



Amended Livingston City Commission Minutes

February 07, 2023

5:30-8:30 PM

City – County Complex, Community Room, and Zoom

<https://us02web.zoom.us/j/86490172000?pwd=SigvSnZ5VGw4RldlU2hWaDZHafldz09>

Meeting ID: 864 9017 2000 **Passcode: 958216** Call in: (669) 900-6833

** These minutes were amended on Feb. 21, 2023, to add additional committee info, shown in blue below.*

1. Call to Order

2. Roll Call

In attendance: Chair Nootz, Vice-Chair Kahle, Commissioner Friedman, Commissioner Schwarz, and Commissioner Lyons appearing virtually. Staff in attendance: City Manager Grant Gager, Darci Hedges sitting in for Faith Kinnick, Recording Secretary and Interim City Attorney Jon Hesse, appearing virtually.

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)

None

4. Consent Items 5:37 p.m.

A. APPROVE MINUTES FROM JANUARY 17, 2023, REGULAR MEETING.

B. RATIFY CLAIMS PAID 01/11/2023-01/24/2023.

C. ACCEPT PLEDGED SECURITIES REPORT.

D. ACCEPT FINANCIAL SUMMARY FOR THE QUARTER ENDING 12/31/2022.

E. ACCEPT THE RECOMMENDATION FROM CITY PLANNING BOARD TO APPOINT AMY SCHILLING TO SERVE ON THE BOARD.

F. ACCEPTING THE RECOMMENDATION TO APPOINT MEMBERS TO THE TBID AS PER THE BY-LAWS.

G. CONSIDERATION OF AGREEMENT 20002: MEMORANDUM OF UNDERSTANDING CONCERNING MISSOURI RIVER DRUG TASK FORCE.

- Motion to approve by Schwarz, second by Friedman
All in favor 5-0.

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

9. Resolutions 5:38 p.m.

A. RESOLUTION NO. 5082: A RESOLUTION BY THE CITY OF LIVINGSTON CITY COMMISSION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO FEMA – ASSISTANCE TO FIREFIGHTERS PROGRAM (FEMA – AFG), COMMITMENT OF NEEDED FUNDS, AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ENTER INTO REQUIRED CONTRACTS FOR GRANT FUNDS TO PURCHASE AN ARIAL LADDER FIRETRUCK AND LIGHT DUTY RESCUE VEHICLE.

- Gager introduced item
 - No clarifying questions
 - Motion to approve by Kahle, second by Friedman
 - No public comment
 - Schwarz made comments
 - Lyons made comments
 - Nootz made comments
- All in favor 5-0.

B. RESOLUTION NO. 5083: A RESOLUTION BY THE CITY OF LIVINGSTON CITY COMMISSION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO DOT – REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY (RAISE), COMMITMENT OF NEEDED FUNDS, AND AUTHORIZING THE CITY MANAGER TO ENTER INTO REQUIRED CONTRACTS FOR GRANT FUNDS TO ENGAGE IN A CORRIDOR STUDY AND EVALUATION OF VIABLE AND SUSTAINABLE OPTIONS FOR A GRADE SEPARATED CROSSING. 5:42 p.m.

- Gager introduced item
 - Kahle asked clarifying question
 - Nootz asked clarifying question
 - Motion to approve by Lyons, second by Schwarz
 - Patricia Grabow gave public comment
 - Lindie Gibson gave public comment
 - No additional public comment
 - Friedman gave comments
 - Schwarz gave comments
 - Lyons made comments
 - Kahle made comments
 - Nootz made comments
- All in favor 5-0.

C. RESOLUTION NO. 5084: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN A PROFESSIONAL SERVICES AGREEMENT WITH TD&H ENGINEERING, FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE 2023 REGIONAL SEWER EXTENSION PROJECT. 6:06 p.m.

- Gager introduced item
- No clarifying questions
- Motion to approve by Schwarz, second by Friedman

- No public comments
 - Schwarz made comments
- All in favor 5-0.

D. RESOLUTION NO. 5085: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN A GENERAL SERVICES AGREEMENT NO 20005 WITH WESTERN MUNICIPAL, FOR CONSTRUCTION SERVICES TO INCLUDE THE USE OF \$100,000.00 OF CONTINGENCY FUNDS AS DEEMED NECESSARY FOR THE 2023 REGIONAL SEWER EXTENSION PROJECT. 06:10 p.m.

