



# Livingston City Commission Agenda

June 28, 2022

5:30 PM

VIA ZOOM

<https://us02web.zoom.us/j/83885030837?pwd=dTFQRWlpc2tOQkFVNTVmMVplSDFpdz09>

MEETING ID: 838 8503 0837 **PASSCODE: 726257** CALL IN: 669-900-6833

- 1. Call to Order
- 2. Roll Call
- 3. Public Comment

*Individuals are reminded that public comments should be limited to item over which the City Commission has supervision, control jurisdiction, or advisory power (MCA 2-3-202)*

#### Disclosure of Ex Parte Communications and Conflicts:

*Subject to Title 2, Chapters 2 and 3 of the MCA, and Chapter 2 of the Montana Municipal Officials Handbook, Commissioners are reminded to disclose conflicts of interest, as well as ex parte communications with proponents and opponents of issues before the commission prior to deliberation and decision making in quasi-judicial matters. For ex parte communications, the disclosure should include the name(s) and content of the communication(s) and a statement that their decision(s) will be based solely on the public record and not on the substance of the ex parte communication.*

#### 4. Consent Items

- A. APPROVE MINUTES FROM JUNE 7, 2022, REGULAR MEETING. Pg. 4**
- B. RATIFY CLAIMS PAID 05/18/2022-06/13/2022. Pg. 10**
- C. ACCEPT CITY COURT FINANCIAL REPORT FROM APRIL 2022. Pg. 25**
- D. APPROVE BOARD RECOMMENDATION TO APPOINT SHEILA ELWIN TO THE LIBRARY BOARD OF TRUSTEES TO SERVE A 5-YEAR TERM. Pg. 27**
- E. APPROVE BOARD RECOMMENDATION TO APPOINT HEIDI JOHNSON TO FILL A VACANCY FOR THE UNEXPIRED TERM ON THE LIVINGSTON TREE BOARD. Pg. 30**
- F. APPROVE BOARD RECOMMENDATION TO APPOINT LISA GARCIA TO FILL A VACANCY FOR THE UNEXPIRED TERM ON THE LIVINGSTON URBAN RENEWAL AGENCY. Pg. 33**

#### 5. Proclamations

#### 6. Scheduled Public Comment

#### 7. Public Hearings

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

#### 8. Ordinances

**A. ORDINANCE NO. 3034: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING SECTION 30.13 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY ZONING PROPERTY LEGALLY DESCRIBED AS LOT 1 OF SUBDIVISION 183 IN SECTION 14, TOWNSHIP TWO SOUTH (T02S), RANGE NINE EAST (R09E), AS PUBLIC (P). Pg. 36**

9. Resolutions

**A. RESOLUTION NO. 5044: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO ADJUST ALL RATES FOR ALL CUSTOMERS OF THE CITY OF LIVINGSTON WATER SYSTEM. Pg. 106**

**B. RESOLUTION NO. 5045: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO ADJUST ALL RATES FOR ALL CUSTOMERS OF THE CITY OF LIVINGSTON WASTEWATER SYSTEM. Pg. 111**

**C. RESOLUTION NO. 5046: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO INCREASE THE RATE FOR COLLECTION AND DISPOSAL OF SOLID WASTE IN THE AMOUNT OF 20% PER MONTH FOR RESIDENTIAL CUSTOMERS AND 20% FOR COMMERCIAL CUSTOMERS TO BECOME EFFECTIVE JULY 2022 AND CALLING FOR A PUBLIC HEARING. Pg. 116**

**D. RESOLUTION NO. 5047: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE INTERIM CITY MANAGER TO SIGN AN AGREEMENT WITH FOUR CORNERS RECYCLING, LLC FOR RECYCLING SERVICES. Pg. 122**

**E. RESOLUTION NO. 5048: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON MONTANA, AUTHORIZING THE INTERIM CITY MANAGER TO SIGN A PROFESSIONAL SERVICES AGREEMENT WITH TD&H ENGINEERING, FOR CONSTRUCTION ADMINISTRATION SERVICES FOR THE CIVIC CENTER SEWER PROJECT, AND AUTHORIZATION TO EXECUTE THE AGREEMENT TO INCLUDE THE USE OF CONTINGENCY FUNDS AS DEEMED NECESSARY. Pg. 134**

10. Action Items

Disclosure of Ex Parte Communications and Conflicts:

*Subject to Title 2, Chapters 2 and 3 of the MCA, and Chapter 2 of the Montana Municipal Officials Handbook, Commissioners are reminded to disclose conflicts of interest, as well as ex parte communications with proponents and opponents of issues before the commission prior to deliberation and decision making in quasi-judicial matters. For ex parte communications, the disclosure should include the name(s) and content of the communication(s) and a statement that their decision(s) will be based solely on the public record and not on the substance of the ex parte communication.*

**A. DISCUSS/APPROVE/DENY: LIVINGSTON-PARK CO. REVOLVING LOAN FUND POLICIES AND PROCEDURES EMERGENCY AND DISASTER AMENDMENT. Pg. 150**

**B. ACTION ITEM: APPROVING ORDINANCE WAIVER FOR PBR AFTER-PARTY HOSTED BY THE OWL LOUNGE. Pg. 158**

**C. DISCUSS/APPROVE/DENY: 2021 HOUSING ACTION PLAN, AND INTENT TO ADOPT AS APPENDIX TO LIVINGSTON GROWTH POLICY. Pg. 164**

**D. DISCUSS/APPROVE/DENY - RECRUITMENT PROCESS FOR THE INTERIM CITY MANAGER.**

**E. DISCUSS/APPROVE/DENY: HAVING THE INTERIM CITY MANAGER SIGN AN ENGAGEMENT LETTER WITH RECRUITING CONTRACTOR FOR THE CITY MANAGER RECRUITMENT. Pg. 200**

**F. DISCUSS/APPROVE/DENY: SETTING A DATE TO RETURN TO IN PERSON CITY COMMISSION AND BOARD MEETINGS.**

**G. CLOSED SESSION: CLOSED SESSION REGARDING DEFENSE OF PROPOSED LITIGATION AND A PERSONNEL MATTER.**

11. City Manager Comment

12. City Commission Comments

13. Adjournment

### Calendar of Events

**A. CITY OFFICES AND FACILITIES WILL BE CLOSED MONDAY, JULY 4TH FOR INDEPENDENCE DAY.**

### 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.

**File Attachments for Item:**

**A. APPROVE MINUTES FROM JUNE 7, 2022, REGULAR MEETING.**



# Livingston City Commission Minutes

June 07, 2022

5:30 PM

VIA ZOOM

<https://us02web.zoom.us/j/88008509545?pwd=bXUxZk01cDBpWm9maHNBcHY2WUJQQT09>

Meeting ID: 880 0850 9545 **Passcode: 093461** Call In: 669 900 6833

1. Call to Order

2. Roll Call

In attendance: Chair Nootz, Vice-Chair Kahle, Commissioner Friedman, Commissioner Schwarz, Commissioner Lyons. Staff in attendance: HR Director Lisa Lowy, City Attorney Courtney Lawellin, Police Chief Dale Johnson, Finance Director Paige Fetterhoff, Public Works Director Shannon Holmes, Recording Secretary Faith Kinnick.

Nootz gave directive regarding meeting tonight. 5:31 p.m. (00:01:33)

3. Public Comment 5:32 p.m. (00:02:20)

*Individuals are reminded that public comments should be limited to item over which the City Commission has supervision, control jurisdiction, or advisory power (MCA 2-3-202)*

4. Consent Items

**A. APPROVE MAY 17, 2022 REGULAR CITY COMMISSION MEETING MINUTES.**

**B. RATIFY CLAIMS PAID 05/04/2022-05/17/2022.**

- Schwarz motioned to approve, second by Kahle  
All in favor, passes 5-0

Nootz gave notice of intent to modify agenda 05:33 p.m. (00:03:00)

5. Proclamations 5:36 **(00:05:50)**

**A. PROCLAMATION DECLARING JUNE 27-JULY 4, 2022, AS RODEO DAYS IN LIVINGSTON.**

- No commissioner comments

6. Scheduled Public Comment

7. Public Hearings

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

8. Ordinances (Pulled for consideration during future meeting)

~~**A. ORDINANCE NO. 3033: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ARTICLE IX, ARTICLE V, & ARTICLE X**~~

~~OF THE LIVINGSTON MUNICIPAL CODE BY AMENDING SECTIONS 9-16, 10-7, & 10-8, & ADDING SECTION 5-26, AS THEY PERTAIN TO THE 4TH OF JULY CELEBRATION PARADE ROUTE, STREET CLOSURES, CITY SUPPORT FOR THE 4TH OF JULY CELEBRATION, AND OPEN CONTAINER LAWS DURING THE 4TH OF JULY CELEBRATION.~~

9. Resolutions 05:37 p.m. (00:07:39)

**A. RESOLUTION NO. 5036: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN A MEMORANDUM OF UNDERSTANDING WITH PARK COUNTY, FOR THE RELINQUISHMENT OF CONTROL OVER JOINT-OWNED PROPERTY, FOR THE DEVELOPMENT OF RECREATIONAL TRAILS ON OLD BOULDER ROAD. (TABLED FROM MAY 3RD MEETING)**

- Lowy presented Resolution
- Lawellin provided update regarding insurance coverage based on information provided by MMIA.
- Schwarz asked clarifying questions of Lawellin
- Kahle asked clarifying questions
- Nootz reminded Commission of process to untable item from previous meeting
- Kahle motioned to take Resolution No. 5036, second by Schwarz
- All in favor, passes 5-0
- No public comments
- Lyons asked clarifying questions
- Kahle made motion to approve 5036 with the following amendments:
  - Remove for the “relinquishment of control of the joint owned property” in the heading of the resolution
  - Remove the WHEREAS the City of Livingston agrees to relinquish its control over the property, removing the entire paragraph; and
  - Approving version 2 of the MOU.

All in favor, passes 5-0

**B.** (Pulled for consideration during future meeting)

~~**RESOLUTION NO. 5040: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY OF LIVINGSTON TO APPLY FOR THE AMERICAN RESCUE PLAN ACT MINIMUM ALLOCATION GRANT PROGRAM AND AUTHORIZATION TO COMMIT REQUIRED MATCHING FUNDS FROM THE WEST END TIF DISTRICT AS THE REQUIRED MATCH AND AUTHORIZING THE CITY MANAGER TO SIGN ANY REQUIRED CONTRACTS TO COMMIT OR ACCEPT FUNDS.**~~

**C. RESOLUTION NO. 5041: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN A**

**GENERAL SERVICES AGREEMENT WITH TREEINCARNATION ARBOR CARE INC. FOR THE LIVINGSTON TREE INVENTORY UPDATE, IN AN AMOUNT NOT TO EXCEED TWELVE THOUSAND DOLLARS (\$12,500.00).00. 6:48 p.m. (00:18:38)**

- Lowy presented Resolution
  - No commission questions
  - No public comments
  - Schwarz made motion, second by Friedman
  - Nootz gave comments
  - Holmes made comments
  - Schwarz made comments
- All in favor, passes 5-0

**D. RESOLUTION NO. 5042: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN A GENERAL SERVICES AGREEMENT WITH ASKIN CONSTRUCTION INC. FOR CONSTRUCTION OF THE CIVIC CENTER SEWER LINE CONNECTION PROJECT, AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE USE OF CONTINGENCY FUNDS AS DEEMED NECESSARY. 5:55 p.m. (00:25:11)**

- Lowy presented Resolution
  - Holmes asked clarifying question of Lawellin
  - Holmes gave project overview
  - Kahle asked clarifying questions
  - Friedman made comments
  - Schwarz made motion to approve 5042 with stipulation adding the 10% contingency on the \$641,600 project total, second by Friedman
  - No public comments
  - Nootz made comments
  - Schwarz made comments
- All in favor, passes 5-0

**E. RESOLUTION NO. 5043: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING RESOLUTION NO. 5027, ESTABLISHING A TEMPORARY AD-HOC COMMITTEE TO RECOMMEND A VISION FOR THE DISBURSEMENT OF THE NON-ENTITLEMENT UNIT AMERICAN RESCUE PLAN ACT FUNDS. 06:10 p.m. (00:40:32)**

- Lowy presented Resolution
  - Motion by Schwarz, second by Friedman
  - No public comments
  - Nootz made comments
  - Lyons made comments
  - Kahle made comments
- All in favor, passes 5-0

Nootz re-opened General Public Comment due to confusion about meeting location 6:18 p.m. (46:15)

- Tawa Jeffrey made public comment

10. Action Items 6:20 p.m. (00:50:19)

**A. DISCUSS/APPROVE/DENY: ~~STREET LIGHT MAINTENANCE ASSESSMENT METHODS.~~ (PULLED FOR FUTURE MEETING)**

**B. DISCUSS/APPROVE/DENY: ~~CITY COMMISSIONERS APPOINTMENT TO SERVE ON THE ARPA AD-HOC COMMITTEE.~~ (PULLED DUE TO PASSAGE OF RESOLUTION 5043)**

**C. FROM ADDENDUM DISCUSS/APPROVE/DENY: APPOINTMENT OF INTERIM CITY MANAGER FOR CONTINUITY OF GOVERNMENT OPERATIONS.**

- Lowy presented item
- Nootz made comments
- Schwarz asked process question of Nootz
- Lowy provided additional information
- Lyons asked clarifying question
- Nootz made comments
- Lowy made comments
- Kahle asked clarifying questions
- Nootz asked Lawellin for suggestions from legal position
- Schwarz stated Lowy should be compensated for her interim role
- Nootz asked question
- Lawellin offered additional information
- Friedman made comments
- Nootz called for motion for specific appointment of temporary interim city manager
- Schwarz made motion to appoint Lisa Lowy as temporary interim city manager, second by Friedman
- Nootz asked Lawellin if she got that right?
- Lawellin made comments
- Nootz stated it is just temporary until the city attorney can help draft some kind of contract, until they can figure out a permanent interim.
- Lawellin responded, can set a time limit now, be 6 months, then 3 months with automatic renewal, but you don't have to.
- Schwarz concurred
- Nootz asked Lisa if she would accept
- Nootz put boundaries around public comments
- Warren Mabie made public comment
- No additional public comments
- Lyons made additional comments



- Kahle made comments
  - Schwarz made comments
  - Friedman made comments
  - Nootz made comments
- All in favor, passes 5-0

11. City Manager Comment 6:53 p.m. (01:23:33)

12. City Commission Comments 6:54 p.m. (01:24:41)

- Lyons made comments
- Schwarz made comments
- Friedman made comments
- Kahle made comments
- Nootz made comments

13. Adjournment 7:01 p.m. (01:31:35)

Calendar of Events

Supplemental Material

**A. City Offices Closed for Memorial Day.**

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).
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- **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.

**File Attachments for Item:**

**B. RATIFY CLAIMS PAID 05/18/2022-06/13/2022.**

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>AAA CLEANING, LLC</b>							
3727	AAA CLEANING, LLC	2022.5.31	Bennett St cleaning	05/31/2022	500.00	500.00	06/06/2022
3727	AAA CLEANING, LLC	2022.5.31	park street cleaning	05/31/2022	2,000.00	2,000.00	06/06/2022
Total AAA CLEANING, LLC:					2,500.00	2,500.00	
<b>ACCESSIBLE TECHNOLOGIES</b>							
10002	ACCESSIBLE TECHNOLOGIES	353965	BREATHER GEARBOX	04/22/2022	485.96	485.96	06/06/2022
Total ACCESSIBLE TECHNOLOGIES:					485.96	485.96	
<b>ADVANCED TECHNOLOGY PRODUCTS, INC</b>							
3357	ADVANCED TECHNOLOGY PRO	32318	Chemicals	03/31/2022	300.00	300.00	05/27/2022
3357	ADVANCED TECHNOLOGY PRO	32780	Pool Supplies	05/25/2022	300.00	300.00	06/06/2022
Total ADVANCED TECHNOLOGY PRODUCTS, INC:					600.00	600.00	
<b>ALL SERVICE TIRE &amp; ALIGNMENT</b>							
22	ALL SERVICE TIRE & ALIGNME	63724	Mount and Balance	04/25/2022	65.00	65.00	05/27/2022
22	ALL SERVICE TIRE & ALIGNME	63787	Tire MOUNT	05/04/2022	88.00	88.00	05/27/2022
22	ALL SERVICE TIRE & ALIGNME	63871	SWAY BAR LINK	05/18/2022	98.00	98.00	05/27/2022
22	ALL SERVICE TIRE & ALIGNME	63874	Oil Change	05/19/2022	100.00	100.00	05/27/2022
22	ALL SERVICE TIRE & ALIGNME	63911	NEW TIRES	05/26/2022	140.00	140.00	06/06/2022
22	ALL SERVICE TIRE & ALIGNME	6922	Tires	05/26/2022	90.00	90.00	06/06/2022
Total ALL SERVICE TIRE & ALIGNMENT:					581.00	581.00	
<b>AMATICS CPA GROUP</b>							
3348	AMATICS CPA GROUP	69065	building code	05/23/2022	2,700.00	2,700.00	05/27/2022
Total AMATICS CPA GROUP:					2,700.00	2,700.00	
<b>AMERICAN AUTOMOTIVE</b>							
3378	AMERICAN AUTOMOTIVE	3645	REPAIR & MAINT VEH	05/16/2022	320.36	320.36	05/27/2022
Total AMERICAN AUTOMOTIVE:					320.36	320.36	
<b>ASKIN CONSTRUCTION</b>							
10004	ASKIN CONSTRUCTION	2022.5.3	6TH/7TH ST WATER PAY APP ##	05/03/2022	14,250.00	14,250.00	06/13/2022
10004	ASKIN CONSTRUCTION	2022.6.2	6TH/7TH ST WATER PAY APP #2	06/02/2022	327,565.30	327,565.30	06/13/2022
Total ASKIN CONSTRUCTION:					341,815.30	341,815.30	
<b>BOBCAT OF BIG SKY INC</b>							
10003	BOBCAT OF BIG SKY INC	87693	PARTS	05/24/2022	266.70	266.70	06/06/2022
Total BOBCAT OF BIG SKY INC:					266.70	266.70	
<b>BOUND TREE MEDICAL, LLC</b>							
2662	BOUND TREE MEDICAL, LLC	84513516	Patient Supplies	05/06/2022	190.80	190.80	05/27/2022
2662	BOUND TREE MEDICAL, LLC	84519034	Patient Supplies	05/11/2022	159.00	159.00	05/27/2022
2662	BOUND TREE MEDICAL, LLC	84525420	Patient Supplies	05/16/2022	45.87	45.87	05/27/2022
2662	BOUND TREE MEDICAL, LLC	84525421	Patient Supplies	05/16/2022	30.58	30.58	05/27/2022
Total BOUND TREE MEDICAL, LLC:					426.25	426.25	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>BUDGET AUTO GLASS</b>							
89	BUDGET AUTO GLASS	22-2324	DUMP TRUCK GLASS	05/11/2022	415.00	415.00	05/27/2022
Total BUDGET AUTO GLASS:					415.00	415.00	
<b>CARQUEST AUTO PARTS</b>							
23	CARQUEST AUTO PARTS	1912-543198	oil	05/02/2022	47.77	47.77	06/06/2022
23	CARQUEST AUTO PARTS	1912-543259	SUPPLIES	05/02/2022	26.87	26.87	06/06/2022
23	CARQUEST AUTO PARTS	1912-543394	BULBS	05/03/2022	10.48	10.48	06/06/2022
23	CARQUEST AUTO PARTS	1912-543692	TRAILER CONN	05/05/2022	11.39	11.39	06/06/2022
23	CARQUEST AUTO PARTS	1912-543853	LIFT SUPP	05/07/2022	25.22	25.22	06/06/2022
23	CARQUEST AUTO PARTS	1912-544000	AIR	05/09/2022	23.44	23.44	06/06/2022
23	CARQUEST AUTO PARTS	1912-544187	NOZZLES	05/11/2022	159.86	159.86	06/06/2022
23	CARQUEST AUTO PARTS	1912-545403	FRAM ANT GREEN	05/23/2022	13.29	13.29	06/06/2022
23	CARQUEST AUTO PARTS	1912-545497	POWERATED BLT	05/23/2022	11.34	11.34	06/06/2022
23	CARQUEST AUTO PARTS	1912-545661	Air FILTER	05/25/2022	94.47	94.47	06/06/2022
23	CARQUEST AUTO PARTS	1912-545794	FRAM ANT GREEN	05/26/2022	79.74	79.74	06/06/2022
Total CARQUEST AUTO PARTS:					503.87	503.87	
<b>CENGAGE LEARNING INC</b>							
10001	CENGAGE LEARNING INC	77620032	2 BOOKS	04/15/2022	54.92	54.92	05/27/2022
10001	CENGAGE LEARNING INC	77628382	1 BOOK	04/18/2022	27.05	27.05	05/27/2022
10001	CENGAGE LEARNING INC	77683440	1 BOOK	04/28/2022	27.87	27.87	05/27/2022
Total CENGAGE LEARNING INC:					109.84	109.84	
<b>CENTURYLINK</b>							
162	CENTURYLINK	2022.5.16	406-222-0137 441B	05/16/2022	76.44	76.44	05/27/2022
Total CENTURYLINK:					76.44	76.44	
<b>CHARTER COMMUNICATIONS</b>							
3440	CHARTER COMMUNICATIONS	019544504182	ELEVATOR PHONE	04/18/2022	49.23	49.23	05/27/2022
Total CHARTER COMMUNICATIONS:					49.23	49.23	
<b>CN LLC</b>							
10004	CN LLC	561	URBAN RENEWAL	04/20/2022	300.00	300.00	05/27/2022
Total CN LLC:					300.00	300.00	
<b>COMDATA</b>							
2671	COMDATA	20371662	IB986 BZR70	05/01/2022	196.80	196.80	05/27/2022
2671	COMDATA	20372335/XW7	CG72P	06/01/2022	398.40	398.40	06/06/2022
2671	COMDATA	20372335/XW7	CG72R	06/01/2022	491.91	491.91	06/06/2022
2671	COMDATA	20372335/XW7	CG73C	06/01/2022	811.28	811.28	06/06/2022
2671	COMDATA	20372335/XW7	CG73H	06/01/2022	126.29	126.29	06/06/2022
2671	COMDATA	20372335/XW7	CG73L	06/01/2022	506.87	506.87	06/06/2022
2671	COMDATA	20372335/XW7	CG73S	06/01/2022	1,056.01	1,056.01	06/06/2022
2671	COMDATA	20372335/XW7	CG74G	06/01/2022	424.50	424.50	06/06/2022
Total COMDATA:					4,012.06	4,012.06	
<b>CONVERGINT</b>							
10004	CONVERGINT	S005932	SERVICE CONTRACT	01/31/2022	360.00	360.00	06/06/2022

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total CONVERGINT:					360.00	360.00	
<b>COPRO EFP</b>							
10004	COPRO EFP	7671	NOZZLES	05/26/2022	1,547.72	1,547.72	05/27/2022
Total COPRO EFP:					1,547.72	1,547.72	
<b>CORE &amp; MAIN LP</b>							
3733	CORE & MAIN LP	Q671645	RW GV OLACC	05/19/2022	2,828.05	2,828.05	06/06/2022
Total CORE & MAIN LP:					2,828.05	2,828.05	
<b>D&amp;R COFFEE SERVICE INC</b>							
10002	D&R COFFEE SERVICE INC	153539	RENTAL	05/27/2022	53.00	53.00	06/06/2022
Total D&R COFFEE SERVICE INC:					53.00	53.00	
<b>DEMCO</b>							
199	DEMCO	7125738	Book Prep Supplies	05/09/2022	330.16	330.16	05/27/2022
Total DEMCO:					330.16	330.16	
<b>ENCODE CORPORATION</b>							
1548	ENCODE CORPORATION	42116	OUT OF CONTRACT WORK	04/21/2022	87.68	87.68	05/27/2022
1548	ENCODE CORPORATION	42136	MAINTENANCE CONTR	05/02/2022	1,988.00	1,988.00	05/27/2022
Total ENCODE CORPORATION:					2,075.68	2,075.68	
<b>ENERGY LABORATORIES, INC.</b>							
424	ENERGY LABORATORIES, INC.	470782	MISC	05/10/2022	35.00	35.00	05/27/2022
424	ENERGY LABORATORIES, INC.	470783	Analysis parameter	05/10/2022	256.00	256.00	05/27/2022
424	ENERGY LABORATORIES, INC.	471385	Effluent	05/12/2022	1,212.00	1,212.00	06/06/2022
424	ENERGY LABORATORIES, INC.	474109	Analysis parameter	05/24/2022	193.00	193.00	06/06/2022
424	ENERGY LABORATORIES, INC.	475594	Analysis parameter	05/31/2022	256.00	256.00	06/06/2022
Total ENERGY LABORATORIES, INC.:					1,952.00	1,952.00	
<b>EXEC U CARE SERVICES, INC.</b>							
3298	EXEC U CARE SERVICES, INC.	3090	Janitorial Services	06/01/2022	2,209.67	2,209.67	06/06/2022
Total EXEC U CARE SERVICES, INC.:					2,209.67	2,209.67	
<b>FARSTAD OIL</b>							
3353	FARSTAD OIL	100879	Diesel 844G	05/13/2022	4,067.24	4,067.24	05/27/2022
3353	FARSTAD OIL	101012	Diesel 200G	05/04/2022	923.20	923.20	05/27/2022
3353	FARSTAD OIL	101173	Diesel 400g	05/31/2022	1,862.40	1,862.40	06/06/2022
Total FARSTAD OIL:					6,852.84	6,852.84	
<b>FISHER SAND AND GRAVEL</b>							
2904	FISHER SAND AND GRAVEL	66604	GRAVEL	05/07/2022	1,697.78	1,697.78	05/27/2022
2904	FISHER SAND AND GRAVEL	67368	GRAVEL	05/14/2022	63.40	63.40	06/06/2022
Total FISHER SAND AND GRAVEL:					1,761.18	1,761.18	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>FRONTLINE AG SOLUTIONS, LLC</b>							
2516	FRONTLINE AG SOLUTIONS, LL	928497	JUMPER TOGGLE	05/13/2022	51.51	51.51	05/27/2022
Total FRONTLINE AG SOLUTIONS, LLC:					51.51	51.51	
<b>GATEWAY OFFICE SUPPLY</b>							
54	GATEWAY OFFICE SUPPLY	54483	Office SupplieS-JUDGE	05/17/2022	818.40	818.40	05/27/2022
Total GATEWAY OFFICE SUPPLY:					818.40	818.40	
<b>GENERAL DISTRIBUTING COMPANY</b>							
1845	GENERAL DISTRIBUTING COM	0001118939	Patient Supplies	05/10/2022	349.93	349.93	05/27/2022
Total GENERAL DISTRIBUTING COMPANY:					349.93	349.93	
<b>GPD PC</b>							
10003	GPD PC	20220115	CLINIC LIFT STATION GEN	04/30/2022	157.50	157.50	05/27/2022
Total GPD PC:					157.50	157.50	
<b>GRANITE TECHNOLOGY SOLUTIONS, INC</b>							
2426	GRANITE TECHNOLOGY SOLU	9354	Cabling LPD	04/15/2022	1,227.16	1,227.16	05/27/2022
Total GRANITE TECHNOLOGY SOLUTIONS, INC:					1,227.16	1,227.16	
<b>HAWKINS, INC</b>							
470	HAWKINS, INC	617966	LDPE	05/05/2022	915.52	915.52	05/27/2022
470	HAWKINS, INC	6184742	poly tote	05/15/2022	50.00	50.00	05/27/2022
470	HAWKINS, INC	6185333	Chlorine cylinder	05/15/2022	90.00	90.00	05/27/2022
Total HAWKINS, INC:					1,055.52	1,055.52	
<b>HILLYARD OF MONTANA</b>							
63	HILLYARD OF MONTANA	60732200	Cleaning supplies	05/06/2022	89.42	89.42	05/27/2022
Total HILLYARD OF MONTANA:					89.42	89.42	
<b>INDUSTRIAL COMM &amp; ELEC OF BOZEMAN</b>							
3455	INDUSTRIAL COMM & ELEC OF	33282	RADIO REPAIR	05/03/2022	206.00	206.00	05/27/2022
Total INDUSTRIAL COMM & ELEC OF BOZEMAN:					206.00	206.00	
<b>INDUSTRIAL TOWEL</b>							
102	INDUSTRIAL TOWEL	95817-00	Towel Service	04/02/2022	24.53	24.53	05/27/2022
102	INDUSTRIAL TOWEL	97890	Mats	05/17/2022	46.64	46.64	05/27/2022
102	INDUSTRIAL TOWEL	98271	Civic Center Mats	05/19/2022	129.35	129.35	06/06/2022
102	INDUSTRIAL TOWEL	99093	330 bennett	05/31/2022	46.64	46.64	06/06/2022
102	INDUSTRIAL TOWEL	99497	Mats-220 E PARK	06/02/2022	100.86	100.86	06/06/2022
Total INDUSTRIAL TOWEL:					348.02	348.02	
<b>INGRAM LIBRARY SERVICE</b>							
1539	INGRAM LIBRARY SERVICE	093935	CREDIT MEMO	05/26/2021	24.60-	24.60-	05/27/2022
1539	INGRAM LIBRARY SERVICE	58970344	1 Book	04/13/2022	38.61	38.61	05/27/2022
Total INGRAM LIBRARY SERVICE:					14.01	14.01	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>INSTY-PRINTS</b>							
250	INSTY-PRINTS	12134.1	Business cards	01/11/2022	24.95	24.95	06/06/2022
250	INSTY-PRINTS	12445	BASKETBALL CERTIFICATES	02/28/2022	104.72	104.72	06/06/2022
250	INSTY-PRINTS	13020	ABANDONED VEHICLE STICKE	05/17/2022	133.90	133.90	05/27/2022
Total INSTY-PRINTS:					263.57	263.57	
<b>J &amp; H OFFICE EQUIPMENT</b>							
1783	J & H OFFICE EQUIPMENT	31724435	printer	05/27/2022	270.73	270.73	06/06/2022
Total J & H OFFICE EQUIPMENT:					270.73	270.73	
<b>KAREN HARRISON</b>							
10002	KAREN HARRISON	2022.5.23	BALIFF FOR JURY	05/23/2022	52.50	52.50	05/27/2022
Total KAREN HARRISON:					52.50	52.50	
<b>KELLEY CONNECT</b>							
10001	KELLEY CONNECT	IN1039236	JH110287-01	05/02/2022	25.17	25.17	05/27/2022
10001	KELLEY CONNECT	IN1040062	JH110275-01	05/03/2022	19.49	19.49	05/27/2022
10001	KELLEY CONNECT	IN1062991	canon/C2501	06/03/2022	56.45	56.45	06/06/2022
Total KELLEY CONNECT:					101.11	101.11	
<b>KNIFE RIVER</b>							
8	KNIFE RIVER	813924	3/4" Plant Mix	05/17/2022	1,651.17	1,651.17	06/06/2022
8	KNIFE RIVER	814356	3/4" Plant Mix	05/18/2022	1,571.13	1,571.13	06/06/2022
Total KNIFE RIVER:					3,222.30	3,222.30	
<b>KOZERA, ERIC</b>							
10000	KOZERA, ERIC	2022.3	REFEREE	03/31/2022	832.00	832.00	05/27/2022
Total KOZERA, ERIC:					832.00	832.00	
<b>LACAL EQUIPMENT, INC.</b>							
10000	LACAL EQUIPMENT, INC.	0364848-IN	RKR SW	05/06/2022	53.00	53.00	05/27/2022
Total LACAL EQUIPMENT, INC.:					53.00	53.00	
<b>LAWSON PRODUCTS, INC.</b>							
10003	LAWSON PRODUCTS, INC.	9309564915	WORK LIGHT	05/13/2022	160.00	160.00	05/27/2022
10003	LAWSON PRODUCTS, INC.	9309564916	WORK LIGHT	05/13/2022	80.00	80.00	05/27/2022
Total LAWSON PRODUCTS, INC.:					240.00	240.00	
<b>LEHRKIND'S COCA-COLA</b>							
2830	LEHRKIND'S COCA-COLA	1948273	Water	05/18/2022	45.50	45.50	05/27/2022
Total LEHRKIND'S COCA-COLA:					45.50	45.50	
<b>LIVINGSTON ACE HARDWARE - #122005</b>							
26	LIVINGSTON ACE HARDWARE -	A20813	STATION SUPPLY	04/26/2022	19.99	19.99	06/06/2022
26	LIVINGSTON ACE HARDWARE -	A21031	SPADE FORK	04/27/2022	82.98	82.98	06/06/2022
26	LIVINGSTON ACE HARDWARE -	A21583	SEAL KNOCKOUT	04/28/2022	27.77	27.77	06/06/2022
26	LIVINGSTON ACE HARDWARE -	A23337	PREMIX	05/02/2022	224.55	224.55	06/06/2022
26	LIVINGSTON ACE HARDWARE -	A23683	FELTSTRP	05/02/2022	12.58	12.58	06/06/2022

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
26	LIVINGSTON ACE HARDWARE -	A23932	PaINT	05/03/2022	18.57	18.57	06/06/2022
26	LIVINGSTON ACE HARDWARE -	A24101	KEYS	05/03/2022	37.63	37.63	06/06/2022
26	LIVINGSTON ACE HARDWARE -	A24680	CIEANIG SUPPLIES	05/04/2022	6.59	6.59	06/06/2022
26	LIVINGSTON ACE HARDWARE -	A24984	Premix	05/05/2022	4.99	4.99	06/06/2022
26	LIVINGSTON ACE HARDWARE -	A24988	CLAMP	05/05/2022	5.98	5.98	06/06/2022
26	LIVINGSTON ACE HARDWARE -	A26108	CIEANIG SUPPLIES	05/07/2022	28.98	28.98	06/06/2022
26	LIVINGSTON ACE HARDWARE -	A26995	SPRING SNAP	05/09/2022	14.15	14.15	06/06/2022
26	LIVINGSTON ACE HARDWARE -	A26996	GENERAL	05/09/2022	98.27	98.27	06/06/2022
26	LIVINGSTON ACE HARDWARE -	A27785	ClampS	05/10/2022	30.69	30.69	06/06/2022
26	LIVINGSTON ACE HARDWARE -	A28031	SPARAYER	05/11/2022	24.98	24.98	06/06/2022
26	LIVINGSTON ACE HARDWARE -	A28816	SCREWS	05/12/2022	43.05	43.05	06/06/2022
26	LIVINGSTON ACE HARDWARE -	A31597	LIGHT	05/16/2022	11.99	11.99	06/06/2022
26	LIVINGSTON ACE HARDWARE -	A32017	FASTNERS	05/17/2022	22.33	22.33	06/06/2022
26	LIVINGSTON ACE HARDWARE -	A32075	Fastners	05/17/2022	4.45	4.45	06/06/2022
26	LIVINGSTON ACE HARDWARE -	A32288	DRILL BIT	05/18/2022	42.92	42.92	06/06/2022
26	LIVINGSTON ACE HARDWARE -	A32383	WD/MTL SET	05/18/2022	40.98	40.98	06/06/2022
26	LIVINGSTON ACE HARDWARE -	A32673	BATTERIES	05/18/2022	98.36	98.36	06/06/2022
26	LIVINGSTON ACE HARDWARE -	A33326	ROUGHNECK TOTE	05/19/2022	33.99	33.99	06/06/2022
26	LIVINGSTON ACE HARDWARE -	A35308	SAW BLADE	05/23/2022	174.96	174.96	06/06/2022
26	LIVINGSTON ACE HARDWARE -	A35973	QUIK INTERIOR DETAIL	05/24/2022	32.52	32.52	06/06/2022
26	LIVINGSTON ACE HARDWARE -	A36246	CIEANIG SUPPLIES	05/24/2022	6.99	6.99	06/06/2022
Total LIVINGSTON ACE HARDWARE - #122005:					1,151.24	1,151.24	

**LIVINGSTON ENTERPRISE**

146	LIVINGSTON ENTERPRISE	116164	COMMISION	04/29/2022	29.25	29.25	06/06/2022
146	LIVINGSTON ENTERPRISE	116185	HYBRID MEETING	05/02/2022	48.75	48.75	06/06/2022
146	LIVINGSTON ENTERPRISE	116264	TREE BOARD	05/17/2022	26.00	26.00	06/06/2022
146	LIVINGSTON ENTERPRISE	116294	LIBRARY BOARD	05/11/2022	114.00	114.00	06/06/2022
146	LIVINGSTON ENTERPRISE	116295	TREE BOARD	05/11/2022	102.00	102.00	06/06/2022
146	LIVINGSTON ENTERPRISE	116311	RESOLUTION 5028	05/16/2022	48.75	48.75	06/06/2022
146	LIVINGSTON ENTERPRISE	116312	MEETING CANCELLATION	05/16/2022	19.50	19.50	06/06/2022
146	LIVINGSTON ENTERPRISE	116314	COMMISION	05/16/2022	29.25	29.25	06/06/2022
146	LIVINGSTON ENTERPRISE	116331	URBAN RENEWAL	05/16/2022	19.50	19.50	06/06/2022
146	LIVINGSTON ENTERPRISE	116348	GUIDING PRINCIPLES STRATE	05/09/2022	26.00	26.00	06/06/2022
146	LIVINGSTON ENTERPRISE	116368	LIBRARY BOARD	05/20/2022	126.00	126.00	06/06/2022
146	LIVINGSTON ENTERPRISE	116388	CIVIC CENTER SEWER	05/23/2022	463.75	463.75	06/06/2022
146	LIVINGSTON ENTERPRISE	116389	PLANNING BOARD	05/23/2022	26.00	26.00	06/06/2022
146	LIVINGSTON ENTERPRISE	116390	PARKS & TRAILS	05/23/2022	19.50	19.50	06/06/2022
Total LIVINGSTON ENTERPRISE:					1,098.25	1,098.25	

**LIVINGSTON HEALTH CARE**

55	LIVINGSTON HEALTH CARE	200178243	770292141	05/10/2022	29.10	29.10	05/27/2022
55	LIVINGSTON HEALTH CARE	200178244	770294136	05/10/2022	29.10	29.10	05/27/2022
55	LIVINGSTON HEALTH CARE	200178245	770295485	05/10/2022	29.10	29.10	05/27/2022
55	LIVINGSTON HEALTH CARE	200178246	770295867	05/10/2022	29.10	29.10	05/27/2022
55	LIVINGSTON HEALTH CARE	200178247	770302138	05/10/2022	29.10	29.10	05/27/2022
55	LIVINGSTON HEALTH CARE	200178249	770304082	05/10/2022	29.10	29.10	05/27/2022
55	LIVINGSTON HEALTH CARE	200178250	770305848	05/11/2022	29.10	29.10	05/27/2022
55	LIVINGSTON HEALTH CARE	200178251	770303544	05/11/2022	29.10	29.10	05/27/2022
55	LIVINGSTON HEALTH CARE	200178252	770309905	05/11/2022	29.10	29.10	05/27/2022
55	LIVINGSTON HEALTH CARE	200178253	770307617	05/11/2022	29.10	29.10	05/27/2022
55	LIVINGSTON HEALTH CARE	200178254	770307691	05/11/2022	29.10	29.10	05/27/2022
Total LIVINGSTON HEALTH CARE:					320.10	320.10	



Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>LIVINGSTON UTILITY BILLING</b>							
147	LIVINGSTON UTILITY BILLING	2022.5.6	1012100 228 W CALLENDER	05/06/2022	158.86	158.86	05/27/2022
Total LIVINGSTON UTILITY BILLING:					158.86	158.86	
<b>MEYER ELECTRIC AND GROUNDS REPAIR, LLC</b>							
3812	MEYER ELECTRIC AND GROUN	887	STARLO PUMPHOUSE	05/20/2022	190.00	190.00	05/27/2022
Total MEYER ELECTRIC AND GROUNDS REPAIR, LLC:					190.00	190.00	
<b>MIDWAY RENTAL, INC.</b>							
3040	MIDWAY RENTAL, INC.	1678365-0001	FRONT PULLEY	05/24/2022	260.33	260.33	05/27/2022
3040	MIDWAY RENTAL, INC.	1679384-0001	saW	05/27/2022	117.30	117.30	06/06/2022
Total MIDWAY RENTAL, INC.:					377.63	377.63	
<b>MISC</b>							
99999	MISC	2022.5.18	ReSTITUTION CR2019-009	05/18/2022	20.00	20.00	05/27/2022
99999	MISC	2022.5.18.1	ReSTITUTION TK2015-0293	05/18/2022	20.00	20.00	05/27/2022
99999	MISC	2022.5.18.2	ReSTITUTION TK2021-0352	05/18/2022	20.00	20.00	05/27/2022
99999	MISC	2022.5.23	REFUND DEPOSIT CIVIC CENT	05/23/2022	100.00	100.00	05/27/2022
99999	MISC	2022.5.23.1	JURY DUTY	05/23/2022	12.00	12.00	06/06/2022
99999	MISC	2022.5.23.10	JURY DUTY	05/23/2022	12.00	12.00	06/06/2022
99999	MISC	2022.5.23.11	JURY DUTY	05/23/2022	12.00	12.00	06/06/2022
99999	MISC	2022.5.23.12	JURY DUTY	05/23/2022	12.00	12.00	06/06/2022
99999	MISC	2022.5.23.13	JURY DUTY	05/23/2022	12.00	12.00	06/06/2022
99999	MISC	2022.5.23.14	JURY DUTY	05/23/2022	12.00	12.00	06/06/2022
99999	MISC	2022.5.23.15	JURY DUTY	05/23/2022	12.00	12.00	06/06/2022
99999	MISC	2022.5.23.2	JURY DUTY	05/23/2022	12.00	12.00	06/06/2022
99999	MISC	2022.5.23.3	JURY DUTY	05/23/2022	12.00	12.00	06/06/2022
99999	MISC	2022.5.23.4	JURY DUTY	05/23/2022	12.00	12.00	06/06/2022
99999	MISC	2022.5.23.5	JURY DUTY	05/23/2022	12.00	12.00	06/06/2022
99999	MISC	2022.5.23.6	JURY DUTY	05/23/2022	12.00	12.00	06/06/2022
99999	MISC	2022.5.23.7	JURY DUTY	05/23/2022	12.00	12.00	06/06/2022
99999	MISC	2022.5.23.8	JURY DUTY	05/23/2022	12.00	12.00	06/06/2022
99999	MISC	2022.5.23.9	JURY DUTY	05/23/2022	12.00	12.00	06/06/2022
Total MISC:					340.00	340.00	
<b>MJC &amp; MCCA</b>							
10000	MJC & MCCA	2022.5.17	COURT CLERK ANNUAL DUES	05/17/2022	35.00	35.00	05/27/2022
Total MJC & MCCA:					35.00	35.00	
<b>MLECA</b>							
10000	MLECA	2022.5.20	WORKSHOP RHINO	05/20/2022	340.00	340.00	05/27/2022
Total MLECA:					340.00	340.00	
<b>MONTANA AIR CARTAGE</b>							
3808	MONTANA AIR CARTAGE	LVQ43022	Courier CONTRACT	05/01/2022	148.50	148.50	05/27/2022
Total MONTANA AIR CARTAGE:					148.50	148.50	
<b>MONTANA DEPT OF LABOR &amp; INDUSTRY</b>							
2687	MONTANA DEPT OF LABOR & I	28622	2013-BOIL-MTN-000442	04/27/2022	36.00	36.00	05/27/2022

Report dates: 5/18/2022-6/13/2022

Jun 21, 2022 02:53PM

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total MONTANA DEPT OF LABOR & INDUSTRY:					36.00	36.00	
<b>MONTANA URBAN AND COMMUNITY FORESTRY ASS</b>							
10004	MONTANA URBAN AND COMMU	2022.5.16	TREE MAINTANCE	05/16/2022	4,563.00	4,563.00	05/27/2022
Total MONTANA URBAN AND COMMUNITY FORESTRY ASS:					4,563.00	4,563.00	
<b>MORTON BUILDINGS INC</b>							
10004	MORTON BUILDINGS INC	B156111740	COLD STORAGE	05/09/2022	42,939.33	42,939.33	05/27/2022
10004	MORTON BUILDINGS INC	B156111740	COLD STORAGE	05/09/2022	42,939.33	42,939.33	05/27/2022
10004	MORTON BUILDINGS INC	B156111740	COLD STORAGE	05/09/2022	42,939.34	42,939.34	05/27/2022
Total MORTON BUILDINGS INC:					128,818.00	128,818.00	
<b>MOUNTAIN AIR SPORTS</b>							
34	MOUNTAIN AIR SPORTS	11317	tee ball uniforms	04/11/2022	4,949.00	4,949.00	05/27/2022
34	MOUNTAIN AIR SPORTS	11320	Coach uniforms	05/13/2022	418.50	418.50	05/27/2022
Total MOUNTAIN AIR SPORTS:					5,367.50	5,367.50	
<b>MURDOCH'S RANCH &amp; HOME SUPPLY</b>							
3688	MURDOCH'S RANCH & HOME S	K00334/37	EAR PLUG	05/13/2022	49.00	49.00	06/06/2022
3688	MURDOCH'S RANCH & HOME S	K01323/37	TARP STRAPS	05/20/2022	13.99	13.99	06/06/2022
Total MURDOCH'S RANCH & HOME SUPPLY:					62.99	62.99	
<b>NEVIN'S GLASS &amp; WINDOWS</b>							
490	NEVIN'S GLASS & WINDOWS	13098	CLEAR GLASS	05/04/2022	212.00	212.00	05/27/2022
Total NEVIN'S GLASS & WINDOWS:					212.00	212.00	
<b>NORTHWESTERN ENERGY</b>							
151	NORTHWESTERN ENERGY	0709793-4 202	City Shop Building 50% 406 Benn	05/13/2022	414.74	414.74	05/27/2022
151	NORTHWESTERN ENERGY	0709793-4 202	City Shop Building 50% 406 Benn	05/13/2022	414.74	414.74	05/27/2022
151	NORTHWESTERN ENERGY	0709794-2 202	WRF 316 Bennett	05/06/2022	2,583.06	2,583.06	05/27/2022
151	NORTHWESTERN ENERGY	0709796-7 202	97 View Vista Drive	05/13/2022	6.00	6.00	05/27/2022
151	NORTHWESTERN ENERGY	0709869-2 202	Street Lights-Carol Lane	05/13/2022	114.41	114.41	05/27/2022
151	NORTHWESTERN ENERGY	0709870-0 202	422 South G St-G Street Park	05/13/2022	248.61	248.61	05/27/2022
151	NORTHWESTERN ENERGY	0709871-8 202	Street Lights-Star Addition	05/13/2022	264.09	264.09	05/27/2022
151	NORTHWESTERN ENERGY	0709873-4 202	800 W Cambridge - Pump Station	05/13/2022	27.43	27.43	05/27/2022
151	NORTHWESTERN ENERGY	0709874-2 202	Werner Addition Pump	05/09/2022	138.77	138.77	05/27/2022
151	NORTHWESTERN ENERGY	0709875-9 202	900 River Drive Pump	05/09/2022	2,988.56	2,988.56	05/27/2022
151	NORTHWESTERN ENERGY	0709876-7 202	132 South B Street - B St Well	05/10/2022	1,376.34	1,376.34	05/27/2022
151	NORTHWESTERN ENERGY	0709878-3 202	227 River Drive - Concessions sta	05/11/2022	148.18	148.18	05/27/2022
151	NORTHWESTERN ENERGY	0709879-1 202	227 River Drive - Softball Field	05/10/2022	346.70	346.70	05/27/2022
151	NORTHWESTERN ENERGY	0709886-6 202	200 E Reservoir	05/13/2022	82.75	82.75	05/27/2022
151	NORTHWESTERN ENERGY	0709891-6 202	Fleshman Creek Road-Cemetery	05/13/2022	167.05	167.05	05/27/2022
151	NORTHWESTERN ENERGY	0709892-4 202	40 Water Tower Avenue	05/13/2022	50.09	50.09	05/27/2022
151	NORTHWESTERN ENERGY	0709894-0 202	56 Water Tower	05/23/2022	486.15	486.15	05/27/2022
151	NORTHWESTERN ENERGY	0709914-6 202	1011 River Dr - Edge Water Sewe	05/09/2022	18.98	18.98	05/27/2022
151	NORTHWESTERN ENERGY	0719058-0 202	3 Rogers Lane Lift Station	05/09/2022	103.36	103.36	05/27/2022
151	NORTHWESTERN ENERGY	0720048-8 202	330 Bennett 1/4	05/06/2022	261.29	261.29	05/27/2022
151	NORTHWESTERN ENERGY	0720048-8 202	330 Bennett 1/4	05/06/2022	261.29	261.29	05/27/2022
151	NORTHWESTERN ENERGY	0720048-8 202	330 Bennett 1/4	05/06/2022	261.29	261.29	05/27/2022
151	NORTHWESTERN ENERGY	0720048-8 202	330 Bennett 1/4	05/06/2022	261.29	261.29	05/27/2022
151	NORTHWESTERN ENERGY	0720176-7 202	Weimer Park	05/13/2022	8.08	8.08	05/27/2022

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
151	NORTHWESTERN ENERGY	1134866-1 202	N 2nd & Montana & Chinook	05/13/2022	44.13	44.13	05/27/2022
151	NORTHWESTERN ENERGY	1134879-4 202	N 7th & Montana & Chinook	05/13/2022	24.41	24.41	05/27/2022
151	NORTHWESTERN ENERGY	1155965-5 202	229 River Drive	05/13/2022	6.00	6.00	05/27/2022
151	NORTHWESTERN ENERGY	1290352-2 202	School Flasher Park & 13th	05/13/2022	8.44	8.44	05/27/2022
151	NORTHWESTERN ENERGY	1441030-2 202	D & Geyser Well House	05/10/2022	1,519.89	1,519.89	05/27/2022
151	NORTHWESTERN ENERGY	1452951-5 202	Booster Station Starlow on Monro	05/09/2022	440.95	440.95	05/27/2022
151	NORTHWESTERN ENERGY	1493850-0 202	412 W Callender	05/13/2022	2.76	2.76	05/27/2022
151	NORTHWESTERN ENERGY	1498936-2 202	I90 & 89S-ing	05/13/2022	6.00	6.00	05/27/2022
151	NORTHWESTERN ENERGY	1594141-2 202	9th & 10th Lift Station	05/09/2022	32.83	32.83	05/27/2022
151	NORTHWESTERN ENERGY	1613803-4 202	M & N on Callender	05/13/2022	38.80	38.80	05/27/2022
151	NORTHWESTERN ENERGY	1728687-3 202	Transfer Station 408 Bennett Stre	05/13/2022	346.15	346.15	05/27/2022
151	NORTHWESTERN ENERGY	1747570-8 202	D & E on Callender	05/13/2022	28.20	28.20	05/27/2022
151	NORTHWESTERN ENERGY	1747572-4 202	F & G on Callender	05/13/2022	20.22	20.22	05/27/2022
151	NORTHWESTERN ENERGY	1893530-4 202	600 W Park	05/13/2022	56.13	56.13	05/27/2022
151	NORTHWESTERN ENERGY	1893536-1 202	E Street & Alley	05/13/2022	23.81	23.81	05/27/2022
151	NORTHWESTERN ENERGY	1893541-1 202	18 W Park	05/13/2022	74.34	74.34	05/27/2022
151	NORTHWESTERN ENERGY	1906055-7 202	815 North 13th - Soccer Fields	05/13/2022	47.05	47.05	05/27/2022
151	NORTHWESTERN ENERGY	2022.5.10.0107	228 W CALLENDER 0107897-1	05/10/2022	1,178.61	1,178.61	05/27/2022
151	NORTHWESTERN ENERGY	2023479-5 202	900 W Geyser Street School Light	05/13/2022	6.37	6.37	05/27/2022
151	NORTHWESTERN ENERGY	2023484-5 202	1100 W Geyser Street School Lig	05/13/2022	6.37	6.37	05/27/2022
151	NORTHWESTERN ENERGY	2114861-4 202	132 South B Street Lights	05/13/2022	109.62	109.62	05/27/2022
151	NORTHWESTERN ENERGY	2138754-3 202	G Street Park - Mike Webb Park	05/13/2022	6.12	6.12	05/27/2022
151	NORTHWESTERN ENERGY	2171060-3 202	Scale House 408 Bennett Street	05/13/2022	83.66	83.66	05/27/2022
151	NORTHWESTERN ENERGY	3015965-1 202	330 Bennett - Fire Training Center	05/13/2022	91.79	91.79	05/27/2022
151	NORTHWESTERN ENERGY	3093003-6 202	114 West Summit	05/13/2022	24.27	24.27	05/27/2022
151	NORTHWESTERN ENERGY	3093023-4 202	320 North Main	05/13/2022	3.26	3.26	05/27/2022
151	NORTHWESTERN ENERGY	3093027-5 202	105 West Park	05/13/2022	35.90	35.90	05/27/2022
151	NORTHWESTERN ENERGY	3141997-1 202	C & D on Lewis	05/13/2022	20.17	20.17	05/27/2022
151	NORTHWESTERN ENERGY	3184602-5 202	202 South 2nd	05/13/2022	13.59	13.59	05/27/2022
151	NORTHWESTERN ENERGY	3210240-2 202	616 River Drive	05/13/2022	6.00	6.00	05/27/2022
151	NORTHWESTERN ENERGY	3258086-2 202	2800 East Park Lift Station	05/13/2022	388.72	388.72	05/27/2022
151	NORTHWESTERN ENERGY	3258262-9 202	320 Alpenglow Lift Station	05/06/2022	173.77	173.77	05/27/2022
151	NORTHWESTERN ENERGY	3267010-1 202	330 Bennett - Compactor	05/23/1931	47.38	47.38	05/27/2022
151	NORTHWESTERN ENERGY	3287727-6 202	320 Alpenglow Ln Lt	05/13/2022	36.29	36.29	05/27/2022
151	NORTHWESTERN ENERGY	3386783-9 202	Btwn G and H on Clark	05/13/2022	27.44	27.44	05/27/2022
151	NORTHWESTERN ENERGY	3386845-6 202	Btwn I and K on Callender	05/13/2022	21.44	21.44	05/27/2022
151	NORTHWESTERN ENERGY	3386846-4 202	Btwn 7th and 8th on Summit	05/13/2022	15.72	15.72	05/27/2022
151	NORTHWESTERN ENERGY	3506014-4 202	Brookstone/Elm	05/13/2022	4.34	4.34	05/27/2022
151	NORTHWESTERN ENERGY	3566038-0 202	114 East Callender	05/13/2022	15.79	15.79	05/27/2022
151	NORTHWESTERN ENERGY	3566039-8 202	115 East Lewis	05/13/2022	13.10	13.10	05/27/2022
151	NORTHWESTERN ENERGY	3585235-9 202	New WRF 316 Bennett	05/06/2022	14,091.63	14,091.63	05/27/2022
151	NORTHWESTERN ENERGY	3643752-3 202	115 East Clark	05/13/2022	23.76	23.76	05/27/2022
151	NORTHWESTERN ENERGY	3643753-1 202	112 East Clark	05/13/2022	26.32	26.32	05/27/2022
151	NORTHWESTERN ENERGY	3678204-3 202	502 River Dr. Pmp	05/11/2022	9.15	9.15	05/27/2022
151	NORTHWESTERN ENERGY	3725873-8 202	340 Bennett	05/13/2022	31.02	31.02	05/27/2022
151	NORTHWESTERN ENERGY	3753023-5 202	410 Bennett Transfer St Shop	05/06/2022	486.49	486.49	05/27/2022
151	NORTHWESTERN ENERGY	3787060-7 202	Green Acres Lights	05/13/2022	66.54	66.54	05/27/2022
151	NORTHWESTERN ENERGY	3787427-8 202	Green Acres Sub Ph II	05/13/2022	204.25	204.25	05/27/2022
151	NORTHWESTERN ENERGY	3828216-6 202	203 W Callender	05/13/2022	22.28	22.28	05/27/2022
151	NORTHWESTERN ENERGY	3867654-0 202	2222 Willow Dr. Lt A	05/13/2022	.00	.00	
151	NORTHWESTERN ENERGY	3913678-3 202	Green Acres Park -	05/09/2022	8.70	8.70	05/27/2022
151	NORTHWESTERN ENERGY	3950711-6 202	Scenic Drive & Sweetgrass Lane	05/13/2022	35.02	35.02	05/27/2022
Total NORTHWESTERN ENERGY:					31,088.24	31,088.24	
<b>O'REILLY AUTOMOTIVE, INC</b>							
2437	O'REILLY AUTOMOTIVE, INC	1558-278939	PWR TRD BELT	05/23/2022	15.38	15.38	05/27/2022

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total O'REILLY AUTOMOTIVE, INC:					15.38	15.38	
<b>PARK COUNTY</b>							
272	PARK COUNTY	2021_12	SOFTWARE TRAINING	01/27/2021	165.00	165.00	05/31/2022
272	PARK COUNTY	2021_12	COL PH/INT	01/27/2021	196.97	196.97	05/31/2022
272	PARK COUNTY	2021_12	COL PH/INT	01/27/2021	1,464.88	1,464.88	05/31/2022
272	PARK COUNTY	2021_12	COL PH/INT OTHER SITES	01/27/2021	810.04	810.04	05/31/2022
272	PARK COUNTY	2021_12	COL PH/INT OTHER SITES	01/27/2021	187.76	187.76	05/31/2022
272	PARK COUNTY	2021_12	COL PH/INT OTHER SITES	01/27/2021	187.76	187.76	05/31/2022
272	PARK COUNTY	2021_12	COL PH/INT OTHER SITES	01/27/2021	187.76	187.76	05/31/2022
272	PARK COUNTY	2021_12	COL PH/INT OTHER SITES	01/27/2021	751.04	751.04	05/31/2022
272	PARK COUNTY	2021_12	COL PH/INT OTHER SITES	01/27/2021	215.74	215.74	05/31/2022
272	PARK COUNTY	2021_12	COL PH/INT OTHER SITES	01/27/2021	215.74	215.74	05/31/2022
272	PARK COUNTY	2021_12	COL PH/INT OTHER SITES	01/27/2021	107.88	107.88	05/31/2022
272	PARK COUNTY	2021_12	COL PH/INT OTHER SITES	01/27/2021	21.58	21.58	05/31/2022
272	PARK COUNTY	2021_12	COL PH/INT OTHER SITES	01/27/2021	86.28	86.28	05/31/2022
272	PARK COUNTY	2021_12	COL PH/INT OTHER SITES	01/27/2021	187.76	187.76	05/31/2022
272	PARK COUNTY	2021_12	LABOR AND EXPENSE	01/27/2021	100.00	100.00	05/31/2022
272	PARK COUNTY	2021_12	DEC G-TACS	01/27/2021	533.46	533.46	05/31/2022
272	PARK COUNTY	2021_12	DEC NET MOTION FEES	01/27/2021	130.05	130.05	05/31/2022
272	PARK COUNTY	2022_01	Towels and mats	03/09/2022	48.76	48.76	05/27/2022
272	PARK COUNTY	2022_01	Towels and mats	03/09/2022	44.44	44.44	05/27/2022
272	PARK COUNTY	2022_01	Towels and mats	03/09/2022	48.76	48.76	05/27/2022
272	PARK COUNTY	2022_01	CYBERSECURITY ENHANCEME	03/09/2022	60.00	60.00	05/27/2022
272	PARK COUNTY	2022_01	DEC-Power Bill	03/09/2022	2,834.74	2,834.74	05/27/2022
272	PARK COUNTY	2022_01	ANALOG LINE - LOBBY ELEVAT	03/09/2022	8.58	8.58	05/27/2022
272	PARK COUNTY	2022_01	Lobby elevator	03/09/2022	691.71	691.71	05/27/2022
272	PARK COUNTY	2022_01	Dark Horse Outfitter - Snow shove	03/09/2022	40.70	40.70	05/27/2022
272	PARK COUNTY	2022_01	On call charge	03/09/2022	105.00	105.00	05/27/2022
272	PARK COUNTY	2022_01	SUPPLIES	03/09/2022	9.82	9.82	05/27/2022
272	PARK COUNTY	2022_01	SUPPLIES	03/09/2022	4.03	4.03	05/27/2022
272	PARK COUNTY	2022_01	SUPPLIES	03/09/2022	30.48	30.48	05/27/2022
272	PARK COUNTY	2022_01	IT CITY PORTION - OCT	03/09/2022	298.17	298.17	05/27/2022
272	PARK COUNTY	2022_01	STANDARD PHONE CITY - OCT	03/09/2022	81.83	81.83	05/27/2022
272	PARK COUNTY	2022_01	VIDEO CONF - OCT	03/09/2022	79.88	79.88	05/27/2022
272	PARK COUNTY	2022_01	VIDEO CONF - DEC	03/09/2022	79.88	79.88	05/27/2022
272	PARK COUNTY	2022_01	IT CITY PORTION - DEC	03/09/2022	300.93	300.93	05/27/2022
272	PARK COUNTY	2022_01	STANDARD PHONE CITY - DEC	03/09/2022	79.85	79.85	05/27/2022
272	PARK COUNTY	2022_01	RECYCLING	03/09/2022	51.80	51.80	05/27/2022
272	PARK COUNTY	2022_01	REMOTE MANAGMENT & PLAT	03/09/2022	239.19	239.19	05/27/2022
272	PARK COUNTY	2022_01	ADJUST DISPATCH HVAC	03/09/2022	37.00	37.00	05/27/2022
272	PARK COUNTY	2022_01	REPLACE LIGHTS	03/09/2022	158.51	158.51	05/27/2022
272	PARK COUNTY	2022_01	COL Ph/Int Oth Sites-JAN-22	03/09/2022	21.03	21.03	05/27/2022
272	PARK COUNTY	2022_01	COL Ph/Int Oth Sites-JAN-22	03/09/2022	84.10	84.10	05/27/2022
272	PARK COUNTY	2022_01	COL Ph/Int Oth Sites-JAN-22	03/09/2022	183.13	183.13	05/27/2022
272	PARK COUNTY	2022_01	COL Ph/Int Oth Sites-JAN-22	03/09/2022	183.13	183.13	05/27/2022
272	PARK COUNTY	2022_01	COL Ph/Int Oth Sites-JAN-22	03/09/2022	732.51	732.51	05/27/2022
272	PARK COUNTY	2022_01	COL Ph/Int Oth Sites-JAN-22	03/09/2022	210.28	210.28	05/27/2022
272	PARK COUNTY	2022_01	COL Ph/Int Oth Sites-JAN-22	03/09/2022	210.28	210.28	05/27/2022
272	PARK COUNTY	2022_01	COL Ph/Int Oth Sites-JAN-22	03/09/2022	105.14	105.14	05/27/2022
272	PARK COUNTY	2022_01	COL Ph/Int Oth Sites-JAN-22	03/09/2022	183.13	183.13	05/27/2022
272	PARK COUNTY	2022_01	COL Ph/Int Oth Sites-JAN-22	03/09/2022	183.13	183.13	05/27/2022
272	PARK COUNTY	2022_01	COL Ph/Int 36.7% to Oct'23-JAN-	03/09/2022	270.89	270.89	05/27/2022
272	PARK COUNTY	2022_01	COL Ph/Int 36.7% to Oct'23-JAN-	03/09/2022	1,959.72	1,959.72	05/27/2022
272	PARK COUNTY	2022_01	COL Ph/Int Oth Sites-JAN-22	03/09/2022	791.51	791.51	05/27/2022
272	PARK COUNTY	2022_01	JANITORIAL SVC & SPLY 37%	03/09/2022	2,175.42	2,175.42	05/27/2022

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
272	PARK COUNTY	2022_01	VMWARE UPGRADE	03/09/2022	856.02	856.02	05/27/2022
272	PARK COUNTY	2022_01	JAN Net Motion Fees-COL	03/09/2022	130.05	130.05	05/27/2022
272	PARK COUNTY	2022_01	DEC G-TACS-COL	03/09/2022	533.42	533.42	05/27/2022
Total PARK COUNTY:					19,696.65	19,696.65	
<b>PARK COUNTY HEALTH DEPT</b>							
255	PARK COUNTY HEALTH DEPT	82	VACCINES	05/09/2022	134.00	134.00	05/27/2022
Total PARK COUNTY HEALTH DEPT:					134.00	134.00	
<b>PLAYSPACE DESIGNS INC</b>							
10004	PLAYSPACE DESIGNS INC	13010	GREEN ACRES PARK GAZEBO	05/19/2022	21,811.20	21,811.20	05/27/2022
Total PLAYSPACE DESIGNS INC:					21,811.20	21,811.20	
<b>POLYDYNE INC.</b>							
3144	POLYDYNE INC.	1640093	Clarifloc	05/10/2022	3,979.00	3,979.00	06/06/2022
Total POLYDYNE INC.:					3,979.00	3,979.00	
<b>RDO EQUIPMENT</b>							
3592	RDO EQUIPMENT	1502791	JOHN DEERE 544P	11/18/2021	158,307.35	158,307.35	05/27/2022
3592	RDO EQUIPMENT	C9765399	CREDIT ADJUST	04/01/2022	148.87-	148.87-	05/27/2022
Total RDO EQUIPMENT:					158,158.48	158,158.48	
<b>REDSTONE LEASING</b>							
3842	REDSTONE LEASING	2022.7	Lease 45 OF 60	06/01/2022	203.07	203.07	06/06/2022
Total REDSTONE LEASING:					203.07	203.07	
<b>RIVER BEND THREADS</b>							
2299	RIVER BEND THREADS	3813	Logo's	05/13/2022	60.50	60.50	05/27/2022
2299	RIVER BEND THREADS	3813	LogS	05/13/2022	60.50	60.50	05/27/2022
Total RIVER BEND THREADS:					121.00	121.00	
<b>RIVERSIDE HARDWARE LLC</b>							
3659	RIVERSIDE HARDWARE LLC	165816	CLEANING SUPPLIES	05/16/2022	146.93	146.93	06/06/2022
3659	RIVERSIDE HARDWARE LLC	165975	LIGHT	05/17/2022	19.99	19.99	06/06/2022
3659	RIVERSIDE HARDWARE LLC	166242	CLEANING SUPPLIES	05/22/2022	131.76	131.76	06/06/2022
Total RIVERSIDE HARDWARE LLC:					298.68	298.68	
<b>ROBIN HOGGAN EBINGER</b>							
10004	ROBIN HOGGAN EBINGER	2022.5.16	URA FACADE REFORMAT	05/16/2022	160.00	160.00	05/27/2022
Total ROBIN HOGGAN EBINGER:					160.00	160.00	
<b>RUSSELL INDUSTRIES, INC.</b>							
3582	RUSSELL INDUSTRIES, INC.	14523000	VALVE RINGS	05/11/2022	1,320.80	1,320.80	06/06/2022
3582	RUSSELL INDUSTRIES, INC.	145277-00	OIL SEAL ASSEM IMPELLER	05/11/2022	2,064.05	2,064.05	06/06/2022
Total RUSSELL INDUSTRIES, INC.:					3,384.85	3,384.85	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>SAFETRAC</b>							
3143	SAFETRAC	35911	CDL Services	06/01/2022	224.00	224.00	06/06/2022
Total SAFETRAC:					224.00	224.00	
<b>SHERWIN WILLIAMS</b>							
443	SHERWIN WILLIAMS	5084-4	Paint	05/24/2022	2,358.30	2,358.30	05/27/2022
Total SHERWIN WILLIAMS:					2,358.30	2,358.30	
<b>STAFFORD ANIMAL SHELTER</b>							
1439	STAFFORD ANIMAL SHELTER	2022.4	APRIL BOARDING	05/11/2022	1,383.75	1,383.75	05/27/2022
Total STAFFORD ANIMAL SHELTER:					1,383.75	1,383.75	
<b>SYSTEMS NORTHWEST, LLC</b>							
3311	SYSTEMS NORTHWEST, LLC	12443	Fire Alarm Monitorin	05/06/2022	280.00	280.00	05/27/2022
Total SYSTEMS NORTHWEST, LLC:					280.00	280.00	
<b>TARR, MARGARET</b>							
3586	TARR, MARGARET	2022.4.21	REIMB	04/21/2022	47.77	47.77	05/27/2022
3586	TARR, MARGARET	2022.4.24	REIMB	04/24/2022	249.98	249.98	05/27/2022
3586	TARR, MARGARET	2022.5.11	REIMB/ SEED BOMBS	05/11/2022	78.28	78.28	05/27/2022
3586	TARR, MARGARET	2022.5.11.1	REIMB	05/11/2022	36.74	36.74	05/27/2022
3586	TARR, MARGARET	2022.5.14	REIMB	05/14/2022	3.59	3.59	05/27/2022
3586	TARR, MARGARET	2022.5.17	REIMB/ SEED BOMBS	05/17/2022	36.99	36.99	05/27/2022
Total TARR, MARGARET:					453.35	453.35	
<b>TD&amp;H ENGINEERING, INC</b>							
3390	TD&H ENGINEERING, INC	29497	ON CALL CIVIL SERVICES-WAT	05/12/2022	907.00	907.00	05/27/2022
3390	TD&H ENGINEERING, INC	29497	ON CALL CIVIL SERVICES-SEW	05/12/2022	907.00	907.00	05/27/2022
3390	TD&H ENGINEERING, INC	29497	ON CALL CIVIL SERVICES-WRF	05/12/2022	324.00	324.00	05/27/2022
3390	TD&H ENGINEERING, INC	29497	6TH & 7TH STREET WATER RE	05/12/2022	342.50	342.50	05/27/2022
3390	TD&H ENGINEERING, INC	29497	PARKING DESIGN-ATS & HOME	05/12/2022	2,640.25	2,640.25	05/27/2022
3390	TD&H ENGINEERING, INC	29497	PARKING DESIGN-GRAYS GEN	05/12/2022	231.00	231.00	05/27/2022
3390	TD&H ENGINEERING, INC	29497	HRDC TRAIL EASEMENT	05/12/2022	496.00	496.00	05/27/2022
3390	TD&H ENGINEERING, INC	29498	LIVINGSTON CIVIC CENTER SE	05/12/2022	5,303.00	5,303.00	05/27/2022
3390	TD&H ENGINEERING, INC	29499	REGIONAL SEWER EXT	05/12/2022	6,075.20	6,075.20	05/27/2022
3390	TD&H ENGINEERING, INC	29500	COL STORMWATER PER	05/12/2022	7,150.00	7,150.00	05/27/2022
3390	TD&H ENGINEERING, INC	29500	COL STORMWATER PER	05/12/2022	7,150.00	7,150.00	05/27/2022
Total TD&H ENGINEERING, INC:					31,525.95	31,525.95	
<b>TK ELEVATOR CORPORATION</b>							
10003	TK ELEVATOR CORPORATION	3006564036	MAINT CONTRACT	05/01/2022	1,040.88	1,040.88	05/27/2022
Total TK ELEVATOR CORPORATION:					1,040.88	1,040.88	
<b>TOTAL FIRE PROTECTION WEST LLC</b>							
10004	TOTAL FIRE PROTECTION WES	12460140	FIRE EXTINGUISHER	05/19/2022	248.00	248.00	05/27/2022
TOTAL FIRE PROTECTION WEST LLC:					248.00	248.00	
<b>TOWN &amp; COUNTRY FOODS - LIVINGSTON</b>							
2595	TOWN & COUNTRY FOODS - LI	20.5.5	Cleaning supplies	05/05/2022	20.20	20.20	05/27/2022

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total TOWN & COUNTRY FOODS - LIVINGSTON:					20.20	20.20	
<b>ULINE</b>							
3564	ULINE	148073652	Station Supplies	04/25/2022	73.27	73.27	05/27/2022
Total ULINE:					73.27	73.27	
<b>US BANK</b>							
845	US BANK	1992899	0068485NS	05/09/2022	95,000.00	95,000.00	06/13/2022
845	US BANK	1992899	0068485NS	05/09/2022	31,512.50	31,512.50	06/13/2022
845	US BANK	1995948	0039414ns	05/12/2022	35,000.00	35,000.00	06/13/2022
845	US BANK	1995948	0039414ns	05/12/2022	9,796.88	9,796.88	06/13/2022
845	US BANK	2008632	9999JVPC3	06/01/2022	87,000.00	87,000.00	06/13/2022
845	US BANK	2008632	9999JVPC3	06/01/2022	50,187.50	50,187.50	06/13/2022
845	US BANK	2008633	999CTLY5	06/01/2022	5,000.00	5,000.00	06/13/2022
845	US BANK	2008633	999CTLY5	06/01/2022	712.50	712.50	06/13/2022
845	US BANK	2008634	9999JS9E4	06/01/2022	81,000.00	81,000.00	06/13/2022
845	US BANK	2008634	9999JS9E4	06/01/2022	73,600.00	73,600.00	06/13/2022
845	US BANK	2008635	999CTLU23	06/01/2022	11,000.00	11,000.00	06/13/2022
845	US BANK	2008635	999CTLU23	06/01/2022	1,556.25	1,556.25	06/13/2022
845	US BANK	2008636	9999CTM87	06/01/2022	9,000.00	9,000.00	06/13/2022
845	US BANK	2008636	9999CTM87	06/01/2022	1,373.75	1,373.75	06/13/2022
845	US BANK	2022.5.16	9CTLTZ2	05/16/2022	10,000.00	10,000.00	06/13/2022
845	US BANK	2022.5.16	9CTLTZ2	05/16/2022	1,331.25	1,331.25	06/13/2022
845	US BANK	2022.5.16.2	9CTLU15	05/16/2022	22,000.00	22,000.00	06/13/2022
845	US BANK	2022.5.16.2	9CTLU15	05/16/2022	3,037.50	3,037.50	06/13/2022
Total US BANK:					528,108.13	528,108.13	
<b>US BANK EQUIPMENT FINANCE</b>							
10001	US BANK EQUIPMENT FINANCE	471754564	PRINTER	05/05/2022	267.64	267.64	05/27/2022
Total US BANK EQUIPMENT FINANCE:					267.64	267.64	
<b>UTILITIES UNDERGROUND LOCATION</b>							
3472	UTILITIES UNDERGROUND LO	2055091	Excavation Notifica	05/31/2022	87.92	87.92	06/06/2022
3472	UTILITIES UNDERGROUND LO	2055091	Excavation Notifica	05/31/2022	87.92	87.92	06/06/2022
3472	UTILITIES UNDERGROUND LO	2055091	Excavation Notifica	05/31/2022	87.92	87.92	06/06/2022
Total UTILITIES UNDERGROUND LOCATION:					263.76	263.76	
<b>WASTE TEK SOLUTIONS</b>							
10003	WASTE TEK SOLUTIONS	866	COMPACTOR MAINTENANCE	03/07/2022	815.00	815.00	05/27/2022
Total WASTE TEK SOLUTIONS:					815.00	815.00	
<b>WHISTLER TOWING, LLC</b>							
3237	WHISTLER TOWING, LLC	37828	BOAT IMPOUND	05/06/2022	85.00	85.00	05/27/2022
3237	WHISTLER TOWING, LLC	37893	TOW	04/04/2022	85.00	85.00	05/27/2022
3237	WHISTLER TOWING, LLC	6895	OIL CHANGE	05/09/2022	192.57	192.57	05/27/2022
Total WHISTLER TOWING, LLC:					362.57	362.57	
Grand Totals:					1,334,224.91	1,334,224.9	

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Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
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Dated: \_\_\_\_\_

Mayor: \_\_\_\_\_

City Council: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

City Recorder: \_\_\_\_\_



**File Attachments for Item:**

**C. ACCEPT CITY COURT FINANCIAL REPORT FROM APRIL 2022.**

LIVINGSTON CITY COURT  
FINANCIAL REPORT

Apr-22

Date PD Monthly Report Received from City of Livingston Finance Office 5/24/2022

Tickets/Criminal Complaints Cleared: 26

Dismissed-Plea Agreement:	3	
Dismissed-Pretrial Diversion/Deferred:	3	
Dismissed-Miscellaneous:	3	
Paid-Bond Forfeit/Fine:	6	\$1,165.00
Paid-Time Payments:	11	\$4,928.00
Warrant Fees:		

	Total	\$6,093.00
Parking Tickets:		\$4,251.00
	Total:	\$10,344.00

Surcharges/Costs/Fees:

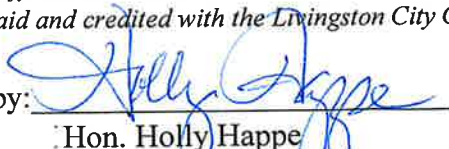
MLEA Surcharge:	\$332.00
TECH Surcharge:	\$210.00
Victim/Witness Surcharge:	\$790.00
MISD Surcharge:	\$503.00
Court Costs:	\$175.00
Public Defender Fee:	
Public Defender Fee:	\$ -
Jury Fees	\$ -
Interpreter	\$ -

Total (\$2,010.00)

**Total amount credited to City of Livingston General Fund: \$8,334.00**

*I hereby certify that this is a true and correct statement of the amount of fines/fees/costs which were fully paid and credited with the Livingston City Court during the month of:*

Apr-22

Prepared by:   
Hon. Holly Happe  
Livingston City Judge

Date: 6-2-22

**File Attachments for Item:**

**D. APPROVE BOARD RECOMMENDATION TO APPOINT SHEILA ELWIN TO THE LIBRARY BOARD OF TRUSTEES TO SERVE A 5-YEAR TERM.**



May 19, 2022

City of Livingston Commission  
220 E. Park St.  
Livingston, MT 59047

Dear Commissioners:

On June 30, 2022, one of the two City Trustee seats on of the Livingston-Park County Public Library Board will expire. Montana Code Annotated 22-1-308 (4) states that:

*Trustees shall hold their office for 5 years from the date of appointment and until their successors are appointed.... Annually thereafter, there must be appointed before July 1 of each year, in the same manner as the original appointments for a 5-year term, a trustee to take the place of the retiring trustee. Trustees may not serve more than two full terms in succession.*

Furthermore, the Livingston-Park County Public Library Board's by-laws Article II, §2 states that:

*If a trustee is appointed to serve an unexpired term of office, it shall not be considered a full term of office.*

At its May 18, 2022 meeting the Library Board voted to recommend the applicant Sheila Elwin for appointment to the open City Trustee seat. A copy of her application is attached.

This would be Ms. Elwin's first full term on the Library Board, after having served through June 30, 2022 filling an unexpired term.

The Library Board appreciates having the opportunity to provide its input on your appointment decision.

Sincerely,

Jack Longbine  
Livingston-Park County Library Board President

RECEIVED  
5/19/22

**City of Livingston**  
**Application for Appointed Office**  
(Revised 7/01/2021)

**Appointed Position Seeking:** Library Board Trustee

**Date of Application:** 5/11/22

Name: Sheila Elwin

Signed: Sheila Elwin

Address: 119 N. D St.

Telephone: daytime 404-295-4136

after 5:00 p.m.: Same

Fax Number: N/A

e-mail address: sheilaelwin@yahoo.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've served the remainder of a previous trustee's term, and wish to continue serving the library.

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

A. Occupation: Editor / proofreader / nonprofit public relations

B. Education: BA - journalism

C. Experience: I have already served on this board, as well as a church board, and have chaired an academy board.  
(please attach a detailed resume if desired)

6. Have you served on any previous boards or in any governmental positions in the past? See 5c

7. Are you currently serving on any Community Boards? Library

A. If yes, please describe those boards.

8. Current Employer? self

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? no

12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? I would excuse myself from input or voting on that issue.

**THIS APPLICATION WILL BE KEPT ON FILE FOR 6 MONTHS AND THEN DISCARDED.**

Return completed applications to Faith Kinnick at [fkinnick@livingstonmontana.org](mailto:fkinnick@livingstonmontana.org) or drop off in person at the City/County Complex 220 E. Park St.

**File Attachments for Item:**

**E. APPROVE BOARD RECOMMENDATION TO APPOINT HEIDI JOHNSON TO FILL A VACANCY FOR THE UNEXPIRED TERM ON THE LIVINGSTON TREE BOARD.**

RECEIVED  
5/24/22 FW

City of Livingston  
Application for Appointed Office  
(Revised 3/20/20)

Appointed Position Seeking: CITY TREE BOARD

Date of Application: 5/24/2022

Name: HEIDI JOHNSON  
Address: 1106 PRAIRIE DRIVE  
Telephone: daytime 650-868-3714  
Fax Number: —

Signed: Heidi Johnson  
after 5:00 p.m.: 650-868-3714  
e-mail address: HEIDI@heidipartners.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: SEE ATTACHED

- 5. Describe any background, experience and interests that you have which may assist you in performing the responsibilities of this appointment:
  - A. Occupation: REAL ESTATE BROKER
  - B. Education: SEE ATTACHED
  - C. Experience: SEE ATTACHED

(please attach a detailed resume if desired)

- 6. Have you served on any previous boards or in any governmental positions in the past? YES  
WOODSIDE RATHERTON GARDENS CLUB - BOARD OF DIRECTORS  
CRYSTAL SPRINGS UPLANDS SCHOOL - BOARD OF DIRECTORS
- 7. Are you currently serving on any Community Boards? NO
  - A. If yes, please describe those boards. —
- 8. Current Employer? SELF EMPLOYED
- 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? NO
- 12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? IF A CONFLICT OF INTEREST AROSE I WOULD REMOVE MYSELF FROM ANY POTENTIAL CONFLICT.

**THIS APPLICATION WILL BE KEPT ON FILE FOR 6 MONTHS AND THEN DISCARDED.**

Return completed applications to Faith Kinnick at [fkinnick@livingstonmontana.org](mailto:fkinnick@livingstonmontana.org) or drop off in person at the City/County Complex 414 E. Callender St.

