Steve Caldwell, James Bennett, Adam Stern, and Mel Friedman were present.
- Bill Spanring was absent.

3. MOMENT OF SILENCE.

4. PLEDGE OF ALLEGIANCE.

5. CONSENT ITEMS (00:01:12):

- A. Approve City Commission minutes August 21, 2012.
 - B. Approve bills and claims for 2ndhalf of August, 2012.
- Bennett moved to approve Consent Items A and B. Stern seconded.
 - All in favor, the motion passed 4-0.

6. PROCLAMATIONS:

- None.

7. SCHEDULED PUBLIC COMMENT:

- None.

8. PUBLIC HEARINGS:

- A. **Resolution No. 4315** – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, FIXING THE TAX LEVY FOR FISCAL YEAR 2012-2013. (00:01:35)
 - No members of the public made comments during the Public Hearing.
 - Stern moved to approve Resolution No. 4315. Bennett seconded.
 - All in favor, the motion passed 4-0.

9. ORDINANCES:

- A. **Ordinance No. 2041** – AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE 1968 BY AMENDING IMPACT FEES UPON NEW DEVELOPMENT TO FUND ALL OR A PORTION OF THE PUBLIC FACILITY CAPITAL IMPROVEMENTS AFFECTED BY NEW DEVELOPMENT AND PROVIDING A METHOD FOR CALCULATING AND COLLECTING IMPACT FEES. (00:07:22)
 - Bennett moved to approve Ordinance No. 2041. Friedman seconded.
 - All in favor, the motion passed 4-0.

10. RESOLUTIONS:

- A. Resolution No. 4316** – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON MONTANA, OF ITS INTENT TO AMEND ITS DEVELOPMENT IMPACT FEES ON QUALIFYING DEVELOPMENTS. (00:22:37)
- Friedman moved to approve Resolution No. 4316. Bennett seconded.
 - All in favor, the motion passed 4-0.
- B. Resolution No. 4317** – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH THINKONE FOR PHASE 1 OF THE WATER SPRAY PARK PROJECT IN THE AMOUNT OF \$141,369.00. (00:28:30)
- Mary Cassidy, the project manager from Livingston Rotary, made comments.
 - Bennett moved to approve Resolution No. 4317. Friedman seconded.
 - All in favor, the motion passed 4-0.
- C. Resolution No. 4318** – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH THE STATE OF MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC). (00:38:50)
- Stern moved to approve Resolution No. 4318. Bennett seconded.
 - All in favor, the motion passed 4-0.
- D. Resolution No. 4319** – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN COLLECTIVE BARGAINING AGREEMENT WITH THE MONTANA PUBLIC EMPLOYEES ASSOCIATION LIVINGSTON POLICE UNIT FOR FISCAL YEARS 2013 – 2015. (00:40:15)
- Stern moved to approve Resolution No. 4319. Friedman seconded.
 - Caldwell, Stern, and Friedman voted yes in favor of the motion. Bennett voted no in opposition to the motion.
 - The motion passed 3-1.
- E. Resolution No. 4320** – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, SUPPORTING THE CONTINUED FUNDING OF THE LOCAL GOVERNMENT CENTER AT MONTANA STATE UNIVERSITY. (00:48:30)
- Bennett moved to approve Resolution No. 4320. Stern seconded.
 - All in favor, the motion passed 4-0.

11. ACTION ITEMS:

- A. Discuss/approve/deny operating agreement with the Livingston Ice Hockey Association for the upcoming season.** (Automatic renewal). (Continue to use the current site in the Northeast corner of the Civic Center parking area). (00:56:00)
- B. Discuss/approve/deny operating agreement with the Livingston Ice Skating Association for the upcoming season.** (Automatic renewal).
- Stern moved to approve the operating agreements as stated in Action Items A and B. Friedman seconded.

- All in favor, the motion passed 4-0.

C. Discuss Street Sweeper operations. (01:05:14)

D. Discuss/approve/deny placement of Urban Renewal Authority's art sculpture at the Civic Center. (01:14:55)

- The City Commission sent the proposal back to the Urban Renewal Authority for more information.

E. Discuss/approve/deny special parking space request from the Western Montana Mental Health. (01:23:14)

- John Fetter with Western Montana Mental Health made comments.
- The City Commission directed the Administration to draft a proposal for a loading zone for future action.

12. CITY MANAGER COMMENTS:

- Ed Meece, City Manager, made comments. (01:36:27)

13. SUPPLEMENTALS:

- None.