- Gager introduced item
 - Schwarz made comments
 - Kahle made comments
 - Motion to approve by Schwarz, second by Friedman
 - No public comment
 - Nootz made comments
 - Kahle made comments
- All in favor 5-0.

10. Action Items 6:14 p.m.

A. DISCUSS/APPROVE/DENY: APPOINTMENT OF CITY COMMISSIONER TO SERVE ON THE LIVINGSTON COMMUNITY TRUST BOARD OF TRUSTEES.

- Gager introduced items
 - Nootz made comments
 - Schwarz made comments
 - Kahle agreed to continue with current appointment
 - Lyons made comments
 - Motion to appoint Kahle by Schwarz, second by Lyons
 - Lyons made additional comments
- All in favor 5-0.

6:17 p.m. Motion for a 5-minute recess by Schwarz, second by Friedman all in favor, 5-0.

Back in regular session at 6:27 p.m.

B. DISCUSSION OF IMPLEMENTATION OF CITY OF LIVINGSTON GROWTH POLICY.

- Gager presented plan for implementation
- Nootz opened to public comments
- Jessie Wilcox, former Planning Board chair gave public comment
- Tom Bluerock of the Historic Preservation Commission, gave public comment
- Allison Vicezinzi, Chair of the Livingston URA gave public comment
- Lindee Gibson of the Historic Preservation Commission, gave public comment
- Jim Barrett of the Planning Board, gave public comment
- Kris King of the TBID, gave public comment
- Patricia Grabow gave public comment
- Gavin Clark of the Park County Community Foundation, gave public comment

- Connor Cavigli of the [Parks and Trails Committee](#), gave public comment
- Leslie Feigle, [of the Livingston Chamber of Commerce](#) gave public comment
- Wyeth Windham gave public comment
- Dennis Glick gave public comment
- Michael DeChellis, Chair of the City Conservation Board gave public comment
- Nootz asked Gager to address some of the comments/questions

*Fire Alarm 6:29 p.m. room evacuated, returned to regular session 6:40 p.m.

- Gager continued
- Nootz read email submitted from Jean Keffler, of the Friends of Park County into the record
- Schwarz gave comments comment
- Friedman gave comments
- Lyons gave comments
- Kahle gave comments
- Nootz made comments
- Patricia Grabow interrupted Nootz
- Nootz redirected, commented we will move Action Item C to a future meeting.

~~C. – CLOSED EXECUTIVE SESSION PURSUANT TO MCA 2-3-203(3) AND MCA 2-3-203(4)(9).~~

11. City Manager Comment 8:08 p.m.

12. City Commission Comments

- Lyons made comments 8:10 p.m.
- Schwarz made comments 8:11 p.m. made comments regarding need for lighting assessment discussion to a future meeting
- Friedman made public comment 8:14 p.m.
- Kahle made comments
- Nootz made comments, shared info from Leslie Feigle regarding exhibit coming
- Kahle made additional comments
- Nootz continued comments

13. Adjournment 8:30 p.m.

- Motion to approve by Friedman, second by Schwarz
All in favor 5-0.

LIVINGSTON CITY COMMISSION REGULAR MEETING

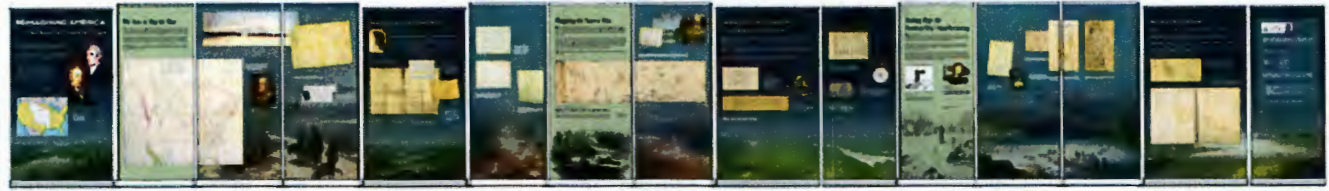
Public Comment

DATE: 02/07/2023

If you would like to speak to the Commission, please note your name and address will be recorded here. This document is an official public record. Thank you!

