

LIVINGSTON CITY COMMISSION MINUTES

Tuesday, January 7, 2020, 5:30 pm

City-County Complex, Community Room

1 Call to Order

2 Roll Call

* Hoglund, Schwarz, Friedman, Mabie and Nootz were present.

3 Moment of Silence

4 Pledge of Allegiance

5 Fire Chief Ken McInnes, publically recognized Torston PrahI for heroic actions off duty, for saving a resident's life. (00:02:00)

6 Elect, Chair, Vice-Chair and determine Commissioner seating assignment. (00:04:14)

* Schwarz nominated Hoglund to Chair, Mabie seconded.

* Mabie nominated Schwarz for Vice Chair, Friedman seconded.

* All in favor, motion passed 5-0.

7 Public Comments (00:05:49)

* Jackie Fiegel made comments (00:06:24)

8 Consent Items (00:07:05)

* Schwarz motioned to approve consent items A through G, Mabie seconded

* All in favor, motion passed 5-0.

9 Proclamations (00:07:46)

* 2020 Arbor Day Proclamation- May 8, 2020

10 Scheduled Public Comment (00:11:30)

A. Andy Turner, of the Livingston Downtown Building Owners Association (LBODA) presents the Livingston Economic Enhance Project (LEEP) 2019-2020 Strategic Plan.

* Hoglund made comments (00:16:54)

* Nootz made comments (00:18:12)

B. Mike Gomez, Chair of the Livingston Tree Board, with 2019 Board Report. (00:19:46)

* Nootz made comments (00:22:24)

11 Public Hearings

12 Ordinances

13 Resolutions (00:26:43)

A. Resolution no 4888: A Resolution of the City Commission of the City of Livingston, Montana, of its intent to annex certain land which is contiguous to the City of Livingston and is described as the Green Acres Subdivision.

* Nootz made comments (00:35:15)

* Schwarz made comments (00:41:52)

* Mabie made comments (00:44:59)

* Friedman made comments (01:19:19)

* Shannon Holmes, Public Works Director made comments (01:32:15)

* Hoglund made comments (01:58:07)

- * Courtney Lawellin, City Attorney made comments (01:58:07)
- * Friedman motioned , Schwarz seconded
- All in favor, motion passed 5-0.

14 Action Items (02:18:28)

A. Discuss/Approve/Deny: Accepting City Manager's Recommendation for appointment to City Conservation Board.

- * Schwarz made comments (02:20:57)
- * Nootz made comments (02:21:39)
- * Mabie motioned, Friedman seconded
- All in favor, motioned passed 5-0.

B. Discuss/Approve/Deny: Accepting 2020 City Commission Meeting Schedule (02:23:23)

- * Motion made by Schwarz to approve meeting schedule with November's adjustment. Nootz seconded.
- All in favor, motioned passed 5-0.

C. Discuss City Commissioners assignment to City Boards and Committees (02:29:47)

- * Mel Friedman will remain on Tree Board
- * Nootz will remain on Planning Board
- * Schwarz will sit on City-County Health Board
- * Hogle will remain on Parks and Trails Committee
- * Schwarz will sit on the Library Board
- * Mabie will sit on the URA

D. Discuss possible new venues for Commissioners Listening Sessions, based on list of respondents (02:38:21)

15 City Manager Comments (02:42:13)

- * Updated commission on purchase of new TV for Community Room, and one for West Room, Door Lock Software update, Growth Policy updates, XL Country interview, and moving forward with Rail Road crossing.

16 City Commissioner Comments (02:45:48)

- * Nootz made comments (02:45:50)
- * Mabie made comments (02:48:38)
- * Friedman made comments (02:49:29)
- * Schwarz yield
- * Hogle yield (02:50:23)

17 Adjournment (02:51:27) 8:23 p.m.

LIVINGSTON CITY COMMISSION MINUTES

**Tuesday, January 21, 2020, 5:30 pm
City-County Complex, Community Room**

1 Call to Order

2 Roll Call

* Hogleund, Schwarz, Friedman, Mabie and Nootz were present.

3 Moment of Silence

4 Pledge of Allegiance

5 Public Comments (00:04:23)

- * Dana Poeschel made comment (00:06:00)
- * Sheena Johnson made comment (00:11:15)
- * Patricia Grabow made comment (00:13:18)
- * Maria Siebeck made comment (00:15:21)
- * Karen Durow made comment (00:18:25)
- * Virginia Aguilar made comment (00:19:17)

6 Consent Items (00:23:47)

- * Schwarz motioned to approve consent items A & B, Friedman seconded
- * All in favor, motion passed 5-0.

7 Proclamations

8 Scheduled Public Comment

9 Public Hearings

10 Ordinances (00:24:15)

A. Ordinance No. 2084: An Ordinance of the City Commission of the City of Livingston, Montana Amending Chapter 23 of the Livingston Municipal Code entitled "Trees" by clarifying that all boulevard trees are to be properly maintained, including the pruning, watering, and and removal when necessary, by the homeowner adjacent to the boulevard.

- * Schwarz made comment (00:27:42)
- * Friedman made comment (00:28:17)
- * Nootz made comment (00:29:00)
- * Shannon Holmes made comment (00:30:57)
- * Hogleund made comment (00:43:44)

11 Resolutions (00:52:59)

A. Resolution No. 4889: A Resolution of the City of Livingston, Montana authorizing the City Manager to sign a Collective Bargaining Agreement with the International Association of Firefighters (IAFF) Local 630 for the period of July 1, 2020- June 30, 2025.

- * Ken MacInnes made comments (00:53:32)
 - * Hogleund made comments (00:55:08)
 - * Mabie made comment (01:00:04)
 - * Nootz made comments (01:02:02)
 - * Hogleund made comments (01:04:26)
- Motion by Friedman, second by Schwarz
All in favor, motioned passed 5-0.**

12 Action Items (01:06:01)

A. Discuss/Approve/Deny: HRDC's request for relief from building and impact fees for new 12 unit housing development.

- * Martin Johnson of HRDC gave presentation
- * Schwarz made comments (01:08:17)
- * Hogleund made comment (01:10:06)
- * Nootz made comments (01:12:56)
- * Mabie made comment (01:12:26)
- * Schwarz motioned, Friedman seconded
- All in favor, motioned passed 5-0.

B. Discuss: Inclusion of City Board and Committee Recommendations in the Growth Policy Update. (01:20:57)

- * John Hettinger made comments (01:23:00)
- * Schwarz made comment
- * Nootz made comment
- All in favor, motioned passed 5-0.

C. Discuss : Green Acres Annexation Process (01:38:23)

- * Nootz made comments
- * Schwarz made comments
- * Hogleund made comments
- * Mabie made comments
- * Mabie made comments
- * Nootz made comments

D. Discuss/Approve/Deny: City Manager's Recommendation for changing form of local government (02:44:00)

- * Patricia Grabow made comments (02:47:55)
- * Nootz made comments (02:50:07)
- * Schwarz made comments (02:53:57)
- * Friedman made comments (02:54:56)

13 City Manager Comments (02:5:00)

- * Messages from the Community starting on pages 137, Atlanta Falcons pledged for next 3 years to provide equipment for flag football team in Livingston.

14 City Commissioner Comments

- * Nootz made comments (02:58:44)
- * Mabie made comments (02:59:32)
- * Friedman made comments (03:00:19)
- * Schwarz made comments (03:00:44)
- * Hogleund made comments (03:01:26)

15 Adjournment (03:06:32) 8:35 p.m.

Rec'd 1/11/2020 Virginia Ayr

NAME	CURRENT COUNTY TAXES X 20 YRS	CITY TAXES PLUS SID TAXES X 20 YRS	HOW MUCH MORE EACH HOMEOWNER WILL PAY IN 20 YRS
Aguilar	53,800.00	117,534.00	63,734.00
Angle	41,440.00	73,920.00	32,480.00
Barbula	38,180.00	71,474.00	33,294.00
Batey	39,220.00	73,409.00	34,189.00
Beck	16,140.00	43,117.00	26,977.00
Behn	45,800.00	81,852.00	36,052.00
Benzel	40,380.00	74,574.00	34,194.00
Brown	41,500.00	75,802.00	34,302.00
Burns	42,560.00	74,900.00	32,340.00
Carlson	36,800.00	70,118.00	33,180.00
Carson	13,540.00	68,255.00	54,715.00
Caruso	51,000.00	113,865.00	62,865.00
Case	51,040.00	84,141.00	33,101.00
Chapman	40,760.00	74,875.00	34,115.00
Cieri	45,620.00	108,084.00	62,464.00
Clayton	43,220.00	102,087.00	58,867.00

NAME	CURRENT COUNTY TAXES X 20 YRS	CITY TAXES PLUS S.I.D. TAXES X 20 YRS	HOW MUCH MORE EACH HOMEOWNER WILL PAY IN 20 YRS
Coate	43,580.00	78,811.00	35,231.00
Condon	24,700.00	54,445.00	29,754.00
Corder	47,540.00	84,122.00	36,582.00
Da Feltre	39,800.00	74,194.00	34,394.00
Dipentino	72,160.00	116,294.00	44,134.00
Duncan	47,620.00	109,037.00	61,417.00
Durow	19,300.00	47,263.00	27,963.00
Ehresmann	48,340.00	110,338.00	61,998.00
Franck	45,460.00	81,225.00	35,765.00
Frederickson	40,860.00	75,458.00	34,598.00
Gartside	16,740.00	44,700.00	27,960.00
George	39,060.00	73,399.00	34,339.00
Gerfen	44,060.00	105,523.00	61,463.00
Gubler	44,320.00	79,582.00	35,262.00
Gutebier	46,200.00	107,567.00	61,367.00
Haefs	34,380.00	66,800.00	32,420.00

NAME	CURRENT COUNTY TAXES X 20 YRS	CITY TAXES PLUS S.I.D. TAXES X 20 YRS	HOW MUCH MORE EACH HOMEOWNER WILL PAY IN 20 YRS
Haglund	41,980.00	76,685.00	34,705.00
Haines	37,520.00	67,357.00	29,837.00
Harris	41,080.00	75,549.00	34,469.00
Hayes	39,060.00	73,014.00	33,954.00
Hendrickson	39,580.00	73,692.00	34,112.00
Hostetler	47,160.00	99,663.00	52,503.00
Huff	34,560.00	66,504.00	31,944.00
Johnson	39,100.00	72,875.00	33,775.00
Juhnke	33,560.00	65,746.00	32,186.00
Kelley	47,760.00	109,888.00	62,128.00
Kellogg	36,700.00	68,267.00	31,567.00
Kemp	47,040.00	109,116.00	62,076.00
Kokot	49,660.00	87,078.00	37,418.00
Kuipers	46,940.00	96,795.00	49,855.00
Kuper	42,900.00	104,968.00	62,068.00
Kurschner	49,400.00	85,984.00	36,584.00

NAME	CURRENT COUNTY TAXES X 20 YRS	CITY TAXES PLUS S.I.D. TAXES X 20 YRS	HOW MUCH MORE EACH HOMEOWNER WILL PAY IN 20 YRS
Liebenow	46,280.00	82,481.00	36,201.00
Lopez	39,980.00	71,929.00	31,949.00
Mann	46,960.00	82,340.00	35,380.00
Marshall	37,840.00	71,045.00	33,205.00
Matlow	38,780.00	72,772.00	33,992.00
McGrath	47,360.00	109,812.00	62,452.00
Merideth	40,720.00	75,254.00	34,534.00
Morrow	45,140.00	80,885.00	35,745.00
O'Neill(Jay)	43,080.00	78,149.00	35,069.00
O'Neill(Peggy)	45,300.00	81,123.00	35,823.00
Payette	35,640.00	68,720.00	33,080.00
Pearson	38,800.00	72,561.00	33,761.00
Poeschl	55,840.00	120,138.00	64,298.00
Printz	56,500.00	96,883.00	40,383.00
Purcell	39,060.00	87,672.00	48,612.00

NAME	CURRENT COUNTY TAXES X 20 YRS	CITY TAXES PLUS S.I.D. TAXES X 20 YRS	HOW MUCH MORE EACH HOMEOWNER WILL PAY IN 20 YRS
Raney	23,960.00	52,640.00	28,680.00
Rehmer	36,900.00	70,039.00	33,139.00
Ricci(Greg)	42,880.00	104,632.00	61,752.00
Ricci(James)	43,960.00	78,994.00	35,034.00
Robertson	43,740.00	79,301.00	35,561.00
Rockafellow	47,300.00	109,196.00	61,896.00
Ross	41,340.00	75,200.00	33,860.00
Severson	38,360.00	72,077.00	33,717.00
Shuman	40,460.00	71,676.00	31,216.00
Siebeck	38,060.00	71,778.00	33,718.00
Springer	40,500.00	74,494.00	33,994.00
Steinmetz	38,600.00	72,257.00	33,657.00
Storm	6,780.00	34,205.00	27,425.00
Tinsley	45,900.00	108,967.00	63,067.00

NAME	CURRENT COUNTY TAXES X 20 YRS	CITY TAXES PLUS S.I.D. TAXES X 20 YRS	HOW MUCH MORE EACH HOMEOWNER WILL PAY IN 20 YRS
Toney	48,840.00	86,008.00	37,168.00
Van Houten	39,800.00	73,618.00	33,818.00
Van Orden	37,464.00	68,280.00	30,816.00
Ward	37,520.00	71,110.00	33,590.00
Watt	46,180.00	82,372.00	36,192.00
Watts	57,700.00	125,201.00	67,501.00
Webb	39,520.00	73,496.00	33,976.00
Wells	34,600.00	67,034.00	32,434.00
Wilson	37,840.00	71,441.00	33,601.00
Woodhull	36,600.00	69,809.00	33,209.00
Young	45,600.00	80,570.00	34,970.00
	----- \$3,616,724.00	----- \$7,145,354.00	----- \$3,528,630.00

LIVINGSTON CITY COMMISSION

Public Comment Sign-in

DATE: 01/21/2020

If you would like to speak to the Commission, please print your name and address before speaking. This document is an official public record. Your name and address should be printed legibly. Thank you!

