



Livingston City Commission Minutes

January 21, 2025 — 5:30 PM

City – County Complex, Community Room

<https://us02web.zoom.us/j/82115423002?pwd=0Pj7nJqccnuEp03tvvQS2fPT97IFGy.1>

Meeting ID: 821 1542 3002

Passcode: 024891

1. Call to Order

Chair Schwarz call the meeting to order at 5:30 PM

2. Roll Call

Commissioners Present

- Chair Schwarz
- Commissioner Kahle
- Commissioner Lyons
- Commissioner Willich

Commissioners Absent

- Vice Chair Nootz (Arriving at video mark 23:09)

City Staff Present

- City Manager Grant Gager
- Policy Analyst Greg Anthony
- City Attorney Jon Hesse
- Chief of Police Wayne Hard
- Assistant Chief of Police Andrew Emanuel
- Planning Director Severson

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)



Patricia Grabow stated Downtown Business Owners Association would like to share that business is down about 20%. She presented the Commission with a packet of proposed prosperity of downtown

Leslie Feigel thanked the City Manager and Chair Schwarz for attending the ribbon cutting for the Park County drop in center.

4. Consent Items

- A. APPROVAL OF MINUTES FROM JANUARY 07, 2025, REGULAR MEETING [PG.4](#)**
- B. APPROVAL OF CLAIMS PAID 1/2/25 - 1/15/25 [PG.12](#)**
- C. CONSOLIDATED LAND USE BOARD APPOINTMENTS [PG.24](#)**
- D. AGREEMENT 20149 FOR PARK COUNTY CRISIS COALITION CHARTER RENEWAL [PG.27](#)**
- E. APPROVAL OF LIVINGSTON WEST LLC'S MOUNTAIN VIEW MAJOR SUBDIVISION FINAL PLAT [PG.36](#)**

Commissioner Kahle motioned to approved consent items A – E seconded by Commissioner Lyons. Unanimously approved.

5. Proclamations

- A. A PROCLAMATION OF THE CITY COMMISISON OF THE CITY OF LVINGSTON MONTANA, DECLARING APRIL 25, 2025 AS NATIONAL ARBOR DAY IN LIVINGSTON MONTANA [PG.163](#)**

Chair Schwarz read the proclamation

The City Manager stated looks forward to April 25th to celebrate Arbor Day

Commissioner Lyons expressed appreciation for the transplanting of trees from Katie Bonnell Park instead of cutting them down.

Commissioner Kahle thanked folks who have adopted trees over the past three years.

6. Scheduled Public Comment

- A. CONSOLIDATED LAND USE BOARD YEAR END SUMMARY 2024 [PG.166](#)**

The City Manager stated the Chair for the Consolidated Land Use Board is absent tonight, so they will moved on to the next item.

7. Action Items

- A. POLICE DEPARTMENT PRESENTATION TO CITY COMMISSION**

The City Manager stated it has been about a year since Chief Hard was appointed to Chief and felt it would be great to bring him in to review his time as Chief and hear about the department.



Chief Hard presented with slides which showed the different subsections of the Livingston Police Department, and what they do and how their whole department functions.

The City Manager expressed thanks to the police department and reflected on the Chief hiring process where Chief Hard stood out from all the rest of the candidates that included some that came from very large and complex agencies. He stated Chief Hard really won that position fairly and is happy to see his growth in the position as Chief. He also recognized Assistant Chief Andrew Emanuel as a great asset to the police force.

Commissioner Willich inquired about the juvenile arrests information shown in the presentation and wondered how that compared to other municipalities of our size.

Chief Hard stated he is unsure about other municipalities, but that number is about the same number they have had over the past few years.

(Vice Chair Nootz entered the conversation as video mark 38:35)

Vice Chair Nootz asked Chief Hard if there were any fun facts, stories, or things he loves about the job that he would like to share.

Chief Hard expressed that no one ever becomes a police officer to work behind a desk, and as you put in time and want to grow and change he stated his time as Chief is noticeably different than being a patrol officer. He enjoys the challenges and realizes the difference from being a patrol officer where decisions often times need to be made on the spot, and now as Chief a lot of decisions he gets time to process and make those decisions. The police department is like a family and he looks forward coming to work with his team every day.

Vice Chair Nootz expressed that they seem to hear about less vacancies now than before.

Chief Hard clarified that they have been carrying at least one vacancy for the last couple years, and reflected on a rough spot they had a few years ago where they lost quite a few people in a short period of time.

Vice Chair Nootz thanked Chief Hard for coming and thanked him and his team for showing up for the community.

Public Comment was offered by:

- Linda Mahr reflected on an incident that happened close to her and wondered how to obtain record of this incident.

Chief Hard offered for Linda to reach out to him outside this meeting

Commissioner Lyons thanked Chief Hard for the presentation and feels it is helpful for the public to hear these things about the department and feels it builds trust within the community.

Public Comment was offered by:

- Katherine Daly thanked Chief Hard for his presentation and expressed appreciation for the Livingston Police Department.



B. DISCUSSION OF PROPOSED GROWTH POLICY INSPIRED CHANGES TO THE CITY OF LIVINGSTON SUBDIVISION REGULATIONS PG.169

The City Manager stated this item is a continuation of a discussion that started back in December. He introduced Planning Director Severson to present a presentation on this item.

Planning Director Severson presented slides on the proposed changes to the Growth Policy.

Commissioner Lyons expressed appreciation for the table in the presentation. He questioned sidewalks and recalled seeing them in the subdivision review, but is not seeing them referenced in some places in these proposed changes to the Growth Policy.

Planning Director Severson clarified she was listing trail connections as sidewalks.

Commissioner Lyons recommended for it to read as sidewalks as it aligns with everything in the Growth Policy.

Planning Director Severson stated she will add it to the table.

Commissioner Lyons questioned the Public Works design standards.

The City Manager clarified that the state of Montana does have their Public Works design standards which apply to their roadways, then the City of Livingston has adopted local modifications to the Statewide Public Works standards. He clarified it was meant to reflect those two documents within the proposed changes.

Commissioner Kahle expressed concern about the part about explore water course and wetland setback only appearing in the Zoning Code.

Planning Director Severson agreed that this is a good point and is something to look at including that in subdivision regulations.

Chair Kahle asked if the wording can be a little stronger around tree preservation, especially with old growth trees.

The City Manager stated trees preservation is referenced in other places within the document and they can find the best location to add this.

Chair Kahle asked to also include something about wildlife or bear proof trash.

Vice Chair Nootz expressed appreciation for the variance criteria. She voiced concern about boulevard trees specifically in areas with and HOA and would like to see that monitored because there have been instances where HOAs have altered our local regulations. She asked if floodplain setback should be included in the subdivision regulations rather than the zoning.

Planning Director Severson explained that setbacks are generally handled in zoning, but the team would explore whether a subdivision-specific standard should be added.



Vice Chair Nootz pointed out a couple spots where language could be simplified and cleared up so it's easier to read and understand. She asked and voiced a recommendation that cul-da-sacs be removed as it seems like a potential invitation for variance requests.

The City Manager reminded that this item will come back before the Commission in a later meeting.

7:23 PM Vice Chair Nootz motioned for a 10 minute break seconded by Commissioner Kahle. Unanimously approved.

Public Comment was offered by:

- Patricia Grabow stated that thinks subdivision regulations have been an issue for a long time in the City of Livingston.
- Katherine Daly asked questions on behalf of the Park county Housing Coalition with HRDC. She wondered about next steps for community experience changes, and asked for clarity on how and when definitions will be updated.

The City Manager stated the community experience updates will likely appear in the second meeting in February and in March there will be a full conformed version of the subdivision regulations with all proposed changes.

C. RESOLUTION NO. 5152: A RESOLUTION BY THE CITY OF LIVINGSTON CITY COMMISSION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO DOT - REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY (RAISE), COMMITMENT OF NEEDED FUNDS AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ENTER INTO REQUIRED CONTRACTS FOR GRANT FUNDS TO ENGAGE IN A CORRIDOR STUDY AND EVALUATION OF VIABLE AND SUSTAINABLE OPTIONS FOR A GRADE SEPARATED CROSSING. [PG.260](#)

The City Manager reminded this is the third year that we have applied for this funding for a grade separated crossing. He expressed thoughts that it is not certain that we will be awarded this funding.

Commissioner Lyons motioned to approve this item seconded by Commissioner Willich.

Commissioner Willich expressed that he feels we should keep trying for this grant.

Commissioner Lyons is in favor of doing this in a way that will reduce tax burden on the community.

Commissioner Kahle thanked the City Manager and City Staff for applying for this grant.

Vice Chair Nootz expressed that it would be great to receive this grant, and would like in some way to see forward movement on this topic.

Chair Schwarz thanked the City Manager for applying for this and hopes we get it.



Vice Chair Nootz asked if the City Manager can clarify how this crossing does or doesn't apply to decisions the commission can make about land use on the north side of the tracks.

The City Manager reviewed the previous item that includes criteria about a crossing, but recognizes that it is not crystal clear. He wants everyone to understand that this crossing is a citywide issue, not just an issue for a specific subdivision or development that would be on the north side.

Vice Chair Nootz clearly stated that a crossing alone is not enough to approve or deny a subdivision that comes before them.

This item was unanimously approved by all five commissioners present.

D. RESOLUTION 5153: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, DECLARING CERTAIN PROPERTY AS SURPLUS AND DIRECTING THAT SAID PROPERTY BE DONATED, SOLD OR DISPOSED OF. [PG.265](#)

The City Manager stated these surplus items are intended to be traded as a result of a transaction approved back in 2022. That transaction being that the garbage truck we just received in December would be considered partially paid with these two trade-ins.

Vice Chair motioned to approve this item seconded by Commissioner Kahle.

Public Comment was offered by:

- Linda Mahr expressed thoughts that garbage truck arms don't handle the can carefully enough so they don't crush or break them.

The City Manager stated the City switched trash receptacle providers several years ago, and we have recently switched back to the original provider because the receptacles from the temporary company were of lesser quality. He reminded that everyone is able to call Public Works for a new can if needed.

This item was unanimously approved by all five commissioners present.

E. DISCUSSION AND DIRECTION TO STAFF REGARDING 2025 SESSION OF THE MONTANA STATE LEGISLATURE [PG.269](#)

The City Manager stated this item is to inform the Commission on the plan related to legislative communications from the city and would like to gather their input on the plan. He let them know he will be in Helena in February for the municipal day at the capitol. He is working with Montana League of Cities and Towns to monitor bills related to housing, infrastructure, land use, local authority, natural resources, property taxes, public safety revenue, transportation, water and other subjects. His recommendation is for the city to monitor bills but to be more selective on the bills we engage upon, and expressed that sometimes being the loudest voice at legislature is not always helpful and could potentially lead to negative results.



