

LIVINGSTON CITY COMMISSION REGULAR MEETING MINUTES

Tuesday, November 5, 2020, 5:30 pm

Zoom Online Meeting ID: 849 5928 8918

1 Call to Order

2 Roll Call

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

3 Public Comment:

* Michelle Uberuaga made comments (00:6:52)

4 Consent Items: (00:08:01)

A. Schwarz motioned to approve items A-C, Friedman seconded.

All in favor, passed 5-0.

5 Proclamations:

6 Scheduled Public Comment:

Kardoes suggested moving Action item A to the next business item, so the Chamber didn't have to wait through all the Zoning matters. Commission concurred.

7 Action Item A. (00:04:19)

A. Discuss/Approve/Deny: Livingston Chamber of Commerce fee waiver request, for 2020 Downtown Christmas Stroll.

* Leslie Fiegle made comments (00:04:32)

* Kardoes made comments (00:12:01)

* Patricia Grabow made comments (00:13:08)

* Michelle Ubueraga made comments (00:14:52)

* Friedman made comments (00:16:22)

* Schwarz made comments (00:17:41)

* Nootz made comments (00:18:44)

* Mabie made comments (00:21:50)

* Hoglund made comments

Hoglund motioned to table item for a next agenda, Mabie seconded.

All in favor, 5-0 motion passes, item tabled for future consideration.

8 Public Hearings: (00:31:53)

A. Ordinance No. 2094: An Ordinance of the City Commission of the City of Livingston, Montana, Amending Section 30.13 of the Livingston Municipal Code Entitled Official Zoning Map of the City of Livingston by re-zoning a 2,250 square foot parcel described as Livingston Minnesota, triangular piece of south of block 48 by Chinook and K St. from Medium Density Residential: Mobile Home (R-II (MH)) to Industrial (I).

* Kardoes made opening statement

* No public comment

* Nootz made comment (00:35:55)

* Friedman made comment (00:39:10)

* Jim Baerg made comment (00:39:40)

Mabie motioned to approve, Schwarz seconded.

All in favor, passes 5-0.

B. Ordinance No. 2090: An Ordinance of the City Commission of the City of Livingston, Montana, Amending article VII, Chapter 30 of the Livingston Municipal Code entitled Zoning, as it pertains to accessory dwelling units. (00:41:20)

- * Kardoos made opening statement
 - * Johnathan Hettinger made comment (00:44:09)
 - * Nootz made comment (00:45:52)
 - * Mathieu Menard made comment (00:54:42)
 - * Friedman made comment (00:59:01)
 - * Jim Baerg made comment (01:01:20)
 - * Schwarz made comment (01:02:54)
 - * Hoglund made comment (01:04:24)
 - * Mabie made comment (01:31:17)
- Schwarz motioned to approve, Mabie seconded.
All in favor, passes 5-0.

C. Ordinance No. 2091: An Ordinance of the City Commission of the City of Livingston, Montana, Amending article VII, Chapter 30 of the Livingston Municipal Code entitled Zoning, as it pertains to assisted living facilities. (01:33:40)

- * Kardoos made opening statement
 - * No public comment
 - * Nootz made comment
- Schwarz motioned to approve, Mabie seconded.
All in favor, passes 5-0.

9 Ordinances:

A. Ordinance No. 2092: An Ordinance of the City Commission of the City of Livingston, Montana, amending article VII, Chapter 30 of the Livingston Municipal Code Entitled Zoning, as it pertains to Zoning Commission Text Amendments. (01:35:10)

- * Kardoos made opening statement
 - * Jim Baerg made comment (01:36:59)
 - * Nootz made comment (01:38:58)
 - * Lawellin made comments (01:43:10)
- Friedman made motion to approve, Schwarz seconded
All opposed, fails 0-5

B. Ordinance No. 2093: An Ordinance of the City Commission of the City of Livingston, Montana, amending article VII, Chapter 30 of the Livingston Municipal Code Entitled Zoning, as it pertains to text amendments. (01:50:08)

- * Kardoos made opening statement
 - * No public comments
 - * Mathieu made comments (01:51:37)
 - * Nootz made comment (01:53:48)
 - * Hoglund made comment (01:56:48)
- Friedman motioned to approve, Nootz seconded
All in favor, passes 5-0.