14. CALENDAR OF EVENTS.

15. CITY COMMISSION COMMENTS.

- Friedman made comments. (01:41:50)
- Stern made comments. (01:44:07)
 - Stern asked that a discussion of the Waterworks Building be added to the next City Commission meeting. Caldwell seconded.
- Bennett made comments. (01:46:19)
 - Bennett asked that a discussion of quiet zones be added to the next City Commission meeting.
- Caldwell made comments. (01:49:46)

16. PUBLIC COMMENTS.

- Diane O'Brian made comments. (01:52:53)

17. ADJOURNMENT.

- Bennett moved to adjourn the meeting. Stern seconded.
 - Hearing no opposition, Chairman Caldwell adjourned the meeting at 8:22 p.m.

ATTEST:

APPROVE:

David Fine, Recording Secretary

Steve Caldwell, Commission Chairman

Livingston City Commission Minutes
September 18, 2012
6:30 p.m.

1. CALL TO ORDER.

- Chairman Caldwell called the meeting to order at 6:30 p.m.

2. ROLL CALL.

- Steve Caldwell, James Bennett, Bill Spannring, Adam Stern, and Mel Friedman were present.

3. MOMENT OF SILENCE.

4. PLEDGE OF ALLEGIANCE.

5. CONSENT ITEMS (00:01:15):

- A. Approve City Commission minutes September 4, 2012.
- B. Ratify claim paid through a wire for the 1996 Chevy Brush Truck for the Livingston Fire & Rescue Department.
- C. Approve bills and claims for 1st half of September, 2012.
- D. Department heads monthly reports and other boards and committee's minutes.
- Bennett moved to approve Consent Items A – D. Friedman seconded.
 - Caldwell, Bennett, Stern, and Friedman voted yes, in favor of the motion. Spannring voted no, in opposition to the motion.
 - The motion passed 4-0.

6. PROCLAMATIONS:

- A. A proclamation regarding the Pine Creek Fire Fundraiser.

7. SCHEDULED PUBLIC COMMENT:

- None.

8. PUBLIC HEARINGS:

- A. **Ordinance No. 2041 – AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE 1968 BY AMENDING IMPACT FEES UPON NEW DEVELOPMENT TO FUND ALL OR A PORTION OF THE PUBLIC FACILITY CAPITAL IMPROVEMENTS AFFECTED BY NEW DEVELOPMENT AND PROVIDING A METHOD FOR CALCULATING AND COLLECTING IMPACT FEES. (00:03:00)**
 - Jim Woodhull, Director of Building and Planning, made comments.
 - Nancy Adkins made comments. (00:04:07)
 - Bennett moved to approve Ordinance No. 2041. Stern seconded.

- All in favor, the motion passed 5-0.

B. Resolution No. 4321 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ITS DEVELOPMENT IMPACT FEES ON QUALIFYING DEVELOPMENTS. (00:12:34)

- No members of the public made comments.
- Bennett moved to approve Resolution No. 4321. Stern seconded.
 - All in favor, the motion passed 5-0.

9. ORDINANCES:

- None.

10. RESOLUTIONS:

A. Resolution No. 4322 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH LIVINGSTON ICE SKATING ASSOCIATION (LISA) FOR ICE SKATING USE AGREEMENT – HOCKEY. (00:16:44)

- Stern moved to approve Resolution No. 4322. Bennett seconded.
 - All in favor, the motion passed 5-0.

B. Resolution No. 4323 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH LIVINGSTON ICE SKATING ASSOCIATION (LISA) FOR ICE SKATING USE AGREEMENT - RECREATIONAL. (00:19:06)

- Stern moved to approve Resolution No. 4323. Friedman seconded.
 - All in favor, the motion passed 5-0.

11. ACTION ITEMS:

A. Discuss/approve/deny action regarding re-use or demolition of Waterworks Building. (00:20:11)

- The City Commission discussed the Waterworks Building.
 - At the request of the commission, Meece agreed to seek guidance on the historical value of the building and on cost estimates for demolition.

B. Discuss/approve/deny bids for the purchase and retrofit of two (2) ambulances. (00:46:45)

- Jeff Schoenen, Fire Chief, made comments.
- Bennett moved to accept the Arrow Manufacturing bid and to direct the administration to bring back a Resolution authorizing the City Manager to sign the contract for this expenditure. Stern seconded.
 - All in favor, the motion passed 5-0.

12. CITY MANAGER COMMENTS:

- Ed Meece, City Manager, made comments. (00:55:26)

13. SUPPLEMENTALS:

- None.

14. CALENDAR OF EVENTS:

15. CITY COMMISSION COMMENTS:

- Friedman made comments. (00:56:50)
- Stern made comments. (00:59:15)
- Spanning made comments. (01:05:12)
- Bennett made comments. (01:06:02)

16. PUBLIC COMMENTS:

- John Dalby made comments. (01:12:40)
- Joe Parriott made comments. (01:14:42)

17. ADJOURNMENT:

- Bennett moved to adjourn the meeting. Friedman seconded.
 - Hearing no objection, Chairman Caldwell adjourned the meeting at 7:48 p.m.

