



Livingston City Commission Minutes

March 03, 2026

5:30 PM

City – County Complex, Community Room

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1. Call to Order

5:34 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
- Assistant Chief Andrew Emanuel
- Streets Superintendent Patrick Stewart
- Public Works Director Shannon Holmes
- Water Superintendent Ryan Townsend

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 introduced the Girl Scouts to lead the room in saying 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)

Public comment was offered by:

- Bruce Whitfield, CEO of Livingston HealthCare, gave comment against the zoning change where Livingston HealthCare is located.
- Tim Watson stated there are deed restrictions for his land and the land where Livingston HealthCare is located and is against the zoning changes.
- Edleta Shans celebrated the rec center moving forward and gave a shout out to Recreation Director Tarr. Livingston Loves Trees is also looking for more tree adoptees. She expressed excitement that the City is lawsuit free, and asked how to avoid them going forward. She commented on the new table setup and wondered where the City Attorney would sit now though. She also asked for clarification on the overpass, and where to find reliable information.
- Rick and Mary expressed thanks to Chief Hard and Asst. Chief Emanuel for taking care of all members of the community, and meeting with them about various topics for the community. They asked the LPD issue a statement that they have not entered a 287 (g) agreement with US Immigration and Customs Enforcement, post an FAQ on the website accessible to the public regarding LPD operational standards for immigration related matters, they would like LPD to withdraw from the Missouri River Drug Task Force, and would like the City to implement a system to notify the community immediately of an ICE or CBP activity within City limits.
- Jay Keifer expressed concern about speed limits in certain areas of town.
- Delia expressed excitement about the pool and waterslide at the Rec Center.
- Izzy expressed concerns about building in open spaces as she is concerned for wildlife and suggested the City could build onto what already exists.
- Barb, who is the Executive Director for Friends of Park County, and expressed that protecting open space is important
- Linda Mahr expressed concern about fees going up and wondered if the City is getting away from the service that the City has been providing up to this point.
- Patricia Grabow thanked the City/County for the creation of the Bridge Program. She talked about the Miles Park and Sacagawea Park being on the National Historic Register, and would like to see the designation of Bozeman Trail. She would like to see the trees on Loves Ln preserved.
- Rick VanAken expressed the importance of the overpass.

Chair Nootz asked the City Manager to clarify the zoning at LHC and surrounding areas.

The City Manager stated there is a text amendment working its way through the Land Use Board, and should come before the Commission at the April 7th meeting and will give them the opportunity to discuss the zoning changes and allowable uses.

Chair Nootz asked for clarification on lawsuits, mandatory training, the presence of the City Attorney, and if the overpass is moving forward and whether it will impact taxes.

The City Manager stated that training is a great way to avoid lawsuits and the City does a lot of training. He stated the City has been served with nine lawsuits since he has been here, all from activities predating his time as City Manager. Four of those lawsuits were a result of

Commission action, and the ones on the operational side have been addressed through training and policy and procedure changes. He stated that as a matter of cost he and the City Attorney decided that he would not attend every meeting, but he will attend when there are legal matters to address. He stated the most reliable source of information for the community is the packet for every meeting. He stated he has a meeting with BNSF Railway tomorrow to discuss a grade-separated crossing. He also included that the Commission is moving forward with the alternatives analysis, and the City not to the point of determining the details of an additional crossing or the funding, and the most reliable source of information is directly from the City.

5. Consent Items

- A. APPROVAL OF MINUTES FROM FEBRUARY 17, 2026, REGULAR MEETING [PG.4](#)**
- B. APPROVAL OF MINUTES FROM CLOSED SESSION ON FEBRUARY 17, 2026**
- C. APPROVAL OF CLAIMS PAID 2/12/26 - 2/25/26 [PG.93](#)**
- D. JUDGES MONTHLY REPORT FOR JANUARY 2026 [PG.105](#)**
- E. AGREEMENT 20247 WITH LIVINGSTON BASEBALL AND SOFTBALL ASSOCIATION [PG.107](#)**
- F. SUBMISSION OF MONTANA STATE HISTORIC PRESERVATION OFFICE 2026-27 CERTIFIED LOCAL GOVERNMENT GRANT APPLICATION [PG.120](#)**

Commissioner O'Neill pulled Consent Item C.

Vice Chair Willich motioned to approve Consent Items A, B, D, E, and F, seconded by Commissioner Daniels. Unanimously approved.

