



Livingston City Commission Minutes

May 07, 2024

5:30 PM

City – County Complex, Community Room

<https://us02web.zoom.us/j/89623929038?pwd=eTFR0StrM1M2cHpUWGZlZQkpDdUczUT09>

Meeting ID: 896 2392 9038

Passcode: 765777

1. Call to Order

Vice-Chair Nootz called the meeting to order at 5:34p

2. Roll Call

City Commission in attendance at start of meeting: Chair Kahle, Vice-Chair Nootz, Commissioner Schwarz, Commissioner Lyons, and Commissioner Willich

Staff in attendance: City Manager Grant Gager, Policy Analyst Greg Anthony, City Clerk Emily Hutchinson, Chief of Police Wayne Hard, Detective Jordan Brummel, Public Works Director Shannon Holmes, Parks Superintendent Mike Skaggs, Water and Sewer Superintendent Ryan Townsend, Water & Sewer Utility II Chuck Dilley, Planning Director Jennifer Severson

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)

- Leslie Feigel stated she appreciates the final conclusion for the Car Show. She presented the 3rd film award they received, and will continue to support this industry. She will support the community and through the Chamber of Commerce.
- Patricia Grabow stated the Livingston Downtown Building Owner and Business Association has voted for the organizations in town be more supportive of each other.

4. Consent Items

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| A. APPROVAL OF MINUTES FROM APRIL 16, 2024, REGULAR MEETING | PG.4 |
| B. APPROVAL OF CLAIMS PAID 4/11/24 - 5/1/24 | PG.15 |
| C. PLEDGED SECURITIES 3/2024 | PG.26 |
| D. JUDGES MONTHLY REPORT 3/2024 | PG.30 |
| E. APPOINTMENT OF ELIJAH ISALY TO THE HISTORICAL PRESERVATION COMMISSION | PG.32 |
| F. APPOINTMENT OF BECKY MOORES TO THE CONSOLIDATED LAND USE BOARD | PG.37 |

Commissioner Lyons pulled consent item F for discussion.

Commissioner Schwarz pulled consent item E for discussion.

Motion to approve consent agenda items A- D was made by Commissioner Lyons and seconded by Commissioner Willich. The motion passed unanimously by the five members present.

Commissioner Lyons asked about process for appointment to Consolidated Land Use Board.

The City Manager stated when the Consolidated Land Use Board was created and bylaws adopted they established at that point that the appointment of members was done with the recommendation of the City Manager with Commissioner approval.

Motion to approve consent item F was made by Commissioner Schwarz and seconded by Commissioner Willich. The motion passed by the five member's presents.

Commissioner Schwarz pulled this item to recognize Elijah Isaly who is in the audience a welcome him to the Historic Preservation Commission.

Motion to approve consent item E was made by Commissioner Schwarz and seconded by Chair Kahle. The motion passed by the five members present.

5. Proclamations

A. A PROCLAMATION OF THE CITY COMMISISON OF THE CITY OF LIVINGSTON MONTANA, DECLARING MAY 12-18, 2024 AS NATIONAL POLICE WEEK IN LIVINGSTON MONTANA

PG.43

Chair Kahle read the proclamation.

Chair Kahle thanked the Livingston Police Department for their hard work.

The City Manager thanked the Police Department as well for their hard work.

Commissioners Willich, Lyons and Schwarz thanked the Police Department.

Vice-Chair Nootz thanked the Chief of Police for his leadership.

B. A PROCLAMATION OF THE CITY COMMISISON OF THE CITY OF LIVINGSTON MONTANA, DECLARING MAY 18, 2024 AS NATIONAL KIDS TO PARKS DAY BY THE NATIONAL PARK TRUST IN LIVINGSTON MONTANA

PG.45

Chair Kahle read the proclamation.

Chair Kahle thanked the Parks and Rec Departments.

The City Manager thanked the Parks Department for their hard work on the parks.

Commissioner Willich, Lyons, and Schwarz thanked the Parks and Rec Departments.

Vice-Chair Nootz expressed that the community is happy to have met the Parks Superintendent.

6. Scheduled Public Comment

7. Action Items

A. UPDATE FROM THE CITY'S WATER DIVISION

PG.47

Vice-Chair Nootz called on the City Manager to introduce the item.

The City Manager stated this is not an action item just an update. He stated that the City has a new Water Superintendent and felt this was a great time for an update from Public Works Director Shannon Holmes and Water Superintendent Ryan Townsend.