ATTEST:

APPROVE:

David Fine, Recording Secretary

Steve Caldwell, Commission Chairman

Livingston City Commission Minutes
October 2, 2012
6:30 p.m.

1. CALL TO ORDER:

- Chairman Caldwell called the meeting to order at 6:30 p.m.

2. ROLL CALL:

- Steve Caldwell, James Bennett, Bill Spanring, Adam Stern, and Mel Friedman were present.

3. MOMENT OF SILENCE.

4. PLEDGE OF ALLEGIANCE.

5. CONSENT ITEMS:

- A. Approve City Commission minutes September 18, 2012.
 - B. Approve bills and claims for 2nd half of September, 2012.
 - C. Request of waiver of fee for the Civic Center from the Livingston Food Pantry of Park County for their special event fund raiser "Yellowstone Food Festival" that was held on September 22, 2012.
- Bennett moved to approve Consent Items A-C. Friedman seconded.
 - Caldwell, Bennett, Stern, and Friedman voted yes, in favor of the motion. Spanring voted no, in opposition to the motion.
 - The motion passed 4-1.

6. SPECIAL PRESENTATION:

- A. Brylie Fitzgerald, Abby Romans and Andrew Reichert. (00:01:45)
 - Ed Meece, City Manager, presented copies of the proclamation honoring these local students for their civic efforts.
- B. Fire Captain Pat Walker & Firefighter/Paramedic Jason Cajune (00:04:00)
 - Jeff Schoenen, Fire Chief, presented Mr. Walker and Mr. Cajune with Letters of Commendation for their outstanding performance and devotion to duty in their efforts combating the Pine Creek Fire.

7. PROCLAMATIONS:

- None.

8. SCHEDULED PUBLIC COMMENT:

- Jaime Cahoon, Park High School Student Body President, requested that the City waive event fees for the Homecoming Parade. (00:09:55)

9. PUBLIC HEARINGS:

- None.

10. ORDINANCES:

- None.

11. RESOLUTIONS:

- A. Resolution No. 4324** – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH ARROW MANUFACTURING TO REMOUNT TWO AMBULANCES IN THE AMOUNT OF \$150,000.00. (00:12:45)
- Bennett moved to approve Resolution No. 4324. Stern seconded.
 - All in favor, the motion passed 5-0.
- B. Resolution No. 4326** – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH MONTANA POST FRAME FOR CONSTRUCTION OF A POST FRAME BUILDING IN THE AMOUNT OF \$13,712.00. (00:14:20)
- Nancy Adkins made comments. (00:20:42)
 - Bennett moved to approve Resolution No. 4326. Friedman seconded.
 - Caldwell, Bennett, Stern, and Friedman voted yes, in favor of the resolution. Spanning voted no, in opposition to the resolution.
 - The motion passed 4-1.

12. ACTION ITEMS:

- A.** Discuss/approve/deny recommendation from Stahly Engineering for the Disinfection System Improvements project to be awarded to Karnath Contracting in the amount of \$76,900.00. (A fiscal note will be provided later). (00:21:30)
- Ryan Rittal from Stahly Engineering made comments about the Disinfection System Improvements. Clint Tinsley, Public Works Director, made comments.
 - Nancy Adkins made comments. (01:17:22)
 - Stern moved to approve award to Karnath Contracting. Benett seconded.
 - All in favor, the motion passed 5-0.
- B.** Discuss Utility billing error and billing credit procedure. (01:20:00)
- D.** Discuss/approve/deny request for “B”/ “C” Street project change order to install storm drainage chase works. (01:24:35)
- Bennett moved to approve request for change order. Friedman seconded.
 - All in favor, the motion passed 5-0.
- E.** Appoint representative to the Board of the Northern Rocky Mountain Economic Development District. (01:29:35)
- Bennett moved to Steve Caldwell as representative, with James Bennett as alternate, except in the event that a second opening is available. Friedman seconded.
 - All in favor, the motion passed 5-0.

C. Discuss Economic Development proposal regarding Montana State University Extension and Park County Government.

- Nancy Adkins made comments. (01:56:10)
- Patricia Grabow made comments. (02:03:40)
- Lee Parriott made comments. (02:28:00)
- Nancy Adkins made comments. (02:36:20)

13. CITY MANAGER COMMENTS:

- Ed Meece, City Manager, made comments. (02:38:25)

14. SUPPLEMENTALS.

15. CALENDAR OF EVENTS:

16. CITY COMMISSION COMMENTS:

- Friedman made comments. (02:39:05)
- Stern made comments. (02:41:00)
- Spanring made comments. (02:43:20)
- Bennett made comments. (02:47:05)

17. PUBLIC COMMENTS:

- Patricia Grabow made comments. (02:59:30)

18. ADJOURNMENT.

- Bennett moved to adjourn the meeting. Friedman seconded.
 - Hearing no objection, Chairman Caldwell adjourned the meeting at 9:36 p.m.