City of Livingston  
Application for Member of City Tree Board

4. I am interested in this appointment because... I would like to get involved in the community and my interest in conservation, preservation and horticulture lead me to apply to be a member of this board.
  
5. B Through Montana State Extension I have completed the Level 1 Master Gardener course.
  
5. C I am a member of WAGC (member of Garden Club of America) I have participated In various conservation, preservation and horticultural projects... and I love gardens and gardening.



**File Attachments for Item:**

**F. APPROVE BOARD RECOMMENDATION TO APPOINT LISA GARCIA TO FILL A VACANCY FOR THE UNEXPIRED TERM ON THE LIVINGSTON URBAN RENEWAL AGENCY.**

**City of Livingston**  
**Application for Appointed Office**  
(Revised 7/01/2021)

**Appointed Position Seeking:** Urban Renewal City Citizen

**Date of Application:** 05/10/2022

Name: Lisa Garcia

Signed: Lisa Garcia

Address: 2222C Willow Drive, 54, Livingston, MT 59047

Telephone: daytime 631-404-9107

after 5:00 p.m.: 631-404-9107

Fax Number: N/A

e-mail address: garcialisa@protonmail.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 would like to become more involved in the community. I believe Livingston had a beautiful and vibrant downtown area and would love to help improve it even more. \_\_\_\_\_

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

A. Occupation: Strategy Vice President in Marketing

B. Education: Bachelor's Degree from NYU

C. Experience: Communication skills, research, data analysis

(please attach a detailed resume if desired)

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

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

A. If yes, please describe those boards. \_\_\_\_\_

8. Current Employer? Horizon Media

9. Are you available for night meetings? Yes

10. Are you available for daytime meetings? Can be flexible depending on day/length of meeting

11. Do you foresee any potential conflicts of interest that you might have in executing the duties of this appointed office? No

12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? I would raise it accordingly and graciously accept the appropriate next step

**THIS APPLICATION WILL BE KEPT ON FILE FOR 6 MONTHS AND THEN DISCARDED.**

Return completed applications to Faith Kinnick at [fkinnick@livingstonmontana.org](mailto:fkinnick@livingstonmontana.org) or drop off in person at the City/County Complex 220 E. Park St.

**From:** [Bob Ebinger](#)  
**To:** [Michael Kardoes](#)  
**Cc:** [Faith Kinnick](#)  
**Subject:** RE: Lisa Garcia nomination  
**Date:** Friday, May 20, 2022 1:13:27 PM

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Mike and Faith: At our May 18<sup>th</sup> URA meeting we voted 4-0 to have Lisa Garcia join our Board. She will provide a necessary marketing addition to our Agency. Please add her to the Commission's agenda for confirmation. We also approved payment to Christina Nelson, our secretary, for her invoice of \$300.00. Additionally, we approved payment to Robin Hoggan Ebinger for \$160.00 for her work on separating the Façade Grant and Renovation Program from the defunct Energy Efficiency document. Under the Façade Program Section III Program Details a.i Façade Payout Option, we approved Lisa Snow Beaudin \$1000.00 for Wheatgrass exterior repair. Allison Vicenzi was elected the new chair. Since Kyra Ames resigned you will need to advertise for a new member. This was my last meeting but will be available for any assistance I can provide after my return June 19<sup>th</sup>. I has been a long 20 year run with various City positions, I have enjoyed all and best to my successors. Bob

**File Attachments for Item:**

**A. ORDINANCE NO. 3034: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING SECTION 30.13 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY ZONING PROPERTY LEGALLY DESCRIBED AS LOT 1 OF SUBDIVISION 183 IN SECTION 14, TOWNSHIP TWO SOUTH (T02S), RANGE NINE EAST (R09E), AS PUBLIC (P).**

February 23, 2022

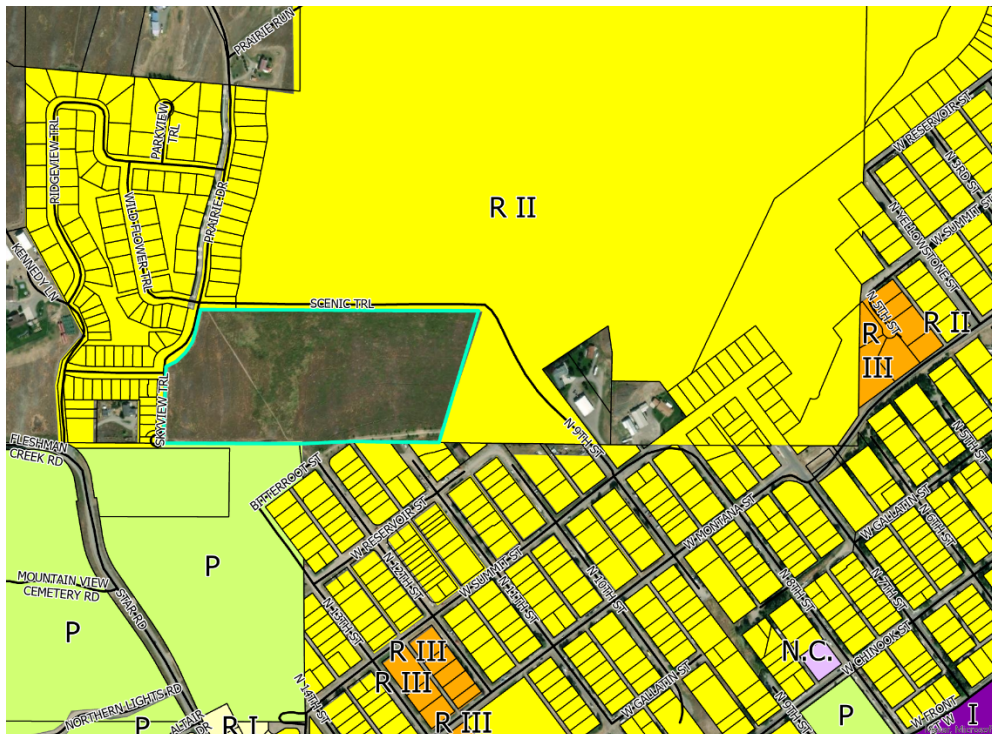
**STAFF REPORT**  
**ZONING MAP AMENDMENT –SCENIC DRIVE SCHOOL DISTRICT**  
**PROPERTY**

**Background**

On September 9<sup>th</sup>, 2021, the City Commission Adopted a Resolution (No. 4985) (Attachment I) approving the annexation of the property owned by the School District on Scenic Trail.

As the property was annexed into the City a zoning amendment must be undertaken to update the Official Zoning Map to include the parcels. The owner of the property, Livingston School District, has submitted a letter requesting the property be zoned High Density Residential (R-III) (Attachment II).

Currently, the adjoining properties are zoned Medium Density Residential (R-II) and Public (P), and are generally used for single-family housing, the armory, and sports fields. The parcel is 871,200 square feet (20 acres) in size and would be allowed a maximum of 747 dwelling units if the property were zoned R-III. It should be noted that the adjoining property to the east applied for a zoning change to R-III in the past and was denied by the City Commission. Importantly, Governmental Agencies such as a School District are able to exempt themselves from local zoning laws under Montana State Law so the zoning would generally only regulate the property if it were to be sold to a private entity.



**Proposed Findings of Fact**

***Criteria and Guidelines for Zoning Regulations (MCA 76-2-304): (1) Zoning regulations must be:***

*(a) made in accordance with a growth policy:*

**Staff Comments:**

- The area is shown on the ETJ FLUM. The ETJ FLUM shows the parcel as “Pastoral/Open Space” described as “Pastoral/Open Space land use designation includes generally undeveloped agricultural lands used primarily for grazing, crop production, and the production of agricultural products. Land designated as Pastoral/Open Space is intended to remain agricultural in nature in the future.” The proposed R-III zoning is not consistent with this designation. Currently, the land is not utilized for agricultural production, and is generally not viable for this use.
- The FLUM shows all the adjacent areas as “Medium Density Residential” and “Parks and Rec” the requested zoning designation would also be a departure from the area as shown on the FLUM. The area has been shown as Medium Density Residential on the FLUM as opposed to High Density Residential similar to the south side of the City due to concerns with driving additional traffic, both motorized and non-motorized over the railroad crossings.
- *Strategy 3.1.1.2: Evaluate and amend the zoning ordinance to allow for higher densities and wider land uses in areas that can support such development.*
  - The proposed R-III designation would provide for a higher density than surrounding areas, in this case the area may not be able to support the density due to constraints with the 5<sup>th</sup> Street crossing for vehicles, bicycles, and pedestrians.
  - The proposed R-III zoning would allow a slightly larger set of land uses than R-II, as R-III allows for multi-family development which R-II does not.
  - As development occurs the City will need to upgrade the infrastructure in the area as the area adjacent to the parcel on Scenic Drive does not contain sidewalks, curb, or gutter.
- *Strategy 3.1.1.8: Reduce urban sprawl through compact development consistent with the Future Land Use Map of this Growth Policy.*
  - Zoning for higher densities in already developed areas of the City and adjacent to existing residential neighborhoods has the potential to reduce urban sprawl by concentrating housing on a much smaller footprint than possible without connection to the City’s water and sewer infrastructure and facilitates a more walkable and bikeable City.

- *Strategy 3.4.3.2: Encourage development near transit routes and active transportation infrastructure to promote development that produces minimal strain on the environment and existing transportation infrastructure.*
  - Active transportation is a noted need in the area as many of the streets do not have sidewalks or bicycle infrastructure. Improvements will need to be made as the area develops or as desired by the residents.
  - The area has a Windrider bus stop adjacent to the property, providing access to public transit.
- *Objective 5.1.4: Promote a mix of housing within neighborhoods that supports a variety of household income levels, household age groups, and housing types.*
  - The potential for denser, multi-unit buildings could promote affordability serving a currently underserved group in the City. Condos and apartment buildings can also support a variety of age groups as maintenance requirements are lowered compared to traditional single-family homes.
- *Objective 7.2.1: Support the local educational needs of the community.*
  - As noted in the letter from the School District, zoning the parcel is advantageous to the District as it would allow for a school, employee housing, and maximizes the value of the property. This would give the District the most flexibility into the future.
- *Objective 8.2.1: Improve traffic flow to the north side of the City in accordance with the Future Land Use Map of this Growth Policy.*
  - The area proposed for R-III is approximately 871,200 square feet (20 acres) and could accommodate a maximum of 747 dwelling units developed to its maximum density. This would have significant negative impacts on the traffic flow to the north side of the City, especially the already burdened 5<sup>th</sup> Street crossing. The Commission will need to evaluate the potential for a significant amount of traffic generation which will primarily be utilizing the 5<sup>th</sup> and 2<sup>nd</sup> Street railroad crossings.
- *Objective 8.2.7: Prioritize existing roadways and utility infrastructure to ensure connectivity and avoid leapfrog development.*
  - The parcels are accessed by existing City roadways. Developing this area could prevent development in the County around the edges of the City, including areas in close proximity to the parcel.

(b) designed to:

(i) secure safety from fire and other dangers;

Staff Comments:

- Any future development on the lot will be required to meet all adopted fire and building codes, no increase in fire or other danger is anticipated.

*(ii) promote public health, public safety, and the general welfare; and*

Staff Comments:

- The parcels have recently been annexed, as the City’s Zoning Ordinance is designed to protect the health, safety, and welfare of the community the zoning should have a positive impact on all three.

*(iii) facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.*

Staff Comments:

- The area is a large undeveloped area within the City and as proposed has the potential to generate a significant amount of traffic, and significant demand on water, sewer, schools, and parks. The capacity of all these items will need to be calculated with any development that is to occur on the parcels to ensure adequate levels of service are maintained. Of specific concern are the railroad tracks which limit traffic capacity significantly, currently the 5<sup>th</sup> street crossing is a significant bottleneck and significant development on the north-side of the tracks could exacerbate this situation.
- Zoning the parcels sets a maximum density for the parcels allowing the City to anticipate future infrastructure demands.

*(2) In the adoption of zoning regulations, the municipal governing body shall consider:*

*(a) reasonable provision of adequate light and air;*

Staff Comments:

- The intent of the zoning amendment is to zone the newly annexed land, there should be no impact to the provision of light and air.

*(b) the effect on motorized and nonmotorized transportation systems;*

Staff Comments:

- Currently, the parcels are unzoned and therefore uncontrolled, allowing unlimited density. Based on the proposed zoning effects on motorized and non-motorized systems could be significant. There is currently no sidewalk on the south side of Scenic Drive adjacent to the parcel and the railroad crossing is a significant bottleneck for both motorized and non-motorized transportation uses. Developments will need to be evaluated for impacts as they occur.



*(c) promotion of compatible urban growth;*

Staff Comments:

- The proposed zoning is inconsistent with the surrounding area, though there is an area of R-III zoning approximately three (3) blocks from the parcel.

*(d) the character of the district and its peculiar suitability for particular uses;*

Staff Comments:

- The proposed zoning is residential in nature, similar to the adjacent areas.

*(e) conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area.*

Staff Comments:

- The proposed map amendment should have no effect on property values.
- The residential use of land is appropriate for a residential area, though there are concerns with the potential number of units and their impact on transportation systems.

***Spot zoning Criteria:***

*(1) the proposed use is significantly different from the prevailing use in the area.*

Staff Comments:

- The proposed R-III zoning allows for residential uses similar to the surrounding area.

*(2) the area in which the requested use is to apply is rather small from the perspective of concern with the number of separate landowners benefited from the proposed change.*

Staff Comments:

- The proposed zoning is for a relatively large area with a single landowner.

*(3) the change is special legislation designed to benefit only one or a few landowners at the expense of the surrounding landowners or the general public.*

Staff Comments:

- The proposed zoning is for a relatively large area.
- Housing is a noted need in the City and allowing for multi-family housing does benefit the general public.
- Traffic concerns, especially with the 5<sup>th</sup> Street crossing are present.

**Public Hearing**

**Staff Recommendation**

The Zoning Coordinator believes that the Commission will need to evaluate if they believe that traffic and bike/pedestrian crossings of the 5<sup>th</sup> Street crossing created by potential development can be mitigated with development of the parcel. If the Commission believes that this issue can be mitigated satisfactorily by the City the Zoning Coordinator recommends approving the requested R-III zoning, if not the Zoning Coordinator recommends zoning the parcel R-II similar to the surrounding area.

**Attachments**

- Attachment I.....Resolution 4985
- Attachment II.....Letter from the School District
- Attachment III.....Windrider Route Map



**RESOLUTION NO. 4985**

**A RESOLUTION TO THE CITY OF LIVINGSTON, MONTANA, ANNEXING CERTAIN LAND WHICH IS WHOLLY SURROUNDED BY THE CITY OF LIVINGSTON AND IS THE PROPERTY OF THE LIVINGSTON SCHOOL DISTRICT OFF OF SCENIC TRAIL AND IS DESCRIBED AS LOT 1 OF SUBDIVISION 183 IN SECTION 14, TOWNSHIP 2 SOUTH, RANGE 9 EAST.**

**WHEREAS**, Section 7-2-4501, Montana Code Annotated, authorizes annexation of wholly surrounded property; and

**WHEREAS**, the City Commission of the City of Livingston, Montana, has determined that it is in the best interest of the City that property be annexed into the City where the property is identified in the City's Annexation Policy, and that the boundaries of the City of Livingston be extended to include the wholly surrounded property between Scenic Trail and the Palace Addition which is wholly surrounded by other property within the corporate limits of the City;

**WHEREAS**, Section 7-2-4501 deems property wholly surrounded by the city or town even though such tracts or parcels of land may be separated from such city or town by a street or other roadway, irrigation ditch, drainage ditch, stream, river, or a strip of unplatted land too narrow or too small to be platted; and

**WHEREAS**, the §7-2-4502 proscribes that protest of this annexation is not available to the annexation of wholly surrounded properties to be included in the territorial boundaries of the City.

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

It is the intent of the City Commission to annex wholly surrounded land more particularly described as:

**Lot 1 Of Subdivision 183 In Section 14, Township 2 South, Range 9 East. See attached map.**

**PASSED** at a first reading by the Livingston City Commission, on August 3, 2021.

**ATTEST:**

**Resolution No. 4985 A RESOLUTION TO THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO ANNEX CERTAIN LAND WHICH IS WHOLLY SURROUNDED BY THE CITY OF LIVINGSTON AND IS THE PROPERTY OF THE LIVINGSTON SCHOOL DISTRICT OFF OF SCENIC TRAIL AND IS DESCRIBED AS LOT 1 OF SUBDIVISION 183 IN SECTION 14, TOWNSHIP 2 SOUTH, RANGE 9 EAST.**



*Faith Kinnick*  
 FAITH KINNICK  
 Recording Secretary

PASSED ADOPTED AND FINALLY APPROVED, during a second reading by the  
 Livingston City Commission this 9<sup>th</sup> day of September, 2021.



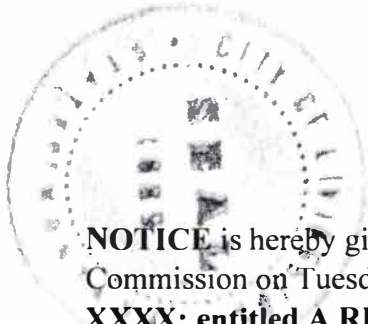
ATTEST:

*Quentin Schwarz*  
 QUENTIN SCHWARZ Vice- Chair

*Faith Kinnick*  
 FAITH KINNICK  
 Recording Secretary

APPROVED TO AS FORM:  
*Courtney Jo Lawellin*  
 COURTNEY JO LAWELLIN  
 City Attorney

Resolution No. 4985 A RESOLUTION TO THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO ANNEX CERTAIN LAND WHICH IS WHOLLY SURROUNDED BY THE CITY OF LIVINGSTON AND IS THE PROPERTY OF THE LIVINGSTON SCHOOL DISTRICT OFF OF SCENIC TRAIL AND IS DESCRIBED AS LOT 1 OF SUBDIVISION 183 IN SECTION 14, TOWNSHIP 2 SOUTH, RANGE 9 EAST.

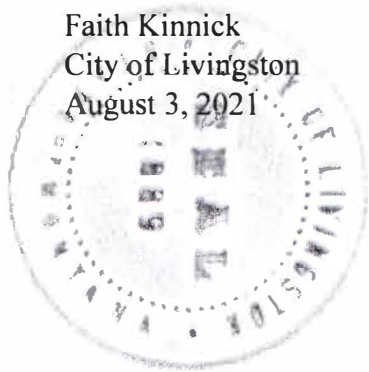


**PUBLIC NOTICE**

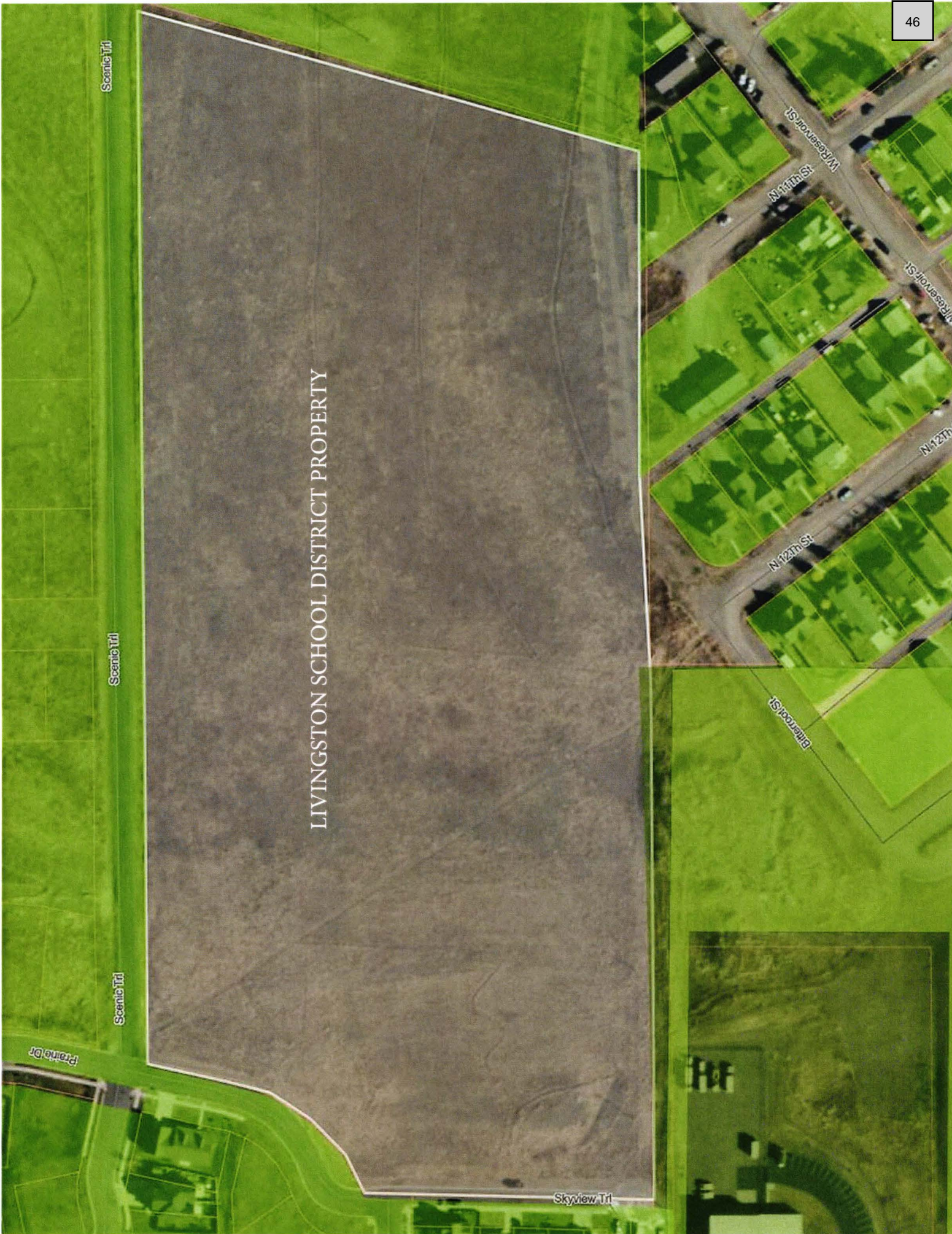
**NOTICE** is hereby given, a public hearing will be conducted by the Livingston City Commission on Tuesday, September 7th, 2021, during a second reading of **RESOLUTION NO. XXXX: entitled A RESOLUTION TO THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO ANNEX CERTAIN LAND WHICH IS WHOLLY SURROUNDED BY THE CITY OF LIVINGSTON AND IS THE PROPERTY OF THE LIVINGSTON SCHOOL DISTRICT OFF OF SCENIC TRAIL AND IS DESCRIBED AS LOT 1 OF SUBDIVISION 183 IN SECTION 14, TOWNSHIP 2 SOUTH, RANGE 9 EAST.** For additional information contact Faith Kinnick at (406) 823-6002.

Please publish Friday, August 6th, 2021 and August 20th, 2021.

Faith Kinnick  
City of Livingston  
August 3, 2021



**Resolution No. 4985 A RESOLUTION TO THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO ANNEX CERTAIN LAND WHICH IS WHOLLY SURROUNDED BY THE CITY OF LIVINGSTON AND IS THE PROPERTY OF THE LIVINGSTON SCHOOL DISTRICT OFF OF SCENIC TRAIL AND IS DESCRIBED AS LOT 1 OF SUBDIVISION 183 IN SECTION 14, TOWNSHIP 2 SOUTH, RANGE 9 EAST.**



LIVINGSTON SCHOOL DISTRICT PROPERTY

Scenic Trl

Scenic Trl

Scenic Trl

Prairie Dr

Skyview Trl

N 14th St

N 12th St

N 10th St

N 8th St

**LIVINGSTON SCHOOL DISTRICT 4& 1***Lynne Scalia, Ed.D. – Superintendent**132 South B Street  
Livingston, MT. 59047  
406-222-0861*[www.livingston.k12.mt.us](http://www.livingston.k12.mt.us)

---

February 15, 2022

Mathieu Menard  
City of Livingston Planning Department  
Livingston, Montana 59047

Dear Mr. Menard:

As the City of Livingston considers the zoning designation for the Livingston School District property on Scenic Drive, please consider a designation of R3. As the school district plans for the future, possible planning options for the parcel include public school facilities with the possibility of providing housing options for staff. If R3 is allowed, it could provide opportunities for the school district to negotiate with third parties for purchase of a portion of the land to develop into multi-family options for teacher and support staff recruits, and possibly senior citizens and workforce housing; all so desperately needed in our community.

Defining the zoning now provides more options for the school district and sets neighborhood understanding and community expectations of possible uses. The expansion of use of this property for other purposes that would complement the school district would be fully realized with R3 instead of R2. As the north side is one of few areas left for future development in the city, the request for R3 is also an attempt to bolster the value and desirability of the school land for future planning should housing options for staff be a possibility.

In speaking with City Planning, we understand that the area in closest proximity to this parcel is R2. We ask you to consider that there are several areas within a few blocks that have been designated R3, so this is not a zoning request that is not already in place in certain parts of the neighborhood. While we understand that the growth plan calls for more in-fill development and ADU's focused on the south side, we all know there is a wide range of housing needs that exist. The school district understands the transportation issues on the north side of the city and concerns about traffic movement. The planning process for a public school takes years.

We appreciate the questions answered by you and City Manager Kardoes. Your consideration for R3 zoning on the Scenic Drive property is appreciated. R2 is preferable to Public if R3 is not considered at this time.

Sincerely,



Lynne Scalia, Ed.D.,  
Superintendent

# Windrider

Ride Free!

## Comments, Questions or Concerns

We would love to hear from you.  
Please contact us:

**406.922.5683** (Phone)

**TTY: DIAL 711**

414 East Callender Street  
Livingston, MT 59047

transit@parkcounty.org

www.parkcounty.org/Government-  
Departments/Transit

 Windrider Transit

### Title VI:

In accordance with state and federal law, Windrider Transit does not discriminate on the basis of race, color, national origin, sex, age, disability or other protected class.

The Park County Windrider Transit Board meets on the third Thursday of each month at 1:00 p.m. in the City-County Complex. The meetings are typically held in the Community Room. Please contact transit@parkcounty.org to be placed on the agenda or to verify meeting dates and times.



## PLEASE KEEP IN MIND...

Schedule fluctuations may occur due to unforeseen breakdowns, weather, traffic, trains, etc.

If the designated stop area is blocked or seen as dangerous at the time drivers make a stop, they will find the safest spot to stop to pick up passengers, in the very near vicinity.

Please be at designated stops at least five minutes **before** the scheduled departure time.

Once permanent stops are determined, bus shelters will be incorporated based on future funding.

Drivers will pick up/drop off passengers at certain corners along routes IF it is safe AND IF they have time, based on departure times at other stops on the fixed route schedule.

The most recent version of the fixed route schedule is always posted on the Park County website—under the Transit Department page. Please refer to the schedule on that page, as it is the most accurate schedule.

We **ARE NOT** an ambulance service and **DO NOT** transport passengers in need of immediate medical attention. We do transport passengers to Livingston HealthCare for appointments.

Service animals or animals in small crates are allowed; emotional support and comfort animals are not allowed.

Like us on Facebook, where you will get the most up-to-date information regarding upcoming events, schedule fluctuations, out-of-service days, etc.

Please periodically check our website for bus news and updates, new services, maps and schedules!

We thank our many local community partners for providing additional cash and in-kind contributions to help make this program viable and successful.



Community Closet  
Community Health Partners  
Livingston Business Improvement Dist.

Park County Community Foundation  
Town & Country Foods

### Friends of Windrider

American Bank  
Coffee Crossing  
Fairfield Inn by Marriott  
Give a Hoot Campaign Donors

Huppert, Swindlehurst & Woodruff  
NorthTown Livingston  
Printing for Less  
Rx Coffee



Montana Department of Transportation (MDT) administers federal and state capital and operating grants to help qualified organizations provide transportation to the rural general public, including the elderly and disabled. Eligible recipients of this funding are local public bodies; private nonprofit organizations; tribal governments and agencies; and, operators of transportation services.

## Schedules & Routes



## A Free Public Transportation Service in Park County, Montana

Fixed route services are available between 6:15 a.m. and 6:15 p.m., Monday through Friday. The bus does not run on weekends or holidays.

As required by the Americans with Disabilities Act, we also provide Paratransit Dial-A-Ride (DAR) service, which is an appointment-based, shared-ride specialized public transit service for people who have disabilities or other conditions that might make it difficult for them to utilize our fixed-route service. DAR operates up to 3/4 of a mile from our fixed bus route.

Prearranged para-transit services (an application process is required) are available Monday through Friday.



Morning Routes					Afternoon Routes				
Fixed Stop	Depart	Depart	Depart	Depart	Fixed Stop	Depart	Depart	Depart	Depart
Shane Lalani Center	6:15 AM	--	--	--	Shane Lalani Center	12:45 PM	--	--	--
Lewis St. (between Main/2nd)	6:19 AM	--	--	--	Lewis St. (between Main/2nd)	12:49 PM	--	--	--
Public Library	6:22 AM	7:35 AM	--	10:37 AM	Public Library	12:51 PM	2:13 PM	DRIVER BREAK	--
Ace Hardware	6:31 AM	7:39 AM	--	10:41 AM	Ace Hardware	12:55 PM	2:17 PM	DRIVER BREAK	--
Town & Country	--	7:43 AM	DRIVER BREAK	10:45 AM	Town & Country	12:58 PM	2:20 PM	DRIVER BREAK	--
Chinook / Main (324 N. Main)	6:35 AM	--	--	--	Sacajawea Park (near Bandshell)	--	2:25 PM	--	--
Scenic Trl & Prairie Dr (NorthTown)	6:40 AM	--	--	--	Park High School	--	2:29 PM	3:48 PM	--
Sacajawea Park (near Bandshell)	--	7:48 AM	--	10:50 AM	Sherwood Apartments (by Loaves & Fishes)	--	2:31 PM	3:50 PM	--
Park High School	--	7:51 AM	--	10:52 AM	Public Library	--	2:34 PM	3:53 PM	--
Sherwood Apartments (by Loaves & Fishes)	--	7:53 AM	9:42 AM	10:55 AM	Chinook / Main (324 N. Main)	1:03 PM	--	3:56 PM	5:11 PM
Public Library	--	7:56 AM	9:45 AM	--	Scenic Trl & Prairie Dr (NorthTown)	1:08 PM	--	--	5:16 PM
Chinook / Main (324 N. Main)	--	8:00 AM	--	10:59 AM	Summit Apartments	1:14 PM	--	4:00 PM	--
Scenic Trl & Prairie Dr (NorthTown)	--	--	--	11:05 AM	Northside Park/Soccer Fields	--	--	4:04 PM	--
Summit Apartments	--	8:05 AM	--	11:13 AM	Katie Bonnell Park	--	--	4:13 PM	5:26 PM
Northside Park	--	8:08 AM	--	11:16 AM	Lewis St. (between Main/2nd)	1:23 PM	2:37 PM	4:21 PM	5:33 PM
Katie Bonnell Park	--	8:16 AM	--	11:24 AM	Lewis Street/H Street	1:26 PM	2:40 PM	4:24 PM	--
Lewis St. (between Main/2nd)	6:49 AM	8:23 AM	9:48 AM	11:32 AM	Rx Coffee	1:28 PM	2:42 PM	4:26 PM	--
Lewis Street/H Street	6:51 AM	8:25 AM	9:50 AM	11:34 AM	Livingston HealthCare	1:37 PM	2:51 PM	4:35 PM	5:44 PM
Rx Coffee	6:53 AM	8:27 AM	9:52 AM	11:36 AM	Public Library	1:45 PM	2:59 PM	4:43 PM	5:51 PM
Livingston HealthCare	7:00 AM	8:36 AM	10:01 AM	11:45 AM	Ace Hardware	1:48 PM	3:02 PM	4:46 PM	5:54 PM
Public Library	7:07 AM	8:43 AM	10:09 AM	11:53 AM	Albertsons	1:55 PM	3:09 PM	4:53 PM	6:01 PM
Ace Hardware	7:11 AM	8:47 AM	10:13 AM	11:57 AM	McDonalds	1:59 PM	3:13 PM	4:57 PM	6:04 PM
Albertsons	7:18 AM	8:54 AM	10:20 AM	12:04 PM	Fairfield Inn	2:02 PM	3:16 PM	5:00 PM	6:07 PM
McDonalds	7:21 AM	8:58 AM	10:23 AM	12:07 PM	Town & Country	2:05 PM	3:19 PM	5:03 PM	6:10 PM
Fairfield Inn	7:24 AM	9:01 AM	10:26 AM	12:10 PM	Ace Hardware	--	--	--	6:14 PM
Town & Country	7:27 AM	9:04 AM	10:29 AM	12:13 PM	Lewis St. (between Main/2nd)	2:10 PM	Drop off only	5:08 PM	Drop off only
Lewis St. (between Main/2nd)	7:32 AM	Drop off only	10:34 AM	Drop off only					

**Monday–Friday**  
\*Except Federal Holidays

**Departure Times by Location**  
Please arrive at your stop at least 5 minutes prior to departure.

<b>Lewis Street (Main &amp; 2nd)</b> 6:19 AM   12:49 PM 6:49 AM   1:23 PM 7:32 AM   2:10 PM 8:23 AM   2:37 PM 9:48 AM   4:21 PM 10:34 AM   5:08 PM 11:32 AM   5:33 PM	<b>Public Library</b> 6:22 AM   12:51 PM 7:07 AM   1:45 PM 7:35 AM   2:13 PM 7:56 AM   2:34 PM 8:43 AM   2:59 PM 9:45 AM   3:53 PM 10:09 AM   4:43 PM 10:37 AM   5:51 PM 11:53 AM
<b>Town &amp; Country</b> 7:27 AM   12:13 PM 7:43 AM   12:58 PM 9:04 AM   2:05 PM 10:29 AM   2:20 PM 10:45 AM   3:19 PM 5:03 PM 6:10 PM	<b>Ace Hardware</b> 6:31 AM   12:55 PM 7:11 AM   1:48 PM 7:39 AM   2:17 PM 8:47 AM   3:02 PM 10:13 AM   4:46 PM 10:41 AM   5:54 PM 11:57 AM   6:14 PM
<b>Sacajawea Park (Bandshell)</b> 7:48 AM   2:25 PM 10:50 AM	<b>Park High School</b> 7:51 AM   2:29 PM 10:52 AM   3:48 PM
<b>Lewis &amp; H Street</b> 6:51 AM   1:26 PM 8:25 AM   2:40 PM 9:50 AM   4:24 PM 11:34 AM	<b>Livingston HealthCare</b> 7:00 AM   1:37 PM 8:36 AM   2:51 PM 10:01 AM   4:35 PM 11:45 AM   5:44 PM
<b>Summit Apartments</b> 8:05 AM   1:14 PM 11:13 AM   4:00 PM	<b>McDonalds</b> 7:21 AM   12:07 PM 8:58 AM   1:59 PM 10:23 AM   3:13 PM 4:57 PM 6:04 PM
<b>Northside Park</b> 8:08 AM   4:04 PM 11:16 AM	<b>Chinook &amp; Main Street</b> 6:35 AM   1:03 PM 8:00 AM   3:56 PM 10:59 AM   5:11 PM
<b>Rx Coffee</b> 6:53 AM   1:28 PM 8:27 AM   2:42 PM 9:52 AM   4:26 PM 11:36 AM	<b>Katie Bonnell Park</b> 8:16 AM   4:13 PM 11:24 AM   5:26 PM
<b>Albertsons</b> 7:18 AM   12:04 PM 8:54 AM   1:55 PM 10:20 AM   3:09 PM 4:53 PM 6:01 PM	<b>Fairfield Inn</b> 7:24 AM   12:10 PM 9:01 AM   2:02 PM 10:26 AM   3:16 PM 5:00 PM 6:07 PM
<b>NorthTown Development</b> 6:40 AM   1:08 PM 11:05 AM   5:16 PM	<b>Sherwood Apartments</b> 7:53 AM   2:31 PM 9:42 AM   3:50 PM 10:55 AM
<b>Shane Lalani Center for the Arts</b> 6:15 AM   12:45 PM	

Print Edition Date:  
09/01/2021

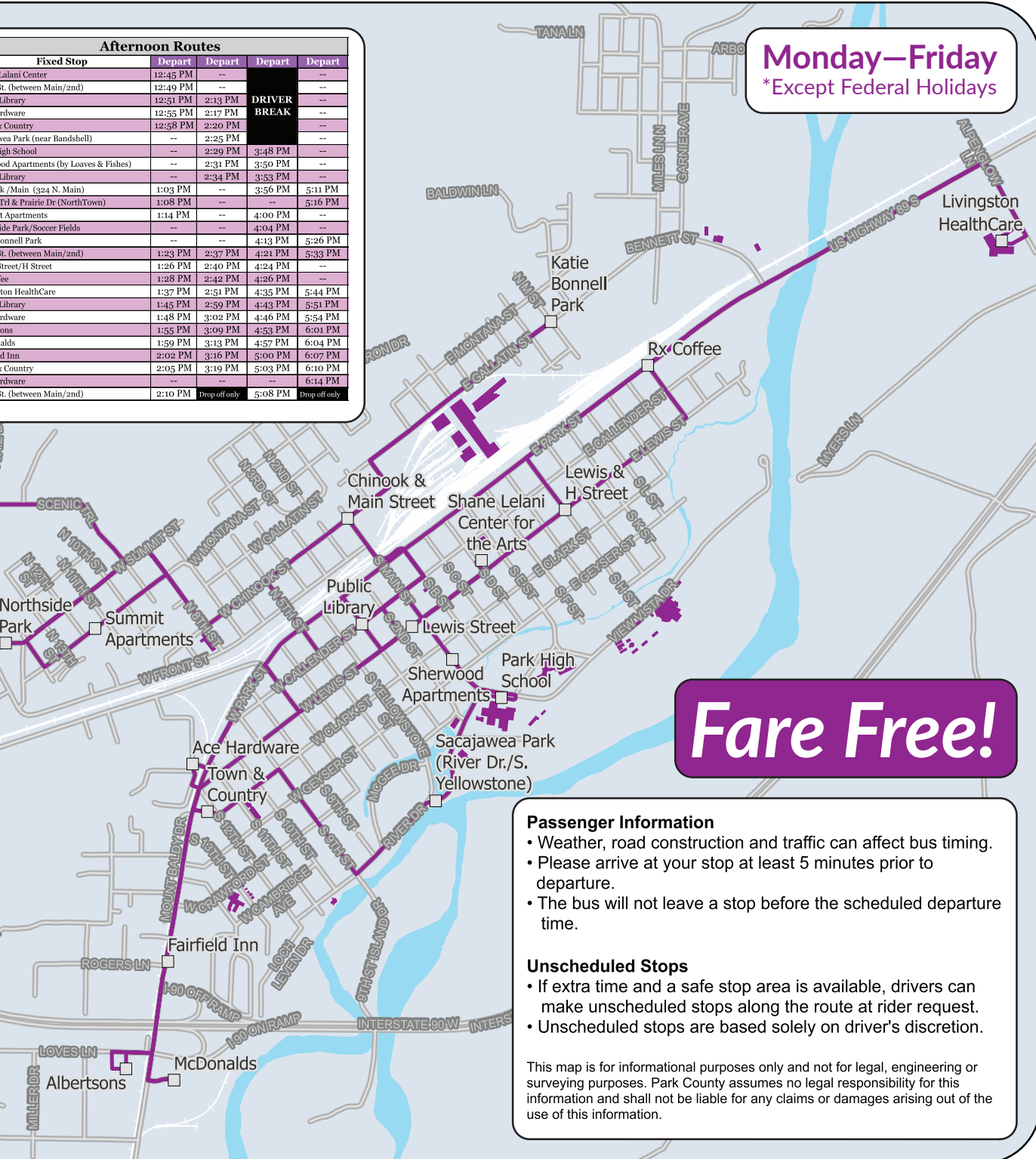
Ride Free!

**Fixed Routes**

**Legend**

- Fixed Stop
- Windrider Route

\*Check schedule for times and frequency



**Fare Free!**

**Passenger Information**

- Weather, road construction and traffic can affect bus timing.
- Please arrive at your stop at least 5 minutes prior to departure.
- The bus will not leave a stop before the scheduled departure time.

**Unscheduled Stops**

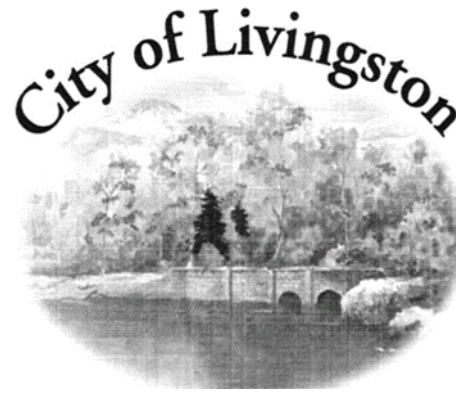
- If extra time and a safe stop area is available, drivers can make unscheduled stops along the route at rider request.
- Unscheduled stops are based solely on driver's discretion.

