



Livingston City Commission Agenda

August 07, 2018

6:30 PM

City – County Complex, Community Room

1. Call to Order

2. Roll Call

3. Moment of Silence

4. Pledge of Allegiance

5. Public Comments

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).

6. Consent Items

A. CONSENT - Approve minutes from regular 7.17.18 commission meeting **Page 4**

B. CONSENT - Approve Bills and Claims **Page 9**

7. Proclamations

8. Scheduled Public Comment

9. Public Hearings

A. ORDINANCE NO. 2071 - 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 PARCELS 1, 2, AND 3 OF CERTIFICATE OF SURVEY 1941 FROM LIGHT INDUSTRIAL (LI) TO HIGHWAY COMMERCIAL (HC). **Page 31**

B. ORDINANCE NO. 2070 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE 1999 AND ORDINANCE 2049 CHAPTER 9, ARTICLE IV OF THE LIVINGSTON MUNICIPAL CODE ENTITLED PARKING, STOPPING, AND STANDING BY ADDING AN ADDITIONAL LOADING ZONE ON THE EAST SIDE OF L STREET AT THE INTERSECTION OF L STREET AND PARK STREET. **Page 56**

C. PUBLIC HEARING - Zoning Commission recommendation for approval of Taylor request for zone change for a 0.75 - acre parcel of Government Lot 3 as referenced on Plat 104, located at 1311 East Gallatin Street, to be re-zoned from Medium Density Residential, Mobile Home (RIIMH) to High Density Residential (RIII). **Page 61**

10. Ordinances

A. ORDINANCE NO. 2072 - 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 A 0.75-ACRE

PARCEL IN GOVERNMENT LOT 3 AS REFERENCED ON PLAT 104 FROM MEDIUM DENSITY RESIDENTIAL MOBILE HOME (R2MH) TO HIGH DENSITY RESIDENTIAL (R3). Page 68

11. Resolutions

12. Action Items

A. ACTION - Discussion regarding city parking ordinance Page 73

B. DISCUSS/APPROVE/DENY - Recommendation of Planning Board for approval of Scott Weisbeck for the City Planning board Page 89

C. DISCUSS/APPROVE/DENY - Request of Paul Reichert from Prospera for contract extension of the Sub-Recipient Agreement for the Community Development Block Grant Revolving Loan Fund Page 91

13. City Manager Comment

14. City Commission Comments

15. Adjournment

Calendar of Events

August 4, 2018 - National Campfire Day

August 7, 2018 - 6:30 p.m. - City Commission regular meeting, Community Room, City/County Complex

August 8, 2018- 3:30 p.m. - Historic Preservation regular meeting, Community Room, City/County Complex

August 8, 2018 - 7:00 p.m. - Board of Adjustments regular meeting, Community Room, City/County Complex

August 15, 2018 - 4:00 p.m. - Livingston Park County Library Board regular meeting, meeting room, Library 228 West Callender

August 15, 2018 - 5:30 p.m. - Planning Board regular meeting, Community Room, City/County Complex

August 21, 2018 - 6:30 p.m. - City Commission regular meeting, Community Room, City/County Complex

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.

Backup material for agenda item:

- A. CONSENT - Approve minutes from regular 7.17.18 commission meeting**

**LIVINGSTON CITY COMMISSION
MINUTES**

July 17, 2018

6:30 p.m.

City- County Complex, Community Room

1. Call to Order

2. Roll Call

- Hoglund, Schwarz, Friedman, Sandberg and Mabie were present.

3. Moment of Silence

4. Pledge of allegiance

5. Public Comment

- Don Platek made comments (00:01:28)
- Barbara Britt made comments (00:05:40)

6. Consent Items (00:06:32)

A. CONSENT - Approve minutes from regular 6.19.18 Commission meeting

B. CONSENT - Approve Bills and Claims

C. CONSENT - Approve City Court Financial Reports for April & May 2018

D. CONSENT - Approve bank pledges securities for June 2018

E. CONSENT - Approve application of Sheila Elwin for the city seat on the Livingston Park County Library Board

- Schwarz made a motion to approve Consent Items A-E. Friedman seconded.
 - All in favor, motion passed 5-0.

7. Proclamations

8. Scheduled Public Comment

A. SCHEDULED PUBLIC COMMENT - Public Works Director Shannon Holmes to give update on downtown streets and sidewalks project (00:07:20)

B. SCHEDULED PUBLIC COMMENT - Scott Buecker and Brian Viall from AE2S with update regarding Livingston Water Reclamation Facility (WRF) upgrade (00:12:40)

C. SCHEDULED PUBLIC COMMENT - Katie Weaver from MSU Extension with economic and community development update (00:44:44)

9. Public Hearings

A. RESOLUTION NO. 4806 - 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 IN THE AMOUNT OF 2%. (00:56:06)

- Don Platek made comments (00:57:47)
- Friedman made a motion to pass Resolution No. 4806. Schwarz seconded.
 - Motion passed 4-1. (Sandberg opposed.)

B. RESOLUTION NO. 4807 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, INCREASING ALL RATES FOR ALL CUSTOMERS OF THE CITY OF LIVINGSTON WASTEWATER SYSTEM IN THE AMOUNT OF 2.5%. (00:59:05)

- Schwarz made a motion to pass Resolution No. 4807. Friedman seconded.
 - Motion passed 4-1. (Sandberg opposed.)

C. RESOLUTION NO. 4808 - 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 FISCAL YEAR 2018-2019, AND ASSESSING ALL PROPERTY WITHIN THE DISTRICT. (01:01:24)

- Friedman made a motion to pass Resolution No. 4808. Mabie seconded.
 - All in favor, motion passed 5-0.

D. RESOLUTION NO. 4809 - 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 \$79,200 FOR FISCAL YEAR 2018-2019 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. (01:04:45)

- Schwarz made a motion to pass Resolution No. 4809. Friedman seconded.
 - All in favor, motion passed 5-0.

E. RESOLUTION NO. 4810 - 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 \$70,400 FOR FISCAL YEAR 2018-2019 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. (01:06:08)

- Barbara Britt made comments (01:06:50)
- Friedman made a motion to pass Resolution No. 4810. Schwarz seconded.
 - All in favor, motion passed 5-0.

F. RESOLUTION NO. 4811 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, APPROVING AND ADOPTING THE FINAL BUDGET IN THE AMOUNT OF \$17,664,869 FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2018, AND ENDING JUNE 30, 2019, (FY2018-2019), AND MAKING APPROPRIATIONS AND ESTABLISHING SPENDING LIMITS AND AUTHORIZING TRANSFER OF APPROPRIATIONS WITHIN THE SAME FUND. (01:09:09)

- Barbara Britt made comments (01:10:21)
- Schwarz made a motion to pass Resolution No. 4811. Mabie seconded.
 - Motion passed 4-1. (Sandberg opposed.)

G. 18-07-17 - Public Hearing regarding Zoning Commission recommendation for zone change at PFL (01:11:11)

- Richard Smith made comments (01:11:31)
- P.C. Stringfellow made comments (01:26:26)
- Jessica Wilcox made comments (via email) (01:29:50)
- Dennis Glick made comments (01:31:45)
- Jerry Graybill made comments (01:35:45)
- Don Platek made comments (01:38:05)
- Manny Goetz made comments (01:40:30)
- Don Cape made comments (01:44:30)
- Theresa Mattock made comments (01:48:30)

10. Ordinances

A. ORDINANCE NO. 2071 - 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 PARCELS 1, 2, AND 3 OF CERTIFICATE OF SURVEY 1941 FROM LIGHT INDUSTRIAL (L1) TO HIGHWAY COMMERCIAL (HC). (01:52:16)

- Manny Goetz made comments (02:07:17)
- Barbara Britt made comments (02:09:09)
- Friedman made a motion to pass Ordinance No. 2071. Mabie seconded.
 - Motion passed 4-1. (Sandberg opposed.)

B. ORDINANCE NO. 2070 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE 1999 AND ORDINANCE 2049 CHAPTER 9, ARTICLE IV, OF THE LIVINGSTON MUNICIPAL CODE ENTITLED PARKING, STOPPING, AND STANDING BY ADDING AN ADDITIONAL LOADING ZONE ON THE EAST SIDE OF L STREET AT THE INTERSECTION OF L STREET AND PARK STREET. (02:38:00)

- Friedman made a motion to pass Ordinance No. 2070. Schwarz seconded.
 - All in favor, motion passed 5-0.

11. Resolutions

12. Action Items

A. DISCUSS - Schedule a tour of the Water Reclamation Facility (WRF)

- Tour scheduled for Monday, July 23, 2018 at 10:00 a.m. at Public Works.

13. City Manager Comment (02:42:16)

14. City Commission Comments

- Commissioner Mabie made comments(02:45:11)
- Commissioner Sandberg made comments (02:45:41)
- Commissioner Friedman made comments (002:54:54)
- Commissioner Schwarz made comments (02:55:10)
- Commissioner Hogle made comments (02:55:50)

15. Adjournment (02:59:05) 9:29 p.m.

Backup material for agenda item:

B. CONSENT - Approve Bills and Claims

07/31/18
11:38:09

CITY OF LIVINGSTON
Claim Details
For the Accounting Period: 6/18

Page: 1 of 1
Report ID: AP100

For doc #s from 36128 to 36304, Operating Cash
* ... Over spent expenditure

Claim Line #	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
36129	86729S	2840	DICK ANDERSON CONSTRUCTION	1349,208.19					
1	11 06/25/18	WRF pay application 11		1362,836.56*			5310 503 430640	940	101000
2	11 06/25/18	Gross receipts tax withheld		-13,628.37*			5310 503 430640	940	101000
36130	86728S	122	DEPARTMENT OF REVENUE	13,628.37					
1	11 06/25/18	DAC - Gross Receipts Tax		13,628.37*			5310 503 430640	940	101000
36131	86756S	3620	NUNN, JESSIE	4,000.00					
1	03 05/31/18	Phase II Comm. Dist. Survey		4,000.00*			1000 106 411030	349	101000
36132	86762S	3169	SPAY NEUTER PROJECT	200.00					
1	18-004City 07/15/18 6/18	Spay/Neuter Program		200.00			1000 103 410400	824	101000
36137	86723S	162	CENTURYLINK	632.75					
1	3850 07/04/18	Sewer Plant		177.42			5310 503 430640	343	101000
2	5570 07/04/18	Utility Billing		85.68			5210 502 430520	343	101000
3	5570 07/04/18	Utility Billing		85.68*			5310 503 430620	343	101000
4	5570 07/04/18	Utility Billing		85.67*			5410 504 430820	343	101000
5	5240 07/04/18	Scale House		92.00			5410 504 430870	346	101000
6	4903 07/04/18	Planning Dept		1.73*			1000 106 411030	343	101000
7	6436 07/04/18	Park Dept		104.57*			1000 109 460449	343	101000
36138	86755S	151	NORTHWESTERN ENERGY	25.44					
1	3286284 07/09/18	101 Star Rd		25.44*			1000 121 411230	341	101000
36141	86720S	3293	BLACKFOOT COMMUNICATIONS	149.98					
1	166824 07/01/18	Internet		50.00*			2500 151 430220	346	101000
2	166824 07/01/18	Internet		49.99*			5310 503 430610	346	101000
3	166824 07/01/18	Internet		49.99*			5410 504 430820	346	101000
36144	86767S	2823	THOMSON REUTERS - WEST	292.74					
1	838491493 07/01/18	Information Charge - June		292.74*			1000 107 411100	334	101000
36148	86719S	3633	BILLING DOCUMENT SPECIALISTS	70.00					
1	47933 06/30/18	Online Monthly Maintenance		23.33*			5210 502 430570	213	101000
2	47933 06/30/18	Online Monthly Maintenance		23.33*			5310 503 430670	213	101000
3	47933 06/30/18	Online Monthly Maintenance		23.34*			5410 504 430870	213	101000
36151	86736S	54	GATEWAY OFFICE SUPPLY	41.52					
1	41121 06/15/18	Manuscript Covers		41.52*			1000 103 410400	200	101000

07/31/18
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Claim Line #	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
36153	86772S	47 WILCOXSON'S		71.00					
1	843439	06/21/18 Ice Cream - Pool		18.00*			1000 109 460445	220	101000
2	845747	06/28/18 Ice Cream - Pool		53.00*			1000 109 460445	220	101000
36154	86735S	999999 GAINES, DUSTIN		1,190.00					
1	2018 07/16/18	Tap Fees -Refund Overpayment		150.00			5210 343022		101000
2	2018 07/16/18	Water Impact Fees		1,040.00			5210 343026		101000
36156	86731S	3010 EMANUAL, ANDREW		255.03					
1	127049	06/27/18 Lodging - K9 Recertification		255.03*			1000 131 420100	370	101000
36157	86769S	292 UPS STORE #2420, THE		13.70					
1	5448	06/29/18 LPD Shipment		13.70*			1000 131 420100	310	101000
36158	86768S	3376 TRANSUNION RISK & ALTERNATIVE		25.00					
1	380349	07/01/18 investigative research		25.00			1000 131 420100	350	101000
36168	86734S	3789 ENVIRO-CLEAN INTERMOUNTAIN LLC		337.33					
1	18-6408	06/29/18 Steel Nozzle		337.33			5310 503 430625	231	101000
36171	86750S	112 MONTANA RAIL LINK		350.00					
1	445879	07/02/18 Agreement 600286		100.00*			5310 503 430610	535	101000
2	445693	07/02/18 Agreement 88742		100.00*			5310 503 430610	535	101000
3	445368	07/02/18 Agreement 88644		150.00*			5310 503 430610	535	101000
36172	86754S	3016 MT WATERWORKS		1,858.19					
1	26016	06/06/18 Parts		1,858.19*			5210 502 430515	231	101000
36173	86751S	2731 MONTANA WASTE SYSTEMS, INC		84,445.92					
1	591347	06/30/18 Transfer fees		84,445.92*			5410 504 430840	396	101000
36174	86757S	16 PARISI WESTERN PLUMBING &		14.25					
1	46652	03/19/18 Materials		14.25			5310 503 430625	231	101000
36175	86760S	3592 RDO Equipment Co.		2,267.97					
1	W07181	06/27/18 For Backhoe		1,133.98*			5210 502 430515	361	101000
2	W07181	06/27/18 For Backhoe		1,133.99*			5310 503 430625	361	101000
36176	86758S	1868 POWERPLAN		94.19					
1	P36868	06/01/18 Parts		94.19			5410 504 430830	232	101000

07/31/18
11:38:09

CITY OF LIVINGSTON
Claim Details
For the Accounting Period: 6/18

Page: 3 of 3
Report ID: AP100

For doc #s from 36128 to 36304, Operating Cash
* ... Over spent expenditure

Claim Line #	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
36177	86744S	1390	KEN'S EQUIPMENT REPAIR, INC	585.00					
1	51327	06/22/18	Grinder	90.00			5410 504 430830	362	101000
2	51207	06/15/18	Grinder	315.00			5410 504 430830	362	101000
3	51209	06/06/18	G1	180.00			5410 504 430830	362	101000
36178	86733S	424	ENERGY LABORATORIES, INC.	102.00					
1	165220	06/29/18	Effluent Composite	102.00			5310 503 430640	355	101000
36180	86740S	102	INDUSTRIAL TOWEL	60.00					
3	S59150	06/28/18	Coverall	60.00			5310 503 430640	231	101000
36181	86764S	1	TECH ELECTRIC, INC	421.92					
1	39281	06/14/18	Electrical	421.92			5310 503 430640	361	101000
36183	86744S	1390	KEN'S EQUIPMENT REPAIR, INC	87.50					
1	51208	06/05/18	Round Sling	87.50*			5210 502 430515	231	101000
36186	86763S	1439	STAFFORD ANIMAL SHELTER	2,326.25					
1	June2018	07/10/18	Boarding, Vacc & Euth	2,326.25*			1000 154 440640	350	101000
36189	86755S	151	NORTHWESTERN ENERGY	1,137.62					
1	0709891-6	06/14/18	15 Fleshman Creek	21.51*			1000 155 430950	341	101000
2	0709870-0	06/14/18	422 South G	76.52*			1000 155 430950	341	101000
3	0709878-3	06/11/18	227 River Drive -Concession	157.89*			1000 155 430950	341	101000
4	0709884-1	06/11/18	616 River Dr. PMP	0.00*			1000 155 430950	341	101000
5	0709879-1	06/11/18	227 River Dr. - Softball	692.69*			1000 155 430950	341	101000
6	1906055-7	06/14/18	815 N 13th - Soccer Fields	1.87*			1000 155 430950	341	101000
7	0720176-7	06/14/18	Weimer Park	67.61*			1000 155 430950	341	101000
8	1155965-5	06/14/18	229 River Drive	7.80*			1000 155 430950	341	101000
9	2138754-3	06/14/18	G Street - Mike Webb Park	105.51*			1000 155 430950	341	101000
10	3210240-2	06/14/18	616 River Dr.	6.22*			1000 155 430950	341	101000
36198	86775S	3184	MASTERCARD	14,394.75					
1	Schweigert	06/27/18	Pollardwater	1,323.79*			5210 502 430515	231	101000
2	Johnson	06/15/18	Staples	85.70			1000 131 420100	220	101000
3	Johnson	06/28/18	Brother Mall	116.00			1000 131 420100	220	101000
4	Grady	06/15/18	Stamps.com	15.99			2220 201 460100	310	101000
5	Grady	06/20/18	Gateway	15.25			2220 201 460100	210	101000
6	Grady	06/20/18	USPS Postage	100.00			2220 201 460100	310	101000
7	Grady	06/24/18	Amazon	29.10			2220 201 460100	227	101000
8	Grady	07/01/18	mt.gov	44.85			2220 201 460100	513	101000
9	Lowy	06/10/18	Facebook	2.00			1000 109 460449	336	101000
10	Lowy	06/11/18	Walmart	100.69*			1000 109 410450	226	101000
11	Lowy	06/11/18	Getsling.com	10.50			1000 109 410450	255	101000

07/31/18
11:38:11

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Claim Details
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Page: 4 of 4
Report ID: AP100