Commissioner Kahle expressed that is good to engage with legislature especially on bills that will affect the city. She feels in years past Montana League of Cities and Town represented cities of larger size on land use topics that affected our city negatively, and would hope we can keep topics like that in our selection to be vocal about. She expressed trust in the City Manager to fight for the community where and when needed.

Commissioner Willich agreed with Commissioner Kahle in trusting the City Manager.

Commissioner Lyons admitted that state policy is outside of his area of expertise, but expressed trust in fellow commissioners for the policy guidance and expertise along with the City Managers expertise in strategy and ability to prioritize what is important and making sure our voices are heard in our community.

Vice Chair Nootz reminded the City Manager and City Staff to take care of themselves during this process. She reminded that during the City Manager selection process that Mr. Gager had experience at the state level analyzing policy from different perspectives.

F. APPOINTMENT OF CITY COMMISSIONERS TO COMMUNITY AND ADVISORY BOARDS PG.272

The City Manager stated this item is to appoint City Commissioners to community and advisory boards.

Chair Schwarz expressed that it is nice to switch it up on these boards and voiced interest in serving on the Consolidated Land Use Board.

Vice Chair Nootz disclosed that her husband is the Library Director so she is unable to serve on that board.

Commissioner Kahle expressed that changing these boards year to year may not be use due to institutional knowledge that is gained from a commissioner serving on a board for several years, and reminded that some commissioners have expertise on topics that these boards deal with and feels that is also helpful in their representation on those boards.

Chair Schwarz expressed understanding to Commissioner Kahle's comments.

Chair Schwarz motioned to appoint himself at the City Commission representative on the Consolidated Land Use Board.

Commissioner Kahle explained the meeting schedule for the Community Trust Board since it's listed as needed.

Vice Chair Nootz voiced concern about meeting times and her ability to meeting during the day. She stated she has never served on the URA board and would be interested in that.

Commissioner Kahle stated she has been on the Trust Board her entire time as commissioner, and has no interest in serving on the Land Use Board. She clarified that she is available for meetings during the day.

Commissioner Lyons expressed interest in the Consolidated Land Use Board as well. He understands where Chair Schwarz is coming from with switching it up every year. He explained what his role has been as part of



that board, and feels he has a lot to offer serving on that board. He disclosed that the URA board has potential for conflict as his wife serves on a board that is seeking funds from the URA.

Commissioner Willich enjoyed his time on the Library Board, and expressed interest in the Health Board and URA Board.

Chair Schwarz listed out who could be on each board and asked for a motion.

Vice Chair Nootz motioned Chair Schwarz recommendation of Chair Schwarz on Consolidated Land Use, Vice Chair Nootz on URA, Commissioner Kahle on the Trust Board, Commissioner Lyons on the Library Board, and Commissioner Willich on the Health Board seconded by Commissioner Willich.

Chair Schwarz: For

Vice Chair Nootz: For

Commissioner Kahle: Against

Commissioner Lyons: Against

Commissioner Willich: For

Motion carries 3 to 2

Chair Schwarz motioned to move into closed session seconded by Commissioner Kahle. Unanimously approved.

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

H. ACTION ARISING FROM CLOSED SESSION.

The City Manager stated this item is a settlement agreement and release of claims arising out of Park County District Court case that was filed by the Livingston Area Chamber of Commerce and Visitor Center against the City of Livingston in 2020. This is related to the City's re designation of the convention and visitors bureau at that time. He announced the City attend its second mediation to work to resolve the outstanding issues. This was following a decision by the Sixth District Judicial Court here in Livingston that found the City prevailed in its defense of the lawsuit. The Chamber has appeal rights, so the City initiated conversations to try and resolve the lawsuit and prevent an appeal. He reviewed the agreement showing \$10,000 going to the Chamber and \$1200 of that shall be used for expense reimbursement and the remained shall be used for the sole purpose of hosting events that have not been previously hosted or sponsored by the Chamber which are designated to support the Livingston area business community. He expressed thanks to the Chamber for their time in coming to the agreement and the community for their patience in this matter. He sees that this is something that has taken a toll on the community and his thoughts for this agreement and its conditions was an attempted to bring the community together and start the healing process.



Vice Chair Nootz motioned to approve this item seconded by Commissioner Willich.

Vice Chair Nootz hopes this agreement helps resolve the issue and divisiveness within the community, and would like to move forward. She likes that this is in direct support of the local business community.

This item was unanimously approved by all five commissioners present.

8. City Manager Comment

The City Manager thanked the Commissioners for their hard work this evening.

9. City Commission Comments

Commissioner Willich thanked everyone for the meeting

Commissioner Lyons thanked fellow commissioners and the City Manager and City Staff for helping to keep them informed.

Commissioner Kahle thanked the City Manager and City Staff for all the work they do. She thanked the commission for conversations around subdivisions.

Vice Chair Nootz commented that school is back in session and Bozeman is busy

Chair Schwarz: no comment

10. Adjournment

9:47 PM Commissioner Lyons motioned to adjourn seconded by Commissioner Willich. 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 Chairman. 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).
- **Meeting Recording:** An audio and/or video recording of the meeting, or any portion thereof, may be purchased by contacting the City Administration. 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 our meeting, please contact the Fire Department at least 24 hours in advance of the specific meeting you are planning on attending.



DEPARTMENT OVERVIEW

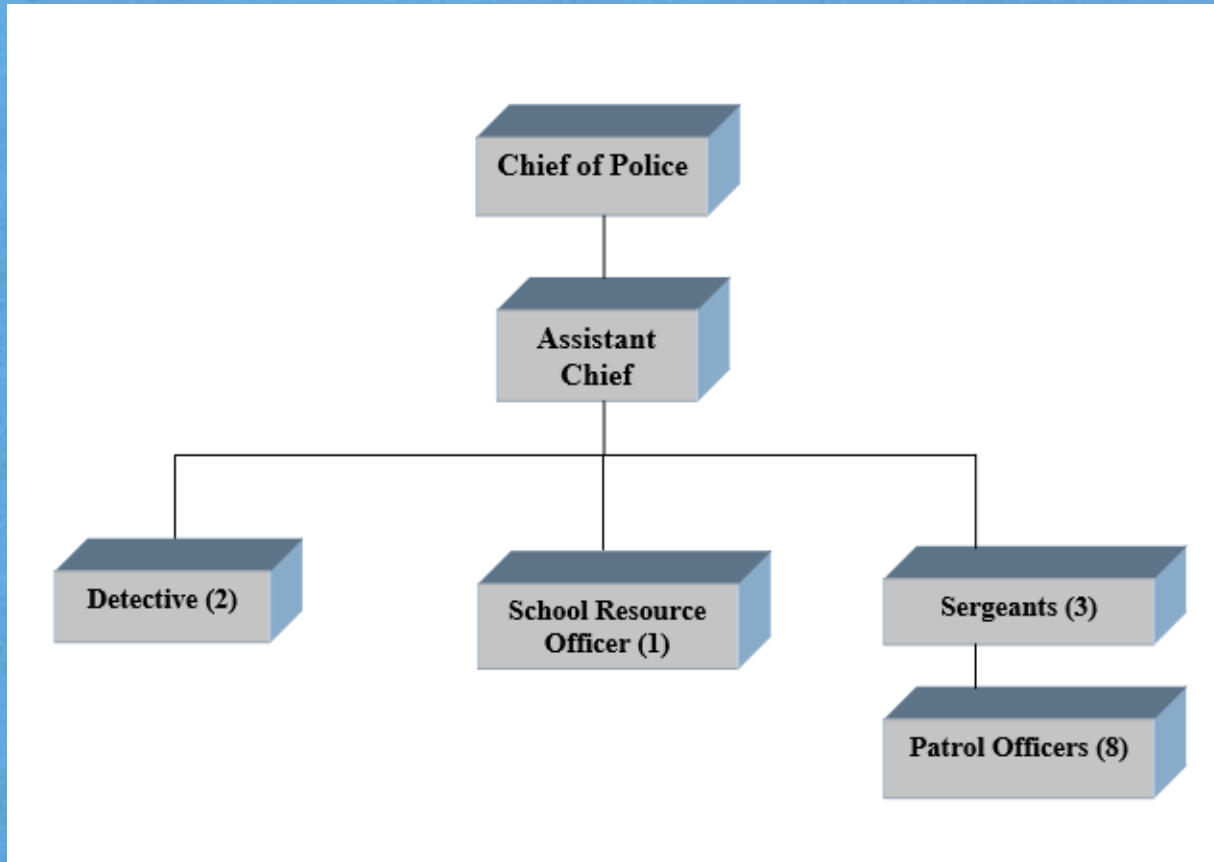
LIVINGSTON POLICE DEPARTMENT



PRESENTATION OVERVIEW

- Department Structure
 - Mission Statement and Core Values
 - Operations
 - Enforcing the law
 - Protecting the Community
 - Providing service to the Community

OUR TEAM - LPD



Police Chief Wayne Hard
Assistant Police Chief Andrew Emanuel
Sergeant Kevin Engle
Sergeant Corey O'Neill
Detective Jason Gunderson
Patrol Officer Dan Lashinski
Detective Jordan Brummel
Patrol Officer Hunter Grunhurd
School Resource Officer Hannah Buckley
Patrol Officer Marguerite Holbrook
Patrol Officer Mark Allen
Patrol Officer Robert Crank
Probationary Patrol Officer Jonathan Manley
Probationary Patrol Officer Taylor Bauer

OUR TEAM – PARK COUNTY 911

TAC Peggy Glass

Dispatch Supervisor Kathy Edmiston

Communications Officer Chris Fowle

Communications Officer Barbara Roberts

Communications Officer Cheyenne Bray

Communications Officer Mariah Thomas

Communications Officer Kate Miller



MISSION STATEMENT

It is the mission of the Livingston Police Department to enforce the laws of the United States, the State of Montana and the City of Livingston, to assist the citizens of Livingston in protecting their lives and property, and to provide service to the public to the extent which we are empowered and enabled to do so by law, by department regulation, and by financial consideration.

CORE VALUES

- ✓ Integrity
- ✓ Honor
- ✓ Respect
- ✓ Trust

Valuing other's feelings and their
Adherence to what is right or to
firm belief in the reliability, truth,
Being honest and having strong
views, even if you don't
a standard of conduct
moral principles of someone or
necessarily agree with them
something

Operations



Livingston, Montana

LPD by the Numbers

2024

Patrol

- 8,583 Calls for service
- 858 Calls per Patrol Officer
- 869 Investigative reports

- 242 Adult arrests
- 112 Juvenile arrests

- 1228 Traffic stops
- 204 Traffic citations

- 202 Accident reports

Investigations

- 40 Sex offense Reports
- 11 Sex offense arrests
- 40 Forgery/Fraud Reports

- 22 Investigative subpoenas
- 74 Warrants



Livingston Police Department

K9 Unit

Our K9 program consists of two dog/handler teams in specially equipped patrol vehicles. We have the only Police Service Dogs in the County and our handlers are on-call 24/7 to assist not only the City of Livingston, but all of Park County. Our teams have also been called to assist the Department of Corrections at the Montana State Prison and the Missouri River Drug Task Force.



