



Livingston City Commission Minutes

July 15, 2025 — 5:30 PM

City – County Complex, Community Room

<https://us02web.zoom.us/j/81537353996?pwd=atA1xgSmLvF9wTGf8a5J4KEndHhoDq.1>

Meeting ID:815 3735 3996

Passcode:579622

1. Call to Order

2. Roll Call

Roll Call

- Chair Schwarz
- Vice Chair Nootz
- Commissioner Kahle
- Commissioner Willich

City Staff Present

- City Manager Grant Gager
- Policy Analyst Greg Anthony
- Chief of Police Wayne Hard
- Finance Director Paige Fetterhoff
- Planning Director Jennifer 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)

Public comment was offered by:

- Leslie Feigel expressed concern about the lack of daycare availability in Livingston. She stated there is a meeting about this on 8/26 from 6 p.m. to 8 p.m. at the Shane Center. She addressed comments from the Commission at the last meeting about the parade.



- Linda Maher expressed support for Leslie.
- Patricia Grabow expressed support for Leslie and the Chamber. She stated she reached out to the City Manager about the settlement with Printing For Less. Lastly, she expressed condolences for the loss of Sal Lalani.
- Jay Keifer expressed support for Leslie.

Vice Chair Nootz read a quote. She asked to see copies of the rules and text references from Leslie. She stated it is dangerous to dehumanize a population of residents who are already the most vulnerable people in our community. She stated it is also dangerous to hypersexualize a group of people who are already the most vulnerable people in our community. She expressed how important it is to speak out when any group of people is being dehumanized in our community. She asked if the City Manager would provide receipts to show money given to the Chamber of Commerce. She asked if there will be childcare provided at this childcare meeting on 8/26.

Chair Schwarz stated the information regarding Printing For Less is public information and in a past packet.

The City Manager stated he thought it was in the 1st packet in September.

4. Consent Items

- A. APPROVAL OF MINUTES FROM JUNE 17, 2025, REGULAR MEETING [PG. 4](#)**
- B. APPROVAL OF MINUTES FROM JULY 01, 2025, REGULAR MEETING [PG.18](#)**
- C. APPROVAL OF CLAIMS PAID 6/26/25 - 7/9/25 [PG.51](#)**
- D. APPROVAL OF AGREEMENT 20200 FOR AUDIT SERVICE FOR FY 2025 - FY 2027 [PG.59](#)**
- E. APPROVAL OF AGREEMENT 20201 MOU WITH HAPPY TRASH CAN, LLC [PG.79](#)**
- F. APPROVAL OF AGREEMENT 20202 WITH AAA CLEANING [PG.89](#)**
- G. APPOINTMENT OF TWO REPRESENTATIVES TO THE CITY/COUNTY JOINT AIRPORT BOARD [PG.91](#)**

Commissioner Willich asked to split Consent Item G, as he and Chair Schwarz are part of this.

Vice Chair Nootz pulled Consent Item B.

Commissioner Kahle motioned to approve Consent Items A, C, D, E and F, seconded by Commissioner Willich. Unanimously approved.

Vice Chair Nootz clarified 3 corrections to the minutes.

Vice Chair Nootz motioned to approve Consent Item B with 3 corrections, seconded by Commissioner Kahle. Unanimously approved.



Commissioner Kahle motioned to approve Consent Item G, seconded by Vice Chair Nootz. Unanimously approved.

5. Proclamations

6. Scheduled Public Comment

A. UPDATE ON FLOODPLAIN MAPPING FROM MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION [PG.99](#)

The City Manager introduced this item and stated it is a presentation on the flood mapping effort that is ongoing at the state and federal level.

Nadeen from DNRC gave a brief presentation.

Vice Chair Nootz asked when these various scenarios impact the people who live here.

Nadeen stated the impacts would not be felt until after the maps go effective.

Vice Chair Nootz asked when that will be.

Nadeen stated if grants are received and they proceed, it could take up to 3 years.

Vice Chair Nootz asked if the properties in the 100-year floodway have something on their deed so when the property ownership changes, the new owner knows they are buying a house within the 100-year floodplain.

Nadeen stated there is a disclosure requirement for realtors.

Vice Chair Nootz asked the City Manager for an overview of what is happening around flood mapping and the river.