For doc #s from 36128 to 36304, Operating Cash
* ... Over spent expenditure

Claim	Vendor #/Name/	Document \$/	Disc \$						Cash	
Line #	Check Invoice #/Inv Date/Description	Line \$		PO #	Fund	Org	Acct	Object	Proj	Account
12	Lowy 06/14/18 Albertsons	96.24*			1000	109	410450	226		101000
13	Lowy 06/24/18 SHRM Learning System	820.00			1000	109	410450	350		101000
14	Lowy 06/24/18 SHRM Certification	300.00			1000	109	410450	350		101000
15	Lowy 06/29/18 NATW Org	35.00			1000	109	410450	350		101000
16	Singer 06/08/18 Staples	325.41*			1000	123	411700	211		101000
17	Singer 06/14/18 Amazon	60.00*			1000	123	411700	211		101000
18	Singer 06/14/18 Amazon	14.99			5410	504	430810	210		101000
19	Singer 06/19/18 Riverside hardware	5.39*			1000	123	411700	211		101000
20	Singer 06/21/18 Staples Refund	-84.78*			1000	123	411700	211		101000
21	Hoffman 06/10/18 Amazon	269.99			2300	132	420160	231		101000
22	Johansson 06/03/18 Costco	12.83			1000	106	411030	200		101000
23	Johansson 06/03/18 Costco	12.82			1000	155	430100	220		101000
24	Johansson 06/03/18 Costco	12.82			2500	151	430220	200		101000
25	Johansson 06/03/18 Costco	12.82*			5210	502	430520	220		101000
26	Johansson 06/03/18 Costco	12.82			5310	503	430620	220		101000
27	Johansson 06/03/18 Costco	12.82			5410	504	430820	220		101000
28	Johansson 06/14/18 Costco	79.98			2500	151	430240	231		101000
29	Johansson 06/14/18 Costco	95.97			2500	151	430240	231		101000
30	Johansson 07/01/18 USA Bluebook	89.85*			5210	502	430515	231		101000
31	Johansson 07/01/18 Ketch All Company	379.38			1000	154	440640	210		101000
32	Fetterhoff 06/06/18 Stamps.com	24.99			1000	123	411700	310		101000
33	Fetterhoff 06/17/18 USPS Postage	100.00			1000	123	411700	310		101000
34	Kardoes 07/01/18 MTleague	154.78			1000	103	410400	333		101000
35	Tarr 06/06/18 Dharma Trading Co	127.29*			1000	109	460449	226		101000
36	Tarr 06/10/18 Customink	191.31*			1000	109	460445	220		101000
37	Schneider 06/03/18 Global Industrial	129.80			1000	155	460445	231		101000
38	Schneider 06/04/18 Home Depot	77.13			1000	155	460445	231		101000
39	MacInnes 06/03/18 Medwrite - April	3,461.85*			5510	142	420730	350		101000
40	MacInnes 06/05/18 CMS Medicare	569.00*			5510	142	420730	350		101000
41	MacInnes 06/11/18 Exhaust Fluid	40.00*			5510	142	420730	231		101000
42	MacInnes 06/12/18 Chainsaw	486.44			1000	141	420400	220		101000
43	MacInnes 06/15/18 M2 Repair	240.11*			5510	142	420730	232		101000
44	MacInnes 06/20/18 Tools	67.97			1000	141	420400	220		101000
45	MacInnes 06/21/18 Station 2	1,683.77*			5510	142	420730	231		101000
46	MacInnes 06/22/18 Office Supply	49.95*			1000	141	420400	210		101000
47	MacInnes 06/22/18 Drill Bit	18.99			1000	141	420400	220		101000
48	MacInnes 06/24/18 Global Test Supply	29.25*			5510	142	420730	231		101000
49	MacInnes 06/26/18 Medwrite - May	2,148.90*			5510	142	420730	350		101000
50	MacInnes 06/29/18 Officer Training	385.00*			1000	141	420400	380		101000

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Claim Line #	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
36199	86776S	26	LIVINGSTON ACE HARDWARE -	336.39					
1	238746	06/25/18	Finance Charge	18.94*			5210 502 430515	630	101000
2	238746	06/25/18	Finance Charge	13.73*			1000 109 460442	630	101000
3	C58731	04/09/18	Water Supplies	21.75*			5210 502 430515	231	101000
4	C65117	04/23/18	Water Supplies	42.99*			5210 502 430515	231	101000
5	C65525	04/24/18	Water Supplies	19.98*			5210 502 430515	231	101000
6	C77747	05/14/18	Water Supplies	9.98*			5210 502 430515	231	101000
7	C59074	04/10/18	Water Supplies	36.99*			5210 502 430515	231	101000
8	D02383	06/19/18	Water Supplies	42.99*			5210 502 430515	231	101000
9	C19686	12/29/17	Rec Supplies	9.18*			1000 109 460442	231	101000
10	C19265	12/28/17	Rec Supplies	4.40*			1000 109 460442	231	101000
11	C18821	12/27/17	Rec Supplies	13.30*			1000 109 460442	231	101000
12	C89399	05/31/18	Rec Supplies	40.90*			1000 109 460442	231	101000
13	C49414	03/17/18	Rec Supplies	49.09*			1000 109 460442	231	101000
14	C33213	02/01/18	Rec Supplies	12.17*			1000 109 460442	231	101000
36200	86821S	3630	VORTEX USA INC.	1,070.00					
1	Quote	06/04/18	Splash Park	1,070.00			1000 155 460445	361	101000
36202	86809S	3688	MURDOCH'S RANCH & HOME SUPPLY	279.99					
1	B53325	06/27/18	Recip Saw	279.99*			5410 504 430830	231	101000
36203	86787S	2705	CITY OF LIVINGSTON	152.80					
1	17-18	01/18/18	Creamer and Candy	19.30			1000 106 411030	200	101000
2	17-18	02/13/18	Creamer and Candy	19.30*			1000 155 430100	200	101000
3	17-18	03/29/18	Creamer and Candy	19.31			2500 151 430220	200	101000
4	17-18	04/18/18	Creamer and Candy	19.31*			5210 502 430520	220	101000
5	17-18	05/16/18	Creamer and Candy	19.31			5310 503 430620	220	101000
6	17-18	07/08/18	Creamer and Candy	19.31			5410 504 430820	220	101000
7	17-18	02/07/18	Starter Fluid	3.49			5310 503 430625	231	101000
8	17-18	02/22/18	Key - Billman Well	5.98			5310 503 430625	231	101000
9	17-18	03/09/18	USB - Sewer Jet	10.00			5310 503 430625	231	101000
10	17-18	01/26/18	Stamp	0.50			5310 503 430610	210	101000
11	17-18	03/05/18	Parts	6.50			5310 503 430640	231	101000
12	17-18	03/12/18	Hose Barb	1.49			5310 503 430640	231	101000
13	17-18	04/12/18	Duplicate Keys	5.50			5310 503 430640	231	101000
14	17-18	02/08/18	First Class Mailing	3.50			2500 151 430240	231	101000
36205	86780S	3815	ALS GROUP USA, CORP	200.00					
1	3118069260	07/03/18	Asbestos	200.00*			5210 502 430515	355	101000

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36208	86815S	3807 PRESTIGE WORLDWIDE TECHNOLOGIES		279.00					
1	1228	07/02/18 Microswitch		279.00*			5210 502 430515	361	101000
36209	86816S	2356 RED TIGER DRILLING, INC		183.75					
1	9902	07/16/18 Interstate City Well		183.75*			5210 502 430515	361	101000
36217	86790S	2904 FISHER SAND AND GRAVEL		4,310.86					
1	67248	06/30/18 Gravel		4,310.86			2820 210 430240	451	101000
36224	86820S	3353 STORY DISTRIBUTING		1,123.70					
1	81045	06/26/18 Diesel 410g		1,102.90*			1000 123 411700	236	101000
2	81045	06/26/18 Additive 26 oz		20.80*			1000 123 411700	236	101000
36235	86822S	1779 WASTECORP PUMPS, INC.		630.53					
1	204931	06/22/18 Ball Valve, Urethane		630.53			5310 503 430640	231	101000
36240	86795S	1390 KEN'S EQUIPMENT REPAIR, INC		330.60					
1	51357	06/26/18 M1 Repair		90.00*			5510 142 420730	232	101000
2	51290	06/18/18 M4 Repair		240.60*			5510 142 420730	232	101000
36247	86818S	3730 SCHROETLIN, PHILIP		176.60					
1	17-18	06/23/18 Travel - Belgrade Car Seat		176.60*			1000 141 420400	370	101000
36256	86814S	272 PARK COUNTY		1,003.38					
1	1059	06/30/18 City phones		105.00*			1000 122 411300	343	101000
2	1059	06/30/18 Fire 50% phones		47.62			1000 141 420400	343	101000
3	1059	06/30/18 Amb 50% phones		47.62*			5510 142 420730	343	101000
4	1059	06/30/18 Police phones		77.27			1000 131 420100	350	101000
5	1059	06/30/18 Dispatch phone		35.38			2300 132 420160	343	101000
7	1059	06/30/18 37% Misc Maint Supplies		690.49*			1000 121 411230	365	101000
36262	86836S	2516 FRONTLINE AG SOLUTIONS, LLC		7,678.00					
1	5635665	06/11/18 Z915E Commercial ZTrack		7,678.00*			1000 155 430950	940	101000
36269	86826S	3605 ADVANCED ENGINEERING &		60,044.67					
1	58913	07/17/18 June WRF Construction Serv		60,044.67*			5310 503 430640	940	101000
36282	86835S	2919 FOUR CORNERS RECYCLING, LLC		2,883.40					
1	1420	06/28/18 Plastic		382.20			5410 504 430840	388	101000
2	1420	06/28/18 Pull fees		3,325.00			5410 504 430840	388	101000
3	1420	06/28/18 Decommision Fees		975.00			5410 504 430840	388	101000
4	1420CM	06/28/18 Credit Memo		-1,798.80			5410 504 430840	388	101000

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36289	86827S	3357	ADVANCED TECHNOLOGY PRODUCTS,	269.00					
1	18304	06/29/18	Chlorinator Switch	269.00			1000 155 460445	361	101000
36299	86853S	3390	TD&H ENGINEERING, INC	11,314.35					
1	13600	07/18/18	033 Discovery Vista	203.28			5310 503 430610	352	101000
2	13600	07/18/18	033 Discovery Vista	203.28			5210 502 430515	350	101000
3	13600	07/18/18	033 Discovery Vista	203.29			2500 151 430220	352	101000
4	13600	07/18/18	036 NS Trans. Plan	10,233.75*			2399 151 430240	350	102075
5	13600	07/18/18	038 PFL Site Plan Review	235.37			5210 502 430515	350	101000
6	13600	07/18/18	038 PFL Site Plan Review	235.38			2500 151 430220	352	101000
			# of Claims	48	Total:	1570,553.63			

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36128	86713S	3744	THOMAS PRINTING, INC.	773.86					
1	27847	07/10/18	Postage for Rate Change	386.93			5210 502 430570	310	101000
2	27847	07/10/18	Postage for Rate Change	386.93			5310 503 430670	310	101000
36133	86718S	402	ALPINE ELECTRONICS RADIO SHACK	15.99					
1	10249115	07/12/18	Cat-5 Cable	15.99			1000 123 411700	211	101000
36134	86725S	3440	CHARTER COMMUNICATIONS	3,117.34					
1	0179852	07/04/18	414 E. Callender Internet	2,629.84			1000 122 411300	346	101000
2	0179852	07/04/18	414 E. Callender Internet	60.91*			1000 106 411030	346	101000
3	0179852	07/04/18	414 E. Callender Internet	60.94*			1000 143 420403	346	101000
4	0179852	07/04/18	414 E. Callender Internet	73.13*			1000 155 430100	346	101000
5	0179852	07/04/18	414 E. Callender Internet	73.13			2500 151 430220	346	101000
6	0179852	07/04/18	414 E. Callender Internet	73.13*			5210 503 430510	346	101000
7	0179852	07/04/18	414 E. Callender Internet	73.13			5310 503 430610	346	101000
8	0179852	07/04/18	414 E. Callender Internet	73.13			5410 504 430820	346	101000
36136	86725S	3440	CHARTER COMMUNICATIONS	885.12					
1	0179878	07/04/18	330 Bennett Internet	110.63*			1000 106 411030	346	101000
2	0179878	07/04/18	330 Bennett Internet	110.64*			1000 143 420403	346	101000
3	0179878	07/04/18	330 Bennett Internet	132.77*			1000 155 430100	346	101000
4	0179878	07/04/18	330 Bennett Internet	132.77			2500 151 430220	346	101000
5	0179878	07/04/18	330 Bennett Internet	132.77			5210 502 430510	346	101000
6	0179878	07/04/18	330 Bennett Internet	132.77			5310 503 430610	346	101000
7	0179878	07/04/18	330 Bennett Internet	132.77			5410 504 430820	346	101000
36139	86766S	3744	THOMAS PRINTING, INC.	522.00					
1	27855	07/10/18	Postage/Mailing Service	261.00			5210 502 430570	310	101000
2	27855	07/10/18	Postage/Mailing Service	261.00			5310 503 430670	310	101000
36140	86742S	1783	J & H OFFICE EQUIPMENT	273.55					
2	22934135	07/02/18	Canon Copier	273.55			1000 123 411700	368	101000
36142	86727S	1874	CRAZY MOUNTAIN INDUSTRIES	600.00					
1	22051	07/05/18	8 Portable Toilets-Summerfest	600.00			2212 153 460420	531	101000
36143	86725S	3440	CHARTER COMMUNICATIONS	885.12					
2	0179860	07/04/18	110 S. B Internet	885.12			1000 122 411300	346	101000

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36145	86749S	999999	MISKA, DIANE	40.00					
1	CR2016-002	07/09/18	Restitution - J. Munro	20.00			1000 351030		101000
2	CR2016-001	07/09/18	Restitution - D. Munro	20.00			1000 351030		101000
36146	86761S	999999	SHELLEY, JANE AND C. TOM	20.00					
1	TK20150258	07/06/18	Restitution - D. Johnson	20.00			1000 351030		101000
36147	86730S	999999	DYKSTRA, AMBER	50.00					
1	TK20140120	07/10/18	Restitution - M. Cain	50.00			1000 351030		101000
36149	86740S	102	INDUSTRIAL TOWEL	34.18					
1	59263	07/05/18	Rug maint, towels	34.18			1000 121 411230	360	101000
36150	86741S	250	INSTY-PRINTS	49.90					
1	26516	07/09/18	LIV-BC SPECIAL	49.90			1000 103 410400	200	101000
36152	86745S	3809	KGLT FM	100.00					
1	8699	07/06/18	Event Sponsor -Summerfest 2018	100.00*			2212 153 460420	350	101000
36155	86738S	1687	HANSER'S WRECKER	90.00					
1	23079	07/04/18	Tow 93 Trailblazer	90.00			1000 131 420100	350	101000
36159	86759S	3810	PRAETORIAN DIGITAL	1,968.00					
1	10134-2835	06/18/18	Police One Academy	1,230.00			1000 131 420100	380	101000
2	10134-2835	06/18/18	Police One Academy	738.00			2300 132 420160	380	101000
36160	86717S	22	ALL SERVICE TIRE & ALIGNMENT,	370.00					
1	54889	07/03/18	New Break Pads	160.00			1000 131 420100	360	101000
2	54889	07/03/18	New Break Pads	210.00			1000 131 420100	231	101000
36161	86737S	306	GLASS, PEGGY	510.00					
1	2171129	07/06/18	APCO Registration	510.00			2300 132 420160	380	101000
36162	86771S	3237	WHISTLER TOWING, LLC	75.00					
1	8472	07/10/18	Tow 90 Montero	75.00			1000 131 420100	350	101000
36163	86724S	294	CHAPPELL'S BODY SHOP, INC.	30.00					
1	343	07/02/18	Prepaid Carwash Card	30.00			1000 131 420100	231	101000

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36164	86721S	948 BRIDGER ELECTRIC, INC.		196.88					
1	902	07/01/18 B Street Well		196.88			5210 502 430515	361	101000
36165	86722S	23 CARQUEST AUTO PARTS		48.99					
1	1912414892	07/05/18 Cabin Air		48.99			5410 504 430830	231	101000
36166	86726S	3733 CORE & MAIN LP		1,146.52					
1	J122814	07/03/18 Bronze Saddle		1,146.52			5210 502 430515	231	101000
36167	86732S	3380 EMERALD SERVICES INC.		440.40					
1	1802927556	07/05/18 Recycle Oil		440.40			5410 504 430840	388	101000
36169	86743S	3387 J & H, Inc.		106.24					
1	535136	07/06/18 Copier maintenance		21.24			5210 502 430515	368	101000
2	535136	07/06/18 Copier maintenance		21.25			5310 503 430625	368	101000
3	535136	07/06/18 Copier maintenance		21.25			5410 504 430830	368	101000
4	535136	07/06/18 Copier maintenance		21.25			2500 151 430240	368	101000
5	535136	07/06/18 Copier maintenance		21.25			1000 106 411030	368	101000
36179	86746S	2830 LEHRKIND'S COCA-COLA		28.20					
1	1542186	07/05/18 Water		28.20			5310 503 430640	225	101000
36182	86716S	3357 ADVANCED TECHNOLOGY PRODUCTS,		2,925.00					
1	18403	07/10/18 Relay & Base		300.00*			1000 155 460445	231	101000
2	18396	07/10/18 Chemicals		2,625.00*			1000 155 460445	220	101000
36184	86747S	26 LIVINGSTON ACE HARDWARE -		145.54					
1	D16704	07/11/18 Parts		63.57			1000 155 460430	231	101000
2	D16649	07/11/18 Torch		81.97			1000 155 460430	231	101000
36185	86748S	3812 MEYER ELECTRIC AND GROUNDS		112.50					
1	695828	07/06/18 Warner Well		112.50			5210 502 430515	361	101000
36187	86770S	626 UTILITY SPECIALTIES, INC		130.98					
1	6866	07/02/18 Wiper Blade		130.98			5310 503 430625	232	101000
36188	86771S	3237 WHISTLER TOWING, LLC		75.00					
1	18876	08/02/18 Tow 2010 Prius		75.00			5210 502 430515	361	101000

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36190	86765S	1966 THE MAX		2,500.00					
1	2018 07/20/18	Summerfest Band		2,500.00*			2212 153 460420	350	101000
36191	86753S	1650 MOON OVER MONTANA, INC.		1,500.00					
1	2018 07/20/18	Summerfest		1,500.00*			2212 153 460420	350	101000
36192	86752S	3813 MONTGOMERY, HOPE		650.00					
1	2018 07/20/18	Summerfest		650.00*			2212 153 460420	350	101000
36193	86739S	3814 HIGHWAY 89		1,500.00					
1	2018 07/20/18	Summerfest		1,500.00*			2212 153 460420	350	101000
36196	86774S	3393 eSTOP BUSINESS LICENSES		840.00					
		Location # 45251							
1	45251 05/31/17	2019 Scale License		840.00*			5410 504 430820	530	101000
36197	86773S	3762 CASH		700.00					
1	18-19 07/19/18	Summerfest Gate 1 Petty Cash		200.00			2212 346015		101000
2	18-19 07/19/18	Summerfest Gate 2 Petty Cash		200.00			2212 346015		101000
3	18-19 07/19/18	Summerfest Info Booth		100.00			2212 346015		101000
4	18-19 07/19/18	Summerfest Ticket Booth/Kid Zo		200.00			2212 346015		101000
36201	86783S	2571 CENTRAL SERVICES DIVISION		564.42					
1	201905063 07/03/18	CJIN fees		564.42			1000 131 420100	368	101000
36204	86805S	2754 MONTANA SECRETARY OF STATE		25.00					
1	07/20/18	Notary Filing Fee		25.00*			1000 152 430930	330	101000
36206	86794S	102 INDUSTRIAL TOWEL		61.53					
1	60176 07/13/18	Slate WRF		18.10			5310 503 430610	224	101000
2	60176 07/13/18	Mat cleaning		8.69			5310 503 430610	224	101000
3	60176 07/13/18	Mat cleaning		8.69			5210 502 430510	224	101000
4	60176 07/13/18	Mat cleaning		8.69			5410 504 430820	224	101000
5	60176 07/13/18	Mat cleaning		8.68			2500 151 430220	224	101000
6	60176 07/13/18	Mat cleaning		8.68			1000 106 411030	200	101000
36207	86800S	26 LIVINGSTON ACE HARDWARE -		124.92					
1	D19860 07/16/18	Valves		72.95			5210 502 430515	231	101000
2	D16674 07/11/18	Velcro		9.99			5210 502 430515	231	101000
3	D16359 07/11/18	Crimper		41.98			5210 502 430515	231	101000