Commissioner O'Neill asked about the L&L Service trailer rental.

The City Manager stated this is related to solid waste hauling over to Logan, and in the fall one of the three trailers became disabled, and the City rented one from L&L Service.

Commissioner O'Neill asked about a refund to the Chamber of Commerce.

The City Manager stated it is for a business license refund as they are a non-profit.

Commissioner O'Neill asked about employee appreciation costs.

The City Manager stated that each December the City holds an employee appreciation party, and as part of that the City gives each employee a holiday card and a \$50 gift certificate.

Commissioner O'Neill asked about MSU charges for the bike lane on Lewis Street.

The City Manager stated that was related to a collaboration the City did with MSU's Transportation Institute on the Lewis Street bike lanes. A team came out and did an assessment of the roadway.

Commissioner Daniels asked about the refund for fraud.

The City Manger stated it was on the WRF Superintendent's card and was refunded.

Commissioner O'Neill motioned to approve Consent Item C, seconded by Commissioner Wilcox. Unanimously approved.

6. Proclamations

A. A PROCLAMATION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, DECLARING MARCH 12, 2026 AS GIRL SCOUT DAY IN LIVINGSTON, MONTANA [PG.132](#)

Chair Nootz read the proclamation.

The City Manager thanked the Girl Scouts for coming tonight and stated he looks forward to seeing them grow in the community.

Chair Nootz recognized the troops in the room, and offered ways for the City to partner with them.

B. A PROCLAMATION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, DECLARING MARCH 13, 2026 AS NATIONAL K9 VETERANS DAY IN LIVINGSTON, MONTANA [PG.134](#)

Chair Nootz read the proclamation.

The City Manager expressed thanks for the City's 2 K9 police members.

7. Scheduled Public Comment

8. Action Items

A. PRESENTATION OF THE 2025 LIVINGSTON POLICE DEPARTMENT ANNUAL REPORT [PG.136](#)

The City Manager introduced the Police Chief Wayne Hard.

Chief Hard gave a brief presentation.

The City Manager expressed thanks to Chief Hard and Asst. Chief Emanuel for their hard work.

Commissioner O'Neill thanked Chief and his team for their hard work.

Commissioner Wilcox thanked the Chief for community-oriented policing. She asked if there is something the community can do to handle the uptick in domestic violence and sex offenses.

Chief Hard stated that domestic violence and sex offenses have risen year after year. He spoke very highly of the partnership with ASPEN. He stated that, as far as the department goes, these crimes are more reactive for them, but nothing is planned as of yet. The department will review the statistics and try to make plan regarding these things.

Vice Chair Willich thanked the Chief for his hard work. He asked what an agency-initiated complaint is.

Chief Hard stated it is when an officer violates policy.

Chair Nootz asked about a staff analysis and recommendation from department and City Manager.

The City Manager the City does not have any of these active agreements. If the City were to enter one of these agreements, it would be a decision of the City Commission.

Chair Nootz asked if a statement of intention would come with something like this.

The City Manager stated the statement would the staff report that would come to the Commission for this item.

Chair Nootz asked about FAQs on the website.

The City Manager stated that the City has FAQs on the website that are out dated, but being worked on as part of a possible website transition.

Chair Nootz asked about the Missouri River Drug Task Force contract.

The City Manager stated this MOU comes before the Commission annually, and requirements in the MOU are to provide funding to Park County to fund a portion of their deputy who is detailed to the task force.

Chair Nootz asked if the MRDTF has been co-opted by ICE or if any funding goes toward ICE activities.

Chief Hard stated no, the MRDTF has not been co-opted by ICE. He stated there is an MOU with Customs and Border Patrol for 2 intelligence analysts to work with the office in Bozeman and 2 to work with the office in Helena. He stated they are not field agents and are not using MRDTF to do any immigration enforcement.

Chair Nootz asked if there is a system the City has or would consider regarding ICE or CBP activity alerts.

The City Manager stated the City does have access to the Nixle system, which is capable of providing reverse 911 text messages. It has not been used in the manner asked about.

Chair Nootz asked how events correlate with incident rates for the Police Department, specifically large community events that include alcohol.

Chief Hard stated officers are at these events and they are not there for strict enforcement action, but to keep the community within the bounds of the open container waivers received for events, and if there is no open container waiver then they encourage the community members to head back into the establishment where the alcohol was purchased. They reserve arrests or citations for very serious offenses.

Chair Nootz asked if there is increase in arrest, DUIs, or disorderly conduct.