PRINTED NAME	AGENDA ITEM
1. Patricia Grabow	crossing
2. Lindie Gibson	"
3. Jessi Walker	Crawford Poles!
4. Allison Menzi	URA
5. Lindie Gibson	managing
6. [Signature]	
7. [Signature]	
8. Connor Cavigli	
9. [Signature]	LACE
10.	

May 19th to July 30



Lewis & Clark TRAIL HERITAGE FOUNDATION

Reimagining America: The Maps of Lewis and Clark
A traveling exhibit from the Lewis and Clark Trail Heritage Foundation

**Come enjoy the exhibit opening May 19th
at the Visitor Center supporting
Livingston and beyond for 114 yrs**

Exhibit Contents

The maps of Lewis and Clark

In 1803, Native people knew the West, but Americans could only speculate.

The Race to Map the West

British cartographers had drawn ahead, and America needed to catch up. Thomas Jefferson had an answer.

How Did They Find Their Way?

Lewis and Clark started by collecting information from people who had been there before.

Making Maps the Native Way

Native cartographic traditions reveal an older geography.

Making Maps the Scientific Way: Astronomical Observation

They measured the stars with precision instruments.

Making Maps the Practical Way: Dead Reckoning

Low-tech methods filled in the details

Revising the Continent

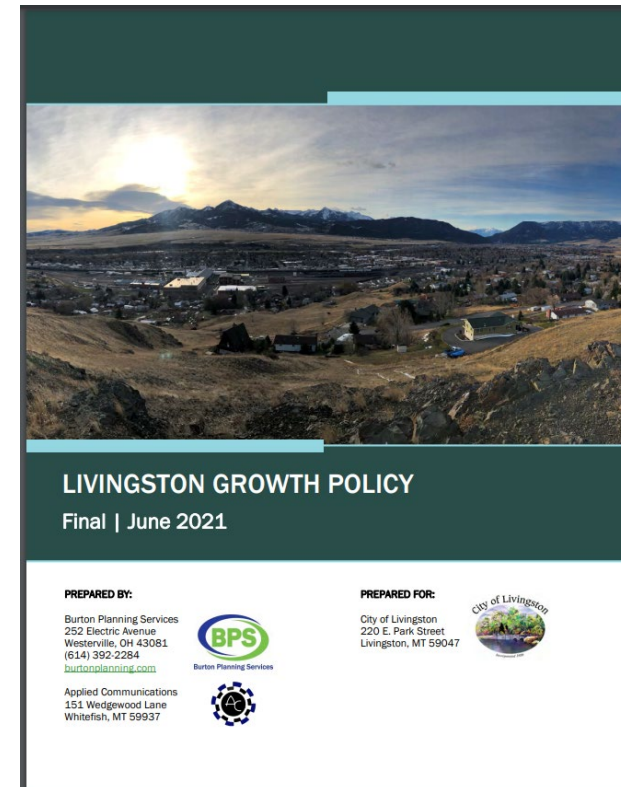
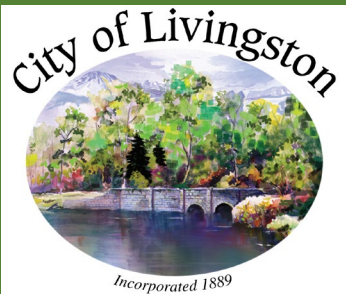
Their maps changed the future of America

Livingston Visitor & Information Center
303 East Park Street, Livingston MT

Planned Unit Development

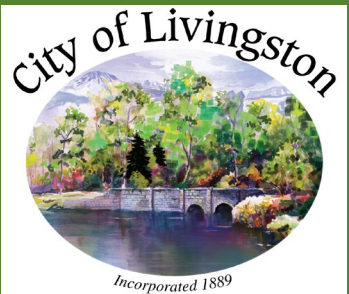
Introduction and Background

February 14, 2023



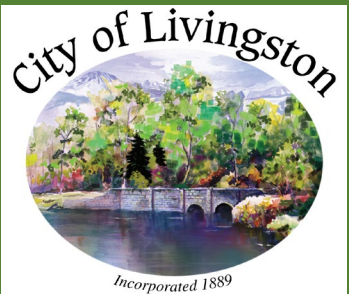
Agenda

- Planned Unit Development Basics
- PUDs in the Growth Policy
- Ordinance Creation and Adoption Process



