



# Livingston City Commission Minutes

November 01, 2022

5:30 PM

City Hall Conference Room, 220 E. Park Street Livingston  
and Zoom

<https://us02web.zoom.us/j/82686985981?pwd=Rk45SVArDjhzK2ZDK3ZGUeIM2VKZz09>

Meeting ID: 826 8698 5981 **Passcode: 171983** Call In: 669 900 6833

---

## 1. Call to Order

## 2. Roll Call

In attendance: Chair Nootz, Vice-Chair Kahle, Commissioner Friedman, Commissioner Lyons, Commissioner Schwarz. Staff in attendance: Interim City Manager Lisa Lowy, City Attorney Courtney Lawellin, Finance Director Paige Fetterhoff, and Recording Secretary Faith Kinnick.

## 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)*

## 4. Consent Items 5:38 p.m.

**A. APPROVE MINUTES FROM THE 10/04/2022, REGULAR CITY COMMISSION MEETING.**

**B. APPROVE MINUTES FROM THE OPEN SESSION OF THE OCTOBER 18, 2022, COMMISSION MEETING.**

**C. RATIFY CLAIMS PAID 09/28/2022-10/25/2022.**

**D. ACCEPT THE SEPTEMBER PLEDGED SECURITIES REPORT.**

- Kahle mentioned addendum, the amended minutes from the 10/04/2022 meeting.
- Nootz pulled consent item A, motion to approve consent items B-C, second by Kahle. Nootz noted one correction on page 17 of the minutes, Wendy Weaver's submission was opposed to the subdivision.
- Kahle motioned to approve Wendy Weaver's comment was in Friedman seconded.

5. Proclamations

6. Scheduled Public Comment

7. Public Hearings 5:41 p.m.

*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)*

**A. RESOLUTION NO. 5071: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING THE BUDGET FOR THE FISCAL YEAR 2021-2022, BY MAKING APPROPRIATION ADJUSTMENTS IN THE AMOUNT OF \$399,075 AND REVENUE ADJUSTMENTS IN THE AMOUNT OF \$205,848.**

- Lowy introduced item
- No clarifying questions
- Schwarz motioned to approve, second by Lyons
- No public comment
- No clarifying questions
- Passes 5-0

8. Ordinances 5:44 p.m.

**A. ORDINANCE NO. 3039: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 4 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED ANIMALS REMOVING REDUNDANT AND INCONSISTENT LANGUAGE AND ADDING LANGUAGE FOR HOARDING, BEES, & PUBLIC NUISANCE.**

- Lowy introduced item
- Lyons asked clarifying question
- Kahle asked clarifying question
- Nootz asked clarifying question of Lowy
- Kahle made comments
- Schwarz made clarifying comments
- Schwarz motioned to approve Ord. No. 3039, second Friedman
- Patricia Grabow made public comment
- Leslie Feigle gave public comment
- Jessie Wilcox gave public comment
- No additional public comment

- Schwarz made comment
- Kahle made comments
- Lyons asked clarifying question
- Lowy answered
- Nootz made additional comments
- Lyons asked additional question
- Lowy answered
- Schwarz made additional comments
- Kahle made additional comments
- Kahle made motion to amend the motion on the floor to postpone the consideration of this Ordinance to the first meeting in February 2023, with the addition of the staff and the Commission working to do public outreach on the Ordinance, seconded by Friedman.
- Schwarz made additional comments
- Nootz asked clarifying questions
- Lowy deferred to Lawellin
- Schwarz made additional comments
- Motion passes, 5-0.

9. Resolutions 6:16 p.m.

**A. RESOLUTION NO. 5072: A RESOLUTION RELATING TO SPECIAL IMPROVEMENT DISTRICT NO. 181; DECLARING IT TO BE THE INTENTION OF THE CITY COMMISSION TO CREATE THE DISTRICT FOR THE PURPOSE OF UNDERTAKING CERTAIN LOCAL SEWER IMPROVEMENTS AND FINANCING THE COSTS THEREOF AND INCIDENTAL THERETO THROUGH THE ISSUANCE OF SPECIAL IMPROVEMENT DISTRICT BONDS SECURED IN PART BY THE CITY'S SPECIAL IMPROVEMENT DISTRICT REVOLVING FUND.**

- Lowy introduced item, explaining due to the sale of the Livingston Enterprise, they could not publish any legal notices until next Monday, November 7<sup>th</sup>. Due to that the timeline of this item will need be moved to November 15<sup>th</sup>.
- Nootz made comments
- MaryJo Meredith gave comment  
Item will be considered during a future meeting.