Our teams have been certified through the North American Police Work Dog Association – the largest, nationally recognized certifying body in the country.

K9 BRIGGS

5 Year old German Shepard imported from Slovakia. K9 Briggs is a highly trained, dual purpose police service dog, proficient in narcotics detection and the patrol areas of obedience, tracking, evidence search, area/building searches, as well as handler protection and aggression control.



K9 RHINO

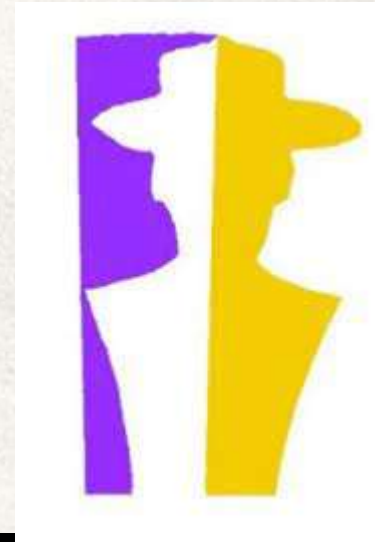
6 Year old Belgian Malinois imported from Slovakia. K9 RHINO is a highly trained, dual purpose police service dog, proficient in narcotics detection and the patrol areas of obedience, tracking, evidence search, area/building searches, as well as handler protection and aggression control.



LPD School Resource Officer



SRO Hannah Buckley and Patrol Officer Rita Holbrook



Livingston, Montana

Protecting our Schools

- How do we prepare?

- Monthly firearms training
- Bi-annual firearms qualifications
- Tactical combat casualty care (TCCC)
- Defensive tactics
- De-escalation/Negotiation
- School walk-throughs
- School lock down procedures



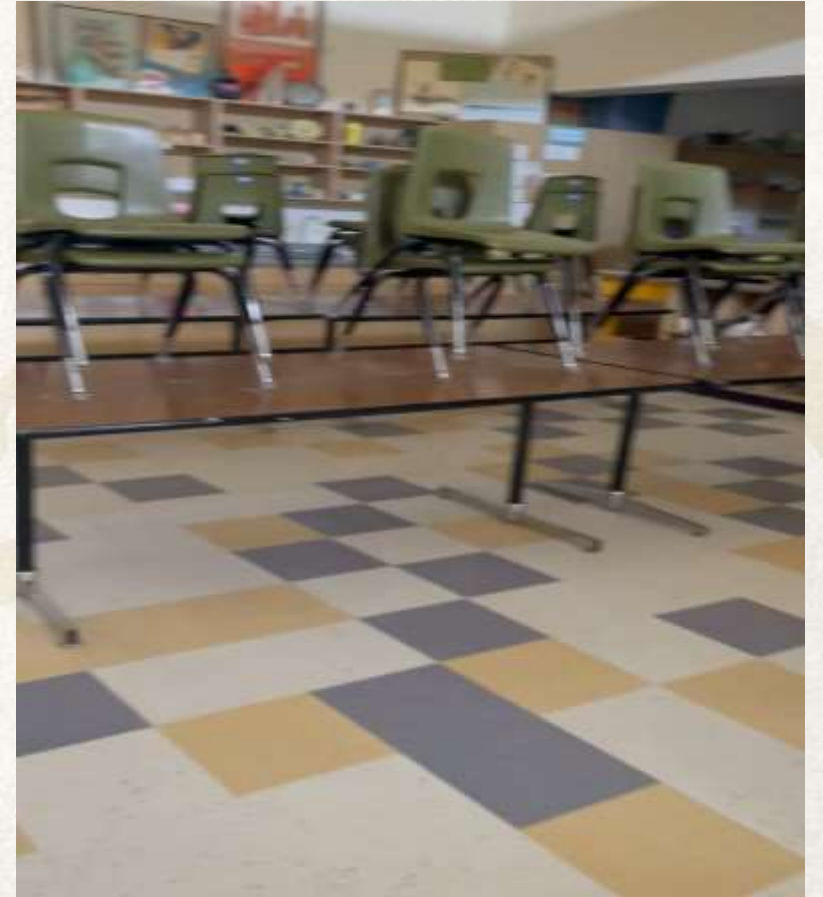
- Team movement drills
- Room clearing protocols
- SIMUNITIONS training
- Community based RUN-HIDE-FIGHT training
- Mass casualty training scenarios
 - Livingston School District
 - Livingston Health Care
 - Livingston Fire/Rescue
 - Park County Sheriff's Office
 - Montana highway patrol
 - Park County 911



Livingston, Montana

Stress Inoculation:

- Approach, entry, room-clearing tactics
- Follow-up (EMS, restraint, clearing the rest of the building)
- Communications (dispatch and other Officers/Deputies)
- Noise discipline
- Weapon manipulations (tactical and speed reloads)
- Overall situational awareness (manipulating keys, sirens)



PHS Mass Casualty Training Scenario



NO STUDENTS WERE PRESENT FOR THE DRILL

Service to our Community



Our Department works closely with the Park County Sheriff's Office, the Montana Highway Patrol, and even Federal agencies to provide the highest level of service possible to the Community we serve.

Livingston, Montana

Department Training



Every LPD Officer attends monthly training. Topics include ethics, anti-bias, medical training, specialty training, and firearms qualifications.

Livingston, Montana

Community Oriented Policing

Farmers Market



National Night Out

NNO is a national community-building campaign that promotes Police-Community partnerships.

In 2024, we had LPD, PCSO, MHP, LFR, FWP, and the Forrest Service in attendance.



Law Enforcement Torch Run for Special Olympics

The mission of the Law Enforcement Torch Run is to raise awareness and funds for the Special Olympics movement.



Since inception, the Law Enforcement Torch Run has raised more than half a billion dollars and changed millions of attitudes by engaging law enforcement officers worldwide to be champions of acceptance and inclusion.

Livingston, Montana

Operation Christmas Caring



In partnership with the Yellowstone Boys and Girls Ranch, LPD and PCSO delivered Christmas presents to 108 families, 257 children in Livingston/Park County.



Trust.

Honor.



Integrity.

Respect.





Review of Subdivision Regulations

City Commission Meeting
January 21, 2025

PRESENTATION OVERVIEW

- Statutory Authority
- Scope of Review
- Initial Recommendations

PURPOSE OF LOCAL SUBDIVISION REGULATIONS

MCA 76-3-501

(1) The governing body of every...city...shall adopt and provide for the enforcement and administration of subdivision regulations reasonably providing for:

- (a) the **orderly development** of their jurisdiction;
- (b) the **coordination of roads** within subdivided land with other roads (existing and planned);
- (c) the **dedication of land for roadways and public utility easements;**
- (d) the **improvement of roads;**
- (e) the provision of **adequate open spaces for travel, light, air, and recreation;**

CRITERIA FOR LOCAL GOVERNMENT REVIEW

MCA 76-3-608

- (3) A subdivision proposal must undergo review for the following primary criteria:**
- (a) except when the governing body has established an exemption...as provided...76-3-609(2) or (4), or 76-3-616 (N/A), the specific, documentable, and clearly defined impact on:**
- agriculture
 - agricultural water user facilities
 - local services,
 - the natural environment,
 - wildlife,
 - wildlife habitat, and
 - public health and safety, excluding any consideration of...resulting loss of agricultural soils;

PRESENTATION OVERVIEW

- Statutory Authority
- Scope of Review
- Initial Recommendations

SCOPE OF REVIEW OF SUBDIVISION REGULATIONS

Three Types of Changes:

- Technical and Conforming
- **Growth Policy Recommendations**
- Community Experience



PRESENTATION OVERVIEW

- Statutory Authority
- Scope of Review
- Initial Recommendations

GROWTH POLICY RECOMMENDED CHANGES

- Updated Street Design Standards
 - Reduce max block length from 1,600 to 1,000 feet
 - Increase minimum block width to 300 feet (2-tier lots with alley)
 - Prohibit cul-de-sacs/ T-turnarounds except by variance
 - Require gridded street networks that promote active transportation
- More Robust Variance Criteria
 - Parcel must have unique physical conditions (limitations) that can only be addressed by variance
 - Affected area is the least necessary to alleviate the hardship
 - Burden of proof of variance need is on applicant
 - Hardship can only be rectified through variance approval

RECOMMENDATIONS FROM THE GROWTH POLICY TO BE ADDRESSED UNDER COMMUNITY EXPERIENCE

- Considerations for:
 - Transportation Impacts of Greenfield Development
 - Require Boulevard tree plantings
 - Update/ Modernize street sections in Table 1
 - Viewshed/ Ridgeline protection
 - Add detailed factors to evaluate subdivision impacts

QUESTIONS?



LIVINGSTON
M O N T A N A

GROWTH POLICY- RECOMMENDED UPDATES TO SUBDIVISION REGULATIONS		
Recommendation	Included in Updates?	Notes
Carefully evaluate transportation impacts of greenfield development as part of the development review process.	Y	Assessed through Traffic Impact Study; Community Experience updates will include TIS requirement for 200+ trips to be added to Subdivision Application Form.
Require sidewalks, and trail connections where possible, with new subdivisions.	N	Allowed under current sub regs 28.7.17.4
Create Public Works Infrastructure Design Standards to incorporate into the Subdivision Regulations.	N	Completed in August 2022
Explore requiring boulevard tree plantings with all subdivisions.	Y	To Be Included in Community Experience updates - Sec 28.7
Explore watercourse and wetland setbacks.	N	Riparian Setbacks will be included in Zoning Code Update
Require a flood study if proposed development is to be located within a 100-year floodplain.	N	Floodplain Development Permit restricts impacts to regulatory floodplain; development in mapped floodway is prohibited
Investigate updating subdivision regulations to consider lifetime cost to the taxpayer, tax revenue projections , greenhouse gas emissions, water use reduction, solid waste reduction, reuse of current resources, and coordination of project work to reduce disruption and waste .	N	Tax revenue projections already evaluated under current subdivision regs. Reduce disruption/ waste during project is under purview of DEQ.
Update regulations to add language from the Subdivision and Platting Act.	Y	Revisions included MCA changes
Include definitions within document	Y	Revisions included MCA changes
All definitions should be updated to meet the intent of the zoning code, subdivision regulations, recommendations of the Growth Policy and compliance with state, county, and local laws.	Y	Updated with MCA changes. Will be updated again for consistency with new zoning code.
Ensure references to MCA and MSPA are up-to-date.	Y	Revisions included MCA changes
Procedure should be reviewed by staff and legal counsel to ensure proper administration of regulations.	Y	Revisions included in MCA changes
Consider removing professional land surveyor and have all plans certified by a professional engineer.	N	Certain design aspects required to be certified by engineers but state law allows survey of subdivision plats by licensed surveyor
Prohibit cul-de-sacs in subdivision development.	Y	Cul-de-sacs will only be allowed by variance- see 28.7.9.1.3
Require gridded street networks that promote active transportation.	Y	Added 28.7.8.4
Consider requiring a tree preservation ordinance to regulate the preservation of desirable trees.	N	Curent regs (28.7.9.3.6) encourage tree and vegetation preservation where appropriate; evaluated on case basis.