PRINTED NAME/ADDRESS

AGENDA SECTION

1. Dana Paeschl 304 Northpark Dr Green Acres
2. Sheena Johnson 209 Ash Lane Green Acres
3. Patricia Grabow 204 E. Callender St Livingston
4. MARIA SIEBECK 212 ASH LN Livingston
5. Karen Durrow 105 W. Pine Liv.
6. Virginia M. Almy 115 Ash Lane Liv.
7. Jonathan Hettiger 126 S. 8th St GP board input
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____

LIVINGSTON CITY COMMISSION MINUTES

Tuesday, February 4, 2020, 5:30 pm

City-County Complex, Community Room

1 Call to Order

2 Roll Call

*** Høglund, Schwarz, Friedman, Mabie and Nootz were present.**

3 Moment of Silence

4 Pledge of Allegiance

5 Public Comments (00:01:11)

*** Bob Jovick made comments (00:01:32)**

*** Leslie Fiegle made comments (00:07:00)**

6 Consent Items (00:08:47)

*** Nootz motioned to approve A,B,D and E, pulling C for discussion, Schwarz seconded.**

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

*** Nootz motioned to add a voting youth member to Livingston Tree Board, as we have with the City Conservation Board, and approve amended Tree Board By-laws. Mabie seconded. All in favor, motion passed 5-0.**

7 Proclamations

8 Scheduled Public Comment

9 Public Hearings

10 Ordinances (00:14:46)

A. Ordinance No. 2085: An Ordinance of the City Commission of the City of Livingston, Montana Requiring all buildings to comply with the Building Codes and amending Ordinance No. 2053 as codified by Chapter 6 of the Livingston Municipal Code, by adopting by reference the 2018 International Building Code (IBC); the 2018 International Residential Code (IRC) the 2018 International Swimming Pool and Spa Code (ISPSA); and the 2018 International Existing Building Code.

*** Kardoes gave opening comments**

*** Nootz made comment (00:17:23)**

*** Friedman made comment (00:17:54)**

*** Mabie made code (18:36)**

Motion to approve by Schwarz, second by Friedman

All in favor, motioned passed 5-0.

B. Ordinance No. 2086: An Ordinance of the City Commission of the City of Livingston, Montana to review and propose amendments to a self government charter or adopted alternative form of government by 1 submission of the questions to the electors as set forth in section 7-3-149 and 7-3-103 of the Montana Code Annotated.

*** Kardoes gave opening comments**

*** Høglund made comment (00:21:11)**

Motion to approve by Friedman, second by Nootz

All in favor, motioned passed 5-0.

11 Resolutions (0:04:48)

A. Resolution No. 4891: A Resolution of the City Commission of the City of Livingston, Montana to Annex Certain Land which is contiguous to the City of Livingston and is described as the Green Acres Subdivision in Park County, Montana.

- * Kardoes gave opening comments
 - * Michael Kokot made comment (00:27:04)
 - * Sam Skillman made comment (00:31:31)
 - * Sheena Johnson made comment (00:32:47)
 - * Kylie Purcell made comment (00:35:44)
 - * Veronica Kokot made comment (00:40:24)
 - * Mike Benzel made comment (00:41:41)
 - * Suzanne Vurman made comment (00:43:43)
 - * Nootz asked clarifying questions (00:49:11)
 - * Mabie made comments (01:02:30)
 - * Friedman made comments (01:15:39)
 - * Schwarz made comments (01:16:00)
 - * Høglund made comments (01:17:23)
 - * Shannon Holmes made comments (01:23:05)
 - * Høglund made comments (01:30:)
 - * Schwarz motioned to approve, Friedman seconded
- All in favor, motion passed 5-0.

A. Resolution No. 4892: A Resolution of the City Commission of the City of Livingston, Montana amending Resolution No. 4829 to increase the assessment from one dollar \$1.00 to two dollars \$2.00, for the tourism business improvement district for the purpose of aiding in tourism, promotion and marketing within the district. (02:04:48)

- * Kardoes gave opening comments
 - * Leslie Fiegle made comments (02:07:53)
 - * Friedman motioned to approve, Mabie seconded
- All in favor, motion passed 5-0.

12 Action Items (02:22:25)

A. Discuss/Approve/Deny: City Planning Boards Recommendation for Regulating Large Retail Establishment.

- * Kardoes gave opening comments
 - * Jim Baerg made comments (02:24:32)
 - * Patrica Grabow made comments (02:31:14)
 - * Mabie made comment (02:37:)
 - * Nootz made comments (02:38)
 - * Friedman motioned Mabie seconded.
- All in favor, motioned passed 5-0.

B. Discuss: Scheduling Strategic Plan Work Session Meeting (02:49:00)

- * Kardoes gave opening statement
- * Commissioners discuss
- * Meeting scheduled for February 25, 2020, 5:30-7:30 p.m.

C. Discuss : Scheduling City Managers Evaluation (02:54:50)

- * Kardoes gave opening statement
 - * Commissioners discussed
 - * Schwarz motioned to extend the meeting, Mabie seconded.
- All in favor, motioned passed 5-0.
- * Meeting scheduled for April 16, 2020, 5:30-7:30 p.m. in the County Commission Chambers.

13 City Manager Comments (03:04:14)

- * Provided Growth Policy update to Commission, 842 online survey responses, 30 paper surveys received. Reminder of Commissioner listening session on 2/8 at Mustang.

14 City Commissioner Comments

- * Nootz made comments (03:06:18)
- * Mabie made comments (03:07:00)
- * Friedman made comments (03:08:11)
- * Schwarz made comments (03:08:22)
- * Hogle made comments (03:08:44)

15 Adjournment (03:06:12) 8:47 p.m.

LIVINGSTON CITY COMMISSION MINUTES

Tuesday, February 18, 2020, 5:30 pm

City-County Complex, Community Room

1 Call to Order

2 Roll Call

* Hoglund, Schwarz, Friedman, Mabie and Nootz were present.

3 Moment of Silence

4 Pledge of Allegiance

5 Public Comments (00:01:30)

* Leslie Fiegle made comments

* Patricia Grabow made comments

6 Consent Items (00:08:47)

* Schwarz motioned to approve A through D and to pull E for discussion, seconded by Mabie.

* All in favor, motion passed 5-0.

* Schwarz wanted to know what criteria was used by the Planning Board to make their recommendation for a new member, there were many qualified applicants.

* Kardoes made comments

* Nootz made comments

* Mabie made comments

* Schwarz made motion to table item C for more time to consider, Hoglund seconded.

All in favor, motion passed 5-0.

7 Proclamations

8 Scheduled Public Comment

9 Public Hearings

10 Ordinances (00:25:09)

A. Ordinance No. 2085: An Ordinance of the City Commission of the City of Livingston, Montana Requiring all buildings to comply with the Building Codes and amending Ordinance No. 2053 as codified by Chapter 6 of the Livingstontn Municipapl Code, by adopting by reference the 2018 International Building Code (IBC); the 2018 International Residential Code (IRC) the 2018 International Swimming Pool and Spa Code (ISPSC); and the 2018 International Existing Building Code.

* Kardoes gave opening comments

* Patricia Grabow made comments (00:26:11)

* Nootz made comments (00:28:31)

* Friedman made motion, Nootz seconded.

All in favor, motion passes 5-0.

11 Resolutions

12 Action Items (00:00:00)

A. Discuss: Quarterly Fund Summary Report from City Finance Director, Paige Fetterhoff.

* Kardoes gave opening comments

* Schwarz made comments (00:33:09)

B. Discuss/Approve/Deny: Livingston Business Improvement Districts updated by-laws.(00:35:00)

- * Kardoes gave opening comments
- * Patricia Grabow made comments (00:38:10)
- * Mabie made comments (00:45:50)
- * Schwarz made comments (00:47:27)
- * Hogleund made comments (00:54:24)
- * Nootz made comments (00:58:44)

C. Discuss: City Attorneys Legal opinion regarding planning boards inquiry " Is the Planning Board mandated by statute to run the Growth Policy Process?" (01:03:33)

- * Lawellin gave opening statement
- * Nootz made comments (01:07:00)
- * Mabie made comment (01:07:54)
- * Kardoes made comments (01:08:26)
- * Hogleund made comments (01:09:23)
- * Friedman made comments (01:13:26)

13 City Manager Comments (01:14:41)

- * Received \$15k grant from Dept. of Commerce, for the MT Main Street downtown project.
- * Updated Growth Policy Surveys count.

14 City Commissioner Comments

- * Nootz made comments (01:16:46)
- * Mabie made comments (01:20:40)
- * Friedman made comments (01:21:31)
- * Schwarz made comments (01:22:11)
- * Hogleund made comments (01:23:23)

15 Adjournment (01:27:12) 7:01 p.m.

LIVINGSTON CITY COMMISSION MINUTES

Tuesday, February 18, 2020, 5:30 pm

City-County Complex, Community Room

1 Call to Order

2 Roll Call

* Hogleund, Schwarz, Friedman, Mabie and Nootz were present.

3 Moment of Silence

4 Pledge of Allegiance

5 Public Comments (00:01:37)

* Leslie Fiegle made comments

6 Consent Items (00:06:07)

* Nootz motioned to approve A through E and to pull F for discussion, seconded by Mabie.

* All in favor, motion passed 5-0.

* Nootz asked for Mr. Kardoes to provide status update regarding new development on City Planning board member resignation.

* Mabie made comments (00:08:50)

* Kardoes made comments

* Nootz made comments (00:10:20)

* Brian Konkel made comments (00:12:04)

* Schwarz made sub-motion 1 to approve Stacy Jovick to City Planning Board, Mabie seconded All in favor, motion passed 5-0.

* Schwarz made sub-motion 2 to nominate Jessie Wilcox to City Planning Board, to fill new vacancy. Mabie seconded.

All in favor, motion passed 5-0.

7 Proclamations

8 Scheduled Public Comment

A. Alexis Van Pernis Energy Corp Intern, Presentation to Commission.

* Cancelled due to State training, will present 3/17/2020.

9 Public Hearings (00:16:13)

A. Ordinance No. 2086: An Ordinance of the City Commission of the City of Livingston, Montana to review and propose amendments to a self government charter or adopted alternative form of government by 1 submission of the questions to the electors as set forth in section 7-3-149 and 7-3-103 of the Montana Code Annotated.

* Kardoes gave opening statement

* Patricia Grabow made public comment (00:17:17)

* Hogleund made comment (00:21:44)

* Nootz motioned, Schwarz seconded.

All in favor, motion passed 5-0.

10 Ordinances

11 Resolutions (00:22:20)

A. Resolution No. 4890: A Resolution of the City Commission of the City of Livingston, Montana, authorizing the City Manager to sign an agreement with the Montana Historic Preservation Office for local historic preservation period of 04/01/2020-03/31/2021.

- * Kardoos gave opening statement
- * Schwarz made comment (00:23:23)
- * Schwarz motioned, Friedman seconded.
All in favor, motion passed 5-0.

12 Action Items (00:24:47)

A. Discuss: City Commission to direct City Zoning Commission to develop and draft an ordinance based on the Zoning Commissions recommendation to develop and adopt an ordinance to allow accessory dwelling units (ADU's) within the jurisdiction of the City.

- * Kardoos gave opening statement
- * Jim Baerg made public comment (00:27:44)
- * Johnathan Hettinger made public comment (00:32:00)
- * Mabie made comments (00:33:11)
- * Schwarz made comments (00:35:07)
- * Nootz made comments (00:36:07)
- * Hogle made comments (00:37:03)
- * Discussed Zoning Commission focusing on the Large Format Retail work and prioritizing that work prior and receiving clarifying details from City Staff prior to beginning work on ADU's.
- * Mabie motioned to return to the ADU draft back to the Zoning Commission for development and implement the Large Format Retail work first, Friedman seconded.
All in favor, motion passed.

13 City Manager Comments (00:43:00)

- * Addressed letter to City Commission regarding the WET, LRG project

14 City Commissioner Comments (00:46:00)

- * Nootz yield
- * Mabie yield
- * Friedman yield
- * Schwarz made comments (00:46:10)
- * Hogle made comments (00:49:50)
Reported to have conflict with Strategic Planning meeting scheduled for 3/10/2020, meeting moved to 5:00pm. Will publically notice.

15 Adjournment (00:51:02) 6:23 p.m.

LIVINGSTON CITY COMMISSION

Public Comment Sign-in

DATE: 03/03/2020

If you would like to speak to the Commission, please print your name and address before speaking. This document is an official public record. Your name and address should be printed legibly. Thank you!

PRINTED NAME/ADDRESS

AGENDA SECTION

- 1. Loslie Feigel Chamber
- 2. Brian Karkov 309 S. Yellowstone St
- 3. Patricia Grabow 204 E. Callender St.
- 4. Jim Baerg 223 S. 5th St
- 5. Johnathan Hettinger 126 S. 8th St.
- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____
- 11. _____
- 12. _____
- 13. _____
- 14. _____
- 15. _____
- 16. _____
- 17. _____
- 18. _____
- 19. _____
- 20. _____

LIVINGSTON CITY COMMISSION MINUTES

Tuesday, March 17, 2020, 5:30 pm

City-County Complex, Community Room

1 Call to Order

2 Roll Call

*** Hoglund, Mabie and Nootz were present. Schwarz participated by phone, Friedman absent.**

3 Moment of Silence

4 Pledge of Allegiance

5 Public Comments

Due to the World Health Organization's declaration of a global pandemic of Coronavirus Disease (COVID-19) The CDC & MT DPPHS issued a recommendation of limiting council meetings to essential business only.

In an effort to mitigate the imminent risk of exposure and infection to others, the City modified it's published agenda to approval of consent items, 1st Reading of Ord. No. 2087, added Resolution No. 4893. Non-essential items will be moved to a future agenda.

6 Consent Items (00:03:19)

*** Mabie motioned to approve A through D, seconded by Nootz.**

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

7 Proclamations

8 Scheduled Public Comments (cancelled)

9 Public Hearings

10 Ordinances (00:03:50)

A. Ordinance No. 2087: An Ordinance of the City Commission of the City of Livingston, Montana amending section 30.13 of the Livingston Municipal Code entitled Official Zoning Map of the City of Livingston by zoning the Green Acres Subdivision and Green Acres Park Medium Density Residential (R2) and Public (P) respectively.

*** Kardoes gave opening statement**

*** Nootz made comments (00:06:16)**

*** Mabie made comments (00:07:13)**

*** Nootz motioned, Mabie seconded.**

All in favor, motion passed 4-0.