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36210	86779S	402 ALPINE ELECTRONICS RADIO SHACK		34.99					
1	10249319	07/19/18 USB Flash Drive		34.99			1000 131 420100	220	101000
36211	86807S	3816 MONTANA STATE UNIVERSITY		687.00					
1	39291	07/18/18 Bulletproof - Walker		229.00			1000 131 420100	380	101000
2	39701	07/18/18 Bulletproof - Emanuel		229.00			1000 131 420100	380	101000
3	38900	07/18/18 Bulletproof - O'Neill		229.00			1000 131 420100	380	101000
36212	86823S	3237 WHISTLER TOWING, LLC		325.00					
1	8451	07/18/18 Tow 89 ford f-150		75.00			1000 131 420100	350	101000
2	8479	07/17/18 Tow Chrysler 300		125.00			1000 131 420100	350	101000
3	8479	07/17/18 Tow Chevy Pickup		125.00			1000 131 420100	350	101000
36213	86786S	294 CHAPPELL'S BODY SHOP, INC.		50.00					
1	345	07/12/18 Prepaid Carwash Card		50.00			1000 131 420100	360	101000
36214	86778S	22 ALL SERVICE TIRE & ALIGNMENT,		60.00					
1	55003	07/17/18 Tire Repair		15.00			1000 131 420100	360	101000
2	55018	07/18/18 Oil Change		45.00			1000 131 420100	360	101000
36215	86777S	781 2M COMPANY, INC.		330.84					
1	8083000000	07/20/18 Parts		330.84			5210 502 430515	231	101000
36216	86788S	3528 DD Enterprises		6,436.76					
1	1632	07/12/18 Dust control		6,436.76*			2820 210 430240	475	101000
36218	86790S	2904 FISHER SAND AND GRAVEL		648.00					
1	68453	07/14/18 Flow-Fill Concrete		648.00			2820 210 430240	476	101000
36219	86791S	470 HAWKINS, INC		371.25					
1	4319307	07/11/18 Chlorine		371.25			5210 502 430515	355	101000
36220	86797S	2863 KIMBALL MIDWEST		370.43					
1	6451510	07/02/18 Supplies		370.43			2500 151 430240	231	101000
36221	86798S	8 KNIFE RIVER		1,218.00					
1	553443	07/11/18 Cold Mix		646.50			2820 210 430240	471	101000
2	553607	07/12/18 Cold Mix		571.50			2820 210 430240	471	101000

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Claim Line #	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
36222	86803S	3040 MIDWAY RENTAL, INC.		65.68					
1	5-919471	07/09/18 Coupler		65.68			2500 151 430240	232	101000
36223	86810S	12 NORMONT EQUIPMENT		308.92					
1	17852	07/11/18 Emulsion Tote		308.92			2500 151 430240	233	101000
36225	86820S	3353 STORY DISTRIBUTING		715.50					
1	81187	07/10/18 Diesel 265g		715.50*			1000 123 411700	236	101000
36226	86820S	3353 STORY DISTRIBUTING		407.43					
1	81277	07/17/18 Diesel 149g		397.83*			1000 123 411700	236	101000
2	81277	07/17/18 Additive 12 oz		9.60*			1000 123 411700	236	101000
36227	86782S	23 CARQUEST AUTO PARTS		256.18					
1	1912416271	07/18/18 Battery		158.08			5410 504 430830	232	101000
2	1912416413	07/19/18 Air Filter		98.10			5410 504 430830	232	101000
36228	86789S	424 ENERGY LABORATORIES, INC.		102.00					
1	168811	07/16/18 Effluent Composite		102.00			5310 503 430640	355	101000
36229	86791S	470 HAWKINS, INC		2,969.37					
1	4318269	07/10/18 Peracetic Acid 15%		2,969.37			5310 503 430640	222	101000
36230	86799S	2830 LEHRKIND'S COCA-COLA		42.45					
1	1546588	07/18/18 Water		42.45			5310 503 430640	225	101000
36231	86800S	26 LIVINGSTON ACE HARDWARE -		63.69					
1	217649	07/19/18 Salt Pellets		22.77			5310 503 430640	231	101000
2	D17756	07/13/18 Parts		40.92			5310 503 430640	231	101000
36232	86802S	3812 MEYER ELECTRIC AND GROUNDS		694.11					
1	695836	07/16/17 RBC Repair		694.11			5310 503 430640	361	101000
36233	86813S	16 PARISI WESTERN PLUMBING &		137.38					
1	47859	07/18/18 2nd Pump		137.38			5310 503 430640	231	101000
36234	86817S	3582 RUSSELL INDUSTRIES, INC.		22.20					
1	136338-00	07/16/18 Cover Gasket		22.20			5310 503 430640	231	101000

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36236	86804S	3710 MONTANA PREMIERE ENTERTAINMENT		50.00					
1	275	07/20/18 Inflatable Cancelation		50.00*			2212 153 460420	350	101000
36237	86800S	26 LIVINGSTON ACE HARDWARE -		44.61					
1	D19554	07/16/18 Parts		29.66*			2212 153 460420	350	101000
2	D19554	07/16/18 Parts		14.95			1000 109 460449	220	101000
36238	86823S	3237 WHISTLER TOWING, LLC		75.00					
1	7706	07/23/18 Tow 82 Honda Accord		75.00			1000 131 420100	350	101000
36239	86812S	2437 O'REILLY AUTOMOTIVE, INC		2.79					
1	1558136630	07/23/18 Wiper Fluid		2.79			1000 131 420100	231	101000
36241	86806S	2631 MONTANA STATE - FIRE SERVICES		295.00					
1	34-125	07/17/18 Course Tuition		147.50			1000 141 420400	380	101000
2	34-125	07/17/18 Course Tuition		147.50			5510 142 420730	380	101000
36242	86782S	23 CARQUEST AUTO PARTS		43.48					
1	1912415465	07/10/18 Wiper Blade		43.48			5510 142 420730	231	101000
36243	86800S	26 LIVINGSTON ACE HARDWARE -		19.98					
1	D11387	07/03/18 Cleaning Supply		19.98			1000 141 420400	220	101000
36244	86808S	2604 MUNICIPAL EMERGENCY SERVICES		191.62					
2	1243551	07/10/18 Lights		191.62			5510 142 420730	220	101000
36245	86793S	3455 INDUSTRIAL COMM & ELEC OF		126.00					
1	31202	07/12/18 Medic Antennae		126.00			5510 142 420730	231	101000
36246	86801S	55 LIVINGSTON HEALTH CARE-MEMORIAL		150.00					
1		07/10/18 PALS Cards		150.00			5510 142 420730	380	101000
36248	86781S	2662 BOUND TREE MEDICAL, LLC		264.40					
1	82918002	07/10/18 Patient Supplies		264.40			5510 142 420730	235	101000
36249	86800S	26 LIVINGSTON ACE HARDWARE -		27.96					
1	D13768	07/07/18 Cleaning Supply		27.96			1000 141 420400	220	101000
36250	86796S	776 KENYON NOBLE		9.99					
1	6641976	07/13/18 Torx Bit		9.99			1000 141 420400	220	101000

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36251	86779S	402 ALPINE ELECTRONICS RADIO SHACK		12.99					
1	10249207	07/16/18 Batteries		12.99			5510 142 420730	220	101000
36252	86801S	55 LIVINGSTON HEALTH CARE-MEMORIAL		35.54					
1	991103406	07/16/18 Patient Supplies		35.54			5510 142 420730	235	101000
36253	86785S	162 CENTURYLINK		227.21					
1	0082	07/16/18 City Shop		30.70			2500 151 430220	343	101000
2	0082	07/16/18 City Shop		7.37			5310 503 430620	343	101000
3	0082	07/16/18 City Shop		23.33			5410 504 430820	343	101000
4	0149	07/16/18 Civic Center		98.94			1000 109 460449	346	101000
5	0137	07/16/18 Building Dept.		66.87			1000 143 420403	343	101000
36254	86794S	102 INDUSTRIAL TOWEL		34.18					
1	60611	07/19/18 Rug maint, towels		34.18			1000 121 411230	360	101000
36255	86811S	151 NORTHWESTERN ENERGY		2,553.57					
1	0709868	07/16/18 37% Facility		8.43			1000 121 411230	341	101000
2	0709935	07/11/18 37% Facility		2,545.14			1000 121 411230	341	101000
36257	86819S	2608 STATE OF MONTANA - ITSD		149.86					
1	20180531	05/31/18 33% Video Conferencing		149.86			1000 102 410360	380	101000
36258	86784S	682 CENTRON SERVICES		36.68					
5	3069	06/26/18 Parking Ticket Collection		36.68			1000 351033		101000
36259	86792S	63 HOUSE OF CLEAN		155.78					
1	210979	06/06/18 37% Janitorial supplies		80.02			1000 121 411230	231	101000
2	212490	06/17/18 37% Janitorial supplies		75.76			1000 121 411230	231	101000
36263	86830S	2114 BLUE CROSS/BLUE SHIELD OF		468.90					
1	GORNI000	07/05/18 Overpmt Refund ref#I81242410		468.90			5510 343000		101000
36264	86834S	162 CENTURYLINK		41.94					
1	4714	07/04/18 Finance Fax		41.94			1000 122 411300	343	101000
36265	86851S	2907 SHI INTERNATIONAL CORP.		462.80					
1	B08593497	07/25/18 City Admin Asst.		462.80			1000 123 411700	212	101000

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Line #	Check Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object	Proj	Account	
36266	86841S 146 LIVINGSTON ENTERPRISE	983.50							
1	147348 06/28/18 Transfer Station Closing	18.00*			5410 504 430870	331		101000	
2	147440 06/29/18 PH Printing for Less	48.75			1000 101 410130	331		101000	
3	147439 06/29/18 PH Charles Taylor	48.75			1000 101 410130	331		101000	
4	147600 07/09/18 Proposed Rate Increase Water	367.50			5210 502 430510	331		101000	
5	147599 07/09/18 Resolution No. 4797	140.00			1000 101 410130	331		101000	
6	147598 07/09/18 Resolution No. 4796	122.50			1000 101 410130	331		101000	
7	147597 07/09/18 Resolution No. 4793	108.00			1000 101 410130	331		101000	
8	147712 07/11/18 Vacancy PC Librabry Board	55.25			2220 201 460100	210		101000	
9	147983 07/20/18 City Commission Work Session	29.25			1000 101 410130	331		101000	
10	148126 07/25/18 PH Charles Taylor	45.50			1000 101 410130	331		101000	
36267	86845S 2958 NEOFUNDS BY NEOPOST USA, INC	2,000.00							
1	11386275 07/22/18 Postage	666.67			5210 502 430570	213		101000	
2	11386275 07/22/18 Postage	666.67			5310 503 430670	213		101000	
3	11386275 07/22/18 Postage	666.66			5410 504 430870	213		101000	
36268	86825S 3727 AAA CLEANING, LLC	740.00							
1	07-2018 07/31/18 B St. Cleaning - July	240.00			1000 121 411230	360		101000	
2	07-2018 07/31/18 PW Cleaning - July	83.34			1000 106 411030	200		101000	
3	07-2018 07/31/18 PW Cleaning - July	83.34			1000 155 430100	224		101000	
4	07-2018 07/31/18 PW Cleaning - July	83.33			2500 151 430220	224		101000	
5	07-2018 07/31/18 PW Cleaning - July	83.33			5210 502 430510	224		101000	
6	07-2018 07/31/18 PW Cleaning - July	83.33			5310 503 430610	224		101000	
7	07-2018 07/31/18 PW Cleaning - July	83.33			5410 504 430820	224		101000	
36270	86832S 1747 CANON FINANCIAL SERVICES, INC	76.10							
1	18880936 07/25/18 Canon lease	76.10*			1000 109 460442	368		101000	
36271	86839S 999999 KOEHN, CASSANDRA	20.00							
1	3996 07/27/18 Overpayment Ticket 3996	20.00			1000 351033			101000	
36272	86843S 3651 MARLIN BUSINESS BANK	1,273.21							
1	1542940 07/24/18 5 Getac Rugged Computers	1,273.21			1000 131 420100	311		101000	
36273	86857S 3237 WHISTLER TOWING, LLC	75.00							
1	8456 07/25/18 Tow 01 Ford Mustang	75.00			1000 131 420100	350		101000	
36274	86840S 26 LIVINGSTON ACE HARDWARE -	6.48							
1	D25557 07/26/18 Keys	6.48			1000 131 420100	220		101000	

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36275	86854S	2999 TEAR IT UP L.L.C.		77.60					
1	36564	07/11/18 288# Dispatch		77.60			2300 132 420160	220	101000
36276	86833S	23 CARQUEST AUTO PARTS		32.39					
1	1912416970	07/25/18 Cleaning Supplies		32.39			5510 142 420730	220	101000
36277	86837S	63 HOUSE OF CLEAN		44.72					
1	213971	07/23/18 Station Supplies		44.72			1000 141 420400	220	101000
36278	86855S	2595 TOWN & COUNTRY FOODS -		25.44					
1	8236002	07/25/18 Cleaning Supply		25.44			1000 141 420400	220	101000
36279	86842S	55 LIVINGSTON HEALTH CARE-MEMORIAL		32.50					
1	3786957	07/24/18 Patient Supplies		32.50			5510 142 420730	235	101000
36280	86831S	2662 BOUND TREE MEDICAL, LLC		724.48					
1	82931781	07/24/18 Patient Supplies		724.48			5510 142 420730	235	101000
36281	86829S	402 ALPINE ELECTRONICS RADIO SHACK		40.00					
1	10249416	07/24/18 Repair Cable		40.00			5310 503 430625	232	101000
36283	86840S	26 LIVINGSTON ACE HARDWARE -		174.60					
1	D15765	07/10/18 Roller Cover		55.50			2820 210 430240	474	101000
2	D24655	07/24/18 Zone Mark		53.98			2820 210 430240	474	101000
3	217665	07/24/18 Hoses		39.97			5210 502 430515	231	101000
4	D25031	07/25/18 Parts		15.16			5210 502 430515	231	101000
5	217667	07/25/18 Pressure Gauge		9.99			5210 502 430515	231	101000
36285	86844S	3688 MURDOCH'S RANCH & HOME SUPPLY		59.99					
1	K00019/37	07/25/18 Flashlight		59.99			5210 502 430515	231	101000
36286	86852S	3353 STORY DISTRIBUTING		1,776.00					
1	81357	07/24/18 Diesel 660g		1,742.40*			1000 123 411700	236	101000
2	81357	07/24/18 Additive 42 oz		33.60*			1000 123 411700	236	101000
36287	86856S	3472 UTILITIES UNDERGROUND LOCATION		89.90					
1	100175	07/24/18 Annual Locates Fee		44.95			5210 502 430515	317	101000
2	100175	07/24/18 Annual Locates Fee		44.95			5310 503 430625	317	101000

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36288	86824S	781 2M COMPANY, INC.		89.80					
1	8083057	07/12/18 Parts		89.80			1000 155 460430	401	101000
36290	86828S	22 ALL SERVICE TIRE & ALIGNMENT,		350.00					
1	55077	07/24/18 Tires		350.00*			1000 155 430950	362	101000
36291	86829S	402 ALPINE ELECTRONICS RADIO SHACK		25.24					
1	10249454	07/25/18 Soldering Kit		25.24*			1000 155 460445	231	101000
36292	86833S	23 CARQUEST AUTO PARTS		29.09					
1	1912417001	07/25/18 Gear Puller		29.09*			1000 155 430950	402	101000
36293	86838S	15 JOHN DEERE FINANCIAL		132.67					
1	559370	07/16/18 Skid Plate		72.86			1000 155 460430	231	101000
2	58226	07/13/18 Idler		59.81			1000 155 430930	361	101000
36294	86840S	26 LIVINGSTON ACE HARDWARE -		239.39					
1	D17612	07/13/18 Wire Connector		9.98			1000 155 460430	401	101000
2	D19509	07/16/18 Sprinkler		35.96			1000 155 460430	401	101000
3	323770	07/23/18 Clamp		6.77			1000 155 460430	401	101000
4	323678	07/23/18 Line		55.75			1000 155 430930	361	101000
5	217654	07/20/18 Sch. 40 Pipe		0.51			1000 155 460430	401	101000
6	217655	07/20/18 Sch. 40 Pipe		2.88			1000 155 460430	401	101000
7	217653	07/20/18 Cable Ties		14.99			1000 155 460430	231	101000
8	217646	07/18/18 Civic Center		24.13			1000 155 460430	231	101000
9	326083	07/27/18 Ltx Solid Dck Red		69.97			1000 155 460430	231	101000
10	325886	07/26/18 Key Chrysler		8.97			1000 155 460430	231	101000
11	C88780	05/30/18 Tube Vinyl		9.48*			1000 155 460445	231	101000
36295	86846S	64 NEWMAN SIGNS INC.		2,666.66					
1	004582	07/24/18 Street Sign Vases Downtown		2,048.20			2500 151 430240	960	101000
2	004584	07/24/18 Street Sign Vases Downtown		618.46			2500 151 430240	960	101000
36296	86848S	2437 O'REILLY AUTOMOTIVE, INC		52.54					
1	1558135602	07/15/18 997 Tractor		3.99			1000 155 460430	231	101000
2	1558136618	07/23/18 Micro-V Belt		48.55*			1000 155 430950	362	101000
36297	86849S	16 PARISI WESTERN PLUMBING &		62.00					
1	47723	07/11/18 Sacajawea bathrooms		62.00			1000 155 460430	231	101000