10 Resolutions:

A. Resolution No. 4928: A Resolution of the City Commission of the City of Livingston, Montana, of it's intent to change the name of Northtown Road within the Northtown Subdivision to Sweetgrass Lane. (01:57:31)

- * Kardoos made opening statement
 - * No public comments
- Friedman motioned to approve, second by Mabie
All in favor, passes 5-0.

Kardoes suggested moving Resolution No. 4929 to end, after discussing Action Item B. Commission concurred (02:01:08)

11 Action Item B. Discuss/Approve/Deny: CARES Act Revenue Funding Options (02:01:52)

- * Kardoes made opening statement
- * Johnathan Hettinger made comment (02:18:18)
- * Laurel Desnick made comment (02:22:26)
- * Becca Frucht made comment (02:24:57)
- * Josh Morris made comment (02:26:44)
- * Barb Oldershaw made comment (02:30:48)
- * Sarah Stands made comment (02:32:48)
- * Marshall Swearingen made comment (02:36:40)
- * Dann Babcox made comment (02:37:49)
- * Joseph Burlington made comment (02:42:01)
- * Karrie Kahle made comment (02:44:12)

***Motion to extend the meeting beyond 3 hour time limit, all in favor. (02:46:27)**

- * Sabina Strauss made comment (02:47:48)
- * 5 Minute recess (02:49:24)
- * Nootz made comments (02:49:24)
- * Barb Oldershaw made comment (02:50:18)
- * Mabie made comment (02:58:24)
- * Kardoes made clarifying statements (02:59:06)
- * Schwarz made comments (03:01:45)
- * Hogle made comments (03:02:33) * Requested Wellness Center update, Kardoes will reschedule Wellness Center Meetings with Consultant for Commission, then can be an action item on next agenda. *
- * Mabie made comment (03:09:13)
Nootz motioned to approve \$22k for Warming Center, \$50k for the Park Co. Housing coalition, for the Park Co. Housing Assessment and Action Plan, and \$15k for the new ADA Compliant website, and gender neutralization code, seconded by Mabie.
All in favor, motion passes 5-0.

12 Resolutions: (moved after Action Item B)

B. Resolution No. 4929: A Resolution of the City Commission of the City of Livingston, Montana, of authorizing the City Manager to sign a Buy-Sell Agreement with David Amsk for the purchase of his building located at 220 E. Park St. in Livingston (03:12:06)

- * Kardoes made opening statement
- * Sarah Stands (03:22:16)
- * Johnathan Hettinger (03:26:45)
- * Michelle Uberuaga (03:30:26)
- * Sabina Strauss (03:31:44)
- * Hogle made comments (03:34:16)
- * Schwarz made comments (03:39:44)
- * Nootz made comments (03:41:29)
- * Mabie made comments (03:50:15)
- * Friedman made comments (03:53:24)
- * Lawellin made comments (03:58:15)

Schwarz motioned to approve Resolution No. 4929 w/ amendment to authorize the City Manager to negotiate on behalf of the City Commission to see if seller is willing to accept less than the asking price of \$950,000.00. Second by Mabie, motion passes 4-1. Nootz against.

13 City Manager Comments: (04:08:02)

Kardoes updated Commission Montana DOT ended our urban route funds agreement
Provided update on Large Format Retail was on the last Zoning Commission Agenda,
Zoning Commission did not get to it before their meeting adjourned.

14 City Commission Comments

- * Nootz: (04:09:19)
- * Mabie (04:12:23)
- * Friedman (04:13:24)
- * Schwarz (04:14:47)
- * Hoglund (04:15:21)

15 Adjournment pm (04:18:11)