11 Action Items (Pulled)

*** Kardoes gave statement about status of each item, rescheduling.**

*** Nootz requested Kardoes reiterate disclaimer that the City is following the CDC, State, and County Health Department to only conduct necessary business items only. (00:10:20)**

12 City Manager Comments (00:10:44)

*** Kardoes gave update regarding current actions City is taking to address COVID-19 outbreak, present emergency resolution to commission, and discuss how to move forward with city board/committee meetings.**

*** All City offices closed to public, remain open for operations, for 8 weeks per CDC recommendations or until further order from Governor.**

*** County is looking at declaring an emergency possibly Thursday.**

*** City created new web page to update the Community on the Coronavirus updates. Good, factual information throughout Montana, provides resources for impacted individuals, showing real-time daily confirmed case listed current closures in Park County, other closures, basic information what to do if you feel ill, how to stop the spread, how to do social**

distancing, links to reliable scientific information, CDC website, DPHHS, St. Johns Hospital app, real-time information.

- * Kardoes provided Commissioners with MCA 2019 10.3.402-406 Who can declare an emergency. How to recover FEMA funds, how to initiate the Park CO. Emergency Operations Plan, to direct and compile an evacuation and to control the ingress and egress from emergency areas. Commission can approve additional 2 mills per local emergency. (00:16:16)

- * Kardoes provided Commissioners with emergency Res. No. 4893: Acknowledging and defining the City Manager's Power to declare an emergency and the City Manager's exercise of that authority. (00:19:58)
 - * Mabie made comments (00:27:09)
 - * Nootz asked clarifying questions (00: 27:54)
 - * Hogle asked clarifying questions (00:37:00)
 - * Schwarz made comments (00:43:37)
 - * Mabie motioned, Schwarz seconded
All in favor, motion passed 4-0.

- * Kardoes advised following the authorities recommendations to not hold any regular scheduled meetings unless there is a legal need to do so for 8 weeks and suspending all City Commission & City Boards & Committee meetings except April 7 unless there is a legal reason to meet or until further order.
 - * Hogle concurred (00:47:25)
 - * Mabie suggested cancelling commission listening sessions
 - * Schwarz concurred
 - * Nootz made comments (00:50:27)
 - * Kardoes made clarifying comments (00:56:02)
 - * Lawellin made comments (00:57:34)

13 City Commissioner Comments (01:03:11)

- * Nootz made comments (01:03:12)
- * Mabie made comments (01:05:44)
- * Schwarz made comments (01:07:32)
- * Hogle made comments (01:09:06)

14 Adjournment (01:12:14) 6:45 p.m.



Livingston City Commission Agenda

March 17, 2020

5:30 PM

City – County Complex, Community Room

MODIFIED AGENDA DUE TO COVID-19

1. Call to Order

2. Roll Call

3. Moment of Silence

4. Pledge of Allegiance

5. Public Comment

Individuals are reminded that public comments should be limited to item over which the City Commission has supervision, control jurisdiction, or advisory power (MCA 2-3-202)

6. Consent Items

- A. RATIFY CLAIMS PAID FROM 03/01/2020-03/15/2020. PG. 5**
- B. APPROVE MINUTES FROM 3/3/2020 CITY COMMISSION MEETING. PG. 16**
- C. APPROVE MARY BEEBE'S APPLICATION FOR CITY-COUNTY HEALTH BOARD. PG. 20**
- D. APPROVE SPECIAL PARKING APPLICATION FROM PHILLIP BURG. PG. 22**

7. Proclamations

8. Scheduled Public Comment

- ~~**A. ALEXIS VAN PERNIS ENERGY CORPS INTERN, PRESENTATION TO LIVINGSTON CITY COMMISSION.**~~
- ~~**B. RUSSELL LEWIS OF THE SHANE LALANI CENTER WITH PRESENTATION REGARDING UPCOMING CAPITAL IMPROVEMENT PROJECT. PG. 26**~~

9. Public Hearings

10. Ordinances

- A. ORDINANCE NO. 2087: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING SECTION 30.13 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY ZONING GREEN ACRES SUBDIVISION AND GREEN ACRES PARK MEDIUM DENSITY RESIDENTIAL (R2) AND PUBLIC (P), RESPECTIVELY. PG. 38**

11. Resolutions

- A. RESOLUTION NO. 4893: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ACKNOWLEDGING AND DEFINING THE CITY MANAGER'S POWER TO DECLARE AN EMERGENCY AND THE CITY MANAGER'S EXERCISE OF THAT AUTHORITY. PG. 87**

12. Action Items

- ~~A. DISCUSS: LAUREL RHODES, DVM, REQUEST FOR A FEE WAIVER FOR THE USE OF THE CIVIC CENTER ON APRIL 4 AND MAY 2, 2020. TO PROVIDE A LOW COST COMMUNITY CANINE AND FELINE VACCINATION AND MICROCHIP CLINIC. PG. 52~~
- ~~B. SHANE CENTER REQUEST FOR RELIEF FROM BUILDING PERMIT FEES FOR ACT II CAPITAL IMPROVEMENT PROJECT. PG. 63~~
- ~~C. ACTION: DISCUSS UPCOMING PROFESSIONAL DEVELOPMENT OPPORTUNITIES FOR LIVINGSTON CITY COMMISSIONERS. PG. 65~~
- ~~D. CITY COMMISSION TO DISCUSS AND PROVIDE FOCUSED DIRECTIVE TO CITY CONSERVATION BOARD.~~
- ~~E. ACTION: DISCUSS RAILROAD CROSSING OPTIONS PG. 83~~

- 13. City Manager Comment
- 14. City Commission Comments
- 15. Adjournment

Calendar of Events

APRIL 2020

CALENDAR MONTH APRIL
CALENDAR YEAR 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
29	30	31	1	2	3	4
5	6 Zoning Commission Work Session 5:30-7:30	7 City Commission Meeting 5:30 p.m.	8 Quarterly City-County Board of Health Meeting 5:30 p.m.	9	10	11 Commissioner Listening Session Livingston Home Outfitters 9-11am
12	13	14 Historic Preservation Committee mtg. 3:30 p.m. Zoning Commission Meeting 5:30pm	15	16 Tree Board Meeting Noon City Manager Annual Evaluation 5:30 pm	17	18
19	20	21 City Commission Meeting 5:30 p.m.	22 Library Board Mtg. 4PM Conservation Board 5:00 PM Planning Board mtg 5:30PM Sister City Board.Mtg. 7PM	23	24	25
26	27	28 Commissioners MT Healthy Communities Conference- Helena 4/28-4/30	29 Parks and Trails Committee Meeting 6:00pm	30	1	2

RESOLUTION NO. 4893

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA ACKNOWLEDGING AND DEFINING THE CITY MANAGER’S POWER TO DECLARE AN EMERGENCY AND THE CITY MANAGER’S EXERCISE OF THAT AUTHORITY.

WHEREAS, an epidemic of the Coronavirus Disease (“COVID-19”) has occurred across the United States;

WHEREAS, the World Health Organization has declared COVID-19 a global pandemic that is controllable via precautionary measures to stop the spread of the disease;

WHEREAS, the City faces an imminent threat to life and public health resulting from COVID-19;

WHEREAS, MCA 10-3-402 provides for the principal executive officer of a political subdivision to declare a local emergency or disaster and the City Manager is the principal executive officer for the City of Livingston;

WHEREAS, the City will commit available resources, and will take action to combat and to alleviate the situation, local resources may not be adequate to cope with the situation; and

WHEREAS, it appears the City Manager may declare an emergency in the City of Livingston in the near future.

NOW, THEREFORE, The City Commission resolves and acknowledges:

Section 1. The authority of the City Manager to declare an emergency based on MCA 10-3-402 is reaffirmed.

Section 2. In addition to the authority granted to the City Manager by MCA 10-3-406, the City Manager using all available information from Federal/State/Local Authorities shall

possess and exercise the following powers:

- a. To approve all claims, payroll, and other financial responsibilities “nunc pro tunc” and bring them before the Commission for ratification after the emergency is terminated.
- b. To use the City of Livingston Revolving Loan Fund in any manner reasonable and necessary to support the businesses of the City of Livingston.
- c. To waive the ordinances of the City of Livingston as necessary to effectively address the emergency.
- d. To impose any reasonable restrictions on travel, parking, or congregating as necessary to address the emergency and in accordance with MCA 10-3-406.
- e. To execute all contracts for the City for \$50,000.00 or less, consistent with applicable state law and bid requirements.

PASSED AND ADOPTED, by the City Commission of the City of Livingston, Montana, this _____ day of March, 2020.

DOREL HOGLUND, CHAIR

ATTEST:

APPROVED TO AS FORM:

FAITH KINNICK
Recording Secretary

COURNTEY LAWELLIN
City Attorney

RESOLUTION NO. 4893: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA ACKNOWLEDGING AND DEFINING THE CITY MANAGER’S POWER TO DECLARE AN EMERGENCY AND THE CITY MANAGER’S EXERCISE OF THAT AUTHORITY.

LIVINGSTON CITY COMMISSION MINUTES

Tuesday, April 14, 2020, 5:30 pm

Zoom Online Video Conference

1 Call to Order

2 Roll Call

*** Hoglund, Schwarz, Mabie and Nootz were present by video conference. Friedman absent.**

3 Moment of Silence

4 Pledge of Allegiance

5 Public Comments

Due to the World Health Organization's declaration of a global pandemic of Coronavirus Disease (COVID-19) The CDC & MT DPPHS issued a recommendation of limiting council meetings to essential business only, and the City's efforts to mitigate the imminent risk of exposure and infection to others.

This meeting was held via Zoom Online Video Conference. Meeting ID # 608 623 473
Password: 010052.

6 Consent Items (5:37 p.m.)

*** Mabie motioned to approve A through C, seconded by Nootz.**

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

7 Proclamations

8 Scheduled Public Comments

9 Public Hearings (5:39 p.m.)

A. Ordinance No. 2087: An Ordinance of the City Commission of the City of Livingston, Montana amending section 30.13 of the Livingston Municipal Code entitled Official Zoning Map of the City of Livingston by zoning the Green Acres Subdivision and Green Acres Park Medium Density Residential (R2) and Public (P) respectively.

*** Kardoes gave opening statement**

Schwarz motioned to approve, Mabie seconded.

All in favor, motion passed 4-0.

10 Ordinances

11 Resolutions (5:49 p.m.)

A. Resolution No. 4894: A Resolution of the City Commission of the City of Livingston, Montana, amending Resolution No. 4556 Designating the Livingston Business Improvement District as the Local Convention and Visitors Bureau in Livingston, Montana.

*** Kardoes gave opening statement**

*** Nootz made comments (6:07 p.m.)**

*** Schwarz made comments (6:10 p.m.)**

*** Leslie Fiegle made comment (6:11 p.m.)**

*** Jack Luther made comment (6:16 p.m.)**

*** John Payne made comment (6:20 p.m.)**

*** Jami Rebsom made comment (6:24 p.m.)**

*** Joanne Lowell made comment (6:30 p.m.)**

*** Jackie Fiegle made comment (6:32 p.m.)**

*** Mark Bassett made comment (6:33 p.m.)**

*** Patricia Grabow made comment (6:39 p.m.)**

*** Eric Bradley made comment (6:45 p.m.)**

*** Jennifer Estes made comment (6:46 p.m.)**

*** Kathleen Kahl made comment (6:50 p.m.)**

*** Mabie made comments (6:53 p.m.)**

*** Schwarz made comments (6:57 p.m.)**

- * Nootz made comments (6:59 p.m.)
 - * Courtney Lawellin made comments (7:03 p.m.)
 - * Hogle made comments (7:14 p.m.)
- Motion by Schwarz to approve the with effective date 1/7/2020, second by Mabie
All in favor, motion passed 4-0.

11 Action Items

12 City Manager Comments (7:25 p.m.)

13 City Commissioner Comments (01:03:11)

- * Nootz made comments (7:27 p.m.)
- * Mabie made comments (7:28 p.m.)
- * Schwarz made comments (7:28 p.m.)
- * Hogle made comments (7:29 p.m.)

14 Adjournment 7:31 p.m.

LIVINGSTON MONTANA CITY COMMISSION SPECIAL MEETING MINUTES

Tuesday, April 28, 2020, 5:30 pm

Zoom Online Video Conference

Due to the World Health Organization's declaration of a global pandemic of Coronavirus Disease (COVID-19) Governor Bullock's office issued a recommendation of limiting council meetings to essential business only.

This meeting was held via Zoom Online Video Conference. Meeting ID # 846-9062-7584 Password: 000499.

1 Call to Order

2 Roll Call

- * Hoglund, Schwarz, Friedman, Mabie and Nootz were present by video conference.

3 Public Comment moved to later portion of meeting due to reported technical difficulties.

4 Proclamations (00:02:26)

A. A proclamation of acceptance and openness among all of our citizens.

Hoglund gave background information on necessity

- * Nootz made comments (00:06:34)
- * Friedman made comments (00:07:16)
- * Mabie made comments (00:07:26)
- * Schwarz made comments (00:07:46)
- * Hoglund made comments (00:08:20)

5 Resolution (00:10:08)

A. Resolution No. 4896: A Resolution of the Livingston City Commission, of the City of Livingston Montana, approving and adopting the FY20/21 Marketing Plan submitted by the Livingston Business Improvement District (LBID) Convention and Visitors Bureau (CVB) as required by law.

- * Kardoes gave opening statement
- * Nootz made comments (00:12:52)
- * Mabie made comments (00:13:52)
- Schwarz motioned to approve, Friedman seconded.
- All in favor, motion passed 5-0

6 Public Comment (00:20:08)

- A. Patricia Grabow made public comment on the Proclamation (00:20:48)
- B. Patricia Grabow made public comment on the Resolution (00:23:38)

7 City Manager Comments (00:27:47)

A. Provided update on Revolving Loan Fund program and loan program offered through Park Co. Development Corporation

- * Hoglund asked question (00:28:38)
- * Schwarz asked question (00:29:45)
- * Nootz asked question (00:30:34)
- * Mabie asked question (00:32:15)

8 City Commissioner Comments

- * Mabie made comment (00:32:55)
- * Nootz made comment (00:33:46)
- * Friedman abstained (00:39:20)
- * Schwarz made comment (00:39:25)
- * Hoglund made comment (00:39:55)

9 Discussion amongst commission how next City Commission meeting will be held. (00:41:27)

May 5, 2020, meeting will be held again via Zoom.