This map is for informational purposes only and not for legal, engineering or surveying purposes. Park County assumes no legal responsibility for this information and shall not be liable for any claims or damages arising out of the use of this information.

**City Manager**  
Michael Kardoes

220 E Park Street  
(406) 823-6000 phone

citymanager@livingstonmontana.org  
www.livingstonmontana.org



*Incorporated 1889*

**Chairperson**  
Melissa Nootz

**Vice Chair**  
Karrie Kahle

**Commissioners**  
Mel Friedman  
Quentin Schwarz  
Torrey Lyons

June 7, 2022

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 of the Zoning Amendment for the Livingston School District Property and that the parcel be zoned Public (P).

Sincerely,

Jim Woodhull  
Director of Building/Planningc

**Faith Kinnick**

---

**From:** Karrie Kahle  
**Sent:** Tuesday, April 19, 2022 2:00 PM  
**To:** mjstrickroth@gmail.com; webmaster  
**Subject:** Re: [Karrie Kahle] Adopt Zoning Commission Recommendation for 20-acre Scenic Drive Property

Hello Mary,

Thank you reach out with your comment.

Karrie Kahle

---

**From:** Livingston Montana <livingston-mt@municodeweb.com>  
**Sent:** Friday, April 15, 2022 11:53:49 AM  
**To:** Karrie Kahle  
**Subject:** [Karrie Kahle] Adopt Zoning Commission Recommendation for 20-acre Scenic Drive Property

Mary Strickroth ([mjstrickroth@gmail.com](mailto:mjstrickroth@gmail.com)) sent a message using the contact form at <https://www.livingstonmontana.org/>.

I own and occupy a single-family residence at 1112 Prairie Drive in the NorthTown HOA. I will be out of town when the Zoning Commission's recommendation for the 20-acre Scenic Drive parcel comes before you. So I now am writing to urge you and the City Commission to approve the Zoning Commission's recommendation to designate the School District's 20-acre property on Scenic Drive as "Public". Further, I strongly oppose designating this property as R-III, Mixed Use, or Neighborhood Commercial. My reasons follow.

With only a couple minor exceptions, all lands surrounding the School District's parcel are zoned R-II or Public. As a member of the NorthTown HOA, I purchased my home with this understanding. At the April 12 Zoning Commission meeting, Michael Kardoes and Jim Baerg stated that R-III could add a maximum of 747 dwelling units; Mixed Use could add a maximum of 995 units; and Neighborhood Commercial which currently does not allow residential, could add 500 maximum units if zoning regulations ultimately were changed.

R-III, Mixed Use or Neighborhood Commercial zoning would exacerbate existing undesirable traffic congestion for Northside residents, and for all Livingston residents who wish to access the soccer fields, the armory, the cemetery, public trails, the Yellowstone Gateway Museum, some church and nonprofit facilities, and their family and friends.

The 5th and 2nd St railroad crossings are inadequate and already cause significant congestion. The 5th Street crossing, in particular, has the potential to create serious and harmful delays for public health, medical and safety emergency response to the 40% of Livingston residents that happen to reside on the North side of the tracks. Existing streets in Northside neighborhoods, such as Summit, 7th, 8th, Chinook and 5th Streets, were not designed to support the level of traffic that we currently experience, let alone adding another 1000-1500 cars per day should alternate zoning decisions be made. Delays of ambulance or fire department response can have devastating impacts for individual residents in our neighborhood. If the railroad had a significant accident that required emergency evacuation, the 5th St and 2nd St crossings would be insufficient to handle timely and effective exit.

I believe the City Commission should consider a moratorium on approval for any future development on the Northside until such time as another railroad crossing can be designed, funded and implemented. This is a known problem that the City has failed to address for 45 years. The overwhelming majority of public input on this issue opposes adding more development before the railroad crossing issue is solved. It is unreasonable, and perhaps indefensible, to continue to allow more Northside development, especially with the density that R-III,

Mixed Use, or revised Neighborhood Commercial would promote. The City needs to consider the potential liability it could incur under such approvals given the bottlenecks and lack of ingress/egress that Northside residents endure.

Based on these factors, I urge you and the City Commission to approve Public zoning for the School District's 20-acre Scenic Drive parcel.

Thank you for your consideration.

Mary Strickroth

1112 Prairie Drive

[mjstrickroth@gmail.com](mailto:mjstrickroth@gmail.com)

**Faith Kinnick**

---

**From:** Karrie Kahle  
**Sent:** Tuesday, April 19, 2022 1:59 PM  
**To:** ricklamplugh@gmail.com; webmaster  
**Subject:** Re: [Karrie Kahle] Zoning for School District's Scenic Drive property

Hello Rick,

Thank you for reaching out with your comment.

Karrie Kahle

---

**From:** Livingston Montana <livingston-mt@municodeweb.com>  
**Sent:** Thursday, April 14, 2022 8:46:37 AM  
**To:** Karrie Kahle  
**Subject:** [Karrie Kahle] Zoning for School District's Scenic Drive property

Rick Lamplugh ([ricklamplugh@gmail.com](mailto:ricklamplugh@gmail.com)) sent a message using the contact form at <https://www.livingstonmontana.org/>.

I own a home and reside at 1112 Prairie Drive in Livingston. I will be out of town when the City Commission meets in April and May. I assume that on the agenda for one of the meetings will be the zoning designation for the School District's 20-acre property on Scenic Drive.

I am writing to ask that the City Commission approve the Public zoning designation recommended by the Zoning Commission on 4/12/22 by a vote of four to one.

The reasoning behind my request is as follows:

The school district has stated in two Zoning Commission meetings and one neighborhood meeting that they have no plans for the parcel at this time. The school district has recommended R-III zoning but said they will not challenge any zoning applied to the parcel.

In the 3/8/22 and the 4/12/22 Zoning Commission meetings, residents from the Ridgeview Trails HOA and the NorthTown HOA spoke. These residents would be directly affected by the significant increase in houses and traffic that would come from zoning this property R-III.

The majority of commenters at both meetings did not want R-III zoning. The majority of commenters said they were concerned that the traffic and public safety issues that the 2nd and 5th Street railroad crossings present now would surely be made worse with more houses and vehicles.

At the 4/12 meeting City Manager Kardoes gave the Zoning Commission members estimates of residence units with various zoning options. If the School District's property was zoned R-III there could be up to 747 additional units.

My research finds that since the national average for vehicles per home is 1.88 this could mean about 1400 more vehicles clogging the crossing.

The majority of commenters at both meetings supported R-II or Public zoning. Both of those zonings would mean fewer new residences and vehicles than with R-III.

At the 4/12 meeting, Jim Baerg, commission chair, offered the designation of Neighborhood Commercial for the commission's consideration. Baerg said that there would need to be significant modifications to the Neighborhood Commercial zoning in order to make it fit what he had in mind.

Kardoes said that while the commission could decide at the 4/12 meeting to zone the property Neighborhood Commercial, NO modifications to that designation could be discussed in the 4/12 meeting. Modification might or might not be approved up to 90 days later.

I would note that Chair Baerg added his recommendation for zoning Neighborhood Commercial after he had closed the public comment period. Had the commission voted to approve Neighborhood Commercial, it would have done so with no chance for public comment. That would have contradicted the concept of asking for public input.

Once Baerg closed the public comment period, the commission had significant discussion about all the zoning options. During that discussion:

Deborah Monaghan wondered if the needed modifications to Neighborhood Commercial would later be achieved if the commission voted for that zoning without modifications in place now.

Michal DeChellis wondered if the Neighborhood Commercial zoning would eliminate the known traffic issue created by the railroad crossing.

Michael Wojdylak had concerns about changing the definition of Neighborhood Commercial zoning. He thought that zoning the parcel Neighborhood Commercial before getting needed modifications was “putting the cart before the horse.” He said that with the school owning the property and having no plans for it, the commission should zone it Public. If that zoning needed to be changed later, that could be considered when needed.

Wendy Weaver recommended going with Public zoning as this was a “safe bet.” If the property was later sold, a different zoning could be considered.

These four commissioners voted for Public zoning. Baerg voted against it.

I respect that all five members of the commission spent the better part of two meetings obtaining public input and discussing in depth a number of zoning options before choosing Public zoning.

I ask that the City Commission acknowledge the time and effort the Zoning Commission spent on this issue and approve their recommendation that the Scenic Drive School District property be zoned as Public.

**Faith Kinnick**

---

**From:** Mary Strickroth <mjstrickroth@gmail.com>  
**Sent:** Friday, April 15, 2022 12:03 PM  
**To:** City Commission; Faith Kinnick  
**Subject:** Adopt Zoning Commission's "Public" Recommendation for 20-acre School District Property on Scenic Drive

**Please share the following message with the City Commissioners:**

I own and occupy a single-family residence at 1112 Prairie Drive in the NorthTown HOA. I will be out of town when the Zoning Commission's recommendation for the 20-acre Scenic Drive parcel comes before you. **So I now am writing to urge you and the City Commission to approve the Zoning Commission's recommendation to designate the School District's 20-acre property on Scenic Drive as "Public".** Further, I strongly oppose designating this property as R-III, Mixed Use, or Neighborhood Commercial. My reasons follow.

With only a couple minor exceptions, all lands surrounding the School District's parcel are zoned R-II or Public. As a member of the NorthTown HOA, I purchased my home with this understanding. At the April 12 Zoning Commission meeting, Michael Kardoos and Jim Baerg stated that R-III could add a maximum of 747 dwelling units; Mixed Use could add a maximum of 995 units; and Neighborhood Commercial which currently does not allow residential, could add 500 maximum units if zoning regulations ultimately were changed.

R-III, Mixed Use or Neighborhood Commercial zoning would exacerbate existing undesirable traffic congestion for Northside residents, and for all Livingston residents who wish to access the soccer fields, the armory, the cemetery, public trails, the Yellowstone Gateway Museum, some church and nonprofit facilities, and their family and friends.

The 5th and 2nd St railroad crossings are inadequate and already cause significant congestion. The 5th Street crossing, in particular, has the potential to create serious and harmful delays for public health, medical and safety emergency response to the 40% of Livingston residents that happen to reside on the North side of the tracks. Existing streets in Northside neighborhoods, such as Summit, 7th, 8th, Chinook and 5th Streets, were not designed to support the level of traffic that we currently experience, let alone adding another 1000-1500 cars per day should alternate zoning decisions be made. Delays of ambulance or fire department response can have devastating impacts for individual residents in our neighborhood. If the railroad had a significant accident that required emergency evacuation, the 5th St and 2nd St crossings would be insufficient to handle timely and effective exit.

*I believe the City Commission should consider a moratorium on approval for any future development on the Northside until such time as another railroad crossing can be designed, funded and implemented.* This is a known problem that the City has failed to address for 45 years. The overwhelming majority of public input on this issue opposes adding more development before the railroad crossing issue is solved. It is unreasonable, and perhaps indefensible, to continue to allow more Northside development, especially with the density that R-III, Mixed Use, or revised Neighborhood Commercial would promote. The City needs to consider the potential liability it could incur under such approvals given the bottlenecks and lack of ingress/egress that Northside residents endure.

**Based on these factors, I urge the City Commission to approve Public zoning designation for the School District's 20-acre Scenic Drive parcel.**

Thank you for your consideration.

Mary Strickroth  
1112 Prairie Drive  
[mjstrickroth@gmail.com](mailto:mjstrickroth@gmail.com)



**Faith Kinnick**

---

**From:** Sue Sailer <sailersj@hotmail.com>  
**Sent:** Tuesday, April 12, 2022 4:47 PM  
**To:** webmaster  
**Subject:** Correspondence for zoning commission members

I am against rezoning land on the north side.  
I live in the Discovery Vista subdivision, and have experienced the traffic jams many mornings as I drive my grandchildren to school. If the day is snowy, as it was this morning, the process takes even longer than other days. Let's just hope there's not a train that is going through town at that time of the morning. Until the city puts in another way to cross the tracks from this side of town, it is unthinkable to consider rezoning any of the land for high density, multiple family use.  
Sue Sailer

Sent from my iPhone

April 12, 2022

City of Livingston  
Zoning Commission

Via email: [webmaster@livingstonmontana.org](mailto:webmaster@livingstonmontana.org)

RE: Correspondence for Zoning Commission Members

To the Livingston Zoning Commission:

As a recent purchaser of a parcel of land in the NorthTown HOA area on Prairie Drive, my wife and I are very concerned about the captioned re-zone request by the Livingston School District. We disagree with Lynne Scalla's reasoning in her letter to Matthieu Menard dated February 15, 2022 for a number of reasons.

First, we are concerned about the negative impacts to the residential areas surrounding the property because of a large increase in the density of the structures. By adding more and more people to a limited area, the services the City can provide are impacted negatively by adding stress to an already growing fiscal demand on the City to provide services to the area. This stress can only add to the cost of living in the area and possibly result in the lowering of property values. I am aware that a large multi-family development zoned R3 is already in progress in the area.

Second, although Ms. Scalla mentioned the concerns over traffic movement, she didn't mention the additional impacts that an increase in traffic congestion and daily trips through the surrounding neighborhood north of the railroad tracks will have on the residents of this neighborhood. I think it is clear that an increase in traffic in this area will lead to more accidents, more injuries, and more property damages, not to mention, a decrease in the quality of life. It will lead to residents moving from the area and a decrease in property values. I don't believe these negative impacts are what the City would want to happen. And don't get us started on the increasing problems of crossing the rail lines by many more vehicle trips per day and safety of the area.

And third, as the area grows in population, a need will arise for an expansion of the school system and a need for facilities and increase the need for more park space to buffer that increased density. An increase in the green space in a growing area is a great amenity for the area, and probably required in the development of a Growth Management Plan.

In summary, we ask that you reject this application and keep the property as zoned. It makes no sense to approve a zoning change when a development plan has not even been submitted.

Respectfully submitted,  
Kevin and Rebecca Van Fleet  
1208 Prairie Dr  
Livingston, MT

**Faith Kinnick**

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**From:** Rich Crossland <rich.crossland52@gmail.com>  
**Sent:** Tuesday, April 12, 2022 1:07 PM  
**To:** webmaster; Jim Woodhull; Planning  
**Cc:** ridgeviewtrailshoa@gmail.com  
**Subject:** Correspondence for Zoning Commission Members

Dear Livingston Zoning Commission Members –

This mail may seem to be a reiteration of a lot of the comments made last month regarding the School District Zoning Map topic, but I am also adding a few questions that were not asked (to my recollection) in last month’s meeting.

My wife and I live at 1215 Ridgeview Trail, a part of the Ridgeview Trails Homeowners Association (HOA), a group of approximately 90 homes that borders on the property in question. Let me state that we have no authority to represent the HOA, the following is not to be construed as the position of the HOA, it is only our thoughts and questions.

Questions:

1. It appears there is a lot of pressure from the City for the Zoning Commission to make a recommendation quickly. Why is there such a rush?
  - a. This is a serious topic and should not be rushed. It is my understanding that the property in question was only annexed by the city last September, but has been owned by the School District for a very long time. I do not pretend to know the ordinances or laws regarding zoning decisions here, but there have been no actions for years regarding zoning of the School District’. One of the City representatives at last month’s meeting certainly was pushing for a decision from the Commission quickly. Again, what is the reason for the pressure?
  - b. It was also stated the no matter what zoning decision is made, the School District is exempt from the rules and can do what they deem appropriate anyway. In addition, there are no immediate plans to develop the property. It does not seem logical to push for zoning decisions in such a hurry, without fully considering the community affected.
  - c. A lot of people are going to be affected by property values, potential traffic volumes (and congestion), general aesthetics of our neighborhood, emergency response, and I’m sure other items I am not thinking of at this moment. When we purchased our homes here, we selected the location because it is medium density, and there is no business traffic in the area. Any change to that “personality” of the area should be considered carefully before changing to high density, with special consideration of the people that have invested here.
2. Have the School Board or City Planning really looked at the infrastructure and what changes would be required to accommodate 747 new residences in this area? Given the current congestion that exists for the 5<sup>th</sup> Street rail crossing and the fact that all of the streets that service this area are 2-lane residential streets, the addition of at least 747 vehicles, the number of trips taken on our streets will increase dramatically. Without extensive infrastructure changes, the congestion will be very unpleasant.

Comments: Some of the concerns/comments are embedded in the questions above, so I will not repeat those here. A few relevant comments do remain:

1. The surrounding areas are zoned R-II, with a very small area of R-III. It seems that R-II is the predominate zoning here, so adding high-density will forever change the area and degrade the value we place on the area. If high density zoning were in place in this area, a lot of people would not have chosen to invest here. Just because there is a small area of R-III zoning close by is not a reason to add more.

- 2. There have been previous requests to move to more R-III zoning here and they were denied for good reasons. It seems that the Commission and the City should look at those reasons, the neighborhood as it is today and stay with the same zoning.
- 3. If more high-density zoning is desired in Livingston, rather than injecting high density into an existing area where residents do not want it, it would be better to look at open tracts that exist around the city and use R-III or Mixed Use zoning there, where neighborhoods are maybe not already developed. That way people that are already invested in medium density residential areas do not have their property values affected by placing high density in the middle of their neighborhoods.

Thank you for your time and consideration of these points. Our personal view would be to zone the parcel as R-II to be compatible with what already exists here.

Sincerely,  
Rich & Cherie Crossland

Sent from [Mail](#) for Windows

**Faith Kinnick**

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**From:** Sharon Nardin <sdnardin@gmail.com>  
**Sent:** Tuesday, April 12, 2022 10:30 AM  
**To:** webmaster; Jim Woodhull  
**Subject:** Correspondence for Zoning Commission Members and Building & Planning Dept. Director

TO WHOM IT MAY CONCERN:

This correspondence is to address the zoning of the school property adjacent to the Northtown Subdivision.

We are highly concerned about the consideration of high density multi-family housing RIII designation for the proposed rezoning. We consider it extremely short-sided and inadequate for the lack of existing infrastructure to support such development on the north side. This comment is addressing emergency services from fire and ambulance and their response time to emergencies that can be impacted by railroad/train, high traffic or weather induced congestion of the existing accesses to the addressed area without a supplemental railroad crossing to the west. This is in reference to the proposal that has been under consideration since the mid to late 1970s. This feasibility study-grant, to the tune of one million dollars, was conducted by the city and the city has chosen not to proceed to provide the resources and infrastructure to support further growth to the northside. The lack of emergency services has been exemplified by the events recently incurred in Denton, Montana and Boulder, Colorado. It is very probable that a house fire in high wind conditions, which are very common in Park County, may evolve into a neighborhood fire by the time elapsed for emergency services to respond. This is a SERIOUS matter that is not to be ignored or be complacent upon the severity of the consequences. By not having adequate infrastructure in place prior to proceeding with any further development or zoning is irresponsible and not representative of the constituents of this city commission. There are locations to the east of town that have recently become available for additional housing of various zoning categories. At the areas of proposed development on the east side of town, the existing emergency services are able to respond in a timely manner without being impacted by the variables previously expressed. If the city is not willing to invest in infrastructure to support growth on the northside of town, this rezoning should not be considered or approved.

Note these concerns were previously addressed when the Northtown Subdivision was being proposed prior to its development and construction. The Commission chose to ignore these concerns. Once again we are having to address these same issues. Furthermore, I am disgruntled by the comments stated in a previous meeting by a Commissioner who remains unmentioned. Once the residents on the northside experience enough frustration and inconvenience to approve and fund an additional railroad crossing on the west side of town, his statement provides insight into the Commissioners position regarding this issue and is not representative to the taxpayers residing on the northside of Livingston, Montana.

Sincerely,  
Mark Nardin  
1024 Prairie Dr.  
Ridgeview Trails subdivision

Jessica Haas  
923 W Summit St,  
Livingston, MT 59047  
04/12/2022

To Livingston City Zoning Board, Commission and Manager,

Hello, I am writing regarding the proposed rezoning of the School District No 4 land on the Northside of Livingston, located on Scenic Trail. The proposal to rezone that 20-acre parcel of land to RIII has many undesirable outcomes if other considerations are not taken before the land is developed.

My number 1 concern with considering the new rezoning is public safety. I am a wildland fire professional, and my career has been dedicated to reducing wildfire risk to communities and infrastructure. The northside of Livingston is what the wildfire community would categorize as a high hazard zone with extreme potential for loss of life and property due to wildfires. Grass fires move extremely fast and can cause extensive damage, especially once they are established in a neighborhood where home to home ignition creates an urban conflagration.

Within the past year we have seen these types of fires destroy many communities. Outside of Lewisville, Colorado the Marshall Fire resulted in 1 person killed, 1,084 homes destroyed. Recently, the Kidd Fire in Texas resulted in 1 person killed, 50 homes destroyed, and closer to our backyards, the Dalton Fire in Montana destroyed 24 homes. All of these fires have one thing in common, they were grassfires fueled by high winds. The northside is primed for such a fire due to its location directly downwind from a railroad track since railroads often throw sparks and ignite wildfires.

The number 1 mitigation strategy for these types of wildfires is evacuation – you must get people out of the way and fast. While homes can be rebuilt, lives lost are permanent. Evacuating the entire northside during a fast-moving grass fire will be extremely difficult, and there will be little room for error given the limited egress options to get people out of that area. Adding an additional 750 units without creating more egress options will increase the hazard for our citizens of the northside and may result in an undesirable outcome should a wildfire ignite.

In addition, the R3 proposed zoning with ~750 new units on the northside will result in a large increased use of the northside community infrastructure, including roads, sewer, water, sidewalks, parks, schools, and emergency medical services. The northside is already lacking in much of this basic infrastructure, such as sidewalks, a fire/EMS department and egress options. These basic infrastructure improvements need to be addressed before the city continues to approve high density rezoning and any more subdivisions on the northside.

The proposal to rezone that 20-acre parcel of land to RIII will not meet the intent of creating affordable housing for their teachers in and of itself. High density does not equate to affordability. This is clearly demonstrated by the neighboring 4-acre RIII parcel also on Scenic Trail. The high-density condos being developed on that 4-acre parcel of land are being sold for \$537,000 each. This results in an average monthly mortgage of \$2460, well out of reach of affordability for Livingston's citizens. According to the federal Housing and Urban Development department, Affordable housing is generally defined as housing on which the occupant is paying no more than 30 percent of gross income for housing costs. According to the Census Bureau, Livingston's median income is \$30,502/year, leaving \$766 a monthly affordable housing cost.

Below I propose a few solutions to address these problems.

**General solutions/considerations for current pace of development on the northside:**

**Infrastructure Requiring attention for all options:** Basic infrastructure improvements including increasing egress options over the railroad tracks, sewer improvements and sidewalks, can and should be paid in part by the developer. Allow developers to create increased congestions on our infrastructure without having to pay for the upgrades before the housing goes in results in lowered quality of life for the citizens of the northside. Pushing all the costs of these improvements on to the homeowners will result in increase unaffordability of our community to the most at-risk populations – fixed income, elders, and lower income earners. ***Sharing the costs of the necessary infrastructure improvements with the developers is a feasible solution, and the improvements should be made before any additional housing is developed in the area.***

**Cumulative Effects of rezoning and annexation:** Recently the City Commission has already approved the annexation and rezoning of multiple parcels on the northside that will increase pressures on the infrastructure, the current proposal will just increase those pressure already in play. Any one parcel turning from rural to medium or high density alone does not tip our infrastructure and community character over a threshold. But when you look at the impacts from all the rezoning and development, you start to see a much different picture where the community character is being lost and our infrastructure will fail the citizens requiring it. ***The City Manager, Commission and Zoning board needs to take a cumulative effects approach to rezoning and subdivision proposal, rather than a parcel-by-parcel approach.***

**Specific solutions/considerations for the school property rezone on the northside:**

Option 1: **Keeping the zoning as school/public space** and swapping the baseball fields at the southside school location to the northside parcel and building teacher housing on the southside. This would create housing that is walkable to the school and the amenities of downtown, while reducing the population pressures on the northside. This would require little additional improvements to northside infrastructure, aside from those already requiring attention.

Option 2: **Residential Commercial Zoning** would allow for grocery stores or small-scale retail and offices that would benefit the northside community and reduce the need for crossing the tracks to get necessities. This option will not result in an increase in population pressures on the northside. This would require little additional improvements to northside infrastructure, aside from those already requiring attention.

**RECOMMENDED Option 3: (Horizontal) Mixed Use** (note this option is not currently a formal designation within the city). Mixed use zoning has been identified by the City of Livingston’s Growth Plan as an appropriate solution to reduce urban sprawl while addressing the increasing need for additional housing and creating equal access to amenities such as grocery stores and small-scale retail. I agree that this 20-acre parcel should be zoned as mixed use with the following restrictions, which may (or may not) result in a new zoning category of **Horizontal mixed use (or residential mixed use):**

**Horizontal mixed use & Height Restrictions** – The current height restriction of **60’** for mixed use zoning will not fit in with the character of the northside and will permanently alter the views of the surrounding citizens. The current MU height restrictions are much more in line with “vertical

mixed use”, which is appropriate for downtown and commercial area infill, rather than “horizontal mixed use” which is more appropriate for residential neighborhoods. I believe for any mixed-use development on the northside (or other primarily residential neighborhoods with a rural characteristic), should consider “horizontal mixed use”, with restriction on building sizes and densities to fall in line with the restrictions of R3 & residential commercial. While the size should be the same as R3 and/or residential commercial, the use of that building and parcel can and should be mixed.

**Land trusts for affordability** – In order to ensure affordability, the school should adopt a land trust. This will limit the price of the housing units built on this property and ensure that those houses remain affordable if being sold in the future. Land trusts can also limit uses, such as Short-term rentals. Short term rentals are driving the cost of housing up while limiting the supply in general to the citizens of Livingston. While I realize the City Zoning commission may not be able to require a land trust to be put in place, this recommendation should be made by the city to the school district, if indeed the intent of developing this parcel of land is to ensure affordable housing for the school district and community as a whole.

Our community is at a crossroads, and we are turning to our leaders, all of you addressed here, to ensure that our growth occurs responsibly. Once these areas are developed, there is no going back. I urge you to learn from mistakes made by our neighboring communities, where too many of the desires of the developers were met, while too few of the desires of the citizens were considered, all under the guise that anything else would be cost prohibitive to the developer. As already mentioned, a large portion of these new developments are being used for short term rentals, creating entire neighborhoods that are essentially hotels. I fear this is what would happen to a high-density residential development of 750 units on the northside. The adjacent northtown development even promotes Livingston on their website as “ONE OF AMERICA’S TOP 5 COOLEST TOWNS TO BUY A VACATION HOME”. This leads to uncontrolled growth with little-to-no alleviation on housing being available to citizens. While it’s tempting to think that building more will solve our housing problems, in reality it often only leads to more problems. We need to use creating solutions, such as charging the developer for infrastructure improvements and creating land trusts to ensure affordable housing. This will force developers to have an interest in the community they are building, rather than being purely profit driven.

The problems facing our city are complex and I will not pretend that the solutions are simple. However, I hope you will consider some of what I have proposed above, and I hope you continue to solicit and truly consider citizens input during these decisions.

Regards,

Jessica Haas, Executive officer of wildfire planning, USDA Forest Service\*

\*These are the views of Jessica Haas as a private citizen of the City of Livingston with the knowledge from a wildfire professional and do not in any way reflect any recommendations of the federal government or USDA Forest Service.



**Faith Kinnick**

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**From:** Jessica Haas <jrhaas81@gmail.com>  
**Sent:** Tuesday, April 12, 2022 11:56 AM  
**To:** jlbaerg@gmail.com; Michal DeChellis; Wendy Weaver; Michael Wojdylak; deborah.monaghan@gmail.com; Faith Kinnick; Michael Kardoes  
**Subject:** Public comment on school district rezone for the northside  
**Attachments:** City of livinstone\_northside growth.docx

Please find attached my public comments on the rezoning proposal for the school district property on the north side of Livingston. For your convenience, I have also included the content within this email.

Jessica Haas Executive officer of wildfire planning, USDA Forest Service and Citizen of Livingston  
923 W Summit St, Livingston, MT 59047  
04/12/2022

To Livingston City Zoning Board, Commission and Manager,

Hello, I am writing regarding the proposed rezoning of the School District No 4 land on the Northside of Livingston, located on Scenic Trail. The proposal to rezone that 20-acre parcel of land to RIII has many undesirable outcomes if other considerations are not taken before the land is developed.

My number 1 concern with considering the new rezoning is public safety. I am a wildland fire professional, and my career has been dedicated to reducing wildfire risk to communities and infrastructure. The northside of Livingston is what the wildfire community would categorize as a high hazard zone with extreme potential for loss of life and property due to wildfires. Grass fires move extremely fast and can cause extensive damage, especially once they are established in a neighborhood where home to home ignition creates an urban conflagration.

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Regards,

Jessica Haas, Executive officer of wildfire planning, USDA Forest Service

**Faith Kinnick**

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**From:** Faith Kinnick  
**Sent:** Tuesday, April 12, 2022 10:06 AM  
**To:** Jim Baerg ; 'Michal DeChellis'; deborah.monaghan (deborah.monaghan@gmail.com); Wendy Weaver; Michael Wojdylak  
**Cc:** Jim Woodhull; Michael Kardoes  
**Subject:** FW: Correspondence for Zoning Commission members  
**Attachments:** Correspondance for Zoning Commission meeting; Form submission from: Contact Us; North side; Correspondence for Zoning Commission members; Correspondence for Zoning Commission members; Correspondence for Zoning Commission Members

Good morning,

I have received seven more emails regarding the zoning of the School district. I have attached here. Let me know if these attachments don't go through, or you have difficulty opening.

Sincerely,

Faith

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**From:** Seifert, John [mailto:john.seifert@montana.edu]  
**Sent:** Monday, April 11, 2022 3:31 PM  
**To:** webmaster <webmaster@livingstonmontana.org>  
**Subject:** Correspondence for Zoning Commission members

Dear Zoning Commission members,

I'm writing with concerns about the zoning of the school district property as R3. As a resident in Ridgeview Trail subdivision and president of the HOA, I would like to see several issues addressed at the meeting.

Any time there is a housing development in Livingston, the topic of traffic flow seems to come up. Rightfully so due to poor planning and/or poor foresight of the past decisions. I'm sure it did for our subdivision, North Town, Discovery Vista, etc. Each time, the city has kicked the can down the road. These issues are: 1. Only one railroad crossing for the whole northwest part of the city, 2. Heavy traffic flow through residential areas which leads to traffic backups as well as safety concerns, and 3. There are no 'major' arteries to move traffic from the northwest to 5th Street except for Front Street. I know there are no current plans for the development, but a letter sent out by the school district superintendent to faculty and staff gives some clues as to the 'future plan' of that area. It is not the issue of residents to worry about whether faculty and staff can buy a house or live in town.

Designating this property as R3 only exacerbates the aforementioned problems. You know as well as I do that potentially adding upwards of hundreds of units, through R3 zoning, will create nothing but massive traffic and safety problems not only in our subdivision, but on Summit, 7th Street, 11-13th Streets, Montana Street, Gallatin Street, etc. I'm sure you see the problem here. That begs the question, how would street infrastructure be improved to accommodate the increased traffic load if high density housing went in?

Lastly, why not designate this land as R1? Is R2 out of the question? I truly feel that an R3 designation is unwarranted.

I hope that the Zoning Board and Planning Board can look at the long term implications of decisions when a recommendation is made.

Sincerely,  
John Seifert

Sent from [Mail](#) for Windows

**Faith Kinnick**

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**From:** Seifert, John <john.seifert@montana.edu>  
**Sent:** Monday, April 11, 2022 3:31 PM  
**To:** webmaster  
**Subject:** Correspondence for Zoning Commission members

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I hope that the Zoning Board and Planning Board can look at the long term implications of decisions when a recommendation is made.

Sincerely,  
John Seifert

Sent from [Mail](#) for Windows

**Faith Kinnick**

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**From:** Axel van Liempt <axelerater@yahoo.com>  
**Sent:** Monday, April 11, 2022 3:32 PM  
**To:** webmaster  
**Subject:** Correspondance for Zoning Commission meeting

Good day,

I learnt about the intended change from RII to RIII for a part of Northtown district of Livingston and I am opposed to this change. I am the owner of 1118 Sweetgrass Lane, Livingston MT 59047, and have bought my home for my upcoming retirement. I currently live in Los Angeles, and see first hand the conflict that can appear when having mixed housing zones, and therefore am vehemently opposed to the idea.

I think having apartment buildings within these so nicely developed areas would destroy the cohesiveness and familiar feel of the currant RII designated area.

Thank you for your support,  
Axel van Liempt

**Faith Kinnick**

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**From:** LARRY D HILDEBRANDT Owner <lhide@q.com>  
**Sent:** Monday, April 11, 2022 4:13 PM  
**To:** webmaster  
**Subject:** correspondence for zoning commission members

In regarding the zoning of the school property, I am against zoning the property to R3. There is nothing in our area with a R3 zone. It would look out of place and could hurt the value of our homes. I would be ok with a R2. Larry Hildebrandt, 1220 Wildflower Trail 222-1872



**Faith Kinnick**

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**From:** Tim Price <Tim.Price@isaiahindustries.com>  
**Sent:** Monday, April 11, 2022 7:54 PM  
**To:** webmaster  
**Subject:** Correspondence for Zoning Commission members

Dear Zoning Commission,

I am writing to express my concern with the school section located near the soccer fields, Northtown, and the Ridgeview Trails Subdivisions. In 2017 the small section that Northtown owned had tried on two separate occasions to be re-zoned into R3 to allow for building of apartments. This was not approved at that time for numerous reasons. One of the larger concerns at that time was lack of infrastructure, good traffic flow, and the need for an additional crossing over the tracks. What if anything has changed since 2017 to allow for as many as 747 apartments to be put into that area? Nothing from what I have seen has been done to alleviate traffic and other infrastructure needs for the growth on this side of town. Just considering that each one of those apartments has 1 car let alone 2. That could be nearly 1500 additional cars needing to cross the tracks in the morning.

We already have several areas in our community that are zoned as R3. There is R3 near the hospital, on the other side of the river, and near PFL. Each of these areas if developed could be great areas for higher density residential. There is already significant single family residential and multi family duplexes being built on this side of town. With it has come increased traffic and demands on the infrastructure on this side of town. Why don't we consider developing some of the already existing areas zoned as R3? It seems very short sighted to rezone this school section as R3. Why not use the school section to help support further school development in town. With a growing community and population, we are going to have increased need for additional schools and school sports complexes.

Thank you for taking the time to read and consider my notes. I trust that you will make the right decision and recommendations based on what is best for our entire community.

Tim and Andrea Price  
1217 Wildflower Trail  
Livingston, MT 59047  
406-224-3556

**Faith Kinnick**

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**From:** Christopher Atkinson <cb\_atkinson@hotmail.com>  
**Sent:** Monday, April 11, 2022 9:30 PM  
**To:** webmaster; Jim Woodhull; Planning  
**Subject:** Correspondence for Zoning Commission members

**Livingston Building and Planning Department and Zoning Commission,**

I am writing with regard to the proposed zoning designation of the school property near the Ridgeview Trail Subdivision from RII to RIII. This should be very carefully considered to keeping it at an RII designation and not higher, as the proposal would allow for the potential of a huge safety hazard out here (to state my largest concern). I live at 1120 Ridgeview trail and think that those of us living within a mile of the proposed designation should be given ample weight to any decision which will most certainly affect all of us in North Livingston.

In 2005, I moved to Livingston from Bozeman. Bozeman was getting way to big for this Alaskan kid who moved to Montana fresh out of high school to explore more of our great nation and enjoy the Big Sky and all of its outdoor wilderness. Saving every penny I could, I started looking for a house in 2003 to finally be a homeowner and not be throwing more money at landlords who did not seem to care about price gouging or peoples' needs and expectations of a rental's upkeep. Realizing that I could not really afford to buy a place suitable for starting and raising a family in Bozeman, I looked over the hill to the sweet hills of Livingston. The pricing was way better, and it got me closer to Yellowstone National Park, where I have continued to work since 1997.

My first house was on N. 11th street. It was a great starter home -- quiet and perfect for newlyweds. My wife and I knew it was a starter home, and as such, we kept saving as much as we could and putting as much equity into our house as we could. My wife is a 5<sup>th</sup> generation Montanan and MSU Bobcat from the Highline (Chester to be exact). Livingston quickly became the place we could call HOME. After our first child, we knew we needed to look for something larger, if we were going to have our dream family with a second child. In 2012 we found a lot up at Ridgeview Trail and designed a house to be built. We seriously put everything we had into the new place, and we have always loved it up here (9 years now). We had the upstairs built by a contractor and left the walk-out basement unfinished to complete on our own as time went on. After only a little over a year of being there, we completed the basement, as baby number 2 was on the way.

The last 5 years have seen a dramatic increase in more housing, more people, and more traffic jams early in the morning and later in the evenings. I am honestly most concerned with there not being another egress on this end of town. It is a huge safety concern. A fire could be deadly -- it was not that many years ago that we were getting things loaded into our vehicles and getting ready to head out of town, as a fire started creeping our way (yes, at this very house in the Ridgeview Trails Subdivision). If a train wreck were to happen and was across the tracks at 5<sup>th</sup> and happened to spill off the rails at the underpass, that would really pose a huge threat to life, as well. Train wrecks are not always a clean derailment -- many times they involve flames -- and with the persistent wind here, many would be trapped (probably most in their cars trying to get to the other end of town, but bottlenecked with too many others).

I know there are some out there who are saying that the RIII designation is not much different than the RII, but as I stated online in March ( when the first of these meeting was postponed until now), simple math would show a few hundred more vehicles if zoning to RIII. Most households in Montana have at least 1 vehicle (but I'd venture to guess it is much closer to 2 or 3). In a few more years, my boys will be old enough to drive, and we will have 4 vehicles moving back and forth in and out of town -- there are many other young families on the North side of the tracks similar to mine. I forget exactly how the numbers were shared at the initial

meeting on this, but somewhere around the arena of 450 more units/homes for RII and 750 more units/homes for RIII -- right around 300 more vehicles -- not twice as many, but close -- and that is if they each only have a single vehicle at each unit (highly unlikely). **The egress situation has got to be resolved soon -- regardless of the action here...** There are mornings where even a dozen more vehicles would be a big difference in the morning. Sometimes, dropping off my children at school can take close to 1/2 hour just to go one way -- that is ridiculous in this small town. And what a bummer it would be if an emergency vehicle was trying to get one direction or another, either trying to get to a residence to help someone or en route to the hospital when there is an extreme amount of traffic stalling precious, life-saving time.

Long story a little short, is that there is no way anyone should consider a zoning that has the potential of more (much more) traffic than the original designation of RII that many of us looked at when we started our lives over here on this side of the tracks. I could go on about many other things like home values decreasing, sewer upgrades, more light pollution, and the like, but I really just want the safety/egress reality to be focused on here. We need to do something soon, before it is out of hand -- and that goes for either designation -- certainly before any more construction. Truly, **NO ONE SHOULD BE FOCUSED ON AN RIII DESIGNATION BEFORE FOCUSING ON THE SAFETY FOR THOSE WHO ARE ALREADY LIVING OVER HERE!** Adding more bodies, houses, and vehicles seems ludicrous -- it kind of reminds me of all the crushings in stadiums or concert venues that could have been avoided with clear limits and multiple egress points -- and, of course, good communication with all parties involved...

**PLEASE CONSIDER KEEPING THE SCHOOL PROPERTY AT AN RII ZONING DESIGNATION.**

Thank you very much for your time and consideration with this important decision.

Sincerely,  
**Christopher Atkinson**

**Faith Kinnick**

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**From:** Hillary Hanson <Hillary.Hanson@ourbank.com>  
**Sent:** Tuesday, April 12, 2022 9:42 AM  
**To:** webmaster; Jim Woodhull; Planning  
**Subject:** Correspondence for Zoning Commission Members

Good morning Zoning Commission, Jim Woodhull, and the Building and Planning Department,

I am writing this email to express my concerns about the proposed zoning change to R3 for the school district property adjacent to the Ridgeview subdivision.

A little background on myself, I purchased my first house last fall in the Ridgeview subdivision, and have to say, being a single woman with no gift funds or assistance from anyone or any program, this was a challenging accomplishment to achieve on my own that I am going to protect. I am incredibly proud of this as I know it has been a culmination of my hard work over many years, from building my credit and maintaining that to saving the funds for my down payment. I worked so incredibly hard to accomplish every piece of my home purchase and want to protect that at all costs.

I work in real estate and understand the need for housing, however I feel there are better locations for the high density, multi family housing that is being proposed with the R3 zoning of the school’s property. Below I listed a few bullet points summarizing my concerns. I hope you would take the time and consider my thoughts on the subject matter.

