

**LIVINGSTON CITY COMMISSION MEETING MINUTES**

**Tuesday, August 4, 2020, 5:30 pm**

**Zoom Online Meeting ID: 869 4408 2693**

**1 Call to Order**

**2 Roll Call**

- \* **Hoglund, Schwarz, Friedman, Mabie and Nootz were present.**

**3 Public Comment**

- \* **Johnathan Hettinger (00:02:38)**
- \* **Joseph Bullington (00:08:33)**
- \* **Joan Kresich-Newhall (00:11:33)**
- \* **Becca Frucht (00:14:14)**
- \* **Kathy Pesa (00:15:00)**
- \* **Sarah Stands (00:18:27)**
- \* **Becky Bird (00:20:04)**
- \* **Leslie Fiegler (00:24:14)**
- \* **Julie Eaton (00:25:23)**
- \* **Rick Van Aken (00:27:06)**

**4 Consent Items (00:37:02)**

- \* **Nootz pulled item A and C for discussion and motioned to approve B and D, second by Schwarz.**
- \* **Nootz advised she wanted a discuss item C first, clarification to the minutes from 7.21.2020 Specifically wants it corrected to read Parks & Trails, Active Transportation and Trail connectivity. Nootz motioned to approve corrected Consent item C as stated, seconded by Schwarz.**
- \* **Nootz had questions about Impact Fee Study, and pointed out errors in formulas within (41:21) document, would like to wait to corrected study. Nootz motioned to postpone consideration of action item A, until errors are corrected in the charts, Mabie seconded.**
- \* **All in favor, motion passed 5-0.**

**5 Proclamations**

**6 Scheduled Public Comments**

**7 Public Hearings (01:00:16)**

**A. Variance request from Christopher Gonzales, to redevelop an existing non-conforming undersized lot in the highway commercial zoning district for commercial uses.**

- \* **Kardoes gave opening statement**
- \* **Mathieu Menard new Deputy Planning Director made comments (01:03:20)**
- \* **Mabie made comment (01:05:02)**
- \* **Ron Nemetz made comment (01:06:16)**
- \* **Christopher Gonzales made comment (01:06:46)**
- \* **Kathy Pesa made comment (01:10:41)**
- \* **Nootz made comments (01:16:12)**
- \* **Schwarz made comments (01:17:53)**
- \* **Hoglund made comments (01:20:31)**
- Mabie motioned to approve, Friedman seconded.**
- All in favor, motion passed 5-0.**
- \* **5 minute break**

**B. Resolution No. 4908: A Resolution of the City Commission of the City of Livingston, Montana, approving and adopting the final budget in the amount of \$20,737,194 for the fiscal year beginning on July 1, 2020, and ending on June 30, 2021, and making appropriations and establishing spending limits and authorizing transfer of appropriations withing the same fund. (01:29:17)**

- \* Kardoes gave opening statement
- \* Nootz discussed public comments emailed (01:30:50)
- \* Hogleund made comments (01:34:17)
- \* Shannon Holmes made comments (01:34:59)
- \* Mabie made comments (01:35:57)
- \* Johnathan Hettinger made comment (01:38:26)
- \* Sarah Stands made comment (01:42:08)
- \* Paige Fetterhoff made comment (01:45:45)
- \* Maryann Vollers made comment (01:57:34)
- \* Jenny Jo Allen made comment (02:00:16)
- \* Lexie Folkerts made comment (02:04:48)
- \* Becca Frucht made comment (02:06:36)
- \* Patricia Grabow made comment (02:10:24)
- \* Joseph Bullington made comment (02:15:51)
- \* Kardoes gave clarifying statement (02:19:12)
- \* Julie Eaton made comment (02:25:09)
- \* Alexis VanPernis made comment (02:26:55)
- \* Nootz made comment (02:28:54)
- \* Friedman made comment (02:48:20)
- \* Hogleund made comments (02:35:57)
- \* Schwarz made comment (02:39:28)
- \* Nootz made comments (02:41:44)
- \* Mabie made comments (02:50:56)  
Mabie motioned to extend the meeting, seconded by Schwarz.  
All in favor, motion approved.
- \* 5 minute break
- \* Discussion amongst commission regarding the need for a special meeting to  
\* review the budget, and look at what Police Dept. spending looks like during the  
\* meeting.
- \* Motion made to approve by Schwarz, second by Friedman.  
All opposed, motion failed 5-0.
  
- \* Discussion amongst commission about moving next few public hearings to a future  
agenda, Paige Fetterhoff notified commission decisions have to be made before  
on maintenance districts before August 10, 2020, due to state filing deadlines.

**C. Resolution No. 4909: A Resolution of the City Commission of the City of Livingston, Montana, estimating the cost of maintaining lights and supplying electrical current to special improvement lighting district no 20 in the amount of \$76,500, for fiscal year 2020-2021 and levying and assessing 100% of the estimated costs against every parcel of property within the said district for that part of the cost which its assessable area bears to the assessable area of the district. (03:12:45)**

- \* Kardoes gave opening statement
- \* Friedman motioned to approve, Mabie seconded  
All in favor, motion passes 5-0.

