



Livingston City Commission Minutes

January 20, 2026

5:30 PM

City – County Complex, Community Room

Join Zoom Meeting

<https://us02web.zoom.us/j/87852809291?pwd=AVSyWJGB7buKmHlm5baNFrl05b71jI.1>

Meeting ID: 878 5280 9291

Passcode: 379724

1. Call to Order

5:37 pm Chair Nootz called the meeting to order.

2. Roll Call

- Chair Nootz
- Vice Chair Willich
- Commissioner Daniels
- Commissioner Wilcox
- Commissioner O'Neill

City Staff Present

- City Manager Grant Gager
- Chief of Police Wayne Hard
- Policy Analyst Greg Anthony
- Planning Director Severson
- Finance Director Paige Fetterhoff

3. Pledge of Allegiance

"I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."

Chair Nootz asked the room to stand for the Pledge of Allegiance.

4. 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)

Chair Nootz stated that, in their recent work session, the City Commission discussed keeping meeting lengths reasonable and reminded the audience of the guidelines in the agenda. She also stated public announcements should also go through City staff.

Public comment was offered by:

- Edleeta Shands who expressed excitement to see the Arbor Day proclamation on the agenda.
- Chuck Tanner who discussed some issues with social media comments.

Chair Nootz advised that this issue is an administrative one that should be discussed with the manager.

- Leslie Feigel presented a new logo. She submitted her special event application for the parade. She also spoke about America's 250th anniversary.
- Linda Mahr discussed survey results from the bulb-outs.

Chair Nootz stated that for the bulb-out survey the information was given to the Commission in Scheduled Public Comment and that is where the Commission just listens to the information given. Later when decisions are made from that there will be space and time for public input.

The City Manager reminded everyone that there was information included in the City Commission meeting packet about this topic as well.

5. Consent Items

- A. APPROVAL OF MINUTES FROM JANUARY 6, 2026, REGULAR MEETING [PG.4](#)**
- B. APPROVAL OF MINUTES FROM JANUARY 20, 2026, WORK SESSION [PG.36](#)**
- C. APPROVAL OF CLAIMS PAID 1/1/26 - 1/14/26 [PG.45](#)**
- D. PLEDGED SECURITIES FOR DECEMBER 2025 [PG.58](#)**
- E. APPOINTMENT OF TODD WESTER TO THE LIVINGSTON URBAN RENEWAL AGENCY BOARD [PG.62](#)**
- F. TRANSMITTAL OF CITY COMMISSION PRIORITIES FROM JANUARY 14, 2026, WORK SESSION [PG.65](#)**

Commissioner Wilcox motioned to approve Consent Items A-F, seconded by Commissioner Daniels. Unanimously approved.

6. Proclamations

- A. A PROCLAMATION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, RECOGNIZING APRIL 24, 2026 AS NATIONAL ARBOR DAY IN LIVINGSTON, MONTANA [PG.69](#)**

Chair Nootz read the proclamation.

The City Manager stated this proclamation is done annually as a requirement for the Tree City USA Program, and a State Arbor Day grant that provides money to plant trees in Livingston.

7. Scheduled Public Comment

A. CITY-COUNTY HEALTH DEPARTMENT PRESENTATION OF COMMUNITY HEALTH ASSESSMENT 2025-2028 [PG.71](#)

The City Manager introduced Travis Horton from the Health Dept. to give a presentation.

Travis Horton gave a brief presentation on the Community Health Assessment 2025-2028.

Vice Chair Willich thanked Travis for the presentation and stated he was happy to see the resource page and everything listed in one place and is hoped the City can also post this somewhere.

Commissioner Wilcox thanked Travis for the presentation. She is happy to see the community as it keeps showing up.

Chair Nootz thanked Travis for the presentation.

8. Action Items

A. CONSIDERATION OF A VARIANCE REQUEST FOR 511 E. GEYSER STREET [PG.94](#)

Chair Nootz referenced MCA Board of Adjustment. She also referenced the City Commission handbook and talked about quasi-judicial matters, ex parte communications, and disclosure forms.

Commissioner Wilcox stated that she has a conflict of interest as she knows the applicant and has worked with them through her day job. She recused herself and left the room for this item.

The City Manager invited Director Severson to give a presentation

Planning Director Severson gave a brief presentation.