- Firstly, I want to express concerns on the amount of traffic this proposed housing development will bring. Livingston already has issues moving traffic across the train tracks with only one undertrack crossing and the other having to cross 3 tracks. This additional traffic will cause significant issues with those crossings and frankly more safety issues for the citizens of our community. I feel this needs serious consideration before any decisions are made and frankly, I believe if this zoning change were to be approved, there needs to be additional track crossings in place prior to approval, to account for this influx of traffic. If this zoning was to pass, the city needs to be in a proactive position to accommodate that amount of traffic in an already congested area.
- I have concerns that the high density housing will have a negative impact on the safety of my community. I purchased my home in the Ridgeview subdivision as I felt like it would be a safe place for me to grow my roots. Being a single woman, this is unfortunately an aspect of concern when purchasing a home, and I worry my sense of peace in my home will be affected with the amount of people that will be housed in the proposed developments.
- For entirely selfish reasons, I anticipate and expect this zoning change will negatively affect the value of my property that I have worked so hard to obtain and I have major concerns over that matter. Again, working in real estate I know how detrimental something like this can be to a homes value. As I am sure all of you can agree, your home is an investment and none of you want the equity in your home to diminish because of zoning changes. I would like to propose the question to everyone pushing for these changes, would your thoughts differ if a development would affect your investment? I cant imagine anyone would be willing to give up 10’s of thousands of dollars of their personal equity to have a development come in and be significantly detrimental to their community and their personal investment.
- I feel this housing development will simply result in an influx of individuals who work in Bozeman and commute from Livingston. While I do have to agree this may bring additional funds into our community, I cannot imagine it would be enough to outweigh the influx of costs to house these individuals. You know those people will buy lunch in Bozeman, hit the grocery stores in Bozeman, fill up their gas tanks in Bozeman, meet coworkers after work for drinks in Bozeman, therefore all those funds that are anticipated to come in will still remain in Bozeman.

- I worry my property taxes and my neighbors property taxes will increase to maintain the city we love with the influx of these individuals. The additional traffic will result in more road maintenance, unfortunately I worry this housing development would result in more crime with emergency responses required, and I suspect the majority of these units would be rentals therefore all of those people would not be paying property taxes. The developers and owners of the high density units in the development would be the only ones who profit.

I cannot see any positives this development would bring to our community. Please take the time to consider my above thoughts and think about the individuals in our community who would be negatively impacted if this zoning change were to be approved.

Please do not hesitate to contact me with any questions on my above concerns or to discuss anything further.

Best regards,

Hillary Hanson

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**Faith Kinnick**

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**From:** Cynthia Westover <cynthia.westover@yahoo.com>  
**Sent:** Tuesday, April 5, 2022 6:42 PM  
**To:** webmaster  
**Subject:** Correspondence for Zoning Commission Members

Dear Zoning Commission Members,  
I'm writing to urge you to reject the School District's request for RIII zoning of the Scenic Trail parcel. Several years ago the Northtown developer requested rezoning of the adjacent 5 acre parcel to RIII. It was unanimously rejected. If RIII zoning wasn't right for the 5 acre parcel at that time, it's still not right, especially for a parcel 4 times the size. Nothing has changed from then until now, except for the dozens and dozens of new homes that have been constructed in Ridgeview Trails, Northtown, and Discovery Vista subdivisions. Not to mention the 20 single family homes now under construction in the 5 acre parcel originally in question. With the exception of the soccer fields, the school property is completely surrounded by RII. If it must be zoned at this time, RII is the best fit. You will undoubtedly hear "Livingston needs affordable housing" as a reason for zoning RIII. Rents and real estate prices are market-driven, as long as demand is high so will be costs. There's no guarantee that zoning this parcel RIII will ease the affordable housing issue or result in below-market rents to teachers, seniors etc. I would also urge you to reject Mixed Use, if it's proposed. As one neighbor put it, "If I wanted to live next to a bakery or coffee shop, I would have bought a home in town." I heartily agree. I appreciate your attention to my request and your service to the Zoning Commission.  
Respectfully,  
Cynthia Westover  
1105 Prairie Drive

**Faith Kinnick**

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**From:** Michael Kardoes  
**Sent:** Monday, April 4, 2022 1:54 PM  
**To:** Faith Kinnick  
**Subject:** FW: April zoning commission meeting

Please provide to the Zoning Commission

Michael Kardoes  
City Manager  
Livingston, MT 59047  
P: 823-6000  
[citymanager@livingstonmontana.org](mailto:citymanager@livingstonmontana.org)



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**From:** Ann Hallowell [mailto:ann@hallowellco.com]  
**Sent:** Monday, April 4, 2022 1:51 PM  
**To:** Building <building@livingstonmontana.org>  
**Cc:** Michael Kardoes <mkardoes@livingstonmontana.org>  
**Subject:** April zoning commission meeting

Dear City Building Department,

Would you be so kind as to forward this email to the members of the City Zoning Commission. I see no facility on the city website for contacting them and do not have zoom to take part in their virtual meetings. This comment is directed to the new zoning of the school property on the north side that was discussed and put aside at their March meeting until the April meeting.

Thank you for your assistance.

Ann Hallowell

Dear City Zoning Commission members,

I watched the video of your March meeting with particular interest in the re-zoning of the school property on the north-side next to the armory.

When discussing the volume of traffic at the Rail crossing the city manager dropped the names of what I assumed were 2 or 3 other subdivisions on the north-side being built. (The video was not clear.)

Regardless of what he intended by that comment it brought to my mind that when you review the possible 747 new dwellings with an R3 designation (possibly 1500 more cars at the crossing) you can not do that in isolation and must add the unbuilt but approved subdivision lots and dwellings with that number on the north-side.

Actually, you would need to add the unbuilt dwellings on approved lots in the surrounding county which also require the rail crossings for access to fire and ambulance to get the full picture of the incredible congestion at the rail crossing.

The primary criteria for planning, building and zoning in Montana is health and safety of the public. As someone that lives on the north-side and waits endlessly at the tracks I can tell you the city has already built way beyond the health and safety measure. If anyone has a heart attack, falls off the roof doing a repair, get kicked in the head at a soccer game, they have scant chance of help and survival if the train is at the crossing and the underpass is full of water. Things we all know happen frequently. A grass or house fire with our winds would tear through compact north-side housing in short order. We must not let such a tragedy happen.

Realistically there should be a moratorium on new residential building on the north-side until more crossings are available.

The city needs to take care of the families that already live there. The city needs to put a satellite firehouse and AMT on the north-side.

Thank you for your consideration.

Ann Hallowell, Fleshman Creek Road, 4-4-2022



**Faith Kinnick**

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**From:** JonEllen Snyder <jonellen.snyder@gmail.com>  
**Sent:** Monday, April 4, 2022 6:08 PM  
**To:** webmaster; Jim Woodhull; Planning  
**Subject:** Zoning Commission - Scenic Drive School District

Greetings,

I am writing to urge you to change the zoning of the Scenic Drive School District Property to R-III or Mixed Use Zoning. As a Realtor, I am dealing first hand with the housing crisis in Livingston. I live on the North Side so I will be directly affected by increased traffic, and all the other "problems" that come with housing more people if this zoning change is approved. That's fine with me. We NEED more housing.

Single family homes are being sold for over \$700,000. This is out of reach for people who work. Where are we going to house car mechanics, restaurant servers, teachers, nurses, entry level white-collar and blue collar workers, grocery store clerks, etc. etc. etc? If these people (our neighbors!) can't find housing then the NIMBYs won't have to worry about zoning changes because all of these people will be gone! No housing options for workers = no businesses.

One of my clients just moved away from Livingston because he couldn't find employees and, in his opinion, the lack of workers is only going to get worse if housing solutions aren't created ASAP.

Due to Livingston's natural boundaries -- National Forest, the Yellowstone River, large swaths of private property -- the available ground for new high-density developments anywhere in Park County is slim to none.

I hope you will have the fortitude to stand up to the opposition and do what's best for the workers of our community, and for the long term health of our small businesses who need employees to survive. Please approve the zoning change.

Sincerely,

Jon Ellen Snyder  
529 N 5th Street  
Livingston, MT 59047

**Faith Kinnick**

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**From:** Mary Strickroth <mjstrickroth@gmail.com>  
**Sent:** Monday, April 4, 2022 3:31 PM  
**To:** webmaster  
**Subject:** Correspondence for Zoning Commission Members

To the Members of the Zoning Commission:

I own and occupy a single-family residence at 1112 Prairie Drive in the NorthTown HOA. Once again, I would like to urge the Zoning Commission to deny the School District’s request to designate R-III zoning for the 20-acre Scenic Drive property. I also oppose Mixed Use zoning on this parcel. My reasons follow.

With only a couple minor exceptions, all lands surrounding this parcel are zoned R-II. As a member of the NorthTown HOA, I purchased my home with the understanding that adjacent properties were all zoned Public or R-II. **R-III zoning would create undesirable traffic congestion for Northside residents and for all Livingston residents** who wish to access the soccer fields, the armory, the cemetery, public trails, the Yellowstone Gateway Museum, some church and nonprofit facilities, and their family and friends.

As stated in my email to the Zoning Commission last month, the 5th and 2nd St railroad crossings are inadequate and already cause significant congestion. The 5th Street crossing, in particular, has the potential to create serious and harmful delays for public health, medical, and safety emergency response to **40% of Livingston residents that reside on the North side of the tracks.**

Delays of ambulance or fire department response can have devastating impacts for individual residents in our neighborhood. If the railroad had a significant accident that required emergency evacuation, the 5th Street and 2nd Street crossings are insufficient to handle such a situation.

I believe we should actually have a moratorium on any future construction until such time as another railroad crossing can be designed, funded and implemented. This is a known problem that the City has ignored for 45 years. It is unreasonable, and perhaps indefensible, to continue to allow more Northside development, especially with the density that R-III or Mixed Use zoning would promote. The City needs to consider the potential liability it could incur under such approvals given the bottlenecks and lack of egress that Northside residents endure.

**I urge the Zoning Commission to recommend only R-II zoning to the City Commission and to deny R-III or Mixed Use zoning for the School District property located on Scenic Drive.**

Thank you for your consideration.

Mary Strickroth  
1112 Prairie Drive  
[mjstrickroth@gmail.com](mailto:mjstrickroth@gmail.com)

**Faith Kinnick**

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**From:** Michael Kardoes  
**Sent:** Thursday, March 10, 2022 11:57 AM ✓  
**To:** Faith Kinnick  
**Subject:** FW: Comment on Zone Amendment Request

More for the record

Michael Kardoes  
City Manager  
Livingston, MT 59047  
P: 823-6000  
[citymanager@livingstonmontana.org](mailto:citymanager@livingstonmontana.org)



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**From:** Benjamin, Pamela [mailto:pamela.benjamin1@montana.edu]  
**Sent:** Monday, March 7, 2022 3:04 PM  
**To:** City Commission <citycommission@livingstonmontana.org>; Michael Kardoes <mkardoes@livingstonmontana.org>; Mathieu Menard <mmenard@livingstonmontana.org>  
**Subject:** Comment on Zone Amendment Request

Dear Commissioners,

The purpose of this email is to ask you to reject the proposed R3 zoning designation for the school district's property on Scenic Drive.

I do understand the need for affordable housing in Livingston and do not wish to be a NIMBY person. I also would be happy to see the Livingston School District add to their coffer. Nevertheless, there are problems with this proposal about which I'm sure you are aware:

- The surrounding land is R2 and an insertion of high density housing could damage the property value of all of those who live nearby. No small thing when your home represents your biggest financial investment.
- There is no way the current road infrastructure could handle this great influx of people. No alternative ways to cross the tracks means a traffic nightmare for all residents on this growing side of town.
- The Scenic Drive property was granted to the school district with the understanding that it would be used for institutional construction not housing.

All of the above should give you pause in considering the school district's request. However, my main concern is the incredible traffic mess this will create. The commission should not even consider this proposal – or even a R2 zoning - without first determining a plan for traffic.

Thank you for considering.

Sincerely,  
Pamela Benjamin

Pamela Benjamin (she/her)  
Treasure State Academic Information & Library Services  
Montana State University Library  
P.O. Box 173320  
Bozeman, MT 59717-3320  
406.994.4432  
[pamela.benjamin1@montana.edu](mailto:pamela.benjamin1@montana.edu)  
<http://trailsmt.org>



If you want to go fast, go alone; if you want to go far, go together.  
*Exact origin unknown*

**Faith Kinnick**

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**From:** Michael Kardoes  
**Sent:** Thursday, March 10, 2022 12:32 PM  
**To:** Faith Kinnick  
**Subject:** FW: School District Request for Rezone of School Property

I just keep finding them.

Michael Kardoes  
City Manager  
Livingston, MT 59047  
P: 823-6000  
citymanager@livingstonmontana.org

-----Original Message-----

From: Bob Jurvakainen [mailto:bobjurvo@yahoo.com]  
Sent: Wednesday, March 2, 2022 10:37 AM  
To: Michael Kardoes <mkardoes@livingstonmontana.org>  
Subject: School District Request for Rezone of School Property

It has come to my attention that the school district is requesting an RIII designation for their property on the Northside across the RR tracks. I am definitely against this with the argument that until the RR crossing over/under pass problem has some resolution new building permitting should be on hold. I do realize the need. But I see by the zoning maps there is a large piece bordering the river and I 90 that is RIII. Perhaps some energy could be put into this tract.

With this many new houses in the near future there will be some serious considerations about our children in schools. It is my opinion that the School District should hold onto this land for future use.

Sincerely,

Bob Jurvakainen

Sent from my iPad

**Faith Kinnick**

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**From:** Michael Kardoos  
**Sent:** Thursday, March 10, 2022 12:25 PM  
**To:** Faith Kinnick  
**Subject:** FW: New RIII Zoning on the North Side

Did you have this one?

Michael Kardoos  
City Manager  
Livingston, MT 59047  
P: 823-6000  
[citymanager@livingstonmontana.org](mailto:citymanager@livingstonmontana.org)



**From:** Nancy Jurvakainen [mailto:nancykarenj@yahoo.com]  
**Sent:** Friday, March 4, 2022 7:54 AM  
**To:** Michael Kardoos <mkardoos@livingstonmontana.org>  
**Subject:** New RIII Zoning on the North Side

I recently received a registered letter concerning a request from the School District to ask to rezone a 20-acre property on the Northside to RIII that is owned by them.

The corner of Scenic View and Bitterroot Trail (five acres) was twice denied a zoning change to RIII in the past five years by the city commission. The same reasons against an RIII zoning change still stand today for the current request except the area population has increased.

The RR crossing build is again on hold. Our elected city officials put much good energy into getting a plan together (over/under) and funding to achieve this goal. Sadly, for various reasons, this did not happen. We have the same number of crossings with stresses on them with more traffic to the Northside than ever before. I cringe to think of what a possible up to 747 additional units that could/would be built could do to our already overtaxed crossings to the Northside. If a maximum build was allowed this could possible be an added up to 2,000 people and each unit up to 2 cars. As I said early on in this correspondence there are the same reasons now as in the past five years to not allow additional RIII on the Northside.

I certainly understand the need for more affordable housing but I truly believe that what is built and sold is what the markets will bear. For example the units behind Albertson's started at \$260k two years ago and asking prices are now on up toward #350k range which even at this price are hardly affordable for those who work in the service industries. And I am unsure how new apartments and condos can be guaranteed for those who teach and work with our children. RIII should not be zoned without a plan in place of what the area could/would look like and the ramifications for the traffic flow, neighborhoods and the population of our town thoroughly analyzed. To me the reasons put forth for the rezone to RIII were vague.

I do not know how the School District acquired this property but it is apparent that its designation was intended to be for a school or for school use at some point as our community grows. It is my belief that this property should be used or held for present or future school related needs. One idea would be to move the baseball fields to this piece and as the schools' needs for space grow, classrooms and more could be added closer to where our schools presently exist.

I do know that a zoning designation needs to happen. What I object to is the property perhaps being sold when in the future land may again need to be purchased for school needs at exorbitant costs to the tax payers.

Although change is inevitable I believe the zoning and development of this piece should be thoughtfully evaluated to provide the maximum benefit for students and the whole community. I do believe an RIII zoning change would be detrimental as our current situations prevail.

Please vote NO for RIII zoning for this property. I believe it would be a huge mistake for our whole community for the reasons stated above.

Thank you for your time.

Nancy Jurvakainen  
1109 Prairie Drive  
Livingston, Montana  
360-431-9939

**Faith Kinnick**

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**From:** Lee Stroncek <stroncek2@aol.com>  
**Sent:** Tuesday, March 8, 2022 10:31 AM ✓  
**To:** Michael Kardoes  
**Subject:** School land zoning

Mr, Kardoes,

I have a correction for my recent email: I meant to say a new railroad crossing is needed WEST of the current crossings, not east. Sorry for my mistake!

Lee Stroncek



**Faith Kinnick**

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**From:** Lee Stroncek <stroncek2@aol.com>  
**Sent:** Tuesday, March 8, 2022 10:17 AM ✓  
**To:** Michael Kardoes; Mathieu Menard; City Commission  
**Subject:** Fw: 2nd email attempt re School land zoning

----- Forwarded Message -----

**From:** Lee Stroncek <stroncek2@aol.com>  
**To:** mkardoes@livingstonmontana.org <mkardoes@livingstonmontana.org>; mmenard@livingstonmontana.org <mmenard@livingstonmontana.org>; citycommission@livingstonmontana.org <citycommission@livingstonmontana.org>  
**Sent:** Tuesday, March 8, 2022, 10:09:14 AM MST  
**Subject:** School land zoning

Dear Mr. Kardoes,

My name is Mr. Lee Stroncek, residing at 1208 Parkview Trail, Livingston. I see no need to change the current zoning designation on the twenty acres of OPEN land adjacent to Scenic Drive (Trail). There is enough new housing available in the new "Northtown" mess already. By the way, we've really enjoyed the noise, dust, invasive weeds, truck traffic, windblown construction debris (that I have personally collected much of from the roadside) that has resulted from that "development" in the past several years. The crux of the situation is this: until an additional railroad crossing is placed to the east, no new major "development" should be approved on this north side of the city. Maybe we should put the brakes on our rush to be a bedroom community for Bozeman. The extra tax revenues from new housing will never pay for all the new services and infrastructure needed from such new development. You're always playing "catch-up". Are there developers pushing for this zoning and who are they?

Sincerely,  
Lee Stroncek

**Faith Kinnick**

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**From:** Lee Stroncek <stroncek2@aol.com>  
**Sent:** Tuesday, March 8, 2022 10:09 AM ✓  
**To:** Michael Kardoos; Mathieu Menard; City Commission  
**Subject:** School land zoning

Dear Mr. Kardoos,

My name is Mr. Lee Stroncek, residing at 1208 Parkview Trail, Livingston. I see no need to change the current zoning designation on the twenty acres of OPEN land adjacent to Scenic Drive (Trail). There is enough new housing available in the new "Northtown" mess already. By the way, we've really enjoyed the noise, dust, invasive weeds, truck traffic, windblown construction debris (that I have personally collected much of from the roadside) that has resulted from that "development" in the past several years. The crux of the situation is this: until an additional railroad crossing is placed to the east, no new major "development" should be approved on this north side of the city. Maybe we should put the brakes on our rush to be a bedroom community for Bozeman. The extra tax revenues from new housing will never pay for all the new services and infrastructure needed from such new development. You're always playing "catch-up". Are there developers pushing for this zoning cn

Sincerely,

**Faith Kinnick**

---

**From:** Faith Kinnick  
**Sent:** Monday, March 7, 2022 10:07 AM  
**To:** 'Jim Baerg'; Jim Woodhull  
**Cc:** Michael Kardoes  
**Subject:** RE: Zoning meeting Tuesday

Good morning,

Mike intends to start the meeting and be available to speak on your agenda items. Mathieu briefed him prior to his departure.

Faith

**From:** Jim Baerg [mailto:jlbaerg@gmail.com]  
**Sent:** Monday, March 7, 2022 10:02 AM  
**To:** Faith Kinnick <fkinnick@livingstonmontana.org>; Jim Woodhull <jwoodhull@livingstonmontana.org>  
**Subject:** Zoning meeting Tuesday

Hi Faith, Jim,

With Mathieu gone, I'm wondering about City of Livingston support for our meeting tomorrow afternoon. Typically, Mathieu would make a semi- formal presentation explaining the Staff Report for each proposed Zone Map Amendment and then be available to answer technical questions regarding process and the Zoning Code. In addition, he would host the Zoom meeting.

Given that we have a very full agenda, and a couple of the agenda items will probably have input from the public, we will need to expedite the process and make sure the correct protocol is followed.

Jim, you seem like the obvious person to help us. Have you been tasked with that duty?

Thanks, Jim Baerg

--

*Jim Baerg*

Montana Energy+Design  
223 S. 5th St.  
Livingston, MT 59047  
406-220-1498  
[jlbaerg@gmail.com](mailto:jlbaerg@gmail.com)  
[www.mte-d.com](http://www.mte-d.com)

**Faith Kinnick**

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**From:** Michael Kardoes  
**Sent:** Tuesday, March 8, 2022 4:43 PM  
**To:** Faith Kinnick  
**Subject:** FW: zoning of school district property

Please add to public comment.

Michael Kardoes  
City Manager  
Livingston, MT 59047  
P: 823-6000  
[citymanager@livingstonmontana.org](mailto:citymanager@livingstonmontana.org)



**From:** Seifert, John [mailto:john.seifert@montana.edu]  
**Sent:** Tuesday, March 8, 2022 4:34 PM  
**To:** Mathieu Menard <[mmenard@livingstonmontana.org](mailto:mmenard@livingstonmontana.org)>; Michael Kardoes <[mkardoes@livingstonmontana.org](mailto:mkardoes@livingstonmontana.org)>; Planning <[planning@livingstonmontana.org](mailto:planning@livingstonmontana.org)>; Michael Kardoes <[mkardoes@livingstonmontana.org](mailto:mkardoes@livingstonmontana.org)>  
**Subject:** zoning of school district property

Dear Mr. Kardoes and Mr. Menard,

I'm writing to you with concerns about the possible zoning of the school district property as R3. As a resident of Ridgeview Trail subdivision and president of the HOA, I would like to see several issues addressed before designating this property as R3, as suggested by the school district.

I know there are no current plans for the development, but a letter sent out by the school district superintendent to faculty and staff gives some clues as to the 'future plan' of that area. It is also not the issue of resident to worry about whether faculty and staff can afford to buy a house, that's on the school district to pay worthwhile salaries. Any time there is a housing development in Livingston, the topic of traffic flow comes up, rightfully so due to poor planning and/or poor foresight of the past. I'm sure it did for our subdivision, Northern Lights, North Town, Discovery Vista, etc. Each time, the city has kicked the can down the road. Those issues are: 1. Only one railroad crossing for the whole northwest part of the city, 2. Heavy traffic flow through residential areas which leads to backups as well as safety issues (I seriously doubt property owners or the city will pay for sidewalks to be poured throughout the north side), and 3. There are no 'major' arteries to move traffic from the northwest to 5th Street except for Front Street.

Designating this property as R3 only exacerbates these problems. You know as well as I do that adding upwards of hundreds of units will create nothing but massive traffic and safety problems for the whole north side, not only in our area, but on Summit, 7th Street, 11-13th Streets, Montana Street, Gallatin Street, etc. I'm sure you see the problem here.

Lastly, why not designate this land as R1? Is R2 out of the question? Smaller homes can be built so 'teachers and staff' can afford them. I truly feel that an R3 designation is unwarranted.

I hope that the Planning Board can look at the long term when the recommendation is made to the City Commissioners.

Sincerely,  
John Seifert

Sent from [Mail](#) for Windows

Brooks Scott  
1104 Sweetgrass Ln  
Livingston, MT 59047

City of Livingston  
Zoning Commission  
220 E Park St  
Livingston, MT 59047

RECEIVED  
Mar. 2nd 22

February 25, 2022

Dear Commissioners:

Thank you for supplying notice and the opportunity to comment on the proposed zoning change to the lot owned by the School District on Scenic Trail (Lot 1 of Subdivision 183, in Section 14, Township Two South, Range Nine East).

We bought a home in the Northtown Livingston development last year and are directly across the street from the lot that is under question. We moved to Livingston because we love the town and all its amenities, and we really did not want to live in the hustle and bustle of Bozeman where we were renting.

It is readily apparent that both Livingston and Bozeman are suffering from an acute lack of available and affordable housing, and that there are no easy answers to solving the issue. Livingston has seemed to be addressing this as smartly as possible, recognizing the need to preserve the town's charm while understanding that development will happen and is necessary for growth.

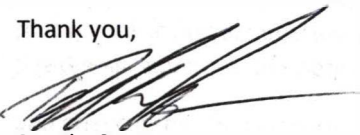
And while I love that I can walk out my door and be able to walk my dog across the street and through the meadow to the trail that connects to the soccer fields and down to Fleshman Creek, I understand that it's a prime location for development.

Virtually all of the existing development up in our part of town is single family. So I am not sure it makes sense to introduce the higher density that R-III allows. The Fjell project is already doing a "concentrated" approach to land use by putting 20 single family units onto a small plot directly to the east of this. One of the things that attracted us to Northtown was the availability of open space, with the development mostly recognizing the natural contours of the landscape and building appropriately. To me, adding a high-density project across Scenic Trail is incongruous with the existing Northtown plan.

My other concern is that we have yet to see what the plan is to deal with traffic as Northtown and the rest of the north side develops. Scenic Trail, Ninth St and Summit Ave are all experiencing a large increase in traffic flow, and I have not seen any plans to alleviate this. Adding a high-density development is only going to exacerbate the issue.

I'll be clear and say that I am opposed to the re-zoning for the above reasons. That said, should the zoning plan move forward, I would ask that the commission work to hold the developer of the property to high quality and design standards, with quality landscaping and an overall respect for the surrounding area and an understanding that any future development should enhance property values in the area, not detract from them.

Thank you,



Brooks Scott

Livingston Finance  
Livingston Finance  
MAR 04 2022  
Livingston Finance

Robert and Cathy Brunn  
1110 Prairie Drive  
Livingston, Montana

To Whom It May Concern:

We would like to express our concerns about the request for R3 zoning for the school property located in the north neighborhood by the soccer field. We are against this rezone for several reasons. We purchased our home knowing the neighborhood is R2 and with the knowledge that this property is owned by the school assuming it would be for future school use. We never thought it could be sold and maybe approved for R3 with the option of up to 747 housing units.

The RR crossing is also a concern to us. It is our belief that this should be settled before any more new construction be allowed.

Sincerely,

Robert and Cathy Brunn

*Robert Brunn*  
*Cathy Brunn*

RECEIVED  
3/8/22

March 7, 2022

City of Livingston  
Zoning Commission

RE: Livingston School District Proposed Zone Map Amendment

To the Livingston Zoning Commission:

As a recent purchaser of a parcel of land in the NorthTown HOA area on Prairie Drive, my wife and I are very concerned about the captioned re-zone request by the Livingston School District. We disagree with Lynne Scalla’s reasoning in her letter to Matthieu Menard dated February 15, 2022 for a number of reasons.

First, we are concerned about the negative impacts to the residential areas surrounding the property because of a large increase in the density of the structures. By adding more and more people to a limited area, the services the City can provide are impacted negatively by adding stress to an already growing fiscal demand on the City to provide services to the area. This stress can only add to the cost of living in the area and possibly result in the lowering of property values. I am aware that a large multi-family development zoned R3 is already in progress in the area.

Second, although Ms. Scalla mentioned the concerns over traffic movement, she didn’t mention the additional impacts that an increase in traffic congestion and daily trips through the surrounding neighborhood north of the railroad tracks will have on the residents of this neighborhood. I think it is clear that an increase in traffic in this area will lead to more accidents, more injuries, and more property damages, not to mention, a decrease in the quality of life. It will lead to residents moving from the area and a decrease in property values. I don’t believe these negative impacts are what the City would want to happen.

And third, as the area grows in population, a need will arise for an expansion of the school system and a need for facilities and increase the need for more park space to buffer that increased density. An increase in the green space in a growing area is a great amenity for the area, and probably required in the development of a Growth Management Plan.

In summary, we ask that you reject this application and keep the property zoned R2.

Respectfully submitted,



Kevin and Rebecca Van Fleet  
1208 Prairie Dr  
Livingston, MT



**From:** [Rick Lamplugh](#)  
**To:** [Faith Kinnick](#)  
**Subject:** School District Property Zoning  
**Date:** Wednesday, June 22, 2022 4:10:40 PM

---

To the City Commissioners,

I own a home and live at 1112 Prairie Drive. I would be directly impacted by the proposed zoning change of the Scenic Drive School District property. I ask that the City Commissioners approve the recommendation of Public Zoning made by the Zoning Commission.

At the April Zoning Commission meeting, the City Manager provided a summary to the Zoning Commission on the status of the School District property:

- The parcel was recently annexed and is currently unzoned.
- The parcel could be zoned Public since it is owned by the School District. If zoned Public, the School District could build on the property what it has funding for since the School District is exempt from zoning regulations. If the School District sold the property to a private owner, it would have to be rezoned by the Zoning Commission and City Commission.
- If the parcel is zoned R-II there could be about 497 units built on the parcel.
- If zoned R-III there could be about 747 units built.
- If zoned Mixed Use there could be about 995 units built, including businesses.

The Zoning Commission voted 4 to 1 to zone the School District property as Public and sent that recommendation to the City Commission.

The railroad crossing issue should be resolved before adding more dwellings on the north side of the railroad tracks and compounding a known existing problem for the following reasons.

As noted by the City Manager, with R-III zoning, for example, the Scenic Drive School District Property could hold 747 additional units. Since the national average is 1.88 vehicles per household, an additional 747 units under R-III zoning could mean an additional 1,400 or so vehicles that must make the required crossing of the railroad tracks.

Those 1,400 additional vehicles will compound a problem that City of Livingston has failed to address since 1977: the need for an additional railroad crossing to resolve safety and traffic issues surrounding the current crossings. Today, traffic can back up school buses, emergency vehicles, and the average citizen trying to get to work or a doctor's appointment on time.

Clearly, the north side of Livingston is a growth area. In fact, the north side is one of few areas left for future development in Livingston. That future growth should be based on resolving current problems.

A February 23, 2022, Staff Report from the City of Livingston reports the following about rezoning the Scenic Drive School District Property (emphasis added):

“Currently, the adjoining properties are zoned Medium Density Residential (R-II) and Public (P), and are generally used for single-family housing, the armory, and sports fields. The parcel is 871,200 square feet (20 acres) in size and would be allowed a maximum of 747 dwelling

units if the property were zoned R-III. **It should be noted that the adjoining property to the east applied for a zoning change to R-III in the past and was denied by the City Commission.**”

“Of specific concern are the railroad tracks which limit traffic capacity significantly, currently **the 5th street crossing is a significant bottleneck and significant development on the north-side of the tracks could exacerbate this situation.**”

**This area has been shown as Medium Density Residential as opposed to High Density Residential** similar to the south side of the City due to concerns with driving additional traffic, both motorized and non-motorized over the railroad crossings.

For the above reasons, I ask that the School District property be zoned Public as the Zoning Commission recommended.

Thank you for your consideration,

Rick Lamplugh  
1112 Prairie Drive  
Livingston, MT  
541-760-3832

**From:** [Brooks Scott](#)  
**To:** [Faith Kinnick](#)  
**Subject:** Public Comment for item on the agenda: School District Property Zoning  
**Date:** Friday, June 24, 2022 7:58:30 AM

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City Commissioners:

I am writing to comment on the proposed zoning to the lot owned by the School District on Scenic Trail (Lot 1 of Subdivision 183, in Section 14, Township Two South, Range Nine East).

We bought a home in the Northtown Livingston development last year and are directly across the street from the lot that is under question. We moved to Livingston because we love the town and all its amenities, and we really did not want to live in the hustle and bustle of Bozeman where we were renting.

It is readily apparent that both Livingston and Bozeman are suffering from an acute lack of available and affordable housing, and that there are no easy answers to solving the issue. Livingston has seemed to be addressing this as smartly as possible, recognizing the need to preserve the town's charm while understanding that development will happen and is necessary for growth.

And while I love that I can walk out my door and be able to walk my dog across the street and through the meadow to the trail that connects to the soccer fields and down to Fleshman Creek, I understand that it's a prime location for development.

Virtually all of the existing development up in this part of town is single-family (R-II) so it makes no sense to introduce the higher density that R-III allows. Both of the last two attempts to add R-III in this area were turned down by the zoning commission for a variety of reasons, all of which are still true. One of the things that attracted us to Northtown was the availability of open space, with the development mostly recognizing the natural contours of the landscape and building appropriately. To me, adding a high-density project across Scenic Trail is incongruous with the rest of the area.

My other primary concern is that we have yet to see what the plan is to deal with traffic on the north side as it continues to develop. Scenic Trail, Ninth St, and Summit Ave are all experiencing a large increase in traffic flow, and I have not seen any plans to alleviate this. Despite numerous attempts to move forward with the plan to add a RR crossing further out on Highway 10 by PFL have all failed to collect the needed support from the community. Adding a high-density development up here with the potential for over 700 new units will only exacerbate this issue.

I'll be clear that I am opposed to any zoning other than R-II or Public for the above reasons. Public zoning was brought up and recommended by the Zoning Commission as it makes the most sense since the current owner of the property is the School District, and should they choose to sell the property the new owner will need to apply for new zoning at that time. This seems to be the easiest way to address this at the current time.

Thank you for the opportunity to supply comment,

Brooks Scott  
1104 Sweetgrass Ln



**ORDINANCE NO. 3034**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING SECTION 30.13 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY ZONING PROPERTY LEGALLY DESCRIBED AS LOT 1 OF SUBDIVISION 183 IN SECTION 14, TOWNSHIP TWO SOUTH (T02S), RANGE NINE EAST (R09E), AS PUBLIC (P).**

\* \* \* \* \*

**Preamble.**

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**, Section 30.71 of the City of Livingston Code of Ordinances authorizes the City Commission to amend the officially adopted Zoning Map;

**WHEREAS**, the amendments meet the criteria and guidelines for zoning regulations as required by Section 76-2-304 of Montana Code Annotated;

**WHEREAS**, the City Commission of the City of Livingston, Montana annexed the Subject Parcel by passing Resolution 4985 in September of 2021;

**WHEREAS**, being within the jurisdiction of the City, the parcel is required by the City's Zoning Ordinance to be given a zoning designation;

**WHEREAS**, the amendment meets the Lowe Test for rezoning property; and

**WHEREAS**, the City of Livingston Zoning Commission, after a public hearing, voted (4:1) to recommend approval of the zoning of the parcel to Public (P) on the Zoning Map to the City Commission;

**NOW, THEREFORE, BE IT ORDAINED** by the 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**

**Zoning of a parcel legally described as Lot 1 of Subdivision 183 in Section 14, Township Two South (T02S), Range Nine East (R09E) as shown in Exhibit A as Public (P).**

**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 6**

**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 June, 2022.

\_\_\_\_\_  
**MELISSA NOOTZ – Chair**

**ATTEST:**

\_\_\_\_\_  
**FAITH KINNICK**  
**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 July, 2022.

\_\_\_\_\_  
**MELISSA NOOTZ – Chair**

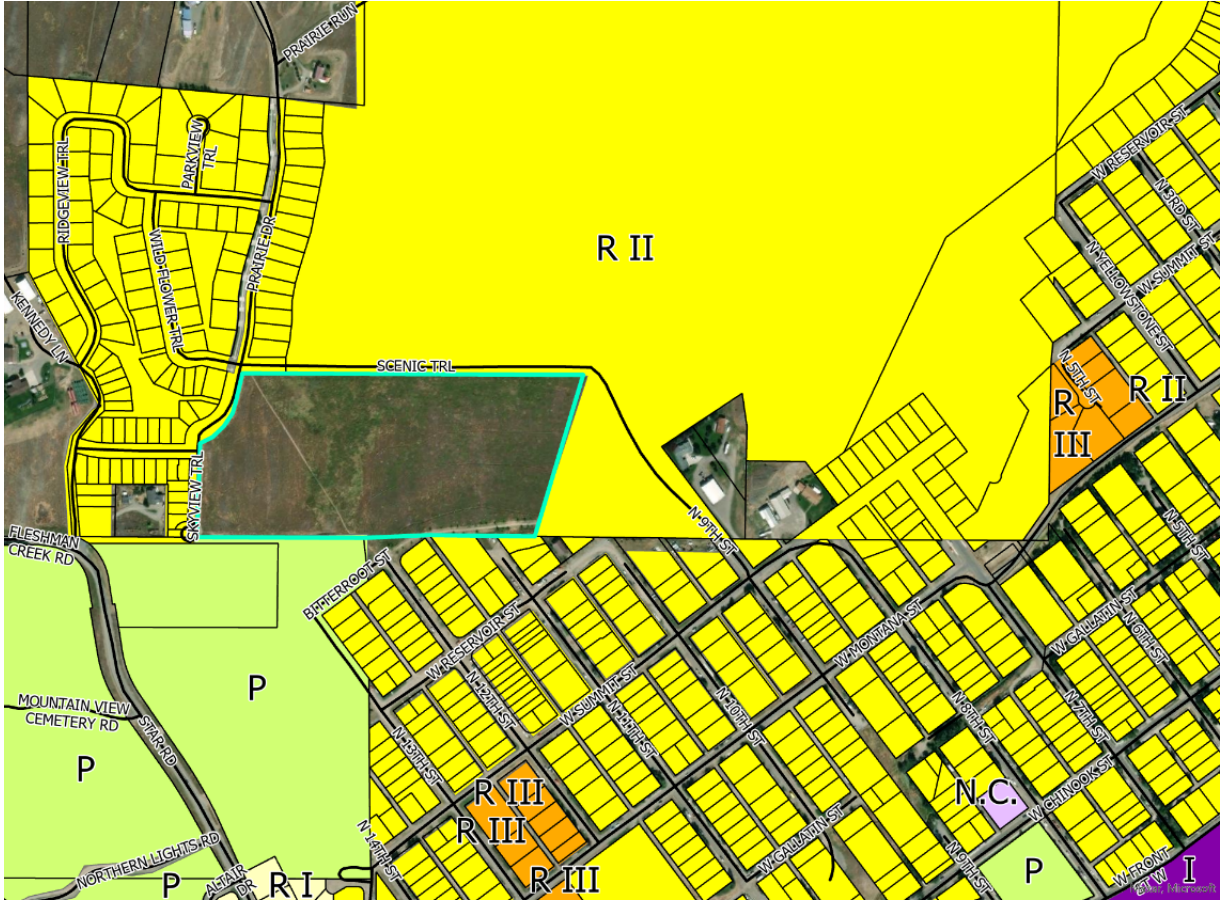
**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**FAITH KINNICK**  
**Recording Secretary**

\_\_\_\_\_  
**COURTNEY LAWELLIN**  
**City Attorney**

EXHIBIT A





**PUBLIC NOTICE**

**NOTICE** is hereby given the Livingston City Commission will conduct a public hearing on Tuesday, July 26, 2022, after the second reading of **ORDINANCE NO. 3034** entitled **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING SECTION 30.13 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY ZONING PROPERTY LEGALLY DESCRIBED AS LOT 1 OF SUBDIVISION 183 IN SECTION 14, TOWNSHIP TWO SOUTH (T02S), RANGE NINE EAST (R09E), AS PUBLIC (P)**. This public hearing will be conducted via Zoom. For meeting link and ID information visit [www.livingstonmontana.org](http://www.livingstonmontana.org).

For additional information contact Faith Kinnick at 823-6002.

Please publish July 8<sup>th</sup>, and July 22, 2022.

Faith Kinnick  
City of Livingston  
June 9, 2022

**File Attachments for Item:**

**A. RESOLUTION NO. 5044: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO ADJUST ALL RATES FOR ALL CUSTOMERS OF THE CITY OF LIVINGSTON WATER SYSTEM.**

**RESOLUTION NO. 5044**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF IT’S INTENT TO ADJUST ALL RATES FOR ALL CUSTOMERS OF THE CITY OF LIVINGSTON WATER SYSTEM.**

**WHEREAS**, the City of Livingston operates water facilities and services as enterprise funds, i.e. that the cost of providing the services to the general public on a continuing basis are financed or recovered through user charges and are not supported by the general tax levy; and

**WHEREAS**, 69-7-101 *et seq.* Montana Code Annotated (MCA), authorizes increases in utility rates when deemed necessary by the City Commission; and

**WHEREAS**, the costs of providing water services, improving infrastructure, and meeting bonded debt coverage continues to rise necessitating a rate increase; and

**WHEREAS**, a 10% increase in the connection fee and usage rate, which will result in a monthly increase of approximately \$1.34 to \$4.44, depending on the amount of water consumed by the customer all as set forth in Exhibit A, which is attached hereto and incorporated by this reference as though fully set forth herein; and

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

The City Commission of the City of Livingston, Montana intends to increase the water connection fee 10% and water usage rate 10% for its customers to become effective for water usage starting July 2022, to be billed in August 2022 and that a public hearing will be held by the City Commission at 5:30 p.m. on July 26<sup>th</sup>, 2022, at which time the public is invited to attend and comment on its intent.