- D. Resolution No. 4910: A Resolution of the City Commission of the City of Livingston, Montana, modifying special improvement lighting district No. 20 by replacing street lights and other appurtenances therein and to levy and assess 100% of the estimated costs of \$73,100 against every parcel of property within said district for that part of the cost which is assessable area bears to the assessable are of the district, and calling for a public hearing. (03:15:49)**
- \* Kardoes gave opening statement
  - \* Kathy Pesa made comment (03:17:10)
  - \* Danielle Miska made comment (03:18:23)
  - \* Friedman motioned to approve, Mabie seconded.  
All in favor, motion passes 5-0.
- E. Resolution No. 4911: A Resolution of the City Commission of the City of Livingston, Montana, levying 100% of the cost for street maintenance and improvement district No. 1 for the fiscal year 2020-2021 in the amount of \$1,028,707 and assessing all property within the said district. (03:20:49)**
- \* Kardoes gave opening statement
  - \* Schwarz motioned to approve, Friedman seconded.  
All in favor, motion passes 5-0.
- F. Resolution No. 4912: A Resolution of the City Commission of the City of Livingston, Montana, increasing all rates for all customers of the City of Livingston water system. (03:23:14)**
- \* Kardoes gave opening statement
  - \* Kathy Pesa made comment (03:25:35)
  - \* Sarah Stands made comments (03:27:58)
  - \* Schwarz made comments (03:31:00)
  - \* Hoglund made comments (03:32:50)
  - \* Friedman motioned to approve, Mabie seconded.  
All in favor, motion passes 5-0.

## **8 Ordinances**

### **9 Resolutions (03:35:45)**

- A. Resolution No. 4914: A Resolution of the City Commission of the City of Livingston, Montana, authorizing the City Manager to sign a Big Sky Economic Development Trust fund grant application on behalf of 130 NF, LLC. for the Livingston Main Hotel Feasibility & Architectural Planning Adaptive Reuse Project.**
- \* Kardoes gave opening statement
  - \* Kathy Pesa made comment (03:37:41)
  - \* Johnathan Hettinger made comment (03:42:35)
  - \* Ron Nemetz made comment (03:43:19)
  - \* Sarah Stands made comment (03:46:14)
  - \* Schwarz made comment (03:47:04)
  - \* Nootz made comment (03:48:47)
  - \* Hoglund made comment (03:54:32)
  - \* Mabie made comment (03:56:16)
  - \* Ryan Short made comment (03:56:44)  
Commissioner Friedman's computer died, unavailable for vote.  
Schwarz motioned to approve, Hoglund seconded.  
All in favor, motion passes 4-0.

**B. Resolution No. 4913: A Resolution of the City Commission of the City of Livingston, Montana, o authorizing the City Manager to sign a real property buy-sell agreement with Engle Volkers for the purchase of the Voyich Property. (04:01:52)**

\* Discussion amongst commission about possibly moving item to future agenda or continuing with discussion tonight.

\* Kardoos gave opening statement

\* Nootz motioned for 5 minute recess, Schwarz seconded. (04:21:29)

\* Mabie asked clarifying question (04:23:46)

\* Lexie Folkerts made comment (04:24:13)

\* Jane Tecca made comment (04:25:38)

\* Jack Luther made comment (04:27:46)

\* Johnathan Hettinger made comment (04:30:26)

\* Sarah Stands made comment (04:33:10)

\* Rick VanAken made comment (04:35:43)

\* Schwarz made comment (04:37:51)

\* Nootz made comment (04:39:50)

\* Hogleund made comment (04:42:28)

\* Hogleund requested to bring item back with more information, including conversations with realtor, with comps & asking price. Is it worth it for our community? What is the intended use, what will that look like?

\* Schwarz does not want to table item, thinks it's a great opportunity, and wants to know more. Wants to see comps, wants to bring it back for consideration.

\* Mabie agreed, would like to see it come back.

\* Nootz wants to see what draft Growth Policy data looks like, and see if it is addressed and draft survey results, Zoning/Land Use and see it brought it back.

\* How it will be used exactly, using the Growth Policy data, future use for the community, water looping detail, what does that look like, right of way, costs associated with having infrastructure there instead of going through neighborhoods, runoff groundwater filtration, settling ponds, could this purchase help mitigate any northside needs? Could we identify any cost savings?

\* Kardoos advised that is a significant amount of work that is not on any of the other priorities list, could likely be October or November before information is available.

#### **10 Action Items (05:13:39)**

**A. Discuss: Scheduling final worksession for the Livingston Strategic Plan.**

Moved to a future meeting.

**B. Discuss financial support of the HRDC Warming Center**

\* Shari Eslinger from HRDC made brief comment (05:16:37)

\* Commissioners agreed to move item to future budget meeting for presentation from HRDC.

**C. Discuss/Approve/Deny: Setting ballot language for November for the Railroad Crossing Project. (05:19:59)**

\* Kardoos notified Commission final ballot language must be to election office 10 Aug.

\* Schwarz made comments (05:21:56)

\* Hogleund made comment (05:25:21)

\* Mabie made comment (05:32:57)

\* Nootz made comment (05:34:26) 11:30 PM

\* Kardoos made comments (05:44:05)

\* Rick VanAken made comment (05:56:14)

\* Jack Luther made comment (06:00:12)

\* John Hettinger made comment (06:00:41)

**11 City Manager Comments (06:01:17)**

- \* Budget meetings need to be finalized and publication deadlines need to be met.  
Discussed holding two more budget meetings from 5-8 pm on 8/11/20 & 8/20/20.  
Will discuss Police Budget, & possible financial support of Livingston Warming Center

(06:02:23 recording ended)

**12 City Commissioner Comments (06:25:47)**

- \* Nootz
- \* Mabie
- \* Friedman Absent
- \* Schwarz
- \* Hogle

* Approximately 96 minutes of this meeting was dedicated to receiving public comments.
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**13 Adjourned meeting (06:46:29) 12:20 am August 5, 2020**