GROWTH POLICY- RECOMMENDED UPDATES TO SUBDIVISION REGULATIONS		
Recommendation	Included in Updates?	Notes
Street light electric bill should be the responsibility of the homeowner's association.	N	These are managed through the City's light maintenance districts.
An engineer should review Table 1 to consider reducing the impact streets have on water runoff and other environmental and fiscal considerations.	N	Design must be consistent with Pub Works Design Standards; impacts to stormwater will be evaluated when MS4 requirements are established
Table 1 should be updated to meet more modern street sections and give sections for different types of street sections and give sections for different types of street (arterial, collector, local).	Y	Community Experience updates: Table 1 will be moved to Appendices-typical section(s) will be included . Design must be consistent with Pub Works Design Standards
Explore working with Public Works Department to create city-wide transportation standards for all development.	N	Transportation standards and design are regulated by AASHTO and Pub Works Design Standards.
The City should strengthen the drainage facilities requirements. This is often a source of water pollution both during and after construction of the development.	N	This is evaluated during subdivision review by Public Works and MT DEQ.
Evaluate utilizing underground stormwater drainage systems rather than allowing surface gutters along curbs and through intersections for new developments.	N	This is evaluated during subdivision review by Public Works and MT DEQ.
Often developers choose to pay the City for park land dedication. The City often loses green space and other scenic views. Consider requiring park land dedication first and payment in-lieu-of park land as a second option approved by City Commission.	N	This is inconsistent with PUD ordinance Sec 30.47.D.4. (created after Growth Policy adopted)
Consider adopting a ridgeline or viewshed ordinance.	Y	Community Experience updates- viewshed consideration and analysis will be included (28.7.xx).
Communities often shy away from mobile homes. Review to make sure this is acceptable to the City Commission.	N	This is addressed in current zoning ordinance.
Ensure all fees are included and cover staff and City resource costs to process each application.	Y	Review fees updated October 2024.
The City should strengthen the variance section.	Y	Variance language will be more robust - See Sec. 28.10.2
Add language on evaluation of subdivisions.	Y	Community Experience updates. Sec 28.4.7.2.4 will include specific factors will be used to evaluate development impacts with respect to seven subdivision review criteria under MCA. Language TBD

ana



Livingston, Montana

PURPOSE OF LOCAL SUBDIVISION REGULATIONS

MCA 76-3-501

(1) The governing body of every ...city...shall adopt and provide for the enforcement and administration of subdivision regulations reasonably providing for: *(cont.)*

(f) the provision of **adequate transportation, water, and drainage;**

(g) **N/A;**

(h) the **avoidance or minimization of congestion;** and

(i) the **avoidance of subdivisions that would involve unnecessary environmental degradation and danger of injury to health, safety, or welfare by reason of natural hazard, including but not limited to fire and wildland fire, or the lack of water, drainage, access, transportation, or other public services or that would necessitate an excessive expenditure of public funds for the supply of the services.**

STRATEGIC ALIGNMENT

The proposed updates support Land Use Recommendations for Subdivisions identified in Chapter 11 in the Growth Policy:

- Update regulations to add language from the MT Subdivision and Platting Act.
- Include definitions within document (i.e. Subdivision Regulations in Ch. 28).
- All definitions should be updated to meet the intent of the zoning code, subdivision regulations, recommendations of the Growth Policy and compliance with state, county, and local laws.
- Ensure references to MCA and MSPA are up to date.
- Ensure all fees are included and cover staff and City resource costs to process each application.

PURPOSE OF LOCAL SUBDIVISION REGULATIONS

MCA 76-3-501

- (2) Any action that is not specifically prohibited in the conditions of subdivision approval is ...allowed or is otherwise subject to additional restrictions that may be provided in the governing documents of the subdivision and applicable zoning regulations.**
- (3) If a local government has historically interpreted and enforced, or chosen not to enforce, a condition of subdivision approval to the benefit of a parcel owner, the...government may not undertake a different interpretation or enforcement action against a similarly situated parcel owner in the same subdivision.**

CRITERIA FOR LOCAL GOVERNMENT REVIEW

MCA 76-3-608

The basis for the governing body's decision to approve, conditionally approve, or deny a proposed subdivision is whether the subdivision application, preliminary plat, applicable environmental assessment, public hearing, planning board recommendations, or additional information demonstrates that development of the proposed subdivision meets the requirements of this chapter.

CRITERIA FOR LOCAL GOVERNMENT REVIEW

MCA 76-3-608

(3) A subdivision proposal must undergo review for the following primary criteria: (cont.)

(b) compliance with:

(i) the survey requirements provided for in part 4 of this chapter;

(ii) the local subdivision regulations provided for in part 5 of this chapter; and

(iii) the local subdivision review procedure provided for in this part [i.e. 76-3-608.3(a)];

(c) the provision of easements within and to the proposed subdivision for the location and installation of any planned utilities; and

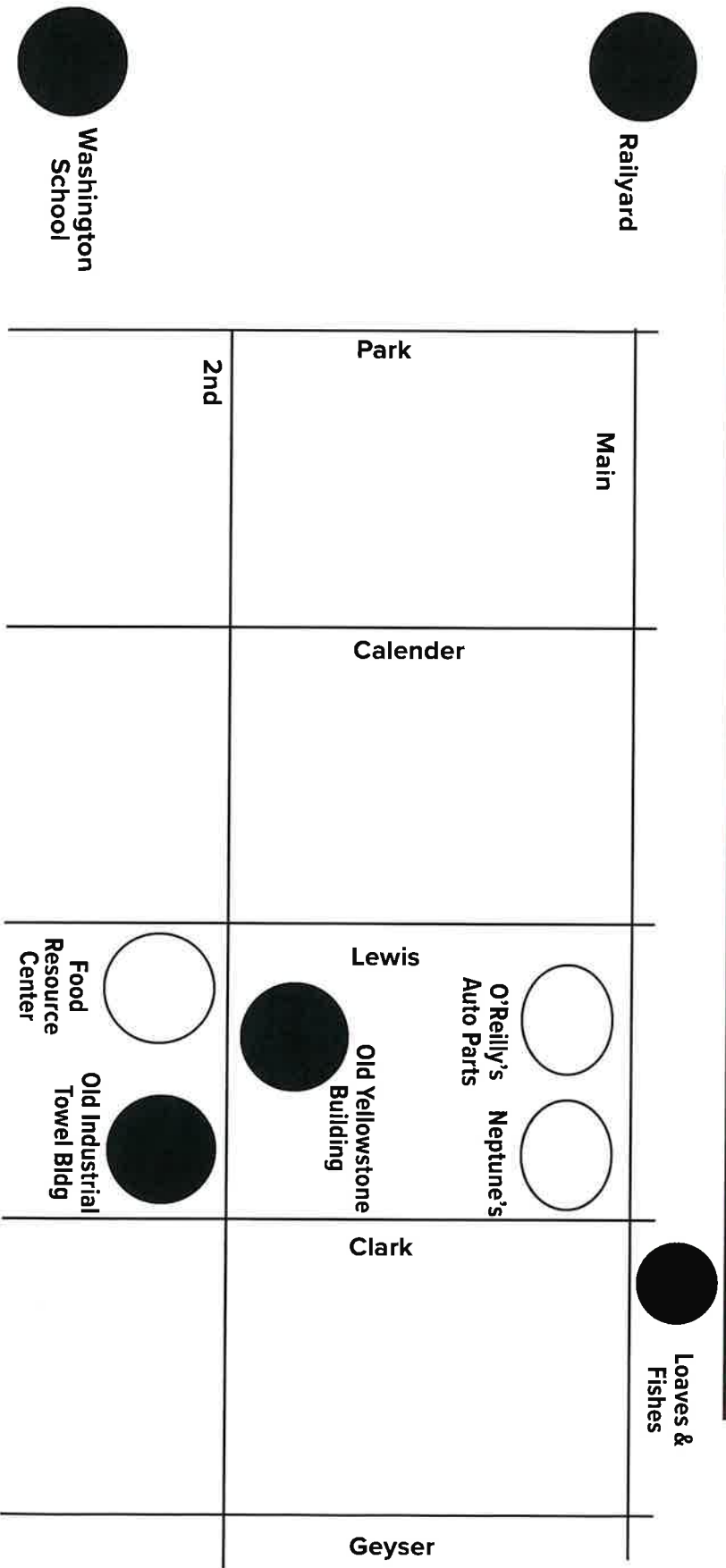
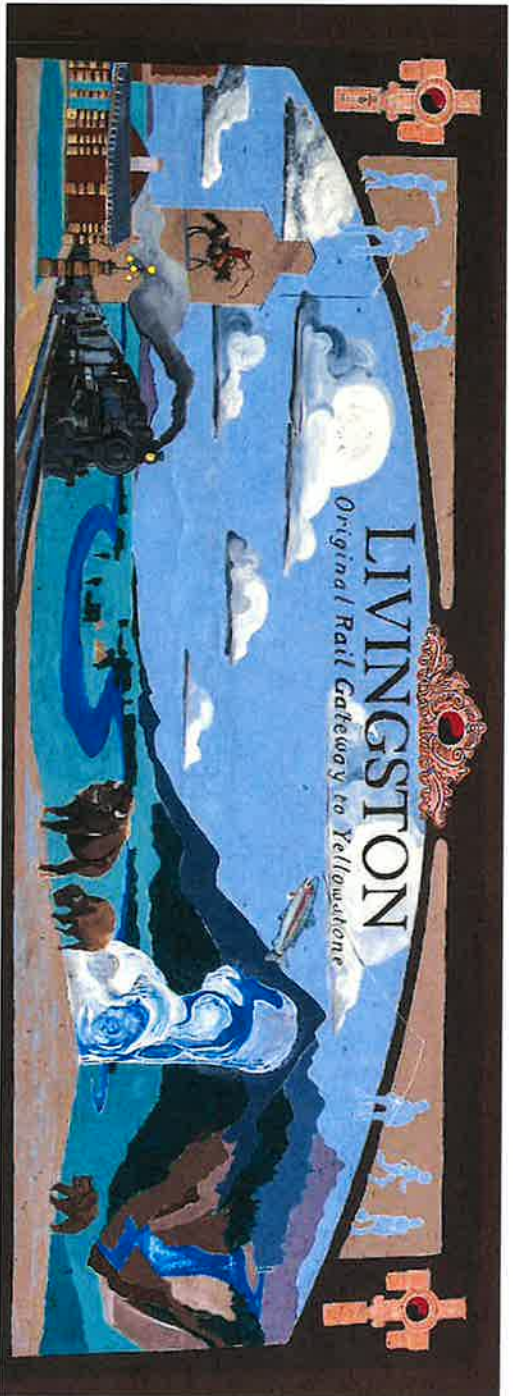
(d) the provision of legal and physical access to each parcel within the proposed subdivision and the required notation of that access on the applicable plat and any instrument of transfer concerning the parcel.

