



Livingston City Commission Minutes

November 16, 2021

5:30 PM

Via Zoom

Meeting ID:819 3640 5497 Passcode: 140643 Call In: (669) 900-6833

1. Call to Order

2. Roll Call: Chair Hoglund; Vice-Chair Schwarz; Commissioner Friedman (late joining); Commissioner Mabie; Commissioner Nootz. Staff in attendance: City Manager Michael Kardoes; City Attorney Courtney Lawellin; Deputy Planning Director Mathieu Menard; City Clerk Faith Kinnick.

3. Public Comment: (00:01:04)

- Lauren Dalzell

4. Consent Items 5:41 p.m. (00:04:17)

A. APPROVE MINUTES FROM NOVEMBER 2, 2021, REGULAR MEETING.

B. RATIFY CLAIMS PAID 10/23/2021-11/05/2021.

C. ACCEPT PLEDGED SECURITIES REPORT AS OF SEPTEMBER 30, 2021.

D. APPROVE APPLICATION FOR SPECIAL PARKING SPACE FOR DISABLED RESIDENT.

E. ACCEPT CITY TREE BOARD'S RECOMMENDATION TO APPOINT SARAH BOYLE TO FILL VACANCY, TO SERVE A TERM ENDING DECEMBER 31, 2024.

F. APPROVE APPLICATION FROM MICHAEL DECHELLIS, FOR RE-APPOINTMENT TO CITY CONSERVATION BOARD, TO SERVE AN ADDITIONAL TWO (2) YEAR TERM ENDING ON 12/31/2023.

- Motion by Schwarz to approve items A-D, and pull E & F for discussion, second by Nootz.
All in favor, passes 4-0. (Friedman not yet connected)
- Schwarz stated he wanted to publically recognize and appreciate Sarah Boyle and Michael Dechellis for their willingness to volunteer time to serve the boards.
- Hoglund made comment
- Nootz made comments
- Motion by Schwarz to approve items E and F, second by Mabie.
- All in favor, passes 4-0. (Schwarz's computer froze)

5. Proclamations

6. Scheduled Public Comment

7. Public Hearings

A. ORDINANCE NO. 3021: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ARTICLE IV, CHAPTER 30 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED ZONING, AS IT PERTAINS TO BUILDING DESIGN STANDARDS. 5:47 p.m. (00:09:30)

- Kardoes gave opening statements
 - No public comments
 - Nootz asked clarifying questions
 - Kardoes answered
 - Hogleund made statements
 - Menard made clarifying statements
 - Nootz motioned for approval, second by Friedman
- All in favor, passes 5-0

B. ORDINANCE NO. 3022: 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 ZONING THE PARCELS INCLUDING THE PROPERTY BETWEEN NORTH O STREET AND THE YELLOWSTONE RIVER TO INCLUDE THE KPRK RADIO STATION AS MEDIUM DENSITY RESIDENTIAL (R-II) AND NEIGHBORHOOD COMMERCIAL AND TO INCLUDE THE AREAS ZONED NEIGHBORHOOD COMMERCIAL IN THE DESIGN REVIEW OVERLAY ZONE. 5:54 p.m. (00:16:55)

- Kardoes gave opening statements
 - No public comments
 - Nootz asked clarifying questions
 - Kardoes answered
 - Mabie asked clarifying questions
 - Menard answered
 - Hogleund asked clarifying questions
 - Menard answered
 - Mabie motioned for approval, second by Friedman
- All in favor, motion passes 5-0.

C. ORDINANCE NO. 3024: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF IT'S INTENT TO AMEND CITY ORDINANCE NO. 2041, 2049, 2055, AND 2098 AS CODIFIED BY CHAPTER 9, SECTION 242 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED TRAFFIC AND VEHICLES, BY ESTABLISHING A LOADING/UNLOADING ZONE FOR DOROTHY'S DAYCARE AT 905 W. CLARK ST. AND ESTABLISHING A PENALTY FOR VIOLATIONS THEREOF. 6:05 p.m. (00:28:22)

- Kardoes gave opening statements

- No public comments
- Nootz asked clarifying questions
- Hogle asked clarifying questions
- Kardoes made clarifying comments
- Friedman motioned for approval, second by Schwarz
All in favor, motion passes 5-0.

8. Ordinances

A. ORDINANCE NO. 3025: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ARTICLE II, IV, AND V, CHAPTER 30 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED ZONING, AS IT PERTAINS TO MANUFACTURING AND USE TABLE AMENDMENTS. 6:13 p.m. (00:36:25)

- Kardoes turned over to Menard
- Menard made additional comments
- No public comments
- Schwarz made comments
- Nootz made comments
- Hogle made comments
- Schwarz motioned for approval, second by Friedman
All in favor, motion passes 5-0.

B. ORDINANCE NO. 3026: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 7 – POLICE DEPARTMENT, ARTICLE IV - DISPATCH SERVICES, AS ENACTED BY ORDINANCE NO. 1808 REGULATING THE FEES FOR FALSE ALARMS. 6:20 p.m. (00:43:52)

- Kardoes gave opening statements
- No public comments
- Mabie made comments
- Hogle made comments
- Nootz asked clarifying questions
- Kardoes answered
- Friedman motioned for approval, second by Mabie
All in favor, passes 5-0

9. Resolutions

A. RESOLUTION NO. 5007: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN AN GENERAL SERVICES AGREEMENT WITH MORTON BUILDINGS INC. FOR CONSTRUCTION OF A STRUCTURE AT PUBLIC WORKS LOCATED AT 330 EAST BENNETT ST. 00:53:38 (6:30 p.m.)

- Kardoes gave opening statements
- No public comments
- Nootz asked clarifying questions
- Hogleund made comments
- Friedman motioned for approval, second by Mabie
All in favor, passes 5-0

B. RESOLUTION NO. 5008: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, SETTING THE FEES FOR FALSE ALARMS FOR POLICE AND FIRE PROTECTION. 01:00:47 (6:37 p.m.)

- Kardoes gave opening statements
- No public comments
- Hogleund asked clarifying questions
- Kardoes answered
- Nootz asked clarifying questions
- Kardoes answered
- Mabie asked clarifying question
- Lawellin answered
- Schwarz made comments
- Nootz made motion to postpone consideration of this item until after the passage and adoption of Ordinance No. 3026, and fix the type-o. Second by Mabie.
All in favor, passes 5-0.

**8-minute recess 6:50 p.m. (01:14:11)

10. Action Items 01:23:03 (6:58 p.m.)

A. DISCUSS: BOARD COMMUNICATIONS

- Kardoes gave opening statements
- Mabie asked clarifying questions
- Hogleund made comments
- Nootz made comments
- Friedman made comments
- Schwarz made comments
- Michael Dechellis made public comments
- Allison Shannon-Lier made comments

11. City Manager Comment (02:32:37)

- Dan Clark Training scheduled for new commissioners & board members scheduled for January 12th.

12. City Commission Comments (02:32:56)

- Nootz made motion to put YBCC's request for ARPA funds on the December 7th agenda. Second by Mabie, passes 5-0, item to include YBCC's request, staff's response, and any other supporting documentation.

13. Adjournment 8:17 p.m. (02:40:23)

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.