



Livingston City Commission Minutes

July 20, 2021

5:30 PM

City – County Complex, Community Room

1. Call to Order

2. Roll Call

In attendance: Vice-Chair Schwarz, Commissioner Friedman, Commissioner Mabie and Commissioner Nootz in attendance. Staff in attendance: City Manager Michael Kardoes; City Attorney Courtney Lawellin; Deputy Planning Director Mathieu Menard, Finance Director Paige Fetterhoff; and City Clerk Faith Kinnick. Chair Hoglund absent.

3. Moment of Silence

4. Pledge of Allegiance

5. Public Comments: none

6. Consent Items (00:03:50)

A. APPROVE MINUTES FROM 07/06/2021 REGULAR COMMISSION MEETING.

B. RATIFY CLAIMS PAID 06/23/2021-07/09/2021.

C. APPROVE VANESSA HAINES APPLICATION FOR HANDICAP PARKING SPACE.

- Motion by Friedman, second by Mabie.
 - All in favor, passes 4-0.

7. Proclamations: none

8. Scheduled Public Comment: none

9. Public Hearings: (00:04:40)

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 statements
- No public comments
- Nootz asked clarifying question.
- Motion by Friedman, second by Mabie.
 - 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 PROPORTIONAL LOT 14 IN PLAT 138, IN THE ACREVILLE SUBDIVISION, IN SECTION 23 OF TOWNSHIP TWO SOUTH, RANGE NINE EAST, AS HIGHWAY COMMERCIAL (HC). (00:07:53)

- Kardoes gave opening statements
- No public comments
- No commissioner comments
- 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. (00:10:07)

- Kardoes asked Mathieu Menard for opening statements
- No public comments
- Nootz made comments
- Schwarz made comments
- Motion by Friedman, second by Mabie.
- All in favor, passes 4-0.

D. RESOLUTION NO. 4977: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, APPROVING AND ADOPTING THE FINAL BUDGET IN THE AMOUNT OF \$22,935,549 FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2021, AND ENDING JUNE 30, 2022, (FY22), AND MAKING APPROPRIATIONS AND ESTABLISHING SPENDING LIMITS AND AUTHORIZING TRANSFER OF APPROPRIATIONS WITHIN THE SAME FUND. (00:14:20)

- Kardoes gave opening statements
- No public comments
- Nootz made comments
- Schwarz made comments
- Motion by Friedman, second by Mabie.
- All in favor, passes 4-0.

E. RESOLUTION NO. 4978: 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. (00:18:25)

- Kardoes gave opening statements
- No public comments
- Nootz made comments
- Mabie made comments
- Schwarz made comments
- Motion by Friedman, second by Mabie.
- All in favor, passes 4-0.

F. RESOLUTION NO. 4979: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, INCREASING ALL RATES FOR ALL CUSTOMERS OF THE CITY OF LIVINGSTONS WASTE WATER SYSTEM IN THE AMOUNT OF 3.0%. (00:23:38)

- Kardoes gave opening statements
- No public comments
- Nootz made comments
- Schwarz made comments
- Motion by Nootz, second by Friedman.
- All in favor, passes 4-0.

G. RESOLUTION NO. 4980: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, LEVYING 100% OF THE COST FOR STREET MAINTENANCE AND IMPROVEMENTS DISTRICT NO. 1 FOR THE FISCAL YEAR 2021-2022 IN THE AMOUNT OF \$1,278,988, AND ASSESSING ALL PROPERTY WITHIN THE DISTRICT. (00:28:44)

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

H. RESOLUTION NO. 4981: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ESTIMATING THE COST OF MAINTAINING LIGHTS AND SUPPLYING ELECTRICAL CURRENT TO SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 20 IN THE AMOUNT OF \$84,600 FOR THE FISCAL YEAR 2021-2022 AND LEVYING AND ASSESSING 100% OF THE ESTIMATED COSTS AGAINST EVERY PARCEL OF PROPERTY WITHIN SAID DISTRICT FOR THAT PART OF THE COST WHICH ITS ASSESSABLE AREA BEARS TO THE ASSESSABLE AREA OF THE DISTRICT. (00:31:10)

- Kardoes gave opening statements

- No public comments
- Nootz made comments
- Mabie made comments
- Motion by Mabie, second by Nootz.
- All in favor, passes 4-0.

I. RESOLUTION NO. 4982: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, MODIFYING SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 20 BY REPLACING STREET LIGHTS AND OTHER APPURTENANCES THEREIN AND TO LEVY AND ASSESS 100% OF THE ESTIMATED COSTS OF \$65,000 FOR THE FISCAL YEAR 2021-2022 AGAINST EVERY PARCEL OF PROPERTY WITHIN SAID DISTRICT FOR THAT PART OF THE COST WHICH ITS ASSESSABLE AREA BEARS TO THE ASSESSABLE AREA OF THE DISTRICT, AND CALLING FOR A PUBLIC HEARING. (00:36:15)

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

10. Ordinances: none

11. Resolutions: none

12. Action Items: (00:38:20)

A. DISCUSS/APPROVE/DENY: COMMISSION TO APPOINT TWO APPLICANTS TO SERVE ON THE CITY/COUNTY AIRPORT BOARD.

- Kardoes gave opening statements and his recommendation.
- No public comments
- Nootz made comments
- Mabie made comments
- Friedman made comments
- Schwarz made comments
- Motion by Mabie to approve appointment of Steve Koontz and Katie Weaver to serve on board, second by Nootz.
- All in favor, passes 4-0.

B. DISCUSS/APPROVE/DENY: ACCEPTING LOCAL GOVERNMENT REVIEW COMMITTEE RECOMMENDATION AND DIRECTING CITY STAFF TO DRAFT A RESOLUTION CALLING FOR AN ELECTION ON THE BALLOT ISSUE ON THE QUESTION OF WHETHER THE ELECTORS OF THE CITY OF LIVINGSTON SHOULD ADOPT A SELF-GOVERNMENT CHARTER WITH A COMMISSION MANAGER FORM OF GOVERNMENT, TO THE AUGUST 3, 2021, MEETING. (00:46:28)

- Kardoes gave opening statements
- No public comments
- Schwarz made comments
- Friedman made comments
- Nootz made comments
- Mabie made comments
- Motion by Friedman, second by Mabie.
- All in favor, passes 4-0.

C. DISCUSS/APPROVE/DENY: SUBMITTING TO THE ELECTORS OF THE CITY OF LIVINGSTON A GENERAL OBLIGATION BOND IN THE AMOUNT OF \$18M FOR THE PURPOSE OF FUNDING THE CONSTRUCTION OF A SEPARATED GRADE RAIL CROSSING AND INFRASTRUCTURE. (01:05:56)

- Kardoes gave opening statements
- Drew Scott gave public comments (01:09:29)
- Mabie made comments
- Nootz made comments
- Mabie made comments
- Friedman made comments
- Schwarz made comments
- Motion by Mabie to approve with the amendment of increasing the amount to \$20 Million, second by Schwarz.
- Motion passes 3-1, Nootz against.

13. City Manager Comment (01:30:42)

14. City Commission Comments (01:37:10)

15. Adjournment (7:21 p.m.)

LIVINGSTON CITY COMMISSION WORK SESSION

Public Comment Sign-in

DATE: 07/20/2021

If you would like to speak to the Commission, please note your name and address will be recorded here. This document is an official public record. Thank you!

PRINTED NAME/ADDRESS

AGENDA ITEM

1. Don Scott 710 Quasar Lane Livingston MT 59017

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