



Livingston City Commission Minutes

July 01, 2025 — 5:30 PM

City – County Complex, Community Room

<https://us02web.zoom.us/j/84674250633?pwd=P8481bWwQVqJBXakCQaTh9RwaqWuYE.1>

Meeting ID: 846 7425 0633

Passcode: 949554

1. Call to Order

2. Roll Call

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

City Staff Present

- City Manager Grant Gager
- Policy Analyst Greg Anthony
- Assistant Chief of Police Andrew Emanuel
- Planning Director Jennifer Severson
- Public Works Director Shannon Holmes

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:

- Jay Keifer expressed concern about this year's budget.



- Andrew Bolerjack the coordinator for Yellowstone Boat Float asked if the City Commission would waive the insurance requirement for the roping arena or mayors landing.

Vice Chair Nootz stated the budget is not on the agenda for this meeting, but will be at the next meeting.

4. Consent Items

- A. APPROVAL OF MINUTES FROM JUNE 17, 2025, REGULAR MEETING [PG.4](#)**
- B. APPROVAL OF CLAIMS PAID 6/12/25 - 6/25/25 [PG.60](#)**
- C. APPROVAL OF AGREEMENT 20194 COLLECTIVE BARGANING AGREEMENT BETWEEN THE CITY OF LIVINGSTON AND LOCAL #630, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS [PG.73](#)**
- D. APPROVAL OF AGREEMENT 20195 WITH IMCO [PG.116](#)**
- E. APPROVAL OF AGREEMENT 20196 FOR ROPING ARENA LEASE [PG.127](#)**
- F. APPROVAL OF AGREEMENT 20197 WITH FOUR CORNERS RECYCLING [PG.139](#)**
- G. CONSIDERATION OF OPEN CONTAINER SPECIAL EXCEPTION REQUEST FOR THE ANNUAL 6TH STREET BLOCK PARTY ON JULY 2, 2025 [PG.154](#)**
- H. CONSIDERATION OF OPEN CONTAINER SPECIAL EXCEPTION REQUEST FOR THE 62ND ANNUAL YELLOWSTONE BOAT FLOAT ON JULY 10, 2025 [PG.160](#)**
- I. CONSIDERATION OF OPEN CONTAINER SPECIAL EXCEPTION REQUEST FOR THE PCEC RENDEZVOUS ON SEPTEMBER 04, 2025 [PG.166](#)**
- J. APPLICATION FROM VALERIE SUMMERS FOR A RESERVED PARKING SPACE FOR DISABLE PERSONS ON A PUBLIC STREET [PG.172](#)**
- K. APPROVAL OF ONE MEMBER TO THE LIVINGSTON PARK COUNTY PUBLIC LIBRARY BOARD [PG.179](#)**

Commissioner Kahle pulled Consent Item I.

Commissioner Willich pulled Consent Item A.

Vice Chair Nootz pulled Consent Item E & K

Commissioner Kahle recused herself from Consent Item I because she is the applicant for this event and this is the organization she works for.

Commissioner Willich found a number of errors in the minutes and would like them pulled and brought again at the next meeting.



Vice Chair Nootz pulled Consent Item E to get a description from the City Manager, and she pulled Consent Item K because her husband is the Director of the Library and the Library Board is his boss, and she will abstain from the vote on Consent Item K.

Vice Chair Nootz asked the Commission about bringing minutes back to the next meeting, and they all agreed. She added her edits to be corrected.

The City Manager stated this item is for the annual boat float that comes through Livingston. They are aware this event has come through Livingston and it has, in past years, gone under the radar, meaning it is not necessarily in compliance with many City Codes including the prohibition on camping in City parks as well as open container requirements. He stated the usual rate for the roping area is \$100 per day, and we are offering it to the Boat Float event for \$10 per day, and the agreement has the standard insurance language, which is requested by our insurance company MMIA. He pointed out that this item goes with Consent Item H for the open container waiver.

Commissioner Kahle motioned to approve Consent Items B-H & J seconded by Commissioner Lyons. Unanimously approved.

Commissioner Lyons motioned to approve Consent Item I seconded by Commissioner Willich.