Commissioner Daniels asked if the parking will be limited to the garage for this dwelling.

Planning Director Severson stated yes, and accessory dwelling units do not require off-street parking. She clarified that it is a state law and she cannot change it. She stated this is not an accessory dwelling unit, it is a multifamily housing unit that requires one parking space, but because the dwelling unit existed before zoning requirements, they cannot impose parking requirements. She stated that the applicant said parking for this unit will be in the garage.

Vice Chair Willich asked if notification was given to neighbors.

Planning Director Severson stated a notice did go out in the paper. She stated it is not required for them to notify the neighbors, but noted that previous applicants just did this on their own, but she is not sure if this applicant did that or not.

Chair Nootz clarified timelines for ADU's in the City and recalled how they got to where they are now after updating City code and navigating state legislature. She asked about the applicant moving utilities and preparing for the work, and wondered if the City is involved at all with NorthWestern Energy and moving utilities.

The City Manager stated that the City is not usually contacted by utilities, and stated the property owners have the right to work with utilities to have various poles moved or electric or gas services

moved. He stated the City does work with utilities if they need a right-of-way permit or street cut permit.

Chair Nootz asked how long a building permit lasts.

The City Manager stated a building permit is good for 12 months so long as activity occurs within 12 months. If activity stops for longer than 12 months the permit is revoked.

Planning Director Severson stated the applicant can apply for an extension.

Vice Chair Willich clarified the timeline for this specific project, and also wondered if there are any similar to this one that kind of came in during code change.

The City Manager stated that he is aware of one other prospective applicant with the location in the CBD.

Commissioner O'Neill motioned for a 10-minute break, seconded by Commissioner Daniels. Unanimously approved.

Public comment was offered by:

- Kathleen Kaul read a letter to the Commission.
- Tammy Lewis expressed this should be approved because it would provide affordable housing.

Commissioner Daniels recognized that the applicant is adding to not building something new, and that this has been in progress.

Vice Chair Willich stated that it is a unique addition of a type of housing that there is not a lot of inventory of. He recognizes that it is compliant in a lot of areas including the Growth Policy and Housing Action Plan. He also stated that the application has been in progress in good faith through all of the rule changes. He expressed not being too happy about moving a utility pole for about \$8,800 before having a building permit. He does feel like it fits with the rest of the neighborhood.

Chair Nootz recalled the difference between what the guidelines use to be for this type of item and what it is now, and ultimately doesn't feel it is misaligned with the updated ordinance that was passed.

Commissioner O'Neill expressed concern about letting the 600 ft slide this time because what does that look like for the next application that wants more. He doesn't really have an issue with approving this particular application, but does it open a door.

Vice Chair Willich reviewed lot sized and feels this fits within that if you break it down, and overall feels good about it.

Chair Nootz expressed understanding of the concerns Commissioner O'Neill brought up.

Commissioner O'Neill motioned to approve this item, seconded by Commissioner Daniels. Unanimously approved.

Commissioner Wilcox returned to the meeting.

B. RESOLUTION 5181: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA UPDATING THE FEE SCHEDULE AND CHARGES FOR ALL CITY DEPARTMENTS [PG.120](#)

Chair Nootz asked the City Manager to describe what the Fee Schedule is.

The City Manager stated that when he arrived in 2022 many of the fees were inside LMC. To update those, it required 2 readings of an ordinance and 30 days to take effect. He stated that best practice for municipalities is to set fees by resolution. It allows for more timely updating of fees. This process was updated in 2023. He stated that fees allowed under MCA are a way for the City to recover costs for providing certain services. These fees are intended for cost recovery and not profit.

Commissioner O'Neill asked about the recreation section where some programs seem to be crossed out entirely.

The City Manager stated that if the fee for a certain program is not listed on the fee schedule, then they are not allowed to collect the fee for that program. Recreation Director Tarr worked with her team to consolidate their fees into more generic line items.

Commissioner O'Neill asked about the holiday craft event being crossed out.

The City Manager stated it will fall under the special events fee being created on page 129.

Commissioner O'Neill asked about the Bandshell rentals and Civic Center and removing the half day charges.

The City Manager stated there were very few rentals below the 7-hour mark and due to staff wages they did choose to remove the half-day rental.