COMMUNITY EXPERIENCE CHANGES

- Integrate language from MT Dept of Commerce Model Subdivision Regulations
- Updated Fire Protection Language
- Integrate Best Practices for Wildland Urban Interface (WUI) considerations
- Other, as directed by City Commission

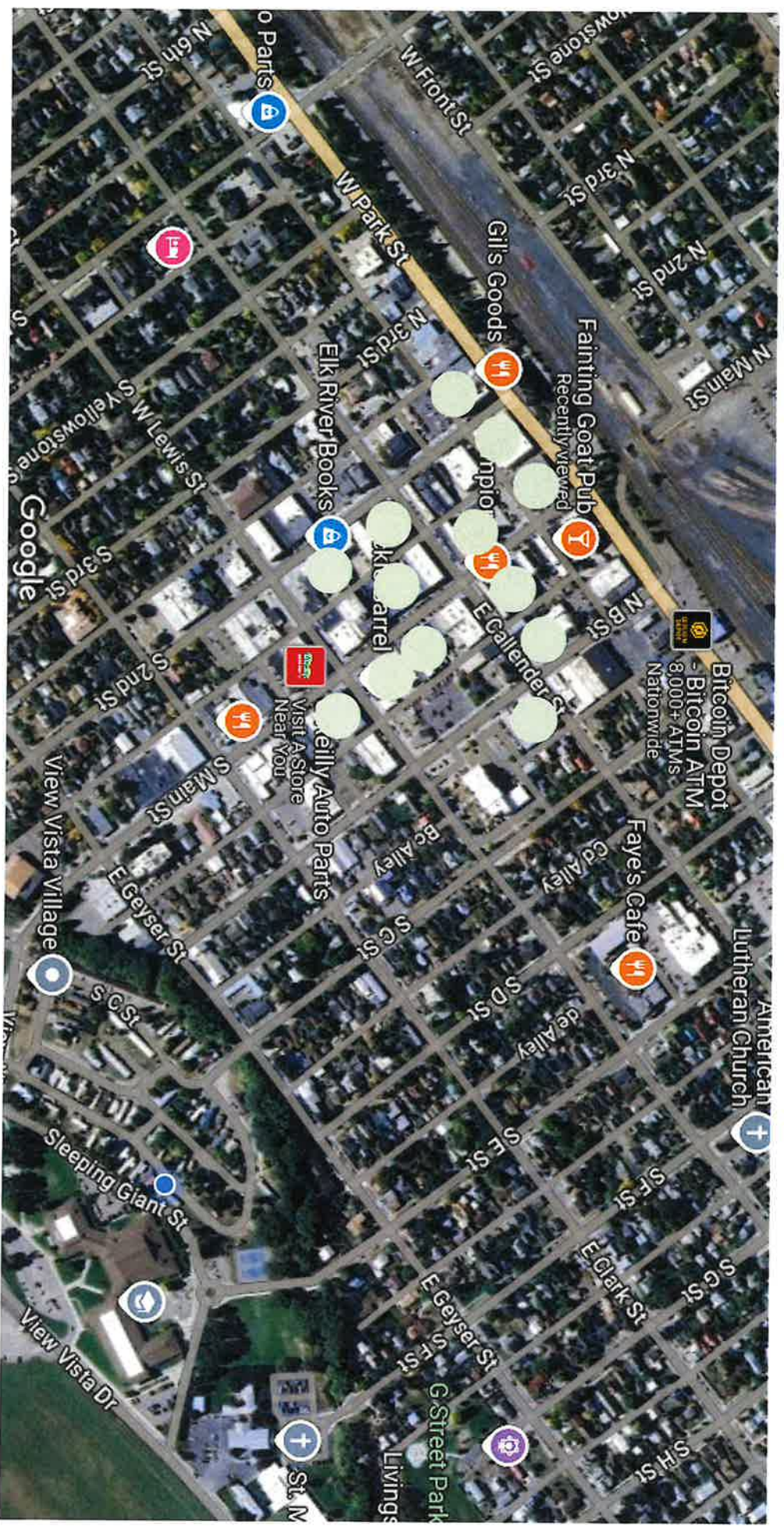
Vision of Prosperity for Downtown Livingston

Livingston Downtown Building Owners and Business Association (LDBOBA)



20 Downtown Hotels Originally

Some could be mixed use including hotel space



3 Development Properties - Affordable Housing



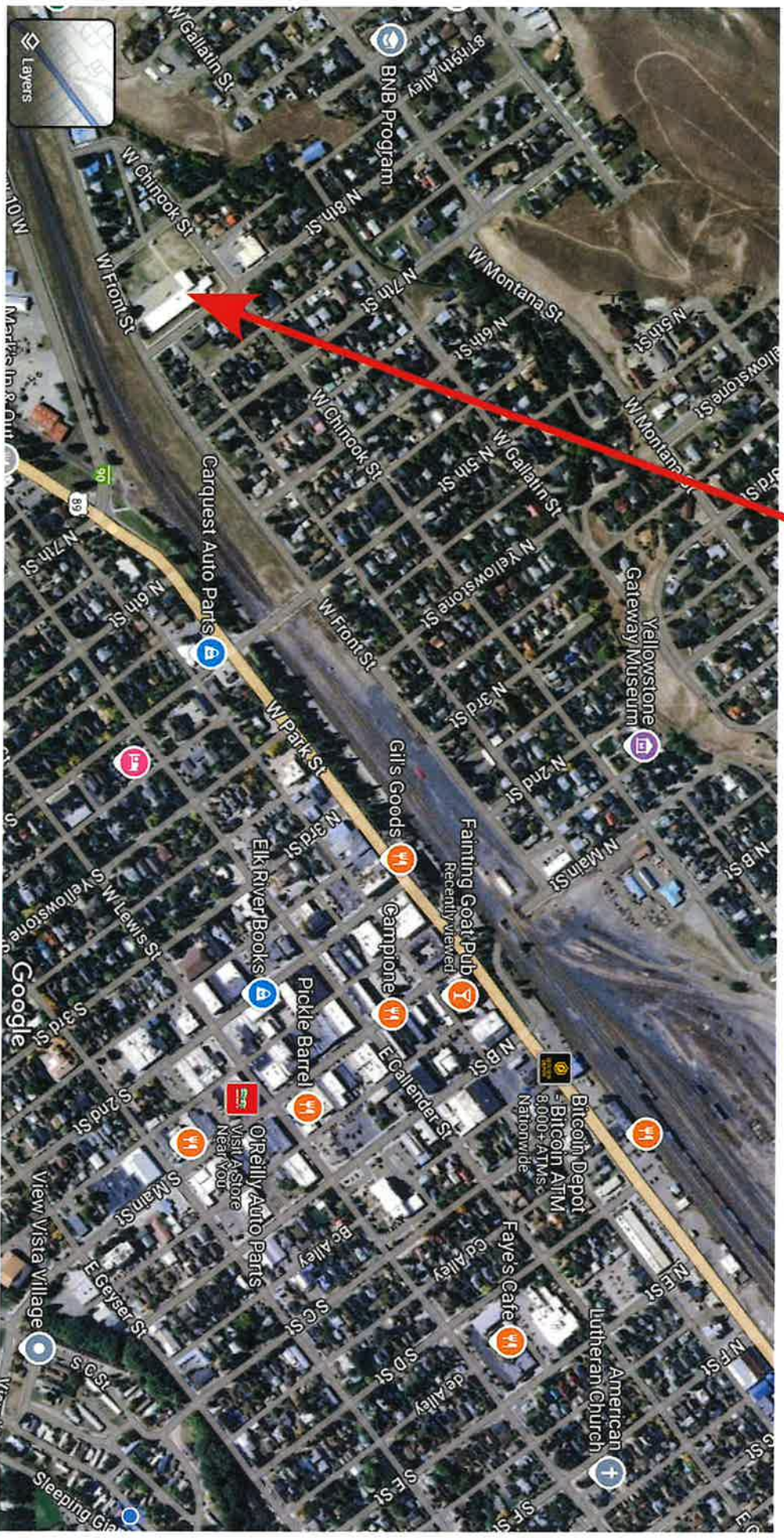
Putting shops back to work making Hydrogen Trains



Our railroad shops were made for train manufacturing. Talgo was there before, making high speed trains for Europe. Now, we can bring high paying jobs back to Livingston in the creation of Hydrogen fuel driving trains, the end to fossil fuels.



Washington School Loaves & Fishes, Homeless, Non-Profits



Non-Profits on Main and Second

- Big Brothers, Big Sisters - Miles Building - Community Foundation -
- Aspen - HRDC - E'Sprit - Landon's Landing - Mental Health/Homeless

Vision of Prosperity for Downtown Livingston

**Letters and Material on putting shops back to work
making Hydrogen Trains**

In Search of Elusive Accord

By Patricia Grabow

If Tip O'Neill, former Speaker of the House, was right that all politics is local, we can take a lesson from the life of recently passed former president and peacemaker Jimmy Carter, when he said, "*The bond of our common humanity is stronger than the divisiveness of our fears and prejudices.*" He might be best remembered for his legendary struggles to negotiate one of the few Middle East peace agreements, the Camp David Accords. They helped the world see, even if through a brief keyhole, how different life can be, economically, socially, and aesthetically, when instead of conflict, intelligence and peace prevail as people deserve.

In our tiny Livingston area microcosm, we have a small echo in our Growth and Smart Growth policies – fought against by selfish interests who set their personal advancement above the well-being of others, but hard won nevertheless with the focus and perseverance of 1600 people, day by day, decision by decision, for the good of all.

Like the Accords, these policies were not won easily. However, the miracle of things was that when Livingston created its Growth Policy, it really was a coming together, with diverse opinions, but negotiated out for the bigger picture. It was not "you belong to this political party and I belong to that political party and we cannot communicate, "but "how do we want to grow, since we know it will happen, and where and in what way?" And our city manager and commission today, we are fortunate, remain dedicated to making these visions as far as possible our reality.

And just as in the woods of a presidential compound in Maryland decades ago, a keystone remains our ability to collaborate intelligently and get along. Without that, as then, we have nothing.