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36298	86850S 3659 RIVERSIDE HARDWARE LLC	1.58							
1	49225 07/25/18 Irrigation - Finance Office	1.58			1000 155 460430	401		101000	
36300	86847S 151 NORTHWESTERN ENERGY	17,499.90							
1	0709877-5 07/09/18 200 E Reservoir	751.35			5210 502 430515	341		101000	
2	0719271-9 07/10/18 601 Robin Lane - Well	2,913.29			5210 502 430515	341		101000	
3	0719272-7 07/10/18 4 Billman Lane - Well	3,094.09			5210 502 430515	341		101000	
4	0709882-5 07/16/18 229 River Dr. Pump Civic Ce	16.89			5210 502 430515	341		101000	
5	0708370-2 07/16/18 8th and Park sprinklers	6.21			1000 155 430950	341		101000	
6	0719373-3 07/16/18 229 River Dr.	13.16			1000 155 430950	341		101000	
7	0720113-0 07/12/18 229 River Dr. CC building	0.00			1000 155 430950	341		101000	
8	0709880-9 07/11/18 200 River Dr. Pool	6,210.58			1000 155 460445	341		101000	
9	0709881-7 07/16/18 229 River Dr. Civic Center	804.00*			1000 155 460442	341		101000	
10	0719358-4 07/17/18 Street lights	3,588.73			2400 420100	340		101000	
11	0720122-1 07/16/18 400 North M	12.63			2400 420100	340		101000	
12	0802599-1 07/16/18 608 W. Chinook	49.77			2400 420100	340		101000	
13	0933715-5 07/16/18 710 W. Callender	39.20			2400 420100	340		101000	
36301	86847S 151 NORTHWESTERN ENERGY	7,721.00							
1	0709793-4 07/16/18 406 Bennett 50%	169.75			2500 151 430220	341		101000	
2	0709793-4 07/16/18 406 Bennett 50%	169.75			5410 504 430820	341		101000	
3	2171060-3 07/16/18 Scale House 408 Bennett	23.99			5410 504 430820	341		101000	
4	1728687-3 07/09/18 Transfer Station 408 Bennet	476.81			5410 504 430820	341		101000	
5	3267010-1 07/09/18 Compactor 330 Bennett	64.10			5410 504 430820	341		101000	
6	0709794-2 07/06/18 WWTP 316 Bennett	6,322.18			5310 503 430640	341		101000	
7	0720048-8 07/09/18 330 Bennett 1/4	113.31			5210 502 430520	341		101000	
8	0720048-8 07/09/18 330 Bennett 1/4	113.31			5310 503 430620	341		101000	
9	0720048-8 07/09/18 330 Bennett 1/4	113.31			5410 504 430820	341		101000	
10	0720048-8 07/09/18 330 Bennett 1/4	113.31			1000 106 411030	341		101000	
11	3015965-1 07/16/18 Fire Training Center	41.18			1000 141 420400	341		101000	
36302	86847S 151 NORTHWESTERN ENERGY	1,225.41							
1	0709871 07/16/18 Star Additon - Lights	297.84			2400 420100	340		101000	
2	3287727 07/15/18 320 Alpenglow Ln	40.98			2400 420100	340		101000	
3	3386783 07/16/18 G & H on Clark	39.77			2400 420100	340		101000	
4	3386845 07/16/18 I & K on Callender	40.46			2400 420100	340		101000	
5	3386846 07/16/18 7th & 8th on Summit	23.39			2400 420100	340		101000	
6	1498936 07/17/18 I90 & 89S Street Lighting	5.85			2400 420100	340		101000	
7	0709796 07/16/18 97 View Vista Dr.	7.31			2400 420100	340		101000	
8	1893530 07/16/18 600 W Park	54.61			2400 420100	340		101000	
9	1493850 07/16/18 412 W Callender	55.27			2400 420100	340		101000	
10	3141997 07/16/18 C & D on Lewis	18.55			2400 420100	340		101000	
11	2023484 07/16/18 1100 W Geyser St. School	5.85			2400 420100	340		101000	
12	2023479 07/16/18 900 W Geyser St. School	5.85			2400 420100	340		101000	

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13	2114861	07/16/18	132 South B	86.15			2400 420100	340	101000
14	1893536	07/16/18	E st. & Alley	33.90			2400 420100	340	101000
15	1893541	07/16/18	18 W Park	79.61			2400 420100	340	101000
16	1747572	07/16/18	F & G on Callender	21.81			2400 420100	340	101000
17	1747570	07/16/18	D & E on Callender	43.74			2400 420100	340	101000
18	1613803	07/16/18	M & N on Callender	54.43			2400 420100	340	101000
19	1290352	07/16/18	School Flasher Park & 13th	8.29			2400 420100	340	101000
20	1134879	07/16/18	N 7th & Montana & Chinook	29.25			2400 420100	340	101000
21	1134866	07/16/18	N 2nd & Montana & Chinook	47.42			2400 420100	340	101000
22	0709869	07/16/18	Carol Lane	118.79			2400 420100	340	101000
23	3093027	07/16/18	105 West Park	33.72			2400 420100	340	101000
24	3093023	07/16/18	320 North Main	29.77			2400 420100	340	101000
25	3093003	07/16/18	114 West Summit	22.84			2400 420100	340	101000
26	3184602	07/16/18	202 South 2nd	19.96			2400 420100	340	101000
36303	86847S	151 NORTHWESTERN ENERGY		1,389.70					
1	0709891-6	07/16/18	15 Fleshman Creek	20.82			1000 155 430950	341	101000
2	0709870-0	07/16/18	422 South G	69.73			1000 155 430950	341	101000
3	0709878-3	07/12/18	227 River Drive -Concession	43.36			1000 155 430950	341	101000
4	0709884-1	07/11/18	616 River Dr. PMP	80.75			1000 155 430950	341	101000
5	0709879-1	07/11/18	227 River Dr. - Softball	623.66			1000 155 430950	341	101000
6	1906055-7	07/16/18	815 N 13th - Soccer Fields	1.98			1000 155 430950	341	101000
7	0720176-7	07/16/18	Weimer Park	87.15			1000 155 430950	341	101000
8	1155965-5	07/16/18	229 River Drive	17.67			1000 155 430950	341	101000
9	2138754-3	07/16/18	G Street - Mike Webb Park	438.37			1000 155 430950	341	101000
10	3210240-2	07/16/18	616 River Dr.	6.21			1000 155 430950	341	101000
36304	86847S	151 NORTHWESTERN ENERGY		4,486.36					
1	0709873	07/16/18	800 W Cambridge	80.50			5310 503 430625	344	101000
2	0719058	07/11/18	3 Rogers Lane	122.70			5310 503 430625	344	101000
3	0709914	07/10/18	1011 River Dr.	11.35			5310 503 430625	344	101000
4	1452951	07/11/18	Monroe Lift Station	427.14			5310 503 430625	344	101000
5	1594141	07/10/18	9th & 10th Lift Station	27.68			5310 503 430625	344	101000
6	3258086	07/16/18	2800 East park	83.14			5310 503 430625	344	101000
7	3258262	07/09/18	320 Alpenglw	101.50			5310 503 430625	344	101000
8	0709892	07/16/18	40 Water Tower Ave.	47.23			5210 502 430515	341	101000
9	0709876	07/11/18	132 South B	896.43			5210 502 430515	341	101000
10	0709886	07/16/18	200 E Reservoir	21.49			5210 502 430515	341	101000
11	0709894	07/09/18	56 Water Tower	297.00			5210 502 430515	341	101000
12	1441030	07/11/18	D & Geyser Well House	2,287.59			5210 502 430515	341	101000
13	0709874	07/16/18	Werner Addition Pump	32.64			5210 502 430515	341	101000
14	0709875	07/11/18	900 River Dr.	49.97			5210 502 430515	341	101000
# of Claims				122	Total:	90,252.89			

Backup material for agenda item:

- A. ORDINANCE NO. 2071 - 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 PARCELS 1, 2, AND 3 OF CERTIFICATE OF SURVEY 1941 FROM LIGHT INDUSTRIAL (LI) TO HIGHWAY COMMERCIAL (HC).**

ORDINANCE NO. 2071

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 PARCELS 1, 2 AND 3 OF CERTIFICATE OF SURVEY 1941 FROM LIGHT INDUSTRIAL (LI) TO HIGHWAY COMMERCIAL (HC).

Purpose

The purpose of this Ordinance is to promote public health, safety and general welfare of the City by regulating the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures, and land for trade, industry, residence or other purposes.

WHEREAS, PrintingForLess.com and Livingston West, LLC, owners of Parcels 1, 2 and 3 of Certificate of Survey 1941 have petitioned the City of Livingston to re-zone said property from Light Industrial (LI) to Highway Commercial (HC); and

WHEREAS, The Livingston Zoning Commission has reviewed the proposed zone change for compliance with the Lowe Test for rezoning of property; and

WHEREAS, the Zoning Commission, after the public hearing, has recommended to the City Commission that the zone change from Light Industrial (LI) to Highway Commercial (HC) be approved.

NOW THEREFORE, BE IT ORDAINED by the Livingston City Commission that Sec. 30.13 of the Livingston Municipal Code entitled Official Zoning Map, of Chapter 30 - Zoning, be and the same is hereby amended as follows:

ORDINANCE NO. 2071
Rezoning Parcels 1, 2, and 3 of Certificate of Survey 1941 from Light Industrial (L1) to Highway Commercial (HC).

SECTION 1

Rezoning of Parcels 1, 2 and 3 of Certificate of Survey 1941 from Light Industrial (LI) to Highway Commercial (HC):

That Parcels 1, 2 and 3 of Certificate of Survey 1941, on file and of record in the office of the Clerk and Recorder of Park County, Montana, is rezoned from Light Industrial (LI) to Highway Commercial (HC).

SECTION 2

Statutory Interpretation and Repealer:

Any and all resolutions, ordinances and sections of the Livingston Municipal Code and parts thereof in conflict herewith are hereby repealed.

SECTION 3

Severability:

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by a court having competent jurisdiction, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and to this end, the provisions of this ordinance are declared to be severable.

SECTION 4

Savings provision:

This ordinance does not affect the rights or duties that mature, penalties and assessments that were incurred or proceedings that begun before the effective date of this ordinance.

SECTION 5

Effective date:

This ordinance will become effective 30 days after the second reading and final adoption.

PASSED by the City Commission of the City of Livingston, Montana, on first reading at a regular session thereof held on the _____ day of July, 2018.

DOREL HOGLUND – Chair

ATTEST:

LISA HARRELD
Recording Secretary

PASSED ADOPTED, AND APPROVED by the City Commission of the City of Livingston, Montana, on second reading at a regular session thereof held on the _____ day of August, 2018.

DOREL HOGLUND – Chair

ATTEST:

APPROVED AS TO FORM:

LISA HARRELD
Recording Secretary

JAY PORTEEN
City Attorney

ORDINANCE NO. 2071
Rezoning Parcels 1, 2, and 3 of Certificate of Survey 1941 from Light Industrial (L1) to Highway Commercial (HC).

MTNHP Wetland and Riparian Mapping

Latitude
45.64927
45.65855

Longitude
-110.59166
-110.60732

35



Report to City Commission

Livingston Zoning Commission

Approved unanimously by Zoning Commission on June 27, 2018

Re: Zone change application submitted by Printing For Less

Executive Summary

The Livingston Zoning Commission recommends approval of the zone change application, with three amendments to the Findings of Fact.

General Summary

Printing For Less has submitted an application to change the zoning of their land from Light Industrial (LI) to Highway Commercial (HC). The primary differences between LI and HC are HC allows gas stations and residential dwellings.

Note that this area is not covered by the Gateway Overlay Zoning District, which provides design guidelines for new developments.

The Zoning Commission would like to correct three items in the "Findings of Fact," found in the Staff Report dated June 5, 2018:

1. The applicant's answer to Question 1. found at the beginning of the report requires clarification. The existing zoning (LI) currently allows many commercial uses, such as:
 - restaurants
 - bars
 - retail stores
 - motels and hotels
 - barber shops and beauty parlors
 - banks
 - veterinarian clinics
 - hospitals and clinics
 - trade schools
 - wholesale businesses
 - commercial greenhouses
 - automobile dealerships

2. Question 1 of the "Lowe" Test, found on the second page of the Staff Report, asks "Is the proposed rezoning designed in accordance with the comprehensive plan?" The answer, determined by the Zoning Commission, is that while our current Growth Policy does not directly address residential development in this area, this application is consistent with Goal 1 in the Growth Policy.

- The answer to Question 7 of the "Lowe" Test, found on the third page of the Staff Report, needs additional comment. The primary difference in development potential through rezoning is the addition of residential dwellings and gas stations. Thus, over a 10-year horizon for this property, we can expect high-density mixed use in this area, including a truck stop and apartment buildings.

Recommendation

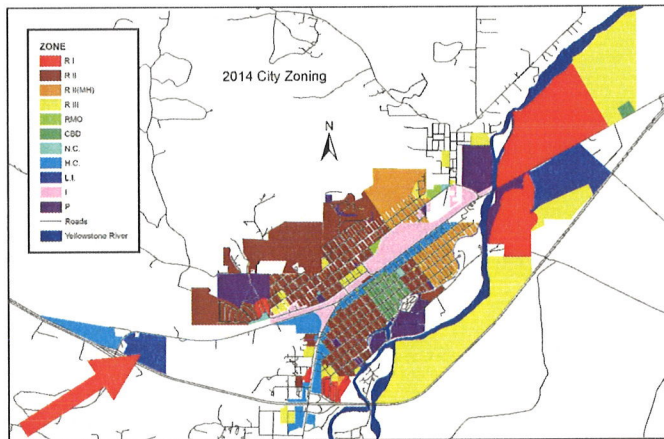
- Approve application for zone change.
- Approve amendments to Findings of Fact.

Supplementary Note

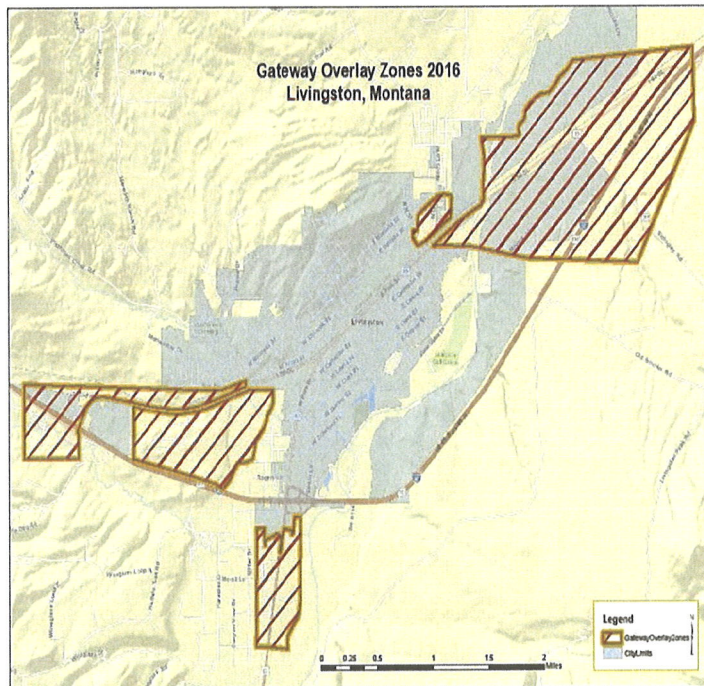
The rezoning application raises the need to investigate extending the Gateway Overlay Zoning District to the region under consideration.

Background Material

Zone map of Livingston. Red arrow points to area under consideration.



Map of Gateway Overlay Zoning District.



June 5, 2018

STAFF REPORT
ZONE MAP AMENDMENT
PrintingforLess.com & Livingston West, LLC

Background

PrintingforLess.com and Livingston West, LLC, owners of Parcels 1,2 and 3 of Certificate of Survey No. 1941, are requesting a zone change for this 61.5-acre property. It is currently zoned Light Industrial (LI) and they wish to change it to Highway Commercial (HC).

Findings of Fact

The Livingston Zone Map Amendment application requires that the applicant answer the following questions by letter to the Zoning Commission: (Answers in italics)

- 1) What reasons prevent you from using this property for any of the uses allowed under the existing zoning?

The existing zoning limits the use of the properties to light industrial and professional office only.

- 2) Why is there a need for the intended use of the property at this location?

The properties are located in the vicinity of freeway interchanges and intersections on limited access primary and secondary highways. The proposed rezoning will facilitate greater service to the needs of tourists, recreationalists, residents and the general traveling public.

3) How will the public interest be served if this application is granted?

The proposed rezoning will allow the establishment of commercial and service enterprises to benefit the local, regional and state economy through labor compensation, capital income and indirect business taxes.

The Montana Code Annotated establishes the following test which is to be used by municipal governing bodies when zoning or rezoning land*

“LOWE” TEST FOR ZONING OR REZONING

1. Is the proposed rezoning designed in accordance with the comprehensive plan?

The Growth Policy does not directly address planned locations for H.C. zones. It does, however, recognize this area as a logical area for commercial/industrial development. The existing anchor business (PFL) would be allowed in both H.C. and L.I. zones.

2. Will the proposed rezoning secure safety from fire, panic, and other dangers?

Yes. Building and Fire Codes will address this at the time of construction.

3. Will the proposed rezoning promote health and general welfare?

Yes. Health, sanitation, building and fire codes would all apply to new development.

4. Will the proposed rezoning facilitate the adequate provision of transportation, water, sewage, schools, parks and other public requirements?

Yes. All of the above public requirements can be facilitated. Additionally, the Department of Transportation’s approval would be required for development that impacts State Highways.

5. Will the proposed rezoning provide adequate air and light?

Yes. Current building code requirements are assumed to provide “adequate” air and light.

6. What is the likely effect on motorized and non-motorized transportation systems?

Obviously, further development of this property will increase both motorized and non-motorized traffic. By annexing the subject property, the city has previously determined that the existing street network is able to accommodate the development of this area. The real question is the density of that development. Both the current zoning and the proposed zoning would allow uses such as motels, retail stores and restaurants and both zones allow the same density (lot size). The most significant difference between the two zoning designations is that H.C. allows residential land use.

7. Does the proposed zone change promote compatible urban growth?

Yes. There is very little difference in development potential if the property stays L.I. or is changed to H.C.

8. Does the proposed rezoning give reasonable consideration to the character of the district and its suitability for particular uses?

Yes. This property is located across Highway 10 from the Jesson Annexation which is zoned H.C. As explained above, the potential land uses of L.I. vs. H.C. are very similar other than H.C. allowing residential.

9. Will the proposed rezoning conserve the value of buildings and encourage the most appropriate use of land throughout the City?

Yes. The majority of this property is currently vacant. The Growth Policy encourages the use of available lots inside the City where utilities and services can be more easily provided.

* Section 76-2-304.(1).(2), Montana Code Annotated, 2015

Staff Recommendation

Based upon the findings of fact section of this report, the City Planning Staff feels that it is appropriate for the Zoning Commission to recommend to the City Commission that they **approve** the zone change request.

Jim Woodhull
Director of Building/Planning

APPLICATION FOR ZONE CHANGE**From Light Industrial Zone****To Highway Commercial Zone**

1. Legal description of the property:

S22, T02 S, R09 E, C.O.S. 1941, PARCEL 2

Addition N/A Block N/A Lot N/A

Street 100 PFL Way Present zoning Light Industrial

2. Property Owner(s):

Name PrintingForLess.com, Inc.

Address 100 PFL Way, Livingston, MT 59047

Phone Number 406-823-7016

3. Present use of land: CU – Commercial Urban
4. Proposed use of land: Commercial and Service Enterprise(s)

I understand that the filing fee accompanying this application is not refundable. I certify that the foregoing information is true and accurate to the best of my knowledge.



Applicant

9/27/2017

Date

September 27, 2017

City of Livingston
City Planning Office
Building and Utility Office
330 Bennett Street
Livingston, MT 59047

Re: PrintingForLess.com, Inc. Application for Zone Change

Dear Livingston City Commission,

Please find enclosed the application by PrintingForLess.com, Inc. to the Livingston City Commission to grant a map amendment to the official zoning map of the City of Livingston Zoning Ordinance. PrintingForLess.com, Inc. appreciates your consideration of this request.

