



Livingston City Commission Minutes

October 21, 2025 — 5:30 PM

City – County Complex, Community Room

<https://us02web.zoom.us/j/88051710970?pwd=WKt0fF9xkanvvynCgVhpFjNx79nlZz.1>

Meeting ID: 880 5171 0970

Passcode: 328234

1. Call to Order

5:32 PM Chair Schwarz called the meeting to order

2. Roll Call

- Chair Schwarz
- Vice Chair Nootz
- Commissioner Kahle
- Commissioner Lyons
- Commissioner Willich

City Staff Present

- City Manager Grant Gager
- Policy Analyst Greg Anthony
- Chief of Police Wayne Hard
- Planning Director Jennifer Severson
- MCRT Program Manager Kelly Miller
- Public Works Director Shannon Holmes
- Water Superintendent Ryan Townsend
- Water Lead Jason Moyer
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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)

Public comment was offered by:

- Leslie Feigel shared about a community lunch and learn on the 29th about AI at the 1900.
- Lisa Kits expressed concerns about fire pits and what that looks like in our City ordinances.
- Linda Mahr asked about microphones.
- Jay Keifer asked about payments in legal matters for the City, and expressed concern about the tennis courts and street closures.
- Patricia Grabow spoke about the Strategic Plan and asked about its status. She would like to see the community involved in this process.
- Josh Congleton asked about who controls the City social media.
- Peggy O'Neill spoke about Green Acres and the water/sewer hook ups.

Chair Schwarz clarified that some septic systems were failing in Green Acres and the state would not permit new septic systems out there.

Vice Chair Nootz thanked the commenter from Green Acres for always speaking up for Green Acres. She also spoke about the City social media and they are looking into that.

The City Manager stated the City of Livingston could adopt a local amendment to the International Fire Code and it is something they have talked about in regards to open burns. He clarified who is responsible for the nets and court at the tennis court. He also explained how legal services are paid in the City and lawsuits. He showed the 9 active law suit files from his time as City Manager noting that the events occurred prior to his tenure and that the City has been released from or won most suits. For the three that resulted in settlements, the insurance company paid two and the City taxpayers paid \$10,000 to the Chamber of Commerce in "walk-away" money for the Chamber to release its appeal rights after the City prevailed over the Chamber in District Court.

Commissioner Lyons asked how our insurance rate has been affected the by payouts.

The City Manager stated the 2 payouts handled by MMIA occurred in FY 25 and they have not taken affect in our premiums at this time.

Vice Chair Nootz asked for clarification on the overall cost of the City Attorney Department.

The City Manager stated the outsourced arrangement for the City Prosecutor is \$4500 a month and civil is paid by the hour and that runs between \$2500 - \$4000 a month. He stated this comes in at about \$100,000 a year, which is less than what the prior City Attorney made per year. He stated there has been a reduced cost in this area since he has been City Manager, in spite of the large number of suits from issues predating his tenure.

4. Consent Items



- A. APPROVAL OF MINUTES FROM OCTOBER 07, 2025, REGULAR MEETING [PG.4](#)**
- B. APPROVAL OF CLAIMS PAID 10/2/25 - 10/15/25 [PG.126](#)**
- C. JUDGES MONTH REPORT FOR SEPTEMBER 2025 [PG.135](#)**
- D. PLEDGED SECURITIES FOR SEPTEMBER 2025 [PG.137](#)**
- E. AGREEMENT 20230 WITH PARK COUNTY FOR THE TRANSFER OF A BULK WATER STATION [PG.141](#)**
- F. AGREEMENT 20231 WITH ASKIN CONSTRUCTION [PG.146](#)**
- G. AGREEMENT 20232 WITH TD&H ENGINEERING [PG.149](#)**

Commissioner Lyons motioned to approve consent items A-D, seconded by Commissioner Kahle. Unanimously approved.

Chair Schwarz introduced Consent Item E.