Part of our consensus was that we wanted Livingston to stay a "real town," with a real, functioning downtown, with planned "smart growth" out from a viable, economically core commercial area outward – a key being economically viable. People like me were ecstatic when we decided on Smart Growth as a plank of this vision. We have over 350 businesses in our downtown, and if you saunter down Main or Second Street or everything in the area, you will see people coming to work day after day, putting their heart and soul into their businesses, decorating everywhere for Christmas, paying for sidewalks, you name it. And sometimes it doesn't return for them financially soon or at all, in spite of the fact their kids needed new shoes or health care or food. They still show up ready to make the area a commercial success. And we need to have their backs.

The hard part of a **Growth Policy** often comes in the question of how we pay for what, and how vision translates into healthy growth while keeping our standards high. We want to be more specific than the person who prayed for a car and got a clunker instead of the proverbially possible Cadillac. Sometimes we keep the gods smiling at least a little.

But we know our history, character, and opportunity in the world. Fifty-two miles from Yellowstone with a charming historic downtown is a good start in anyone's book, and as I am

fond of saying, the original rail gateway to the first national park in the world, with our historic Depot anchoring over twenty beautiful hotels built in rough parallel to the creation of Old Faithful Inn, Canyon Hotel, and the Robert Reamer remodel of Lake Hotel. Most of our beautiful hotel structures remain, as do once noisy railroad shops capable of service and potentially fabrication. We still sit on the edge of wilderness with a world draw, an amazing art element, and an amazing community, period.

I've pointed out the local economy is not, and must never be, confused with handouts from the wealthy, including billionaires. That is the model for non-profits, who rarely truly understand the private sector that sustains the majority of those who live here. It is therefore critical that these non-profits, however important, however well-intentioned in shelters and more, understand they cannot take over our critical downtown spaces and commercial infrastructure; there are always other places they can function not at the detriment of the engine that powers the train.

And there have been small smiles from the heavens on our aspirations.

Congress for example, despite our serious debt situation, has just passed a \$1.2 trillion EXPLORE ACT, with one of its policy initiatives being the "Gateway Community [e.g. to our national parks] and Recreation Enhancement Act." The Park County Community Journal is planning future articles on its implications for our local economy-, which may be significant.

Another relevant act I've noted is the Infrastructure and Investment and Jobs Act (IIJA, HB 3684). The possibility exists to even put our shops back to serious work. They were designed to make full repairs to trains and to make trains, and the technical prospect is no longer just DMUs (Diesel Multiple Units) but HMU's (Hydrogen Multiple Units). Little St. Regis, Montana, population 300, is looking to expand from just a tourist economy but through Congressional grant help taking green energy to generate hydrogen fuel, which could begin to replace fossil fuels to help our economy and make a difference for the planet. Win-win.

But we have two other welcome changes.

First, some of our downtown hotel buildings are exploring their past roles as guest accommodation to attract visitors and mitigate the effect when decades ago I-90 took our customers two miles out of town.

Second, investors are beginning to show up who understand our Growth Policy. Technically, if we are to engage Smart Growth with our historic preservation commitment, not destroying historic structures, the only place we can currently develop new structures in the downtown itself is three properties on the south edge of the south side of our downtown, one of which has already had a hearing before our Historic Preservation Commission. Those have sometimes faced what seems like needless resistance in past, so as a force for good I think we should wish them well.

Part of what we need today is affordable housing for our workers. The so-called Housing Coalition, which was kind of a coalition of elites without serious skin in the game, if we're honest, and probably generous, really did not work. And, anyone with any kind of background

in economics know that key public housing, namely the Sherwood (workforce housing) and the Miles Building (affordable housing), in a commercial area had an element of substandard urban planning in not realizing the importance of encouraging, or at least not discouraging, abundant public market housing supply instead.

Once a critical mass is achieved with beautiful buildings built and intelligent investments, then we can explore prospects of even something like a mini-Target or similar, such as at the old Enterprise site or somewhere similar, or small entities like grocery or similar retail, or other ideas to help mitigate the unattractive sprawl of places like and combine function and form.

If we use these opportunities well, we can spiff up our ride. We have great tools in our Growth Policy and its Smart Growth vision to revive our character and health for the 350 businesses, those who depend on them, and our visitors. It's early, but that "real town" character is out there if we look.

Memo from: Patricia Grabow, MEd

To: Torrey Lyons, Livingston City Commissioner

Re: DMU and Hydrogen Engines in Livingston Shops

Date: September 7, 2024

Thanks for your input in the September 4 city commission meeting. I said I would send you a synopsis so such as it is, here it is.

Since I can't be brief, I will do my best to catch you up on what is happening here regarding the manufacture in our shops of Deisel Multiple Units, (DMU's), (https://en.wikipedia.org/wiki/Diesel_multiple_unit used for rail passenger service) throughout the world and hydrogen engines. This is not a reality, just a very early beginning.

I have no idea if it will happen in the long run. To some degree it will be dependent on our will, the intelligence that we approach this with, our attention to detail, timing, and just plain luck.

In my wildest dreams we in Livingston would become part of the process (like St. Regis is with hydrogen fuel) of the four phases, with the first phase the planning phase, leading to the manufacture DMU's and hydrogen engines by the private sector in our shops for use as multiple unit rail passenger trains that run on hydrogen engines. In addition, since hydrogen engines can replace diesel engines in freight trains, they could be used in freight trains thus there would be no carbon footprint for much of the transportation in Montana. In my greatest hope. could export that to the world.

The piece of reality is that the money has already been allocated to potentially begin the process.

What happened was that last June, I attended the Annual Meeting of the Big Sky Rail Passenger Authority (BSRPA). Its director, Dave Strohmaier (1) (This number indicates the corresponding number of the person in the copied material) , State Representative Andrea Olsen, and I had been active in getting the legislature to pass a bill dealing with rail passenger service. (I got over 700 signatures in Livingston advocating for the bill.) When the three of us went to the follow-up Legislative Transportation Committee, they literally did nothing.

As a result, Dave started the BSRPA. During the presentation at the Annual Meeting I attended, St. Regis spoke of the work they are doing in creating hydrogen fuels. I have copied much of the material at the meeting since the players were well described in the handout they gave. (Please see attached material from the Annual Meeting) I have to add that the progress that organization has made has been stunning! There were over 200 enthusiastic, bright people at that remarkable meeting. Our city manager, Grant Gager, who has an extensive knowledge (what doesn't he have extensive knowledge in?) in railroad in on the BSPRA board of directors.

It turns out that we are a part of the Pacific Northwest Hub of the \$1.2 trillion Infrastructure Investment and Jobs Act (IIJA) also known as the Biden Administration Bi-partisan Infrastructure Law (BIL). The Pacific Northwest Hub, the Department of Energy Regional Clean

Hydrogen Hubs (H2Hubs) has \$1 billion. (Please see attached article on St. Regis, Montana and their making hydrogen fuel in their small town,)

The thing to remember, again and throughout this informal narrative, is that the money from the \$1.2 trillion Infrastructure Bill HAS BEEN ALLOCATED. If it is not spent, then it is not spent. That is a kind of important detail to remember.

In a “Hydrogen & Rail: Generating Sustainable Development Panel,” George Bailey (2), the associate manager of the St. Regis Solar Hydrogen (SRAH2) described their work in creating hydrogen fuel in his small town. He said, “that people living in distressed rural communities deserve access to well-paying jobs...” and after their talk it was mentioned that it would be great if we could have the DMUs’ and hydrogen engines made in Montana. That is the point at which I spoke up and told the group about the Livingston shops.

We really are the only facility in which DMU’s and possibly even hydrogen engines can be made. Talgo bought our shops in 2000 and sold them in 2006.

Just a note. Early on I developed a working relationship with the Colorado Rail Company that ceased to manufacture DMUs in 2008 and as a city commissioner I had toured the then Talgo facility at the shops. I was there when Talgo sold their part of the shops to Montana Rail Link (article attached). Ernie Meador, a local realtor with ERA, was the realtor in the sale Just a funny note. I have never seen Carter Bohem move as quickly as he did the day Talgo sold. Carter ran from where he learned that he could pay Talgo’s taxes to the county treasurer’s office, I believe, in 30 seconds flat---almost ran me over!

Burlington Northern has since taken over those shops from MRL.

So, after I told the BSRPA Annual Meeting about the shops in Livingston, I talked with Jack Martenson, (3) the Senior Director of Business Development at Stadler Rail US. Stadler, one of the two potential DMU manufacturers attending the BSRPA meeting. Asltrom Transportation is the other. (4) When I told Stadler that Talgo had at one point owned most of our shops, his ears perked up.

When Talgo had the shops, they had hoped to build high speed trains for use primarily in Europe, but it did not pan out. But what my talking about Talgo, told Stadler was that our shops did have the capacity to make DMU’s.

They also had a panel on “Hydrogen and Rail: Generating Sustainable Development Panel” with Vishai Agarwal (5) who is part of the \$1 billion Pacific Northwest Hydrogen Hub (PNWH2) and Jason Hewitt (6).

The other panel that was intriguing was the “Revitalizing Communities and Creating Opportunities” with Dan Bucks (7) as the moderator,

Since the I been talking with Grant Gager who is talking with BN. Grant tells me that he might be able to get an inventory of the shops which would be very important knowledge to have as we create a strategy going forth in this area.

In addition, I have talked with Ernie Medor who is in Hawaii helping his granddaughter. He has indicated that Talgo did not own everything but owned the administrative offices, the now gone athletic center, the shops and roundhouse building. He said that MRL: was always protective of the water treatment plant and discharge water. It is not an easy sell since it is not just about the money but other factors enter in. They can be negotiated. BN is protective the site and are working with their partners at DEQ.

I voted for the \$36 million plume clean-up lawsuit when I was on the Livingston City Commission and attended every meeting of the plume clean-up with Aimee Reynolds for 8 years so have some awareness of it the sequence of events leading to the clean-up of the plume.

I have since spoken with St. Regis. There will be a meeting specifically for hydrogen engines in Missoula on September 25, 2004. We really should have our act together before then. I have received an invitation to the meeting and know that others might be interested in going as well. I can just let them know how many might be interested.

The Transportation Committee of the Legislature just had a meeting on September 4 which I attended by Zoom. I can send you the power point but it is best that you see the presentation on hydrogen engines. It only took 15 minutes. I started watching at 8:30 AM, and the subject of hydrogen engines came up at 2:30. Interesting though. Toyota has been developing hydrogen engines for over 20 years and is using them aggressively now in vehicles powered by hydrogen. The problem is fuel, but that is happening quickly. We can try to get the talk by contacting the Montana Legislature. I have included the power point, but it does not have the narrative. Hydrogen engines are coming quickly and we have the shops to make them!

I was able under public comment to say to the Montana Legislature Transportation Committee, that we in Livingston are interested in what it might take to manufacture DMU's and hydrogen engines in our shops.

The Rubicon is crossed.