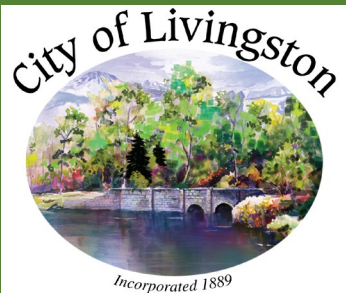
Agenda

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Planned Unit Development

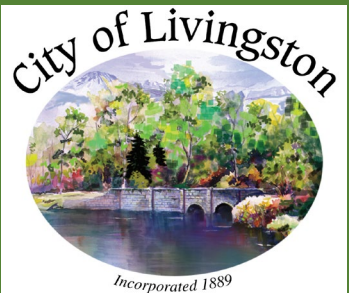
Planned Unit Development (PUD) applications are for those subdivision projects that require additional flexibility from subdivision design standards and zoning ordinance requirements, allowing for additional creativity in design of a subdivision project.



Planned Unit Development

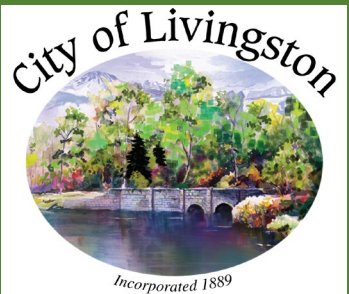
The PUD Process Promotes:

1. Protection of Natural Areas
2. Mixed-use Development
3. Traditional City of Livingston Land Use Patterns



Agenda

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Initial Work Plan

4 Focus Areas



Land Use
Recommendations



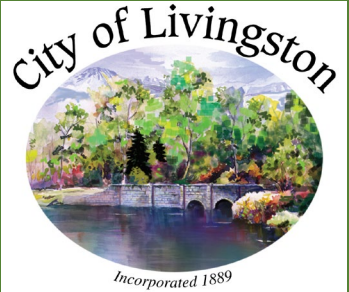
Housing

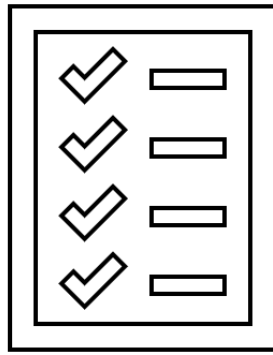


Resiliency



Place-making and
Community Character

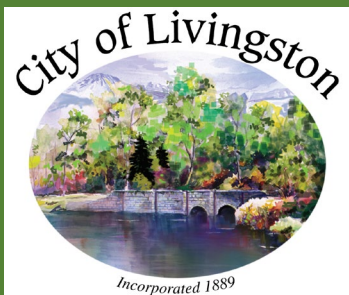




Land Use Recommendations

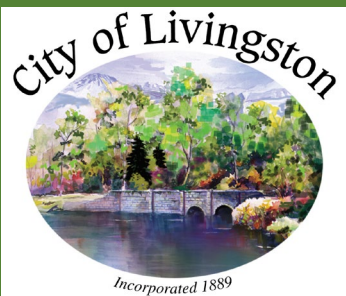
Implementing Recommendations in Chapter 11

- Zoning Ordinance Update
- Subdivision Regulation Review
- Future Land Use Map
- Planned Unit Development (PUD) Overlay



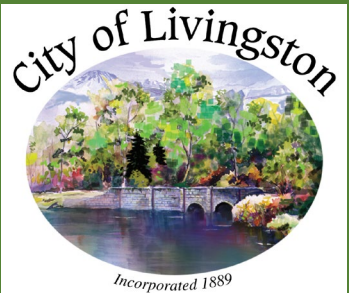
Planned Unit Development

Strategy #	Description
2.1.2.3	Update codes to promote traditional neighborhood designs that are compatible with existing neighborhoods.
2.1.2.4	Update codes to encourage following Livingston's historic block and alley development pattern.
3.1.1.2	Evaluate and amend the zoning ordinance to allow for higher densities and wider land uses in areas that can support such development.
3.1.1.4	Promote any growth that maintains the compact, historic development patterns found in the historic city center.
3.1.1.5	Evaluate and amend the zoning and subdivision ordinances to prohibit the development of large lot subdivisions inconsistent with Livingston's historic development pattern
3.1.1.6	Encourage residential developments to provide neighborhood commercial areas serving residents within walking distance.
3.2.1.2	Partner with developers to include community facilities to serve new residential, commercial, and mixed-use developments.