ATTEST:

APPROVE:

David Fine, Recording Secretary

Steve Caldwell, Commission Chairman

Livingston City Commission Minutes

October 16, 2012

6:30 p.m.

1. CALL TO ORDER:

- Chairman Caldwell called the meeting to order at 6:30 p.m.

2. ROLL CALL:

- Steve Caldwell, James Bennett, Bill Spannring, Adam Stern, and Mel Friedman were present.

3. MOMENT OF SILENCE.

4. PLEDGE OF ALLEGIANCE.

5. CONSENT ITEMS (00:01:11):

- A. Approve City Commission minutes October 2, 2012.
 - B. Approve bills and claims for 1st half of October, 2012.
 - C. Department heads monthly reports and other boards/committee's minutes.
 - D. Request waiver of fees for street closures from Park High School for the "Homecoming Parade" that was held on October 5, 2012.
- Bennett moved to approve Consent Item A-D. Friedman seconded.
 - Caldwell, Bennett, Stern, and Friedman voted yes, in favor of the motion. Spannring voted no, in opposition to the motion.
 - The motion passed 4-1.

6. PROCLAMATIONS:

- None.

7. SCHEDULED PUBLIC COMMENT:

- A. Rik Pittendorfer. (00:01:40)

8. PUBLIC HEARINGS:

- None.

9. ORDINANCES:

- None.

10. RESOLUTIONS:

- A. Resolution No. 4325** – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO AMEND THE BUDGET FOR FISCAL YEAR 2011-2012, BY MAKING REVENUE ADJUSTMENTS IN THE AMOUNT OF \$372,850 AND APPROPRIATION ADJUSTMENTS IN THE AMOUNT OF \$467,264 AND CALLING FOR A PUBLIC HEARING. (00:23:55)
- Miral Gamradt, Finance Director, made comments.
 - Bennett moved to approve Resolution No. 4325. Stern seconded.
 - All in favor, the motion passed 5-0.
- B. Resolution No. 4327** – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH KARNATH CONTRACTING, INC. FOR INSTALLATION OF THE DISINFECTION SYSTEM IMPROVEMENTS FOR THE CITY OF LIVINGSTON WASTEWATER TREATMENT PLANT IN THE AMOUNT OF \$76,900.00. (00:47:07)
- Ryan Rittal, with Stahly Engineering, made comments.
 - Stern moved to approve Resolution No. 4327. Friedman seconded.
 - All in favor, the motion passed 5-0.

11. ACTION ITEMS:

- A.** Discuss changing the cell-phone law for the City of Livingston. (01:04:40)
- B.** Discuss/approve/deny request of 2-hour parking signs to be placed on Callender Street from “B” Street past the alley to the end of the street. (01:28:02)
- Stern moved to direct the administration to bring back an amendment to the parking ordinance, establishing 2-hour parking on the north side of Callender Street from “B” Street to the alley. Friedman seconded.
 - All in favor, the motion passed 5-0.
- C.** Discuss/approve/deny 7thStreet traffic proposal from Stahly Engineering. (01:35:40)
- The City Commission discussed Action Item C, but took no action.
- D.** Discuss/approve/deny “Quiet Zone” study proposal from DOWL HKM. (01:44:45)
- Phil Odegard, with Dowl HKM, made comments.
- E.** Discuss/approve/deny Economic Development proposal with Montana State University and Park County. (02:00:45)
- The City Commission discussed Action Item E, but took no action.

12. CITY MANAGER COMMENTS:

- Ed Meece, City Manager, made comments. (02:25:30)

13. SUPPLEMENTALS:

- A. Summerfest 2012 update.

14. CALENDAR OF EVENTS.

15. CITY COMMISSION COMMENTS:

- Friedman made comments. (02:27:20)
- Bennett made comments. (02:29:23)

16. PUBLIC COMMENTS:

- Kathleen Rakela made comments. (02:31:30)

17. ADJOURNMENT.

- Bennett moved to adjourn the meeting. Friedman seconded.
 - Hearing no objection, Chairman Caldwell adjourned the meeting at 9:05 p.m.