St. Regis tapped to take part in \$1 billion hydrogen project

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| October 22, 2023 12:00 AM

St. Regis Solar Hydrogen has been selected to begin award negotiations as part of the U.S. Department of Energy Office of Clean Energy Demonstrations development of the Pacific Northwest Hydrogen Hub involving Washington, Oregon and Montana.

St. Regis Solar Hydrogen (SRSH2) is a project that would split water into hydrogen and oxygen using electrolysis. The U.S. Department of Energy last week announced that it would spend up to \$1 billion developing the technology in Bipartisan Infrastructure Law funding of the three states. Office of Clean Energy funding will support SRSH2's participation in the Hydrogen Hub through the advancement of planning, detailed design, environmental permitting, and procurement of long-lead equipment.

“My brain is on fire. I’m not sleeping at night,” laughs Arnold Thompson, of Seattle who has partnered on the St. Regis project with George Bailey, a longtime solar advocate in Mineral County.

Thompson, Managing Partner of AB Aero Partners in Seattle, is in the drone business and explains how their paths crossed and a partnership was developed.

“I had submitted a proposal to the Department of Energy for hydrogen-based drone constellation and realized I didn’t need that much (hydrogen). So that’s where I was introduced to George and we said, ‘Let’s go at this together’ where we’re like-minded in community development.”

Last month, Thompson, Bailey and Jeremy Crowley, Director of the Autonomous Aerial Systems Office at the University of Montana, held a demonstration on using drones for communication in emergency conditions from St. Regis to Lookout Pass along Interstate 90. Hydrogen-fueled drones

have a much longer flight life than battery-operated drones, which will be imperative for this project.

Thompson explained that a grant for that project was due at the same time the Hydrogen Hub grant would be announced, which was mid-October.

“The problem with hydrogen to date is that there hasn’t been a reliable source that’s been able to produce it cheap enough,” explained Thompson.

Hydrogen-fueled transportation was one aspect of the 2022 Inflation Reduction Act.

The Department of Energy's Regional Clean Hydrogen Hubs (H2Hubs) will kickstart a national network of clean hydrogen producers, consumers and connective infrastructure while supporting the production, storage, delivery and end-use of clean hydrogen. H2Hubs will accelerate the commercial-scale deployment of clean hydrogen—helping generate clean, dispatchable power, create a new form of energy storage, and decarbonize heavy industry and transportation.

This marks the largest U.S. investment in clean energy to date. There are four phases over nine years, with the first phase as the planning phase which will be obtaining permits at ground level over the next 12 months which will start this year.

RSH2 represents the rural Justice40 community and will work with disadvantaged rural/tribal communities throughout Montana, the Pacific Northwest and the U.S.

“The bottom line is that this has set the foundation for creating jobs in St. Regis,” said Thompson.

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Western Railroad Discussion > MRL last minute purchase of Livingston Rebuild Center

Date: 07/15/06 00:35

MRL last minute purchase of Livingston Rebuild Center

Author: Yardmaster

It's official!

From the Livingston Enterprise:

""MRL agrees to buy Talgo-LRC

By Tahlia Ganser and Stephen Matlow, Enterprise Staff Writers

Talgo-LRC agreed Friday, July 7, to sell all its Livingston assets to Montana Rail Link.

Rail Link officials, based in Missoula, declined to say how much the company paid for Talgo-LRC.

Talgo-LRC was scheduled to close its doors on July 31 if a purchaser could not be found, a June 21 press release stated.

The company purchased all of Talgo-LRC's assets on Friday, July 7, one day after the National Railway Equipment Co. pleaded with the Park County Commission to receive a tax abatement of nearly \$432,000 to ease their possible purchase of the sprawling shops complex.

Their hopes were crushed when local speculator Cater Boehm paid \$656,079.48 in back taxes on the main shop complex.

With the sale to MRL, Talgo-LRC must repay the taxes to the Park County Treasurer's office, which will be passed on to Boehm, according to County Treasurer Kevin Larkin.

The century-old railroad repair and maintenance complex was purchased from Burlington Northern Railroad by the Washington Corp., in 1987. Washington Corp. also owns Montana Rail Link.

Since that time, MRL has maintained a running repair facility on the property's south side near the mainline tracks.

LRC was sold by Washington Corporation's primary investor, Dennis Washington, to his brother-in-law, Randy Peterson, in 1993.

Peterson sold the complex to Talgo-LRC in 2000.

MRL will use part of the facility for railroad operations, but is considering a variety of options for the remaining assets, said MRL spokeswoman Lynda Frost.

Talgo-LRC, which has cut back to about 20 workers, is scheduled to cease operations by the end of July. It has an option to postpone the takeover for 30 days, but assuming they don't, MRL will take ownership on Aug. 1.

Without the sale of its Livingston assets, Talgo-LRC would have been forced to go bankrupt, company president Antonio Perez wrote in a recent letter to the Park County commissioners.

The Talgo-LRC front desk said Wednesday morning, July 12, Perez was the only person authorized to comment on the sale. Repeated phone calls to Perez were not returned."

Yarddog

[Reply To This Message] [Quote]

Date: 07/15/06 01:53

Re: MRL last minute purchase of Livingston Rebuild Cent

Author: MrMRL

Wow, I wonder what plans Montana Rail Link has for the site now.

Thanks for the information.

Robby F. (Mr. MRL)

[Reply To This Message] [Quote]

Date: 07/15/06 06:57

Re: MRL last minute purchase of Livingston Rebuild Cent

Author: FECSD40-2

They should do what NS has done with Juniata Shops and rebuild for others as well as themselves.

[Reply To This Message] [Quote]

Date: 07/15/06 08:09

Re: MRL last minute purchase of Livingston Rebuild Cent

Author: rbx551985

FECSD40-2 Wrote:

 > They should do what NS has done with Juniata Shops
 > and rebuild for others as well as themselves.

Other rebild sites seem to be on the auction block, or are being sold off these days as well. Is this a trend? Witness this Eastern RR's discussion thread:
<http://www.trainorders.com/discussion/read.php?2,1199617>

[Reply To This Message] [Quote]



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THE GRABOW AND HER SISTERS

Livingston's Historic Hotels

by JOSEPH SHELTON

LOOKING OUT THE THIRD-FLOOR WINDOW OF THE GRABOW HOTEL, from the comfortable confines of the Lake Suite, it's hard not to imagine how it must have been over 100 years ago.

At the turn of the 20th century, the Northern Pacific Railroad often billed Yellowstone National Park as Wonderland. The frontier may have been more or less settled, but here was

a place, set aside in an act of national wisdom, where anyone could witness the West as it was. Only, perhaps, even *better*. Because where else could you see geysers and grizzlies in the same (admittedly vast) space?

Quickly, Yellowstone National Park joined the Valley of the Kings, the Colosseum, and the Hagia Sophia as places that anyone should see before they die—providing they had the means



PHOTO COURTESY OF MARION GARDNER

At its peak, when as many as 30,000 people a year
PASSED THROUGH LIVINGSTON ON THEIR WAY TO YELLOWSTONE,
MORE THAN TWENTY HOTELS SERVED THE AREA.

to get there, and the hardiness to make it there. And in, say, 1908, getting to Yellowstone, for those who would travel by rail, meant a stop in Livingston, the original first National Park in the world. From there they would board the Yellowstone Park Branch Line and travel to Cinnabar or, after 1903, to an established but for 20 years largely bypassed outpost called Gardiner, and then onto 16-person stagecoaches that would take travelers to the lodges or camps therein.

The National Pacific Railroad sleeper cars that arrived at Livingston may have been comfortable enough as train rides go*, but the subsequent stagecoach ride bordered on roughing it.

Opportunities to perform one's toilet were going to be rare, visitors were made to understand. Those who were partial to taking the occasional bath would do well to seek lodgings in Livingston, as there would be no more baths for some time.

At its peak, when as many as 30,000 people a year passed through Livingston on their way to Yellowstone, more than twenty hotels served the area. Crowned heads, presidents, statesmen, writers, and painters all stayed in Livingston hotels. Some of the hotels' names live on today, like the Grabow or the Murray. Others, like the Grand and its adjoining opera house, or the Albermarle, with its three-story aviary, are gone now.

*The relative comfort of the train ride could be variable; Rudyard Kipling, on an 1892 trip to Yellowstone, saw a conductor put a man's head through "a double plate-glass window" before leaving him, "spurting blood at every hair—a scarlet-headed and ghastly sight," at the next stop.



PHOTO COURTESY OF PATRICIA GRABOW



Gone, too, are the dusty streets rutted with horse and carriage tracks, and the Northern Pacific cars disgorging passengers en masse. The men, for the most part, no longer carry rifles. The women, for theirs, have abandoned parasols and petticoats.

Still, for all the changes wrought by time, the character of the town in that period is largely preserved today, as is the Grabow.

Many, about to embark on the wilderness, therefore chose to seek lodging in Livingston. H. F. Sanders wrote in his three-volume *History of Montana* (1913) that visitors "will usually find themselves directed to the Grabow Hotel, one of the finest hostelries in the state," and adding additional praise for its "modern hotel building... fitted with the finest equipment, with hot and cold running water in every room, European cafe in connection, and every known convenience for the comfort of [the hotel's] guests." A later volume, *Montana: the Land and the People* by Robert George Raymer, concurred when it declared that the Grabow Hotel, "while possessing all the modern features and conveniences of the up-to-date caravanseries, also has that indefinable something that makes the weary traveler feel at home." The high-ceilinged lobby had rows of rocking chairs under the watchful eye of a taxidermied elk head, and the long wooden back bar was well-appointed with high-proof refreshment. In short, nothing was lacking.



PHOTO COURTESY OF PATRICIA GRABOW

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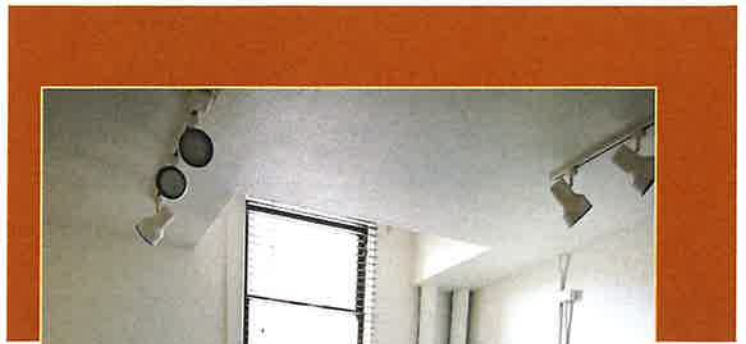


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The Grabow was built by German-born entrepreneur William Grabow. William did whatever he could to make money. He owned a hotel and restaurant called the Tivoli, dabbled in milling flour and manufacturing bricks, and secured the liquor license for Park County and Yellowstone National Park, as well as the right to sell Pabst Blue Ribbon Beer from his store in the Grand Hotel. Comfortably successful in these ventures, Grabow applied for a loan from PBR to build a new hotel, writing that the "character of the population, including such a vast number of single men working on the railroad and a large number of tourists through the summer... makes a lodging house very valuable property... especially valuable if it should be equipped with modern conveniences including baths." The loan was granted, and the hotel erected.

