

LIVINGSTON CITY COMMISSION REGULAR MEETING MINUTES

Tuesday, April 6, 2021 5:30 p.m.

Zoom Online Meeting ID: 890 2093 1586

1 Call to Order

2 Roll Call

Commissioners in attendance: Chair Hogle, Vice-Chair Schwarz, Friedman, Mabie and Nootz were present. Staff members present were Michael Kardoes, Faith Kinnick, Courtney Lawellin Mathieu Menard, and Shannon Holmes.

3 Public Comment: None

4 Consent Items: (00:01:52)

* Chair Hogle advised items G and H were being pulled from consideration. Kardoes elaborated.

A. Approve minutes from March 16, 2021, regular meeting.

B. Accept Judge's Monthly Report from February 2021. C.

Ratify claims paid 03/02/2021-03/31/2021

D. Approve American Legion's application for handicap parking space

E. Accept Ron Nemetz application for re-appointment to the Historic Preservation Commission to serve a (3) three-year term.

F. Approve Clay Bolt's application to Parks and Trails Committee to serve a (3) year-term.

G. ~~Accept application to Livingston TBID Board of Trustees from Angela Zindler, representing the Super 8, to fill a vacancy occurring during an unexpired term, ending December 2024.~~

H. ~~Accept application to Livingston TBID Board of Trustees from Carla Mittlesteader, representing the Travel Lodge, to fill a vacancy occurring during an unexpired term, ending December 2023.~~

* Schwarz motioned to approve A-D, pulling E & F for discussion. Second by Friedman, All in Favor, passes 5-0.

* Schwarz made comments on items E & F.

* Hogle made comments on items E & F.

* Schwarz motioned to approve items E & F, second by Friedman All in Favor, passes 5-0.

5 Proclamations:

6 Scheduled Public Comment:

7 Public Hearings: (00:04:47)

A. Ordinance No. 3003: An Ordinance of the City Commission of the City of Livingston, Montana, amending Article II, Article IV, and Article V, Chapter 30 of the Livingston Municipal Code entitled Zoning as it pertains to text amendments regarding Marijuana Production Facilities, Health and Excercise establishments, retail and Large-Scale Retail. * Kardoes gave opening statements

* Mathieu Menard made comments (00:05:56)

* No public comment

* Hogle made comment (00:07:33)

* Nootz made comment (00:08:09)

* Friedman made motion to approve, second by Mabie * All in favor, motion passes 5-0.

B. Ordinance No. 3004: An Ordinance of the City Commission of the City of Livingston, Montana, amending Ordiannce No. 1870 as codified by Chapter 2, Section 110 of the Livingston Municipal Code entitled Site Plan Review. (00:09:00)

* Kardoes gave opening statements

- * Mathieu Menard made comments (00:10:03)
 - * No public comment
 - * Nootz made comment (00:11:51)
 - * Hogleund made comment (00:16:49)
 - * Mabie made comment (00:17:12)
- Friedman made motion to approve, second by Mabie
All in favor, passes 5-0.

8 Ordinances

9 Resolutions (00:18:59)

- A. Resolution No. 4955: A Resolution of the City of Livingston, Montana, authorizing the City Manager to sign a General Services Agreement with Western Municipal Construction, Inc. for construction of the 2021 5th Street Sewer Main Capacity Improvement Project, and authorizing the City

Manager to execute the agreement to include the use of contingency funds as deemed necessary.

- * Kardoes gave opening statements
 - * Shannon Holmes made comments (00:20:56)
 - * Hogleund asked clarifying question (00:23:32)
 - * Nootz made comment (00:25:10)
 - * No public comments
- Schwarz made motion to approve, second by Friedman
All in favor, passes 5-0.

- B. Resolution No. 4956: A Resolution of the City Commission of the City of Livingston, Montana, imposing a rate for collection and disposal of Green Waste in the amount of \$6.00 per month per residential customer per Green Waste Container, a \$3.00 per month administrative fee, and the implementation of the Green Can Program. (00:31:24)

- * Kardoes gave opening statements
 - * Shannon Holmes made comments (00:33:22)
 - * Schwarz asked Shannon clarifying question (00:36:43)
 - * Jack Luther asked Shannon questions (00:37:33)
 - * Hogleund asked Shannon clarifying questions (00:41:52)
 - * Kardoes gave additional information (00:50:01)
 - * Schwarz made comments (00:51:13)
 - * Nootz made comments (00:54:13)
- Friedman made motion to approve, second by Schwarz All
in favor, passes 5-0.

- B. Resolution No. 4957: A Resolution of the City Commission of the City of Livingston, Montana, authorizing the City Manager to sign a general services agreement with TD&H Engineering, Inc. for construction management services or the 2021 5th Street Sewer Main Improvements Project, and authorize the city manager to execute the agreement to include the use of any contingency funds as deemed necessary. (00:57:57)

- * Kardoes gave opening statements
- * No public comments
- * No Commission Comments
- * Friedman made motion to approve, second by Mabie * All in favor, passes 5-0.

10 Action Items: None

11 City Manager Comments: (01:00:32)

- * Notified the Commission the new website will go live Tuesday, next week.

- * Reminded Commission about Elected Officials Forum available in April.
- * Notified the Commission Livingston was selected by the Arbor Day Foundation as a 2020 Tree City USA, release will be in the next packet.

12 City Commission Comments: (01:03:00)

- * Nootz made comments
- * Mabie made comments (01:10:41)
- * Friedman made comments (01:12:59)
- * Schwarz made comments (01:13:23)
- * Hogle made comments (01:14:25)

13 Adjournment 6:49 p.m. (01:18:28)