10 Adjourned public portion of meeting (00:51:29) 6:21 pm

11 Closed Session for Commissioner briefing of current litigation involving the City of Livingston

- A. Carlin, Wulf vs. City of Livingston**
- B. Human Rights Bureau case: Employee A vs. City of Livingston**
- C. Human Rights Bureau case: Former Employee B vs. City of Livingston**
- D. Livingston Chamber of Commerce vs. City of Livingston**
- E. Jami Rebsom vs. City of Livingston**
- F. Cane, S. vs. City of Livingston**
- G. O'Brien S. estate vs. City of Livingston**
- H. Rawlings, J. vs. City of Livingston**
- I. Chambers, J. vs. City of Livingston**

12 Adjourned 7:15 p.m.

LIVINGSTON MONTANA CITY COMMISSION SPECIAL MEETING MINUTES

Tuesday, May 5, 2020, 5:30 pm

Zoom Online Video Conference

Due to the World Health Organization's declaration of a global pandemic of Coronavirus Disease (COVID-19) Governor Bullock's office issued a recommendation of limiting council meetings to essential business only.

This meeting was held via Zoom Online Video Conference. Meeting ID # 849-8630-3553 Password: 258700.

1 Call to Order

2 Roll Call

- * **Hoglund, Schwarz, Friedman, Mabie and Nootz were present by video conference.**

3 Moment of Silence

4 Public Comment

5 Consent Items (00:04:06)

- * **Schwarz motioned to approve A through F, second by Mabie.**
- * **All in favor, motion passed 5-0.**

6 Proclamations (00:05:23)

- A. National Public Works Week Proclamation**

7 Scheduled Public Comments

8 Public Hearings

9 Ordinances

10 Resolutions (00:07:56)

- A. Resolution No. 4895: A Resolution of the City Commission of the City of Livingston, Montana, authorizing the City Manager to sign and submit a TSEP Grant Application with the Montana Department of Commerce for Construction of a sanitary sewer service line for the Civic Center.**

- * **Kardoes gave opening statement**
- * **Schwarz made comments (00:10:56)**
- * **Mabie made comments (00:11:18)**
- * **Nootz made comments (00:14:37)**
- * **Hoglund made comments (00:16:37)**
- * **Friedman made comments (00:17:10)**
- Motion by Friedman, second by Nootz**
- All in favor, motion passed 5-0**

11 Action Items

12 City Manager Comments (00:19:00)

- * **Update on Facebook Informational Series regarding the COVID-19 data**
- * **Small Business Loans- RLF**
- * **1st week of City Operations going well**
- * **Questions regarding Boards and Committees status and reschedule listening sessions.**
 - * **Commissioners discussed possibility of 1/2 Zoom participation 1/2 public; decided would need to continue Zoom for the time being until Phase II and social distancing regulations are lifted. Boards can decide how to provide public access for the meetings. City will contact the Boards to discuss capability for conducting Zoom meetings. City will schedule Zoom Listening Session.**

13 City Commissioner Comments (00:35:36)

- * Nootz made comment (00:35:37)
- * Mabie made comment (00:42:47)
- * Friedman abstained (00:43:48)
- * Schwarz made comment (00:44:50)
- * Hogle made comment (00:45:29)

14 Adjourned public portion of meeting (00:48:12) 6:39 pm

LIVINGSTON MONTANA CITY COMMISSION MEETING MINUTES

Tuesday, May 19, 2020, 5:30 pm

Zoom Online Video Conference

Due to the World Health Organization's declaration of a global pandemic of Coronavirus Disease (COVID-19) Governor Bullock's office issued a recommendation of limiting council meetings to essential business only.

This meeting was held via Zoom Online Video Conference. Meeting ID # 870-8103-7785 Password: 973782.

1 Call to Order

2 Roll Call

- * **Hoglund, Schwarz, Friedman, Mabie and Nootz were present by video conference.**

3 Moment of Silence

4 Public Comment

- * **Leslie Feigle made public comment (00:01:50)**

5 Consent Items (00:04:06)

- * **Nootz motioned to approve A through B, second by Mabie.**
- * **All in favor, motion passed 5-0.**

6 Proclamations

7 Scheduled Public Comments (00:06:00)

A. Katie Weaver, MSU Economic Development Agent, presents 2020 Annual Report and update on the Revolving Loan Fund.

- * **Friedman made comments (00:14:00)**
- * **Mabie made comments (00:14:30)**
- * **Hoglund made comments (00:15:57)**
- * **Nootz made comments (00:18:44)**

B. Michael Dechellis, Chair of City Conservation Board presents 2020 Draft Project List and Priorities. (00:22:50)

- * **Hoglund made comments (00:33:30)**
- * **Mabie made comments (00:37:49)**
- * **Nootz made comments (00:38:35)**

8 Public Hearings

9 Ordinances

10 Resolutions

11 Action Items (00:56:19)

A. Discuss/Approve/Deny: Approve revised City Conservation Board by-laws amending meeting start time.

- * **Kardoes gave opening statement**
- * **Michael Dechellis made comment (00:56:55)**
- * **Schwarz made comment (00:58:31)**
- * **Mabie motioned to approve, Schwarz seconded.**
- * **All in favor, motion passed 5-0.**

B. Discuss/Approve/Deny: Fee waiver request from Livingston Chamber of Commerce for Annual July 2nd Parade. (00:59:33)

- * Kardoos gave opening statement
 - * Leslie Feigle made public comment (01:01:07)
 - * Nootz made comment (01:06:16)
 - * Friedman made motion to approve a waiver of all fees for the 2020 July 2nd Parade. Mabie seconded.
- All in favor, motion passed 5-0

12 City Manager Comments (01:08:11)

- * Update on Growth Policy, draft Community Profile with existing conditions
- * Received first draft of Impact Fee Study complete
- * Hired Deputy Planning Director, starts 07/01/2020

13 City Commissioner Comments (01:11:22)

- * Nootz made comment (01:11:25)
- * Mabie made comment (01:21:53)
- * Friedman made comments (01:23:07)
- * Schwarz made comment (01:24:27)
- * Hoglund made comment (01:25:18)
 - * Hoglund motioned to add to a future agenda, discussion item Parking Trailers, Boats RV's on City Streets. Second by Schwarz.

14 Adjourned public portion of meeting (01:32:59) 7:02 pm

LIVINGSTON MONTANA CITY COMMISSION MEETING MINUTES

Tuesday, June 10, 2020, 5:30 pm
Community Room, City-County Complex

1 Call to Order

2 Roll Call

* Heglund, Schwarz, Friedman, Mabie and Nootz were present.

3 Moment of Silence

4 Public Comment

5 Consent Items (00:02:36)

* Friedman motioned to approve A through C, second by Mabie.

* All in favor, motion passed 5-0.

6 Proclamations

7 Scheduled Public Comments (00:06:00)

A. Erika Adams from the Shane Center presents the 2020 Capital Improvement Project and request for waiver of the building permit fees.

* Heglund made comments (00:9:42)

* Schwarz made comments (00:12:48)

* Nootz made comments (00:13:12)

8 Public Hearings

9 Ordinances

10 Resolutions (00:16:10)

A. Resolution No. 4897: A Resolution of the City Commission of the City of Livingston, Montana, authorizing the City Manager to sign a professional services agreement with TD&H, Inc. for construction administration of the Livingston 2020 CIP 2nd Street and Sidewalk Replacement project and to execute the agreement fully.

* Kardoes gave opening statement

* Shannon Holmes gave background information

* Nootz motioned to approve, Mabie seconded.

All in favor, motion passed 5-0.

A. Resolution No. 4898: A Resolution of the City Commission of the City of Livingston, Montana, authorizing the City Manager to sign a professional services agreement with TD&H, Inc. for construction administration of the Livingston 2020 CIP 2nd Street and Sidewalk Replacement project and to execute the agreement fully. (00:39:42)

* Kardoes gave opening statement

* Shannon Holmes gave additional information

* Mabie motioned to approve, Schwarz seconded.

All in favor, motion passed 5-0.

11 Action Items (00:41:50)

A. Discuss/Approve/Deny: Market and Merti Adjustment for City Manager

- * Lowy gave opening statement
 - * Jaycee Charmichael made comments (00:47:30)
 - * Jack Luther made comments (00:50:06)
 - * Nootz made comments (00:54:21)
 - * Hogle made comments (00:54:08)
 - * Mabie made comments (01:11:50)
 - * Schwarz made comments (01:15:45)
 - * Friedman made comments (01:29:58)
 - * Schwarz motioned to approve, Mabie seconded.
- All in favor, motion passed 5-0.

B. Discuss: Quarterly Fund Summary Report from Finance Director, Paige Fetterhoff (01:47:35)

- * Fetterhoff gave opening statement

C. Discuss: Schedule Budget Worksessions (00:01:50)

- * Discussion amongst Commission, 1st meeting will be held 6/29 at 5:00pm in the Community Room. Faith will publically notice.

D. Discuss: Re-opening of downtown businesses and temporary waiver of ordinances allowing curb side street scapes. (02:02:02)

- * Kardoes gave opening statement

12 City Manager Comments (02:07:49)

- * Growth Policy Mini-Survey on Community Character results
- * Commissioner Listening Sessions, Commission will attend June Farmers Markets starting 6/17/2020.
- * Gave update on Revolving Loan Fund

13 City Commissioner Comments

- * Nootz (02:10:40)
- * Friedman (02:18:54)
- * Warren yield (02:20:30)
- * Schwarz (02:20:37)
- * Hogle (02:24:05)

14 Adjourned meeting (02:26:13) 8:07 pm

LIVINGSTON MONTANA CITY COMMISSION MEETING MINUTES

Tuesday, June 23, 2020, 5:30 pm

Community Room, City-County Complex

1 Call to Order

2 Roll Call

* **Hoglund, Schwarz, Friedman, Mabie and Nootz were present.**

3 Moment of Silence

4 Pledge of Allegiance

5 Public Comment

6 Consent Items (00:00:53)

* **Mabie motioned to approve A through C, second by Schwarz.**

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

7 Proclamations

8 Scheduled Public Comments (00:05:38)

A. Marshall Swearingen of City Tree Board, presents information on the threat of Emerald Ash Borer to Livingston's Ash Trees.

* **Mabie made comments (00:14:51)**

* **Hoglund made comments (00:15:21)**

* **Nootz made comments (00:18:22)**

* **Schwarz made comments (00:21:29)**

9 Public Hearings

10 Ordinances

11 Resolutions (00:24:24)

A. Resolution No. 4899: A Resolution of the City Commission of the City of Livingston, Montana, authorizing the City Manager to sign a Collective Bargaining Agreement with Montana Public Employees Association for Livingston Police Department Unit for the Fiscal Year of 2021-2024.

* **Kardoes gave opening statement**

* **Johnathan Hettinger made public comment (00:35)**

* **Margaret Hayden made public comment (00:38)**

* **Kate French made public comment (00:43)**

* **Melissa Reagan made public comment (00:46)**

* **Julie Eaton made public comment (00:48)**

* **Ariety Fried made public comment (00:49)**

* **Alexis Van Pernis made public comment (00:51)**

* **Lexie Folkerts made public comment (00:52)**

* **Joseph Burlington made public comment (00:53)**

* **Sarah Homans made public comment (00:57)**

* **Jenny Jo Allen made public comment (00:57)**

* **Becca Frucht made public comment (01:07)**

* **Mabie made comments (01:08)**

* **Nootz made comments (01:12)**

* **Friedman made comments (01:38)**

* **Schwarz made comments (01:47)**

* **Hoglund made comments (02:08:)**

* **Courtney Lawellin made comments (02:23)**

Motion to extend the meeting made by Mabie, seconded by Schwarz (02:52)

Discussion continued until (03:49)

Motion made by Mabie, seconded by Friedman

Motion passed 3-2 (Mabie, Friedman, Schwarz in favor, Hoglund Nootz against)

12 Action Items (03:50:35)

A. Discuss/Approve/Deny: Approve Shane Center request for waiver of building impact fees.

- Kardoes gave opening statement
- * Schwarz made comment (03:51)
- * Hogleund made comments (03:52)
- * Nootz made comment (03:53)
- * Friedman motioned to approve, Nootz seconded.
- All in favor, motion passed 5-0.

B. Discuss/Approve/Deny: LBID Annual Workplan, Annual Budget & Proposed Assessment. (03:54)

- * Kardoes gave opening statement
- * Nootz made comments (03:57)
- Friedman motioned, Schwarz seconded.
- All in favor, motion passed 5-0.

C. Discuss: Consider City's Recommendations for amendments to Municipal Code pertaining to parking Campers, Boats, or Trailers on City Streets. (03:59)

- * Hogleund made opening statement
- * Nootz made comments (04:00)
- * Kardoes made comments (04:01)
- * Hogleund made comment (04:04)
- * Friedman made comments (04:07)
- * Nootz made comments (04:08)

Decision was made for City to bring back before Commission during the 2nd meeting in August. Eliminated options 2 & 4, City will focus on option 1 & 4, or creation of a hybrid version with focus on adding days and explore viable seasonal options.

13 City Manager Comments (04:23)

- * Will modify the Police Department Overview and make available on the City webpage then start the discussion on the public forum. Will direct people to the annual reports.

14 City Commissioner Comments (04:27)

- * Nootz (04:27)
- * Mabie (04:28)
- * Friedman (04:48)
- * Schwarz (04:29)
- * Hogleund (04:30)

15 Adjourned meeting (04:35:15) 10:08 pm

LIVINGSTON MONTANA CITY COMMISSION MEETING MINUTES

Tuesday, July 21, 2020, 5:30 pm

Via Zoom

1 Call to Order

2 Roll Call

- * Hoglund, Schwarz, Friedman, Mabie and Nootz were present.

3 Public Comment

- * Sarah Stands made public comment (00:01:53)
- * Hoglund made comments (00:04:50)
- * Nootz made comments (00:05:30)

4 Consent Items (00:07:50)

- * Nootz pulled item E for discussion and motioned to approve A through D, second by Mabie.
- * Nootz notified she will abstain from voting on item E due to her husband being library director. Friedman motioned to pass item E, Seconded by Mabie.
- * All in favor, motion passed 5-0.

