



Livingston City Commission Minutes

September 20, 2022

5:30 PM

VIA ZOOM

<https://us02web.zoom.us/j/87168685018?pwd=WtZTW1aV3pOSC9VamRYNFm5NDdkZz09>

Meeting ID: 871 6868 5018 Passcode: 049530 Call In: (669) 900-6833

1. Call to Order

2. Roll Call

In attendance: Chair Melissa Nootz, Vice-Chair Karrie Kahle, Commissioner Mel Friedman, Commissioner Quentin Schwarz, and Commissioner Torrey Lyons.

Staff in attendance: Interim City Manager Lisa Lowy, City Attorney Courtney Lawellin, Fire Chief Josh Chabalowski and Recording Secretary Faith Kinnick.

3. Public Comment

- None

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 SEPTEMBER 6, 2022, REGULAR MEETING.

B. RATIFY CLAIMS PAID 8/31/2022-09/12/2022.

C. ACCEPT CITY COURT REPORTS FROM JUNE AND JULY 2022.

D. ACCEPT THE CITY CONSERVATION BOARD RECOMMENDATION TO APPOINT GRETCHEN WISE TO FILL A VACANCY FOR A MEMBER WITH AN UNEXPIRED TERM ENDING 12/31/2023.

- Schwarz motioned to approve consent items A-D, second by Friedman
All in favor, passes 5-0.

5. Proclamations 5:39 p.m.

A. A PROCLAMATION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, RECOGNIZING CONTRIBUTIONS TO OUR COMMUNITY THROUGH ACTS OF SERVICE BY ESTABLISHING AN ANNUAL AWARD FROM THE EXECUTIVE BRANCH OF THE CITY OF LIVINGSTON TO BE

NAMED IN HONOR AND MEMORY OF CITY MANAGER MICHAEL J. KARDOES.

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

6. Scheduled Public Comment 5:46 p.m.

A. SHANNON HOLMES, PUBLIC WORKS DIRECTOR RECOGNITION OF DARRYL BRUNSON AND THE VOLUNTEERS OF EXPEDITION CHURCH FOR EXCELLENCE IN COMMUNITY SERVICE.

- Friedman made comments
- Nootz made comments
- Kahle made comments

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

9. Resolutions 5:55 p.m.

A. RESOLUTION NO. 5065: A RESOLUTION BY THE CITY OF LIVINGSTON CITY COMMISSION AUTHORIZING THE INTERIM CITY MANAGER TO SIGN A THREE (3) YEAR MEMORANDUM OF UNDERSTANDING WITH PARK COUNTY RURAL FIRE DISTRICT #1 TO PROVIDE FUNDING FOR A SHARED RESOURCE DEDICATED TO ENHANCING THE TRAINING CAPABILITIES FOR BOTH PARK COUNTY RURAL FIRE DISTRICT 1 AND LIVINGSTON FIRE RESCUE.

- Lowy gave presentation
- Nootz asked clarifying question
- Kahle asked clarifying question
- Nootz asked clarifying question
- Schwarz motioned to approve Resolution No. 5065, second by Friedman
- No public comment
- No commission deliberation

All in favor, passes 5-0.

10. Action Items 6:09

~~**A. DISCUSS/APPROVE/DENY: REQUEST FROM MINT BAR TO UTILIZE 3 PARKING SPACES ADJACENT TO THE MINT BAR & GRILL FOR 5TH ANNUAL OKTOBERFEST EVENT, AND WAIVER OF OPEN CONTAINER ORDINANCE ENFORCEMENT.**~~

- Lowy notified Commission the Mint has withdrawn their application for this event.

B. DISCUSS/APPROVE/DENY: RECOMMENDATION FROM CONSERVATION BOARD TO REMOVE ALEXIS VAN PERNIS FROM SEAT ON CITY CONSERVATION BOARD, DUE TO ABSENTEEISM, PER BOARD BYLAWS. 6:09 p.m.

- Lowy gave introduction
 - Schwarz motioned to approve, second by Friedman
 - No commission deliberation
- All in favor, passes 5-0.

C. DISCUSS/APPROVE/DENY: SUBMITTING A LETTER OF SUPPORT FOR THE HIGH-SPEED RAIL ALLIANCE. 6:12 p.m.

- Lowy gave introduction
 - Nootz asked clarifying questions
 - Lyons motioned to approve action item C, second by Schwarz
 - No public comment
 - Lyons made comments
 - Kahle made comments
- All in favor, passes 5-0.

D. DISCUSS/APPROVE/DENY: APPROVE PAYMENT OF INVOICES RECEIVED FROM URGIN ALEXANDER ZADICK P.C. TOTALING \$12,093.04, FOR SERVICES OF OUTSIDE COUNSEL FOR THE CITY COMMISSION, EXCEEDING THE COMMISSION PROFESSIONAL SERVICES BUDGET FOR FY21-22. 6:16 p.m.

- Kahle gave introduction
- Lowy made clarifying comments
- Nootz made motion to approve invoices beginning April 15th, 2022, second by Kahle.

- Warren Mabie gave public comment
- Larry Stephenson gave public comment
- Nootz made comments
- Schwarz made comments
- Kahle made comments
- Motion passes 3-2, Schwarz and Friedman against.

E. DISCUSS/APPROVE/DENY: SETTING DATES FOR CITY MANAGER FINALIST INTERVIEWS FOR OCTOBER 11, 12 AND 13TH, 2022 WITH GMP CONSULTING. 06:31 P.M.

- Nootz gave update
- Lowy gave additional comments 17th & 18th

11. City Manager Comments 6:37 p.m.

12. City Commission Comments 6:38 p.m.

- Lyons- none
- Schwarz made comments
- Friedman made comments
- Nootz made comments
- Kahle made comments

13. Adjournment 6:45 p.m.