



Livingston City Commission Minutes

June 01, 2021

5:30 PM

Via Zoom

<https://us02web.zoom.us/j/84602081498?pwd=Tm5ZQk8vL0FLWIR6clNsSkc2N3ITQT09>

MEETING ID: 846 0208 1498 **PASSCODE: 287148** CALL IN: (669) 900-6833

1. Call to Order

2. Roll Call

Commissioners in attendance: Chair Dorel Hoglund, Vice-chair Quentin Schwarz, Warren Mabie, Melissa Nootz, Mel Friedman. Staff in attendance: Michael Kardoes, Courtney Lawellin, Faith Kinnick joined at 6:10 p.m.

3. Public Comment (Recording not started)

- Patricia Grabow made public comment
- Jay Keifer made public comment

4. Consent Items (00:00:

A. APPROVE MINUTES FROM REGULAR CITY COMMISSION MEETING 05/18/2021.

B. ACCEPT: JUDGE'S MONTHLY REPORT FROM APRIL 2021

C. RATIFY CLAIMS PAID MAY 13, 2021- MAY 25, 2021.

- Motion by Schwarz, second by Friedman
- All in favor, passes 5-0

5. Action Items, moved to the beginning of the meeting due to chair Hoglunds schedule. (00:01:38)

A. DISCUSS/APPROVE/DENY: MOVING FORWARD WITH BALLOT CROSSING LANGUAGE AS PROPOSED BY BOND COUNSEL.

- Kardoes gave opening statement
- Nootz asked clarifying question (00:05:08)
- Patricia Grabow made public comment (00:07:16)
- Michelle Uberuaga gave public comment (00:08:38)
- Johnathan Hettinger gave public comment (00:12:08)
- Karrie Kahle gave public comment (00:15:00)
- Mabie made comments (00:17:07)
- Schwarz made comments (00:19:10)
- Nootz made comments (00:21:02)
- Friedman made comments (00:27:45)
- Hoglund asked clarifying questions and made comments (00:28:10)

- Decision was made to hold an in-person work session, scheduled for June 22nd at 5:30 p.m.-8:30 p.m. Commission wants to see a community presentation, with flow-charts, meeting including a representative from the planning board incorporating the growth policy where we can and get needs/wants from the community and a plan moving forward. Kardoes advised Commission needs to decide if we want to try to meet this year's ballot. Process including ballot language would need to be adopted by July 20, 2021.

C. DISCUSS/APPROVE/DENY: LIVINGSTON AREA CHAMBER OF COMMERCE REQUESTING WAVIER OF CITY FEES FOR THE 95TH ANNUAL LIVINGSTON ROUNDUP PARADE. (00:49:41)

- Kardoes gave opening statement
- Leslie Feigle made comments (00:50:54)
- Patricia Grabow made comments (00:55:48)
- Jay Keifer made comments (00:56:47)
- Nootz made comments (00:58:47)
- Motion by Mabie, second by Nootz
- All in favor passes 5-0

B. CLOSED SESSION, LEGAL UPDATE (01:02:27)

- Kardoes advised legal update needed for Commission to receive information and legal strategy. Closed meeting to public, paused recording.

6. Proclamations

7. Scheduled Public Comment (Adam could no longer stay on all, will be rescheduled)

A. ADAM STERN, OF LIVINGSTON BRAVES BOARD OF DIRECTORS, PRESENTS THE 2021 LEGION BASEBALL DISTRICT TOURNAMENT.

Public Meeting resumed at (01:05:15)

5- minute recess (01:05:19)

8. Public Hearings (01:10:10)

A. RESOLUTION NO. 4960: A RESOLUTION TO THE CITY OF LIVINGSTON, MONTANA, ANNEXING CERTAIN LAND BELONGING TO THE CITY OF LIVINGSTON WHICH IS DESCRIBED AS THE ISLAND IN THE NE 1/4 OF SECTION 7 IN TOWNSHIP 2 SOUTH RANGE 10 EAST.