1. STATEMENT OF OWNERSHIP AND INTEREST

The Applicant is the owner of property situated at:

100 PFL Way, Livingston, MT 59047

The legal description of the property is as follows:

S22, T02 S, R09 E, C.O.S. 1941, PARCEL 2

2. REQUEST

The Applicant requests rezoning of the above defined property from the present designation as LI – Light Industrial district to HC – Highway Commercial district.

3. REASON FOR REQUEST

A. The existing zoning limits the use of the property to light industrial and professional offices only.

- B. The proposed rezoning will allow the existing commercial and service enterprise to: 1) successfully meet and exceed both short-term and long-term customer demands, 2) accommodate increasing market share locally, domestically and internationally, and 3) continue to benefit the local, regional and state economy through labor compensation, capital income and indirect business taxes.
- C. The property is located in the vicinity of freeway interchanges and intersections on limited access primary and secondary highways. The proposed rezoning will facilitate greater service to the needs of tourists, recreationalists, residents and the general traveling public.

4. CONSIDERATIONS

The Application does not adversely impact any comprehensive plans or safety from fire, panic and/or other dangers. It promotes health and general welfare of the community and will facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public requirements. The Application promotes compatible urban growth with consideration to the character of the district and the value of potential buildings to encourage the most appropriate use of land throughout the City.

Sincerely,



Marne Reed, Chief Evangelist Strategic Alliances
PrintingForLess.com, Inc.

APPLICATION FOR ZONE CHANGE

From Light Industrial Zone

To Highway Commercial Zone

1. Legal description of the property:

S22, T02 S, R09 E, C.O.S. 1941, PARCEL 1

S22, T02 S, R09 E, C.O.S. 1941, PARCEL 3

Addition N/A Block N/A Lot N/A

Street US Hwy 10 West Present zoning Light Industrial

2. Property Owner(s):

Name Livingston West, LLC. - Attn: Alan R. Kahn

Address 230 Jack Leg Lane, Bozeman, MT 59715

Phone Number 406-585-0042

3. Present use of land: VU - Vacant Land Urban
4. Proposed use of land: Commercial and Service Enterprise(s)

I understand that the filing fee accompanying this application is not refundable. I certify that the foregoing information is true and accurate to the best of my knowledge.

Alan R. Kahn
Applicant

9/29/2017
Date

September 29, 2017

City of Livingston
City Planning Office
Building and Utility Office
330 Bennett Street
Livingston, MT 59047

Re: Livingston West, LLC, Application for Zone Change

Dear Livingston City Commission,

Please find enclosed the application by Livingston West, LLC, to the Livingston City Commission to grant a map amendment to the official zoning map of the City of Livingston Zoning Ordinance. Livingston West, LLC, appreciates your consideration of this request.

1. STATEMENT OF OWNERSHIP AND INTEREST

The Applicant is the owner of property situated at:

US Highway 10 W, Livingston, MT 59047

The legal description of the property is as follows:

S22, T02 S, R09 E, C.O.S. 1941, PARCEL 1

S22, T02 S, R09 E, C.O.S. 1941, PARCEL 3

2. REQUEST

The Applicant requests rezoning of the above defined properties from the present designation as LI - Light Industrial district to HC - Highway Commercial district.

3. REASON FOR REQUEST

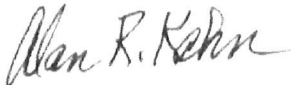
A. The existing zoning limits the use of the properties to light industrial and professional offices only.

- B. The properties are located in the vicinity of freeway interchanges and intersections on limited access primary and secondary highways. The proposed rezoning will facilitate greater service to the needs of tourists, recreationalists, residents and the general traveling public.
- C. The proposed rezoning will allow the establishment of commercial and service enterprises to benefit the local, regional and state economy through labor compensation, capital income and indirect business taxes.

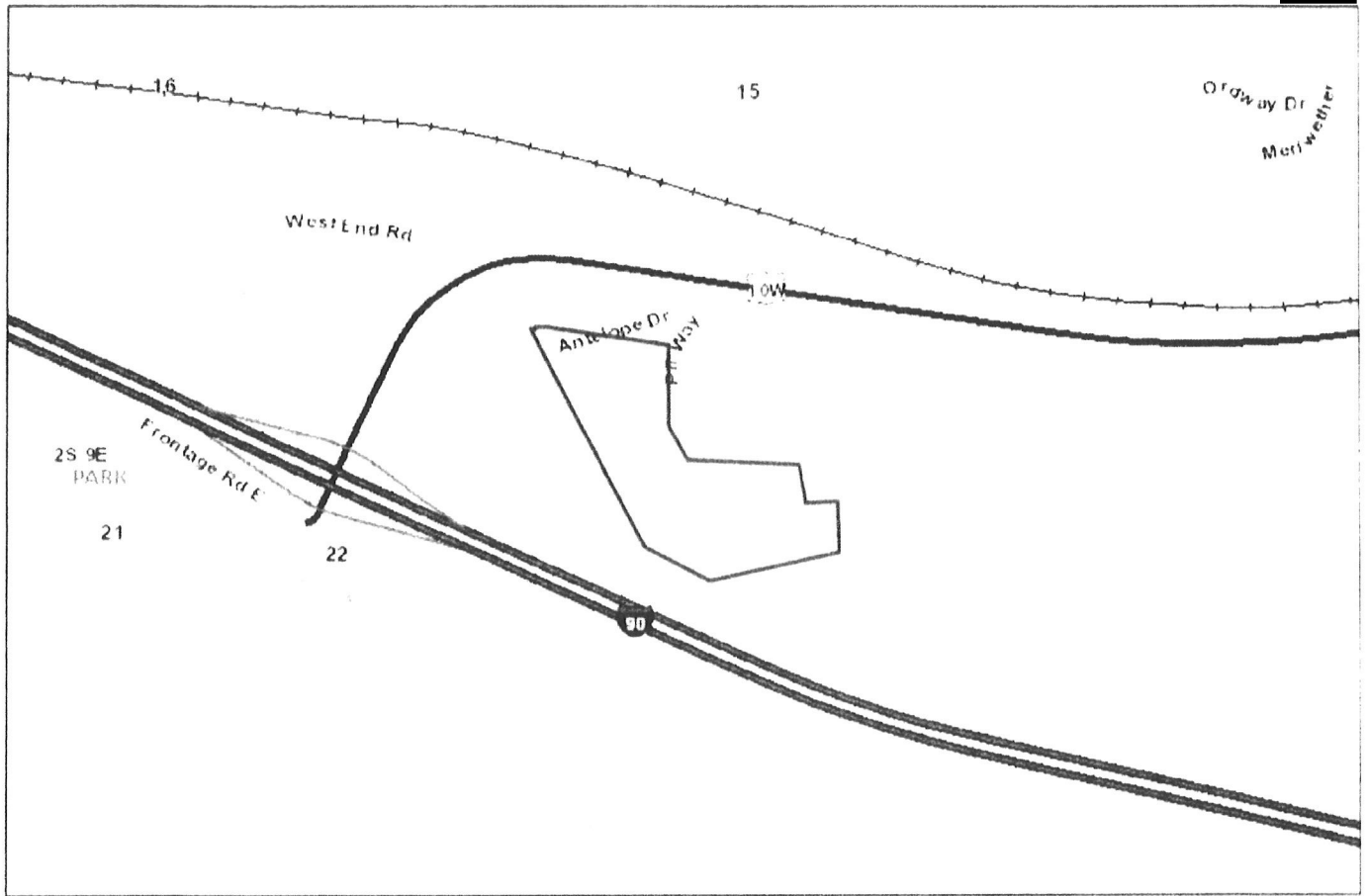
4. CONSIDERATIONS

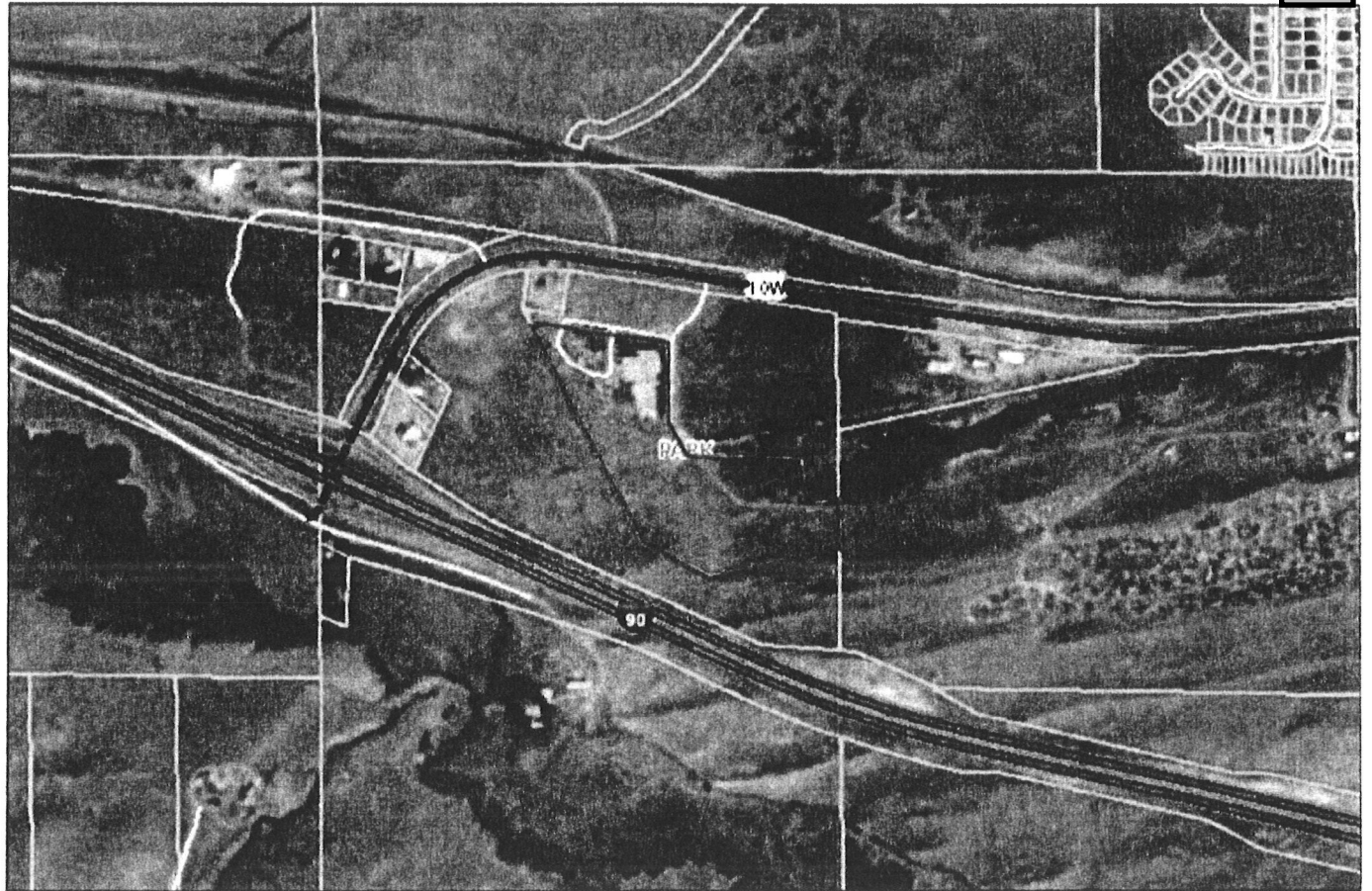
The Application does not adversely impact any comprehensive plans or safety from fire, panic and/or other dangers. It promotes health and general welfare of the community and will facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public requirements. The Application promotes compatible urban growth with consideration to the character of the district and the value of potential buildings to encourage the most appropriate use of land throughout the City.

Sincerely,



Alan R. Kahn







Conducted for:
PFL

Performed by:
Sanderson Stewart
1300 N Transtech Way
Billings, MT 59102
406.656.5255



PFL CONCEPTUAL SITE PLAN
LIVINGSTON, MT
JANUARY 2018
REVISED MARCH 2018

The PFL site is located along the south side of Hwy 10, just north of Interstate 90, within the far western City limits of Livingston, MT. The idea boards, illustrative base map, and conceptual master site plans included here envisions a development consisting of the expanded PFL facility, a data center, highway commercial, light industrial, residential and hospitality uses.

ACCESS

- Minimum two points of access needed from Hwy 10
- Aligned with West End Rd - full access
- Existing PFL site access
- Potential access through easement closer to I-90 interchange
- No MDT Access Plan in place
- Livingston Transportation Plan proposes road connecting from Fleshman Creek Rd to Hwy 10

Exhibit from Livingston Transportation Plan

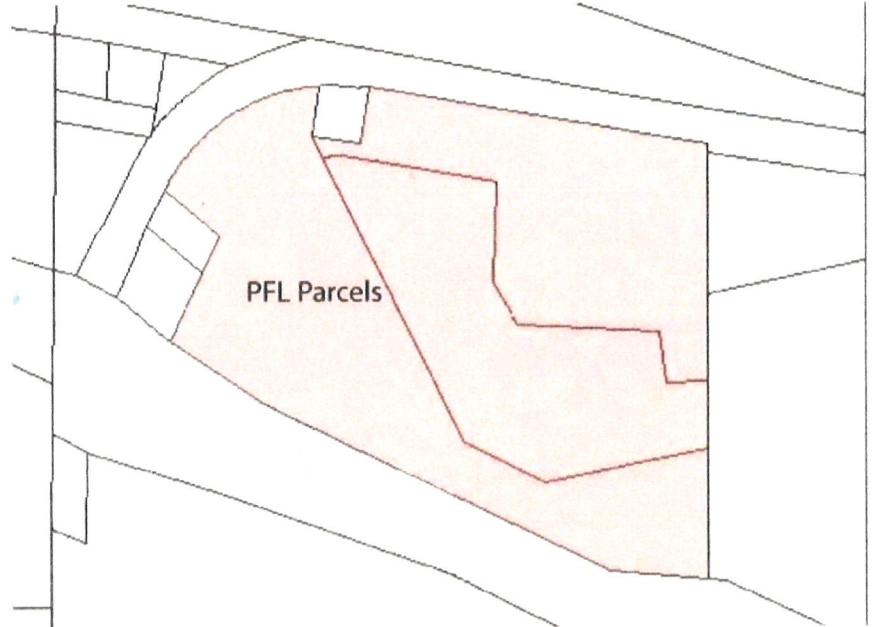


ZONING

- Current zoning: LI - Light Industrial
- Livingston Growth Policy recommends providing more areas for high density housing - rezoning possible
- Site not covered by Gateway Design Review Overlay Zone
- Highway Commercial zoning district a potential fit

TOPOGRAPHY / DRAINAGE / RIDGE

- Site generally slopes from south to north
- Ridge in southeast corner
- Mapped wetlands in northeast corner
- Smaller drainage runs NW to SE through middle of site
- Ridge has 60' fall over 220' run at narrowest point

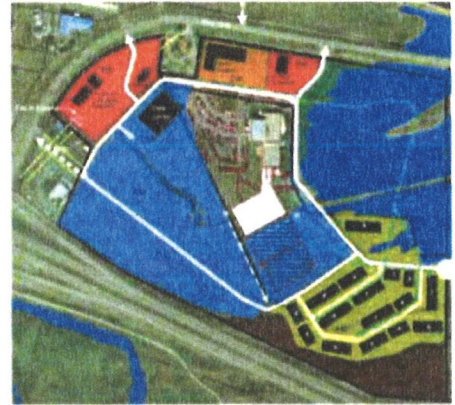


CONCEPTUAL SITE PLAN

USES: PFL Operations (Existing and Expanded); Highway Orientated Commercial: gas, pad sites;
Light Industrial / Commercial; Data Center, Townhome Residential

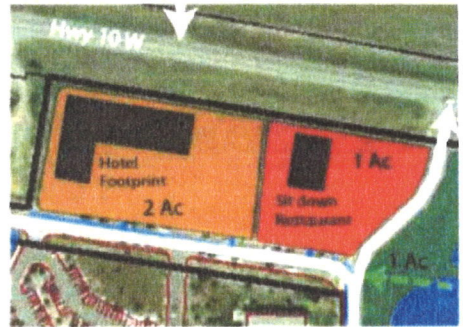
CIRCULATION

- Provide for adequate access and development areas of sufficient depth
- Proposed circulation based on:
 - Existing roadways,
 - Utility locations,
 - Mapped wetlands
 - Full or 3/4 movement across from West End Rd,
 - Full or 3/4 movement at existing PFL entrance,
 - Expanded PFL circulation / truck loading needs



WETLAND ADJACENT / RIDGE AREAS

- Due to small size / irregular shape, areas next to wetlands likely used for open space or to support other development
- Ridge area may be able to be graded for development



TOWNHOMES / APARTMENTS

- 7 Acres, reasonable for local market, few modern apartments in Livingston
- Option 1 - Placed between wetlands and ridge for views and protection from Interstate noise
- Option 2 - Placed adjacent to Highway Commercial to provide better access
- Option 3 - Townhome development located between wetlands and ridge

HOSPITALITY

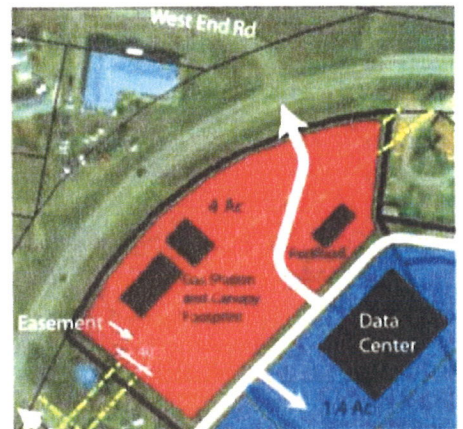
- 2 Acres for hotel, feasible size for modern hotel development
- 1 Acre for sit down restaurant pad site

LIGHT INDUSTRIAL / COMMERCIAL

- Option 3: 14 Acres, including 1.4 for data center
- Current site zoning: LI - Light Industrial
- Adjacent to Interstate for visibility, access

DATA CENTER

- 1.4 Acre site, 30,000 square foot building footprint
- Option 3: Located to north and west of PFL facility to utilize utilities / access



HIGHWAY COMMERCIAL

- 4 Acres, could accommodate gas, food, retail
- Access to rest of site will traverse this area
- 40' wide easement (.7 Acres) traverses area

OPTION 3: CONCEPTUAL DESIGN NARRATIVE

The input received at the meeting on January 31st has been integrated into a third concept plan, noted here as Option 3. This plan considers:

- A townhome style development for the residential portion,
- Further expansion of the PFL site and its circulation needs,
- Addition of a sit-down restaurant adjacent to the hotel,
- Inclusion of a fast food restaurant adjacent to the gas station, and
- Moving the proposed data center to the west and north of the PFL facility.

Options 1 and 2 are included in this booklet for reference.