The City Manager stated that several years ago Park County redid the water system at the fairgrounds. The City supported that project and as part of the project Park County installed a bulk water station. Earlier this year the City approached the County about taking over the bulk water station and if approved tonight the City will work to relocate the bulk water station and provide some services to the fairgrounds to ensure their system is operational. When the system is operational users will be able to fill up and pay for service with their card.

Commissioner Willich asked what the rate is for the bulk water.

Public Works Director Holmes stated that they will revisit the charges with the updated fee schedule.

Public comment was offered by:

- Leslie Fiegel stated this has been an issue here for many years in Livingston and she gets many visitors that stop in looking for bulk water and the RV dump.
- Joshua Congleton wondered if the City will now consider the larger bulk water sales. He wondered if there is a max amount is there a mechanism that stop multiple large purchases in a row.
- Kemp O'Neil expressed concern about putting limits on amounts of water they can get at the bulk water stations.

Vice Chair Nootz stated wondered if the bulk water station at the fairgrounds was ever working.

The City Manager stated no.

Vice Chair Nootz asked about bulk water sales and the fee schedule.



The City Manager stated that the City currently engages in bulk water sales on a regular basis, and events are supported at the fairgrounds and City and County residents. The City was approached by the Crazy Mountain Ranch for bulk water and turned them down due to several reasons. He stated as far as the restrictions go they intend to support the community and community events that require bulk water.

Commissioner Kahle asked about form of payment for the bulk water.

The City Manager stated during business hours there is staff available to process cash payments.

Commissioner Kahle expressed that this is an important service that the City can provide for the community.

Vice Chair Nootz expressed excitement in partnering with the County to support the community. She pointed out several highlight improvements that have come from Public Works.

Vice Chair Nootz motioned to approve consent item E, seconded by Commissioner Willich. Unanimously approved.

Chair Schwarz introduced consent item F.

The City Manager stated this is a contract with Askin Construction for pedestrian improvements on Park Street. The project includes the installation of rapid flashing beacons at the Main and Park intersection. He gave a brief presentation on this item.

Vice Chair Nootz wondered if community members have been hit by cars at the Park and Main intersection.

The City Manager stated yes, there have been several emergency calls to that intersection.

Public comment was offered by:

- Leslie Fiegel stated that spoke with someone with the statewide transportation improvement program about Park Street. She expressed concern about bulb outs.
- Kemp O'Neil expressed frustration about this item and feels there was lack of transparency on this item.

The City Manager showed the bid set for this item.

- Josh Congleton expressed concerns about plows and bulb outs.
- Patricia Grabow wondered when the change took place from the state that they were on board with bulb outs.
- Peggy O'Neil asked for an alarm to notify folks of the crossing.



- Tammy Lewis expressed being in favor of the flashing beacons, but does not like the idea of bulb outs.

The City Manager stated that the City has been in discussion with MDT related to the design of the project for over a year. This was discussed as part of the budget adoption process and then is when he notified the Commission that the City and MDT were finalizing the project design. At that time the Commission directed him to continue conversations with MDT related to bulb outs. He spoke with Director Dorrington from MDT about this project in July and operations of Park Street were reviewed in regards to snow removal, closures and at the end of the meeting Director Dorrington signed off on the curb extension on the North side of Park Street. It was a decision made at the highest level of MDT. As far as the bid goes, the City did follow procurement guidelines in accordance with MCA. It is not the City's practice to send invitations for bids or request for qualification to the Commission for approval before they are released. On the topic of plowing, he stated that MDT has primary responsibility for this route, but on days when the City is out doing plowing, they do this block as well. The curb extension is very similar to the curb extension that exists at the depot already and there is no parking in this section, so concerns for parked cars would not be an issue.

Commissioner Lyons asked who owns the right-of-way on Park Street.

The City Manager stated that MDT owns the vast majority of the right-of-way and that BN owns the northern part of Park Street.

Commissioner Lyons asked if MDT has any standards associated with lane widths.

