



Livingston City Commission Minutes

August 09, 2022

5:30 PM

Via Zoom

<https://us02web.zoom.us/j/85295515067?pwd=T2t3dU1kanFhMDMwTnA2SmJsUEJxUT09>

Meeting ID: 852 9551 5067 **Passcode: 343585** Call In: (669) 900-6833

1. Call to Order

2. Roll Call

In attendance: Vice-Chair Karrie Kahle, Commissioner Friedman, Commissioner Schwarz, Commissioner Lyons, Chair Melissa Nootz excused. Interim City Manager Lisa Lowy, City Attorney Courtney Lawellin, Building and Planning Director Jim Woodhull, Interim Fire Chief Ron Lindroth, and Recording Secretary Faith Kinnick.

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)

- Jane Jarrett gave public comment

4. Consent Items

A. APPROVE MINUTES FROM JULY 26, REGULAR COMMISSION MEETING

B. RATIFY CLAIMS PAID 07/14/2022-07/29/2022.

C. ACCEPT CITY COURT FINANCIAL REPORT FROM MAY 2022

D. APPROVE TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID) BOARD RECOMMENDATION TO FILL VACANCIES.

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

5. Proclamations

6. Scheduled Public Comment (Greg late joining started at 6:08 p.m.)

A. GREG PROTHMAN AND TED BARKLEY OF GMP CONSULTANTS WITH HIRING CLIMATE IN OUR REGION AND UPDATE ON CITY MANAGER RECRUITMENT.

- Greg Prothman gave update
- Ted Barkley made additional comments

- Kahle asked clarifying questions of Lowy
- Greg made additional comments

7. Public Hearings 5:42 p.m.

Individuals are reminded that testimony at a public hearing should be relevant, material, and not repetitious. (MCA 7-1-4131 and Livingston City Code Section 2-21)

A. ORDINANCE NO. 3036: 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 REZONING PROPERTY LEGALLY DESCRIBED AS LOTS 1-16 OF BLOCK 22 & LOTS 17-32 OF BLOCK 23, PLACE ADDITION (ADDRESSED AS 1200 W. MONTANA STREET) FROM MEDIUM DENSITY RESIDENTIAL (RII) TO HIGH-DENSITY RESIDENTIAL (RIII).

- Lowy introduced item
- Kahle opened the public hearing
- Patricia Grabow gave public comment
- No clarifying questions from the Commission
- Motion by Lyons to approve, second by Schwarz
- Lyons made comments
- Schwarz made comments
- Kahle made comments
- All in favor, passes 4-0

B. ORDINANCE NO. 3037: 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 PROPERTY LEGALLY DESCRIBED AS LOT 16 & 17 OF THE ACREVILLE SUBDIVISION IN SECTION 23, TOWNSHIP TWO SOUTH (T02S), RANGE NIINE EAST(R09E), AS MIXED-USE. 5:51 p.m.

- Lowy introduced item
- Kahle opened the public hearing
- Patricia Grabow gave public comment
- No additional public comments
- Lyons asked clarifying questions
- Woodhull answered
- Motion to approve Ord. No. 3037 by Schwarz, second by Friedman
- Schwarz made comments

- Lyons made comments
 - Kahle made comments
- All in favor, passes 4-0

8. Ordinances 6:19 p.m.

A. ORDINANCE NO. 3038: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 11 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED FIRE PROTECTION AND PREVENTION REMOVING LANGUAGE REDUNDANT WITH STATE STATUTE AND REMOVING LANGUAGE REGARDING THE LIFE SAFETY CODE AND RENUMBERING THE SECTIONS INTO A MORE RECOGNIZABLE ORDER.

- Lowy introduced item
 - Interim Fire Chief Ron Lindroth gave a presentation
 - Schwarz made comments
 - Kahle asked clarifying question
 - Lawellin made additional clarifying comments
 - Motion to approve Ord. No. 3038 by Schwarz, second by Friedman
 - Opened public hearing
 - No public comments
 - Schwarz made comments
 - Lyons made comments
 - Kahle made comments
- All in favor, passes 4-0

9. Resolutions 6:29 p.m.

A. RESOLUTION NO. 5060: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY OF LIVINGSTON TO APPLY FOR THE AMERICAN RESCUE PLAN ACT MINIMUM ALLOCATION GRANT PROGRAM AND AUTHORIZING THE COMMITMENT OF REQUIRED MATCHING FUNDS, AND AUTHORIZING THE INTERIM CITY MANAGER TO SIGN ANY REQUIRED CONTRACTS TO COMMIT OR ACCEPT FUNDS.

