



Livingston City Commission Minutes

January 17, 2023

5:30-8:30 PM

City – County Complex, Community Room 414 E. Callender St. and by Zoom

<https://us02web.zoom.us/j/87011870760?pwd=Qzg3QmVseFBVeGhGaWdsQnZTNTFIZz09>

MEETING ID: 870 1187 0760 **PASSCODE: 678119** CALL IN: (669) 900-6833

1. Call to Order

2. Roll Call

In attendance: Chair Melissa Nootz, Vice-Chair Karrie Kahle, Commissioner Mel Friedman, Commissioner Quentin Schwarz, Commissioner Torrey Lyons. Staff in attendance, City Manager Grant Gager, acting City Attorney Jay Porteen, participating virtually, Finance Director Paige Fetterhoff, Planning Director Jen Severson, 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)

4. Consent Items 5:36 p.m.

A. APPROVE MINUTES FROM JANUARY 3, 2022 REGULAR MEETING.

B. RATIFY CLAIMS PAID 12/21/2022-01/10/2023.

- Lyons made motion to approve, second by Kahle.
Passes 5-0

5. Proclamations

6. Scheduled Public Comment 5:37 p.m.

A. JIM BAERG, PRESENTS THE 2023 ZONING COMMISSION ANNUAL REPORT.

- Gager introduced item
- Baerg gave presentation
- Nootz asked Gager for clarifying comments
- Lyons made comments
- Nootz made comments

B. LAUREL DESNICK, PRESENTS THE 2023 CITY TREE BOARD ANNUAL REPORT. 5:58 p.m.

- Gager turned presentation over to Desnick
- Nootz made comments
- Friedman made comments

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 6:07 p.m.

A. RESOLUTION NO. 5079: RESOLUTION RELATING TO SPECIAL IMPROVEMENT DISTRICT BONDS (SPECIAL IMPROVEMENT DISTRICT NO. 181), SERIES 2023, IN THE ORIGINAL AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,505,000; AUTHORIZING THE ISSUANCE AND CALLING FOR THE SALE AND DELEGATING TO A PRICING COMMITTEE THE AUTHORITY TO SET THE TERMS THEREOF WITHIN THE PARAMETERS SET FORTH IN THIS RESOLUTION.

- Gager introduced item
- Kahle motioned to Resolution No. 5079, second by Schwarz
- No clarifying questions
- No public comments
- No Commission deliberation
All in favor, passes 5-0

B. RESOLUTION NO. 5080: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN THE CLG PROGRAM GRANT APPLICATION WITH THE MONTANA STATE HISTORIC PRESERVATION OFFICE, FOR THE CLG GRANT PERIOD APRIL 1, 2023-MARCH 31, 2024. 6:11 p.m.

- Gager introduced item
- Lyons asked clarifying question
- Gager deferred to Severson
- Severson made clarifying comments
- Lyons motioned to approve Resolution No. 5080, second by Kahle
- Desnick made public comment
- Kahle made comments
- Schwarz made comments

- Nootz made comments
 - Lyons made comments
- All in favor, passes 5-0

C. RESOLUTION NO. 5081: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT GRANTING AN EASEMENT TO THE CITY THROUGH THE PROPERTY OF KATHRYN AND TODD QUISEL, FOR THE INSTALLATION AND MAINTENANCE OF A WATER AND SEWER LINE. 6:19 p.m.

- Gager introduced item
 - Kahle asked clarifying question, if the Quisels would consider a more wildlife friendly fencing options
 - Lyons asked clarifying question
 - Todd Quisel made comments
 - Kahle made additional comments
 - Schwarz made clarifying comments
 - Motion by Schwarz to approve Resolution No. 5081 with no amendments to the MOU, second by Kahle
 - No public comments
 - Lyons made comments
 - Schwarz made comments
 - Gager made comments
 - Nootz made comments
- All in favor, passes 5-0

10. Action Items 6:34 p.m.

A. DISCUSS/APPROVE/DENY: CONSIDERATION OF SUPPORT FOR MONTANA LEAGUE OF CITIES AND TOWNS ISSUE CAMPAIGN.

- Gager introduced item
- Lyons asked clarifying question
- Gager answered and called on interim attorney Porteen
- Porteen made clarifying comments
- Schwarz asked clarifying questions
- Kahle made comments
- Motion by Schwarz to approve action item A, to authorize the City Manager to provide up to \$2,500 in financial support to the Montana

League of Cities and Towns' 2023 campaign against preemption second by Lyons.

- No public comment
 - Lyons made comments
 - Schwarz made comments
 - Kahle made comments
 - Friedman made comments
- All in favor, passes 5-0

B. DISCUSS/APPROVE/DENY: CONSIDERATION OF ACCEPTANCE OF LAND TRANSFER FROM PARK COUNTY. 6:47 p.m.

- Gager introduced item
- Lyons asked clarifying questions
- Gager answered
- Kahle motioned to approve to approve to direct the City Manager to work with the Park County Commission to affect the transfer of County-owned land located in the Montague Subdivision at Block 3 Lot 18-21 and Block 21 Lot 7-21, seconded by Lyons.
- No public comments
- Lyons made comments
- Kahle made comments
- Nootz made comments
- All in favor, passes 5-0.

Motion to recess 10-minutes, Nootz, second by Friedman passes 5-0. 6:56 p.m.

C. DISCUSS: DIRECTION TO STAFF ON PROCUREMENT POLICY DEVELOPMENT. 7:08 p.m.

- Gager introduced item
- Nootz asked process question
- Gager answered
- No public comment
- Schwarz made comments
- Lyons made comments
- Gager made additional comments
- Kahle asked clarifying questions
- Nootz asked clarifying questions
- Gager made final comments

D. CLOSED EXECUTIVE SESSION PURSUANT TO MCA 2-3-203(3) and MCA 2-3-203(4)(a). 7:33 p.m.

- Nootz motioned to enter into closed session, second by Kahle.
- Returned to open session at 8:08 p.m.

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

12. City Commission Comments 8:10 p.m.

15. Adjournment 8:15 p.m.

Motion by Friedman, second by Schwarz all in favor passes 5-0.

Supplemental Material:

A. 2023 Livingston Recreation Winter Activity Guide

Participating virtually:

Holly Happe
Gerald Happe
Doug Braham
John Carroll
Katie Weaver