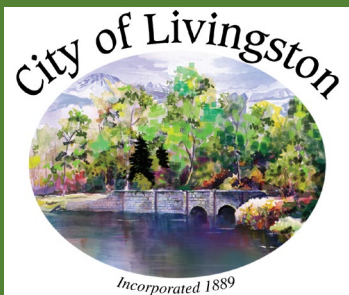
Agenda

- Planned Unit Development Basics
- PUDs in the Growth Policy
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Growth Policy Implementation Plan

Regulatory Action Workflow



Elements of PUD Ordinance

Application Process



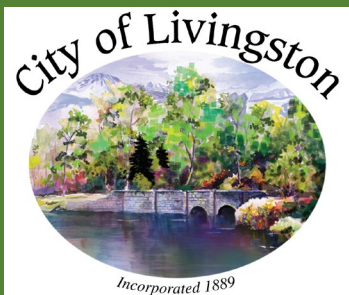
Pre-Application
Process



Application
Materials



Review and
Approval



Elements of PUD Ordinance

Project Components



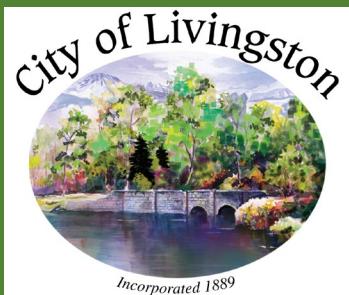
Size



Location

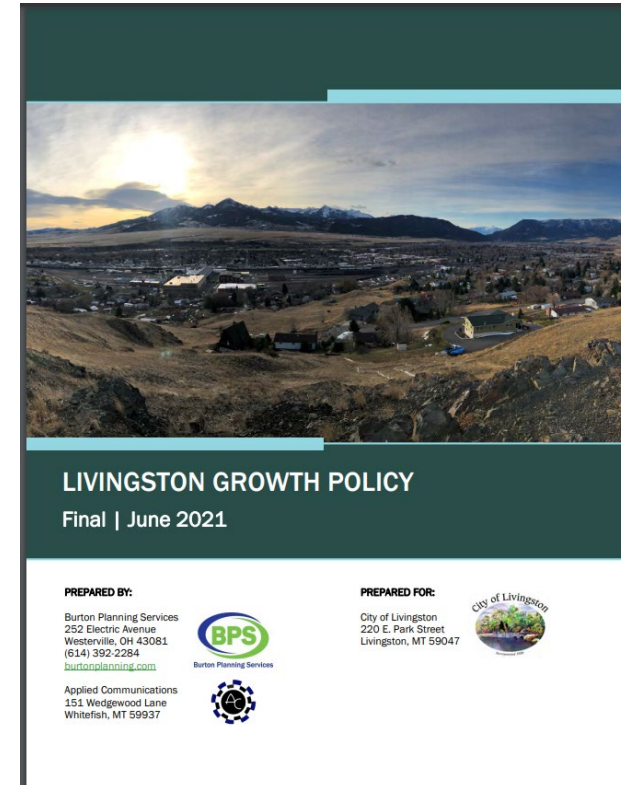
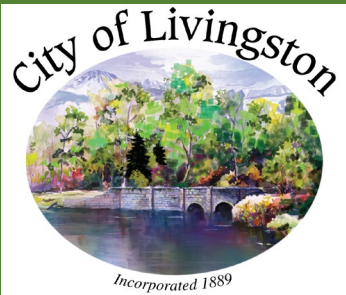