Chief Hard stated that, generally, not during the events. He stated some of the larger events do correlate with a rise in DUI drivers and they do their best to address those issues.

Chair Nootz shared that she gets many compliments about the Police Department. She expressed happiness that the department is no longer understaffed. She thanked the Chief for his professionalism during a tough time during 2025.

Chief Hard gave a big shout out to his department.

Chair Nootz motioned for a 10-minute break, seconded by Vice Chair Willich. Unanimously approved.

B. PUBLIC WORKS DEPARTMENT STREETS DIVISION UPDATE [PG.181](#)

The City Manager introduced the Streets Division Superintendent Patrick Stewart.

Streets Superintendent Stewart gave a brief presentation.

The City Manager shared how dedicated the Streets team is.

Commissioner O'Neill thanked Stew and the Streets team for their service.

Commissioner Wilcox thanked the Streets team for their work.

Commissioner Daniels thanked the Streets team for all that they do.

Vice Chair Willich shared that one of his favorite Streets thing is the alley cleanup that they do. He expressed appreciation for the Streets team.

Chair Nootz thanked the team for working on the lights and signs. She thanked them for doing all the cross-training.

C. UPDATE ON CITY STORMWATER UTILITY [PG.183](#)

The City Manager gave a brief presentation.

Commissioner O'Neill asked if the first priority is to get maintenance done on the systems that need to be fixed.

The City Manager stated yes, and it is work that is ongoing.

Commissioner O'Neill asked about having all of this done before Livingston becomes a Class A city.

The City Manager stated the Capital Project work will not be done in that amount of time. He understands this is a community issue and staff are working to address the issue.

Commissioner Wilcox referenced page 202 and asked about Interfund Transfers and Operating Reserves.

The City Manager stated the \$564,000 is the revenue requirement, and that is usually derived from expenses. An interfund transfer is an internal cost recovery mechanism. All enterprise funds interfund transfer back to the general fund, and that covers various employees' salaries and benefits. Operating reserves are a standard practice so that a fund balance does not go negative early in the year before the first property tax payment is received in November.

Commissioner Wilcox asked about the recommendation that they should look at five years' worth of projects and that total would be \$1.7 million, and wondered about the breakdown of \$7 per month for residents, and whether it will give enough for the \$564,000 and incrementally be able to fund the \$1.75 million over five years.

The City Manager stated that is correct. He stated that the operating reserve buildup only occurs in the first year of the fund, and once the reserve is built up there is a reallocation in future years of that \$110,00 away from operating reserves into both capital and operations and maintenance costs.

Commissioner Wilcox asked if the rate would go up in the first five years.

The City Manager stated there would be less pressure to increase that rate than some others.

Commissioner Wilcox asked if stormwater is currently coming out of the water and sewer portion of the utility bill.

The City Manager stated the primary funding mechanism for stormwater is the street maintenance assessment. It is still paid by taxpayers, but in a different pot of money.

Commissioner Wilcox asked about population projections.

The City Manager stated the American Community Survey figure for 2025 places our population slightly over 9,200, and code does require that we consider the number of hotel and other beds available for rent or lease, so when you look at the ACS numbers that way, we are actually over 9,500 today.

Commissioner Daniels asked if they have thought about ways to start engaging with the public about this as she feels this is an important part of the process.

The City Manager stated yes, they have, and the only reason they have not been more active in public engagement is because of the election and this Commission having three new members, but there is an engagement plan ready to roll out.

Public comment was offered by:

- Linda Mahr is in favor of paying a flat rate and getting it on her utility bill in order to take care of the Yellowstone.
- Patricia Grabow expressed the importance of engaging the public, but feels this is not a priority of the public.
- Sarah Stands is the Community Resilience Director for PCEC and expressed strong support for the stormwater utility.
- Barb expressed understanding of this need, but would like to see an overpass for the folks that live on the other side of the tracks.
- Leslie Feigel expressed concern about commenting on certain items and not on others, she also shared that populations counts may be incorrect. She really feels this needs more time to be discussed and clarify what this is actually for.
- Becky Bird expressed understanding that the cost of things will keep going up. She would like to see more public engagement in a way the public can understand. She asked for clarity about rates.

Chair Nootz clarified that the reason department updates were not open to public comment was because the Commission had department updates as a high priority, but she reminded everyone that the Commission cannot direct staff, so they don't open the department updates to public comment. This item was open because the City Manager and staff need direction from the Commission on what they would like to do, which involved input from the public.