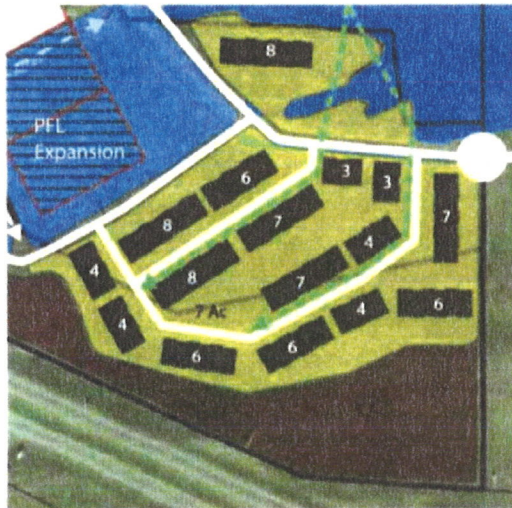
In Option 3, the road located to the east of the PFL facility is proposed to be constructed further to the east so as to allow for the truck circulation area needed for the future PFL expansions to be separate from the public road. The road is returned to the utility corridor further to the south

Townhome Design Narrative

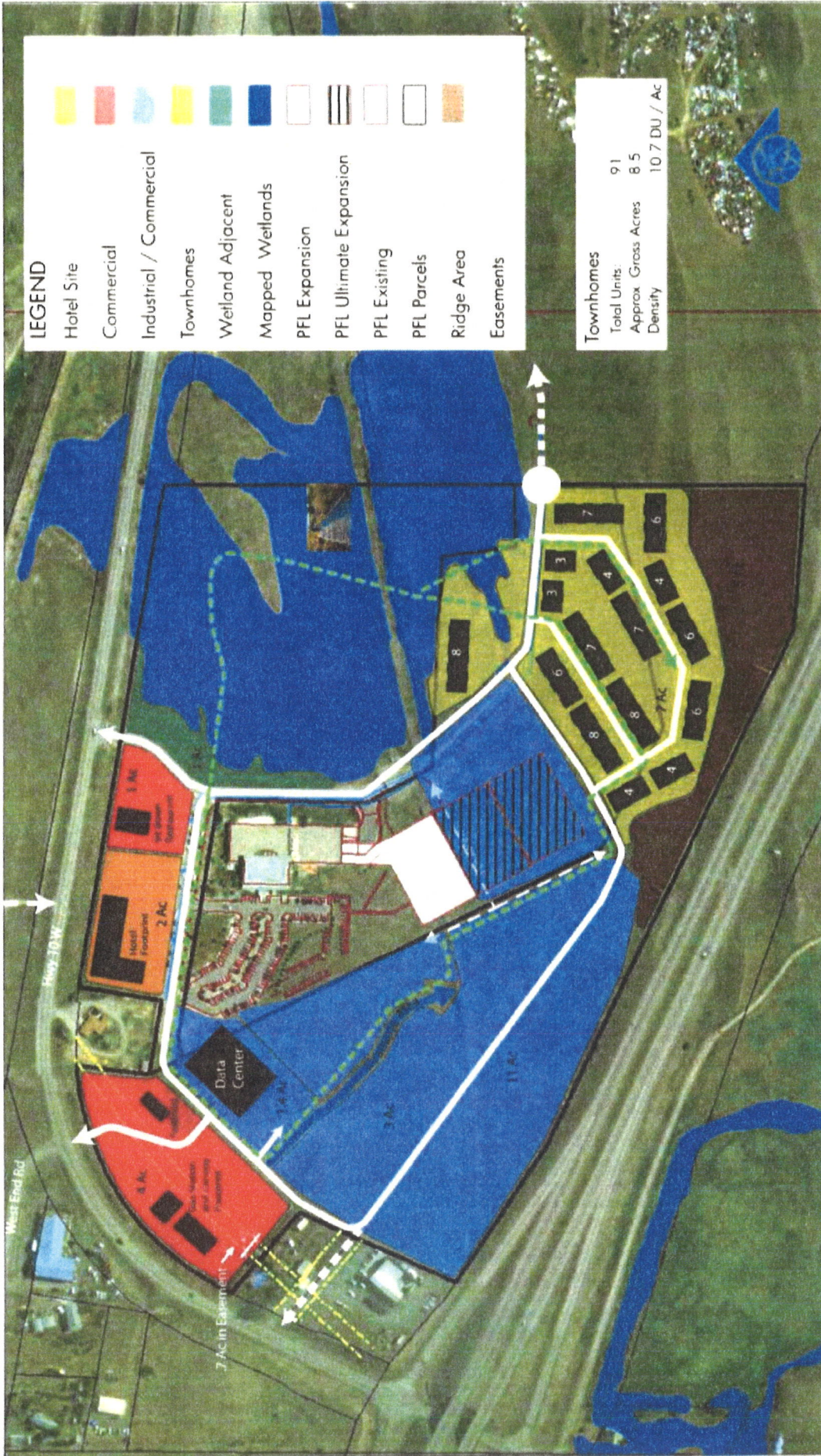
The residential portion of the PFL site is designed with a townhome product concept, arranged in groups of 3 to 8. The assumption is that the units will be front loaded, but the design could be laid out similarly if the units were to be alley loaded. This concept plan contains 91 units on approximately 8.5 acres for a density of almost 11 units per acre. A reasonable expectation for townhome developments.

Other design features include:

- Units are orientated so that the back of the units face the road separating them from the PFL facility so as to create a more cohesive residential neighborhood and not have the driveways of the units access a road that may have truck traffic from PFL and other commercial users.
- Buildings in southern portion of residential area orientated to be parallel to the contours of the ridge area.
- A single building is proposed north of the main east to west road. This area is heavily impacted by the wetland
- A trail is proposed to connect the residential area, through the wetlands, to the road network. This could be an amenity for both the residents and the commercial users.



Townhome Development
Concept Plan



LEGEND

- Hotel Site
- Commercial
- Industrial / Commercial
- Townhomes
- Wetland Adjacent
- Mapped Wetlands
- PFL Expansion
- PFL Ultimate Expansion
- PFL Existing
- PFL Parcels
- Ridge Area
- Easements

Townhomes	
Total Units:	91
Approx. Gross Acres:	8.5
Density:	10.7 DU / Ac



Backup material for agenda item:

- B. ORDINANCE NO. 2070 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE 1999 AND ORDINANCE 2049 CHAPTER 9, ARTICLE IV OF THE LIVINGSTON MUNICIPAL CODE ENTITLED PARKING, STOPPING, AND STANDING BY ADDING AN ADDITIONAL LOADING ZONE ON THE EAST SIDE OF L STREET AT THE INTERSECTION OF L STREET AND PARK STREET.**

ORDINANCE NO. 2070

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE 1999 AND ORDINANCE 2049 CHAPTER 9, ARTICLE IV OF THE LIVINGSTON MUNICIPAL CODE ENTITLED PARKING, STOPPING, AND STANDING BY ADDING AN ADDITIONAL LOADING ZONE ON THE EAST SIDE OF L STREET AT THE INTERSECTION OF L STREET AND PARK STREET.

Preamble.

The purpose of this Ordinance is provide for the public health, safety and welfare by providing a safe loading/unloading zone for sick and injured animals and animal owners near a veterinary hospital from 8:00 a.m. to 6:00 p.m. Monday through Friday.

WHEREAS, a veterinary hospital is located at 1104 East Park Street; and

WHEREAS, the City Commission believes it would be in the best interests of the sick and injured animals and animal owners to establish a loading/unloading zone for dropping off and picking up animals at a safe location near the facility; and

WHEREAS, the City Commission realizes that parking spots are a public necessity and that said loading/unloading zone should be available for public use during open business hours.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Livingston, Montana, as follows:

SECTION 1

Section 9-221 through 9-241 – Unchanged.

Sec. 9-242. - Loading/unloading zones established.

A loading/unloading zone for one (1) parking spot is hereby established for the purpose of dropping off and picking up children for the child care center located at 210 East Lewis Street. No vehicle shall park longer than five (5) minutes at said location during the hours of seven-thirty (7:30) a.m. to seven (7) p.m., Monday through Saturday. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).

A loading/unloading zone for (1) parking spot is hereby established for the purpose of dropping off and picking up sick and injured animals on the east side of L Street at the intersection of L and Park Streets. No vehicle shall park longer than five (5) minutes at said location during the hours of 8:00 a.m. to 6:00 p.m., Monday through Friday. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).

SECTION 2

Statutory Interpretation and Repealer:

Any and all resolutions, ordinances and sections of the Livingston Municipal Code and parts thereof in conflict herewith are hereby repealed.

SECTION 3

Severability:

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provision or application and, to this end, the provisions of this ordinance are declared to be severable.

SECTION 4

Savings Provision:

This ordinance does not affect the rights or duties that matured, penalties and assessments that were incurred or proceedings that begun before the effective dates of this ordinance.

SECTION 5

Effective date:

This ordinance will become effective 30 days after second and final adoption.

PASSED by the City Commission of the City of Livingston, Montana, upon first reading at a regular session thereof held on the _____ day of July, 2018.

DOREL HOGLUND – Chairperson

ATTEST:

APPROVED AS TO FORM:

LISA HARRELD
Recording Secretary

JAY PORTEEN
City Attorney

PASSED, ADOPTED AND APPROVED by the City Commission of the City of Livingston, Montana, on second reading at a regular session thereof held on the _____ day of August, 2018.

DOREL HOGLUND – Chairperson

ATTEST:

APPROVED AS TO FORM:

LISA HARRELD
Recording Secretary

JAY PORTEEN
City Attorney

NOTICE

The public is invited to attend and comment at a public hearing to be held at 6:30 p.m. on August 7, 2018, in the Community Room of the City County Complex, 414 East Callender Street, Livingston, Montana, on the second reading of **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE 1999 AND ORDINANCE 2049 CHAPTER 9, ARTICLE IV OF THE LIVINGSTON MUNICIPAL CODE ENTITLED PARKING, STOPPING, AND STANDING BY ADDING AN ADDITIONAL LOADING ZONE ON THE EAST SIDE OF AT THE INTERSECTION OF L STREET AND PARK STREET.**

A copy of the ordinance is available for inspection at the City Office, 414 East Callender Street, Livingston, MT 59047. For further information call Lisa at (406)823-6009.

(Note: Notice must be published twice at least 6 days apart (7-1-4127(6) MCA) and posted on the City Bulletin Board, and copies for public (7-5-103 MCA).

Backup material for agenda item:

- C. PUBLIC HEARING - Zoning Commission recommendation for Taylor request for zone change for a 0.75 - acre parcel of Government Lot 3 as referenced on Plat 104, located at 1311 East Gallatin Street, to be re-zoned from Medium Density Residential, Mobile Home (RIIMH) to High Density Residential (RIII).**

Michael Kardoes
City Manager
citymanager@livingstonmontana.org
(406) 823-6000 Phone



Chair
Dorel Hoglund
Vice Chair
Quentin Schwarz
Commissioners
Mel Friedman
Sarah Sandberg
Warren Mabie

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July 20, 2018

City Manager
414 East Callender Street
Livingston, MT 59047

The City Zoning Commission makes the following recommendation to the City Commission:

Recommend **approval** of the Taylor zone change.

The Staff Report upon which this recommendation is based is attached.

Sincerely,

A handwritten signature in blue ink that reads "Jim Woodhull".

Jim Woodhull
Recording Secretary

July 9, 2018

STAFF REPORT
ZONE MAP AMENDMENT
Taylor

Background

Charles and Kaye Taylor, owners of property described as a 0.75-acre parcel in Government Lot 3 as referenced on Plat 104, are requesting that this property, located at 1311 East Gallatin Street, be re-zoned from Medium Density Residential, Mobile Home (RIIMH) to High Density Residential (RIII).

Findings of Fact

The Livingston Zone Map Amendment application requires that the applicant answer the following questions by letter to the Zoning Commission: (Answers in italics)

- 1) What reasons prevent you from using this property for any of the uses allowed under the existing zoning?

We request a zone change to RIII. This is a large lot with on single-family dwelling. This lot is sandwiched between two large multi-family structures and two trailer courts. We would like to check the possibility of replacing the residence with multi-family structures.

- 2) Why is there a need for the intended use of the property at this location?

Livingston is in need of affordable housing. This change would allow density comparable to surrounding properties. With rents skyrocketing it seems logical to provide more housing.

3) How will the public interest be served if this application is granted?

The public interest will be served by providing housing in a proper setting. As demand for housing increases, as we are in proximity to Bozeman, this will provide some relief.

The Montana Code Annotated establishes the following test which is to be used by municipal governing bodies when zoning or rezoning land*

“LOWE” TEST FOR ZONING OR REZONING

1. Is the proposed rezoning designed in accordance with the comprehensive plan?

The Growth Policy does not directly address planned locations for high density residential zones. It does, however, explicitly state “Address affordable housing needs” (Goal 1, objective 3).

2. Will the proposed rezoning secure safety from fire, panic, and other dangers?

Yes. Building and Fire Codes will address this at the time of construction.

3. Will the proposed rezoning promote health and general welfare?

Yes. Health, sanitation, building and fire codes would all apply to new development.

4. Will the proposed rezoning facilitate the adequate provision of transportation, water, sewage, schools, parks and other public requirements?

Yes. All of the above public requirements can be facilitated.

5. Will the proposed rezoning provide adequate air and light?

Yes. Current building code requirements are assumed to provide “adequate” air and light.

6. What is the likely effect on motorized and non-motorized transportation systems?

An increase in density on this property will increase both motorized and non-motorized traffic. This property is on Gallatin Street, a main arterial, and the primary access for the property is expected to be the Bennett Street crossing.

7. Does the proposed zone change promote compatible urban growth?

Yes. The existing RIII development north of this location on N and Montana Streets appears to be compatible with the mobile home parks on Gallatin Street.

8. Does the proposed rezoning give reasonable consideration to the character of the district and its suitability for particular uses?

Yes. This area is already a diverse mix of different residential types. In the immediate vicinity there exists RIIMH, RIII, and RMO residential zones as well as vacant Industrial property on the opposite side of Gallatin Street.

9. Will the proposed rezoning conserve the value of buildings and encourage the most appropriate use of land throughout the City?

Yes. A large portion of this property is currently vacant. The Applicant has indicated that the existing home may be demolished to allow for multi-family structures. If housing availability is the concern, higher density would be an appropriate use for such an in-fill project.

* Section 76-2-304. (1). (2), Montana Code Annotated, 2015

Staff Recommendation

Based upon the findings of fact section of this report, the City Planning Staff feels that it is appropriate for the Zoning Commission to recommend to the City Commission that they **approve** the zone change request.

Jim Woodhull
Director of Building/Planning

Attachment 1.....Site Location Map



Google Earth



*Subject Property is shaded
1311 E. Gallatin*

Backup material for agenda item:

- A. ORDINANCE NO. 2072 - 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 A 0.75-ACRE PARCEL IN GOVERNMENT LOT 3 AS REFERENCED ON PLAT 104 FROM MEDIUM DENSITY RESIDENTIAL MOBILE HOME (R2MH) TO HIGH DENSITY RESIDENTIAL (R3).

ORDINANCE NO. 2072

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 A 0.75-ACRE PARCEL IN GOVERNMENT LOT 3 AS REFERENCED ON PLAT 104 FROM MEDIUM DENSITY RESIDENTIAL MOBILE HOME (R2MH) TO HIGH DENSITY RESIDENTIAL (R3).

Purpose

The purpose of this Ordinance is to promote public health, safety and general welfare of the City by regulating the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures, and land for trade, industry, residence or other purposes.

WHEREAS, Charles and Kaye Taylor, owners of a 0.75-acre parcel in Government Lot 3 as referenced on Plat 104, have petitioned the City of Livingston to re-zone said property from Medium Density Residential Mobile Home (R2MH) to High Density Residential (R3); and

WHEREAS, The Livingston Zoning Commission has reviewed the proposed zone change for compliance with the Lowe Test for rezoning of property; and

WHEREAS, the Zoning Commission, after the public hearing, has recommended to the City Commission that the zone change from Medium Density Residential Mobile Home (R2MH) to High Density Residential (R3) be approved.

NOW THEREFORE, BE IT ORDAINED by the Livingston City Commission that Sec. 30.13 of the Livingston Municipal Code entitled Official Zoning Map, be and the same is hereby amended as follows:

SECTION 1

Rezoning of a 0.75-acre parcel in Government Lot 3 as referenced on Plat 104 from Medium Density Residential Mobile Home (R2MH) to High Density Residential (R3):

That a 0.75-acre parcel in Government Lot 3 as referenced on Plat 104, on file and of record in the office of the Clerk and Recorder of Park County, Montana, is rezoned from Medium Density Residential Mobile Home (R2MH) to High Density Residential (R3).

SECTION 2

Statutory Interpretation and Repealer:

Any and all resolutions, ordinances and sections of the Livingston Municipal Code and parts thereof in conflict herewith are hereby repealed.

SECTION 3

Severability:

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by a court having competent jurisdiction, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and to this end, the provisions of this ordinance are declared to be severable.

SECTION 4

Savings provision:

This ordinance does not affect the rights or duties that mature, penalties and assessments that were incurred or proceedings that begun before the effective date of this ordinance.

SECTION 5

Effective date:

This ordinance will become effective 30 days after the second reading and final adoption.

PASSED by the City Commission of the City of Livingston, Montana, on first reading at a regular session thereof held on the _____ day of August, 2018.

DOREL HOGLUND – Chair

ATTEST:

LISA HARRELD
Recording Secretary

PASSED ADOPTED, AND APPROVED by the City Commission of the City of Livingston, Montana, on second reading at a regular session thereof held on the _____ day of August, 2018.

DOREL HOGLUND – Chair

ATTEST:

APPROVED AS TO FORM:

LISA HARRELD
Recording Secretary

JAY PORTEEN
City Attorney

NOTICE

The public is invited to attend and comment at a public hearing to be held on August 21, 2018, at 6:30 p.m. in the Community Room of the City County Complex, 414 East Callender Street, Livingston, Montana, on the second reading of Ordinance **2072 AMENDING SECTION 30.13 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY REZONING A 0.75-ACRE PARCEL IN GOVERNMENT LOT 3 AS REFERENCED ON PLAT 104 FROM MEDIUM DENSITY RESIDENTIAL MOBILE HOME (R2MH) TO HIGH DENSITY RESIDENTIAL (R3).**

A copy of the ordinance is available for inspection at the City Office, 414 East Callender Street, Livingston, MT 59047. For further information call the City Attorney at (406) 823-6007.

Please publish August 10 and August 17, 2018.