**BE IT FURTHER RESOLVED** that Notice, attached hereto as Exhibit B and incorporated herein by reference, be published in accordance with law, and a copy of this Resolution be mailed to the Montana Consumer Counsel as required by 69-7-111(5) MCA.

**BE IT FURTHER RESOLVED** that Notice, attached hereto as Exhibit C, and incorporated herein by reference be mailed to each customer in accordance with law.

**PASSED AND ADOPTED** by the City Commission of the City of Livingston, this 28<sup>th</sup> day of June, 2022.

\_\_\_\_\_  
**MELISSA NOOTZ - Chairperson**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**FAITH KINNICK**  
Recording Secretary

\_\_\_\_\_  
**COURTNEY LAWELLIN**  
City Attorney

**Exhibit A to Resolution No. 5044**

**Residential Rates**  
(based on a standard 5/8" meter)

*Water Minimum Charge \$ 14.77 per month, plus  
\$3.41 per 1000 gallons*

Gallons	Current	Proposed	Difference
0	\$ 13.43	\$ 14.77	\$ 1.34
1000	\$ 16.53	\$ 18.18	\$ 1.65
2000	\$ 19.63	\$ 21.59	\$ 1.96
3000	\$ 22.73	\$ 25.00	\$ 2.27
4000	\$ 25.83	\$ 28.41	\$ 2.58
5000	\$ 28.93	\$ 31.82	\$ 2.89
6000	\$ 32.03	\$ 35.23	\$ 3.20
7000	\$ 35.13	\$ 38.64	\$ 3.51
8000	\$ 38.23	\$ 42.05	\$ 3.82
9000	\$ 41.33	\$ 45.46	\$ 4.13
10000	\$ 44.43	\$ 48.87	\$ 4.44

**Commercial Rates**

METER SIZE	GALLONS	BASE CHARGE	PER 1000 GALLONS
3/4"	Up to 7,000	\$ 38.64	\$3.41 for usage above 7,000 gallons
1"	Up to 15,000	\$ 65.92	\$3.41 for usage above 15,000 gallons
1 1/2"	Up to 25,000	\$ 100.02	\$3.41 for usage above 25,000 gallons
2"	Up to 42,000	\$ 157.99	\$3.41 for usage above 42,000 gallons
3"	Up to 60,000	\$ 219.37	\$3.41 for usage above 60,000 gallons
4"	Up to 100,000	\$ 355.77	\$3.41 for usage above 100,000 gallons
6"	Up to 275,000	\$ 952.52	\$3.41 for usage above 275,000 gallons

**Exhibit B – Public Notice**

**NOTICE**

Notice is hereby given that the Livingston City Commission will conduct a public hearing via Zoom, Livingston, Montana, on July 26<sup>th</sup>, 2022, at 5:30 p.m. on **Resolution No. 5044**, entitled **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF IT’S INTENT TO ADJUST RATES FOR ALL CUSTOMERS OF THE CITY OF LIVINGSTON WATER SYSTEM**, resulting in an increase of approximately \$1.34 to \$4.44 for residential customers, depending on the amount of water consumed by the customer. All interested persons are invited to attend the public hearing, to make comments or make objections thereto. For additional information contact the City of Livingston Finance Department at 220 E Park Street, Livingston, MT, 59047, or by phone at (406) 222-1142.

Please publish three (3) times at least 6 (six) days apart, with the first publication being no more than 28 days prior to the hearing and the last being no less than 3 days prior to the hearing. In addition, please mail a copy to the Consumer Counsel in Helena.

**COMBINED NOTICE OF PUBLIC HEARINGS ON  
PROPOSED RATE INCREASES FOR WATER,  
WASTE WATER, AND SOLID WASTE EFFECTIVE JULY 2022**

Notice is hereby given that the City Commission of Livingston, Montana, will conduct public hearings on Resolutions 5044, 5045, and 5046 via Zoom, Livingston, Montana, on July 26<sup>th</sup>, 2022, at 5:30 p.m. of its intent to increase the Water Rate in the amount of 10% (approximately \$1.34 to \$4.44, depending on the amount of water consumed by the customer), the Sewer Rate in the amount of 3.5% (approximately 68¢ to \$3.38), and Solid Waste collection 20% (\$4.08/month). See attached schedules. The public is invited to attend and comment on the proposed rate increases. For further information, contact the City of Livingston Finance Department at 220 E Park Street, Livingston, MT, 59047, or by phone at 222-1142.

Please mail at least 7 days and no more than 30 days prior to the hearing to each customer including an estimate of the amount the customer’s average bill will increase.

*Water Minimum Charge \$ 14.77 per month, plus  
\$3.41 per 1000 gallons*

Gallons	Current	Proposed	Difference
0	\$ 13.43	\$ 14.77	\$ 1.34
1000	\$ 16.53	\$ 18.18	\$ 1.65
2000	\$ 19.63	\$ 21.59	\$ 1.96
3000	\$ 22.73	\$ 25.00	\$ 2.27
4000	\$ 25.83	\$ 28.41	\$ 2.58
5000	\$ 28.93	\$ 31.82	\$ 2.89
6000	\$ 32.03	\$ 35.23	\$ 3.20
7000	\$ 35.13	\$ 38.64	\$ 3.51
8000	\$ 38.23	\$ 42.05	\$ 3.82
9000	\$ 41.33	\$ 45.46	\$ 4.13
10000	\$ 44.43	\$ 48.87	\$ 4.44

*Sewer Minimum Charge \$19.51 per month; plus  
\$7.74 per 1000 gallons*

Gallons	Current	Proposed	Difference
0	\$ 19.51	\$ 20.19	\$ 0.68
1000	\$ 27.25	\$ 28.20	\$ 0.95
2000	\$ 34.99	\$ 36.21	\$ 1.22
3000	\$ 42.73	\$ 44.22	\$ 1.49
4000	\$ 50.47	\$ 52.23	\$ 1.76
5000	\$ 58.21	\$ 60.24	\$ 2.03
6000	\$ 65.95	\$ 68.25	\$ 2.30
7000	\$ 73.69	\$ 76.26	\$ 2.57
8000	\$ 81.43	\$ 84.27	\$ 2.84
9000	\$ 89.17	\$ 92.28	\$ 3.11
10000	\$ 96.91	\$ 100.29	\$ 3.38

**CITY OF LIVINGSTON  
RESIDENTIAL SOLID WASTE RATES**

CUSTOMER	CURRENT MONTHLY RATE PER CAN	PROPOSED MONTHLY RATE PER CAN
RESIDENTIAL BLUE CANS	\$ 19.92	\$ 24.00
MULTI FAMILY - BLACK TUBS	\$17 + \$15 per Unit	\$20 + \$18 per Unit

**CITY OF LIVINGSTON  
RECYCLING FEE**

CUSTOMER TYPE	CURRENT MONTHLY FEE	PROPOSED MONTHLY FEE
RESIDENTIAL	\$ 1.00	\$ 2.00
COMMERCIAL	\$ 2.00	\$ 3.00

**File Attachments for Item:**

**B. RESOLUTION NO. 5045: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO ADJUST ALL RATES FOR ALL CUSTOMERS OF THE CITY OF LIVINGSTON WASTEWATER SYSTEM.**

**RESOLUTION NO. 5045**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO ADJUST ALL RATES FOR ALL CUSTOMERS OF THE CITY OF LIVINGSTON WASTEWATER SYSTEM.**

**WHEREAS**, the City of Livingston operates water and sewer facilities and services as enterprise funds, i.e. that the cost of providing the services to the general public on a continuing basis are financed or recovered through user charges and are not supported by the general tax levy; and

**WHEREAS**, 69-7-101 *et seq.* Montana Code Annotated (MCA), authorizes increases in utility rates when deemed necessary by the City Commission; and

**WHEREAS**, the costs of providing wastewater services, improving infrastructure, and meeting bonded debt coverage continues to rise necessitating a rate increase; and

**WHEREAS**, a 3.5% increase in sewer rates will result in a monthly increase of 68¢ to \$3.38 per month increase depending on sewer usage, all as set forth in Exhibit A, which is attached hereto and incorporated by this reference as though fully set forth herein; and

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

The City Commission of the City of Livingston, Montana intends to increase the wastewater rate for its customers in the amount of 3.5% to become effective for sewer usage starting July 2022, to be billed in August 2022 and that a public hearing will be held by the City Commission at 5:30 p.m. on July 26<sup>th</sup>, 2022, at which time the public is invited to attend and comment on its intent.

**BE IT FURTHER RESOLVED** that Notice, attached hereto as Exhibit B and incorporated herein by reference, be published in accordance with law, and a copy of this Resolution be mailed to the Montana Consumer Counsel as required by 69-7-111(5) MCA.

**BE IT FURTHER RESOLVED** that Notice, attached hereto as Exhibit C, and incorporated herein by reference be mailed to each customer in accordance with law.

**PASSED AND ADOPTED** by the City Commission of the City of Livingston, this 28<sup>th</sup> day of June, 2022.

\_\_\_\_\_  
**MELISSA NOOTZ - Chairperson**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**FAITH KINNICK**  
Recording Secretary

\_\_\_\_\_  
**COURTNEY LAWELLIN**  
City Attorney



**Exhibit A- Sewer Rate changes based on 3.5% increase**

*Sewer Minimum Charge \$19.51 per month; plus \$7.74 per 1000 gallons*

<b>Gallons</b>	<b>Current</b>	<b>Proposed</b>	<b>Difference</b>
0	\$ 19.51	\$ 20.19	\$ 0.68
1000	\$ 27.25	\$ 28.20	\$ 0.95
2000	\$ 34.99	\$ 36.21	\$ 1.22
3000	\$ 42.73	\$ 44.22	\$ 1.49
4000	\$ 50.47	\$ 52.23	\$ 1.76
5000	\$ 58.21	\$ 60.24	\$ 2.03
6000	\$ 65.95	\$ 68.25	\$ 2.30
7000	\$ 73.69	\$ 76.26	\$ 2.57
8000	\$ 81.43	\$ 84.27	\$ 2.84
9000	\$ 89.17	\$ 92.28	\$ 3.11
10000	\$ 96.91	\$ 100.29	\$ 3.38

**Exhibit B- Public Notice**

**NOTICE**

Notice is hereby given that the Livingston City Commission will conduct a public hearing via Zoom, on July 26<sup>th</sup>, 2022, at 5:30 p.m. on **Resolution No. 5045**, entitled **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO INCREASE THE WASTEWATER RATE IN THE AMOUNT OF 3.5% TO BECOME EFFECTIVE FOR JULY 2022 SEWER USAGE, BILLED IN AUGUST 2022**, resulting in an increase of approximately 68¢ to \$3.38, depending on the amount of wastewater used by the customer. All interested persons are invited to attend the public hearing, to make comments or make objections thereto. For additional information contact the City of Livingston Finance Department at 220 E Park Street, Livingston, MT, 59047, or by phone at 222-1142.

Please publish three (3) times at least 6 (six) days apart, with the first publication being no more than 28 days prior to the hearing and the last being no less than 3 days prior to the hearing. In addition, please mail a copy to the Consumer Counsel in Helena.

**COMBINED NOTICE OF PUBLIC HEARINGS ON  
PROPOSED RATE INCREASES FOR WATER,  
WASTE WATER, AND SOLID WASTE EFFECTIVE JULY 2022**

Notice is hereby given that the City Commission of Livingston, Montana, will conduct public hearings on Resolutions 5044, 5045, and 5046 via Zoom, Livingston, Montana, on July 26<sup>th</sup>, 2022, at 5:30 p.m. of its intent to increase the Water Rate in the amount of 10% (approximately \$1.34 to \$4.44, depending on the amount of water consumed by the customer), the Sewer Rate in the amount of 3.5% (approximately 68¢ to \$3.38), and Solid Waste collection 20% (\$4.08/month). See attached schedules. The public is invited to attend and comment on the proposed rate increases. For further information, contact the City of Livingston Finance Department at 220 E Park Street, Livingston, MT, 59047, or by phone at 222-1142.

Please mail at least 7 days and no more than 30 days prior to the hearing to each customer including an estimate of the amount the customer’s average bill will increase.

*Water Minimum Charge \$ 14.77 per month, plus  
\$3.41 per 1000 gallons*

*Sewer Minimum Charge \$19.51 per month; plus  
\$7.74 per 1000 gallons*

Gallons	Current	Proposed	Difference
0	\$ 13.43	\$ 14.77	\$ 1.34
1000	\$ 16.53	\$ 18.18	\$ 1.65
2000	\$ 19.63	\$ 21.59	\$ 1.96
3000	\$ 22.73	\$ 25.00	\$ 2.27
4000	\$ 25.83	\$ 28.41	\$ 2.58
5000	\$ 28.93	\$ 31.82	\$ 2.89
6000	\$ 32.03	\$ 35.23	\$ 3.20
7000	\$ 35.13	\$ 38.64	\$ 3.51
8000	\$ 38.23	\$ 42.05	\$ 3.82
9000	\$ 41.33	\$ 45.46	\$ 4.13
10000	\$ 44.43	\$ 48.87	\$ 4.44

Gallons	Current	Proposed	Difference
0	\$ 19.51	\$ 20.19	\$ 0.68
1000	\$ 27.25	\$ 28.20	\$ 0.95
2000	\$ 34.99	\$ 36.21	\$ 1.22
3000	\$ 42.73	\$ 44.22	\$ 1.49
4000	\$ 50.47	\$ 52.23	\$ 1.76
5000	\$ 58.21	\$ 60.24	\$ 2.03
6000	\$ 65.95	\$ 68.25	\$ 2.30
7000	\$ 73.69	\$ 76.26	\$ 2.57
8000	\$ 81.43	\$ 84.27	\$ 2.84
9000	\$ 89.17	\$ 92.28	\$ 3.11
10000	\$ 96.91	\$ 100.29	\$ 3.38

**CITY OF LIVINGSTON  
RESIDENTIAL SOLID WASTE RATES**

CUSTOMER	CURRENT MONTHLY RATE PER CAN	PROPOSED MONTHLY RATE PER CAN
RESIDENTIAL BLUE CANS	\$ 19.92	\$ 24.00
MULTI FAMILY - BLACK TUBS	\$17 + \$15 per Unit	\$20 + \$18 per Unit

**CITY OF LIVINGSTON  
RECYCLING FEE**

CUSTOMER TYPE	CURRENT MONTHLY FEE	PROPOSED MONTHLY FEE
RESIDENTIAL	\$ 1.00	\$ 2.00
COMMERCIAL	\$ 2.00	\$ 3.00

**File Attachments for Item:**

**C. RESOLUTION NO. 5046: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO INCREASE THE RATE FOR COLLECTION AND DISPOSAL OF SOLID WASTE IN THE AMOUNT OF 20% PER MONTH FOR RESIDENTIAL CUSTOMERS AND 20% FOR COMMERCIAL CUSTOMERS TO BECOME EFFECTIVE JULY 2022 AND CALLING FOR A PUBLIC HEARING.**

**RESOLUTION NO. 5046**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO INCREASE THE RATE FOR COLLECTION AND DISPOSAL OF SOLID WASTE IN THE AMOUNT OF 20% PER MONTH FOR RESIDENTIAL CUSTOMER AND 20% FOR COMMERCIAL CUSTOMERS TO BECOME EFFECTIVE JULY 2022 AND CALLING FOR A PUBLIC HEARING.**

**WHEREAS**, 7-14-4105, Montana Code Annotated (MCA), provides that the City has the power to regulate the collection and disposal of solid wastes; and

**WHEREAS**, 7-14-4106, MCA, provides that the City Commission may levy the costs of the removal and disposition of solid wastes as a special charge against property from which the solid waste was deposited; and

**WHEREAS**, by Resolution No. 4867, effective for the July 2019 billing cycle, the City Commission increased residential rates by 11% and, by Resolution No. 4579, effective for the July 2014 billing cycle, commercial rates by 2%; and

**WHEREAS**, annual cost of living increases are necessary to keep pace with the national and state economy and corresponding increased expenditures; and

**WHEREAS**, since the last increase, the City continues to experience increases in operating expenses in its costs of collecting and disposing of solid wastes; and

**WHEREAS**, the collection and disposal of solid waste is operated as an enterprise fund, i.e. the costs of providing the service are paid through user charges; and

**WHEREAS**, an increase in the amount of 20% in the rate structure for residential and commercial customers is necessary to offset the increased operating expenses of the City; and

**WHEREAS**, the proposed rates for residential and commercial users are set forth in Exhibit A which is attached hereto and incorporated by this reference as though fully set forth herein; and

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

That it is the intent of the City Commission to increase the monthly base rate for the collection and disposal of solid waste in the amount of 20% for residential and commercial customers to become effective with the July 2022 bill.

**BE IT FURTHER RESOLVED** that a public hearing will be held by the City Commission at 5:30 p.m. on July 26<sup>th</sup>, 2022, at which time the public is invited to attend and comment on its intent to increase the solid waste rate for its customers in the amount of 20% to

become effective with the July 2022 bill.

**BE IT FURTHER RESOLVED** that Notice, attached hereto as Exhibit B and incorporated herein by reference, be published in accordance with law.

**BE IT FURTHER RESOLVED** that Notice, attached hereto as Exhibit C, and incorporated herein by reference be mailed to each customer in accordance with law.

**PASSED AND ADOPTED** by the City Commission of the City of Livingston, this 28<sup>th</sup> day of June, 2022.

\_\_\_\_\_  
**MELISSA NOOTZ – Chairperson**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**FAITH KINNICK**  
**Recording Secretary**

\_\_\_\_\_  
**COURTNEY LAWELLIN**  
**City Attorney**

**Exhibit A- Residential Solid Waste Rate Changes**

**CITY OF LIVINGSTON  
RESIDENTIAL SOLID WASTE RATES**

<b>CUSTOMER</b>	<b>CURRENT MONTHLY RATE PER CAN</b>	<b>PROPOSED MONTHLY RATE PER CAN</b>
RESIDENTIAL BLUE CANS	\$ 19.92	\$ 24.00
MULTI FAMILY - BLACK TUBS	\$17 + \$15 per Unit	\$20 + \$18 per Unit

**CITY OF LIVINGSTON  
RECYCLING FEE**

<b>CUSTOMER TYPE</b>	<b>CURRENT MONTHLY FEE</b>	<b>PROPOSED MONTHLY FEE</b>
RESIDENTIAL	\$ 1.00	\$ 2.00
COMMERCIAL	\$ 2.00	\$ 3.00

**COMMERCIAL SOLID WASTE RATES**

<b>WEIGHTS</b>	<b>COST</b>	<b>WEIGHTS</b>	<b>COST</b>	<b>WEIGHTS</b>	<b>COST</b>	<b>WEIGHTS</b>	<b>COST</b>
0 TO 40	6.00	241 TO 280	32.70	481 TO 520	59.40	721 TO 760	86.10
40 TO 80	10.45	281 TO 320	37.15	521 TO 560	63.85	761 TO 800	90.55
81 TO 120	14.90	321 TO 360	41.60	561 TO 600	68.30	801 TO 840	95.00
121 TO 160	19.35	361 TO 400	46.05	601 TO 640	72.75	841 TO 880	99.45
161 TO 200	23.80	401 TO 440	50.50	641 TO 680	77.20	881 TO 920	103.90
201 TO 240	28.25	441 TO 480	54.95	681 TO 720	81.65	921 TO 960	108.35

**Exhibit B- Public Notice**

**NOTICE**

Notice is hereby given that the Livingston City Commission will conduct a public hearing via Zoom, on July 26<sup>th</sup>, 2022, at 5:30 p.m. on **Resolution No. 5046**, entitled **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO INCREASE THE RATE FOR COLLECTION AND DISPOSAL OF SOLID WASTE IN THE AMOUNT OF 20% PER MONTH FOR RESIDENTIAL CUSTOMER AND 20% FOR COMMERCIAL CUSTOMERS TO BECOME EFFECTIVE JULY 2022 AND CALLING FOR A PUBLIC HEARING**. All interested persons are invited to attend the public hearing, to make comments or make objections thereto. For additional information contact the City of Livingston Finance Department at 220 E Park St, Livingston, MT, 59047, or by phone at 222-1142.

Please publish twice at least 6 (six) days apart, and posted with copies made available to the public.



**COMBINED NOTICE OF PUBLIC HEARINGS ON  
PROPOSED RATE INCREASES FOR WATER,  
WASTE WATER, AND SOLID WASTE EFFECTIVE JULY 2022**

Notice is hereby given that the City Commission of Livingston, Montana, will conduct public hearings on Resolutions 5044, 5045, and 5046 via Zoom, Livingston, Montana, on July 26<sup>th</sup>, 2022, at 5:30 p.m. of its intent to increase the Water Rate in the amount of 10% (approximately \$1.34 to \$4.44, depending on the amount of water consumed by the customer), the Sewer Rate in the amount of 3.5% (approximately 68¢ to \$3.38), and Solid Waste collection 20% (\$4.08/month). See attached schedules. The public is invited to attend and comment on the proposed rate increases. For further information, contact the City of Livingston Finance Department at 220 E Park Street, Livingston, MT, 59047, or by phone at 222-1142.

Please mail at least 7 days and no more than 30 days prior to the hearing to each customer including an estimate of the amount the customer’s average bill will increase.

*Water Minimum Charge \$ 14.77 per month, plus  
\$3.41 per 1000 gallons*

*Sewer Minimum Charge \$19.51 per month; plus  
\$7.74 per 1000 gallons*

Gallons	Current	Proposed	Difference
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1000	\$ 16.53	\$ 18.18	\$ 1.65
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5000	\$ 28.93	\$ 31.82	\$ 2.89
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4000	\$ 50.47	\$ 52.23	\$ 1.76
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6000	\$ 65.95	\$ 68.25	\$ 2.30
7000	\$ 73.69	\$ 76.26	\$ 2.57
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9000	\$ 89.17	\$ 92.28	\$ 3.11
10000	\$ 96.91	\$ 100.29	\$ 3.38

**CITY OF LIVINGSTON  
RESIDENTIAL SOLID WASTE RATES**

CUSTOMER	CURRENT MONTHLY RATE PER CAN	PROPOSED MONTHLY RATE PER CAN
RESIDENTIAL BLUE CANS	\$ 19.92	\$ 24.00
MULTI FAMILY - BLACK TUBS	\$17 + \$15 per Unit	\$20 + \$18 per Unit

**CITY OF LIVINGSTON  
RECYCLING FEE**

CUSTOMER TYPE	CURRENT MONTHLY FEE	PROPOSED MONTHLY FEE
RESIDENTIAL	\$ 1.00	\$ 2.00
COMMERCIAL	\$ 2.00	\$ 3.00

**File Attachments for Item:**

**D. RESOLUTION NO. 5047: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE INTERIM CITY MANAGER TO SIGN AN AGREEMENT WITH FOUR CORNERS RECYCLING, LLC FOR RECYCLING SERVICES.**

**RESOLUTION NO. 5047**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT WITH FOUR CORNERS RECYCLING, LLC FOR RECYCLING SERVICES.**

**WHEREAS**, in the past, the City of Livingston (the “City”) and Four Corners Recycling, LLC (“FCR”) have worked together to provide the citizens of the City with recycling services at the City’s facilities on Bennett Street;

**WHEREAS**, the City and FCR have operated pursuant to a written agreement since 2015, and the parties now desire to renew their agreement; and

**WHEREAS**, the City and FCR have agreed upon the General Services Agreement attached hereto and incorporated herein as Exhibit A, and the Interim City Manager is ready, willing and able to execute the Agreement upon the Commission’s authorization.

**NOW, THEREFORE**, be it resolved by the City Commission of the City of Livingston, Montana, as follows:

The City Manager is hereby authorized to inter into the General Services Agreement attached hereto as Exhibit A with Four Corners Recycling, LLC for recycling services.

Dated this \_\_\_\_ day of June 2022.

\_\_\_\_\_  
**MELISSA NOOTZ – Chair**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**FAITH KINNICK**  
Recording Secretary

\_\_\_\_\_  
**COURTNEY LAWELLIN**  
City Attorney

## GENERAL SERVICE AGREEMENT

THIS GENERAL SERVICE AGREEMENT (this “Agreement”) is made and entered into as of the \_\_\_\_ day of \_\_\_\_\_, 2022, by and between **THE CITY OF LIVINGSTON, MONTANA**, a municipal corporation and political subdivision of the state of Montana with its principal office located at 414 East Callender Street, Livingston, MT 59047 (hereinafter referred to as the “City”), and **FOUR CORNERS RECYCLING, LLC**, a Montana limited liability company with its principal place of business located at 357 Recycle Way, Bozeman, MT 59714 (hereinafter referred to as the “Contractor”; and together with the City, the “Parties”).

### RECITALS:

- A. The Contractor is engaged in the business of providing recycling services, independent of the City, and has the manpower, knowledge, expertise, skills, means, tools, licenses, if applicable, and equipment necessary to perform recycling services for the City.
- B. In the past, the City has utilized the Contractor for recycling services related to the City’s solid waste disposal program; however, the Parties are currently operating pursuant a written agreement.
- C. The Parties desire to continue working together and also desire to define their respective rights, duties and obligations with respect to their relationship and, as a result, the Parties desire to proceed under the terms and conditions contained in this Agreement.

NOW, THEREFORE, in consideration of the foregoing recitals and the terms and conditions contained herein, the Parties agree as follows:

1. INCORPORATION OF RECITALS. The above Recitals are true and correct and are fully incorporated into this Agreement as if fully set forth in this Paragraph 1.
2. NON-DISCRIMINATION. Pursuant to Mont. Code Ann. § 49-3-207, in the performance of this Agreement, the Contractor agrees that all hiring will be on the basis of merit and qualifications and that the Contractor will not be discriminate on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin.

3. SCOPE OF WORK/SERVICES. Contractor shall complete all work as specified or indicated in Exhibit A. The Project for which the work shall be completed may be generally described as the “Recycling Services.”
  
4. NATURE OF RELATIONSHIP.
  - a. The Contractor states that it is engaged in an established business or profession which is in no way affiliated with or connected to the City, except by this Agreement and that it uses independent judgment in the performance of services provided hereby free from control or direction of others. The Contractor shall perform the Project as an independent contractor. The Parties agree that the City is only interested in the end result of said project, not in the method of performance, and as such, the Contractor has been and will continue to be free from the control or direction of the City in the performance of this Agreement. The Contractor shall not be deemed by virtue of this Agreement nor the performance thereof to have entered into any partnership, joint venture, employer/employee or any other legal relationship with the City besides that of an independent contractor.
  
  - b. The Contractor agrees to comply with all applicable laws, rules and regulations adopted or promulgated by any governmental agency or regulatory body, both State and Federal, and furthermore agrees to assume full responsibility for the payment of all contributions of all federal and state income or other payroll tax or assessment, social security, worker's compensation insurance, unemployment insurance, self-employment tax or any other required deduction or contribution for himself or for any employees engaged by the Contractor in performance of this Agreement.
  
  - c. The Contractor hereby states that it is either covered by Worker’s Compensation and Unemployment Insurance or has obtained an exemption from the Montana Department of Labor and Industry pursuant to Mont. Code Ann. §§ 39-71-401(3) and 39-51-204(2), as is evidenced by the certificates of insurance or exemption documents attached hereto and incorporated herein as Exhibit B. Any certificates of insurance shall require at least ten (10) days written notice to the City prior to any cancellation, termination, or non-renewal of coverage.
  
  - d. The Contractor, its officers, agents and/or employees shall not have the authority to make representations on behalf of the City, and neither shall the aforementioned persons have the authority to legally bind or otherwise obligate the City to any third person or entity.

5. CONTRACTOR'S REPRESENTATIONS AND WARRANTIES. The Contractor represents and warrants as follows:
- a. It and its employees possess all of the necessary qualifications, experience, knowledge, tools and equipment to undertake the performance of the Services as set forth in this Agreement.
  - b. It has inspected the job site and become familiar with and is satisfied as to the general, local and site conditions that may affect cost, progress, performance or furnishing of the work.
  - c. It is familiar with and is satisfied as to all federal, state and local laws and regulations that may affect costs, progress, performance and furnishing the work.
  - d. It has reviewed this Agreement and all exhibits hereto and has entered into this Agreement based solely upon its own knowledge, inspection and judgment, and not upon any representations or warranties made by the City or its officers, employees or agents.
  - e. It will complete the Services in a workmanlike manner according to industry standards and practices.
  - f. It will not cause or permit any liens to be filed against City-owned property.
6. PAYMENT.
- a. Subject to additions or deductions by change order, the Contractor shall perform his obligations under this agreement for the contract price of \_\_\_\_\_ as set forth in Exhibit A. Pay estimates submitted by Contractor must first be approved by the City or its designee prior to payment. All bills shall be submitted fourteen (14) days before the regularly scheduled meeting of the City Commission to the Assistant Public Works Director at 330 Bennett Street, Livingston, Montana.
  - b. In connection with obtaining payment under this Agreement, Contractor agrees to familiarize itself with, and agrees to be bound by, the City's claim procedure,

including but not limited to deadlines for submitting claims for approval and payment. The Contractor assumes responsibility for the late filing of a claim.

- c. In the event the Contractor seeks payment or compensation for work, materials or services not included in this Agreement and the exhibits hereto, the Contractor must seek prior written authorization from the City before such expenditure is incurred. If the Contractor fails to obtain prior written authorization, the Contractor shall not be entitled to payment for the unauthorized work, materials or services.

7. TERMINATION.

- a. If the City fails to substantially perform in accordance with the terms of this Agreement, the Contractor shall deliver to the City a written notice specifying the nature of the City's failure to substantially perform. The City shall have a period of ten (10) days after receiving the written notice from the Contractor to cure the failure to perform. If the City fails to cure its failure to perform within the 10-day cure period, the Contractor shall provide the City with a written notice to terminate this Agreement. The Contractor may only terminate this Agreement if it is not at fault for the City's failure to perform. Failure of the City to make payment as provided in this Agreement shall be considered nonperformance and cause for termination, unless the Contractor is at fault for the City's nonpayment.
- b. The City may terminate this Agreement upon not less than ten (10) days prior written notice to Contractor. If the City terminates this Agreement for a reason other than fault of the Contractor, the Contractor shall receive compensation for the work/services performed prior to termination, together with reasonable expenses incurred up to the date of termination.

8. INDEMNIFICATION AND HOLD HARMLESS. To the fullest extent permitted by law, the Contractor shall indemnify the City, its officers, employees, agents and representatives against any and all claims, actions, costs, fees (including but not limited to attorney fees and all defense costs), losses, liabilities or damage of whatever kind or nature arising from or related to Contractor's performance of this Agreement and Contractor's work (or the work of any subcontractor or supplier to Contractor) under this Agreement. In the event a claim should be brought or an action filed against the City with respect of the subject of this Agreement, Contractor agrees that the City may, at its election, employ attorneys of its own selection to appear and defend the claim or action on behalf of the City, at the expense of the Contractor. City, at its option, shall have the

sole authority for the direction of the defense and shall be the sole judge of the acceptability of any compromise or settlement of any claims or actions against the City.

9. INSURANCE. During the term of this Agreement, Contractor shall be responsible for maintaining, at its sole expense, insurance coverage. The Contractor shall provide the City with certificates of insurance demonstrating such insurance coverage and the certificates of insurance shall require at least ten (10) days written notice to the City prior to any cancellation, termination, or non-renewal of coverage. The certificates of insurance shall also name the City as an additional insured. In addition to any other insurance mentioned in this Agreement, the Contractor shall maintain a comprehensive public liability insurance policy, including automobile coverage, insuring against loss and for damages for personal injury or death and/or property loss, damage or destruction arising out of or in connection with the performance of this Agreement by the Contractor, its officers, agents and employees with the minimum liability limit of \$750,000.00 per claim and \$1,500,00.00 for each occurrence.
10. NOTICES. All notices or communications required to be given under this Agreement shall be in writing and shall be deemed to have been duly given by personal delivery or upon deposit into the United States Postal Service, postage prepaid, for mailing by certified mail, return receipt required and addressed, to the address set forth in this Agreement. Any change of address shall be made by giving written notice thereof to the other party, providing the new address.
11. MODIFICATION AND WAIVER. No amendment, modification or waiver of any condition, provision or term of this Agreement shall be valid or of any effect unless made in writing, signed by the party or parties to be bound and specifying with particularity the nature and extent of such amendment, modification or waiver. Any waiver by any party of any default of the other party shall not effect or impair any right arising from any subsequent default. Nothing herein shall limit the remedies or rights of the parties hereunder and pursuant to this Agreement.
12. SEVERABILITY. Each provision of this Agreement is intended to be severable. If any provision of this Agreement is illegal or invalid for any reason whatsoever, such illegality or invalidity of said provision shall not affect the validity of the remainder of this Agreement.



13. ENTIRE AGREEMENT. This Agreement contains the entire understanding of the Parties in respect to the Project and supersedes all prior agreements and understandings between the Parties with respect to the Project.
14. CAPTIONS, HEADINGS, AND TITLES. All captions, headings, or titles in the paragraphs or sections of this Agreement are inserted for convenience or reference only and shall not constitute a part of this Agreement or act as a limitation of the scope of the particular paragraph or section to which they apply. As used herein, where appropriate, the singular shall include the plural and vice versa and the masculine, feminine or neuter expressions shall be interchangeable.
15. COUNTERPARTS. This Agreement may be executed in multiple counterparts, each of which shall be one and the same Agreement and shall become effective when one or more counterparts have been signed by each of the parties and delivered to the other party.
16. PARTIES IN INTEREST AND ASSIGNMENT. This Agreement shall be binding upon, and the benefits and obligations provided for herein shall inure to and bind, the Parties and their respective successors and assigns, provided that this section shall not be deemed to permit any transfer or assignment otherwise prohibited by this Agreement. This Agreement is for the exclusive benefit of the Parties and it does not create a contractual relationship with or exist for the benefit of an third party, including contractors, subcontractors or their sureties. This Agreement shall not be assigned, or any right or obligation hereunder, in whole or in part, to another without first having prior written consent of the other party. No assignment or transfer of any interest under this Agreement shall be deemed to release the contractor from any liability or obligation under this Agreement, or to cause any such liability or obligation to be reduced to a secondary liability or obligation.
17. LIAISON. The designated liaison with the City is Shannon Holmes, who can be reached at (406) 222-5667. The Contractor's liaison is \_\_\_\_\_, who can be reached at \_\_\_\_\_.
18. GOVERNING LAW. It is mutually agreed that the performance or breach of this Agreement and its interpretation shall be governed by the laws of the State of Montana, without regard to its conflicts of law principles.

- 19. COMPUTING TIME. For the purpose of calculating time under this Agreement, the following computation shall be used: If the period is stated in days or a longer unit of time, exclude the day of the event that triggers the period, count every day, including intermediate Saturdays, Sundays, and legal holidays, and include the last day of the period, but if the last day is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday.

**IN WITNESS WHEREOF**, the Parties have caused this Agreement to be executed in Livingston, Montana, the day and year first aforementioned herein.

**City of Livingston**

**Four Corners Recycling, LLC,  
a Montana limited liability company**

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

**[ Exhibit A ]**

**[ Contract Documents ]**

**[ Exhibit B ]**

**[ Certificates of Insurance or Exemptions ]**



FOURCOR-09

SMCNULTY

## CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
10/28/2021

133

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).


<b>PRODUCER</b> Billings Office PayneWest Insurance, a Marsh McLennan Agency LLC Company P.O. Box 30638 Billings, MT 59107-0638	<b>CONTACT NAME:</b> PHONE (A/C, No, Ext): (406) 238-1900      FAX (A/C, No): (406) 245-9887	
	<b>E-MAIL ADDRESS:</b>	
<b>INSURED</b>  Four Corners Recycling, LLC P.O. Box 2837 Norris, MT 59745	<b>INSURER(S) AFFORDING COVERAGE</b>	
	<b>INSURER A:</b> Western National Mutual Insurance Co	<b>NAIC #</b> 15377
	<b>INSURER B:</b> Montana State Fund	<b>NAIC #</b> 15819
	<b>INSURER C:</b>	
	<b>INSURER D:</b>	
	<b>INSURER E:</b>	

**COVERAGES**      **CERTIFICATE NUMBER:**      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:	X		CPP1198012	11/1/2021	11/1/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			CPP1198012	11/1/2021	11/1/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			CPP1198012	11/1/2021	11/1/2022	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000
B	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	034700518	11/1/2021	11/1/2022	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
 General Liability Additional Insured form WNG139

<b>CERTIFICATE HOLDER</b>  City of Livingston Public Works Department 330 N Bennett St Livingston, MT 59047	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
---	--

**File Attachments for Item:**

**E. RESOLUTION NO. 5048: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON MONTANA, AUTHORIZING THE INTERIM CITY MANAGER TO SIGN A PROFESSIONAL SERVICES AGREEMENT WITH TD&H ENGINEERING, FOR CONSTRUCTION ADMINISTRATION SERVICES FOR THE CIVIC CENTER SEWER PROJECT, AND AUTHORIZATION TO EXECUTE THE AGREEMENT TO INCLUDE THE USE OF CONTINGENCY FUNDS AS DEEMED NECESSARY.**

**RESOLUTION NO. 5048**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON MONTANA, AUTHORIZING THE INTERIM CITY MANAGER TO SIGN A PROFESSIONAL SERVICES AGREEMENT WITH TD&H ENGINEERING, FOR CONSTRUCTION ADMINISTRATION SERVICES FOR THE CIVIC CENTER SEWER PROJECT, AND AUTHORIZATION TO EXECUTE THE AGREEMENT TO INCLUDE THE USE OF CONTINGENCY FUNDS AS DEEMED NECESSARY.**

\*\*\*\*\*

**WHEREAS**, the City of Livingston previously entered into a Professional Services Agreement with TD&H Engineering of Montana, to provide engineering services to the City of Livingston; and

**WHEREAS**, City administration requested a proposal for engineering services for the Civic Center Sewer Project, and based on the recent bid opening, the construction amount for this project is approximately \$641,600.00 as noted in Resolution No. 5042, which requires oversight and management; and

**WHEREAS**, TD&H Engineering has provided the attached proposal for construction management outlining their scope of work, in an amount of \$47,000.00 with a 5% contingency up to a total of \$49,350.00, and defining the relationship attached hereto, as “Exhibit B”; and

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

On behalf of the City of Livingston, the City Manager is hereby authorized to enter into the Construction Administration Agreement with TD&H Engineering, Inc. for Civic Center Sewer Project.

**APPROVED AND ADOPTED**, by the City Commission of the City of Livingston, this 28<sup>th</sup> day of June, 2022.

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**MELISSA NOOTZ, Chair**

**ATTEST:**

**APPROVED TO AS FORM:**

---

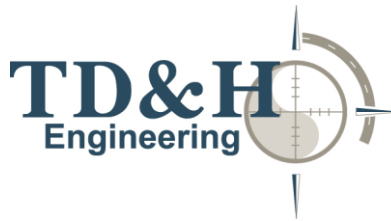
**FAITH KINNICK,  
Recording Secretary**

---

**COURTNEY LAWELLIN,  
City Attorney**



234 East Babcock Street  
Suite 3  
Bozeman, MT 59715



406.586.0277  
tdhengineering.com

June 7, 2022

Mr. Shannon Holmes – Public Works Director  
City of Livingston  
330 Bennett Street  
Livingston, MT 59047  
Email: [Sholmes@livingstonmontana.org](mailto:Sholmes@livingstonmontana.org)

## RE: PROPOSAL FOR CONSTRUCTION MANAGEMENT FOR CIVIC CENTER SEWER EXTENSION

Dear Shannon,

Thank you for the opportunity to submit this proposal to provide engineering services for construction during the Civic Center Sewer Extension project. The City intends to award this project, which provides municipal sewer services to the existing Civic Center and surrounding facilities.

### SCOPE OF WORK - ENGINEERING

Our scope of work includes:

- Shop drawing review.
- Preconstruction conference.
- Construction staking.
- Construction inspection and testing.
- Project management and necessary meetings.
- Project closeout and record drawings.

The project has been advertised and bids have been opened. The proposed contract with Askin Construction is anticipated to go in front of the City Commission this week for approval.

Our proposed scope covers construction inspection, submitting record drawings to MDEQ and ultimately provide a certification of compliance and acceptance package for the sewer improvements.