For: Chair Schwarz, Vice Chair Nootz, Commissioner Lyons, Commissioner Willich

Abstain: Commissioner Kahle

Commissioner Willich motioned to approve Consent Item K seconded by Commissioner Lyons.

For: Chair Schwarz, Commissioner Kahle, Commissioner Lyons, Commissioner Willich

Abstain: Vice Chair Nootz.

5. Proclamations

A. A PROCLAMATION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, DECLARING JULY 2025 AS PARKS AND RECREATION MONTH IN LIVINGSTON, MONTANA [PG.196](#)

Vice Chair Nootz read the proclamation

The City Manager thanked Maggie in Rec and Mike in Parks for their hard work.

6. Scheduled Public Comment

A. PRESENTATION FROM FOUR CORNERS RECYCLING

The City Manager introduced Dave from Four Corners.

Dave gave a brief presentation on Four Corners Recycling.

Commissioner Willich asked what happens to the glass when it's shipped to Salt Lake.



Dave stated that it goes to Momentum Recycling where they use the Delta pulverizer, and a majority of it is made into fiberglass insulation.

Commissioner Kahle asked if they need to do more education on plastics recycling.

Dave stated it is hard to educate, but he does have an employee that is ready to educate on recycling.

Commissioner Kahle offered for them to bring education material to the Farmers Market.

Chair Schwarz stated education begins in the grocery store and buying items that come in something that can be recycled. He thanked Four Corners for the work they've done over the years.

Vice Chair Nootz expressed appreciation for the update.

Public Works Director Holmes thanked the Commission for approving the 3-year contract for Four Corners Recycling. He shared some recycling data from 2024.

Vice Chair Nootz asked Public Works Director Holmes how recycling has changed in his time with the City.

Public Works Director Holmes stated when he first started there was about 500 tons of glass stockpiled at Public Works, and it was brought in from surrounding counties, and they were hauling glass through MRL. He stated he is proud of what we do in our small community.

7. Action Items

- A. ORDINANCE 3059: 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 MINOR SUB 677, S14, T02 S, R09 E, LOT 3B, ACRES 20.01, IN PARK COUNTY, MONTANA AND TO REZONE THE PARCEL FROM MEDIUM DENSITY RESIDENTIAL (R2) TO PLANNED UNIT DEVELOPMENT (PUD). [PG.198](#)**

The City Manager stated this item is the second reading of Ordinance 3059 related to the Northtown PUD. He invited Planning Director Severson to review the application.

Planning Director Severson gave a brief presentation on the Northtown PUD.

Commissioner Lyons asked where to find the traffic impact study.

The City Manager stated it is in the application.

Commissioner Lyons asked about comments in the packet about traffic impacts from 2022 and wondered if there was updated information.



The City Manager stated that was addressed with the applicant between the Consolidated Land Use Board approval and the first reading of this ordinance. He stated counts were obtained in May of this year.

Planning Director Severson introduced Garrett Schultz.

Garrett stated that at the last meeting they discussed the traffic study in great detail and reminded everyone that Bob Abelin the traffic engineer was there and gave a presentation. Garrett stated the original counts were from 2022 because that is when the original Northtown Development was done, but they did get new counts from easily identifiable areas that grew and updated the traffic model, and applied a 4% growth factor.

Commissioner Lyons asked how the developer will make improvements to the 5th Street and Front Street intersection.

The City Manager stated the recommendation for the improvements at 5th and Front is the implementation of peak-hour left-turn restriction for westbound traffic.

Commissioner Kahle asked the developer if he will be allowing pets.

Bill Mullenfeld stated he has not thought about it yet.

Vice Chair Nootz talked a little about not wanting covenants to be more restrictive than City Code. She asked about the development timeline.

The City Manager stated if this item is approved the ordinance takes effect after 30 days, and at that point Northtown would have the ability to proceed with site work and construction. Before the Certificate of Occupancy for any of the phase one buildings the City would obtain a financial guarantee from the developer for water improvements and street improvements. Then prior to the Certificate of Occupancy for any building in phase 2 the water line and secondary access point would need to be constructed. Then from that point the applicant would be free to proceed with phases 2 and 3.