5 Proclamations

6 Scheduled Public Comments

7 Public Hearings (00:10:16)

- A. The City of Livingston invites the public to comment on the construction costs of a sanitary sewer connection to the Civic Center and surrounding areas.
 - * Kardoes gave opening statement
 - * Hoglund made comment (00:15:32)

8 Ordinances

9 Resolutions (00:17:30)

- A. Resolution No. 4901: A Resolution of the City Commission of the City of Livingston, Montana, giving notice that the City Commission has completed its preliminary budget in the amount of \$20,737,194 for the fiscal year beginning on July 1, 2020, (FY21), that the Budget is on file and available for public inspection and on the internet at www.livingstonmontana.org and calling for a public hearing for approval of the final budget and making appropriations.
 - * Kardoes gave opening statement
 - * Nootz made comments (00:19:57)
 - * Hoglund made comments (00:30:10)
 - * Mabie made comments (00:34:37)
 - * Shannon Holmes made comments (00:46:13)
 - * Schwarz made comments (00:55:26)
 - * Discussion around need for supporting additional outside entities, specifically funding HRDC warming center, Air Monitoring System, Housing Action Plan, Emergency clean air shelters, Anti-bias training, Law Enforcement Body Cams, MSU Extension funding personnel for COVID, designated Parks and Trails, etc.
 - * Johnathan Hettinger made public comment (01:17:14)
 - * Motion made by Mabie, seconded by Hoglund.
 - All in favor, motion passes 4-0.

B. Resolution No. 4902: A Resolution of the City Commission of the City of Livingston, Montana, of its intent to estimate the cost of maintaining lights and supplying electrical current to special improvement lighting district No. 20 in the amount of \$76500 for fiscal year for 2020-2021 and levying and assessing 100% of the estimated costs against every parcel of property within said district for that part of the cost which hits accessible areas bears to the assessable area of the district. (01:22:15)

- * Kardoes gave opening statement
- * Friedman motioned to approve, Mabie seconded.
- * All in favor, motion passed 5-0.

C. Resolution No. 4903: 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 for therein and to levy and assess 100% of the estimated costs of \$73,100 for fiscal year 2020-2021 against every parcel of property within said district for that part of the cost which is accessible area bears to the assessable area of the district, and calling for a public hearing. (01:25:50)

- * Kardoes gave opening statement
- * Mabie made comments (01:27:40)
- * Paige Fetterhoff made comments (01:28:01)
- * Friedman motioned to approve, Mabie seconded.
- * All in favor, motion passed 5-0.

D. Resolution No. 4904: A Resolution of the City Commission of the City of Livingston, Montana, of its intent to specify the assessment option for street maintenance and improvements District No. 1 for Fiscal Year 2020-2021 in an estimated amount of \$1,028,707, levy and assess all property within the district. (01:32:38)

- * Kardoes gave opening statement
- * Nootz motioned, Mabie seconded.
- * All in favor, motion passed 5-0.

E. Resolution No. 4905: A Resolution of the City Commission of the City of Livingston, Montana, of its intent to adjust all water rates for all customers of the City of Livingston Water System. (01:32:42)

- * Kardoes gave opening statement
- * Hogleund made comments (01:34:41)
- * Schwarz made comment (01:35:36)
- * Paige Fetterhoff made comment (01:36:14)
- * Shannon Holmes made comment (01:37:48)
- * Patricia Grabow made comment via chat (01:39:25)
- * Nootz made comments (01:43:27)
- * Friedman made motion, Mabie seconded
- * All in favor, motion passed 5-0.

F. Resolution No. 4906: A Resolution requesting distribution of Bridge and Road Safety and Accountability program funds. (01:46:43)

- * Kardoes gave opening statement
- * Paige Fetterhoff made public comment (01:47:00)
- * Shannon Holmes made comments (01:47:17)
- * Hogleund made comments (01:50:33)
- Friedman made motion, Hogleund seconded.
- All in favor, motion passed 5-0.

G. Resolution No. 4907: A Resolution of the City Commission of the City of Livingston, Montana, accepting the bid submitted from Helena Insulation Inc./ and authorization for the City Manager to sign contract and for the City Manager to sign contract and execute fully. (01:52:14)

- * Kardoes gave opening statement
 - * Sarah Stands made comment (01:58:06)
 - * Patricia Grabow made comment (01:58:50)
 - * Hogleund made comments (02:00:11)
 - * Nootz made comments (02:03:56)
 - * Mabie made comments (02:05:59)
 - * Friedman made comments (02:09:14)
 - * Schwarz made comments (02:14:42)
- Friedman made motion, Hogleund seconded.
Motion Fails 1-4, Friedman in favor, all others opposed.

10 Action Items (02:22:49)

A. Discuss/Approve/Deny: Guidance to City Manager on Railroad Crossing Resolution

- Kardoes gave opening statement
- * Nootz made comments (02:23:07)
 - * Hogleund made comments (02:25:40)
 - * Schwarz made comments (02:27:14)
 - * Mabie made comments (02:28:58)
 - * Friedman made comments (02:53:23)

Schwarz motioned to extend the meeting, Mabie seconded. All in favor, motion passes. (02:57:57)

- * Johnathan Hettinger made public comments (03:01:27)
- * Sarah Stands made public comments (03:01:52)

11 City Manager Comments (02:58:50)

- * Will bring traffic study numbers and graphics at the next meeting

12 City Commissioner Comments (03:00:45)

- * Nootz (03:00:47) reminded Schwarz to open Action Item A to Public Comment.
Nootz motioned to have Warming Center Funding on future agenda as an action item, and an action item for funding Parks and Trails, active transportation and trail connectivity.
- * Mabie (03:15:41)
- * Friedman (03:17:45)
- * Hogleund (03:24:10)
- * Schwarz (03:26:10)

13 Adjourned meeting (03:30:43) 9:00pm

LIVINGSTON CITY COMMISSION MEETING MINUTES

Tuesday, August 4, 2020, 5:30 pm

Zoom Online Meeting ID: 869 4408 2693

1 Call to Order

2 Roll Call

- * Hogleund, Schwarz, Friedman, Mabie and Nootz were present.

3 Public Comment

- * Johnathan Hettinger (00:02:38)
- * Joseph Bullington (00:08:33)
- * Joan Kresich-Newhall (00:11:33)
- * Becca Frucht (00:14:14)
- * Kathy Pesa (00:15:00)
- * Sarah Stands (00:18:27)
- * Becky Bird (00:20:04)
- * Leslie Fiegle (00:24:14)
- * Julie Eaton (00:25:23)
- * Rick Van Aken (00:27:06)

4 Consent Items (00:37:02)

- * Nootz pulled item A and C for discussion and motioned to approve B and D, second by Schwarz.
- * Nootz advised she wanted a discuss item C first, clarification to the minutes from 7.21.2020 Specifically wants it corrected to read Parks & Trails, Active Transportation and Trail connectivity. Nootz motioned to approve corrected Consent item C as stated, seconded by Schwarz.
- * Nootz had questions about Impact Fee Study, and pointed out errors in formulas within (41:21) document, would like to wait to corrected study. Nootz motioned to postpone consideration of action item A, until errors are corrected in the charts, Mabie seconded.
- * All in favor, motion passed 5-0.

5 Proclamations

6 Scheduled Public Comments

7 Public Hearings (01:00:16)

A. Variance request from Christopher Gonzales, to redevelop an existing non-conforming undersized lot in the highway commercial zoning district for commercial uses.

- * Kardoes gave opening statement
- * Mathieu Menard new Deputy Planning Director made comments (01:03:20)
- * Mabie made comment (01:05:02)
- * Ron Nemetz made comment (01:06:16)
- * Christopher Gonzales made comment (01:06:46)
- * Kathy Pesa made comment (01:10:41)
- * Nootz made comments (01:16:12)
- * Schwarz made comments (01:17:53)
- * Hogleund made comments (01:20:31)
- Mabie motioned to approve, Friedman seconded.
- All in favor, motion passed 5-0.
- * 5 minute break

B. Resolution No. 4908: A Resolution of the City Commission of the City of Livingston, Montana, approving and adopting the final budget in the amount of \$20,737,194 for the fiscal year beginning on July 1, 2020, and ending on June 30, 2021, and making appropriations and establishing spending limits and authorizing transfer of appropriations within the same fund. (01:29:17)

- * Kardoes gave opening statement
 - * Nootz discussed public comments emailed (01:30:50)
 - * Hogleund made comments (01:34:17)
 - * Shannon Holmes made comments (01:34:59)
 - * Mabie made comments (01:35:57)
 - * Johnathan Hettinger made comment (01:38:26)
 - * Sarah Stands made comment (01:42:08)
 - * Paige Fetterhoff made comment (01:45:45)
 - * Maryann Vollers made comment (01:57:34)
 - * Jenny Jo Allen made comment (02:00:16)
 - * Lexie Folkerts made comment (02:04:48)
 - * Becca Frucht made comment (02:06:36)
 - * Patricia Grabow made comment (02:10:24)
 - * Joseph Bullington made comment (02:15:51)
 - * Kardoes gave clarifying statement (02:19:12)
 - * Julie Eaton made comment (02:25:09)
 - * Alexis VanPernis made comment (02:26:55)
 - * Nootz made comment (02:28:54)
 - * Friedman made comment (02:48:20)
 - * Hogleund made comments (02:35:57)
 - * Schwarz made comment (02:39:28)
 - * Nootz made comments (02:41:44)
 - * Mabie made comments (02:50:56)
- Mabie motioned to extend the meeting, seconded by Schwarz.
All in favor, motion approved.
- * 5 minute break
 - * Discussion amongst commission regarding the need for a special meeting to
 - * review the budget, and look at what Police Dept. spending looks like during the
 - * meeting.
 - * Motion made to approve by Schwarz, second by Friedman.
All opposed, motion failed 5-0.
-
- * Discussion amongst commission about moving next few public hearings to a future agenda, Paige Fetterhoff notified commission decisions have to be made before on maintenance districts before August 10, 2020, due to state filing deadlines.

C. Resolution No. 4909: 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 \$76,500, for fiscal year 2020-2021 and levying and assessing 100% of the estimated costs against every parcel of property within the said district for that part of the cost which its assessable area bears to the assessable area of the district. (03:12:45)

- * Kardoes gave opening statement
- * Friedman motioned to approve, Mabie seconded
All in favor, motion passes 5-0.

D. Resolution No. 4910: 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 \$73,100 against every parcel of property within said district for that part of the cost which is assessable area bears to the assessable are of the district, and calling for a public hearing. (03:15:49)

- * Kardoes gave opening statement
- * Kathy Pesa made comment (03:17:10)
- * Danielle Miska made comment (03:18:23)
- * Friedman motioned to approve, Mabie seconded.
All in favor, motion passes 5-0.

E. Resolution No. 4911: A Resolution of the City Commission of the City of Livingston, Montana, levying 100% of the cost for street maintenance and improvement district No. 1 for the fiscal year 2020-2021 in the amount of \$1,028,707 and assessing all property within the said district. (03:20:49)

- * Kardoes gave opening statement
- * Schwarz motioned to approve, Friedman seconded.
All in favor, motion passes 5-0.

F. Resolution No. 4912: A Resolution of the City Commission of the City of Livingston, Montana, increasing all rates for all customers of the City of Livingston water system. (03:23:14)

- * Kardoes gave opening statement
- * Kathy Pesa made comment (03:25:35)
- * Sarah Stands made comments (03:27:58)
- * Schwarz made comments (03:31:00)
- * Hoglund made comments (03:32:50)
- * Friedman motioned to approve, Mabie seconded.
All in favor, motion passes 5-0.

8 Ordinances

9 Resolutions (03:35:45)

A. Resolution No. 4914: A Resolution of the City Commission of the City of Livingston, Montana, authorizing the City Manager to sign a Big Sky Economic Development Trust fund grant application on behalf of 130 NF, LLC. for the Livingston Main Hotel Feasibility & Architectural Planning Adaptive Reuse Project.

- * Kardoes gave opening statement
- * Kathy Pesa made comment (03:37:41)
- * Johnathan Hettinger made comment (03:42:35)
- * Ron Nemetz made comment (03:43:19)
- * Sarah Stands made comment (03:46:14)
- * Schwarz made comment (03:47:04)
- * Nootz made comment (03:48:47)
- * Hoglund made comment (03:54:32)
- * Mabie made comment (03:56:16)
- * Ryan Short made comment (03:56:44)
Commissioner Friedman's computer died, unavailable for vote.
Schwarz motioned to approve, Hoglund seconded.
All in favor, motion passes 4-0.

B. Resolution No. 4913: A Resolution of the City Commission of the City of Livingston, Montana, o authorizing the City Manager to sign a real property buy-sell agreement with Engle Volkers for the purchase of the Voyich Property. (04:01:52)

* Discussion amongst commission about possibly moving item to future agenda or continuing with discussion tonight.

* Kardoos gave opening statement

* Nootz motioned for 5 minute recess, Schwarz seconded. (04:21:29)

* Mabie asked clarifying question (04:23:46)

* Lexie Folkerts made comment (04:24:13)

* Jane Tecca made comment (04:25:38)

* Jack Luther made comment (04:27:46)

* Johnathan Hettinger made comment (04:30:26)

* Sarah Stands made comment (04:33:10)

* Rick VanAken made comment (04:35:43)

* Schwarz made comment (04:37:51)

* Nootz made comment (04:39:50)

* Hogleund made comment (04:42:28)

* Hogleund requested to bring item back with more information, including conversations with realtor, with comps & asking price. Is it worth it for our community? What is the intended use, what will that look like?

* Schwarz does not want to table item, thinks it's a great opportunity, and wants to know more. Wants to see comps, wants to bring it back for consideration.

* Mabie agreed, would like to see it come back.

* Nootz wants to see what draft Growth Policy data looks like, and see if it is addressed and draft survey results, Zoning/Land Use and see it brought it back.

* How it will be used exactly, using the Growth Policy data, future use for the community, water looping detail, what does that look like, right of way, costs associated with having infrastructure there instead of going through neighborhoods, runoff groundwater filtration, settling ponds, could this purchase help mitigate any northside needs? Could we identify any cost savings?

* Kardoos advised that is a significant amount of work that is not on any of the other priorities list, could likely be October or November before information is available.