Commissioner O'Neill expressed that he thinks our street closure fees are much higher than surrounding areas. He also asked about discounts.

The City Manager stated the fees we have on our fee schedule are derived from hourly rates and estimated time to set up a closure and take it down. He stated that the City used to have a fee waiver program, and that program was eliminated when they initiated the fee resolution. He gave few examples of events from the past where time and materials were accounted for and why.

Chair Nootz asked about street closures and insurance.

The City Manager stated street closures are a difficult process, but does involve a bit of risk for the City, so for that reason they don't allow civilian closures.

Commissioner O'Neill stated he spoke with the Chamber of Commerce about their special event fees and recounted what they have paid over the years.

Commissioner Wilcox inquired about the three new Planning Fees.

The City Manager stated the floodplain development permit came from the most recent floodplain regulation update, and because it is a new process for the City they did need to create a fee. He stated the next 2 are planning actions that are becoming increasingly common tasks requested from staff.

Commissioner Wilcox asked about the section Other Police Department Fees.

The City Manager stated this specific item is to cover other events at the discretion of the Police Chief and City Manager. He referenced a specific event last year that they were unable to charge fees for as this was not included in the fee schedule at that time.

Commissioner Wilcox asked about the medications added to the fee schedule and wondered if they seek reimbursement from insurance, and wondered why these 4 were added to the list.

The City Manager stated yes, it is the intent to seek reimbursement from insurance. He also stated the Fire Chief noticed these 4 were missing and it's something they do use, so they were added to the fee schedule.

Vice Chair Willich asked about overtime and double overtime rates on page 124.

Finance Director Fetterhoff stated there are certain costs in regular time, such as health insurance, and those sorts of costs don't increase when you pay overtime or double time.

Vice Chair Willich asked about ALS and BLS.

The City Manager clarified it's mileage from the same EMS vehicle.

Chair Nootz asked if these fees are reviewed by Finance Director Fetterhoff for accuracy.

Finance Director Fetterhoff stated yes, they go through review but they reflect actual cost. She gave an example of Public Works billing for employee's actual wages, but when they look at charging for Police and Fire they take into account the wages and vehicles uses, etc.

Chair Nootz asked if this comes from what is union contracts.

Finance Director Fetterhoff stated yes, it does.

Public comment was offered by:

- Leslie Feigel asked about the fee schedule when street closures overlap on time for fees. She expressed that for her special events she is concerned about paying for City staff that are already on duty as part of fees for the events she hosts.
- Linda Mahr asked about cremation cost and wondered if that is the cost for cremation.
- Angela Devani asked about the difference in fees for county vs. city for the Rec Dept.

The City Manager stated that officers seen at these events fall into 2 types of classes. Those who are on duty and happen to be in the area of the event as part of their normal patrol obligations, but can be pulled off to a call or an emergent situation. Separate from that class of public safety employees, there are certain employees that are assigned to an event, and that is their detail for the day. He stated there is a reason that police and fire go very early on in the parade, and it's so they can clear the duty crew so they are able to go respond to normal calls that occur throughout the day.

Chair Nootz asked for greater detail on the timing and charges and also what goes into decision making for these types of events for street closures.

The City Manager stated that the fees are dependent upon the cost to provide certain services. He stated the vast majority of the Public Works employees' days end at 3:30 or 4 pm and that is why the fee difference occurs with the 4pm time change over. He explained overtime in various departments and how they function and differ from each other.

Chair Nootz asked about the internal process for the size of events.

The City Manager stated that events that close down streets are very complex undertaking for the City, especially ones in the downtown area. He shared that some business owners have reached

out to the City and stated that having closures downtown are not helpful for their business. He shared that special event applications are reviewed by all department heads for the City, then an invoice is created and given to the applicant.

Chair Nootz asked about cremation fees.

Finance Director Fetterhoff stated she verified with the Parks Dept. their fees, and this fee is appropriate for time to takes to dig a grave for cremation.

Chair Nootz asked about City fee vs. County fees for rec.

The City Manager stated the difference in fees appears mostly in the recreation area, and stated they operate out of the general fund. He stated the department has not operated on a 100% cost recovery model, and stated that is fairly standard in the industry. He shared that those departments try to recuperate around 30-35 % of their actual costs in providing programming. The difference comes from non-residents who don't pay taxes into the general fund which helps operate the Recreation Dept. He reminded as an example that the County Commission chose not to tax County residents to help fund the Wellness Center, whereas the City voted, and chose to tax themselves to fund the Wellness Center, so because of this the County fee for the Wellness Center access is higher.