**B. RESOLUTION NO. 5073: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, TO NAME THE ROAD ENTERING THE**

**GLASSYBABY FACILITY OFF OF HWY 89, EAST OF LIVINGSTON,  
GLASSYBABY LANE. 6:21 p.m.**

- Lowy introduced item
- Nootz made comments, asked for a map to be brought up
- Lyons asked clarifying question
- Motion by Kahle to approve Resolution No. 5072, second by Friedman
- No public comment
- Friedman made comments
- Nootz made comments
- All in favor, passes 5-0

Nootz made opening statements regarding process for next agenda item, and advised Commission of recommendation from GMP Consultant as to best practice and vote on the Commission's first choice of Grant Gager as their City Manager.

Schwarz made motion to nominate and approve Grant Gager as City Manager, second by Kahle.

- Patricia Grabow made public comment
- Jessie Wilcox made public comment
- Tammy Lewis made comment
- Passes 5-0.

**C. RESOLUTION NO. 5074: AUTHORIZING THE INTERIM CITY MANAGER TO  
SIGN A PROFESSIONAL SERVICES AGREEMENT WITH GRANT GAGER  
FOR THE HIS EMPLOYMENT IN THE ROLE OF CITY MANAGER. 6:30 p.m.**

- Nootz made opening statements regarding process for next agenda item.
- Lyons made clarifying comments regarding process
- Kahle made clarifying comments
- Nootz made comments
- Kahle motioned to approve Resolution No. 5074, second by Friedman
- No public comment
- Nootz made comments
- Kahle made comments

All in favor, passes 5-0

## 10. Action Items

### **A. DISCUSS/APPROVE/DENY: ACCEPTING ARPA VISIONING COMMITTEE RECOMMENDATIONS FOR DISPENSATION OF REMAINING ARPA FUNDS, AND AUTHORIZING THE INTERIM CITY MANAGER TO SIGN ANY REQUIRED DOCUMENTS. 6:38 p.m.**

- Lowy turned presentation over to Tim Stevens, chair of the ARPA Visioning Committee
- Nootz asked clarifying question
- Kahle asked clarifying question
- Nootz asked additional question
- Tim Stevens answered
- Lowy elaborated
- Tim Stevens offered clarifying comments
- Schwarz made additional comments
- No clarifying questions from commission
- Nootz made motion to add the contingency that funding for the wellness center is also contingent on the commission's decision for that project, also remove the only healthy trees will be reimbursed to clean up the PCEC grantee funding, second by Lyons.
- Susan Regele gave public comment
- Patricia Grabow gave public comment
- Joseph Armbrust gave public comment
- Dean Williamson gave public comment
- Laura Cota gave public comment
- Bob Gersack gave public comment
- Kahle disclosed she will abstain from the vote due to employment with PCEC.
- Schwarz made comments
- Nootz made comments
- Motion passes 4-1, Kahle abstained.

10-minute recess, at 7:22 p.m. reconvened 7:34 p.m

### **B. DISCUSS/APPROVE/DENY: ACCEPTING THE GUIDING PRINCIPLES STRATEGIC PLANNING COMMITTEES RECOMMENDED CHANGES TO THE**

**2019-2024 CITY OF LIVINGSTON ORGANIZATIONAL STRATEGIC PLAN  
MISSION, VISION, VALUES, AND GOALS STATEMENTS.**

- Nootz introduced item before turning over to Chair, Wyeth Windam
  - Schwarz made comments
  - Lyons made comments
  - Kahle made comments
  - Kahle motioned to approve action item B, seconded by Lyons.
  - Tom Blurock gave public comment
  - James Willich gave public comment
  - Patricia Grabow gave public comment
  - Windam made additional comments
  - Nootz gave additional comments
  - Schwarz made comments
  - Kahle made comments
  - Nootz made closing comments
- All in favor, passes 5-0

**C. DISCUSS/APPROVE/DENY: CANCELING THE DECEMBER 20TH REGULAR  
CITY COMMISSION MEETING. 7:59 p.m.**

- Lowy introduced item
- Nootz would like to bring item back at the next meeting for decision.

11. Interim City Manager Comments 8:01 p.m.

12. New City Manager Grant Gager made comments

13. City Commission Comments 8:02 p.m.

- Lyons made comments
- Schwarz made comments
- Friedman made comments
- Kahle made comments
- Nootz made comments

14. Adjournment 8:10 p.m.

**Public in Attendance:**

MaryJo Merideth	Colleen Rehmer	Dean Williamson
Laura Cota	Bob Gersack	Cristin Fowle
Heidi Barrett	James Willich	Jessie Wilcox
John Carroll	Joseph Armbrust	Leslie Feigle
Matt Whitman	Patricia Grabow	Sarah Stands
Susan Regele	Tammy Lewis	Tom Blurock
Wyeth Windam	Ericka Strickland	Madeline Doak
Stacy Jovick	Farm to School	Call in user 223-9728

**Calendar of Events**

**Supplemental Material**

- **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.