10 Action Items (05:13:39)

A. Discuss: Scheduling final worksession for the Livingston Strategic Plan.

Moved to a future meeting.

B. Discuss financial support of the HRDC Warming Center

* Shari Eslinger from HRDC made brief comment (05:16:37)

* Commissioners agreed to move item to future budget meeting for presentation from HRDC.

C. Discuss/Approve/Deny: Setting ballot language for November for the Railroad Crossing Project. (05:19:59)

* Kardoos notified Commission final ballot language must be to election office 10 Aug.

* Schwarz made comments (05:21:56)

* Hogleund made comment (05:25:21)

* Mabie made comment (05:32:57)

* Nootz made comment (05:34:26) 11:30 PM

* Kardoos made comments (05:44:05)

* Rick VanAken made comment (05:56:14)

* Jack Luther made comment (06:00:12)

* John Hettinger made comment (06:00:41)

11 City Manager Comments (06:01:17)

- * Budget meetings need to be finalized and publication deadlines need to be met.
Discussed holding two more budget meetings from 5-8 pm on 8/11/20 & 8/20/20.
Will discuss Police Budget, & possible financial support of Livingston Warming Center

(06:02:23 recording ended)

12 City Commissioner Comments (06:25:47)

- * Nootz
- * Mabie
- * Friedman Absent
- * Schwarz
- * Heglund

* Approximately 96 minutes of this meeting was dedicated to receiving public comments.
--

13 Adjourned meeting (06:46:29) 12:20 am August 5, 2020

LIVINGSTON MONTANA CITY COMMISSION SPECIAL MEETING MINUTES

Tuesday, August 11, 2020, 5:00 pm

Zoom Online Meeting ID:

1 Call to Order

2 Roll Call

- * **Hoglund, Schwarz, Friedman, Mabie and Nootz were present.**

3 Action Items

A. Discuss: Amendments to City Manager's Budget Recommendations for the Fiscal Year 2020-2021.

- * **Kardoes gave overview of how budget process is developed (00:03:17)**
- * **Questions from Commission were answered prior to opening to public comment.**
- * **Johnathan Hettinger made comments (00:43:50)**
- * **Kathy Pesa made comments (00:48:14)**
- * **Julie Eaton made comments (00:49:06)**
- * **Lexie Folkerts made comments (00:50:21)**
- * **Sarah Stands made comments (00:52:12)**
- * **Barb Oldershaw made comments (00:54:47)**
- * **Alexis Van Pernis made comments (00:58:22)**
- * **Patricia Grabow made comments (01:00:41)**
- * **Kardoes responded to questions from Commissioners (01:09:28)**

B. Discuss: Cares Act Fund expenditures by Commission.

- *
- *

C. Discuss: Projected Cares Act Revenue

(00:00:00)

- *
- *

4 City Manager Comments (00:00:00)

- *

5 City Commissioner Comments (06:25:47)

- * **Nootz**
- * **Mabie**
- * **Friedman**
- * **Schwarz**
- * **Hoglund**

*** Approximately 96 minutes of this meeting was dedicated to receiving public comments.**

6 Adjourned meeting (06:46:29)

LIVINGSTON CITY COMMISSION MEETING MINUTES

Tuesday, August 18, 2020, 5:30 pm

Zoom Online Meeting ID: 896 7249 8958

1 Call to Order

2 Roll Call

* Hogle, Schwarz, Friedman, Mabie, Nootz all present

3 Public Comment (00:02:07)

4 Consent items A-C (00:02:35)

* Nootz pulled consent item C for discussion, Mabie seconded.

Friedman motioned to approve A&B, second by Mabie

All in favor motion passed 5-0

Carson Bise provided update to commission (00:05:45)

Friedman motioned to approve C, second by Nootz

All in favor motion passed 5-0

5 Proclamations

6 Public Hearings

7 Ordinances

8 Resolutions (00:14:09)

A A Resolution giving notice that the City Commission of the City of Livingston Montana, giving notice that the City Commission has completed its preliminary budget in the amount of \$20,737,194 for the fiscal year beginning on July 1, 2020 and ending June 30, 2021 (FY21), that the budget is on file and available for public inspection and on the internet at www.livingstonmontana.org, and calling for a public hearing for approval of the final budget and making appropriations.

* Kardoes gave opening statement

* Johnathan Hettinger emailed City Commission (00:16:26)

Friedman motioned, Schwarz seconded

All in favor, motion passes 5-0.

B Resolution No. 4917: A Resolution of the City Commission of the City of Livingston, Montana, of its intent to annex certain land which is contiguous to the City of Livingston and are described as 1607 Mountain View Lane and 97 View Vista Drive. (00:18:47)

* Kardoes gave opening statement

* Nootz asked questions (00:20:55)

* Shannon Holmes made comments (00:25:18)

* Friedman made comments (00:32:50)

* Friedman motioned, Schwarz seconded

All in favor, motion passes 5-0.

C Resolution No. 4918: A Resolution of the City Commission of the City of Livingston, Montana, authorizing the submission of a CDBG Planning Grant application for a preliminary engineering report for a provision of sanitary sewer to Green Acres Subdivision. (00:34:51)

* Kardoes gave opening statement

* Nootz asked questions (00:36:45)

* Holmes made comments (00:41:56)

- * Friedman motioned to approve, Mabie seconded
All in favor, motion passes 5-0.

9 Action Items: (00:51:33)

A. Schedule final Strategic Plan work session

- * Strategic Plan meeting scheduled for September 29, 2020

B. Discuss providing guidance to City Boards & Committees on Growth Policy Hearings.

C. Discuss Policing, Public Meetings

- * Policing Public meeting scheduled for September 17, 2020
- * Questions will be accepted until September 14, 2020

10 City Manager Comments (02:11:42)

11 City Commission Comments

- * Nootz (02:11:50)
- * Mabie (02:12:24)
- * Friedman (02:12:58)
- * Schwarz (02:14:02)
- * Hogle (02:14:17)

12 Adjournment 7:48 pm (02:15:55)

LIVINGSTON CITY COMMISSION SPECIAL MEETING MINUTES

Tuesday, August 20, 2020, 5:00 pm

Zoom Online Meeting ID: 896 7249 8958

1 Call to Order

2 Roll Call

*** Hogleund, Schwarz, Mabie, Nootz all present, Friedman absent.**

3 Public Comment: (Moved to end of meeting)

4 Action Item:

A Discuss anticipated CARES Act Revenue

- * Kardoes gave opening statement**
- * Paige Fetterhoff provided information about allowed reimbursable expenses (00:07:47)**
- * Hogleund made comment (00:12:34)**
- * Patricia Grabow made comment (00:16:33)**
- * Johnathan Hettinger made comment (00:18:40)**
- * Nootz asked question (00:20:55)**
- * Mabie asked question (00:24:50)**
- * Schwarz made comment ((00:26:31)**

B Discuss City Commissioners list of priorities (00:28:20)

- * Kardoes gave opening statement**
- * Nootz made comment (00:32:44)**
- * Mabie made comment (00:33:41)**
- * Schwarz made comment (00:35:08)**
- * Hogleund asked questions (00:38:01)**
- * Paige Fetterhoff answered questions (00:39:18)**
Kardoes gave recommendation of spending \$50k to Parks and Trails,
\$50k to emergency clean air shelters fieldhouse, civic center
\$37k to LPD for body cams. \$40k to be divided. Commission discussed and concurred.
- * Jeanne Marie Souvigney made comment (01:13:13)**
- * Patricia Grabow made comment (01:16:20)**
- * Johnathan Hettinger made public comment (01:20:00)**
Discussion amongst Commission about list of recommendations.
Nootz motioned to accept Kardoes recommendation as stated
Mabie seconded, all in favor
Motion passes 5-0.

10 City Manager Comments (01:57:26)

**City Commission meeting agenda's for next two months, please provide feed back if
commission wants items moved around.**

11 City Commission Comments

- * Nootz (01:57:54)**
- * Mabie (01:58:02)**
- * Friedman (01:**
- * Schwarz (01:58:22)**
- * Hogleund (01:58:32)**

12 Adjournment 7:09 (01:59:00)

LIVINGSTON CITY COMMISSION SPECIAL MEETING MINUTES

Tuesday, September 1, 2020, 5:30 pm

Zoom Online Meeting ID: 845 2093 8643

1 Call to Order

2 Roll Call

* Hogleund, Schwarz, Friedman, Mabie, and Nootz were present.

3 Public Comment: (00:01:15)

* None

4 Consent Items:

A. Ratify Claims Paid 08/15/2020-08/27/2020

B. Approve Regular meeting minutes from August 18, 2020.

C. Approve Special Meeting Minutes from 08/20/2020.

Friedman motioned, second by Schwarz.

All in favor, passes 5-0.

5 Proclamations:

6 Scheduled Public Comment:

7 Public Hearings: (00:03:38)

A. Resolution No. 4919: A Resolution of the City Commission of the City of Livingston, Montana, approving and adopting the final budget in the amount of \$20,737,194 for Fiscal Year beginning on July 1, 2020, and ending on June 30, 2020, (FY21), and making appropriations, establishing spending limits and authorizing the transfer of appropriations within the same fund.

* Kardoes gave opening statement

* No public comments

* Nootz made comment (00:05:12)

* Mabie made comment (00:09:30)

Friedman motioned, second by Mabie

All in favor, passes 5-0.

8 Ordinances: (00:11:10)

A. Ordinance No. 2088: An Ordinance of the City Commission of the City of Livingston, Montana, Amending section 14-92 as enacted by ordinance no. 1908 regulating the user charge basis for the Livingston Sewer System.

* Kardoes gave opening statement

* Patricia Grabow made comment (00:18:26)

* Schwarz made comment (00:21:48)

* Nootz made comment (00:22:28)

* Paige Fetterhoff made comment (00:24:56)

* Hogleund made comment (00:29:00)

* Mabie made comment (00:31:06)

Schwarz motioned, second by Mabie

All in favor, passes 5-0.

9 Resolutions: (00:32:38)

A. Resolution No. 4920: A Resolution of the City Commission, of the City of Livingston, Montana, Fixing the tax levy for fiscal year 2020-2021 and giving notice of a public hearing thereon.

* Kardoes gave opening statement

- * No public comments
- * No commissioner comments
- * Friedman motioned, second by Mabie
All in favor, passes 5-0.

B. Resolution No. 4921: A Resolution of the City Commission of the City of Livingston, Montana, authorizing the City Manager to sign a General Services Agreement with Dr. Raymond Wright, of Livingston Health Care to provide EMS protocol and procedure services as the medical director to Livingston Fire and Rescue (LFR). (00:35:35)

- * Kardoes gave opening statement
- * Chief MacInnes provided details about contract (00:36:30)
- * Nootz made comment (00:43:21)
- * Hogleund made comment (00:46:00)
Mabie motioned, second by Friedman
All in favor, passes 5-0.

C. Resolution No. 4922: A Resolution of the City Commission, of the City of Livingston, Montana, annexing certain lands which are contiguous to the City of Livingston and are described as 1607 Mountain View Lane, and 97 View Vista Drive. (00:47:14)

- * Kardoes gave opening statement
- * Patricia Grabow made comment (00:
- * Friedman motioned, second by Schwarz
- * All in favor, passes 5-0.

10 City Manager Comments (00:51:30)

Department update coming out in the next couple of days.
Reminded Commission will be on vacation September 8-11, Chief Johnson will be acting City Manager M-Th; Courtney Lawellin will be acting City Manager on Friday.

11 City Commission Comments

- * Nootz (00:52:22)
- * Mabie (00:52:42)
- * Friedman (00:53:13)
- * Schwarz (00:55:06)
- * Hogleund (00:55:56)

12 Adjournment 6:30 (00:57:30)

LIVINGSTON CITY COMMISSION REGULAR MEETING MINUTES

Tuesday, September 15, 2020, 5:30 pm

Zoom Online Meeting ID: 845 3990 9397

1 Call to Order

2 Roll Call

* Hogleund, Schwarz, Friedman, Mabie, and Nootz were present.

3 Public Comment: (00:01:48)

* None

4 Consent Items: (00:02:13)

A. Approve minutes from September 1, 2020.

B. Ratify claims paid from 08/16/2020-08/30/2020.

C. Judges monthly report, July 2020.

Friedman motioned, second by Mabie.

All in favor, passes 5-0.

5 Proclamations:

6 Scheduled Public Comment:

7 Public Hearings:

8 Ordinances:

9 Resolutions: (00:03:14)

A. Resolution No. 4923: A Resolution of the City Commission of the City of Livingston, Montana, of it's intent to amend the budget for the fiscal year 2019-2020 by making appropriation adjustments in the amount of \$2, 407,206 and revenue adjustments in the amount of \$1,073,697.

* Kardoos turned meeting over to Paige Fetterhoff, Finance Director

* No public comments

* Hogleund asked question (00:05:46)

Friedman motioned, second by Nootz

All in favor, passes 5-0.

10 Action Items: (10:06)

A. Discuss setting Commissioner Budget Calendar.

Discussion around where the Commissioners want to be involved in this process, public wants Strategic Plan review at the end of the year, Nov/Dec, so Commission can adjust any priorities or Commission to receive every draft budget as Staff produces them. Capital Request sheets from the Dept. heads, looking ahead into future budget cycles, not really in the budget. Would like a calender to show target timelines when the City is planning budget meetings, coordinating those meetings and providing the boards with notice, so they can be involved, and bring their goals to the strategic planning meetings.

B. Discuss October and November Commissioner Listening Session venues.

Schwarz needs to find a larger venue and someone willing to host, tentatively Loaves and Fishes for the 2nd Saturday in October, still cautious about meeting in person. Schwarz will confirm with the Schwarz will confirm with the City. Tentatively 10/10 location to be announced.

11 City Manager Comments: (00:27:11)

Hard copy of budget books are available, has had one question and one request to review material provided. MLCT hosting virtual conference this year, will send link out for registration.

12 City Commission Comments

* Nootz: (00:28:21)

* Mabie (00:28:33)

* Schwarz (00:29:36) Would like to add HRDC's Warming Center to the October 6 agenda. second by Nootz.

* Friedman (00:31:02)

* Hogle (00:32:06)

13 Adjournment 6:03 (00:33:19)

LIVINGSTON CITY COMMISSION REGULAR MEETING MINUTES

Tuesday, October 20, 2020, 5:30 pm

Zoom Online Meeting ID: 833 4922 3618

1 Call to Order

2 Roll Call

* Hoglund, Schwarz, Friedman, Mabie, and Nootz were present.