Chair Nootz asked about the difference between storm drains and a stormwater utility.

The City Manager stated the fundamental difference between a storm drain an MS4 (municipal separate storm water system) is that the stormwater system treats the water that is collected before it is dispersed or from the system. The existing infrastructure does not pre-treat the water before it is discharged That is why when the rains came several years ago while the City was chip sealing, the lagoon ended up in the situation that it did when some of the chemicals worked their way through the system because there was no pre-treatment in that area. There is a pre-treatment device at Main and Geysler, known as a StormScepter that does mechanically removes sand, oil, and grit from water and discharges clean water while retaining all other items that have been pulled out. He stated that the City lacks storm water drains and inflows, but what it really lacks is the pre-treatment before discharge, and that is one of the requirements of the MS4 when we hit 10,000 in population.

Chair Nootz explained the Rate Comparison slide.

Public Works Director Holmes gave a brief history of his time working on this project and flow of stormwater around town and the benefits of having a stormwater utility.

Water and Sewer Superintendent Townsend stated the importance of being able to maintain this stormwater utility.

Chair Nootz thanked Public Works Director Holmes and his team for taking care of this and helping push this forward. She feels it would be problematic to wait on the project, and likes the idea of taking care of this as the issue presents itself rather than having to build new roads, then rip up those new roads to put in infrastructure, then rebuild the roads.

Vice Chair Willich expressed that this is an understood cost for this type of project. He expressed not wanting to do the flat rate for everyone, and to make sure people pay what is appropriate. He wants to understand more of what the actual number is going to be. He stated that understanding how much rain we get, and how far it goes, and how it impacts things, such as cost, is important for them to know.

Commissioner Daniels expressed concern about public safety and care of the Yellowstone and wants to keep moving this item forward, including public engagement.

Commissioner Wilcox expressed that the community cares about keeping up with infrastructure. She expressed that they have a responsibility to move this forward, but is sympathetic to the community's utility bill going up. She would like to see the item keep moving forward.

Commissioner O'Neill expressed that his main concern is that the community pays too many taxes already, but understands that the City needs to do things like this. He would like to see a lot more discussion about this item though.

The City Manager stated they will move this forward and prioritize community engagement. This item will come back to the Commission as part of the budget process.

Chair Nootz motioned for a 5-minute break, seconded by Commissioner Daniels. Unanimously approved.

D. DIRECTION TO SUBMIT CONGRESSIONALLY DIRECTED SPENDING REQUESTS [PG.222](#)

The City Manager stated U.S. Senator Sheehy's office has released an application for Congressionally Directed Spending Requests. These are similar to what was known as earmarks. These spending requests would be included in FY 27. The grant awards would not be made for a year or more after passage of that appropriations bill. He stated there are limitations and funding cannot be for salaries, employee benefits, beautification purposes, or projects that primarily provide for construction to conduct local government services. In the last meeting the Commission expressed interest in several different projects. He stated that he and City staff spoke with Senator Sheehy's office and that receiving a grant for a rail crossing would not be likely, same with a Veterans Memorial or sidewalk and active transportation work would not be considered. The list of projects that would be considered are on page 224 of the packet, and he gave a brief description of each.

Commissioner Daniels asked which projects Senator Sheehy's office recommended.

The City Manager stated the Regional Water Project was favorably received by the Senator's staff, and it was indicated that a water project would receive funding in that \$2 to \$5 million range. He stated that the Main/B Street underpass was favorably received because it addresses stormwater issues and public safety issues. He also stated there was a desire to fund public safety in more rural areas.

Public comment was offered by:

- Linda Mahr asked about something that Troy Downing announced with a deadline of March 6th.

The City Manager stated that he and City staff are aware of Representative Downing's outreach, and several of these items have been communicated to Representative Downing and his staff in the past.

Commissioner O'Neill stated his order of projects would be the waterline in Green Acres, Main/B Street underpass, then public safety equipment.

Commissioner Wilcox agreed with the projects Commissioner O'Neill listed.

Commissioner Daniels stated she would like to go for the Regional Water project, and pointed out that Senator Sheehy's office indicated they were interested in funding public safety, so she believes it would be good to apply for those.

Vice Chair Willich stated he understands the need for the Regional Water Project, but likes the idea of applying for the ladder truck.

Chair Nootz stated her priority is the Regional Water, and she agrees with Commissioner Daniels about applying for the items for public safety.