Backup material for agenda item:

A. ACTION - Discussion regarding city parking ordinance

Parking Code Overview

Code Reference	Code Subject	Fine
9-221	No Parking For Repairs	
9-222 A-B	No Parking in Intersection No Parking in Crosswalk No Parking on Sidewalk No Parking on Boulevard	\$20 Minimum
9-222 C	No Parking within 20 ft of an intersection or 10 ft from the inside boundary of the sidewalk	\$20 Minimum
9-222 D	No Parking within 20 ft of the driveway entrance to a fire station	\$25 Minimum
9-222 E	No Parking within 15 ft of a fire hydrant	\$25 Minimum
9-222 F	No Parking in front of a functional private driveway	\$20 Minimum
9-222 G	No Parking alongside or opposite street construction that would obstruct traffic	\$20 Minimum
9-222 H	Cannot obstruct an alley or alley entrance to a building	\$20 Minimum
9-222 I	No Parking in a City owned or leased parking lot in violation of posted signs	\$25 Minimum
9-222 J	No Parking in handicapped space without a placard	\$100 Minimum
9-222 K	No Parking in a Fire Zone	\$25 Minimum
9-222 L	No Parking on either side of Park St between 5 th and 6 th St	\$20 Minimum
9-222 M	No Parking on either side of H St between Butte St and View Vista Dr	\$20 Minimum
9-222 N	No Parking in a space reserved by permit	\$20 Minimum
9-224	Vehicles longer than 18 ft must be parked parallel to the curb in "Restricted or Congested Area"	\$20 Minimum
9-225 A	Must park headed as though proceeding on the right side of the street	\$20 Minimum
9-225 B	Must park head-in in angled parking and between the stripes or pavement markings	\$20 Minimum
9-226	Curb-side wheels must be with 18 inches of the edge of the roadway when parked parallel	\$20 Minimum
9-227	No parking for more than 30 minutes in an alley within the Fire Limit District except for loading or unloading.	\$25 Minimum
9-228	No double parking behind parallel or angled parked cars except for the delivery of merchandise for no greater than 10 minutes if the street is not obstructed.	\$20 Minimum
9-229	May back up to the curb at a 45 degree angle with the cab in the direction of traffic to load	\$20 Minimum

	or unload heavy freight for the time it actually takes to load or unload.	
9-230	No stopping or parking in a loading zone except to load or unload	\$20 Minimum
9-231	No Parking in a manner that hinders the free movement of traffic	\$20 Minimum
9-232	No Parking in a restricted parking area in violation of the posted restrictions	\$20 Minimum
9-235 C	No Parking commercial vehicles in residential areas overnight	\$20 Minimum
9-236	No Parking vehicles that are not licensed, are wrecked, dismantled, partially dismantled, inoperative or unsafe on any City Street for more than 72 hrs.	\$20 Minimum
9-237	No parking a trailer, trailer house, or motor home on any street more than 5 consecutive days.	\$20 Minimum
9-238	No stopping a vehicle in a driveway designated as a depository driveway for a financial institution between the hours of 8:00 AM and 5:30 PM.	\$20 Minimum
9-240	No Parking on any street in or around the perimeter of Sacajawea or Miles Park, on park grounds, or parking areas after 11:00 PM.	\$20 Minimum
9-241	No Parking on City Streets for camping or remaining in the vehicle overnight.	\$20 Minimum
9-244	No Parking in the B Street Parking Lot between 3:00 AM and 6:00 AM	\$20 Minimum
9-248	An extended or reserve parking permit can be obtained for remodeling or construction in the 2-hr parking zone on a day-to-day basis from the Building Department	Fee Determined by City Commission
9-250:9-252	LPD may immobilize a vehicle ("boot") if there are 5 or more unpaid parking tickets of which one is unpaid for more than 30 days. Notice must be sent to the registered owner 10 days prior to immobilization. If all parking tickets and the immobilization fee are not paid within 48 hrs the vehicle will be towed and impounded.	\$50 Immobilization Fee Towing Charges and Impound Fees as applicable
9-254	Unlawful to release or attempt to release an immobilized vehicle.	\$500 Maximum

Article IV. - Parking, Stopping and Standing

Sec. 9-221. - Unlawful parking generally, repairs or for sale.

- A. It is unlawful for any person to use or occupy any portion of any street within the restricted or congested area limits of the City for the purpose of setting up, assembling, experimenting with, overhauling or repairing any engine or machinery of any sort, for any implements, any vehicles or washing or greasing any vehicle, or to stand, keep or park any motor vehicle in the possession or custody of any garage, on any street, or for displaying any vehicle for sale.
- B. It is unlawful to make repairs or conduct maintenance on motor vehicles on any public street other than emergency repair which is defined as the required repair sufficient to get a temporarily stalled vehicle to a repair shop or garage.

(Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08)

Sec. 9-222. - Parking prohibited in certain places generally.

It shall be a civil offense for the operator of a vehicle to stop, stand or park such vehicle or trailer in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control sign or signal:

- A. Within an intersection. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).
- B. On any crosswalk, sidewalk or boulevard. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).
- C. Upon the approach to an intersection within ten (10) feet of the inside boundary line of the sidewalk, or if no sidewalk is in place within twenty (20) feet of the intercepting roadway, except that this provision shall not apply to alleys. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).
- D. Within twenty (20) feet of the driveway entrance to any fire station. The minimum civil penalty under this subsection shall be Twenty-Five Dollars (\$25.00)
- E. Within fifteen (15) feet of a fire hydrant. The minimum civil penalty under this subsection shall be Twenty-Five Dollars (\$25.00).
- F. In front of a functional private driveway. A functional private driveway means a driveway capable of actually being used by a motor vehicle to access a garage or private parking area and not merely a curb cut. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).
- G. Alongside or opposite any street excavation or construction when such standing or parking would obstruct traffic. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).
- H. In an alley when to so stop in such alley would obstruct traffic through such alley or obstruct access to a garage, driveway or entryway. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).
- I. In any City owned, leased, or operated parking lot in violation of a posted no parking sign or a no parking sign after designated hours. The minimum civil penalty under this subsection shall be Twenty-Five Dollars (\$25.00).
- J. In any parking space designated by sign that reserves the parking space for handicapped persons only. A fine of not less than One Hundred Dollars (\$100.00) shall be imposed upon any person violating this Section.
- K. Any designated fire zone adjoining any public school or any public building. The minimum civil penalty under this subsection shall be Twenty-Five Dollars (\$25.00).

- L. No parking shall be allowed on either side of Park Street between 5th Street and 6th Street. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).
- M. No parking shall be allowed on either side of "H" Street between Butte Street and View Vista Drive. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).
- N. It is unlawful for any unauthorized vehicle or equipment to park in any parking space that is properly marked or barricaded with a permit issued under Section 9-248. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00) and the vehicle shall be subject to impoundment.

(Code 1958, 28-56; Ord. 1463, 6/80; Ord. 1505, 12/6/82; Ord. 1568, 4/6/87; Ord. 1729, 12/7/92; Ord. 1756, 12/6/93; Ord. 1811, 7/3/95; Ord. 1901, 7/3/2000; Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. 2009, § 1, 1/5/09; Ord. No. 2012, § 1, 4/20/09; Ord. No. 2036, § 1, 3/6/12; Ord. No. [2049](#), § 1, 3/18/14)

Sec. 9-224. - Vehicles exceeding eighteen feet in length to park parallel.

No vehicle of greater length than eighteen (18) feet shall be parked upon the streets within the Restricted or Congested Area limits, except upon those streets where parking is parallel with the curb. The "Restricted or Congested Area" is defined by Section 9-1 of the Livingston Municipal Code. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).

(Code 1958, 9-58; Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. [2049](#), § 1, 3/18/14)

Sec. 9-225. - Manner of parking.

All motor vehicles parked upon any street in this City shall be parked as follows:

- A. Whenever any motor vehicle is parked upon any street in this City, it shall be headed as though proceeding upon the right side of the street.
- B. Motor vehicles shall be parked head-in to the curb at the angle and between painted stripes or other markings upon the pavement where such head-in parking is indicated.
- C. Motor vehicles shall be parked parallel with the curb where such parallel parking is indicated by a painted strip or other markings upon the pavements, and the entire vehicle shall be within such painted strip or other marking.
- D. Whenever the owner or driver of a vehicle discovers that his vehicle is parked immediately in front of or close to a building to which the Fire Department has been summoned, he shall immediately remove such vehicle from such area.
- E. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).

(Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. [2049](#), § 1, 3/18/14)

Sec. 9-226. - Proximity to curb; position.

Except when necessary in obedience to, traffic regulations or traffic signs or signals, the operator of a vehicle shall not stop, stand or park, such vehicle in a roadway other than parallel with the edge of the roadway, headed in the direction of traffic, and with the curb-side wheels of the vehicle within eighteen (18) inches of the edge of the roadway, except as permitted for loading and unloading. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).

(Code 1958, 28-66: Ord. 1926 § 1 (part), 6/16/03: Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. [2049](#), § 1, 3/18/14)

Sec. 9-227. - Parking in alley in fire district/Fire limits, description of area included.

No person shall stop, stand or park a vehicle for any purpose other than the loading or unloading of person or materials for longer than thirty (30) minutes at anyone time in any alley within the Fire Limit District of the City. The Fire Limit District is defined below:

The following blocks and parts of blocks are declared to be within the fire limits of the city:

All of Blocks Sixty (60), Sixty-one (61), Sixty-two (62), Seventy-eight (78), Seventy-nine (79), Eighty (80), Ninety-five (95), and Ninety-six (96); and Lots one (1) to six (6) inclusive and lots twenty-three (23) to thirty-two (32) inclusive, in Block Sixty-three (63), and lots seventeen (17) to thirty-two (32) inclusive in Block Seventy-seven (77), all of the above being in the Original Townsite of the City of Livingston, County of Park, State of Montana; otherwise described as: Beginning at the intersection of the center lines of Park Street and Third Street of the Townsite of Livingston, Park County, Montana, thence North 52°30' East along the center line of Park Street to its intersection with the center line produced, of the alley between B Street and C Street, thence South 37°30' East, along the said center line of the alley between B Street and C Street and said center line produced, to its intersection with the center line of Lewis Street, thence South 52°30' West, along the said center line of Lewis Street to its intersection with the center line of B Street, thence South 37°30' East along the said center line of B Street to its intersection with the center line of Clark Street, thence South 52°30' West, along the said center line of Clark Street to its intersection with the center line of Second Street, thence north 37°30' West along the said center line of Second Street to its intersection with the center line of Lewis Street, thence South 52°30' West along the said center line of Lewis Street to its intersection with the center line of Third Street, thence North 37°30' West along the said center line of Third Street to its intersection with the center line of Park Street, the place of beginning.

The minimum civil penalty under this subsection shall be Twenty-Five Dollars (\$25.00).

(Code 1958, 28-60, 28-116; Ord. 1135, 12/7/64; Ord. 1901, 7/3/2000: Ord. 1926 § 1 (part), 6/16/03: Ord. 1939 § 1 (part), 2/2/04; Ord. 1983, 2/20/07; Ord. 1999, 3/3/08; Ord. No. [2049](#), § 1, 3/18/14; Ord. No. [2053](#), § 1, 12/23/14)

Sec. 9-228. - Double parking prohibited; exception for delivery of merchandise.

No driver or operator of a motor vehicle shall stop such motor vehicle abreast of another vehicle parked parallel to the curb or edge of the roadway, nor at the back or rear of any vehicle parked at an angle to the curb or edge of the roadway where such angle parking is permitted; provided double parking shall be permitted, not to exceed ten (10) minutes duration, for the purpose of delivery of merchandise provided the full street is not obstructed. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).

(Code 1958, 28-61; Ord. 1901, 7/3/2000: Ord. 1926 § 1 (part), 6/16/03: Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. [2049](#), § 1, 3/18/14)

Sec. 9-229. - Parking for loading and unloading.

When it is necessary to place the rear of any motor truck against the curb on any street in this City for the purpose of actually loading or unloading of heavy freight, household goods, office equipment or other large items, such motor truck shall be parked at an angle of forty-five (45) degrees from the curb, and headed in the same direction as vehicular traffic upon any such street, and the front of any such motor truck shall project a minimum distance into the line of vehicular traffic. Further, such vehicle shall not remain backed up to the curb except while actually loading and unloading and in no case longer than the actual loading or unloading required. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).

(Code 1958, 28-62; Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. [2049](#), § 1, 3/18/14)

Sec. 9-230. - Parking illegally in loading zones.

No person shall stop, stand or park a vehicle in any zone designated as a loading zone for any purpose other than loading or unloading passengers or material. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).

(Code 1958, 28-115; Ord. 1133, 12/7/64; Ord. 1901, 7/3/2000; Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. [2049](#), § 1, 3/18/14)

Sec. 9-231. - Parking as to impede traffic.

It shall be unlawful for any operator to stop, stand or park any vehicle that hinders the free movement of vehicular traffic, except that this provision shall not apply to the operator of a vehicle stopped momentarily during the actual loading or unloading of passengers if such stopping does not actually impede traffic, nor shall it apply to a necessary stop in obedience to traffic regulations or traffic signs or signals of a police officer. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).

(Code 1958, 28-65; Ord. 1901, 7/3/2000; Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. [2049](#), § 1, 3/18/14)

Sec. 9-232. - Restricted parking zones—designation and marking; regulations.

- A. The City Commission is authorized and directed at any time, when in their judgment it shall be necessary, to designate restricted parking areas within the City, and they may in such restricted parking areas prohibit the parking of vehicles, or fix a time limit for the parking of such vehicles.
- B. It shall be unlawful for any operator of a vehicle to park the same on any of the streets of the City in violation of a posted restricted parking area. The minimum civil penalty under this Section shall be a fine of Twenty Dollars (\$20.00).

(Code 1958, 28-67; Ord. 1708, 5/18/92; Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. [2049](#), § 1, 3/18/14)

Sec. 9-234. - Restricted parking zones—fifteen (15) minute parking zones.

The operator of any vehicle shall not park such vehicle for more than fifteen (15) minutes at any one (1) time in the following described fifteen (15) minute parking zones:

- A. On the west side of Second Street from the intersection of Second Street and Callender Street, north to the driveway on the northly boundary of the United States Post Office during the hours of nine (9) a.m. to five (5) p.m. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).
- B. In the designated fifteen (15) minute parking zone on the easterly side of Second Street in front of American Bank, 120 North 2nd Street, Livingston, Montana. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).
- C. In the two (2) parking spaces designated for fifteen (15) minute parking on the southerly side of Callender Street just west of its intersection with 2nd Street, which parking spaces are adjacent to First Interstate Bank. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).

(Code 1958, 28-63; Ord. 1901, 7/3/2000: Ord. 1926 § 1 (part), 6/16/03: Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. [2049](#), § 1, 3/18/14; Ord. No. [2052](#), § 1, 10/7/14; Ord. No. [2057](#), § 1, 6/18/15)

Sec. 9-235. - Restricted parking zones—commercial vehicles in residential districts at night.

- A. For the purpose of this Section a commercial vehicle is defined as any motor vehicle or trailer weighing greater than sixteen thousand (16,000) pounds as such weights are stamped on vehicles according to the laws of the State, and requiring a Montana license plate thereof designating the vehicle as a truck or trailer by having stamped or imprinted on the plate the letter "T" or "TR" as part of the license plate numbering.
- B. For the purposes of this Section residential districts are defined as all of the streets in the City other than the following: Main Street from Park Street to Geyser Street, Second Street from Park Street to Clark Street, B street from. Park Street to Clark Street, Park Street from Third Street to the City Limits on the easterly end of Livingston, Callender Street from Third Street to B Street Lewis Street from Third Street to. B Street Lewis Street from Third Street to B Street, and Clark Street from Second Street to B Street.
- C. Between the hours of six (6) p.m. and eight (8) a.m. there shall be no parking of commercial vehicles as herein defined.
- D. Emergency vehicles, which are defined as ambulances, automobile wreckers, public utility service trucks, hearses and fire trucks are excepted from this Section.
- E. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).

(Code 1958, 28-68—28-70; Ord. 1901, 7/3/2000: Ord. 1926 § 1 (part), 6/16/03: Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. [2049](#), § 1, 3/18/14)

Sec. 9-236. - Storage on streets—not licensed or inoperable motor vehicle.

It shall be civil offense for any owner or operator of a motor vehicle, not licensed or which is wrecked, dismantled, in a partially dismantled condition, inoperative, i.e. not capable of moving under its own power or in an unsafe conditions as defined by 61-9-101 et seq. of the Montana Code Annotated to park, store or leave the same upon any street of the City for more than seventy-two (72) hours. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).

(Code 1958, 28-72; Ord. 1113, 9/16/63; Ord. 1901, 7/3/2000: Ord. 1926 § 1 (part), 6/16/03: Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. [2049](#), § 1, 3/18/14)

Sec. 9-237. - Storage on streets—trailers, motor homes, etc.

It shall be a civil offense for any owner or person in possession of a trailer or trailer house or motor home to store or leave the same upon any street of the City for more than five (5) consecutive days. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).

(Code 1958; Ord. 1115, 10/7/63; Ord. 1656, 5/8/90; Ord. 1901, 7/3/2000: Ord. 1926 § 1 (part), 6/16/03: Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. [2049](#), § 1, 3/18/14)

Sec. 9-238. - Parking in depository driveways.

- A. The purpose of this Section is to provide the public with safe and secure access from City Streets to places of deposit with financial institutions and to hereby protect life and property.
- B. It shall be a civil offense for any owner or operator of a motor vehicle to park or stop a motor vehicle in a driveway area designated by a financial institution and the Chief of Police as a depository driveway lane between the hours of eight (8) a.m. and five-thirty (5:30) p.m. Monday through Friday.

This section shall not apply to any person parking or stopping in the driveway lane for the purpose of using depository services.

C. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).

(Ord. 1332, 8/16/76; Ord. 1334, 10/18/76; Ord. 1901, 7/3/2000; Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. [2049](#), § 1, 3/18/14)

Sec. 9-240. - Parking—City Park property.

No person shall park a motor vehicle upon any street or road in or around the perimeter of Sacajawea or Miles Park, upon City Park grounds, or upon City park parking areas after eleven (11) p.m. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).

This Section shall not apply to persons who have been given authorization from the City Commission for camping overnight or overnight stays pursuant to Section 10-26.

(Ord. 1361, 9/6/77; Ord. 1366, 8/1/77; Ord. 1622, 3/20/89; Ord. 1641, 1/18/90; Ord. 1659, 5/21/90; Ord. 1901, 7/3/2001; Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. [2049](#), § 1, 3/18/14)

Sec. 9-241. - Parking overnight or camping.

No person may park a motor vehicle upon the City streets for purposes of camping or remaining in the vehicle overnight. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).

(Ord. 1346, 12/20/76; Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. [2049](#), § 1, 3/18/14)

Sec. 9-242. - Loading/unloading zones established.

An loading/unloading zone for one (1) parking spot is hereby established for the purpose of dropping off and picking up children for the child care center located at 210 East Lewis Street. No vehicle shall park longer than five (5) minutes at said location during the hours of seven-thirty (7:30) a.m. to seven (7) p.m., Monday through Saturday. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).

(Ord. 1999, 3/3/08; Ord. No. [2049](#), § 1, 3/18/14)

Sec. 9-243. - Restricted parking zones—Reserved spaces for handicapped or disabled persons—Reserved parking space for Angel Line.

A. Definitions.

1. For the purpose of this Section, "special parking spaces" are defined as on street parking spaces reserved for disabled persons who were issued a permit, license plate, or placard by the State of Montana in accordance with MCA 49-4-302 Montana Code Annotated (MCA) which entitles a person to park a motor vehicle in a special parking space reserved for a person with a disability, whether on public property or on private property available for public use, when the person for whom the permit was issued is using the special parking space to enter or exit the vehicle.
2. "Special reserved parking spaces" are defined as restricted on street parking spaces reserved for the personal use of a disabled person(s) who has been issued a special parking permit by the State of Montana under MCA 49-4-301(1).