Commissioner Kahle asked for clarification on the financial guarantee in 36 months. She asked if completion of phase 1 is when the 36-month clock starts.

The City Manager stated yes, it is the at the issuance of the first certificate of occupancy for that building.

Public comment was offered by:

- Garrett Schultz with Headwaters Engineering revisited the application process, and thanked Planning Director Severson for the amendment to condition 7 and said he feels it's really important for the project.
- Kemp O'Neill expressed that traffic is still a big issue.



- Lulu Herrera discussed her thoughts on traffic being an issue.
- Randy Carpenter representing Friends of Park County expressed support for the PUD application and zoning change.
- Nathan Bolton expressed concern about traffic.

Commissioner Kahle motioned for a 10-minute break seconded by Commissioner Willich. Unanimously approved.

Vice Chair Nootz asked if they can make decisions on subdivision approvals based solely on the crossings.

The City Manager stated there is criteria laid out in LMC and MCA for the review of applications like this, and there are several components, and it would be difficult for this to be considered solely based on traffic.

Vice Chair Nootz asked about secondary impact locations that people have brought up.

The City Manager stated the traffic impact study did assess the impacts at several intersections. MDT takes actual traffic counts every five years in various points within the City, and all counts are available on the MDT website. The application shows a lot of the detailed traffic count information and how traffic flows in the City.

Vice Chair Nootz asked for clarification on emergency evacuations from that area.

The City Manager reminded that he discussed this in detail at the last meeting, but stated he and the Fire Chief and Police Chief have been working through improvements to the City emergency plan, and they have gone over education points for the community regarding emergency plans and evacuation. He stated they are confident in the safety of this location.

Vice Chair Nootz asked about the definition of open space and density issues.

Planning Director Severson stated this development and developer chose not to go through the subdivision process. She stated it is more transparent as far as us asking for more information from the developer up front. She said with new regulations from the state, developers can ask for expedited subdivision review, which has minimal review points for approval. She reminded that the PUD process asks for more information from the developer, more interaction from the public, and extra work sessions that we cannot ask for with subdivisions. The PUD process gives them the opportunity to review for impacts including density. She stated the way open space is allowed to count for a subdivision is that slopes have to be below a certain grade, and she stated that some of the slope is above the 40%, and she thinks the resulting grades after disturbance would result in 45% to 50% of the 20 acres that are below that 40% grade.



Commissioner Willich stated that traffic will always be a topic of discussion when developing on the northside, but he knows the City Manager and staff are working on avenues to find ways for another crossing. He stated they cannot make a decision solely on traffic. He does not want to hold this up any longer than necessary since the community is in need of housing like this.

Chair Schwarz agrees with Commissioner Willich. He said he's been waiting a long time for PUD's and hopes this will help with an affordable rental market. He let the public know that it is on the City Commission and Commissions before him to have done something about the crossing before now.

Commissioner Lyons stated that traffic from other developments on the northside have not been taken into consideration with the traffic study, but admitted he is not sure how they would do that, and is not sure what the overall impact would be. He thinks they are doing great space-wise for this project, but doesn't love the location, but also realizes they don't get to choose where these developments happen. He agreed with Chair Schwarz that it is on the City Commission that a crossing has not happened yet.

Commissioner Kahle recalled from the previous meeting that she said approving this development does put the Commission on notice to make sure they have an evacuation plan that is communicated to the public so they know what they are supposed to do. It also puts them on notice to figure out the crossing situation. She agrees with Chair Schwarz about the crossing, but feels City Manager Gager is working toward a good plan to present to the community about a crossing. She stated as a reminder that when it does come up to do this crossing, it will appear on a ballot and folks will have to decide to tax themselves in order to approve a crossing being built.

Vice Chair Nootz expressed agreement with fellow Commissioners. She appreciates the comments and input from the community. She expressed that when they discuss a crossing in the future it will be very important to be clear about what the impacts will be so the public has all the information they will need to make an informed decision. She expressed appreciation for the conversations around open space.