### SCHEDULE AND FEE

Contract time is 90 calendar days, which equates to approximately 12 weeks of construction. We have included several trips for our senior level construction manager/P.E., Mike Kirkpatrick, to help maintain good communication with the Contractor and work through construction questions. Our estimated fees for the scope outlined above are listed below:

1. Construction Staking.....	<b>\$3,000</b>
2. Construction Inspection and Management.....	<b>\$42,000</b>
3. Record Drawings .....	<b>\$2,000</b>
Subtotal	<b>\$47,000</b>
5% Contingency	<b>\$2,350</b>

**TOTAL ENGINEERING AND CONSTRUCTION ADMINISTRATION FEE \$49,350**

The construction amount for this project is approximately \$663,000 based on the recent bid opening and estimated manhole material costs. We propose using this construction total as a benchmark to monitor the construction management fee. It is industry standard to use 10% of the estimated fee as a target for construction management (CM) fees and we have used this strategy to estimate the CM fee for this project; however we are comfortable with the amount provided above to be sufficient to provide CM services for this project based on discussions with Public Works staff. Construction costs have increased since the original estimates for this project so TD&H will work with the City to find efficiencies in CM to keep the costs reduced. The original CM budget for this project was estimated at \$61,520.

As in years past, if we do not reach the total construction administration estimated fee, we will not bill the City and if the fee ends up higher due to the approach of using percentage of engineer's estimate price instead of contract time, we will finish the project on time and materials budget as approved by the City.

Thank you for the opportunity to submit this proposal. We appreciate your confidence in our firm, and we look forward to continuing our work with you on this project. If you have any questions or comments regarding this proposal or wish to discuss the scope of services, please call.

Sincerely,



**Matt McGee, PE**  
Project Manager  
**TD&H ENGINEERING**

J:\2021\B21-081 Livingston Civic Center Sewer Extension\DOCUMENTS\CONTRACTS\CM\Civic CENTER CONSTRUCTION MANAGEMENT PROPOSAL.DOC



**PROFESSIONAL SERVICES AGREEMENT**

THIS PROFESSIONAL SERVICES AGREEMENT (this “Agreement”) is made and entered into as of the \_\_\_\_ day of \_\_\_\_\_, 2022, by and between the **CITY OF LIVINGSTON, MONTANA**, a municipal corporation and political subdivision of the state of Montana with its principal business office located at 330 Bennett Street, Livingston, Montana 59047 (hereinafter referred to as the “City”), and **THOMAS, DEAN & HOSKINS, INC.**, a Montana corporation with its principal office located at 1800 River Drive North, Great Falls, Montana 59401 (hereinafter referred to as the “Engineer”); and together with the City, the “Parties”).

RECITALS:

- A. The City desires to complete the project commonly known as the Civic Center Sewer Extension Project (the “Project”), which Project requires certain Construction Administration services to be performed in connection therewith.
- B. The City has selected a contractor to perform the construction work for the Project, and the City now desires to engage Engineer to perform professional engineering services in the form of Construction Administration.
- C. The Engineer is engaged in the business of professional engineering, independent of the City, and has the manpower, knowledge, expertise, skills, means, tools, licenses, if applicable, and equipment necessary to perform Construction Administration for the Project and is ready, willing and able to undertake and perform the same under the terms and conditions contained in this Agreement.

NOW, THEREFORE, in consideration of the foregoing recitals and the terms and conditions contained herein, the Parties agree as follows:

- 1. INCORPORATION OF RECITALS. The above Recitals are true and correct and are fully incorporated into this Agreement as if fully set forth in this Paragraph 1.
- 2. PURPOSE AND SCOPE OF SERVICES. City agrees to retain Engineer to perform all services and comply with all obligations specified or indicated in Exhibit A, which is attached hereto and incorporated herein as if fully set forth in this Paragraph 2, and as set forth and described in the Standard General Conditions of the General Services Agreement the City entered into, or will enter into, with the general contractor for the

Project (the services described in this Paragraph 2 shall be collectively referred to hereinafter as the “Services”).

3. NON-DISCRIMINATION. Pursuant to Mont. Code Ann. § 49-3-207, in the performance of this Agreement, the Engineer agrees that all hiring will be on the basis of merit and qualifications and that the Engineer will not be discriminate on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin.
  
4. NATURE OF RELATIONSHIP.
  - a. The Engineer states that it is engaged in an established business or profession which is in no way affiliated with or connected to the City, except by this Agreement and that it uses independent judgment in the performance of services provided hereby free from control or direction of others. The Engineer shall perform the Services as an independent contractor. The Parties agree that the City is only interested in the end result of the Services, not in the method of performance, and as such, the Engineer has been and will continue to be free from the control or direction of the City in the performance of this Agreement.
  
  - b. Engineer shall not be considered an employee of the City for purposes of tax, retirement system, or social security, FICA withholding, or for any other purpose. Engineers are not subject to the terms and provisions of the City’s personnel policies and may not be considered a City employee for workers’ compensation or any other purpose.
  
  - c. The Engineer shall not be deemed, by virtue of this Agreement, nor the performance thereof, to have entered into any partnership, joint venture, employer/employee or any other legal relationship with the City besides that of an independent contractor.
  
  - d. The Engineer, its officers, agents and/or employees shall not have the authority to make representations on behalf of the City, and neither shall the aforementioned persons have the authority to legally bind or otherwise obligate the City to any third person or entity.
  
  - e. Engineer shall furnish all labor, materials, supplies and incidentals necessary to conduct and complete the Services.

5. ENGINEER'S REPRESENTATIONS AND WARRANTIES. The Engineer represents and warrants as follows:
- a. It and its employees are licensed by the State of Montana as engineers and agree to perform the Services in a professional manner according to the standards of care, skill, knowledge, and diligence, normally exercised by a professional engineer and in accordance with sound engineering and construction management practices. In the event any service is found to be out of conformance with the foregoing standards, the Engineer, at its own expense, shall make such changes, modifications or additions as are necessary to remedy the deficiency.
  - b. It and its employees possess all of the necessary qualifications, experience, knowledge, tools and equipment to undertake the performance of the Services as set forth in this Agreement.
  - c. It will comply with all applicable laws, rules, ordinances, and regulations, adopted or promulgated by any governmental agency or regulatory body, whether State, federal or local, and furthermore agrees to assume full responsibility for the payment of all contributions of all federal and state income or other payroll tax or assessment, social security, worker's compensation insurance, unemployment insurance, self-employment tax or any other required deduction or contribution for itself or for any employees engaged by the Engineer in performance of this Agreement.
  - d. It will comply with the applicable requirements of the Workers' Compensation Act, Title 39, Chapter 71 of the Montana Code Annotated, and the Occupational Disease Act of Montana, Title 39, Chapter 71 of the Montana Code Annotated, and shall maintain workers' compensation coverage for all members and employees of the Engineer, except for those members who are exempted by law. Engineer shall furnish copies showing proof of workers' compensation coverage by an insurer licensed and authorized to provide workers' compensation insurance in the State of Montana or proof of exemption from workers' compensation granted by law for independent contractors, including subcontractors. Proofs of coverage are collectively attached to this Agreement as Exhibit B.
  - e. It has reviewed the project and contract documents related to the Project and this Agreement and has entered into this Agreement based solely upon its own

knowledge, inspection and judgment, and not upon any representations or warranties made by the City, or its officers, employees, or agents.

6. PAYMENT.

- a. For the satisfactory completion of the Services, the City will pay the Engineer a sum not to exceed Forty Seven Thousand and 00/100 Dollars (\$47,000.00); provided, however, the Parties may agree to additional compensation in an amount not to exceed Two Thousand Three Hundred Fifty and 00/100 Dollars (\$2,350.00) in the event presently unforeseen circumstances require Engineer to provide additional services or spend additional time on items not contemplated by this Agreement. Each specific service the Engineer provides under this Agreement, and the maximum amount the City will pay the Engineer for each, is set forth in Exhibit A.
- b. The Engineer may submit monthly requests for payment based on actual work performed, which must be accompanied by an itemized invoice describing the services furnished, the number of hours worked to accomplish each item, the amount being billed for each item, a description of any other eligible expenses incurred during the billing period, and the total amount being billed.
- c. In connection with obtaining payment under this Agreement, Engineer agrees to familiarize itself with, and agrees to be bound by, the City's claim procedure, including but not limited to deadlines for submitting claims for approval and payment. The Engineer assumes responsibility for the late filing of a claim.
- d. In the event the Engineer seeks payment or compensation for work, materials, or services not included in this Agreement, and the exhibits hereto, the Engineer must seek prior written authorization from the City before such expenditure is incurred. If the Engineer fails to obtain prior written authorization, the Engineer shall not be entitled to payment for the unauthorized work, materials or services.

7. TERMINATION OF THIS AGREEMENT. The City reserves the right to terminate this Agreement for any and all causes, or for its convenience, at any time upon fifteen (15) days written notice to the Engineer. If termination is effected by the City for default, an equitable adjustment in the fee shall be made, but no amount shall be allowed for anticipated profit or unperformed services. If termination is effected by the City for reasons of convenience, an equitable adjustment in the fee shall be made, including

reasonable profit. The equitable adjustment for any termination shall provide for payment to the Engineer for services rendered and expenses incurred prior to the termination. Upon termination, the Engineer will cease work and deliver to the City all data, design drawings, specifications, reports, estimates, summaries, and such other information and material accumulated by the Engineer in performing this Agreement whether completed or in progress.

8. OWNERSHIP AND PUBLICATION OF MATERIALS. All documents, design drawings, data, specifications, reports, estimates, and such other information and material accumulated or prepared as a result of this Agreement are the property of the City, and the City shall have exclusive and unrestricted authority to release, publish, or otherwise use, in whole or in part, information relating thereto. Any use without written verification or adaptation by the Engineer for the specific purpose intended will be at the City's sole risk and without liability or legal exposure to the Engineer.
  
9. INDEMNIFICATION AND HOLD HARMLESS. The Engineer waives any and all claims and recourse against the City, its officers, agents or employees, including the right of contribution for loss and damage to persons or property arising from, growing out of, or in any way connected with or incident to the Engineer's performance of this Agreement, except for liability arising out of concurrent or sole negligence of the City or its officers, agents or employees. Further, the Engineer will indemnify, hold harmless, and defend the City, its officers, employees and agents against any and all claims, demands, damages, costs, expenses or liability arising out of the Engineer's performance of this Agreement, except for liability arising out of the concurrent or sole negligence of the City or its officers, agents or employees.
  
10. INSURANCE. The Engineer will carry a general liability insurance and professional errors and omissions insurance during the term of this Agreement in an amount of not less than One Million Five Hundred Thousand and No/100 Dollars (\$1,500,000.00) per occurrence, and Seven Hundred Fifty Thousand and No/100 Dollars (\$750,000.00) per claim. Copies of certificates of insurance, suitable to the City, shall be filed with the City and are attached hereto and incorporated herein as Exhibit C. The engineer shall make the City an additional, named insured on its policy for this project, and will provide proof thereof prior to providing services under this agreement. Engineer shall also maintain workers' compensation and unemployment insurance, as well as other insurances as may be required by law for employers, or an exemption from the state of Montana.

11. CONFLICT OF INTEREST. The Engineer covenants that it presently has no interest and will not acquire any interest, direct or indirect, in the Project which would conflict in any manner or degree with the performance of the Services. The Engineer further covenants that, in performing this Agreement, it will employ no person who has any such interest.
12. NOTICES. All notices or communications required to be given under this Agreement shall be in writing and shall be deemed to have been duly given by personal delivery or upon deposit into the United States Postal Service, postage prepaid, for mailing by certified mail, return receipt required and addressed, to the address set forth in this Agreement. Any change of address shall be made by giving written notice thereof to the other party, providing the new address.
13. MODIFICATION AND WAIVER. No amendment, modification or waiver of any condition, provision or term of this Agreement shall be valid or of any effect unless made in writing, signed by the party or parties to be bound and specifying with particularity the nature and extent of such amendment, modification or waiver. Any waiver by any party of any default of the other party shall not effect or impair any right arising from any subsequent default. Nothing herein shall limit the remedies or rights of the parties hereunder and pursuant to this Agreement.
14. SEVERABILITY. Each provision of this Agreement is intended to be severable. If any provision of this Agreement is illegal or invalid for any reason whatsoever, such illegality or invalidity of said provision shall not affect the validity of the remainder of this Agreement.
15. ENTIRE AGREEMENT. This Agreement contains the entire understanding of the Parties in respect to the Project and supersedes all prior agreements and understandings between the Parties with respect to the Project.
16. INTERPRETATION. All captions, headings, or titles in the paragraphs or sections of this Agreement are inserted for convenience or reference only and shall not constitute a part of this Agreement or act as a limitation of the scope of the particular paragraph or section to which they apply. As used herein, where appropriate, the singular shall include the plural and vice versa and the masculine, feminine or neuter expressions shall be interchangeable.
17. TIME IS OF THE ESSENCE. Time is of the essence in performance of this Agreement.



18. COUNTERPARTS. This Agreement may be executed in multiple counterparts, each of which shall be one and the same Agreement and shall become effective when one or more counterparts have been signed by each of the parties and delivered to the other party.
  
19. PARTIES IN INTEREST AND ASSIGNMENT. This Agreement shall be binding upon, and the benefits and obligations provided for herein shall inure to and bind, the Parties and their respective successors and assigns, provided that this section shall not be deemed to permit any transfer or assignment otherwise prohibited by this Agreement. This Agreement is for the exclusive benefit of the Parties and it does not create a contractual relationship with or exist for the benefit of a third party. This Agreement shall not be assigned, or any right or obligation hereunder, in whole or in part, to another without first having prior written consent of the other party. No assignment or transfer of any interest under this Agreement shall be deemed to release the Engineer from any liability or obligation under this Agreement, or to cause any such liability or obligation to be reduced to a secondary liability or obligation.
  
20. APPLICABLE LAW AND VENUE. This Agreement and the rights and obligations of the Parties shall be governed by and interpreted in accordance with the laws of the State of Montana. The parties stipulate and agree that the Montana Sixth Judicial District Court, Park County, has proper venue and jurisdiction to resolve all causes of action which may accrue in the performance of this Agreement.
  
21. LIAISON. The designated liaisons with the City are Shannon Holmes and Martha O'Rourke, both of whom can be reached at (406) 222-5667. The Engineer's liaison is Matt McGee, who can be reached at (406) 586-0277.
  
22. ATTORNEY FEES. In the event either party incurs legal expenses to enforce the terms and conditions of this Agreement, the prevailing party shall be entitled to recover its reasonable attorney fees and other costs and expenses, whether the same are incurred with or without suit.
  
23. COMPUTING TIME. For the purpose of calculating time under this Agreement, the following computation shall be used: If the period is stated in days or a longer unit of time, exclude the day of the event that triggers the period, count every day, including intermediate Saturdays, Sundays, and legal holidays, and include the last day of the period, but if the last day is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday.

**IN WITNESS WHEREOF**, the Parties have caused this Agreement to be executed in Livingston, Montana, the day and year first aforementioned herein.

**CITY OF LIVINGSTON**

**THOMAS, DEAN & HOSKINS, INC.,  
a Montana corporation**

\_\_\_\_\_  
**Michael J. Kardoes**

\_\_\_\_\_  
**Name:** \_\_\_\_\_  
**Its:** \_\_\_\_\_

**[ Exhibit A ]**

**[ Scope of Services ]**

**[ Exhibit B ]**  
**[ Work Comp Insurance ]**

[ Exhibit C ]

[ Other Certificates of Insurance ]

**File Attachments for Item:**

**A. DISCUSS/APPROVE/DENY: LIVINGSTON-PARK CO. REVOLVING LOAN FUND POLICIES AND PROCEDURES EMERGENCY AND DISASTER AMENDMENT.**

# LIVINGSTON–PARK COUNTY REVOLVING LOAN FUND (RLF) POLICIES AND PROCEDURES

## EMERGENCY AND DISASTER AMENDMENT

### EMERGENCY AND DISASTER DECLARATION

This Amendment outlines the use of the Livingston-Park County Revolving Loan Fund (“RLF”) upon an emergency or disaster declaration in the City of Livingston and Park County. Park Local Development Corporation (“PLDC”) shall act as the loan servicer/administrator pursuant to the terms contained herein. During the period of any such declared emergency or disaster, the terms of this Amendment shall override and supersede any conflicting provisions of the RLF Policies and Procedures which are normally in effect (as adopted June 5, 2019, as the same may be amended from time to time). This Amendment is enacted by Resolution of the City of Livingston Commission and Park County Commission.

### LOAN PORTFOLIO

#### General Loan Terms

The maximum loan amount shall not exceed \$20,000. The interest rate will be the current Wall Street Journal Prime Rate plus a margin not to exceed 2.0% determined by the board at the beginning of each declared emergency or disaster. The term of the loan is up to 6 years with up to a one-year payment deferment period.

#### Eligible Activities

Eligible applicants are businesses located within the City of Livingston and Park County.

The eligible use of revolving loan fund is to provide necessary working capital to help overcome the economic injury of a declared emergency or disaster. Priority will be given to businesses that demonstrate ability to provide quality jobs. Quality jobs are defined as those where the combination of wages, benefits, and workplace environment contribute to a productive and satisfying work experience for employees.

The RLF does not finance residential real estate.

### REQUIRED DOCUMENTATION

The following documents are required to process your application and reach a loan decision. PLDC will assist to ensure the submission of all proper documentation. Approval decision and disbursement of loan funds is dependent on receipt of your documentation.

- Emergency and Disaster Loan Application completed and signed by the applicant.
- Complete copies, including all schedules, of the most recent Federal income tax returns for the applicant business; an explanation if not available.
- Personal Financial Statement completed, signed, and dated by the applicant (if a sole proprietorship), each principal owning 20% or more of the applicant business, each general partner, or managing member.
- Signed Personal Guarantee for each principal owning 20% or more of the applicant

business.

- Schedule of Liabilities listing all fixed debts.

Additional information that may be necessary to process your application:

- Complete copies, including all schedules, of the most recent Federal income tax returns for each principal owning 20% or more of the applicant business, each general partner or managing member, and each affiliate when any owner has more than a 50% ownership in the affiliate business. Affiliates include, but are not limited to, business parents, subsidiaries, and/or other businesses with common ownership or management.
- If the most recent Federal income tax return has not been filed, a year-end profit and loss statement and balance sheet for that tax year is acceptable.
- A current year-to-date profit and loss statement.

**NON-DISCRIMINATION**

PLDC’s loan programs are subject without limitation to all civil rights laws prohibiting discrimination on the grounds of race, color, national origin, religion, sex, marital status, disability, or age.

**EQUAL CREDIT OPPORTUNITY ACT**

PLDC will comply with the Equal Credit Opportunity Act. The Act prohibits discrimination against any applicant with respect to any aspect of a credit transaction on the basis of race, color, marital status, sex, religion, national origin, age, receipt of income from any public assistance program, or the fact that the applicant has, in good faith, exercised a right under the Consumer Credit Protection Act or under State law. An indication of gender may be required of the applicant for statistical purposes only.

**INITIAL SCREENING**

Due diligence and underwriting will not commence until a completed loan application is received. All loan files will be maintained in a consistent manner. Each loan application should be supported by the following due diligence/verifications:

- Verification of legal entity’s status
- Verification of economic injury due to emergency/disaster

Applications that do not pass this preliminary due diligence phase will be declined.

**LOAN OFFICER REPORT/ANALYSIS**

The PLDC staff report to the Loan Committee is the end product of the staff’s due diligence efforts in knowing the borrower. The intent is to complete a thorough and accurate summary of the loan applicant for consideration by the Loan Committee. Staff identifies, quantifies, and assesses the strengths and weaknesses of the applicant, including economic injury.

The following information should be covered in the Report:



- Applicant information
- Describe eligibility issues of the loan request
- Employment benefits
- Loan request
- Financial Analysis of Business
- Personal Financial Statement
- Summary and Recommendation

**LOAN PRESENTATION**

The loan application will be presented to the Loan Committee by the applicant and PLDC staff. The loan applicant will then be excused while the Loan Committee considers the application and makes their decision. The loan applicant will be informed in writing of the decision within two business days.

**LOAN DECISION**

**Approval Recommendation**

Written notification of the approval and any changes to the proposed loan terms and conditions will be provided to the applicant and detailed in a commitment letter. The borrower will be required to acknowledge terms and conditions outlined in the commitment letter.

**Denial**

To comply with the Equal Credit Opportunity Act, PLDC will adhere to the following procedures:

- a. If a loan application is screened out or withdraws before consideration by the Loan Committee, the entire application, with a letter explaining why the loan cannot be considered, should be given to the applicant.
- b. If the loan is formally declined by the Loan Committee, the application and support documents are not returned to the borrower.
- c. A formal decline letter on all declines must be signed by PLDC staff and sent to the borrower. The reasons for the denial must be specified.
- d. In addition, PLDC staff must explain the standard reasons in terms the applicant can understand so he/she will know what needs to be overcome for any reconsideration. Otherwise, under provisions of the Freedom of Information Act, the applicant may be entitled to a copy of the entire loan report.
- e. Reconsideration rights must be stated.

Standard reasons for decline are as follows (typically will have 2-3 reasons):

- a. Lack of reasonable assurance of ability to repay loan (and other obligations) from earnings.
- b. Lack of reasonable assurance the business can be operated at a rate of profit sufficient to repay the loan and other obligations from earnings.
- e. Disproportion of (loan requested) debts to (tangible) net worth before and after the loan.
- f. Inadequate working capital after loan.
- g. The result of granting the financial assistance requested would be to replenish funds distributed to the owner, partners, or shareholders.
- h. Lack of reasonable assurance the applicant will comply with the terms of the loan agreement.
- i. Unsatisfactory experience on existing loan.
- j. Not eligible because of policy reasons. Other reasons as specified by the loan committee

**Reconsideration after Denial**

The letter which advises the applicant of the decline of the original application must advise the applicant of the right to a reconsideration and the procedure for requesting one. An applicant or borrower may request reconsideration within sixty (60) days of formal denial.

To prevail, the applicant must demonstrate that it has overcome all legitimate reasons for denial. Beyond sixty days after denial, a new application is required.

The applicant must supply the following for reconsideration of its request:

- 1. The request must be in writing.
- 2. All necessary information must be up to date, including a current financial statement that is less than ninety (90) days old.
- 3. State all reasons why the denial should be reconsidered.

The Loan Committee will always take first action on all loan application reconsiderations. The staff Report will give sufficient detail to summarize any changes from the original declined loan consideration.

**LOAN CLOSING**

A loan closing will be scheduled with the borrower after final approval by the Loan Committee and after all contingencies have been satisfied. Corporations must provide a corporate resolution authorizing the corporation to borrow loan funds and designating specific officers as signatories.

PLDC staff will prepare or have prepared for them all closing documents. Each borrower shall be provided with a copy of loan closing documents at or prior to closing.

**LOAN SERVICING**

**Payments**

Borrowers will make payments to PLDC in accordance with the loan agreement and promissory note executed at loan closing.

PLDC will track each loan payment, showing the break-down between principal and interest.

**Loan Servicing Fees**

In the administration of disaster/emergency loans, PLDC shall be entitled to payment of loan servicing fees of up to 10% of the authorized emergency/disaster funds which are administered by PLDC. It is agreed and understood that due to the administrative intensity of providing a large volume of small loans to local businesses, that an increased fee is warranted.

**Monitoring**

The following items will be specifically monitored by PLDC staff:

- 1. Monitoring of timeliness of payments by Borrower.
- 2. Monitoring of Borrower’s business operations/activities.
- 3. Some loans will have other requirements, which shall be imposed at the discretion of PLDC.

PLDC staff will conduct periodic site visits at the Borrower’s place of business. During the site

visit, staff will verify employment numbers and answer questions the Borrower may have concerning their loan. In addition, the above information may be verified periodically throughout the year.

**Loan Workouts and/or Restructuring**

The Loan Committee may forgive or postpone loan payments due to special circumstances or unanticipated difficulties. When considering requests for postponement of payment obligations, the Loan Committee will evaluate each individual request on its merit alone and will base its decision on a thorough analysis of the business financial statements, especially historical and projected cash flow.

Beyond the initial **one-year deferral**, in order to be considered for a deferral, the borrower must submit a written request, along with copies of their most current financial statements to PLDC staff. In addition, the borrower must bring any delinquent loans current before the deferral will be considered. Any deviation of this policy must be approved by the Loan Committee.

PLDC staff will work with the Borrower to develop an acceptable workout plan. PLDC staff will evaluate the following to determine the restructuring benefit to the business:

- Cash flow available for debt service
- Aging of account payable
- Aging of account receivable
- Existing debt service
- Historical and current trend of sales and expenses

The tentative workout plan must be presented to the Loan Committee for approval. Once the workout plan/restructure has been approved by the Committee and Borrower, a Change In Terms must be executed.

**Foreclosure/Judicial Enforcement Policies**

In most instances, a foreclosure or action for judicial enforcement will be viewed as the last option. There are, however, instances when foreclosure/judicial enforcement is the best option and the only remedy to a deteriorating situation. Foreclosure/judicial enforcement may only take place upon the decision of the Loan Committee.

All foreclosure/judicial enforcement proceedings and actions should be done in such a way as to provide maximum protection for the loan portfolio, its participating lenders, if any, and for the interest of all affected parties, including the low- and moderate-income customers of the Borrower.

Collateral liquidations must attempt to cover the cost of the outstanding loan principal, any accrued interest owed to the loan fund, and the transaction costs of the liquidation efforts (e.g. legal, marketing, staff time).

**Loan Write-offs**

PLDC staff will make recommendations to the Loan Committee for loan write-offs.

**Hold Harmless**

The parties agree that due to the nature of the lending activities being undertaken pursuant to this Amendment (as a consequence of the Park County and City of Livingston emergency/disaster declarations), that PLDC will deviate from customary lending requirements in its administration of the RLF funds. It is understood and agreed the emergency/disaster loans will be unsecured, and certain loan underwriting requirements will be waived to further the purposes of this program. As such, Park County and the City of Livingston shall hold PLDC harmless from and against any and all liability in relation to the administration of the RLF loans originated hereunder, unless such liability is a result of gross negligence or intentional misconduct.

Revision History by the PLDC Board:  
RLF Policy Amendment adopted March 30, 2020.  
RLF Policy Amendment revised June 23, 2022.

**File Attachments for Item:**

**B. ACTION ITEM: APPROVING ORDINANCE WAIVER FOR PBR AFTER-PARTY HOSTED BY THE OWL LOUNGE.**

### City of Livingston Special Event Permit Application

The City of Livingston Special Event Permit Application applies to City of Livingston Streets, Facilities, Parks and Trails; this does NOT include private property. Completed applications must be submitted at least 6 weeks prior to the event date. (8 weeks if requesting fee waivers, see Section 7 for eligibility)

Applications **are not considered complete** until the following items have been submitted:

- Signed Application
- Non-refundable application fee: \$50 resident / \$80 non-resident
- Refundable Deposit if utilizing any COL equipment or Facility
- Proof of Liability Insurance
  - \$1,500,000 and \$750,000 per occurrence
  - Fire Casualty and Property loss insurance on the premises in the minimum amount of \$500,000.00 with a loss payable provisions to the City.
- Proposed maps/layout of event
  - If run/walk, include locations of water stations/volunteers/traffic control devices

**Application Information (should also serve as the event day contact)**

Renter/Contact Name: Patrick McCutcheon/ Celesta Hallam

Organization: The Owl lounge

Email Address: cece\_hallam@yahoo.com Tax ID Number: 85-2121411

Address: 110 N. 2nd St. City, State, Zip: Livingston, MT 59047

Mobile Phone: 406-224-0510 Cece Work Phone: 406-599-3436 Patrick

Group insuring event: Revo Alliance / The Owl Lounge

Insurance Company: Revo Alliance Policy Number: GLL-03974

Insurance Agent: Korey Maple Insurance Phone: 605-225-3770

Insurance Address: 5325 US 12 Sioux Falls, SD 57401

**Event Information**

Name of Event: PBR after party Date of Event: 07/16/2022

Event Type: Outdoor music Approx # of Attendees: 75

Proposed Route(s) and/or Map(s) Attached: NO  Time(s) of event: Music from 8 to 1 A.M.

Set up Begins:	12pm July 16th	Event Begins:	8pm July 16th	Event ends:	1:30 am July 17th	Cleanup Complete:	3 am on July 17th
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Please provide a brief description of your event: *(use additional sheet if you need more space)*  
 The Owl will be hosting the PBR after party. Given our smaller venue, we are planning on renting the American Bank back parking lot. We will set up a band over there and have an outdoor beer booth and an outdoor bar. We desire for music to be allowed till 1A.M. since the PBR doesnt get done until 10pm. We will have people at all doors and entrances checking identification and our bartenders will do the same if they feel the need to verify.

Please identify any safety / security issues:

We will have extra staff checking IDs and also keeping crowd control.  
All documents will be submitted upon approval.

**Do you plan for your event to:**

**Have food:** No  If yes, have you contacted the Park County Sanitarian at 406-222-4145 and followed all requirements?

**Accumulate waste:** If yes, please notate your disposal plan (We recommend 1 – 96 Gallon can per 200 people):  
no

The City of Livingston will supply additional trash cans for your event, if utilizing, please notate quantity:

\_\_\_\_\_ Mon – Fri, 7am – 4pm: \$20 for first can; \$10 per additional can

\_\_\_\_\_ Mon – Fri, 4pm-10pm; Saturday & Sunday: \$30 for first can; \$15 per additional can

**Need restrooms:** If yes, how do you plan to accommodate? (We recommend one toilet per 250 people)  
no

**Need electricity:** If yes, what for and what source do you plan to use?  
yes we will use outlets on covered bank drive through wall

**Utilize parking:** If yes, how do you plan to accommodate?

**Utilize City park/facility/space:** If yes, please name the space and provide record of reservation. Contact the Recreation Department at 406-223-2233 to reserve.

We may put up small pop up tents over beer booths and musicians

**Use a stage, bleachers, tents or other temporary structures:**

If yes, please attach a drawing of proposed location(s) and sizes. \$30 irrigation locate fee applies when in parks.

**\*Utilize Cones, A-frames or Barricades from the City of Livingston:**

Candlestick Cones: \_\_\_\_\_ @ \$3 each    A-Frames: \_\_\_\_\_ @ \$7 each    Barricades: \_\_\_\_\_ @ \$12 each

Construction Fencing: \_\_\_\_\_ @ \$15 / 100 feet

*\*When rented individually these items do require a \$100 refundable deposit upon return of items*

**Street Closure:** If yes, please notate number of streets\* in accurate space provided as well as on the route map  
\_\_\_\_\_ Mon – Fri, 7am – 4pm: \$110 each (up to 2 streets) \$50 per street over 2

\_\_\_\_\_ Mon – Fri, 4pm-10pm; Saturday & Sunday: \$200 each (up to 2 streets) \$100 per street over 2

*\*A street is considered one city block. Permit Holder understands responsibility to notify ALL residents / businesses affected by closure*

**Alcohol to be served at event:** Yes  If yes, describe the location of sales, liquor license to be used and measures to insure proper ID for purchases and persons supervising the operation:

All bartenders are serve safe verified. We will have extra staff checking ID as well. We will have 1 or 2 beer booth/ outdoor bars in the parking lot area. The Owl will be using their liquor lic.

Liquor Liability Attached as described in Section 7

Proof of Alcohol Server Training as described in Section 7

**Requests for special animal policy considerations as described in Section 7:** \_\_\_\_\_ If yes, please describe: \_\_\_\_\_



Will the event require camping or temporary housing: **NO**  If yes, have you the Park County Sanitarian at 406-222-4145 to set up a temporary housing plan and answer the following questions:


\_\_\_\_\_ Date(s) Camping will occur \_\_\_\_\_ Location of camp site(s) \_\_\_\_\_ Number of campers  
\_\_\_\_\_ Number of tents \_\_\_\_\_ Location of tent(s) \_\_\_\_\_ Fire Ring(s) needed? *(must be authorized by Fire Dept)*

*Please describe plan for water/sanitation facilities and parking:*

Agreement to the City of Livingston Special Event conditions. Application hereby agrees to comply with the City of Livingston Special Event Conditions (Policy & Fee Schedule – Section 7). Upon signing this application, the applicant agrees not to violate any state or city codes in the presentation of the requested special event.

In consideration for permission to conduct its activity as requested, applicant agrees to indemnify, defend and hold harmless the City of Livingston, its officers, agents, employees and volunteers from damage to property and for injury to or death of any person from all liability claims, actions or judgements which may arise from the activity. Applicants also agree to obtain valid save or hold harmless agreements from all participants in its activity, protecting the City of Livingston from all losses arising out of its activity, including damages of any kind or nature.

I, Patrick McCutcheon hereby agree to the terms of insurance as set forth by the City of Livingston for my special event, and realize I must attach proof of insurance with this document in order for my application to be considered complete.

 Patrick McCutcheon 04/01/2022  
\_\_\_\_\_  
**Responsible Party (must have authority to sign)      Date**

\_\_\_\_\_  
**City of Livingston Parks & Recreation      Date**



**Livingston Recreation Department**  
 229 River Drive  
 Livingston, MT 59047  
 406-223-2233  
 rec@livingstonmontana.org  
 http://www.livingstonmontana.org/

---

## Registration/Payment Receipt 38349538

05/05/2022 11:19 AM

### Account Information

The Owl Lounge  
 Patrick McCutcheon  
 110 N 2nd Street  
 Livingston, MT 59047

### Payment

Cash \$50.00

### Received By

Livingston Recreation Department at Civic Center

Item	Amount Paid
Special Event Administration Fee - Resident	\$50.00
<b>Subtotal</b>	<b>\$50.00</b>
<b>Total Payment</b>	<b>\$50.00</b>

---

Thank you for reserving a facility with the City of Livingston

**Reservation Status:** A reservation is considered binding after The Facility Rental Agreement has been established and approved by City Personnel.

**If a Special Event Application is required, the reservation is not considered binding until after all City departments have approved the Special Event Application.** Rental applicants may not advertise until after this time.

**Cancellation Policy:** Deadline for cancellation is 7 days prior to your event. We cannot give refunds after the deadline. The City of Livingston will not be held responsible for emergencies that may arise that require the Civic Center, Band Shell or Gazebo area to be closed, i.e. floods, electrical outages, sewer backups, or any other unavoidable emergency situations. Should this occur, the rental fee and deposit will be refunded, unless the renter is able to reschedule the event. Notification of any emergency situation will be given to the renter as soon as possible.

**Problems:** If you encounter a problem during your rental, please call The Recreation Department Office at 223-2233, or Recreation Manager at 222-8155 **only** if you cannot get in contact with the Recreation Department staff. If it is an emergency and you cannot reach any of the listed contacts, please call 222-2050 and ask for the person on call for Public Works.

*The City of Livingston does not deny access to the facility to anyone on the basis of race, sex, religion, creed, national origin, or political views. Further, permitting any group to use the facility does not imply the endorsement of any views by the City of Livingston. The City of Livingston reserves the right to refuse application for good cause or to revoke the rental applicant's permit privileges.*

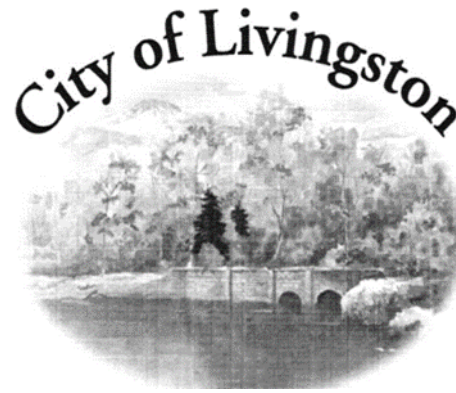
**File Attachments for Item:**

**C. DISCUSS/APPROVE/DENY: 2021 HOUSING ACTION PLAN, AND INTENT TO ADOPT AS APPENDIX TO LIVINGSTON GROWTH POLICY.**

**City Manager**  
Michael Kardoes

220 E Park Street  
(406) 823-6000 phone

citymanager@livingstonmontana.org  
www.livingstonmontana.org



*Incorporated 1889*

**Chairperson**  
Melissa Nootz

**Vice Chair**  
Karrie Kahle

**Commissioners**  
Mel Friedman  
Quentin Schwarz  
Torrey Lyons

June 16, 2022

City Manager  
414 East Callender Street  
Livingston, MT 59047

The City Planning Board makes the following recommendation to the City Commission:

Append the "Housing Action Plan" to the current City Growth Policy.

Sincerely,

Jim Woodhull  
Director of Building/Planning

# 2022 HOUSING ACTION PLAN

## PARK COUNTY, MONTANA

# TABLE OF CONTENTS

- Acknowledgments.....03
- Introduction.....04
- Key Terms .....05
- Background & Current Conditions.....07
- Planning Process.....09
- Guiding Principles.....11
- Framework.....12
- Policy & Housing Tool Recommendations for Park County.....14
  - 1. Low Income Housing Tax Credit (LIHTC).....15
  - 2. Employer Assisted Housing (EAH)/Partnerships.....16
  - 3. Resident-Owned Community Program (ROC).....17
  - 4. Community Land Trust (CLT).....18
  - 5. Density Bonus.....19
  - 6. Land Banking.....20
  - 7. Down Payment Assistance.....21
  - 8. Accessory Dwelling Units (ADUs).....22
  - 9. General Zoning Reform & Flexible Development Standards.....23
  - 10. Rehabilitation Loans and Grants.....24
  - 11. Short-Term Rental (STR) Regulations.....25
  - 12. Coordinated Entry System (CES).....26
- Tools for Future Consideration.....28
- Park County and City of Livingston Partnership Opportunities.....29
- Monitoring, Evaluation, Timeline, and Responsible Parties.....30
  - Scope and Timeline of Recommended Housing Tools .....31
- Priority Area Subcommittees.....33
- Next Steps.....34
- Conclusion.....34

## ACKNOWLEDGMENTS

This planning and engagement process has been led by the Human Resource Development Council of District IX (HRDC)’s community development team. HRDC is a community action agency that has served southwest Montana since 1975. HRDC’s work is guided by the needs of the community within the strategic focus areas of Transportation, Food and Nutrition, Early Childhood Education, Housing, Senior Empowerment, Energy, Emerging Adults, and Financial Opportunity. Relevant team members included:

Lila Fleishman, Community Development Project Manager  
Tracy Menez, Associate Director

We would like to thank the many local leaders, residents, organizations, businesses, advocates, and partners who participated in all of the Park County Housing Coalition stages. We would like to acknowledge and thank the Park County Community Foundation for its role as a local convener to elevate the conversation and bring together a wide variety of stakeholders and perspectives and support the work of PCHC.

Thank you to the PCHC volunteer members of the housing working group that dedicated their time to developing this document strengthening the process. The members of the Park County housing working group:

- |                     |                         |
|---------------------|-------------------------|
| Patricia Baltzley   | Karrie Kahle            |
| Bill Berg           | Jennifer Madgic         |
| Joseph Bullington   | Mathieu Menard          |
| Michal DeChellis    | Christopher “Chip” Njaa |
| Leslie J Feigel     | Barbara Oldershaw       |
| Johnathan Hettinger | Peggy Owens             |
| Luis A Islas        | Sonja Wheeler           |

Thank you to the City of Livingston and AMB West Philanthropies for their support. We also thank our technical assistance provider, Jeffrey Lubell with Abt Associates, whose expertise was also provided by AMB West Philanthropies.

Graphic Design, Dee Hainsworth, HRDC  
Photo Credit: Johnathan Hettinger



## INTRODUCTION

The Park County housing action plan (HAP), finalized in early 2022, aims to define clear goals, strategies, policies, priorities, and responsible parties for implementation to create and preserve homes affordable to Park County, Montana, residents. The plan will define a mechanism to monitor progress and priorities. This plan was developed to reflect the values of a wide variety of community stakeholders from Park County, including residents, nonprofits, governmental, and business partners, in a process facilitated by the Human Resource Development Council of District IX.

The plan is an outcome of the Park County Housing Coalition (PCHC), a community-based collaborative effort to increase opportunities for Park County residents to access housing where they can afford to live and thrive.

Acknowledging the limited housing resources within the region, nonprofit organizations came together to build capacity around this top community priority. In 2020, in partnership with Park County Community Foundation (PCCF), HRDC re-convened the Park County Housing Coalition (PCHC) to expand on 2017-2018 work convened by the Park County Extension office of Montana State University.

In 2021, HRDC facilitated a dedicated subcommittee of the PCHC to guide the development of this HAP — the housing working group. As the local community action agency serving southwest Montana since 1975, HRDC's community development team brought decades of experience and technical expertise to steer this conversation. The facilitation team leveraged the existing resources available on LocalHousingSolutions.org, a digital housing policy platform intended to assist communities in developing, implementing, and monitoring local housing solutions while educating the community and shaping the framework of the HAP.

Going forward, the PCHC will continue to collaborate across organizations and municipalities to focus efforts on implementing this HAP and fulfilling the mission.

In addition to this HAP, the PCHC released the 2021 Park County housing needs assessment (HNA) in October 2021 as a companion document to provide data and insight into this HAP's recommendations.

**AFFORDABLE HOUSING OR “HOMES RESIDENTS CAN AFFORD”**

Affordable housing is relative to household income. This assessment uses the standard of the monthly rent or mortgage payment being equal to or less than 30% of gross household income (before taxes) for renters towards contract rent and utilities and 33% of gross income towards the mortgage, insurance, taxes, utilities, and condominium association fees if applicable for owners.