The City Manager stated this is one of two efforts, this being one, and the other is a Silver Jackets study, which is a levy breach analysis. He stated there is also a channel migration study being done in Park County.

Commissioner Kahle asked about the timeline and funding.

Nadeen stated the mitigation analysis will be done, a draft meeting will happen where they walk through the mitigation technical assistance results. The funding that Three Forks used to do their project was the Building Resilient Infrastructure and Communities grant, and that grant is now gone. She stated the only grant they know of that is still available is the Flood Mitigation Assistance grant. She stated it is tied to the National Flood Insurance Program and it's intended to reduce premiums and payouts to the National Flood Insurance Program.

Vice Chair Nootz asked where all of this information will be located on the City website.



The City Manager stated there is a City projects page dedicated to this already.

<https://www.livingstonmontana.org/community/page/city-projects>

Public comment was offered by:

- Patricia Grabow expressed being surprised at the presentation tonight. She thought this study would have taken into consideration the study done by the Core of Engineers and the solution the Core of Engineers came up with.
- Jeanette Blank wondered about the contract developing concepts for the flood mitigation and wondered if the concepts would be transferred over as part of the data package. If not, is there a way to find these concepts.
- Kristen Smith is the leader of Floodwise Community Assistance Program for Headwater Economics. She stated they currently have a relationship with the City, which is the for the stormwater utility. She offered that the City does have resources in Headwaters.

Nadeen responded to Jeanette Blank and stated work with be finalized through hydraulics whether or not she is still around, and there is funding still available for the mitigation technical assistance.

Vice Chair Nootz expressed surprise and concern for the Fleshman Creek Map. She thanked Nadeen for the presentation and stated the City Commission has been waiting for this data since the flood.

Commissioner Kahle motioned for a 10-minute break, seconded by Vice Chair Nootz. Unanimously approved.

7. Action Items

- A. RESOLUTION 5164: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, APPROVING AND ADOPTING THE FINAL BUDGET IN THE AMOUNT OF \$31,775,333 FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2025, AND ENDING JUNE 30, 2026 (FY26), AND MAKING APPROPRIATIONS AND ESTABLISHING SPENDING LIMITS AND AUTHORIZING TRANSFER OF APPROPRIATIONS WITHIN THE SAME FUND. [PG.114](#)**

The City Manager stated this item was reviewed in detail at the previous meeting, but offered to do so again this meeting.

Commissioners declined the full presentation be presented again.

Public comment was offered by:

- Linda Maher asked about the budget review last meeting and her interpretation was it went well.



Vice Chair Nootz stated they have never operated at deficit in the time she has been on the Commission, and under the current administration the taxing of residents has improved. She asked the City Manager to discuss the mill levies and impact to taxpayers.

The City Manager referenced the Executive Summary in this year's budget book and stated we are in balance by approximately \$15,000 or so, and that is operating expense vs. operating revenues. He reminded it is important to remember in government budgeting that there are one-time revenues and there are ongoing revenues, and there are one-time expenditures and ongoing expenditures. A well-constructed budget matches revenues with expenditures. Ongoing revenues ought to be sufficient to fund ongoing expenditures, and one-time revenues are best used to fund one-time expenditures. He is happy to recommend for the third year in a row a budget that is in balance.

Vice Chair Nootz clarified that she wanted to see the mills to show the allowable amount vs. what we are actually doing.

The City Manager reviewed page 19 of the City Managers recommended budget. He stated the City can only grow its revenue from existing properties by half the rate of inflation observed over the prior several years. He reviewed the mill chart in detail and reviewed his tax bill for the past few years to show as an example.

Finance Director Fetterhoff stated that the City Manager tax bill may have gone down, but that is not necessarily the case for every home owner. She stated these were prepared on a budget prepared at a time when all of these legislative changes had not been made. So, the value of when they think the mill levy is going to be for FY 26 is probably not accurate.

Vice Chair Nootz addressed the restructure of the Fire Dept. and it keeps budgets the same without lots of overtime. She stated this is the strongest budget she has seen. She read a brief statement about his years budget she touched on graffiti removal and railroad crossings.