ATTEST:

APPROVE:

David Fine, Recording Secretary

Steve Caldwell, Commission Chairman

Livingston City Commission Minutes

November 06, 2012

6:30 PM

1. Call to Order

2. Roll Call

- Steve Caldwell, James Bennett, Adam Stern, and Mel Friedman were present.
- Bill Spanring was absent.

3. Moment of Silence

4. Pledge of Allegiance

5. Consent Items

- A. Approve City Commission minutes from October 16, 2012
 - B. Approve bills and claims for the 2nd half of October, 2012
- Bennett moved to approve Consent Items A-B. Stern seconded.
 - All in favor, the motion passed 4-0.

6. Proclamations

7. Scheduled Public Comment

8. Public Hearings

- A. Resolution No. 4328 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING THE BUDGET FOR FISCAL YEAR 2011-2012, BY MAKING REVENUE ADJUSTMENTS IN THE AMOUNT OF \$372,850.00 AND APPROPRIATION ADJUSTMENTS IN THE AMOUNT OF \$467,264.00. (00:01:30)
 - Brenda Adams made comments. (00:03:15)
 - Bennett moved to approve Resolution No. 4328. Stern seconded.
 - All in favor, the motion passed 4-0.

9. Ordinances

- A. **Ordinance No. 2042** - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE NO. 2036 AND CHAPTER 9, ARTICLE IV OF THE LIVINGSTON MUNICIPAL CODE ENTITLED "PARKING, STOPPING, AND STANDING" AND SPECIFICALLY SECTION 9-243 BY ESTABLISHING TWO HOUR PARKING LIMIT ON NORTH SIDE OF EAST CALLENDER STREET FROM ITS INTERSECTION WITH "B" STREET TO THE ALLEY BETWEEN "B" AND "C" STREET AND PROVIDING A PENALTY FOR VIOLATION. (00:10:50)
 - Darren Raney, Police Chief, made comments. (00:13:50)
 - Brenda Adams made comments. (00:18:03)
 - Friedman moved to approve Ordinance No. 2042. Stern seconded.
 - All in favor, the motion passed 4-0.

10. Resolutions

- A. Resolution No. 4329** - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN AGREEMENT WITH AGENDAPAL FOR AGENDA SOFTWARE AND USE AGREEMENT IN THE AMOUNT OF \$150.00 PER MONTH FOR AN ANNUAL SUBSCRIPTION. (00:18:57)
- Stern moved to approve Resolution No. 4329. Bennett seconded.
 - All in favor, the motion passed 4-0.
- B. Resolution No. 4330** - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN MEMORANDUM OF UNDERSTANDING (MOU) WITH THE STATE OF MONTANA'S DEPARTMENT OF ADMINISTRATION STATE PROCUREMENT BUREAU FOR COOPERATIVE PURCHASING. (00:27:37)
- Friedman moved to approve Resolution No. 4330. Bennett seconded.
 - All in favor, the motion passed 4-0.
- C. Resolution No. 4331** - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING AGREEMENT WITH MONTANA DEPARTMENT OF ADMINISTRATION AND JUNKERMIER, CLARK, CAMPENELLA & STEVENS FOR AUDIT OF THE CITY OF LIVINGSTON FOR THE PERIOD JULY 1, 2012, THROUGH JUNE 30, 2015. (00:32:10)
- Miral Gamradt, Finance Director, made comments.
 - Bennett moved to approve Resolution No. 4331. Friedman seconded.
 - All in favor, the motion passed 4-0.
- D. Resolution No. 4332** – A RESOLUTION OF THE LIVINGSTON CITY COMMISSION AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT WITH PARK COUNTY REGARDING DISPOSAL OF SOLID WASTE AT THE MUNICIPAL TRANSFER STATION CITY/COUNTY COMPACT, CHAPTER #6. (00:36:27)
- Stern moved to approve Resolution No. 4332. Friedman seconded.
 - All in favor, the motion passed 4-0.

11. Action Items

- A.** Discuss/approve/deny appointments for two vacancies on City Board of Adjustments. (00:47:53)
- The Commission discussed Action Item A.
- B.** Discuss/Approve/Deny the sale of a 1992 John Deere Backhoe to Park County for \$25,000. (00:48:53)
- Bennett moved to approve Action Item B. Friedman seconded.
 - All in favor, the motion passed 4-0.
- C.** Discuss/Approve/Deny appointment of Commissioner Bennett to the Board of the Northern Rocky Mountain Economic Development District (not as an alternate, as a full Board Member). (00:50:09)
- Stern moved to approve Action Item C. Friedman seconded.
 - All in favor, the motion passed 4-0.
- D.** Discuss/Approve/Deny partnership with Park County and Livingston School District for CTEP and SRTS pedestrian project. (00:51:26)
- Brenda Adams made comments. (01:06:13)
 - Bennett moved to approve Action Item D. Stern seconded.
 - All in favor, the motion passed 4-0.
- E.** Discuss demolition and/or sale of the Water Works Building. (01:22:29)
- The Commission discussed Action Item E.
- F.** Discuss/Approve/Deny Partnership with Park County and Montana State University for economic development activities. (01:30:25)
- The Commission discussed Action Item F.

