



Livingston City Commission Minutes

February 21, 2023

5:30-8:30 PM

City – County Complex, Community Room

<https://us02web.zoom.us/j/88204096858?pwd=WClTSWxMa2cwRVJ3dXFMUGx1VDIqZz09>

Meeting ID: 882 0409 6858 **Passcode: 299790** Call In: (669) 900-6833

1. Call to Order (started late at 5:34 p.m.)

2. Roll Call

In attendance: Chair Melissa Nootz; Vice-Chair Karrie Kahle; Commissioner Friedman; Commissioner Schwarz and Commissioner Lyons. Staff in attendance City Manager Grant Gager; Interim City Attorney Jon Hesse; Public Works Director Shannon Holmes; Planning Director Jenn Severson; Project Manager Martha O'Rourke; 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)

- Kalsey Lance
- Emmett Shannon-Lier
- Rusty Trupez
- Patricia Grabow
- Lindee Gibson

4. Consent Items (5:57 p.m.)

A. APPROVE MINUTES FROM FEB. 7, 2023 REGULAR MEETING.

B. RATIFY CLAIMS PAID 02.25.2023-02.14.2023.

C. ACCEPTING AN AMENDMENT TO THE ORIGINAL LEASE BETWEEN THE CITY OF LIVINGSTON AND LIVINGSTON DAYCARE, LLC.

D. ACCEPT JANUARY CITY COURT FINANCIAL REPORT.

- Motion by Schwarz to approve consent items A, B, and D, second by Kahle
- All in favor, passes 5-0
- Nootz asked questions of Gager regarding item consent item C.
- Gager answered

- Nootz noted two corrections to the minutes from the February 7th meeting, Connor is from the Parks & Trails Committee and Leslie Feigle should have her business affiliation added.
- Schwarz motioned to approve consent item C, and to accept the amendments the Feb. 7th minutes as noted by Nootz, second by Friedman.
- All in favor, passes 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 6:11 p.m.

A. ORDINANCE NO. 3040: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 30, ARTICLE V, SECTION 30.50 OF THE CITY ZONING ORDINANCE ENTITLED SIGNS.

- Gager introduced item
- Schwarz asked clarifying questions
- Nootz asked clarifying questions
- Lyons motioned to approve Ordinance No. 3040, second by Kahle
- Rusty Trupz gave public comment
- Patricia Grabow gave public comment
- Lyons made comments
- Schwarz made comments
- Gager made additional clarifying comments
- Friedman made comments
- Kahle made comments
- All in favor, passes 5-0

9. Resolutions

A. RESOLUTION NO. 5087: A RESOLUTION BY THE CITY OF LIVINGSTON CITY COMMISSION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO FEMA – STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ENTER

INTO REQUIRED CONTRACTS FOR GRANT FUNDS TO HIRE ADDITIONAL STAFFING FOR LIVINGSTON FIRE RESCUE.

- Gager introduced item
 - No clarifying questions from the Commission
 - Kahle motioned to approve Resolution No. 5087, second by Friedman
 - No public comments
 - Friedman made comments
 - Kahle made comments
- All in favor, passes 5-0

10. Action Items (6:41 p.m.)

A. DISCUSS/APPROVE/DENY: REQUEST TO CREATE AN EXCEPTION TO THE ENFORCEMENT OF THE OPEN CONTAINER STATUTE DURING THE PLATT/PUCKETT WEDDING.

- Gager introduced item
 - Lyons asked clarifying question
 - Motion by Lyons, second by Kahle
 - No public comment
 - Lyons made comments
 - Schwarz made comments
 - Kahle made comments
 - Nootz made comments
- All in favor, passes 5-0.

B. 2023 ADA TRANSITION PLAN UPDATE. 6:52 p.m.

- Gager introduced Martha O'Rourke, Project Manager to make presentation.

10-minute recess 7:03 p.m.

C. CLOSED EXECUTIVE SESSION PURSUANT TO MCA 2-3-203(3) AND MCA 2-3-203(4)(9). 7:15 p.m.- 8:09 p.m.

11. City Manager Comment 8:09 p.m.

12. City Commission Comments 8:11 p.m.

13. Adjournment 8:20 p.m.

- motion by Friedman, seconded by Schwarz
- All in favor, passes 5-0.