Vice Chair Nootz motioned that the Commission direct the City Manager to develop and bring back, within the next 2 meetings, an actionable graffiti removal and maintenance plan for public murals including the underpass, seconded by Commissioner Willich.

Vice Chair Nootz motioned that the Commission direct the City Manager to present within the next 2 meetings, details of a long-term plan that he mentioned in the June 17th meeting involving the evaluation of a second grade separated rail crossing. The plan should include the intended structure of the process, including a timeline of deliverable, a timeline of expected community engagement and outreach, and a draft of possible alternative funding sources that could be considered. It needs to be meaningful for the community, but not so specific that it's not actually achievable by staff, seconded by Commissioner Willich.

Commissioner Kahle asked if 2 meetings was enough time to bring forward the request items for the rail crossing.



The City Manager stated yes, the structure of the plan exists.

Commissioner Willich would like to see the maintain a higher rate of percentage of the general fund balance. He would like to see this higher than what the general account office recommendation of 16.6%. He expressed appreciation for the savings on hauling solid waste.

Commissioner Kahle expressed excitement about more services be added to solid waste.

Chair Schwarz asked if they get penalized if they savings to too high about the 16.6%.

The City Manager stated that we are not a bank, so the state does limit what the fund balances can be.

Vice Chair Nootz wondered where the 16.6% come from and stated that people pay taxes so they should see the benefit from that as soon as possible.

The City Manager stated we cannot take over a 50% fund balance.

Finance Director Fetterhoff stated the 16.6% is set by the GFOA and it is based on the collection of tax dollars. She stated that 16.6% is only 2 months of operating expenses, and they know that we have to get through 5 months of operations before we get the first property tax payment. She stated the 16.6% is too low for Livingston.

Vice Chair Nootz asked for this information in dollar amounts.

Finance Director Fetterhoff stated 16.6% of operating expenses for the upcoming budget is a fund balance of \$1.4 million. She stated at one point they had a goal of 33.3% which is a fund balance of \$2.8 million.

Vice Chair Nootz motioned to approved the resolution, seconded by Commissioner Kahle.

The City Manager asked for any disclosures from the Commission.

Commissioner Kahle disclosed she is an employee of PCEC, which is also Livingston Loves Trees.

Vice Chair Nootz disclosed that she is employed at MSU.

Unanimously approved.

B. RESOLUTION 5165: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, INCREASING ALL RATES FOR ALL CUSTOMERS OF THE CITY OF LIVINGSTON WATER SYSTEM. PG.119

The City Manager stated the adjusted increase is 4.22% which matches the rate of inflation. The impact range is \$.84 to \$2.28.

Public comment was offered by:



- Linda Maher expressed that this increase looks reasonable, but wondered if they could share anything for those in need of financial utility assistance.
- Patricia Grabow expressed being against water rate increases.

Vice Chair Nootz stated that the way water rates are charged have significantly changed since her time on the Commission. For example, that the higher cost falls on the people that use more water.

Commissioner Kahle stated we are raising rates at the rate of inflation and reminded that NorthWestern Energy did not. She expressed agreement with Vice Chair Nootz about the tiered rates. She stated there are water assistance out there and HRDC is a good resource to check out.

Commissioner Willich reminded of the importance of clean water, and increased water rates help ensure clean water. He stated it is the smallest amount they can raise the rates to provide clean water.

Commissioner Kahle motioned to approved this resolution, seconded by Commissioner Willich. Unanimously approved.

C. RESOLUTION 5166: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, INCREASING ALL RATES FOR ALL CUSTOMERS OF THE CITY OF LIVINGSTON WASTEWATER SYSTEM. [PG.126](#)

The City Manager stated this resolution is to increase wastewater rates by 4/8% which matches the rate of inflation. The revenue for this goes toward funding the operations of wastewater including capitol projects. The monthly rates will increase in a range of \$.97 to \$4.77.

Public comment offered by:

- Patricia Grabow questioned process around public comment. She expressed being against wastewater rate increases.

Vice Chair Nootz explained why she explains the way she votes.

Commissioner Kahle expressed that it helps the public understand the way they are voting.

Chair Schwarz stated these meetings are long because they do take time to explain their decision-making process.

Commissioner Kahle motioned to approve this resolution, seconded by Vice Chair Nootz. Unanimously approved.