Public Benefits



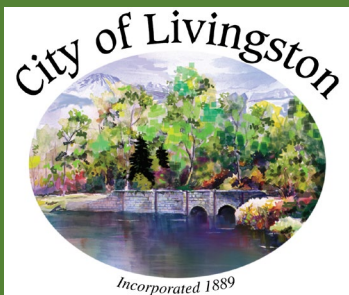
Questions

Thank you



Planned Unit Development

Zoning District Name	Designation	Definition	Minimum Lot Size
Low Density Residential	R-I	A single-family residence district with a large plat area required	7,000 sq ft
Medium Density Residential Medium Density Residential: Mobile Home	R-II R-II (MH)	Primarily a single-family residence district. Duplexes and two (2) family dwellings may also be accommodated on lots of adequate plat sizes.	3,500 sq ft
High Density Residential	R-III	A residential classification intended to provide adequate sites for multifamily developments, including condominiums and row houses.	1,150 sq ft
Mobile Home Residential	RMO	A district permitting mobile home development.	6,000 sq ft
Public	P	Intended to reserve land exclusively for public and semi-public uses in order to preserve and provide adequate land for a variety of community facilities which serve the public health, safety and general welfare.	
Industrial	I	A district intended to	





Growth Policy

9 Topic Areas



Economy



Housing



Intergovernmental
Coordination



Land Use



Local Services



Natural Resources



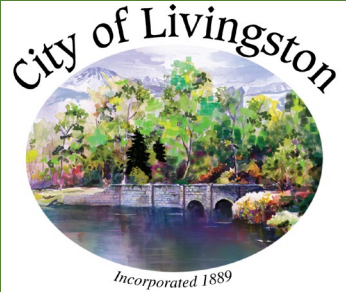
Population and
Community Character

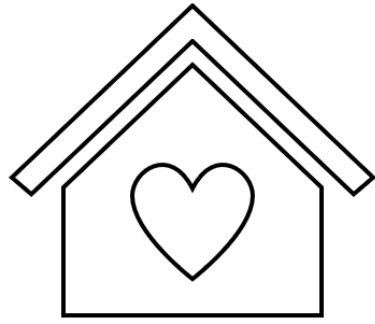


Public Facilities



Transportation

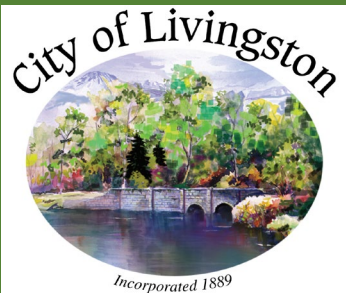


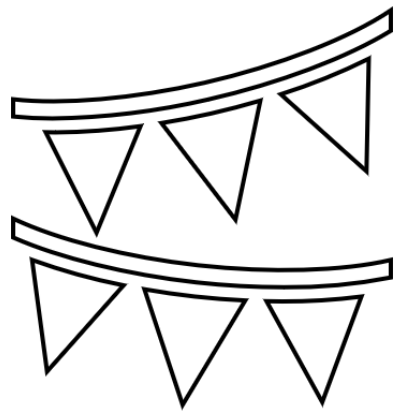


Housing

Supporting the Development and Retention of Workforce Housing Units

- Housing Action Plan
- Urban Renewal Plan
 - Strategies: 3.1.1.3 and 6.1.5.4

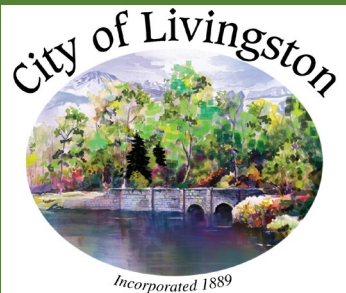




Place-making and Community Character

Retaining and Building Upon the Physical and Community Character of the City

- Downtown Master Plan
 - Strategy 6.1.5.3
- Historical and Cultural Amenities
 - Strategies 2.2.2.3, 3.3.1.1, 3.3.1.2 and 6.2.1.2
- Site Plan Reviews
 - Strategies 2.1.2.4 and 3.1.1.5
- Gateway Design Overlay Districts
 - Strategies 2.1.1.1, 2.1.1.2, 2.1.1.3 and 4.3.5.3

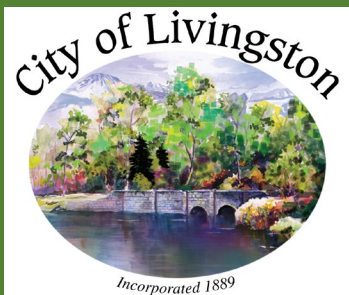




Resiliency

Preparing the City to be Responsive to Future Events

- Community Resiliency Plan
 - Strategy 4.1.3.4
- Energy Action Plan
 - Strategy 4.1.3.1, 4.1.3.2, 4.1.4.1 and 4.1.4.2
- Flood Mitigation and Response Planning
 - Strategy 4.1.5.2 and 4.1.5.3



From: [Melissa Nootz](#)
To: [Faith Kinnick](#); [Grant Gager](#)
Subject: RE: Record from Jean Keffler
Date: Tuesday, February 14, 2023 1:49:44 PM

Faith,

Over the phone she indicated a typo to me, I read her corrected statement into the record.