The City Manager stated that based on feedback the top 3 are Regional Water, Main/B Underpass, and public safety equipment.

Commissioner Wilcox motioned to approve this item for the Regional Water Project, Main/B Street underpass, and public safety equipment, seconded by Commissioner O'Neill. Unanimously approved.

E. DISCUSSION REGARDING CITY EXTERNAL COMMUNICATIONS [PG.228](#)

The City Manager stated this is a 2-part conversation, and one is how the City communicates, and the second is the Commission's desire to hold Town Hall meetings. He would like input and direction on the schedule for those, and the format of the Town Halls.

Commissioner Wilcox expressed liking the portable message boards and thinks they could be used more for different things. She also liked the idea of press releases after meetings. She wondered if they really wanted to do Town Halls quarterly or just as needed. She likes the idea of moving the location around for the Town Halls, and having them be at various different times to meet the needs of the public. She suggested a format of being topic specific with a lot of Q&A.

Commissioner O'Neill likes the idea of having the Town Halls quarterly, and stated it gives the public a way to discuss topics of concern. He likes the idea of purchasing more portable message boards to announce things around town. He doesn't feel like surveys reach enough people around town.

Commissioner Daniels expressed wanting to dedicate the Town Halls to a specific time in every quarter so the public is aware. She would like to get feedback from the public on what kind of communication they like and want from the City.

Vice Chair Willich recognized that on the chart in the packet there seems to be many ways the information goes out, but not a lot of ways the information comes in from the public. He would like to hear from the community on what communication works best for them. He would like the Town Halls to be structured, but casual, and focused on talking about 1 big item at a time.

Chair Nootz recalled when she first started on the Commission and meetings were so short and quick, and not many process questions were asked, but she feels like things have come a long way now where process is discussed and they work through deliberations and questions. She recalled many ways communication has improved since the current City Manager started here in Livingston. She stated she has heard from the public that they want more time to comment at meetings. She likes the idea of information texts, but understands that it has a cost. She likes the Town Halls being mixed up around town and inside City limits. She thinks the facilitator of the meeting would be dependent upon the meeting topic.

Public comment was offered by:

- Laurie Bishop, from Live Well 49, shared some tools the community can use to share information.
- Patricia Grabow recalled how great the feedback was from the previous Planning Director and she enjoyed his style. She wants to start with priorities, and she thinks the Fairgrounds is a great location for Town Halls.
- Vicky Vanbuster stated she attended a Town Hall that was really contentious, and everyone was very riled up. She has since attended some Commission meetings and really enjoys the system the City Commission uses, and she liked the mix of City staff, too.
- Edleta Shans likes the ideas of Town Halls with structure.
- Becky Bird stated the City Commission does a good job communicating with the public, but realizes that it is also up to the public to attend the meetings and participate, and the public cannot be forced to do that. She expressed concern about the cost for all the added communication.
- Leslie Feigel reminded the Commission that she has facilitated Town Halls before and stated she has ways to help the Commission do this, and suggested using the Fairgrounds to hold these.

Commissioner Daniels expressed the need for more time to work through this item because it deserves more time.

Commissioner O'Neill and Commissioner Wilcox both expressed interest in continuing this item at a later date.

Commissioner Daniels motioned to continue this item to the next City Commission meeting, seconded by Vice Chair Willich. Unanimously approved.

9. City Manager Comment

The City Manager stated MMIA is hosting Executive Forum in Livingston over the next 3 days, so City Managers and Mayors from Montana will be attending in Livingston. He stated he also has a meeting with several people from BNSF about some projects.

10. City Commission Comments

Commissioner O'Neill stated he is attending the community business breakfast and asked about noticing.

Commissioner Wilcox expressed these meetings are important and productive.

Commissioner Daniels expressed that she learned a lot tonight. She also toured the Wellness Center and thought it was great.

Vice Chair Willich thanked everyone for the long productive meeting.

Chair Nootz thanked everyone from coming. Explained she is very risk averse and runs on transparency, and really explained why she asks a lot of questions and works through process.

Vice Chair Willich expressed that lawsuits are a real deal, and losing those can be really hard on a City if they lose. He reminded that Chair Nootz takes her time and works through each item to bring clarity and transparency and it's in an effort to help avoid lawsuits and the public needs to see how they work through the process.

11. Adjournment

Vice Chair Willich motioned for adjournment, seconded by Commissioner Daniels. Unanimously approved.

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.