Commissioner Kahle motioned to approve the second reading of Ordinance 3059 and amend condition 7 to read the PUD road and water line must be looped through Phase 4A of the Northtown Subdivision to the west via the Wild Rye Dr. right-of-way to connect to Scenic Trail. A) The Road Loop: must be completed prior to issuance of Certificates of Occupancy for Phase 1 of the PUD. The initial extension beyond Phase 1 (to connect to Wild Rye Dr. to Scenic Dr.) may be a gravel-surfaced emergency road. The applicant must work with the Fire Dept. on the design of the emergency access road. B) The Water Line Loop: must be completed before Certificates of Occupancy are issued for Phase 2. A financial guarantee from the developer is required for the water loop prior to a Certificate of Occupancy for Phase 1 to ensure the loop is completed within 36 months of PUD approval. The applicant must coordinate with the Fire Dept. to identify hydrant locations and determine timing of installation.

Motion seconded by Commissioner Willich. Unanimously approved.



B. ORDINANCE 3062: 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 BROOKSTONE MAJOR SUBDIVISION 610, S07, T02 S, R10 E, LOTS 8-10, IN PARK COUNTY, MONTANA AND TO REZONE THE PARCEL FROM HIGH DENSITY RESIDENTIAL (R3) TO PLANNED UNIT DEVELOPMENT (PUD). [PG.286](#)

Commissioner Kahle stated she will recuse herself as her significant other works for the stated property management company within this development.

Commissioner Lyons stated he will recuse himself from discussion and vote as his wife is working on the project for the company HRDC.

The City Manager stated there was no protest that was timely filed or received, so this falls to the simple majority of the total board which would require 3 votes to approve or reject the motion.

Commissioner Kahle and Commissioner Lyons removed themselves from the table.

The City Manager stated this is the first reading of Ordinance 3062.

Planning Director Severson gave a brief presentation on the Sheep Mountain PUD.

Commissioner Willich asked about parking and landscaping if it appears during the site plan.

Planning Director Severson stated the site plan is mixed in, they will look more closely, but when it comes time for building permit, she will check that they have done everything correctly.

Vice Chair Nootz asked about parking requirements.

Planning Director Severson stated for multi-family, the code required one vehicular parking space per unit, and for bike parking they are required to provide one space for every 10 vehicular parking spaces.

Scott Freimuth from Aspekt Architecture gave a brief presentation on the project.

Katherine Daly from HRDC spoke about affordable housing.

Garrett Schultz gave a brief presentation on this project.

Vice Chair Nootz reiterated the points of concern for Garrett are the fixed route transit stop, length of parking spaces, and additional fire hydrant, and she asked Garrett if he wants to address the letter from Public Works right now.



Garrett clarified that the letter states that they need to figure out the ditch with the ditch user association, and they understand that, but they don't have all the information yet.

Commissioner Willich motioned for a 5-minute break seconded by Chair Schwarz. Unanimously approved.

The City Manager addressed Conditions 1,3,4 and 6. He stated number 1 outlines a number of items to be reviewed when the applicant is looking for the building permit. He stated the items in the letter include irrigation ditch, storm water, parking spaces, traffic, water, sewer, and street. He stated the comments with these items are what they expect to see, and there are no real concerns.

Vice Chair Nootz stated that with the irrigation ditch she wants to make sure they are not putting a condition in place that prevents the applicant from being able to use their property.

The City Manager stated that the way it reads it does not infringe on anybody's water rights. It just requires an agreement between the applicant and the Livingston Ditch Users association.

Vice Chair Nootz moved to number 3 which is the Fire Chief's request for an additional hydrant.

The City Manager stated they have an email from the Fire Chief in the packet that shows he is requesting a hydrant on the south side of the buildings.

Vice Chair Nootz asked why the Fire Chief wants another hydrant.

The City Manager stated it is to aid fire suppression efforts if there is an incident on the south side of the building.

Vice Chair Nootz moved to number 4 about compact spots.

The City Manager stated the City of Livingston's parking standards are 18 ft. by 9 ft. The City does not have an allowance or definition of compact spaces, so the request from Public Works is to design the parking area in accordance with LMC requirements.