Chair Nootz asked the City Manager to explain the General Fund.

The City Manager stated the general fund is the discretionary pot of money that is primarily funded from property tax dollars, so it funds those general operations of the City. He listed example depts. as police, fire, administrative services, recreation and planning.

Commissioner Wilcox listed a few other large events that happen within the City that use the same fee schedule. She also asked about nonprofit rates.

The City Manager explained the nonprofit rates exist in recreation for programming put on by nonprofits or other government entities.

Vice Chair Willich asked for clarity on plot sales and cost with infant plots.

Finance Director Fetterhoff stated there is a designated section in the cemetery for infants and children, and those plots are much smaller, so they are a lot cheaper in price than a full-size plot.

Commissioner Wilcox wondered about having a nonprofit rate and for-profit rate on special events.

Commissioner Daniels also wondered about nonprofit rates.

Vice Chair Willich expressed understanding of the nonprofit rates, but acknowledged that it means it would cost more for the for-profit events applicants, then they would also have to entice more for-profit applicants to close streets for events. He stated that the City cannot eat the cost of the difference for non-profit rates and he does not want taxpayers to pay the cost for non-profit rates. He also expressed thoughts that there should not be a fee for a plot in the infant/child section of the cemetery.

Chair Nootz explained the differences in nonprofit types and why it could potentially be messy to support nonprofit rates when it may not be supported by the community or safe related to political conflict, etc. She pointed out how many departments are impacted by events and 3 of those being

union departments. She expressed that these fees are what staff time is worth for these events and doesn't necessarily agree with nonprofit discount rates.

Commissioner O'Neill expressed understanding wanting nonprofit discounts, but understands why it's not great to have the discount for non-profits.

Commissioner Wilcox expressed that Chair Nootz made a valid point about staff time.

Commissioner Daniels expressed appreciation for the insight from Chair Nootz.

Vice Chair Willich expressed agreement with Chair Nootz. He would like to have further conversation about infant plots.

Commissioner Wilcox stated she likes that Vice Chair Willich brought up waiving the fee for infant graves. She wondered if it was acceptable to absorb the fee, and wondered what it would change the adult grave fee to cover this. She is happy with the rest of the fee schedule, but would like to sort out this fee portion with infant graves.

Chair Nootz asked if they could pull a few items and bring it back at a later date.

The City Manager stated no, it comes as a whole.

Chair Nootz wondered about how the City could partner with community events as opposed to saying a nonprofit event. She threw out the idea that if they want something from the City what could they give back to taxpayers and gave examples of a park or open space. She wondered if they are going to be subsidizing events, what is the comeback to the City. She wondered if this is possible.

The City Manager stated it is difficult to determine what falls into a community-based event. He stated many events such as the Farmers Market or the Parade do not have many locals, and events for locals that are hosting with alcohol are at times of- putting for families. He did state since we don't have sales tax it is difficult to protect taxpayers in this situation of nonprofit discounts, as it would be difficult to cover costs.

Chair Nootz stated if the City is going to sanction things like the parade it stops any political inclusion in that parade. She stated she is fine not voting on this tonight and bringing it back to talk about the graves.

The City Manager stated he will bring the fee schedule back.

Vice Chair Willich motioned for a 5-minute break, seconded by Commissioner Wilcox. Unanimously approved.

C. APPROVAL OF AGREEMENT 20222 WITH RAUSER BUILDERS LLC FOR FIRE STATION IMPROVEMENTS [PG.139](#)

The City Manager stated this project is for improvements to the living quarters at the fire station, and these improvements are necessary due to staff increases in the Fire Dept. FY26 budget. 4

firefighters will be added, which is 1 for each shift. The project is for an additional restrooms and bedrooms. This item is before the Commission as it exceeds the City Manager's \$50,000 approval limit. After approval of the contract, staff will administer the approval with the contractor and see the work to completion. In the event there is a change order that would require Commission approval for dollar threshold purposes, and would come back for review and approval. He stated that contracts like this that are pretty straightforward and standard will usually be on the consent agenda. He put it in the action agenda since it's the first contract the new Commission will approve in case they have questions.