“These simple but essential skills are all the more apparent and usual in these times of discord and disrespect across the nation.”

SHOULD READ (the red word is the correction):

“These simple but essential skills are all the more apparent and **unusual** in these times of discord and disrespect across the nation.

From: Faith Kinnick
Sent: Tuesday, February 14, 2023 1:47 PM
To: Melissa Nootz <mnootz@livingstonmontana.org>
Subject: RE: Record from Jean Keffler

Thanks!

From: Melissa Nootz
Sent: Tuesday, February 14, 2023 1:47 PM
To: Faith Kinnick <fkinnick@livingstonmontana.org>; Grant Gager <ggager@livingstonmontana.org>
Subject: RE: Record from Jean Keffler

From: Keffeler Jean <jkeffeler@lmcranch.com>
Date: February 7, 2023 at 3:57:33 PM MST
Subject: Comments for public hearing 2-7-23

My name is Jean Keffeler. I live at 1010 Swingley Road, Livingston. I am a founder and former director of Friends of Park County but testify on my own behalf today.

One reason this is an important meeting for the people of Livingston is today your city manager has presented his plans and sought your support for the implementation of the Livingston Growth Policy.

I very much wanted to be with you in person today to mark this important occasion. Unfortunately, family commitments prevent my participation but your Board Chair has graciously offered to read my short comments into the record.

First, congratulations on behalf of me and my fellow Livingstonians for what you have accomplished

to date. Not only have you set forth an excellent blueprint for the future but you have already tested the policy in the real world of day to day city decision making- and found it to be a reasonable guide. I believe you have accomplished this by undertaking a methodical, thorough process and then demonstrating an unusual commitment and ability to listen to your capable staff and hear the advice and concerns of city residents. These simple but essential skills are all the more apparent and usual in these times of discord and disrespect across the nation. So, my first order of business is an expression of congratulations and gratitude.

Second, an expression of encouragement to strengthen your resolve for the considerable tasks ahead as you create ordinances and regulations to implement the real work of the Growth Policy. In this regard, I would like to respectfully underscore the importance of implementing policies, ordinances and regulations to guide the development of the Extra Territorial Jurisdiction.

Successful implementation of the Growth Policy vision for the ETJ will allow the city to achieve its dreams of providing affordable workforce housing, and its commitment to protecting and strengthening the commercial vitality of our City.

I will conclude my comments by stressing the role of the City of Livingston in achieving the goals of the Park County Growth Policy, and even preserving the Greater Yellowstone Ecosystem. Without a strong, coherent and timely set of ETJ guideposts, the County will continue to experience the kind of unmanaged growth that will gradually chip away at livestock and wildstock and destroy the agrarian bedrock of Park County.

To be sure, the County needs to reenergize its determination to implement its own Growth Policy by thoughtful zoning decisions ---- but more than any other single set of decisions, those governing the ETJ will set the stage for the future. Successful development and implementation of ETJ zoning requires a partnership between the City and the County. The stronger administrative infrastructure commanded by the City, in my view, gives the City the obligation to take the lead in this vital and overdue process.

Thank you for the opportunity to present my congratulations and my ideas about future challenges - and thank you for your exemplary service on behalf of our community.
Sent from my iPhone

From: Faith Kinnick

Sent: Tuesday, February 14, 2023 11:47 AM

To: Grant Gager <ggager@livingstonmontana.org>; Melissa Nootz <mnootz@livingstonmontana.org>

Subject: Record from Jean Keffler

Hello,

Is it possible to get the email Jean sent regarding the Growth Policy Implementation for the minutes?

Thank you,

Faith

Faith Kinnick | Administrative Assistant
City of Livingston | City Manager's Office
220 E. Park St.
Livingston, MT 59047
(406) 823-6002

[website](#) | [map](#) | [email](#) | [Facebook](#) | [Instagram](#)