Planning Director Severson stated we don't have compact parking requirements, but she did review surrounding cities and what they require for a compact space. She stated they don't have a concern with the compact space, but they need to maintain the 24 ft. space for emergency services to travel through.

Vice Chair Nootz asked how parking will be regulated or monitored to ensure emergency access is maintained.

The City Manager stated that the City of Livingston typically does not enforce parking requirements on private property.

Vice Chair Nootz clarified that it would be on the applicant to enforce this. She wondered if there is anything they can do to ensure the applicant enforces this.



The City Manager stated we could request signage from the applicant, and we could update LMC to require adequate travel lanes to be maintained.

Vice Chair Nootz asked if the trees have to be removed.

Planning Director Severson stated they have not looked at that yet.

Vice Chair Nootz moved to item 6 which is the bus stop.

The City Manager stated this condition ensures a bus stop shelter is installed.

Commissioner Willich asked if angled parking would achieve the 2 feet needed.

Planning Director Severson stated that angled parking would reduce the number of spaces you get.

Chair Schwarz stated after seeing this on the Consolidated Land Use Board the compact parking situation is restricted by the ditch.

Commissioner Willich stated he is okay with receiving a letter from the ditch user's association that they have had their conversations about what happens to the ditch water. He would be interested in a conversation with the Fire Chief about the 24 ft. vs. 20 ft. He expressed agreement with adding an additional hydrant on the south side. He is okay with taking out the requirement for establishing a fixed bus route, and just having a bus shelter of some sort. He reviewed some HRDC stats sent by Katherine.

Chair Schwarz stated this fits a serious need we have in this town. He has no issue with any of the conditions that were read. He is in favor of the compact spots that the applicant proposed, not the City recommended conditions.

Vice Chair Nootz stated she really likes the renderings, and expressed appreciation for the presentations. She likes the orientation to the streets, parking, and flex space. She understands the work that the applicant has to do with the ditch association. She does want to get more information from the Fire Chief about the 3rd hydrant. She wondered if there is middle ground for the parking, and doesn't want them to go with angle parking. She agrees with having a bus stop shelter, and recognizes it would be used for more than just Windrider. She would like more information about points 3 and 4.

The City Manager stated for condition 6 he recommends ending the sentence after the word site. It will read: The applicant must install a new bus shelter at the PUD site. He stated he will have the Fire Chief attend the next meeting when this item is read to answer questions.

Commissioner Willich motioned to approve Ordinance 3062 with an amendment to recommendation number 6 that reads the applicant must install a new bus shelter at the PUD site.

Seconded by Chair Schwarz.



Approved by Chair Schwarz, Vice Chair Nootz and Commissioner Willich.

8. City Manager Comment

The City Manager thanked the Commissioner and recognized that there are almost 290 new units they have worked to move forward in the last several weeks.

9. City Commission Comments

Commissioner Willich stated that he expects rent costs to crater soon. He asked to see a look ahead chart on the Wellness Center for construction, staffing, costs, and when impacts to property bills start. He stated the rodeo organization has heard from the community about the noise levels at the fairgrounds. He also stated there are a lot of folks in town right now, so be mindful at uncontrolled intersections and just out and about.

Commissioner Lyons seconded Commissioner Willich's request for a detailed update on the Wellness Center. He also talked about uncontrolled intersections and stated to use extra caution.

Commissioner Kahle stated she is hopeful to see changes in noise at the fairgrounds, and the County Commission gave out a phone number to call with noise complaints: 406-222-4185. She expressed sadness that the PRIDE Coalition is not participating in the Livingston parade this year due to poor treatment in years past.

Vice Chair Nootz expressed agreement with comments from Commissioner Kahle and with Commissioner Willich. She wondered about having a discussion about proclamations and how they go about putting them on the agendas and would like to see this come up in a future meeting, seconded by Chair Schwarz.

Chair Schwarz expressed sadness to hear about the PRIDE Coalition not participating in the parade.

10. Adjournment

9:55 PM Commissioner Lyons motioned to adjourn seconded by Commissioner Willich. 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.