3 Public Comment:

* Michelle Uberuaga made comments (00:6:52)

4 Consent Items: (00:08:01)

A. Approve minutes from October 6, 2020, regular Commission Meeting.

B. Ratify claims paid 09/01/2020-10/15/2020.

C. Pledged securities report as of September 2020

Nootz pulled A & C to discuss. Motioned to pass B. Mabie seconded. Passed 5-0

Motioned to correct minutes to include motion made to add Columbus Day/Indeginious people day to a future aganda and was seconded by Hoglund.

Nootz motioned to pass item C, Schwarz seconded.

All in favor, passed 5-0.

5 Proclamations:

6 Scheduled Public Comment: (00:11:59)

A. Shannon Holmes, Public Works director, presents Storm Water, the Forgotton Utility.

* Nootz made comments (00:45:33)

* Hoglund made comments (00:55:56)

7 Public Hearings: (01:

A. Ordinance No. 2089: An Ordinance of the City Commission of the City of Livingston, Montana, amending Ordinance No. 1968, 1972 and 2041 as codified by Chapter 24 of the Livingston Municipal Code entitled Development Impact Fees.

* Kardoes gave opening statement

* Nootz made comments (01:10:10)

* Hoglund made comments (01:14:29)

* Mabie made comments (01:23:49)

* Schwarz made comments (01:29:35)

* Friedman made motion to pass Ordinance 2089, Nootz seconded with amendments

* Friedman made comments (01:44:35)

* Mabie seconded motion as is, because of appeals process.

* Hoglund made motion with the addition of ammendments in those three spots, Nootz seconded, Hoglund's motion.

* Lawellin gave procedural guidance (01:46:44)

* Vote taken on amendments, Hoglund, Schwarz, Friedman, Nootz in favor, Mabie against.

* Vote taken on Ord. 2089, with amendments. Hoglund, Schwarz, Friedman, Nootz in favor, Mabie against. Motion passes 4-1.

* 5 minute recess taken.

8 Ordiances

9 Resolutions: (01:57:16)

A. Resolution No. 4926, A Resolution of the City Commission of the City of Livingston, Montana, authorizing the City Manager to sign a 2 year services agreement with AE2S for on-call and instrumentation control services dated July 28, 2020, as it pertains to the Livingston Water reclamation facility and data system.

- * Kardoes gave opening statement
 - * Shannon Holmes made comments
 - * No public comments
 - * Friedman motioned, second by Schwarz
- All in favor, passes 5-0.

B. Resolution No. 4927: , A Resolution of the City Commission of the City of Livingston, Montana, authorizing the City Manager to sign a professional services agreement with Great West Engineering for solid waste disposal services study and recommendation. (02:02:33)

- * Kardoes gave opening statement
 - * Shannon Holmes made comments (02:03:28)
 - * No public comments
 - * Nootz made comments (02:07:55)
 - * Hogleund made comments (02:10:14)
 - * Schwarz made comments (02:20:44)
 - * Mabie made comments (02:22:06)
 - * Friedman made comments (02:36:33)
- Nootz motioned with the addition of Conservation Board to the subtask that Shannon named, second by Mabie
- All in favor, passes 5-0.

10 Action Items:

11 City Manager Comments: (02:39:16)

- * Kardoes gave update regarding Municode website migration staff is looking at for greater transparency and ADA complinace. Provided draft Growth Policy Update, Air quality monitor system and working with subsets in the Community. Shared Halloween flyer, City is not closing Yellowstone Street this year to encourage social distancing and neighborhood trick or treating. City ordered LED lights to distribute to the schools.

12 City Commission Comments

- * Nootz: (02:45:27)
- * Mabie (02:47:52)
- * Friedman (02:48:25)
- * Schwarz (02:48:45)
- * Hogleund (02:49:26)

13 Adjournment 8:18pm (02:52:13)

LIVINGSTON CITY COMMISSION REGULAR MEETING MINUTES

Tuesday, November 5, 2020, 5:30 pm

Zoom Online Meeting ID: 849 5928 8918

1 Call to Order

2 Roll Call

* Hoglund, Schwarz, Friedman, Mabie, and Nootz were present.

3 Public Comment:

* Michelle Uberuaga made comments (00:6:52)

4 Consent Items: (00:08:01)

A. Schwarz motioned to approve items A-C, Friedman seconded.

All in favor, passed 5-0.

5 Proclamations:

6 Scheduled Public Comment:

Kardoes suggested moving Action item A to the next business item, so the Chamber didn't have to wait through all the Zoning matters. Commission concurred.

7 Action Item A. (00:04:19)

A. Discuss/Approve/Deny: Livingston Chamber of Commerce fee waiver request, for 2020 Downtown Christmas Stroll.

* Leslie Fiegle made comments (00:04:32)

* Kardoes made comments (00:12:01)

* Patricia Grabow made comments (00:13:08)

* Michelle Ubueraga made comments (00:14:52)

* Friedman made comments (00:16:22)

* Schwarz made comments (00:17:41)

* Nootz made comments (00:18:44)

* Mabie made comments (00:21:50)

* Hoglund made comments

Hoglund motioned to table item for a next agenda, Mabie seconded.

All in favor, 5-0 motion passes, item tabled for future consideration.

8 Public Hearings: (00:31:53)

A. Ordinance No. 2094: An Ordinance of the City Commission of the City of Livingston, Montana, Amending Section 30.13 of the Livingston Municipal Code Entitled Official Zoning Map of the City of Livingston by re-zoning a 2,250 square foot parcel described as Livingston Minnesota, triangular piece of south of block 48 by Chinook and K St. from Medium Density Residential: Mobile Home (R-II (MH)) to Industrial (I).

* Kardoes made opening statement

* No public comment

* Nootz made comment (00:35:55)

* Friedman made comment (00:39:10)

* Jim Baerg made comment (00:39:40)

Mabie motioned to approve, Schwarz seconded.

All in favor, passes 5-0.

B. Ordinance No. 2090: An Ordinance of the City Commission of the City of Livingston, Montana, Amending article VII, Chapter 30 of the Livingston Municipal Code entitled Zoning, as it pertains to accessory dwelling units. (00:41:20)

- * Kardoos made opening statement
 - * Johnathan Hettinger made comment (00:44:09)
 - * Nootz made comment (00:45:52)
 - * Mathieu Menard made comment (00:54:42)
 - * Friedman made comment (00:59:01)
 - * Jim Baerg made comment (01:01:20)
 - * Schwarz made comment (01:02:54)
 - * Hoglund made comment (01:04:24)
 - * Mabie made comment (01:31:17)
- Schwarz motioned to approve, Mabie seconded.
All in favor, passes 5-0.

C. Ordinance No. 2091: An Ordinance of the City Commission of the City of Livingston, Montana, Amending article VII, Chapter 30 of the Livingston Municipal Code entitled Zoning, as it pertains to assisted living facilities. (01:33:40)

- * Kardoos made opening statement
 - * No public comment
 - * Nootz made comment
- Schwarz motioned to approve, Mabie seconded.
All in favor, passes 5-0.

9 Ordinances:

A. Ordinance No. 2092: An Ordinance of the City Commission of the City of Livingston, Montana, amending article VII, Chapter 30 of the Livingston Municipal Code Entitled Zoning, as it pertains to Zoning Commission Text Amendments. (01:35:10)

- * Kardoos made opening statement
 - * Jim Baerg made comment (01:36:59)
 - * Nootz made comment (01:38:58)
 - * Lawellin made comments (01:43:10)
- Friedman made motion to approve, Schwarz seconded
All opposed, fails 0-5

B. Ordinance No. 2093: An Ordinance of the City Commission of the City of Livingston, Montana, amending article VII, Chapter 30 of the Livingston Municipal Code Entitled Zoning, as it pertains to text amendments. (01:50:08)

- * Kardoos made opening statement
 - * No public comments
 - * Mathieu made comments (01:51:37)
 - * Nootz made comment (01:53:48)
 - * Hoglund made comment (01:56:48)
- Friedman motioned to approve, Nootz seconded
All in favor, passes 5-0.

10 Resolutions:

A. Resolution No. 4928: A Resolution of the City Commission of the City of Livingston, Montana, of it's intent to change the name of Northtown Road within the Northtown Subdivision to Sweetgrass Lane. (01:57:31)

- * Kardoos made opening statement
 - * No public comments
- Friedman motioned to approve, second by Mabie
All in favor, passes 5-0.

Kardoes suggested moving Resolution No. 4929 to end, after discussing Action Item B. Commission concurred (02:01:08)

11 Action Item B. Discuss/Approve/Deny: CARES Act Revenue Funding Options (02:01:52)

- * Kardoes made opening statement
- * Johnathan Hettinger made comment (02:18:18)
- * Laurel Desnick made comment (02:22:26)
- * Becca Frucht made comment (02:24:57)
- * Josh Morris made comment (02:26:44)
- * Barb Oldershaw made comment (02:30:48)
- * Sarah Stands made comment (02:32:48)
- * Marshall Swearingen made comment (02:36:40)
- * Dann Babcox made comment (02:37:49)
- * Joseph Burlington made comment (02:42:01)
- * Karrie Kahle made comment (02:44:12)

*Motion to extend the meeting beyond 3 hour time limit, all in favor. (02:46:27)

- * Sabina Strauss made comment (02:47:48)
- * 5 Minute recess (02:49:24)
- * Nootz made comments (02:49:24)
- * Barb Oldershaw made comment (02:50:18)
- * Mabie made comment (02:58:24)
- * Kardoes made clarifying statements (02:59:06)
- * Schwarz made comments (03:01:45)
- * Hogleund made comments (03:02:33) * Requested Wellness Center update, Kardoes will reschedule Wellness Center Meetings with Consultant for Commission, then can be an action item on next agenda. *
- * Mabie made comment (03:09:13)
Nootz motioned to approve \$22k for Warming Center, \$50k for the Park Co. Housing coalition, for the Park Co. Housing Assessment and Action Plan, and \$15k for the new ADA Compliant website, and gender neutralization code, seconded by Mabie.
All in favor, motion passes 5-0.

12 Resolutions: (moved after Action Item B)

B. Resolution No. 4929: A Resolution of the City Commission of the City of Livingston, Montana, of authorizing the City Manager to sign a Buy-Sell Agreement with David Amsk for the purchase of his building located at 220 E. Park St. in Livingston (03:12:06)

- * Kardoes made opening statement
- * Sarah Stands (03:22:16)
- * Johnathan Hettinger (03:26:45)
- * Michelle Uberuaga (03:30:26)
- * Sabina Strauss (03:31:44)
- * Hogleund made comments (03:34:16)
- * Schwarz made comments (03:39:44)
- * Nootz made comments (03:41:29)
- * Mabie made comments (03:50:15)
- * Friedman made comments (03:53:24)
- * Lawellin made comments (03:58:15)

Schwarz motioned to approve Resolution No. 4929 w/ amendment to authorize the City Manager to negotiate on behalf of the City Commission to see if seller is willing to accept less than the asking price of \$950,000.00. Second by Mabie, motion passes 4-1. Nootz against.

13 City Manager Comments: (04:08:02)

**Kardoes updated Commission Montana DOT ended our urban route funds agreement
Provided update on Large Format Retail was on the last Zoning Commission Agenda,
Zoning Commission did not get to it before their meeting adjourned.**

14 City Commission Comments

- * Nootz: (04:09:19)**
- * Mabie (04:12:23)**
- * Friedman (04:13:24)**
- * Schwarz (04:14:47)**
- * Hoglund (04:15:21)**

15 Adjournment pm (04:18:11)

LIVINGSTON CITY COMMISSION REGULAR MEETING MINUTES

Tuesday, November 17, 2020, 5:30 pm

Zoom Online Meeting ID: 885 0450 1840

1 Call to Order

2 Roll Call

* Hoglund, Schwarz, Mabie, and Nootz were present. Friedman joined later due to tech troubles.

3 Public Comment: (00:02:14)

4 Consent Items: (00:03:54)

A. Schwarz motioned to approve items A-C, Mabie seconded.
All in favor, passed 4-0.

5 Proclamations:

6 Scheduled Public Comment:

A. Jim Domino and Danielle Maiden of Neighborworks Montana, Presents View Vista Community Partnership Opportunity. (00:04:53)

Jim and Danielle presented overview of project and discussed property condition assessment.

- * Mabie (00:13:39)
- * Hoglund (00:16:27)
- * Nootz (00:16:53)
- * Kardoos (00:19:06)
- * Schwarz made comments (00:19:40)

B. Beverly Christensen of TCA Architects presents a preliminary basic yield study for workforce housing at the Voyich property. (00:20:04)

- * Kardoos gave opening statement
- * Beverly Christiansen gave presentation
- * Nootz made comments (00:28:40)
- * Mabie made comments (00:32:15)
- * Hoglund made comments (00:33:56)
- * Schwarz made comments (00:36:16)

7 Public Hearings

8 Ordinances:

A. Ordinance No. 2095 : An Ordinance of the City Commission of the City Commission of Livingston, Montana, amending chapter 23 of the Livingston Municipal Code Entitled "Trees" by clarifying that all boulevard trees are to be properly maintained, including pruning, watering, and removal when necessary, by the homeowner adjacent to the boulevard. (00:42:16)

- * Kardoos made opening statement
- * Lawellin made comments (00:45:32)
- * Friedman made comment (00:47:39)
- * Nootz made comment (00:48:50)
- * Marshall Swearingen made comment (00:51:38)
- * Hoglund made comments (00:58:56)
- * Schwarz made comments (01:00:58)

Nootz motioned to approve, with section 23-3 amended to read 3 year terms.

Friedman seconded.

All in favor, passes 5-0.

9 Resolutions:

- A. Resolution No. 4930: A resolution of the City Commission of the City of Livingston, Montana, adopting a new impact fee schedule. (01:04:53)**
- * Kardoos made opening statement
 - * Johnathan Hettinger made comments (01:09:41)
 - * Barb Oldershaw made comments (01:10:29)
 - * Mabie made comments (01:11:45)
 - * Nootz made comments (01:12:22)
 - * Hogleund made comments (01:12:56)
 - * Friedman made motion to pass Resolution No. 4930 amending it to applicable to all pending and future applications for plans and permits. Mabie seconded.
All in favor, motion passes 5-0.