Vice Chair Willich asked about change order policy and wondered if it is \$50,000.

The City Manager stated that both would be once it hits \$50,000 it would come to the Commission.

Public comment was offered by:

- Linda wondered if anyone gets back to contractors that bid and their reasons for their quotes.

The City Manager stated at the conclusion of a bid opening the responsible department does a responsibility and responsiveness review and the first part of the responsibility is an evaluation of the bidder to confirm they are not barred from bidding on contracts. When bids are as far apart as the ones received for this project, they don't necessarily do all of the extra outreach.

Commissioner Wilcox motioned to approve this item, seconded by Commissioner Daniels. Unanimously approved.

Vice Chair Willich expressed understanding of the bid process and what all goes into it.

Chair Nootz expressed excitement to have more staff for that department.

D. APPROVAL OF CITY PROCLAMATION POLICY [PG.153](#)

The City Manager stated this item is consideration of a policy to guide proclamations. The City does not currently have a policy for proclamations and they are placed on the agenda at the purview of the City Manager. This item is in response to a request by the City Commission, and is intended to solicit feedback on a proposed proclamation policy.

Public comment was offered by:

- Leslie Feigel expressed she is happy to see policy around proclamations.

Chair Nootz stated historically it's been confusing how proclamations work, and there is not a clear process. She feels it's a clear layout of how this form of government works through proclamations. She stated that having a clean process builds trust in government, and she doesn't have an issue with this.

Vice Chair Willich stated he likes that the step has been cleaned up, and there is a policy when previously it was pure discretion. He expressed appreciation of the development of policy around proclamations.

Commissioner Daniels asked how it worked prior.

The City Manager stated that they do maintain an internal proclamation calendar, and a lot of those proclamations are to acknowledge the contribution of staff members and recognize days of significance. He stated there is a national calendar that lists days and weeks to recognize that is used for reference.

Commissioner Daniels expressed how much she appreciates policy and likes that they will have this.

Commissioner Wilcox expressed thoughts to save on meeting time and whether reading or not reading proclamations at the meeting. She reviewed other cities policy and talked about their policy vs. the proposed policy.

The City Manager stated the reason he omitted the guideline that only one proclamation will be accepted annually per topic or organization is because the City is an organization and they do recognize different departments throughout the year. He stated he also would like to allow anniversaries, and gave an example of 9/11.

Commissioner Wilcox asked if proclamations are renewed every year.

The City Manager stated that no, they are not renewed every year.

Commissioner O'Neill asked if proclamations are denied do they let the requester know.

The City Manager stated he does not recall a time when a proclamation was denied. He does expect the requester would be notified.

Chair Nootz expressed concern with doing proclamations out and about, and stated it would appear like they are a mayoral form of government. She expressed that the policy is good.

Commissioner Daniels motioned to approve this item, seconded by Commissioner Wilcox. Unanimously approved.

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

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

9. City Manager Comment

The City Manager said good evening to everyone.

10. City Commission Comments

Commissioner O'Neill stated it has been an interesting and good night.

Commissioner Wilcox also expressed it was an interesting and good evening.

Commissioner Daniels also expressed it was a good evening.

Vice Chair Willich stated Christina Koch from Artemis was from Livingston and was the grand marshal in the parade in 2023. In a few weeks she will be with a group of people will the furthest traveled from the earth.

Chair Nootz talked about ASPEN is doing education on human trafficking on Tuesday the 27th. She showed the new Commissioners where to find union information on the City website at <https://www.livingstonmontana.org/hr/page/employee-information>

11. Adjournment

10:30pm Vice Chair Willich motioned to adjourn, seconded by Commissioner Wilcox. 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 Chair. 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).

The Chair shall have the discretion to solicit comments from the public in the following order: (1) residents of the City, (2) business owners or operators in the City, (3) other organizations conducting operations in the City, and (4) residents, businesses or organizations from outside the City. The Chair may limit each person's comment period to not less than three (3) minutes.

- **Meeting Recording:** An audio and/or video recording of the meeting, or any portion thereof, may be purchased by contacting the City Clerk. 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 City meetings, please contact the City Clerk at least 24 hours in advance of the specific meeting you are planning on attending.