Public Works Director Holmes gave a brief presentation along with Water Superintendent Townsend and Utility II Dilley

(Starts at Video Mark 27:10)

Public Comments were offered by:

- Lindie Gibson asked for clarification on 2 wells at the end of South 12th.
- Angela Devani stated she attempted to do the online survey for the pipes and it wasn't working so she hasn't completed it yet. She asked for alternate ways to get this done.

Vice-Chair Nootz asked for clarification on the wells at South 12th.

Water Superintendent Townsend stated Clarence St. is now River Dr. where the old water plant use to be. The old clinic well is by the Pendill Apartments. He stated there is a water lift station at the old clinic down on River Dr.

Vice-Chair Nootz asked about ways to get the pipe survey complete.

The City Manager stated the phone number for Public Works is 406-222-5667 to call and schedule Chuck to come help with the pipe survey.

Commission Lyons stated he has learned a lot at this meeting and some takeaways are he is nervous about aging infrastructure and about the loss water and waste of energy of moving the water around the system.

Commissioner Schwarz asked if there is a plan for replacing the 4in mains and other lines.

The City Manager stated he and the Public Works Director and Finance Director discuss this annually and have discussed that rates were not sufficient to enable some of the access to capital they needed.

Vice-Chair Nootz asked about the cost of mains and if it included the cost of streets.

The City Manager stated it does not include street repair.

Vice-Chair Nootz asked about the app that that shows the wells if they can real time see if there is a problem.

Utility II Chuck Dilley stated yes it will send an alert about the issue.

6:55pm Commissioner Schwarz motioned for a 10 minute break seconded by Vice-Chair Nootz. Unanimously approved.

(Starts at Video Mark 1:22:28)

B. PRESENTATION OF PROPOSED WATER RESTRICTIONS

PG.62

Vice-Chair Nootz called on the City Manager to introduce the item.

The City Manager stated this presentation is a review of some draft water restrictions that he and staff have been working on for the last several months.

Public Works Director Holmes gave a brief presentation along with Water Superintendent Townsend and Utility II Dilley

(Starts at Video Mark 1:25:50)

Commissioner Schwarz clarified that these are proposed stages that will go into effect by the City Manager.

Commissioner Lyons expressed that he liked this plan to have ahead of time and feels it's a smart decision and the stages make sense.

Chair Kahle asked about stage 3 and asked about timing and consistency with stage 2.

Public Works Director liked the feedback and they feel comfortable with the even and odd watering in that stage.

Chair Kahle asked what happens to folks who are not following the rules.

The City Manager pointed out in Livingston Municipal Code section 13-65 that it provided the City Manager the ability to create restrictions and below that is 13-66 which shows the penalties associated with not following the staged restriction.

Vice-Chair Nootz agreed with Chair Kahle about time consistency in stages 2 and 3. She expressed concerns about how to get this information out to folks who do not use social media. She also suggested getting Sacajawea Park on the same watering schedule that the community would need to follow as a good reference point. She expressed that she liked the plan for staged water restrictions put in place by the City Manager and thought it was great for City staff to present it.

C. APPROVAL OF TWO CITY-COUNTY COMPACT CHAPTERS

PG.65

Vice-Chair Nootz called on the City Manager to introduce the item.

The City Manager stated this item is the consideration of two chapter in the City-County Compact and the two chapters or zero and one. Chapter Zero contains administrative provisions and Chapter One deals with the City-County Building at 414 E. Callendar.

Motion to approve action item C was made by Commissioner Schwarz and seconded by Commissioner Lyons.

Commissioner Schwarz asked if the percentages are the same as they have been.

The City Manager stated the one ratio that changed is on page 77 which is the operational cost going to 77% to County 23% to City.

The motion passed unanimously by the five members present.

8. City Manager Comment

The City Manager thanked the Commissioners and stated he learned a lot at the City Manager Conference and thanked staff that came to the meeting tonight.

9. City Commission Comments

Commissioner Willich – no comment

Commissioner Lyons was excited about how much he learned tonight.

Commissioner Schwarz expressed in reference to the Car Show he really wants everyone to be able to work together.

Vice-Chair Nootz asked about Commissioner Listening Sessions and would like to talk about it with the next agenda. Additionally she reminded the public that complaints about staff are best directed to the City Manager and complaints about the City Manager best directed to the City Commission.

Chair Kahle thanked City staff for all the information tonight.

10. Adjournment

7:40pm Commissioner Lyons motioned to adjourn the meeting seconded by Commissioner Schwarz. Unanimously approved.

Calendar of Events

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.