William would die tragically during the 1918 Spanish flu epidemic, leaving the management of the hotel to his wife, Elizabeth, and their sons. Elizabeth, who was warm-hearted and generous even during challenging times, valiantly tried to save the business, when the Depression hit hard. Family stories relate that Elizabeth fed many hungry families in the dining room of the Grabow, free of charge. The hotel was challenged and the Grabows lost it. That loss, writes Elizabeth's granddaughter Patricia, was like "breaking a collective family heart."

By the 1980s, the once grand Grabow Hotel was nearly a ruin. Today, it's anything but a ruin; it thrives again.



PHOTO COURTESY OF PATRICIA GARDNER

Patricia is its savior, and she brims with understandable pride at having the hotel back in her family. She also exudes love for her incredible grandmother, who she remembers as a vibrant

ninety-five-year-old with white hair so long she could sit on it.

Patricia bought the building back after retiring from her job as a school principal and teacher in Alaska. She had stopped by Livingston just to see the old family stomping grounds again, but found herself profoundly moved to try to get the hotel fixed up and open. She set herself the challenge of meeting or exceeding the standards set by William when he first opened the hotel which would be the envy

of Livingston. And after years of her hard work and that of her son, Chris, painstakingly restoring and fixing the hotel's rooms, she reopened it after restructuring the building as a condomini-



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Patricia sees a future

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YELLOWSTONE, THE FIRST NATIONAL PARK IN
THE WORLD, BECOMES AN ESSENTIAL PART OF
THE PARK EXPERIENCE ONCE AGAIN.



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um and ultimately opening a number of spaces as full guest rooms. Today, you can book a stay at the Grabow Hotel online, and if you do you'll pass some very pleasant nights there in beautifully decorated and maintained suites.*

If you are lucky enough to stay on a chilly night you are blessed to periodically hear the original single pipe heating system with its old-fashioned radiators clink and clank as they turn on, hissing like somnolent snakes. In 1911, when the Grabow Hotel was first opened for business, that noise must have been soothing because it meant that you were warm and in bed, the wilderness and the cold temporarily at bay. But it must have also reminded them that there would be no such comforts on the stagecoach to the Park. Today the radiators' sibilant air vents are a brief passage back to the reassuring warmings of another day.

Patricia sees her success as a potential model for the rest of downtown Livingston. With so many beautiful and historic hotels, and with nearly as much demand for tourists in Livingston as during its fin-de-siècle heyday, Grabow envisions many of those remaining hotels converted to their original use, or made into online rentals. This will help keep their character, as well as

*The author and his family stayed one night at the Grabow Hotel and liked it so much they extended it to two. The only problem with that scheme is the author and his family liked it so well that they wish they had made it four nights, or rounded up to a week.

share their singular beauty with today's travelers and tomorrow's. She sees a future in which the Original Gateway to Yellowstone, the first national park in the world, becomes an essential part of the Park experience once again. Listening to her describe this vision, you can understand both its beauty and economic appeal.

After all, with Livingston's deeply rich heritage of antique Western hotels like the Grabow, who in their right mind would stay at the typical chain hotel you can stay at anywhere?

Century-plus-old historic stays like the Grabow Hotel and its historic sisters are a different and richer experience. Look out



PHOTO COURTESY OF PATRICIA GRABOW

the window and imagine what it would have been like, more than a century ago, to spend one last night in comfort, half fearful and half excited, before beginning an arduous, sublime journey into Wonderland. [👉](#)










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Condos saving old hotels in Livingston

By LINDA HALSTEAD-ACHARYA
The Billings Gazette

LIVINGSTON (AP) — In 1977, during a sale on Park County's courthouse steps, the Grabows finally lost title to their landmark hotel.

Now 20 years later, Patricia Grabow has saved the ruin of the century Grabow Hotel and turned it into condos.

"Condominiuming is a reasonable way to go on historic buildings," she said. "It's a lot to work with. I didn't do this to make a killing and leave. I did this to save the building."

The recent transformation of the Grabow Building represents a growing trend that spilled over from neighboring Bozeman several years back. Today, several Livingston landmarks have made the switch and developers have jumped on the condo bandwagon with new units under construction.

For Grabow, restoring the building built by her grandfather between 1908 and 1911 was a massive project. After buying back the hotel in 1998, Grabow decided to secure the building's future by "going condo."

By transferring the ownership, she hopes the landmark will never again fall into disrepair.

"You can take the space and use it for a multiplicity of purposes," she said, referring to the mix of commercial and residential units. "It in no way changes the building. It changes the use of the building."

In Livingston, Grabow followed in the footsteps of Kathleen and Dan Kaul, who converted 54 rooms in the historic Murray Hotel into 30 privately-owned condo units. Unlike Grabow, however, the Murray's condos still rent out as hotel rooms, and at prices that rival a typical chain.

"They're owned by different people," Kathleen Kaul explained. "But they're all rented out on a nightly basis. We rent their owners' properties out for them when they're not there."

When the Kauls decided to go condo, they thought they'd hit on a novel plan. But it wasn't.

"Most old historic hotels are condos," Kaul said. "People just don't realize it."

Ever since the couple purchased the Murray Hotel in 1991, they had hoped to recreate it original luster. The upstairs "looked like Beirut," Kaul said, and the rest of the rooms were in such disrepair

that the business was steadily losing money. The Kauls couldn't afford to fix it up and they couldn't afford to tear it down.

"We just thought, if we could sell part of it," Kaul remembers. "It just kind of happened that way."

Profits from the sale of the first units — the cost of the condos range from \$69,000 to \$260,000 for the spacious Sun Peckinbah Suite — were pumped back into the project, allowing them to install new plumbing, new windows and a new boiler. The revenue also covered the cost of bringing some of the building's historic features, like its 1904 Otis elevator and original white birch floors, into the 21st century. Best of all, condo fees will assure paced renovations into perpetuity.

"It cost way more than what we paid for the building," Kaul admitted.

Except for the few commercial condos at the Murray — Mabie's office, the downstairs Second Street Bistro and Murray Bar, to name a few — the privately-owned units are not permanently occupied. Most owners drop by for a few weeks in the winter and a few weeks in the summer. They don't pay a daily charge, but they must make a reservation, Kathleen said.

As rooms rent out throughout the year, owners share in the profits. "The money goes into a rental pool," she explained. "If you own 7 percent of the revenue."

At the Murray, condo fees vary. Commercial space doesn't require the same daily upkeep that a hotel room needs, Mabie explained, and membership in the rental pool is up to each owner.

"On an annual basis, you're in or you're out," he said. Mabie sees the advantage of his office condo as the advantages of ownership.

"I could get cheaper digs at the edge of town," he said. "But it's a particularly nice office and over a long period of time I could sell it for more."

In fact, the few units that have already hit the resale market have tracked well with the area's real estate values.

"They appreciated well," he said.

The potential disadvantage in condo ownership rests with the association's make up. If owners



Patricia Grabow holds a portrait of her grandmother, who lost possession of the historic Grabow Building, rear, in 1937, as she poses for photo earlier this month in Livingston. Patricia purchased the building, turning it into condominiums.



Kathleen Kaul stands in the Murray Hotel in Livingston, Kathleen and her husband, Dan, have reconfigured the historic hotel into 30 unique condominiums.

are at odds, the "neighborhood" suffers.

Going condo proved such a boon for the Murray Hotel, though, that the Kauls launched a second, entirely different condo venture. On the northeast side of town, they are currently converting 15 year-old multiplexes into two and three-bedroom residential condos. Priced at about \$135,000, the completely renovated units offer housing at a reasonable price, Kaul said.

Across town, behind the Albertson's store, two new buildings with 20 condo units are nearly ready, Lynn Haerr, broker at Liv-

ingston Realty, said the plan for the Eagle Landing project eventually call for a total of 180 units in 10 buildings on 10 acres. The six different floor plans run between 1,100 and 1,300 square feet and sell for \$168,000 to \$185,000.

Haerr believes the developers, longtime Livingston businessmen, wanted to offer an affordable, growth friendly option. Instead of houses sprawled across acres of open space, Eagle Landing offers the advantage of maintenance-free living within a few minutes' walk of the grocery store.

Jim Woodhull, Livingston's city planner, is not surprised by the

recent condo trend. The volume, however, does raise his eyebrow.

"It's contrary to the Montana nature, living across the hall from someone else, with no yard to store the boat or snowmobile," he said. "But for people who visit here, it may be just the ticket."

Whether Montanans buy into the concept, Woodhull says the higher density is considered a good thing, particularly for a town like Livingston, that's not on the heels of the Bozeman boom.

Bob Moore, a member of the Livingston's urban renewal agency, has been inspired by what he's seen. A native of Portland, Ore., he remembers sprawl bulldozing its way through the small communities surrounding that city. "I doesn't want to see the same happen in his newly adopted hometown."

"The way to save the (town's) character seems to be to condominiumize," he said.

Greg Krueger, who has been instrumental in Billings' downtown development, now works with Livingston in a similar capacity. Until recently, he pointed to building a nice home on a small ranchette was the only option for upscale living in the community of 8,000. Now, Livingston has unique condos that offer similar quality in a totally different lifestyle.

According to the Park County Treasurer's Office, the Murray has 25 Owners/30 condo units

By Linda Halstead -Acharya

CONDOS SAVING OLD HOTELS IN DOWNTOWN LIVINGSTON LIVINGSTON AP-

In 1937, during a sale on Park County's courthouse steps, the Grabow family lost title to its namesake hotel.

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Vision of Prosperity for Downtown Livingston

**Rationale for persuading non-profits to locate out of the
Livingston Business District**

Rationale for persuading non-profits to locate out of the Livingston Business District

An Op Ed in the Park County Community Journal on the rationale for persuading non-profits to locate out of the Livingston Business District---preferably Washington School, if not that then a larger facility to provide a case management system for the homeless, transitional housing. And food through Loaves and Fishes, that will have to relocate because a larger affordable housing structure would be built downtown. There are three reasons:

- 1) It could save lives. Example of current homeless people not doing well under the current system
- 2) It could provide case management for the homeless in Livingston
- 3) It could provide transitional housing with the objective of finding a home for the population.
- 4) It could free up first floor space downtown for attractive retail that would help adjacent retail.
- 5) Business is down this year. This transition could help. The goal is for Livingston's economy to flourish. Let the non-profits flourish in its space, the homeless flourish and the commercial space with 355 businesses flourish in its space.

Several steps are needed for this to happen including condominizing Washington School so that the entities can own their parts of the space. It would take rewriting the current Housing Coalition Plan to accommodate the additional affordable rentals downtown and Washington School as a homeless case management shelter, non-profit services, and transitional housing. This can work well!