The City Manager stated that, yes, the manual on uniform traffic control devices is used.

Commissioner Lyons asked if there will be impacts on the width of travel lanes.

The City Manager stated no.

Commissioner Willich clarified that all of MDT's processes were met in this decision.

The City Manager clarified that yes, they have plus a little extra given that Director Dorrington made this decision directly.

Commissioner Kahle asked if there will be anything added to the curb extension.

The City Manager stated there is nothing in addition to the RRFB at this time.

Commissioner Lyons asked if Public Works Streets has any issue with the plowing the potentially new road geometry.

The City Manager stated the public works department was the originator of these documents and it was reviewed with the Streets team with no concerns.



Commissioner Lyons reviewed some transportation planning thoughts about this specific project, but doesn't see issue with this as far as traffic delays.

Commissioner Willich expressed that all the information anyone needed for this item is in the packet with links to documents they need. He expressed they are doing everything right in review of this item and this item was very transparent.

Commissioner Kahle expressed that their main job is to watch over the public safety in the community. They really want to make sure crossings are safe and this one especially.

Vice Chair Nootz expressed that the safety of folks using this crossing is very important to her. She is grateful to Public Works for helping find a plan that is beneficial to the community. She stated she is not worried about our Streets team being able to manage an intersection change, as they are very good at their job and can handle it.

Chair Schwarz that this improvement doesn't hurt anybody, it only helps. Public safety is the number one priority of the Commission.

Vice Chair Nootz recalled the decision-making process on putting things on the consent agenda vs. action items.

Commissioner Lyons also shared the thought process how things appear on the agendas. He clearly stated the City Managers direction comes directly from the City Commission.

The City Manager clarified that documents that are on the consent agenda would be the same as the action items. He further clarified that items on the consent agenda are placed there because they would likely be voted on unanimously by the Commission.

Commissioner Lyons motioned to approve consent item F, seconded by Commissioner Kahle. Unanimously approved.

Vice Chair Nootz motioned to take a 10-minute break, seconded by Commissioner Kahle. Unanimously approved.

Chair Schwarz introduced consent item G.

The City Manager stated this an agreement with TD&H for preliminary engineering for a municipal well. He stated this is one of the first steps toward the design and eventual construction of a new municipal well in the City of Livingston. He provided some supplemental background on the item referencing the documents in the packet.

Vice Chair Nootz asked about redundancy that this offers to the system.

The City Manager stated by placing this well and completing the Bennett St water loop they will have provided greater redundancy to the Green Acres area. He explained how the water system functions on the way to the hospital and this particular location is being evaluated for several reasons.



Commissioner Willich pointed out an error regarding the value of the contract noting that it was described as “per hour” and not as a total cost.

The City Manager clarified that the value is the total but will be billed by the hour up to that maximum.

Public comment was offered by:

- Josh Congleton wondered if putting another well near the river is a good idea. He also asked for clarification on the issue noted by the Commissioner.
- Kemp O’Neil agrees with water looping, but he doesn’t see consistency with water looping.

The City Manager clarified that with our well services we have significantly more capacity based on the state methodology used. He discussed several conversations with the Watson’s about placement of wells and their extreme generosity. He stated the \$94,000 is for preliminary design services. He introduced Water Department Superintendent Ryan Townsend to speak about wells.

Water Superintendent Townsend stated wellheads are totally sealed and they are very secure. If elevation is correct there should be no ground water impacting the water source and we have not had any even in 2022.

Vice Chair Nootz spoke about consistency in looping and that is something they always consider in new developments as well. She is happy to have this redundancy in wells and see the importance in it and having adequate water supply. She is grateful for the water team and their work to bring clean safe water.

Commissioner Kahle she is happy to see this happening and happy to see us planning ahead.

Commissioner Willich shared the value this additional well brings for the community.

Commissioner Willich motioned to approve consent item G, seconded by Vice Chair Nootz. Unanimously approved.

