



# Livingston City Commission Agenda

June 28, 2022

5:30 PM

VIA ZOOM

<https://us02web.zoom.us/j/83885030837?pwd=dTFQRWlpc2tOQkFVNTVmMVplSDFpdz09>

MEETING ID: 838 8503 0837 **PASSCODE: 726257** CALL IN: 669-900-6833

1. Call to Order
2. Roll Call
3. 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)*

#### Disclosure of Ex Parte Communications and Conflicts:

*Subject to Title 2, Chapters 2 and 3 of the MCA, and Chapter 2 of the Montana Municipal Officials Handbook, Commissioners are reminded to disclose conflicts of interest, as well as ex parte communications with proponents and opponents of issues before the commission prior to deliberation and decision making in quasi-judicial matters. For ex parte communications, the disclosure should include the name(s) and content of the communication(s) and a statement that their decision(s) will be based solely on the public record and not on the substance of the ex parte communication.*

#### 4. Consent Items

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| <b>A. APPROVE MINUTES FROM JUNE 7, 2022, REGULAR MEETING.</b>  | <b>Pg.</b> |
| <b>B. RATIFY CLAIMS PAID 05/18/2022-06/13/2022.</b>  | <b>Pg.</b> |
| <b>C. ACCEPT CITY COURT FINANCIAL REPORT FROM APRIL 2022.</b>  | <b>Pg.</b> |
| <b>D. APPROVE BOARD RECOMMENDATION TO APPOINT SHEILA ELWIN TO THE LIBRARY BOARD OF TRUSTEES TO SERVE A 5-YEAR TERM.</b>                        | <b>Pg.</b> |
| <b>E. APPROVE BOARD RECOMMENDATION TO APPOINT HEIDI JOHNSON TO FILL A VACANCY FOR THE UNEXPIRED TERM ON THE LIVINGSTON TREE BOARD.</b>         | <b>Pg.</b> |
| <b>F. APPROVE BOARD RECOMMENDATION TO APPOINT LISA GARCIA TO FILL A VACANCY FOR THE UNEXPIRED TERM ON THE LIVINGSTON URBAN RENEWAL AGENCY.</b> | <b>Pg.</b> |

#### 5. Proclamations

#### 6. Scheduled Public Comment

#### 7. Public Hearings

*Individuals are reminded that testimony at a public hearing should be relevant, material, and not repetitious. (MCA 7-1-4131 and Livingston City Code Section 2-21)*

#### 8. Ordinances

- A. **ORDINANCE NO. 3034: 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 PROPERTY LEGALLY DESCRIBED AS LOT 1 OF SUBDIVISION 183 IN SECTION 14, TOWNSHIP TWO SOUTH (T02S), RANGE NINE EAST (R09E), AS PUBLIC (P).** Pg.

9. Resolutions

- A. **RESOLUTION NO. 5044: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO ADJUST ALL RATES FOR ALL CUSTOMERS OF THE CITY OF LIVINGSTON WATER SYSTEM.** Pg.
- B. **RESOLUTION NO. 5045: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO ADJUST ALL RATES FOR ALL CUSTOMERS OF THE CITY OF LIVINGSTON WASTEWATER SYSTEM.** Pg.
- C. **RESOLUTION NO. 5046: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO INCREASE THE RATE FOR COLLECTION AND DISPOSAL OF SOLID WASTE IN THE AMOUNT OF 20% PER MONTH FOR RESIDENTIAL CUSTOMERS AND 20% FOR COMMERCIAL CUSTOMERS TO BECOME EFFECTIVE JULY 2022 AND CALLING FOR A PUBLIC HEARING.** Pg.
- D. **RESOLUTION NO. 5047: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE INTERIM CITY MANAGER TO SIGN AN AGREEMENT WITH FOUR CORNERS RECYCLING, LLC FOR RECYCLING SERVICES.** Pg.
- E. **RESOLUTION NO. 5048: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON MONTANA, AUTHORIZING THE INTERIM CITY MANAGER TO SIGN A PROFESSIONAL SERVICES AGREEMENT WITH TD&H ENGINEERING, FOR CONSTRUCTION ADMINISTRATION SERVICES FOR THE CIVIC CENTER SEWER PROJECT, AND AUTHORIZATION TO EXECUTE THE AGREEMENT TO INCLUDE THE USE OF CONTINGENCY FUNDS AS DEEMED NECESSARY.** Pg.

10. Action Items

Disclosure of Ex Parte Communications and Conflicts:

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- A. **DISCUSS/APPROVE/DENY: LIVINGSTON-PARK CO. REVOLVING LOAN FUND POLICIES AND PROCEDURES EMERGENCY AND DISASTER AMENDMENT.** Pg.

- B. ACTION ITEM: APPROVING ORDINANCE WAIVER FOR PBR AFTER-PARTY HOSTED BY THE OWL LOUNGE. Pg.**
- C. DISCUSS/APPROVE/DENY: 2021 HOUSING ACTION PLAN, AND INTENT TO ADOPT AS APPENDIX TO LIVINGSTON GROWTH POLICY. Pg.**
- D. DISCUSS/APPROVE/DENY - RECRUITMENT PROCESS FOR THE INTERIM CITY MANAGER. Pg.**
- E. DISCUSS/APPROVE/DENY: HAVING THE INTERIM CITY MANAGER SIGN AN ENGAGEMENT LETTER WITH RECRUITING CONTRACTOR FOR THE CITY MANAGER RECRUITMENT. Pg.**
- F. DISCUSS/APPROVE/DENY: SETTING A DATE TO RETURN TO IN PERSON CITY COMMISSION AND BOARD MEETINGS. Pg.**
- G. CLOSED SESSION: CLOSED SESSION REGARDING DEFENSE OF PROPOSED LITIGATION AND A PERSONNEL MATTER. Pg.**

11. City Manager Comment

12. City Commission Comments

13. Adjournment

## Calendar of Events

- A. CITY OFFICES AND FACILITIES WILL BE CLOSED MONDAY, JULY 4TH FOR INDEPENDENCE DAY.**

## Supplemental Material

### Notice

- **Public Comment:** The public can speak about an item on the agenda during discussion of that item by coming up to the table or podium, signing-in, and then waiting to be recognized by the Chairman. Individuals are reminded that public comments should be limited to items over which the City Commission has supervision, control, jurisdiction, or advisory power (MCA 2-3-202).
- **Meeting Recording:** An audio and/or video recording of the meeting, or any portion thereof, may be purchased by contacting the City Administration. The City does not warrant the audio and/or video recording as to content, quality, or clarity.
- **Special Accommodation:** If you need special accommodations to attend or participate in our meeting, please contact the Fire Department at least 24 hours in advance of the specific meeting you are planning on attending.