12. City Manager Comment

- The City will be removing two (2) trees at the northeast corner of Callender & 3rd, adjacent to the Ebert apartment complex. The trees were evaluated by an independent arborist, who considered them both public safety hazards and ultimately recommended removal as the best long term approach. Further public notice will be given, prior to removal (and the stumps will be ground completely).
- The FY 12 infrastructure projects were re-evaluated, after completion, for the City's use of Impact Fees toward project costs. This more precise, post project review, demonstrated that additional Impact Fees could be used toward the projects (\$18,617 Water; \$184,672 Sewer) than originally planned. A detailed explanation is found in the 10/16/12 memorandum, included as a supplement to this packet.

13. City Commission Comments

- Friedman made comments. (01:43:25)

14. Public Comments

- Brenda Adams made comments. (01:46:05)
- Mary Cassidy made comments on behalf of the Livingston Rotary updating the Commission on the spray park. (01:47:00)

15. Adjournment

- Bennett moved to adjourn the meeting. Friedman seconded.
 - Hearing no objections, Chairman Caldwell adjourned the meeting at 8:18 p.m.

ATTEST:

APPROVE:

David Fine, Recording Secretary

Steve Caldwell, Commission Chairman

1. Call to Order

- Chairman Caldwell called the meeting to order at 6:30 p.m.

2. Roll Call

- Steve Caldwell, James Bennett, Bill Spannring, Adam Stern, and Mel Friedman were present.

3. Moment of Silence

4. Pledge of Allegiance

5. Consent Items (00:01:55)

- A. Approve City Commission minutes from November 6, 2012.
- B. Approve Bills and Claims for the 1st half of November, 2012.
- C. 11-20-12 - Consent Item - Department Heads Monthly Reports and Other Committee Minutes.
- D. Approve request for waiver of civic center fees for annual community Christmas Dinner

- Bennett moved to approve Consent Items A – D. Stern seconded.
 - Caldwell, Bennett, Stern, and Friedman voted yes, in favor of the motion. Spannring voted no, in opposition to the motion.
 - The motion passed 4-1.

6. Proclamations

- None.

7. Scheduled Public Comment

- None.

8. Public Hearings

- A. **Ordinance No. 2042** - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE NO. 2036 AND CHAPTER 9, ARTICLE IV OF THE LIVINGSTON MUNICIPAL CODE ENTITLED "PARKING, STOPPING, AND STANDING" AND SPECIFICALLY SECTION 9-243 BY ESTABLISHING TWO HOUR PARKING LIMIT ON NORTH SIDE OF EAST CALLENDER STREET FROM ITS INTERSECTION WITH "B" STREET TO THE ALLEY BETWEEN "B" AND "C" STREET AND PROVIDING A PENALTY FOR VIOLATION. (00:02:22)
 - No members of the public made comments.
 - Bennett moved to approve Ordinance No. 2042. Friedman seconded.
 - All in favor the motion passed 5-0.

9. Ordinances

- None.

10. Resolutions

A. Resolution No. 4333 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO ESTABLISH LIVINGSTON CITY COURT AS A CITY COURT OF RECORD IN ACCORDANCE WITH MONTANA CODE ANNOTATED SECTION 3-11-101. (00:05:47)

- Bruce Becker, City Attorney, made comments.
- Bennett moved to approve Resolution No. 4333. Stern seconded.
 - Bennett moved to set the date for a Public Hearing for Resolution No. 4333 as December 4, 2012. Stern seconded.
 - All in favor, the motion to set the date for a Public Hearing passed 5-0.
 - All in favor, the motion to approve Resolution No. 4333 passed.

11. Action Items

A. Discuss the Fourth Quarter FYE 12 Financial Report. (00:17:10)

- The Commission discussed Action Item A.

B. Discuss/Approve/Deny Bid Package for sale of Old Waterworks Building. (00:38:30)

- Bennett moved to approve Action Item B. Stern seconded.
 - All in favor, the motion passed 5-0.

C. Discuss/Approve/Deny Urban Renewal Agency expenditure for Street Planters program. (01:01:15)

- Karla Pettit, representing the Urban Renewal Agency, made a presentation on the Street Planters program.
 - Stern moved to approve Action Item C for the expenditure of \$5720, contingent upon a formal positive vote by the Business Improvement District (BID). Bennett seconded.
 - All in favor, the motion passed 5-0.