Commissioner Kahle motioned to take an 8-minute break, seconded by Vice Chair Nootz. Unanimously approved.



D. ORDINANCE 3061: 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 RECENTLY ANNEXED PROPERTY ADDRESSED AT 38 LOVES LANE AND LEGALLY DESCRIBED AS LOT 9 POR. LOT 9S OF ACREVILLE SUBDIVISION SE ¼ OF SEC 23, T02S, R09E, P.M.M PARK COUNTY, MONTANA AS MIXED USE (MU). [PG.132](#)

The City Manager stated this item is to zone a certain parcel at 38 loves lane. He invited Planning Director Severson to present.

Planning Director Severson gave a brief presentation.

Commissioner Kahle asked if the gateway overlay will need to be a separate action they will need to take.

Planning Director Severson stated it will come soon.

Public comment offered by:

- Patricia Grabow expressed being opposed to this development and is concerned about the trees in this area.
- Linda Maher expressed knowing someone in the area that is an arborist where she has heard that those are shallow trees and not in good shape. She does agree with comments from Patricia.

Chair Schwarz reminded that the storage units out in this area on County property.

Commissioner Kahle also stated those storage units are on County property. She further stated she is not aware of any regulation in the County that would stop someone from cutting down a tree. There is no zoning and no regulations. She reminded the City put in place some policy saying that new developments need to keep old growth trees, if possible.

The City Manager stated in site plan review is where they touch on tree planting and landscaping.

Vice Chair Nootz stated that staff does put a lot of effort into protecting trees. She asked the City Manager how much money the City has spent on trees or allocated to partners or to grants.

The City Manager stated it is over \$60,000

Commissioner Kahle motioned to approve the ordinance, seconded by Commissioner Willich. Unanimously approved.

E. DISCUSSION OF DOWNTOWN MASTER PLAN IMPROVEMENTS [PG.162](#)

The City Manager stated this item is a discussion of some contemplated improvements related to the Downtown Master Plan. He introduced Planning Director Severson to review.



Planning Director Severson reviewed a brief presentation.

Commissioner Willich stated he is interested to see how this project turns out.

Commissioner Kahle expressed that traffic calming will be great. She asked if there is an update on the flashing beacons.

The City Manager stated yes, they have been in contact with MDOT about 3 rapid flashing beacons across Park Street. He stated they spoke with MDOT and we requested bulb out for the rapid flashing beacons, and this has been in review for about 9 months. He will continue to review this option for bulb outs at Main and Park. He stated the other 2 crossing have been approved.

Vice Chair Nootz expressed that she likes that Planning Director Severson brings excitement to this topic. She likes that its project is fun and cute and feels that it fits the vibe of Livingston. She asked if there will be a process for artists to request to do the art.

Commissioners discussed that Main and Park is busy and bulb outs are important because there is a lot happening at this intersection and they would really like to see it become safer.

Public comment was offered by:

- Linda Maher expressed concerns about pollinator plants because the pictures look like petunias and those are not pollinator plants.

The City Manager stated they have discussed plants a lot and we do have a place to store plants for winter currently at Public Works.

F. DISCUSSION REGARDING AUGUST 5, 2025, CITY COMMISSION MEETING [PG.171](#)

The City Manager stated this item is too possible contemplate cancelling the 8/5 City Commission Meeting because it is National Night Out.

Commissioners agreed it was okay to cancel the 8/5 City Commission Meeting.

Vice Chair Nootz motioned to enter closed session, seconded by Commissioner Kahle. Unanimously approved.

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

8. City Manager Comment

The City Manager stated at the next meeting will provide and update on the Wellness Center.

9. City Commission Comments

Commissioner Willich thanked LFR for filling the dunk tank at the off-road vehicle tank the day before, so the water had time to warm up.



Commissioner Kahle she thanked the fairgrounds for a much quieter rodeo this year.

Vice Chair Nootz thanked the Commission for their seconds on a few motions tonight. She also recognized the sound at the fairgrounds was quieter this year, but still not as quiet as she hoped. She hopes the City Manager can help make sure this gets better for residents. She expressed appreciation for proclamations being read.

Chair Schwarz – no comment

10. Adjournment

Commissioner Willich motioned to adjourn, seconded by Commissioner Kahle. 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.