- Lowy introduced item
- Lyons asked clarifying questions of Lowy
- Schwarz made a motion to approve Resolution No. 5060, second by Friedman

- No public comments
- Kahle made comments
All in favor, passes 5-0

B. RESOLUTION NO. 5061: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE INTERIM CITY MANAGER TO SIGN AN AMENDMENT TO THE OWNER-ENGINEER AGREEMENT WITH AE2S FOR THE EXTENSION OF CONTRACTED ON-CALL AND INSTRUMENTATION CONTROL SERVICES THROUGH JULY 28, 2024, AS IT PERTAINS TO THE LIVINGSTON WATER RECLAMATION FACILITY AND SCADA SYSTEM. 6:36 p.m.

- Lowy introduced item
- Schwarz asked clarifying question of Lowy
- Schwarz made additional comments
- Schwarz motioned to approve Res. No. 5061, second by Friedman
- No public comment
All in favor, passes 4-0

10. Action Items 6:42 p.m.

A. DISCUSS/APPROVE/DENY: RECOMMENDATIONS FROM THE ARPA BUCKET A VISIONING COMMITTEE.

- Lowy introduced item before turning over to Chair Stevens
- Tim Stevens gave an overview of the Committee's recommendation
- Lyons asked clarifying questions of Lowy
- Kahle asked clarifying questions
- Schwarz motioned to approve action item A, second by Friedman
- Patricia Grabow gave public comment
- Warren Mabie gave public comment
- Heidi Barrett gave public comment
- Amy Tippenmeyer-Stephens gave public comment
- Gavin Clark gave public comments
- Lisa Lowy made comments
- Schwarz made comments
- Lyons made comments; add to next agenda motion to extend the timeline for the ARPA Ad-Hoc Committee
- Lowy made comments

- Tim Stevens made additional comments
 - Kahle made comments
 - Lyons made comments
- All in favor passes 4-0

10-minute recess at 7:25 p.m. reconvened 7:35 p.m

B. DISCUSS/APPROVE/DENY: PROVIDING \$1200.00 FINANCIAL CONTRIBUTION TO BIG SKY PASSENGER RAIL AUTHORITY.

- Lowy introduced item
 - Lyons asked clarifying questions of Lowy
 - Kahle asked clarifying questions
 - Motion to approve action item B, second by Schwarz
 - Patricia Grabow gave public comment
 - Lyons made comments in support
 - Schwarz made comments in support
 - Kahle made comments in support
- All in favor, passes 4-0

C. DISCUSS/APPROVE/DENY: CONSIDERATION OF OPTIONS FOR CITY MANAGER TO ADDRESS HOUSING CONCERNS AND OTHER POTENTIAL COMPENSATION. (7:48 p.m.)

- Lowy introduced item
- Kahle asked clarifying questions
- Lyons asked clarifying questions
- Schwarz made comments
- No additional commissioner comments
- No action taken, discussion only

D. DISCUSS/APPROVE/DENY: CITY MANAGER RESIDENCY REQUIREMENT 7:57 p.m.

- Lowy introduced item
- Lyons asked clarifying questions
- Kahle asked clarifying questions
- Schwarz made comments
- Lyons made comments

Motion to extend the meeting by Schwarz, second by Friedman, followed by a 5-minute break.
8:17 p.m.

E. CLOSED EXECUTIVE SESSION: PERSONNEL MATTER AND LEGAL UPDATE

- Entered Closed Executive Session at 8:22 p.m.
- Reconvened at 8:59 p.m.
- No action taken

11. City Manager Comment 8:59 p.m.

- FEMA and SBA are pulling out of Livingston, encouraged any remaining residents to contact if still needing assistance.
- PCEC and other entities are hosting a Give Back to the Yellowstone River Clean-up event on August 20th we will help share and have waved administrative fees.

12. City Commission Comments 9:01 p.m.

- Lyons
- Schwarz
- Friedman
- Kahle, reminded group of Lyon's request for the ARPA committee extension to come before the commission again on the next agenda.

13. Adjournment 9:03 p.m.