D. Discuss/Approve/Deny modification of city policy to require that (newly hired) Department Heads live within the City limits. (01:17:30)

- The Commission discussed Action Item D and agreed to table the issue until January 2013 when legal analysis could be provided.

12. City Manager Comment (02:03:25)

- Ed Meece thanked Clint Tinsley, Public Works Director, for his outstanding service to the City of Livingston and acknowledged Mr. Tinsley's plans to retire on December 31, 2012.

13. City Commission Comments

- Friedman made comments. (02:06:15)
- Spannring made comments. (02:08:18)
- Bennett made comments. (02:12:10)
 - Bennett asked that a Resolution, in support of Montana Rail Link, be added to the City Commission Agenda for December 18, 2012. Spannring seconded.
- Caldwell made comments. (02:18:40)
- Bennett moved to cancel the January 1, 2013 regular meeting of the City Commission. Stern seconded. (02:19:10)
 - All in favor, the motion passed 5-0.

14. Public Comments

- No members of the public made comments.

15. Adjournment

- Bennett moved to adjourn the meeting. Friedman seconded.
 - All in favor, the motion passed 5-0.

ATTEST:

APPROVE:

David Fine, Recording Secretary

Steve Caldwell, Commission Chairman

Livingston City Commission Minutes
December 04, 2012
6:30 PM

1. Call to Order

- Chairman Caldwell called the meeting to order at 6:30 p.m.

2. Roll Call

- Steve Caldwell, Adam Stern, and Mel Friedman were present.
- James Bennett and Bill Spannring were absent.

3. Moment of Silence

4. Pledge of Allegiance

5. Consent Items (00:01:10)

- A. Approve City Commission minutes from November 20, 2012.
- B. Approve Bills and Claims for 2nd half of November, 2012.
- C. Approve Request to Waive Rental Fee for Rotary Fundraiser to be held December 15th and December 22nd.
- Stern moved to approve Consent Items A-C. Friedman seconded.
 - All in favor, the motion passed 3-0.

6. Proclamations

7. Scheduled Public Comment

8. Public Hearings

- A. **Resolution No. 4333** - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO ESTABLISH LIVINGSTON CITY COURT AS A CITY COURT OF RECORD IN ACCORDANCE WITH MONTANA CODE ANNOTATED SECTION 3-11-101. (00:01:30)
 - No members of the public made comments.
 - Friedman moved to approve Resolution No. 4333. Stern seconded.
 - All in favor, the motion passed 3-0.

9. Ordinances

- A. **Ordinance No. 2043** - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE NO. 2008 AS CODIFIED IN CHAPTER 4, ANIMALS, OF THE LIVINGSTON MUNICIPAL CODE BY AMENDING THE ORDINANCE TO CLARIFY LIABILITY, OWNERSHIP AND ANIMAL LICENSING REQUIREMENTS. (00:07:35)
 - Friedman moved to approve Ordinance No. 2043. Stern seconded.
 - All in favor, the motion passed 3-0.

10. Resolutions

- A. Resolution No. 4334 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ESTABLISHING THE LIVINGSTON CITY COURT AS A CITY COURT OF RECORD IN ACCORDANCE WITH MONTANA CODE ANNOTATED SECTION 3-11-101. (00:11:45)**
 - o Friedman moved to approve Resolution No. 4334. Stern seconded.
 - All in favor, the motion passed 3-0.

11. Action Items

- A. Discuss/Approve/Deny Expenditure proposed by Urban Renewal for installation of 'street plates' - as part of the downtown infrastructure projects. (00:13:30)**
 - o The City Commission took no action on Action Item A as requested by the Urban Renewal Agency.

- B. Discuss/Approve/Deny proposal from Stahly Engineering for engineering costs related to FY 13 infrastructure projects. (00:15:05)**
 - o Stern moved to direct the administration to bring back a Resolution authorizing City Manager to sign the contract with Stahly Engineering for the 2013 Livingston Main Street Project. Friedman seconded.
 - All in favor, the motion passed 3-0.

12. City Manager Comment

- Ed Meece, City Manager, made comments. (00:19:05)

13. City Commission Comments

- Friedman made comments. (00:24:00)
- Stern made comments. (00:24:35)

14. Public Comments

- No members of the public made comments.

15. Adjournment

- Stern moved to adjourn the meeting. Friedman seconded.
 - o Hearing no objection, Chairman Caldwell adjourned the meeting at 6:57 p.m.

ATTEST:

APPROVE:

David Fine, Recording Secretary

Steve Caldwell, Commission Chairman

Livingston City Commission Minutes
December 18, 2012
6:30 PM
City -County Complex, Community Room

1. Call to Order:

- Chairman Caldwell called the meeting to order at 6:30 p.m.