- Kardoes gave opening statement
- No public comments
- Nootz made comment (01:16:53)
- Mabie made comment (01:17:00)
- Motion by Mabie, second by Schwarz

- All in favor, passes 5-0

B. ORDINANCE NO. 3007: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF IT'S INTENT TO AMEND ARTICLE 1 SECTION 11-2 OF THE LIVINGSTON MUNICIPAL CODE TO ALLOW THE SALE OF FIREWORKS WITHIN THE INCORPORATED CITY LIMITS. (01:17:46)

- Kardoes gave opening statement
- Hogleund asked clarifying question (01:19:30)
- Hogleund excused herself for other work obligation, Vice-chair took over meeting.
- No public comment
- Nootz made comments (01:21:53)
- Motion by Mabie, second by Friedman
- Motion passes, 4-0

8. Ordinances (01:24:27)

A. ORDINANCE NO. 3008: 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 A PARCEL GENERALLY KNOWN AS 5 ROGERS LANE AND LEGALLY DESCRIBED AS LOT 15C OF COS 170A, IN SECTION 23, TOWNSHIP TWO SOUTH, RANGE NINE EAST, AS HIGHWAY COMMERCIAL (HC).

- Kardoes gave opening statement
- No public comment
- No Commissioner comments
- Motion by Mabie, second by Nootz
- All in favor, passes 4-0.

B. ORDINANCE NO. 3009: 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 PARCELS GENERALLY KNOWN AS 1 AND 5 PRONGHORN DRIVE AND LEGALLY DESCRIBED AS TRACT A OF PLAT 138, LESS .005 ACRES AND THE RIGHT OF WAY ON R-134-481, IN THE ACREVILLE SUBDIVISION, IN SECTION 23 OF TOWNSHIP TWO SOUTH, RANGE NINE EAST AND PORTIONAL LOT 14 IN PLAT 138, IN THE ACREVILLE SUBDIVISION, IN SECTION 23 OF TOWNSHIP TWO SOUTH, RANGE NINE EAST, AS HIGHWAY COMMERCIAL (HC). (01:27:54)

- Kardoes gave opening statement
- No public comment
- Motion by Nootz, second by Mabie
- All in favor, passes 4-0.

C. ORDINANCE NO. 3010: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ARTICLE II AND ARTICLE V, CHAPTER 30 OF THE

LIVINGSTON MUNICIPAL CODE ENTITLED ZONING AS IT PERTAINS TO PARKING LOTS AND LANDSCAPING. (01:30:58)

- Kardoes gave opening statement
- Michelle Uberuaga made comments (01:34:27)
- Nootz made comments (01:35:49)
- Schwarz made comments (01:37:30)
- Motion by Mabie, second by Friedman
- All in favor, passes 4-0.

D. ORDINANCE NO. 3011: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO AMEND SECTION 27-2 OF CHAPTER 27 – CITY PLANNING BOARD, AS ENACTED BY ORDINANCE NO. 1922 AND AMENDED BY ORDINANCE 1965 REGULATING THE MEMBERSHIP OF PLANNING BOARD, TERMS OF OFFICE AND QUALIFICATIONS FOR MEMBERSHIP. (01:39:03)

- Kardoes gave opening statement
- Patricia Grabow gave comments (01:41:44)
- Johnathan Hettinger gave comments (01:42:39)
- Karrie Kahle made comments (01:43:38)
- Michelle Uberuaga made comments (01:44:52)
- Mabie made comments (01:46:10)
- Schwarz made comments (01:47:51)
- Nootz made comments (01:49:42)
- No motion made
- Motion fails

9. Resolutions (01:58:47)

A. RESOLUTION NO. 4967: A RESOLUTION OF THE CITY COMMISSION, OF THE CITY OF LIVINGSTON, MONTANA, REQUESTING DISTRIBUTION OF BRIDGE AND ROAD SAFETY AND ACCOUNTABILITY PROGRAM FUNDS.

- Kardoes turned over to Finance Director, Paige Fetterhoff
- No public comments
- No Commission comments
- Motion by Mabie, second by Friedman
- All in favor, passes 4-0.

11. City Manager Comment (02:03:17)

Beginning moving City Offices starting Friday, June 4th.

12. City Commission Comments (02:04:12)

- Nootz

- Mabie (02:05:33)
- Friedman had audio issues
- Schwarz (02:07:14)

13. Adjournment (02:08:18) 8:13 p.m.