



# Livingston City Commission Minutes

August 20, 2024

5:30 PM

City – County Complex, Community Room

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## 1. Call to Order

The Chair called the meeting to order at 5:31pm.

## 2. Roll Call

Chair Kahle, Vice Chair Nootz, Commissioner Schwarz and Commissioner Willich were present. Commissioner Lyons was absent.

## 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 Erica Lighthiser who commented on the recent chip seal project that resulted in a contamination of storm water flows.

Vice Chair Nootz offered a point of order noting that many of the comments made by Ms. Lighthiser were not within the jurisdiction or control of the City Commission but were administrative matters. Vice Chair Nootz also noted that several other items are being worked on by the City and Commission, including a storm water infrastructure plan.

## 4. Consent Items

### **A. APPROVAL OF MINUTES FROM AUGUST 06, 2024, REGULAR MEETING**

### **B. APPROVAL OF CLAIMS PAID 8/1/24 - 8/14/24**

### **C. APPROVAL OF SPECIAL EVENT EXCEPTION TO ALCOHOL POSSESSION AND CONSUMPTION RESTRICTIONS FOR NEPTUNE'S BREWERY BLOCK PARTY 2024**

### **D. CONSIDERATION OF AGREEMENT 20111 WITH LIVINGSTON SCHOOL DISTRICT FOR A SCHOOL RESOURCE OFFICER**

A motion to approve the consent calendar was made by Commission Schwarz and seconded by Commissioner Willich. The Motion passed unanimously by the four Commissioners present.

## 5. Proclamations

### **A. NATIONAL SENIOR CITIZENS DAY 8/21/24**

The Chair read the proclamation. The City Manager and Commissioners recognized the importance of senior citizens.

## 6. Scheduled Public Comment

## 7. Action Items

**A. RESOLUTION NO. 5140: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, FIXING THE TAX LEVY FOR FISCAL YEAR 2024-2025.**

The chair introduced the item and turned to the City Manager to provide background information to the Commission. The City Manager discussed the purpose of the item and discussed the level of change in tax levy for the fiscal year relative to the prior year. The City Manager noted that he and the Finance Director are available for questions.

Commissioner Schwarz made a motion to approve the Resolution that was seconded by Vice Chair Nootz.

The Chair opened up public comment and there was none.

After brief comments, the City Manager read the roll call for votes and the motion was approved unanimously by the four Commissioners present.

**B. RESOLUTION NO. 5141: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO SPECIFY THE ASSESSMENT OPTION FOR STREET MAINTENANCE AND IMPROVMENTS DISTRICT NO. 1 FOR FISCAL YEAR 2024-2025 IN AN ESTIMATED AMOUNT OF \$1,390,903, LEVY AND ASSESS ALL PROPERTY WITHIN THE DISTRICT.**

The chair introduced the item and turned to the City Manager to provide background information to the Commission. The City Manager discussed the purpose of the item and discussed the level and amount of change in street maintenance assessments for the fiscal year relative to the prior year. The City Manager noted that this funds improvements like the upcoming treatment of unpaved streets. The City Manager noted that he and the Finance Director are available for questions.

Vice Chair Nootz made a motion to approve the Resolution that was seconded by Commissioner Willich.

The Chair opened up public comment. Mark Nardin offered comment about the condition of streets and pedestrian infrastructure in his neighborhood.

At the conclusion of the public comments, the Chair provided the City Manager an opportunity to address the public comments. The City Manager discussed storm water projects in the area as well as the provision of sidewalks where there are none.

Commissioner Schwarz discussed the history of the street maintenance district.

Commissioner Willich offered that there is much work to do in street maintenance.

Commissioner Nootz thanked the City Manager for the work to improve and eliminate gravel streets. The Chair agreed with those comments.

The City Manager read the roll call for votes and the motion was approved unanimously by the four Commissioners present.

**C. RESOLUTION NO. 5142: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO ESTIMATE THE COST OF MAINTAINING LIGHTS AND SUPPLYING ELECTRICAL CURRENT TO SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 20 IN THE AMOUNT OF \$61,993 FOR FISCAL YEAR 2024-2025 AND LEVYING AND ASSESSING 61% 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.**

The chair introduced the item and turned to the City Manager to provide background information to the Commission. The City Manager discussed the purpose of the item and discussed the level and change in assessment amount for the fiscal year relative to the prior year. The City Manager noted that he and the Finance Director are available for questions.

Chair Nootz inquired about the reduction in assessment levels and how that was possible. Finance Director Fetterhoff provided the information regarding the larger tax base and its impact on the assessment level.

Chair Kahle addressed the prior year's change to the assessment methodology.

Commissioner Willich made a motion to approve the Resolution that was seconded by Commissioner Schwarz.

The Chair opened up public comment and there was none.

After brief comments, the City Manager read the roll call for votes and the motion was approved unanimously by the four Commissioners present.

**D. RESOLUTION NO. 5143: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO MODIFY SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 20 BY REPLACING STREET LIGHTS AND OTHER APPURTENANCES THEREIN AND TO LEVY AND ASSESS 58% OF THE ESTIMATED COSTS OF \$38,000 FOR FISCAL YEAR 2024-2025 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.**

The chair introduced the item and turned to the City Manager to provide background information to the Commission. The City Manager discussed the purpose of the item and discussed the level of change in tax levy for the fiscal year relative to the prior year. The City Manager noted that he and the Finance Director are available for questions.

Commissioner Willich made a motion to approve the Resolution that was seconded by Vice Chair Nootz.

The Chair opened up public comment and there was none.

After brief comments, the City Manager read the roll call for votes and the motion was approved unanimously by the four Commissioners present.

**8. City Manager Comment**

The City Manager thanked the Commission for its work this evening. The City Manager discussed a recent project partnering meeting with MDT.

**9. City Commission Comments**

Commissioner Schwarz reminded the community that September 7 is the river clean-up and Freshwater Partners is the partner.

Vice Chair Nootz offered thanks to the City staff for the quick clean-up after the last storm. Commissioner Nootz also thanked the Public Works team for the efforts in all unexpected events.

Chair Kahle commented on the noise level at the County Fairgrounds, the river clean-up and storm water clean-up.

#### 10. Adjournment

Motion to adjourn made by Commissioner Schwarz and seconded by Vice Chair Nootz. The motion passed unanimously at 6:07pm.

## 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 Chair. 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.