2. Roll Call:

- Steve Caldwell, James Bennett, Bill Spanning, Adam Stern, and Mel Friedman were present.

3. Moment of Silence.

4. Pledge of Allegiance.

5. Consent Items:

A. Approve City Commission minutes from December 4, 2012. (00:01:12)

- Spanning moved to approve Consent Item A. Bennett seconded.
 - All in favor, the motion passed 5-0.

B. Approve bills and claims for 1st half of December, 2012. (00:01:44)

- Stern moved to approve Consent Item B. Friedman seconded.
 - Caldwell, Bennett, Stern, and Friedman voted yes, in favor of the motion. Spanning voted no, in opposition to the motion.
 - The motion passed 4-1.

6. Proclamations.

- None.

7. Scheduled Public Comment.

- None.

8. Public Hearings:

A. Ordinance No. 2043- AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE NO. 2008 AS CODIFIED IN CHAPTER 4, ANIMALS, OF THE LIVINGSTON MUNICIPAL CODE BY AMENDING THE ORDINANCE TO CLARIFY LIABILITY, OWNERSHIP AND ANIMAL LICENSING REQUIREMENTS. (00:02:09)

- No members of the public made comments.
- Bennett moved to approve Ordinance No. 2043. Friedman seconded.
 - Caldwell, Bennett, Stern, and Friedman voted yes, in favor of the motion. Spanning voted no, in opposition to the motion.
 - The motion passed 4-1.

9. Ordinances.

- None.

10. Resolutions:

- A. Resolution No. 4335** - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, IN SUPPORT OF MONTANA RAIL LINK. (00:06:12)
- Jim Lewis, Director of Sales and Marketing for Montana Rail Link, made comments.
 - Bennett moved to approve Resolution No. 4335. Spanning seconded.
 - Bennett and Spanning voted yes, in favor of the motion. Caldwell, Stern, and Friedman vote no, in opposition to the motion.
 - The motion failed 2-3.
- B. Resolution No. 4336** - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN MEMORANDUM OF UNDERSTANDING (MOU) WITH PARK COUNTY AND MONTANA STATE UNIVERSITY-EXTENSION TO CREATE AN MSU- EXTENSION AGENT (ECONOMIC DEVELOPMENT) POSITION WITHIN LIVINGSTON AND PARK COUNTY. (00:39:20)
- Stern moved to approve Resolution No. 4336. Friedman seconded.
 - All in favor, the motion passed 5-0.

11. Action Items:

- A. Discuss/Accept Pledged Securities Report for the 1st Quarter of FY 2013.** (00:48:41)
- Miral Gamradt, Finance Director, made comments.
 - Bennett moved to approve Action Item A. Stern seconded.
 - All in favor, the motion passed 5-0.
- B. Discuss FY 2011-2012 Audit by Junkermier, Clark, Campanella, Stevens.** (00:59:35)
- Miral Gamradt, Finance Officer, made comments.
 - Merrilee Glover, of Junkermeir, Clark, Campanella, Stevens, presented the audit report.
- C. Discuss/Approve/Deny request from Yellowstone Gateway Museum to act as archive for select city records.** (01:18:19)
- Bennett moved to "direct the Administration to bring back a Resolution designating Yellowstone Gateway Museum as an archive for select City records." Friedman seconded.
 - All in favor, the motion passed 5-0.
- D. Discuss/approve/deny Request for Proposal (RFP) for computer aided dispatch (CAD) and records management system (RMS) software for law enforcement.** (01:29:37)
- Darren Raney, Police Chief, made comments.
 - Bennett moved to "direct the Administration to bring back a Resolution authorizing City Manager to sign a contract with CTS America for law enforcement software." Spanning seconded.
 - All in favor, the motion passed 5-0.

12. City Manager Comment:

- None.

13. City Commission Comments:

- Friedman made comments. (01:36:55)
- Stern made comments. (01:37:30)
- Spannring made comments. (01:43:25)
- Bennett made comments. (01:43:25)
 - Bennett requested that a discussion of support for Montana Rail Link be placed on the next agenda as an action item. Spannring seconded.
- Caldwell made comments. (01:47:30)
 - In response to questions by Caldwell, Miral Gamradt, Finance Director, made comments.

14. Public Comments:

- No members of the public made comments.

15. Adjournment:

- Bennett moved to adjourn the meeting. Friedman seconded.
 - Hearing no objection, Caldwell adjourned the meeting at 8:20 p.m.

ATTEST:

APPROVE:

David Fine, Recording Secretary

Steve Caldwell, Commission Chairman