B. Special Parking Spaces. Any person requesting an on-street special parking space shall make written application to the Public Works Department using a form provided by the City. The application shall state the name and address of the applicant, the location of the requested space and the

requested space, the reason for the request, and list the license number(s) of the vehicle(s) authorized to use the space. All eligible applications will be reviewed by City staff and submitted to the City Commission for approval. If the City Commission approves the personalized special parking space, the applicant will be notified and shall submit a non-refundable fifty dollar (\$50.00) fee to pay for the installation of the sign. The sign will be installed after payment of the fee.

1. The criteria for designating an on street special reserved parking space restricted for the personal use of disabled persons outside of the two-hour parking zone shall be as follows:
 - a. The applicant must show that (1) they operate a vehicle(s), registered under MCA 61-3-332(9) or MCA 61-3-458(3)(b) or (3)(i), that displays a specialty inscribed license plate issued by the state of Montana to disabled persons and displaying a wheelchair symbol or the letters "DV" issued to disabled veterans or; (2) they possess a permit issued under MCA 49-4-301(1) and MCA 49-4-304. A copy of the vehicle registration or permit must accompany the application;
 - b. The requested special reserved parking space must be adjacent to the applicant's permanent residence.
 - c. No more than one (1) special reserved parking space shall be provided to any one (1) individual, or more than one (1) special reserved parking space provided per dwelling unit.
 - d. No more than two (2) vehicle may be designated as being authorized to use the space.
 - e. No reserved parking space shall be provided within the downtown two-hour parking zone, as identified in Section 9-246 of this Chapter.
 - f. No reserved parking space shall be provided if reasonably accessible and practicable off street parking exists at the requested location.
 - g. The requested space must be able to comply with the requirements of 49-4-302(4) MCA as follows:

In accordance with subsection (2) of 49-4-302 MCA, the governing body of a city, town, or county or appropriate state agency may impose all, but not less than all, of the following requirements with respect to any special parking space constructed after September 30, 1985, and reserved for a person with a disability or a permit holder on ways of this state open to the public, as defined in 61-8-101 MCA:

 - i. The space must be located on a smooth, level surface as near as practicable to building entrances or walkways that have curb cuts and appropriately designed ramps and access lanes to accommodate wheelchairs.
 - ii. If parallel to curbside, the parking space must be separated from an adjacent space, either in the front or the rear, by at least five (5) feet of striped no-parking area.
 - iii. If at an angle to curbside, the parking space must be at least eight (8) feet wide and free of obstruction if located at the end of a line of angle parking spaces, and each other angle parking space designated for a person with a disability must be at least thirteen (13) feet wide.
 - iv. A parking space reserved for a person with a disability must be designated by a sign showing the international symbol of accessibility, indicating that a permit is required, and stating the penalty for a violation. In order to meet the penalty statement requirement, signs existing on October 1, 1993, must have attached a decal stating the penalty for a violation. The sign must be attached to a wall or post in a way that it is not obscured by a vehicle parked in the space.
2. Once approved by the City Commission, the special reserved parking space must be designated by a sign displaying the license plate number(s) of the vehicle(s) authorized to park in the special reserved parking space and stating the penalty for violation. The sign must be attached to a wall or post in a way that is not obscured.

3. Reapplications to maintain special reserved parking space must be made by December 31st of each year. A fee of five dollars (\$5.00) is required with each reapplication. If the reapplication is not received by December 31st, the person will be notified by mail and an application form shall accompany such notice. The sign will be removed if the reapplication is not received within thirty (30) days.
 4. If a person who has been provided a special reserved parking space moves to a new residence within the City limits, and a space is needed for the new residence, the City will relocate the sign to the new location without additional fee if the City is promptly notified of the change of address and provided that the new address is in a residential area outside of the two-hour parking zone.
 5. A special reserved parking space shall promptly be removed if there is a change in the circumstances such that the parking space shall no longer be appropriate under the criteria referred to herein.
- D. Angel Line Reserved Parking Spot. The City Commission hereby establishes and designates a reserved parking zone for Angel Line exclusive use twenty-four (24) hours per day, three hundred sixty-five (365) days per year in front of the Senior Center of Park County, 206 South Main Street, Livingston, Montana, which reserved parking zone shall be of sufficient length to accommodate the Angel Line's Van. The penalty for parking in the Angel Line's parking spot is one hundred dollars (\$100.00).

(Ord. No. 2012, § 1, 4/20/09; Ord. No. 2036, § 1, 3/6/12)

Sec. 9-244. - Parking restrictions for B Street parking lot.

No parking of vehicles, trailers or equipment shall be allowed between the hours of three (3) a.m. and six (6) a.m. in the B Street Parking Lot which is described as being Lots 17 through 27 of Block 77 of the Original Townsite to the City of Livingston, Montana. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).

(Ord. 1999, 3/3/08; Ord. No. [2049](#), § 1, 3/18/14)

Sec. 9-245. - Parking upon City- or County-owned premises.

No person shall park his motor vehicle upon a parking area or lot owned by the City or County except in designated parking stalls which shall be denoted by white painted lines upon the parking surface. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).

(Ord. 1416, 8/8/78; Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. [2049](#), § 1, 3/18/14)

Sec. 9-246. - Two-hour parking zones.

A. Downtown Two (2) Hour Parking Zone.

1. The following streets or portions of streets are designated as two (2) hour parking zones between the hours of nine (9) a.m. and five (5) p.m., except upon Sundays and legal holidays:
 - a. B Street from Park Street to Lewis Street;
 - b. Third Street from Park Street to Callender Street;
 - c. West Lewis from Main to Third Street;
 - d. West side of south Second Street from Lewis Street to the south line of Lot 10 in Block 94 of the Original Townsite;
 - e. East side of south Second Street from Lewis Street to Clark Street;
 - f. Callender Street from Third Street to B Street;

- g. South side of east Callender Street from B Street east for three (3) parking places;
 - h. North side of east Callender Street from B Street east two (2) parking spaces;
 - i. The south side of Park Street from Third to B Street;
 - j. East Lewis Street from Main Street to B Street;
 - k. Main Street from Park Street to Clark Street;
 - l. The West side of Main Street in front of Lots 1, 2, 3, 15, and 16 of Block 111 of the Original Townsite to the City of Livingston;
 - m. The Eastside of Main Street in front of Lots 29 and 30 of Block 110 of the Original Townsite to the City of Livingston;
 - n. Second Street from Park Street to Lewis Street;
 - o. The north side of Clark Street from the alley between Main and B Streets to the alley between Main and Second Streets;
 - p. The south side of Clark Street from the alley between Main and Second Street to Main Street;
 - q. The south side of Geyser Street from the alley in the 100 Block of East Geyser to Main Street.
2. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).

B. City-County Complex Two (2) Hour Parking Zone.

1. Designation of City-County Complex Parking Zone. The following lots, streets or portions of streets are designated as two-hour parking zones between the hours of nine (9) o'clock a.m. and five (5) o'clock p.m., except upon Sundays and legal holidays, as follows:
 - a. The paved public parking lot immediately behind and adjacent to the City-County Complex;
 - b. That portion of "D" Street running north from the alley between Callender Street and Lewis Street only on that side of "D" Street which is adjacent to and abuts the lots upon which the City-County Complex is situated;
 - c. That portion of "E" Street running north from the alley between Callender Street and Lewis Street only on that side of "E" Street which is adjacent to and abuts the lots upon which the City-County Complex is located; and
 - d. Both sides of Callender Street between "D" Street and "E" Street which has not been zoned for fifteen-minute parking.
2. Parking Violations and Exceptions.
 - a. It is a civil offense for any person, between the hours of eight (8) a.m. and five (5) p.m. on Monday through Friday, to park his or her vehicle in the City-County Complex designated two (2) hour parking zone in excess of two (2) hours per day on each and every day the parking restriction is in effect; the two (2) hour parking limitation is the total time allotment per day per vehicle thereby having the effect of preventing vehicles being moved to gain an additional two (2) hours of parking.
 - b. Persons called for jury trial in any of the courts situated in the City-County Complex shall be exempted from the punishment set forth hereinafter upon written proof to the Clerk of the City Court that they were called for jury service at the date and time they received the citation for violating the two (2) hour parking zone.
 - c. City or County employees that respond to an emergency shall be exempted from the punishment set forth hereinafter upon written proof to the Clerk of the City Court that they were responding to an emergency at the date and time they received the citation for violating the two (2) hour parking zone.

- d. Drivers of vehicles legally parking in a parking spot designated for official vehicles by the City-County Complex parking plan are also exempted from the regulations and punishment set forth herein.
- 3. Punishment. The civil penalty for violating subsection (B)(2)(a) shall be by fine only in the amount of Twenty Dollars (\$20.00) per violation.
- C. Exception to Two-Hour Downtown Parking Zones. Persons, firms or entities are exempt from the requirements of this Section upon obtaining a permit authorized in Section 9-248.

(Ord. 1543, 11/13/85; Ord. 1632, 11/89; Ord. 1733, 2/1/93; Ord. 1846, 1/6/97; Ord. 1901, 7/3/2000; Ord. 1910 § 1, 4/6/02; Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. 2009, § 1, 1/5/09; Ord. No. 2030, § 1, 5/2/11; Ord. No. [2042](#), § 1, 11/6/12; Ord. No. [2049](#), § 1, 3/18/14; Ord. No. [2055](#), § 1, 4/23/15)

Sec. 9-247. - Enforcement Officer.

Personnel, in addition to regularly appointed peace officers, upon being duly appointed by the City Manager, may issue a parking ticket for violations that may be placed upon any vehicle in violation of Article IV, Parking, Stopping and Standing.

(Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08; Ord. No. [2049](#), § 1, 3/18/14)

Sec. 9-248. - Extended parking permit.

- A. A person, firm or entity, engaged in construction or remodeling of a premises located in a restricted two-hour parking zone may obtain a permit for extended parking or reserving a parking space adjacent to the property under construction.
 - 1. Permits for extended parking will be issued on a per day basis and may be utilized by vehicles or equipment involved with the construction project. The person, firm or entity obtaining the permit will be responsible for placing a City provided placard or sticker on the vehicle or equipment which shall be conspicuously displayed.
 - 2. Permits for reserving a parking space will be issued on a per day basis and apply to a designated parking space or spaces adjacent to the property under remodel or construction. The City will provide signs and/or barricades for each reserved space.
- B. Permits shall be obtained from the Building Department. Fees for the extended parking permits and reserved parking spaces will be set by resolution of the City Commission.

(Ord. No. 2009, § 1, 1/5/09)

Sec. 9-249. - Vicarious liability.

- A. All violations of the parking ordinances are deemed an absolute liability upon the registered owner of the motor vehicle.
- B. It shall be no defense to any parking violation that the motor vehicle was illegally parked by another unless it is shown the vehicle was being used without the consent of the registered owner. (See City of Missoula v. Shea, 661 P.2d 410 (Mont. 1983).

(Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08)

Sec. 9-250. - Vehicle immobilization authorized.

The City of Livingston Police Department is authorized to use a vehicle immobilizer, hereinafter referred to as the "boot," to immobilize any vehicle that is parked upon a City street, alley or parking lot

open to the public which has received five (5) or more parking tickets which are due and have not been paid, and at least one (1) of the parking tickets has been unpaid for thirty (30) days or more.

Prior to immobilizing a vehicle, the City shall mail to the registered owner of the vehicle at the address provided by the State of Montana Department of Motor Vehicles a notice which will state the following:

- A. That there are five (5) or more unpaid parking tickets which are due and outstanding and that at least one (1) of which has been unpaid for thirty (30) days or more;
- B. That the vehicle will be immobilized if all of the unpaid parking tickets which are due are not paid within ten (10) days of the notice's date;
- C. That if the vehicle is immobilized, the City will charge an immobilization fee of Fifty Dollars (\$50.00); and
- D. That if release of the vehicle is not obtained within forty-eight (48) hours of immobilization, the vehicle will be towed and impounded which will result in towing charges and impound fees being imposed in addition to the parking fines and immobilization fees.

Service of notice shall be deemed effective on the date of mailing to the address of the vehicle's registered owner as maintained by the Montana Department of Motor Vehicles.

(Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08)

Sec. 9-251. - Procedure for vehicle immobilization and release.

- A. After the ten (10) day period provided in the notice has past without payment, the Finance Officer will thereafter notify the Police Chief to immobilize the vehicle. The Police Department when immobilizing the vehicle shall affix a conspicuous notice to the vehicle notifying the driver of the following:
 1. That the vehicle has been immobilized pursuant to Section 9-250 of the Livingston Municipal Code;
 2. That the vehicle will be released from immobilization by paying all outstanding parking tickets and immobilization fee during business hours at the Livingston City Offices located at 414 East Callender Street;
 3. That if the release of the vehicle is not obtained within forty-eight (48) hours, the vehicle will be towed and impounded as provided in Section 9-252 of the Livingston Municipal Code and that a towing fee and impound fee will be charged;
 4. That any attempt to remove or attempt to remove the boot before obtaining the release as herein provided is unlawful and punishable as a misdemeanor and that if any damage is done to the boot, additional charges will be assessed to repair or replace the boot; and
 5. That a hearing on the immobilization, towing or impound may be requested by filing a written request with the City Court to determine if the City did not follow the procedures set forth in this Section, Sections 9-250 or 9-252 of the Livingston Municipal Code.
- B. An immobilized vehicle shall not be released by the City until all outstanding and due parking fines and the immobilization fee are paid, or by posting a bond.
- C. A towed and impounded vehicle will not be released by the City until all outstanding and due parking fines, immobilization fee, towing charges and impound fees are paid, or by posting a bond.

(Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08)

Sec. 9-252. - Towing and impound.

- A. Any vehicle which has not been released from immobilization after forty-eight (48) hours as provided by Section 9-251 will be towed and impounded by the City.

- B. In the event the vehicle is towed and impounded, the City will notify the registered owner of the vehicle by mail of the fact that the vehicle has been towed and impounded and the procedure to obtain the vehicle's release.

(Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08)

Sec. 9-253. - Appeal of immobilization, towing and impound.

Following immobilization, towing and impound of a vehicle, the registered owner may request a hearing before the City Court by filing a request setting forth the name of the person making the request, the facts and circumstances upon which the request is based and the relief requested. A copy of the request will be mailed or delivered to the City Attorney. The City Judge shall attempt to timely schedule a hearing to determine whether the immobilization, towing or impound was in violation of Sections 9-250, 9-251 or 9-252 of the Livingston Municipal Code. If the City Judge finds that the immobilization, towing or impounding was in violation of Sections 9-250, 9-251 or 9-252 of the Livingston Municipal Code, the vehicle will be immediately released and the registered owner or any other person having an interest in the vehicle shall not be held liable for any fees or costs incurred and in that event any fees or costs paid shall be refunded to the person paying the fees or costs; however, any such release shall not excuse payment of unpaid fines for any outstanding parking tickets.

(Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08)

Sec. 9-254. - Criminal offense and penalty.

A person commits the offense of unauthorized release of an immobilized vehicle if he purposely or knowingly removes or attempts to remove the immobilizing device (boot) from a vehicle before obtaining the vehicle's release from the Livingston Police Department. A person convicted of unauthorized release of an immobilized vehicle may be punished by a fine not to exceed Five Hundred Dollars (\$500.00) and/or imprisonment in the County Jail for a term not to exceed six (6) months. In addition, if damage is done to the boot, the Court may impose restitution for the repair or replacement of the boot.

(Ord. 1926 § 1 (part), 6/16/03; Ord. 1939 § 1 (part), 2/2/04; Ord. 1999, 3/3/08)

Secs. 9-255—9-314. - Reserved.

Backup material for agenda item:

- B. DISCUSS/APPROVE/DENY - Recommendation of Planning Board for approval of Scott Weisbeck for the City Planning board**

City of Livingston
Application for Appointed Office
(Revised 3/17/03)

Appointed Position Seeking: PLANNING BOARD

Date of Application: 5/23/2018

Name: SCOTT WEISBECK

Signed: 

Address: 125 1/2 S. G. STREET

Telephone: daytime 406 333 1889

after 5:00 p.m.: 406 333 1889

Fax Number: N/A

e-mail address: WEISBECK.SCOTT@GMAIL.COM

1. Are you a resident of the City of Livingston? YES

2. Are you a registered voter? YES

3. Will you be at least 18 years of age at the time of the appointment? YES

4. Describe the reasons you are interested in this appointment: I HAVE BEEN INVOLVED WITH DEVELOPMENT IN SOME FASHION FOR 20 PLUS YEARS :- ENGINEERING DEVELOPMENTS, PRIVATE DISTRICTS, WORKING FOR A DEVELOPER - ETC.

5. Describe any background, experience and interests that you have which may assist you in performing the responsibilities of this appointment:

A. Occupation: CIVIL ENGINEER (PROFESSIONAL ENG MT - 51602)

B. Education: BS - ENGINEERING - CIVIL SPECIALTY COLORADO SCHOOL OF MINES 94'

C. Experience: PROFESSIONAL ENG - WORKING ON DEVEL. PROJ.

PRESENTING FOR/AGAINST DEVELOPMENTS, DESIGNING ALL TYPES OF DEVELOPMENT PROJECTS

(please attach a detailed resume if desired)

6. Have you served on any previous boards or in any governmental positions in the past? NO

DISTRICT REPRESENTATIVE CONST. MGR - COLORADO (NOT ON BOARD - VERY INVOLVED)
HOA BOARD MEMBER - COLORADO

7. Are you currently serving on any Community Boards? NO

A. If yes, please describe those boards. _____

8. Current Employer? CTA

9. Are you available for night meetings? YES

10. Are you available for daytime meetings? YES

11. Do you foresee any potential conflicts of interest that you might have in executing the duties of this appointed office? ONLY WITH CTA PROJECTS IN LIVINGSTON

12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? REFUSE MYSELF FROM VOTING & ACKNOWLEDGE CONFLICT @ TIME IT IS FORSEEN IMMEDIATELY

Backup material for agenda item:

- C. DISCUSS/APPROVE/DENY - Request of Paul Reichert from Prospera for contract extension of the Sub-Recipient Agreement for the Community Development Block Grant Revolving Loan Fund**



July 16, 2018

Sub-Recipient Agreement Contract Extension

The City of Livingston Montana and the Gallatin Development Corporation dba Prospera Business Network are agreeing to a contract extension of the **Sub-Recipient Agreement for the Community Development Block Grant Revolving Loan Fund** between the City of Livingston Montana and the Gallatin Development Corporation dba Prospera Business Network dated and signed July 25, 2016.

Amendment:

The Parties agree to extend the timeframe of this contact with all existing terms and conditions to December 31, 2018.

Michael Kardoes
Livingston City Manager

Attest
Lisa Harreld
Legal Analyst

DocuSigned by:
Paul Reichert

C65937B5E67D4A8

Paul Reichert
Executive Director
Prospera Business Network

7/16/2018 9:44:03 AM MDT