5. Proclamations

A. A PROCLAMATION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, DECLARING OCTOBER 21, 2025 AS CUB SCOUT DAY IN LIVINGSTON, MONTANA [PG.196](#)

Chair Schwarz read the proclamation.

Cub Scout leaders talked about the fun activities they have going on. They stated their cub scout law.

Commissioners thanked the Cub Scout troop for coming tonight.

B. A PROCLAMATION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, DECLARING OCTOBER 23, 2025 AS NATIONAL PARALEGAL DAY IN LIVINGSTON, MONTANA [PG.198](#)



Chair Schwarz read the proclamation.

The City Manager recognized the City Paralegal Jen Zang and expressed how professional she is and an integral part of the team.

Chair Schwarz expressed thanks to Jen and how great she is.

Vice Chair Nootz stated that Jen brings a good energy to City Hall.

6. Scheduled Public Comment

7. Action Items

A. RESOLUTION 5178: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING THE BUDGET FOR FISCAL YEAR 2024-2025, BY MAKING APPROPRIATION ADJUSTMENTS IN THE AMOUNT OF \$33,689 AND REVENUE ADJUSTMENTS IN THE AMOUNT OF \$1,034 [PG.200](#)

The City Manager stated this budget amendment is mostly related to interest rates and some higher revenues in a few different areas.

Commissioner Kahle motioned to approve the resolution, seconded by Commissioner Lyons. Unanimously approved.

B. UPDATE REGARDING MOBILE CRISIS RESPONSE TEAM [PG.204](#)

The City Manager introduced Kelly Miller the MCRT Program Manager.

Kelly gave a brief presentation.

Chair Schwarz expressed excitement to see this finally happening.

Commissioner Willich is happy to see this finally coming to our community and a large step in the right direction.

Commissioner Lyons expressed this is really hard work and thanked Kelly for doing this.

Commissioner Kahle recalled talking to the Commission about this before she was even a commissioner. She asked how they get a hold of MCRT.

Kelly stated that folks would call 988 first and those people relay to dispatch the needs.

Vice Chair Nootz expressed being so grateful that we have Kelly in this position.

C. UPDATE FROM PUBLIC WORKS DEPARTMENT'S WATER AND SEWER DIVISIONS [PG.207](#)

The City Manager introduced Water Superintendent Ryan Townsend and Water Lead Jason Moyer.



Ryan gave a brief presentation.

Commissioner Lyons stated these presentations are really helpful for the public to see.

Vice Chair Nootz expressed that she is so impressed with these presentations from Public Works. She wondered about doing clips of these presentations for the public because not everyone likes to sit through meetings to hear this information, and the public works team always presents so well and keeps it simple and easy for the public to understand.

The City Manager agreed that clipping these presentations might be a good idea to add to the website.

Commissioner Willich motioned to enter closed session, seconded by Vice Chair Nootz. Unanimously approved.

D. CLOSED SESSION TO DISCUSS LEGAL STRATEGY PURSUANT TO MCA 2-3-203(4)(b)

E. CLOSED SESSION PURSUANT TO MCA 2-3-203(3).

8. City Manager Comment

The City Manager thanked the Commission for their hard work on behalf of the community.

9. City Commission Comments

Commissioner Willich thanked staff and the Commission. The Commissioner shared a story of his recent experience saving an injured Cooper's Hawk from Park Street with assistance of the Montana Raptor Conservation Center. Commissioner Willich described the hawk's wing injury, his heroic actions to save the bird and the high likelihood for recovery and release after rehabilitation at the Raptor Center. The Commissioner also thanked the Raptor Center for their hard work supporting raptors in Montana.

Commissioner Lyons provided a brief recap of the September weather performance.

Commissioner Kahle thanked staff.

Vice Chair Nootz had no comment.

Chair Schwarz thanked the Commission and staff.

10. Adjournment

11:00PM Commissioner Lyons motioned to adjourn, seconded by Commissioner Kahle. 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.