- B. Resolution No. 4931: A resolution of the City Commission of the City of Livingston, Montana, authorizing the City Manager to sign all documents required for the adoption and implementation of a consecutive systems agreement with the View Vista Community, Inc. (01:14:55)**
- * Kardoos made opening statement
 - * Shannon Holmes made comments (01:15:33)
 - * no public comments
 - * Nootz made comment (01:19:57)
 - * Hogleund made comment (01:25:01)
 - * Schwarz made comment (01:24:42)
Friedman motioned to approve, Schwarz seconded
All in favor, passes 5-0.

* 5 minute recess (7:00 pm)

10 Action Item:

- A. Discuss/Approve/Deny: Livingston Area Chamber of Commerce fee waiver request for reconsideration. (01:28:01)**
- * Leslie Feigel gave opening statement.
 - * Hogleund asked questions: (01:32:00)
 - * Kardoos made comments: (01:32:59)
 - * Schwarz made comments: (01:36:24)
 - * Mabie made comments: (01:37:15)
 - * no public comments
 - * Nootz made comments: (01:39:09)
 - * Hogleund made comment (01:40:54)
Friedman motioned to approve, second by Mabie
All opposed, motion fails 5-0.
- B. Discuss/Approve/Deny: Cares Act Funding Options (01:44:10)**
- * Kardoos gave opening statement
 - * Johnathan Hettinger made comment (01:46:32)
 - * Denise Fischer made comments (01:49:57)
 - * Becca Frucht made comment (01:53:11)
 - * Kate Koller made comment (01:56:45)
 - * Karrie Kahle made comment (01:57:57)
 - * Michelle Uberuaga made comment (01:59:37)
 - * Alexis Van Pernius made comments (02:00:56)
 - * Schwarz made comment (02:02:29)
 - * Nootz made comment (02:04:38)
 - * Mabie made comment (02:07:45)

- * Kardoos shared CARES Act awarded grant info on Department of Commerce website (02:08:02)
<https://commerce.mt.gov/Montana-Coronavirus-Relief/Awarded-Grants>
- * Friedman made comments (02:21:21)
- * Hogleund made comments (02:13:58)
- * Courtney made comments as to process (02:25:01)
- * Nootz motioned to allocate \$15k grant for the Emerald Ash Borer Plan, Mabie seconded. All in favor, motion passes 5-0. (02:25:20)
- * Alexis Van Pernis gave information on CASPER Survey (02:27:58)
- * Schwarz made motion to approve LPD Radio Replacements, & replacement bunker gear totaling \$130k, second by Friedman. Motion passes 4-1, Nootz opposed. (02:31:20)

C. Discuss/Approve/Deny: Indigenous Peoples Day and Columbus Day (02:32:20)

- * Kardoos gave opening statement
- * Francine Spang-Willis public comment (02:34:11)
- * Ben Pease made public comment (02:37:20)
- * Blake Britman made public comment (02:40:21)
- * Katie Smith made public comment (02:43:01)
- * Carson Taylor made public comment (02:44:34)
- * Barb Oldershaw made public comment (02:46:36)
- * Shane Morigeau made public comment (02:51:02)
- * Crystal Alegria made public comment (02:53:35)
- * Marsha Small made public comment (02:56:34)
- * Jenny Jo Allen made public comment (03:00:30)
- * Becca Frucht made public comment (03:01:47)

**** Motion to extend the meeting made by Nootz, seconded by Mabie. Passed.**

- * Raina Wallace made public comment (03:05:15)
- * Michelle Uberuaga made public comment (03:06:18)
- * Daniella Love made public comment (03:07:00)
- * Joan Kresich made public comment (03:08:51)
- * Friedman made comments (03:13:11)
- * Mabie made comments (03:13:20)
- * Schwarz made comments (03:15:47)
- * Nootz made comments (03:16:31)

Hogleund made comments motion to declare the 2nd Monday of October, as Indigenous Peoples Day, second by Schwarz.
All in favor, passes 5-0.

D. Discuss/Approve/Deny: Discuss Parks and Trails Committee policy for naming Livingston Parks, Trails and recreational facilities. (03:23:32)

- * Jeanne-Marie Souvigny, Chair of Parks and Trails gave opening statement
- * Courtney made comments (03:29:48)
exception to naming procedure A line 4- concerns over putting the boards at odds. suggested to take section B out, City Manager capital campaigns.
- * Nootz suggested adding suggested edits, or a staff report to an action item at the next meeting with opinion from City Attorney. (03:32:36)
- * Schwarz made comments (03:38:07)
- * Commission decided to return the document to City Staff for final edits.

11 City Manager Comments: (03:39:03)

Kardoes clarified that in the Parks and Trails Committee By-laws, they are an advisory board to the City Commission. Kardoes commended commission on accomplishments over the last couple of months. Some issues that have plagued the city for years. Kardoes spoke about feedback from a citizen alluding the efforts of LPD and Fire staff going above and beyond normal course of duties.

13 City Commission Comments

- * Nootz: (03:41:11)
- * Mabie (03:42:59)
- * Friedman (03:43:59)
- * Schwarz (03:44:42)
- * Hogle (03:45:11)

15 Adjournment pm (03:48:54)

LIVINGSTON CITY COMMISSION REGULAR MEETING MINUTES

Tuesday, December 1, 2020, 5:30 pm

Zoom Online Meeting ID: 879 7747 7999

1 Call to Order

2 Roll Call

* Hogle, Friedman, Mabie Nootz were present. Schwarz was absent.

3 Public Comment: (00:02:58)

* Johnathan Hettinger made public comment (00:03:03)

4 Consent Items: (00:06:16)

A. Approve Minutes from 11/17/2020 Regular Meeting

B. Ratify Claims Paid 11/15/200-11/24/2020

C. Accept Tree Board recommendation for Andy Mitchell to serve another term on City Tree Board.

Nootz motioned to approve items A-C, Friedman seconded.

All in favor, passed 4-0.

5 Proclamations:

6 Scheduled Public Comment: (00:08:58)

A. Kristen Gailbraith gave brief overview of Livingston Business Improvement District intent to extend the boundaries of the LBID and extend the LBID for the next 10 years.

7 Public Hearings: (00:12:10)

A. Ordinance No. 2093: An Ordinance of the City Commission of the City of Livingston, Montana, amending article VII, Chapter 30 of the Livingston Municipal Code Entitled Zoning, as it pertains to text amendments.

* Kardoos gave opening statement

* Mathieu Menard made comments

* Friedman made motion, second by Mabie

All in favor, passes 4-0

B. Ordinance No. 2094: An Ordinance of the City Commission of the City of Livingston, Montana, Amending Section 30.13 of the Livingston Municipal Code Entitled Official Zoning Map of the City of Livingston by re-zoning a 2,250 square foot parcel described as Livingston Minnesota, triangular piece of south of block 48 by Chinook and K St. from Medium Density Residential: Mobile Home (R-II (MH)) to Industrial (I). (00:15:09)

* Kardoos gave opening statement

* No public comment

* Mabie made motion, second by Friedman

All in favor, passes 4-0.

8 Ordinances: (00:18:33)

A. Ordinance No. 2096: An Ordinance of the City Commission of the City of Livingston, Montana, amending article V. Section 2-73 entitled Employee Holidays to the City of Livingston Holidays and amending section 2-73 (A#7) amending the second Monday in October from Columbus Day to Indigenous Peoples Day.

* Kardoos gave opening statement

* No public comment

* Hogle made comment

* Nootz made comment

* Hogle made motion, second by Nootz

All in favor, passes 4-0.

B. Ordinance No. 2097: An Ordinance of the City Commission of the City of Livingston, Montana, amending Article I, II, IV, V, VI of Chapter 30 of the Livingston Municipal Code Entitled Zoning as it pertains to Zoning setbacks and allowed encroachments. (00:23:47)

- * Kardoos gave opening statement
 - * Mathieu Menard made comments
 - * No public comment
 - * Nootz made comment
 - * Hogleund made comment
 - * Mabie made comment
- Nootz made motion, second by Friedman
All in favor, passes 4-0.

9 Resolutions:

A. Resolution No. 4932 Pulled for consideration at a later date.

10 Action Item: (00:32:26)

A. Discuss/Approve/Deny: Draft Policy for naming Parks, Trails, and recreational facilities in Livingston, with attorney's recommended edits.

- * Kardoos gave opening statement
 - * Courtney Lawellin made comment
 - * Hogleund made comment
- Friedman made motion, second by Mabie
All in favor, passes 4-0

11 City Manager Comments: (00:37:40)

- * Provided online training system reimbursed to us through a grant, as well as the Ambulance Service received a grant for reimbursement of equipment.
Updated that State announced today, that they are ending some of the COVID related expenses, possibly \$450-\$460 less than anticipated reimbursed expenses.

13 City Commission Comments

- * Nootz: (00:41:01)
- * Mabie (00:47:48)
- * Friedman (00:44:43)
- * Hogleund (00:45:18)

15 Adjournment pm (00:47:52) 6:17 pm

LIVINGSTON CITY COMMISSION REGULAR MEETING MINUTES

**Tuesday, December 15, 2020, 5:30 pm
Zoom Online Meeting ID: 899 1931 3028**

1 Call to Order

2 Roll Call

* Hogleund, Friedman, Mabie, Schwarz, and Nootz were present.

3 Public Comment: (00:01:17)

* Johnathan Hettinger made public comment (00:01:56)

4 Consent Items: (00:0

A. Approve Minutes from 12/01/2020 Regular Meeting

B. Ratify Claims Paid 12/01/20-12/08/2020

C. Accept Judge's Monthly Report as of October 2020.

Friedman motioned to approve items A-C, Friedman seconded.

All in favor, passed 5-0.

5 Proclamations:

6 Scheduled Public Comment:

7 Public Hearings: (00:15:50)

A. Ordinance No. 2095: An Ordinance of the City Commission of the City of Livingston, Montana, amending Chapter 23 of the Livingston Municipal Code Entitled "Trees" by clarifying that all boulevard trees are to be properly maintained, including pruning, watering and removal when necessary.

- * Kardoes gave opening statement
 - * Marshall Swearingen made comments
 - * Courtney Lawellin made comments
 - * Leslie Fiegle made comments
 - * Schwarz made comment
 - * Nootz made comment
 - * Hogleund made comment
 - * Mabie made comment
 - * Schwarz motioned, second by Friedman
- All in favor, passes 5-0

8 Ordinances: (00:40:40)

A. Ordinance No. 2098: An Ordinance of the City Commission of the City of Livingston, Montana, amending Ordinance No. 2041, 2049, and 2055 as codified by Chapter 9 of the Livingston Municipal Code entitled Traffic and Vehicles as it pertains to parking for Little Einsteins.

- * Shannon Holmes made opening statement
 - * Nootz made comment
 - * Mabie made comment
 - * Hogleund made comment
- No public comment
Nootz motioned, second by Friedman
All in favor, passes 5-0.

9 Resolutions: (00:51:42)

- A. Resolution No. 4932: A Resolution of the City Commission of the City of Livingston, Montana, resolving it's intent to amend the boundaries of the Livingston Business Improvement District, and to extend the boundaries of the Livingston Business Improvement District, and to extend the duration for ten (10) years, at the request of the LBID for it's members, as required by law.**

- * Kardoes gave opening statement
- * Kristen Galbraith made comment
- * Patricia Grabow made comment
- * Courtney Lawellin made comment
- * Katie Weaver made comment
- * Mabie made comment
- * Nootz made comment
- * Hogleund made comment
- Schwarz motioned, second by Friedman
- All in favor, passes 5-0.

- B. Resolution No. 4933: A Resolution of the City Commission of the City of Livingston, Montana, of it's intent to amend the budget for fiscal year 2020-2021, by making appropriation adjustments in the amount of \$1,275,750 and revenue adjustments in the amount of \$1,663,574. (01:14:58)**

- * Kardoes gave opening statement
- * Paige Fetterhoff made comments
- * Nootz made comments
- * Hogleund made comments
- * Schwarz made comments
- * Friedman made motion, second by Mabie
- * All in favor, passes 5-0.

* 5 minute recess

- C. Resolution No. 4934: A Resolution of the City Commission of the City of Livingston, Montana, authorizing the City Manager to sign a Professional Services Agreement with TD&H Engineering for design services for the 5th Street Sewer Capacity Project and authorizing the City Manager to execute the agreement to include the use of contingency funds as deemed necessary. (01:30:33)**

- * Kardoes gave opening statement
- * Shannon Holmes made comments
- * Friedman made motion, second by Mabie
- * All in favor, passes 5-0.

10 Action Item: (01:38:00)

- A. Discuss/Approve/Deny: Appointing member to serve on the City/County Health Board.**

- * Kardoes gave opening statement
- * Stefani Lange made comment
- * Mabie made comment
- * Hogleund made comment
- * Nootz made comment
- * Schwarz made comment
- Schwarz made motion to approve Dr. Lange, second by Nootz
- All in favor, passes 5-0

B. Discuss/Approve/Deny: CARES Act Funding options. (01:50:58)

- * Nootz made comments
- * Hogleund made comment
- * Kardoes provided update
- * Schwarz made comment
- * Johnathan Hettinger made comment
- * Michael DeChellis made comment
- * Karrie Kahle made comment
- * Becca Frucht made comment
- * Michelle Uberuaga made comment
- * Joan Kresich made comment
- * Patricia Grabow made comment
- * Judge Happe made comment
- * Sarah Stands made comment
- * Amy Zanoni made comment
- * Mabie made comment (02:32:11)
- * Hogleund made comment (02:33:07)
- * Schwarz made comment (02:36:20)
- * Joan Kresich made comment (02:38:00)

11 City Manager Comments: (02:38:58)

- * Provided update on Purple Air monitoring system 2 sensors now up and running. One inside Civic Center, other outside the Civic Center, plans to install a few more, one on the Northside Soccerfield Complex, another on the new building.
- * Will be taking some vacation time over Christmas.

13 City Commission Comments

- * Nootz: read letter received into record (02:42:11)
- * Mabie (02:52:11)
- * Friedman (02:54:02)
- * Schwarz (02:54:08)
- * Hogleund (02:57:03)

15 Adjournment pm (03:03:48) 8:35 p.m.