**AMERICAN COMMUNITY SURVEY (ACS)**

The ACS is part of the Decennial Census Program of the US Census. The survey was fully implemented in 2005, replacing the decennial census long-form, and has been administered annually since. Typically, ACS data for localities represent the aggregate results of five years of responses; for example, the 2019 ACS cited in this report reflects data collected between 2015 and 2019. Because it is based on a sample of responses, its use in smaller areas (under 65,000 persons) is best suited for monitoring general changes over time rather than for precise estimates due to margins of error.

**AREA MEDIAN INCOME (AMI)**

The AMI is a Housing and Urban Development (HUD) calculation of the midpoint of a region's household income distribution. This metric is a common tool for setting household income limits in affordable housing programs.

**COMMUNITY LAND TRUST (CLT)**

A CLT is a community-based organization established to serve as the long-term steward of the land and to protect long-term affordability and access to housing for the community.

**COORDINATED ENTRY SYSTEM (CES)**

CES was developed by HUD through the Continuum of Care (CoC) program to ensure that all people experiencing a housing crisis have fair and equal access and are quickly identified, assessed for, referred, and connected to housing and assistance based on their strengths and needs.

**COST-BURDENED**

When housing costs exceed 30% of a household's gross (pre-tax) income. Housing costs include rent or mortgage and may or may not include utilities, homeowner association fees, transportation, or other necessary costs depending upon its application.

**DEED RESTRICTIONS**

A covenant that imposes requirements for land use that sets restrictions for tenant or owner eligibility standards and/ or ensures long-term affordability.

**HOUSING CHOICE VOUCHER**

The housing choice voucher program (also referred to as Section 8 Housing Choice Vouchers) is the federal government's largest rental assistance program for assisting very low-income families, the elderly, and people with disabilities to afford decent, safe, and sanitary housing in the private market. Since housing assistance through the housing choice voucher program is provided on behalf of a family or individual directly to the owner of a rental unit of their choice, participants can find their own housing, including single-family homes, townhouses, and apartments.

**LOW-INCOME HOUSING TAX CREDIT (LIHTC)**

The LIHTC is the largest federal subsidy program for the development of affordable rental housing through new construction and substantial rehabilitation. Generally allocated by state housing finance agencies, it subsidizes the acquisition, construction, and rehabilitation of affordable rental housing for low- and moderate-income tenants.

**MARKET RATE**

Housing with no restrictions; property owners or sellers are free to set prices.

**RESIDENT-OWNED COOPERATIVE (ROC)**

In resident-owned manufactured housing communities, the lot rent goes to the resident cooperative and is managed to meet community needs and maintain affordability. NeighborWorks Montana provides the ROC program in Montana as part of the ROC USA® Network and works with local partners to create and preserve ROCs.

**RENT-RESTRICTED HOUSING**

A kind of low or moderate-income housing that rents below market to households earning a certain percentage of the AMI.

**SHORT-TERM RENTAL (STR)**

STRs in Montana are defined as a unit with a rental period of fewer than 30 consecutive days.

**SUBSIDIZED HOUSING**

A kind of low-income housing where a qualified tenant pays a fixed share of their income towards rent. These subsidies are typically provided by federal programs funded by HUD or USDA Rural Development.

**SUPPORTIVE HOUSING (SH)**

SH is an evidence-based intervention for chronic homelessness that offers affordable non-time-limited housing with optional, flexible support services.

**TEMPORARY VS. CHRONIC HOMELESSNESS**

Chronic homelessness as defined by HUD describes the situation where people who have continually experienced homelessness for at least a year, or have experienced four episodes of homelessness over the past three years while struggling with a disabling condition such as a serious mental illness, substance use disorder, or physical disabilities. In contrast, temporary homelessness refers to an individual or family who lacks a fixed, regular, and adequate nighttime residence, such as those living in emergency shelters, transitional housing, or places not meant for habitation, but are doing so on a temporary basis.

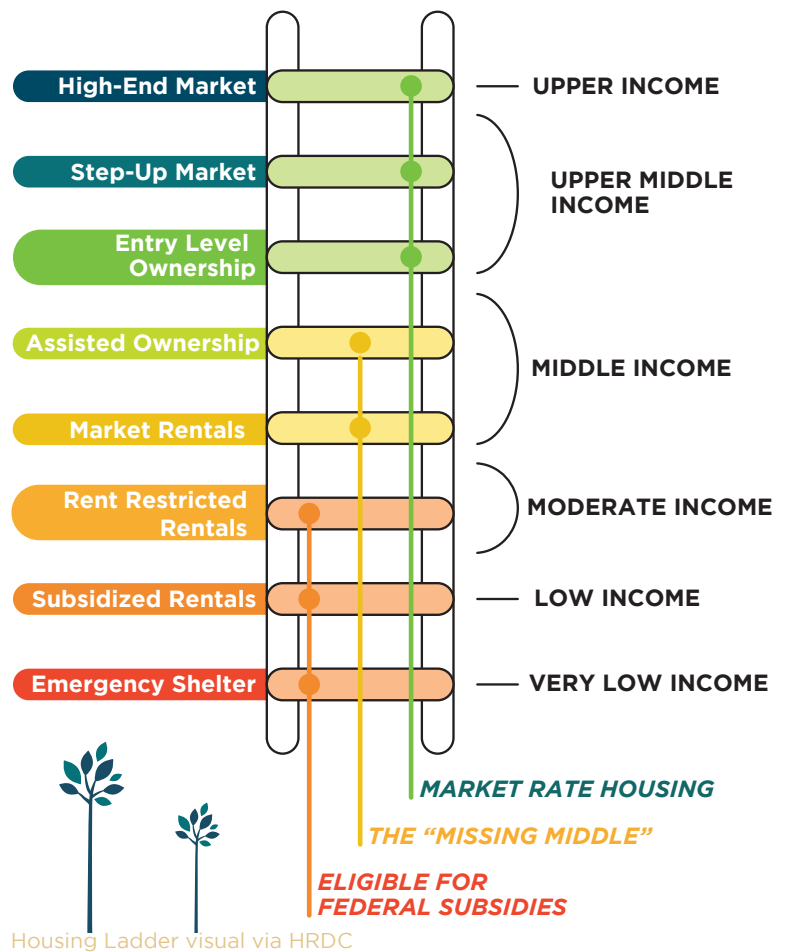
**WORKFORCE HOUSING**

A broad term typically used for housing for employees earning local wages and may or may not include housing for rent or sale below market rates.

# BACKGROUND & CURRENT CONDITIONS

Increasing access to homes affordable to people who live or work in Park County is a top priority of residents, local governments, businesses, and nonprofit partners. The current market conditions do not provide enough opportunities for rent or ownership to meet current or future housing needs.

While various factors impact a household’s ability to secure affordable, safe, and stable housing, affordability is relative to a household’s income. The 2021 housing needs assessment found that rental households with incomes below \$50,000 a year faced the most challenges while households earning less than \$100,000 a year faced the most challenges purchasing homes. Since 2021, preliminary data shows needs continue to increase along the housing continuum, causing more downward pressure on households with lower incomes. In a housing market with reduced options, the “rungs of the ladder” shown in the graphic below become further apart.



As of 2021, the 7,774 households in Park County faced challenges along the housing continuum. Park County had 910 households with annual incomes of less than \$14,999, while only 221 homes in the County have rental subsidies attached to ensure monthly rent is affordable to households in this income range. Meanwhile, the year-to-date median single-family home sales price in Park County was \$440,750, as of December 2021.

Only an approximate one-in-five, or 1,572 households, in Park County earn incomes above \$100,000 a year, enough to support a mortgage for the median single-family for sale home.

In addition to affordability challenges, the 2021 HNA highlights a mismatch of household sizes and available homes. There are 1.65 single-person households for every studio or one-bedroom home in the County, with more small households than homes. This creates a more acute shortage of homes for single-person households.

There are several barriers to increasing the number of homes to meet the community’s price point needs. Like many amenity-rich areas in Montana, Park County has experienced sharp increases in demand from out of state purchasers seeking first or second homes, along with increased pressure from people seeking a more affordable alternative to neighboring Gallatin County. These populations may have equity from more costly locations or the ability to work remotely and earn wages in excess of typical local wages, increasing their willingness and ability to pay increasing rents and sales prices. The HNA reported 2021 construction costs between \$180-\$200 per square foot for basic new residential construction, a function of both material cost escalation and a shortage of local labor. There is also limited available land with existing infrastructure, and just over half of land in Park County is federally managed by federal entities such as the forest service and parks.

Many local regulatory challenges exist, restricting local governments’ ability to require, incentivize, or fund housing affordable to residents. There are opportunities for funding affordable housing in other states that are not currently available in Montana. The State of Montana has regulations preventing rent control, as well as luxury, second home, and real estate transfer taxes. The state also has property tax increase protections and a recent prohibition of inclusionary zoning.

For a detailed snapshot of Park County’s housing needs as of mid-2021, please review the [2021 Park County housing needs assessment](#).



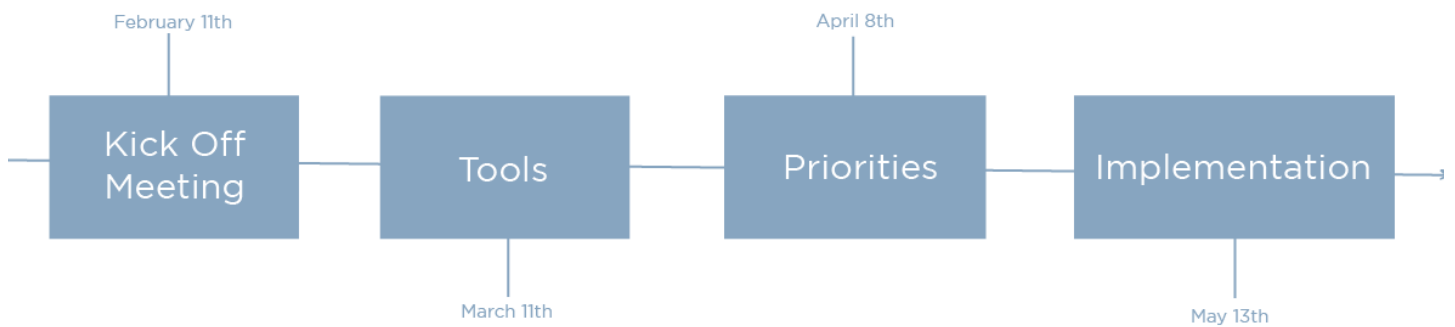
A draft of this plan was released to the public in October 2021, supported by the 2021 HNA. The public review occurred through a variety of outreach methods, detailed below, over four months between October 2021 and February 2022. Due to the COVID-19 pandemic, most of the public engagement occurred through online platforms.

This plan is an outcome of the work of the Park County housing coalition, beginning in 2020 with the re-convening and six-part webinar series to allow for a deeper community discussion and understanding around housing topics. Each online conversation attracted approximately 25 to 40 community members and featured a combination of local and regional experts to share current insight. The topic and timeline of each of the six sessions are below:

- Relaunching the Park County Housing Coalition (May 2020)
- Park County rental opportunities (June 2020)
- Park County homeownership opportunities (July 2020)
- Housing insecurity in Park County (August 2020)
- Assessments and strategies (September 2020)
- Next steps to develop the housing action plan (October 2020)

To create this HAP, a subcommittee was formed through an application process that occurred between November 2020 and January 2021. The housing working group represents a diversity of geographic range, lived experience, community leadership, and perspectives on housing challenges in Park County. Fourteen members participated in the housing working group.

The meetings for the housing working group included the following focus and timelines.



HRDC Community Development staff led the housing working group meetings. Through this process, HRDC produced the draft HAP in October 2021. The steps below occurred from October 2021 to February 2022.



Opportunities to comment on the plan were hosted on HRDC’s website or received via email and in writing. The plan received over 50 written survey responses, direct emails, and comments from individuals and organizations that have been incorporated into this final draft, excluding discussion during public events. Responses included feedback on the proposed tools and suggestions for additional partners as well as confirmed that residents are “very concerned” about housing opportunities for community members in Park County. Survey responses are available by contacting HRDC’s community development department.

The opportunity for engagement was publicly noticed in the Gardiner community newsletter, the Livingston Enterprise, and through partner listservs. Engagement opportunities were further supplemented by a series of three webinar events in partnership with the Park County Environmental Council that attracted 142 unique participants. The first part of this series featured a presentation and overview of the draft plan available online through the open comment period. The two additional community conversations welcomed regional experts to discuss some of the policy proposals in this HAP, including the Community Land Trust model and a discussion on short-term rentals. A draft of the plan was also presented publicly to the Park County planning board and the City of Livingston planning board with additional public comment received.

This process is consistent with the **2017 Park County Growth policy goals.**

**Goal 6: Encourage efforts of non-governmental partners to address community needs.**

*Objective 6.1: Facilitate and provide support to community groups. Community groups and non-profits and other Non-Governmental Organizations (NGOs) often fill public service roles the governing body cannot cover. Economic development corporations, aging services and housing services are just a few examples. Park County has numerous existing relationships with community groups and will likely continue to have more in the future.*

*-Park County Growth Policy, page 14*

Housing working group members established a set of core guiding principles to guide the values and priorities of the HAP in the spring of 2021.

1. Residents deserve safe, stable, and accessible homes that are affordable to households earning local wages and within reasonable proximity to school, work, and essential services.
2. Community and individual resident health depend upon having an adequate supply of homes available to residents of various incomes, ages, and household sizes, recognizing the entire community benefits from abundant housing availability, future economic growth, prosperity.
3. The solutions to providing affordable housing should involve diverse approaches, partnerships, and strategies — there is no one solution.
4. A sense of place should be supported by promoting vibrant communities.
5. Housing options should meet the needs of the current and future generations while preserving the natural landscapes.

In addition to the guiding principles above, this plan supports the values outlined in the 2017 Park County Growth Policy, including Chapter Six Key Issue: Housing, and the 2021 City of Livingston Growth policy, including Chapter Five: Housing.





This HAP aims to address challenges along the housing continuum with a balanced set of tools and strategies that are based on community engagement and local resources and are appropriate to the needs of Park County and its residents. To organize this HAP, HRDC utilized tools including the framework for a balanced strategy from LocalHousingSolutions.org, a digital housing policy platform intended to assist communities in developing, implementing, and monitoring local housing solutions. We encourage stakeholders interested in learning more about the tools and framework to visit their website.

Housing to meet community needs must accommodate a wide range of incomes, including households on fixed incomes, entry-level wage earners, and professionals. Housing also needs to consider the various life stages of community members, from households with elderly members seeking to downsize to those with young children.

**A BALANCED APPROACH**

This section frames each priority, existing and future consideration tools in the context of the localhousingsolutions.org balanced framework to show how a multi-pronged approach will address housing from all angles. As a community plan, it is important to have diversity in housing tools and implementing organizations. Both priority tools for the future and existing local tools and resources have been considered in the framework below.



INDICATES AN ESTABLISHED TOOL



INDICATES AN ESTABLISHED TOOL THAT WOULD BENEFIT FROM EXPANSION



INDICATES A NEW PRIORITY TOOL

**GOAL: CREATE AND PRESERVE AFFORDABLE HOUSING**

There are ten tools identified as a top priority in this section.

1. Strategy: Establishing incentives or requirements for affordable housing

- Short-term rental regulations
- Density Bonus
- Flexible development standards
  - Expedited plan review
  - Parking reduction

2. Strategy: Generating revenue for affordable housing

- Employer Assisted Housing/Partnerships
  - Local Option Resort Tax
  - Mill Levy
  - Commercial linkage
  - Tax Increment Finance District

3. Strategy: Supporting affordable housing through subsidies

- Low-Income Housing Tax Credits (LIHTC)

4. Strategy: Preserving existing affordable housing

- Rehabilitation Loans and Grants
  - Right of first refusal

5. Strategy: Creating durable affordable homeownership opportunities

- ROC (Resident-Owned Communities)
- Community Land Trust

6. Strategy: Facilitating the acquisition or identification of land for affordable housing

- Land banking
  - Use of publicly owned property for affordable housing



INDICATES AN ESTABLISHED TOOL



INDICATES AN ESTABLISHED TOOL THAT WOULD BENEFIT FROM EXPANSION



INDICATES A NEW PRIORITY TOOL

**GOAL: ALIGN HOUSING SUPPLY WITH MARKET AND NEIGHBORHOOD HOUSING CONDITIONS**

There are two tools identified as a top priority in this section.

1. Strategy: Planning

- **General zoning reform**

2. Strategy: Reduce development costs

- **Increasing Accessory Dwelling units**

**GOAL: HELP HOUSEHOLDS ACCESS AND AFFORD PRIVATE MARKET HOMES**

There are two tools identified as a top priority in this section.

1. Strategy: Providing tenant-based rental assistance

- Existing programs available to Park County residents Housing choice vouchers and HOME tenant-based rental assistance
- Coordinated Entry System (CES)
- Security deposit/ first month's rent assistance - not discussed yet possible program

2. Strategy: Reducing barriers to homeownership

- **Down Payment Assistance (DPA)**
- Housing education and counseling

3. Strategy: Reducing energy use and costs

- Combating housing discrimination
- Existing Ongoing Programs
- **Fair housing oversight programs from the Montana Board of Housing**
- **Tenant protection programs offered through Montana Legal Services Association**

4. Enhancing homeowners' housing stability

- **Property tax relief for income-qualified homeowners**
- **Foreclosure prevention programs Improving the quality of both new and existing housing**
- **Weatherization-Homeowner rehabilitation assistance programs including Low Income Energy Assistance Program (LIEAP)**

This section will look at each of the twelve tools recommended for prioritization by the Park County housing working group, a subcommittee of the Park County Housing Coalition. Each tool aims to increase access for Park County residents to homes that they can afford. The proposed housing tools take into account the current priorities, community needs, and existing resources available to meet the housing needs of residents in Park County.

In this section, you will find a brief description of the tool, why it was prioritized, and some examples of other communities that have utilized the tool. Some of the tools are new strategies for the community, while others provide recommendations for altering or expanding existing programs or policies.

The housing working group met four times with additional time spent on research and review of materials outside of meetings. The first meeting focused on our collaborative process and co-creating the guiding principles. During the three additional sessions, participants had opportunities to learn from housing policy experts about possible tools, share priorities and specifics on implementation. To ensure equal representation among all housing working group participants, the group also completed several surveys to assess group priorities, values, and opinions on implementation guidance. Tools were prioritized by a voting process, with the resulting rankings representing housing working group preferences.

- 1. Low-Income Housing Tax Credit (LIHTC)**
- 2. Employer Assisted Housing/Partnerships**
- 3. Resident-Owned Community Program (ROC)**
- 4. Community Land Trust (CLT)**
- 5. Density Bonus**
- 6. Land Banking**
- 7. Down Payment Assistance (DPA)**
- 8. Accessory Dwelling Units (ADUs)**
- 9. General Zoning Reform & Flexible Development Standard**
- 10. Rehabilitation Loans and Grants**
- 11. Short-Term Rental (STR) Regulation**
- 12. Coordinated Entry System (CES)**

## 1. LOW-INCOME HOUSING TAX CREDIT (LIHTC)

**What is this tool?** The Low-Income Housing Tax Credit (LIHTC) subsidizes the acquisition, construction, and rehabilitation of affordable rental housing for low- and moderate-income tenants. The federally funded LIHTC program is the largest resource for creating affordable housing nationally and is administered at the state housing finance agencies. Created by the Tax Reform Act of 1986, the LIHTC program gives state and local LIHTC-allocating agencies the equivalent of approximately \$8 billion in annual budget authority to issue tax credits for the acquisition, rehabilitation, or new construction of rental housing targeted to lower-income households. There are two types of credits, the non-competitive 4%, and the competitive 9%. These credits can be sold to cover about 30% or 90% of eligible construction costs, respectively. Each year in Montana, about 5-6 LIHTC 9% awards are made by the Montana Department of Commerce.

**Why was this tool prioritized?** The housing working group selected the LIHTC program to address the urgent needs of low and moderate-income renters. Although 9% LIHTCs are a highly competitive process in the state of Montana, 4% LIHTCs may be more easily accessible for development because they are awarded by right for proposals that meet the qualifications. This tool’s potential impact targets a demographic identified by community members as a top priority. The housing needs assessment found 70% of renters in Park County have an annual income of \$50,000 or less. The LIHTC income and rent chart indicate that the majority of renter households in Park County would qualify for this program.

**Recommendation:**

1. Seek out partnerships with affordable housing developers to encourage the use of LIHTC in Park County
2. Investigate opportunities to generate funding through public or private sources to cover the gap between total development costs and the funds that can be raised through LIHTC and debt supported by expected tenant rent contributions.

**Recommended Geographic Implementation:** Park County and City of Livingston

**Existing examples in Livingston:** Bluebunch Flats, Miles Building, and Sherwood Building.

**Expected Impact:** Create and preserve housing that is affordable to low- and moderate-income renters.

**Impacted Players:** Low-income renters and employers of low-wage workers.

## 2. EMPLOYER-ASSISTED HOUSING (EAH) PARTNERSHIPS

**What is this tool?** Employer-assisted housing (EAH) programs are efforts that engage employers as partners to expand the availability of housing affordable to their workers and others. EAH provides employers with a mechanism to invest in and create housing opportunities, including land acquisition, down-payment assistance, master leasing homes, or equity contributions to purchase affordable properties. It may be temporary, for relocation only, or long-term depending on the employer's needs. Employers also serve a critical role in creating partnerships and political will for broader solutions.

**Why was this tool prioritized?** Employers have identified affordable housing as a barrier to hiring and maintaining a consistent workforce; with a vested interest in addressing housing challenges in the community, employers have the opportunity to play a role in solutions. Housing working group members noted anecdotal existing local solutions that have the potential to be shared between employers. Members also expressed concerns about linking employment and housing opportunities too closely because of the potential downsides for both parties. The recommendation seeks to prioritize solutions that untether housing from jobs with a single employer and increase residents' access to all local job opportunities, promoting professional growth and stable communities, benefitting all employers.

**Recommendation:** Form a priority area subcommittee of the PCHC "Workforce Housing Challenges & Employer-Based Solutions" – Through the subcommittee, leverage local employer expertise and concern to share existing solutions that are already working in the community, discuss challenges facing employers regarding housing and discuss ways for employers to become involved in expanding the availability of affordable housing for their workers (and others) and how to scale solutions being implemented by peer communities that may work locally.

**Recommended Geographic Implementation:** All areas of Park County.

**Examples:** EAH may address supply through development of housing, financing, or donation of land or other investments towards housing or assisting employees to access housing through rent subsidies, DPA, education, deposit assistance, rent guarantee, or subleases. Employers can also supply land for the development of affordable housing or create a fund that would invest equity in affordable housing developments.

**Expected Impact:** The whole community benefits when there are homes available to workers.

**Impacted Players:** Employers and workers.

### 3. RESIDENT-OWNED COMMUNITY PROGRAM (ROC)

**What is this tool?** In resident-owned manufactured home communities, the lot rent goes to the resident cooperative and is managed to meet community needs and maintain affordability. The tool prevents escalating costs for residents, displacement, and loss of naturally occurring affordable homes to redevelopment. NeighborWorks Montana operates the ROC program in Montana as part of the ROC USA® Network, which includes over 250 across the nation and partners with local organizations to provide technical assistance to create ROCs.

**Why was this tool prioritized?** Naturally occurring affordable housing meets a critical need for Park County residents. Many manufactured homes, either rented or owned, provide residents with homes they can afford. In the City of Livingston, manufactured homes account for 3.6% of structures and 10.4% in the County for a total of 14% of structures or 1136 homes within Park County. While owners of manufactured homes on rented lots may have affordable payments, they do not have the protections associated with owning their lot. Without changes such as the ROC program, residents of mobile home parks are vulnerable to price increases or displacement of the entire community for redevelopment. With a limited supply of homes available to residents with low incomes, preserving and stabilizing mobile home parks can ensure residents are able to stay in their homes while adding economic benefits to new ROC owners.

**Recommendation:** Work with residents of existing manufactured housing communities in Park County to ensure they are aware of the benefits of ROCs and partner with NeighborWorks Montana to secure advice and financing for park residents that wish to purchase their parks and turn them into ROCs. Use the existing View Vista ROC as a model to increase awareness of ROCs in Park County as an alternative to selling for residents and owners.

**Recommended Geographic Implementation:** Park County, incorporated and unincorporated.

**Examples:** View Vista, or peer examples in Billings C&C Community Inc.

**Expected Impact:** Prevent displacement of low-income households from the preservation of naturally occurring affordable housing.

**Impacted Players:** Low-income households and employers of low-wage workers.

## 4. COMMUNITY LAND TRUST (CLT)

**What is this tool?** CLTs preserve affordable homeownership through the use of a ground lease. As a nonprofit steward of the land, the CLT will maintain ownership of the land beneath the home and sell the home for a reduced price to income-qualified homeowners. To maintain long-term affordability for future buyers, typically an annual appreciation cap and owner occupancy requirements are part of the terms of the ground lease. CLTs provide an opportunity for residents to purchase below market-rate homes to benefit from stable, affordable housing, and equity building while preserving these opportunities in perpetuity.

**Why was this tool prioritized?** The current for-sale market is not meeting the needs of low- and middle-income households. CLTs can help provide an in-between option from market rentals and market homes for sale while helping build stability for the community and families purchasing CLT homes.

### Recommendation:

1. Educate potential buyers about existing opportunities to purchase a home in HRDC's Livingston Land Trust and share the community impact with decision makers and potential partners.
2. Seek out funding from public and private sources to help make homes affordable through CLTs.
3. Expand offerings of CLT homes through a partnership with existing CLT stewards, including HRDC, Habitat for Humanity, or Trust Montana.

**Recommended Geographic Implementation:** Park County and City of Livingston.

**Local examples:** Livingston Land Trust by HRDC, **Peer examples:** In Bozeman by HRDC, or in Red Lodge by Trust Montana in partnership with Habitat for Humanity.

**Expected Impact:** Create and preserve homes for ownership that are affordable to residents in perpetuity.

**Impacted Players:** Households with moderate incomes seeking homeownership, employers of moderate-income households that wish to retain employees in the community.

## 5. DENSITY BONUS

**What is this tool?** A density bonus can be used as an incentive for developers by allowing additional units per acre, Floor Area Ratio (FAR), or height for projects that meet community housing objectives. This exchange is typically 10 or 20 percent beyond the baseline allowed density.

**Why was this tool prioritized?** Specifically for the city of Livingston, areas of town have been identified through the Livingston Growth Policy as recommended for infill development. Creating a density bonus could incentivize the creation of more affordable housing.

**Recommendation:** Encourage the City of Livingston to access and implement a density bonus for developers that meet the needs of residents by providing units with long-term affordability commitments.

**Recommended Geographic Implementation:** City of Livingston.

**Examples:** City of Boise, ID Housing Bonus Ordinance., 2021 (Boise City Code Chapter 11-06-03.4)

**Expected Impact:** Increase the supply of homes in targeted areas of Livingston.

**Impacted Players:** Developers, renters, and owners.



## 6. LAND BANKING

**What is this tool?** Acquiring land for unspecified future community housing needs. Land can be donated, traded, or purchased.

**Why was this tool prioritized?** Although the needs of today are pressing, the communities in Park County are expected to continue growing. Housing working group members expressed a desire to plan for future growth intentionally.

**Recommendation:**

1. Identify land owned by public entities, institutional owners, or private donors that can be deed-restricted for future use as community housing.
2. Increase local capacity on land banking by leveraging technical assistance resources from organizations such as the Center for Community Progress or as a future subcommittee objective for the PCHC.

**Recommended Geographic Implementation:** Park County, especially targeting areas just outside of the city of Livingston located in the Extraterritorial jurisdiction.

**Examples:** The Northside Neighborhood Initiative & Land Bank in Chapel Hill, NC.

**Expected Impact:** Create future opportunities by facilitating land acquisition or identification.

**Impacted Players:** Future generations of Park County residents.

## 7. DOWN PAYMENT ASSISTANCE

**What is this tool?** Down payments or second mortgages for purchasing homes. It may be used for market rate or below-market priced homes. Programs are typically income-limited relative to the area median income (AMI), a benchmark released annually by the US Housing and Urban Development (HUD) for each county in the United States. Federal and state funds are typically limited to households earning less than 80% AMI; private financing may not have the same restrictions. There are currently active programs for down payment assistance in the region, including the HOME down payment program administered by the HRDC, the HomeNow program administered by MoFi, and various programs provided by NeighborWorks Montana and the Montana Board of Housing (MBOH).

**Why was this tool prioritized?** Down payment assistance can help first-time homebuyers access or afford homes in the market or income-restricted homes for sale, including households purchasing CLT homes. This tool was prioritized to meet the needs of locals facing challenges around coming up with a down payment or with addressing the gap between the mortgage they qualify for and housing prices of less than \$30,000 (the current maximum amount of assistance under the HOME program).

### Recommendation:

1. Promote the existing programs offered through HRDC, MoFi, NeighborWorks, and MBOH for eligible first time home buyers.
2. PCHC, or partner organization, facilitates connections with developers selling moderately priced homes with home buyers to use existing down payment assistance programs.
3. Explore establishing a funding source for a new down payment assistance program that would serve middle income households not currently eligible for existing programs yet still priced out of the current market.

**Recommended Geographic Implementation:** All areas of Park County, including the city of Livingston.

**Examples:** City of Bozeman DPA program through a revolving loan fund to first time homebuyers

**Expected Impact:** Increase homeownership rate for middle-income households by helping households access and afford the private market and reducing barriers to homeownership.

**Impacted Players:** Middle-income first-time home buyers and employers of middle-income households.

## 8. ACCESSORY DWELLING UNITS (ADUS)

**What is this tool?** Accessory dwelling units (ADUs) are accessory apartments or secondary units (sometimes called granny flats). They serve as additional living quarters on single-family lots independent of the primary dwelling unit, either attached or detached to the primary dwelling. Due to their smaller size and location, ADUs have the potential to provide homes affordable to lower- and middle-income households while providing stability to existing homeowners. Programs to encourage accessory units to meet local housing needs, including various examples of incentives, education, and outreach, should be considered.

**Why was this tool prioritized?** The Livingston Growth Policy highlights infill development that complements existing neighborhood character while allowing for additional homes to provide for new neighbors of all income levels as well as support existing homeowners to maintain the affordability of their homes. The draft 2021 Gardiner Neighborhood plan also supports strategies to increase housing opportunities, especially for year-round residents. This tool could be used in communities with access to public water and wastewater services to increase density and dwelling units.

**Recommendation:**

1. Provide educational materials to the community to help potential ADU owners understand the existing ADU process, along with the technical capacity to assist with financing, obtaining approval, and project development.
2. Evaluate possible incentives or funding sources for developing new ADUs, including an incentive for ADUs with deed restrictions for long term rental with possible income restrictions.

**Recommended Geographic Implementation:** City of Livingston.

**Examples:** West Denver ADU program (West Denver Renaissance Collaborative) and ADU handbook.

**Expected Impact:** Increasing ADUs can provide more options for households of all sizes, benefitting both those living in ADUs and owners of ADUs from the additional rental income. ADUs can increase stability for families to provide more flexible living arrangements for changing family compositions.

**Impacted Players:** Homeowners, renters of a range of income levels, visitors.

## 9. GENERAL ZONING REFORM & FLEXIBLE DEVELOPMENT STANDARDS

**What is this tool?** Conducting a review and implementing changes to development standards through the lens of removing barriers to building a variety of housing choices, including the missing middle typology of homes such as duplexes, triplexes, garden-style apartments, and town homes. Re-legalizing homes of all shapes and sizes for people of all incomes can help preserve mixed-income neighborhoods while offering opportunities for residents to rent or own homes, including expanding options for starter homes for families.

A consideration for parking reduction should be included in the general zoning reform. A parking reduction removes barriers to construction, including cost and required space, increases access to housing at all levels, including low- and moderate-income. Scaling of incentives to meet deeper levels of affordability impacting lower-income residents may also be considered.

Changes “cut red tape”, such as by-right development policies, which ensure a more predictable and streamlined permitting and development process, reducing barriers and risk that may contribute to higher building costs. By-right development policies also reduce the potential impact of Not-In-My-Backyard (NIMBY) groups or individuals representing a minority of public opinion preventing new homes from becoming available for residents.

**Why was this tool prioritized?** For the city of Livingston, this strategy aligns with the Livingston Growth Policy and offers an opportunity to prioritize community values through the zoning code that offers incentives for building community housing.

### Recommendation:

1. Conduct a code audit to assess zoning and development code barriers to expand housing opportunities in Livingston.
2. Implement changes to the current code to allow for more abundant housing.
3. Encourage the city of Livingston to conduct an assessment of the current parking requirements impact on housing and consider a parking reduction in exchange for meeting affordability requirements or increased density.
4. Align wastewater infrastructure investments to expand the developable land for future housing needs.

**Recommended Geographic Implementation:** the City of Livingston and the immediate surrounding areas.

**Examples:** The “Home In Tacoma Project” (2021)

**Expected Impact:** Remove barriers to development, increase the supply of homes, and increase developable land with community water and wastewater infrastructure.

**Impacted Players:** A community-wide impact would be expected from increasing the supply of homes.

## 10. REHABILITATION LOANS AND GRANTS

**What is this tool?** Grants typically from the state or federal level to improve existing housing in need of repair serving low-income households. This category covers a few types of programs; LIHTC rehabilitation loans can be used to update multifamily rental housing, while weatherization or Community Development Block Grant (CDBG) programs focus on life and safety updates to both renter- and owner-occupied homes of low-income households. Some rehabilitation programs are also funded with locally generated funds and cover home repairs for seniors and others.

**Why was this tool prioritized?** Many homes in Park County are older and in need of improvements. Promoting existing and expanding rehabilitation loans and weatherization programs, especially for those with low incomes or disabilities, can help residents stay in their homes, including older community members interested in aging in their homes.

### Recommendation:

1. Include weatherization program information in the housing resources dashboard.
2. HRDC or another community partner expands capacity for home rehabilitation programs targeting low-income residents housed in private homes by applying for Community Development Block Grant (CDBG) Housing Stabilization funding through the Montana Department of Commerce.
3. Prioritize LIHTC acquisition/rehabilitation projects to preserve subsidized and rent-restricted units.

**Recommended Geographic Implementation:** All areas in Park County, including the city of Livingston.

**Examples:** Weatherization Assistance Program through the United States Department of Energy administered locally through HRDC, City of Helena home rehabilitation program, Big Sky Villas Rural Development 515 Preservation in Belgrade.

**Expected Impact:** Prevent vulnerable homeowners and renters from displacement or unsafe living conditions through critical preservation.

**Impacted Players:** Low-income renters and homeowners and employers.

## 11. SHORT-TERM RENTAL (STR) REGULATIONS

**What is this tool?** Local policies, tracking, and enforcement on agreed-upon standards and use for STR. This may include expanded registration fees for STRs. The state of Montana defines short-term rentals as lasting fewer than 30 consecutive days. The scope of this HAP does not define the precise application of a short-term rental regulation. However, the plan recommends continued data collection and partnerships between the city and county. The collected data can then be used to inform an in-depth community process to define and target a short-term rental policy that is values-driven and meets the stakeholders' goals.

**Why was this tool prioritized?** Based on information in the housing needs assessment (HNA), if a home is rented for the median price of \$243 a night for 15 days a month, the resulting gross revenue would be \$3,645, well above median rents. If a home is rented at the median price every day of the summer season (90 days), the gross revenue would be \$21,870. Community members and the housing working group advocated for a mechanism to benefit the broader community and address possible displacement by the continued growth of STRs. STRs benefit the community by allowing owners to generate income and adding value to the local tourism-based economy. In addition, regulating STRs ensures the safety of visitors. The 2021 HNA reports an estimated 6.8% of homes in Park County are currently being used for short-term rentals.

### Recommendation:

1. Work with the Park County Health Department to renew contract services to monitor, manage compliance, and collect fees for registered STRs. Share and expand data collection with the PCHC.
2. City of Livingston and Park County partner to create standards for STRs, including increasing the registration fee for STRs to cover administrative costs and consider a maximum percentage of dwelling units by the community.

**Recommended Geographic Implementation:** All areas of Park County, including the city of Livingston and the community of Gardiner.

**Examples:** City of Bozeman Short-Term Rental Ordinance, 2017 (Ordinance 1974); Whitefish, MT Short-Term Rental Ordinance, 2021 (11-3-35: SHORT-TERM RENTAL STANDARDS).

**Expected Impact:** Standards and fees on STRs are intended to balance the potential negative impacts of displacement with positive benefits to the community by generating revenue for an affordable housing fund. Targeting a maximum percentage of STRs per community would help maintain available homes for long-term residents.

**Impacted Players:** Tourism industries, renters, owners.

## 12. COORDINATED ENTRY SYSTEM (CES)

**What is this tool?** Coordinated Entry (CES) is a process developed by HUD through the Continuum of Care (CoC) program intended to prevent or remediate homelessness. CES aims to ensure that all people experiencing a housing crisis have fair and equal access and are quickly identified, assessed for, referred to and connected to housing and assistance based on their strengths and needs. Park County began using CES in 2021 with biweekly meetings of four local service providers: L’Esprit: certified mental health center, Community Health Partners: federally qualified health center, ASPEN: a nonprofit organization dedicated to serving victims and survivors of domestic and sexual violence, and the lead organization HRDC: a community action agency offering a range of programs, including homeless services and seasonal shelter.

**Why was this tool prioritized?** Following best practices for CES, the participation of Livingston Healthcare was identified as a gap in program implementation. As the community grows, CES will provide an efficient and impactful way to address the needs of unhoused residents.

**Recommendation:**

1. Expand CES partners in the healthcare industry, including Livingston Healthcare.
2. Continue to meet regularly and increase data collection to advocate for residents.

**Recommended Geographic Implementation:** Park County, including the city of Livingston.

**Examples:** Greater Helena Area Housing First Coordinated Entry System, many larger communities in Montana and the United States.

**Expected Impact:** Improve coordination between service providers to address the needs of unhoused residents and connect individuals to housing by providing tenant-based rental assistance and helping residents access private market rentals.

**Impacted Players:** Unhoused residents and community service providers.

# AFFORDABLE HOUSING CONTINUUM: PARK COUNTY

The chart below summarizes how the proposed priority tools would impact the housing needs of Park County residents and relevant partners for implementation.

Income	Less than 30% AMI \$0 - \$18,000	31% to 60% AMI \$18,000 - \$36,000	61%-90% AMI \$36,000- \$60,000	91%-120% AMI \$60,000- \$80,000	120% - 150% AMI \$80,000 - \$100,000	Over 150% AMI Over \$100,000
<b>Total Household</b> Rounded estimate based on HRDC staff analysis of INCOME IN THE PAST 12 MONTHS (IN 2019 INFLATION-ADJUSTED DOLLARS) based on population 2019 the average household size is 2.07 persons ACS Survey/Program: American Community survey TableID: S1901	13.18% 1,026 Households	20.20% 1,572 Households	21.46% 1,670 Households	13.18% 1,055 Households	11.41% 888 Households	20.20% 1,571 Households
<b>What is Affordable?</b> Based on 30% gross household income at the mid-point of this income range	\$225 per month	\$675 per month	\$1,200 per month	\$1,750 per month	\$2,250 per month	\$2,750+ per month
<b>Strategies &amp; Tools</b>	renters	renters & owners	renters & owners	renters & owners	renters & owners	renters & owners
Low Income Housing Tax Credit	owners	owners	owners	owners	owners	owners
Community Land Trust (CLT)	renters & owners	renters & owners	renters & owners	renters & owners	renters & owners	renters & owners
Density Bonus	renters	renters	renters	renters	renters	renters
Resident Owned Community Program (ROCC)	renters & owners	renters & owners	renters & owners	renters & owners	renters & owners	renters & owners
Accessory Dwelling Units	renters & owners	renters & owners	renters & owners	renters & owners	renters & owners	renters & owners
Down Payment Assistance	renters & owners	renters & owners	renters & owners	renters & owners	renters & owners	renters & owners
Employer Assisted Housing/Partnerships	renters & owners	renters & owners	renters & owners	renters & owners	renters & owners	renters & owners
Rehabilitation Loans and Grants	renters & owners	renters & owners	renters & owners	renters & owners	renters & owners	renters & owners
Short term Rental Regulation	renters & owners	renters & owners	renters & owners	renters & owners	renters & owners	renters & owners
Land Banking	renters & owners	renters & owners	renters & owners	renters & owners	renters & owners	renters & owners
General Zoning Reform & Flexible Development Standards	renters & owners	renters & owners	renters & owners	renters & owners	renters & owners	renters & owners
Coordinated Entry System (CES)	renters	renters	renters	renters	renters	renters
<b>Partners</b>	Service Providers	Property owners and rental agencies Owners Nonprofit Developers and Community Land Trusts	For-Profit Affordable Housing Developers	For-Profit Developers	For-Profit Developers	For-Profit Developers



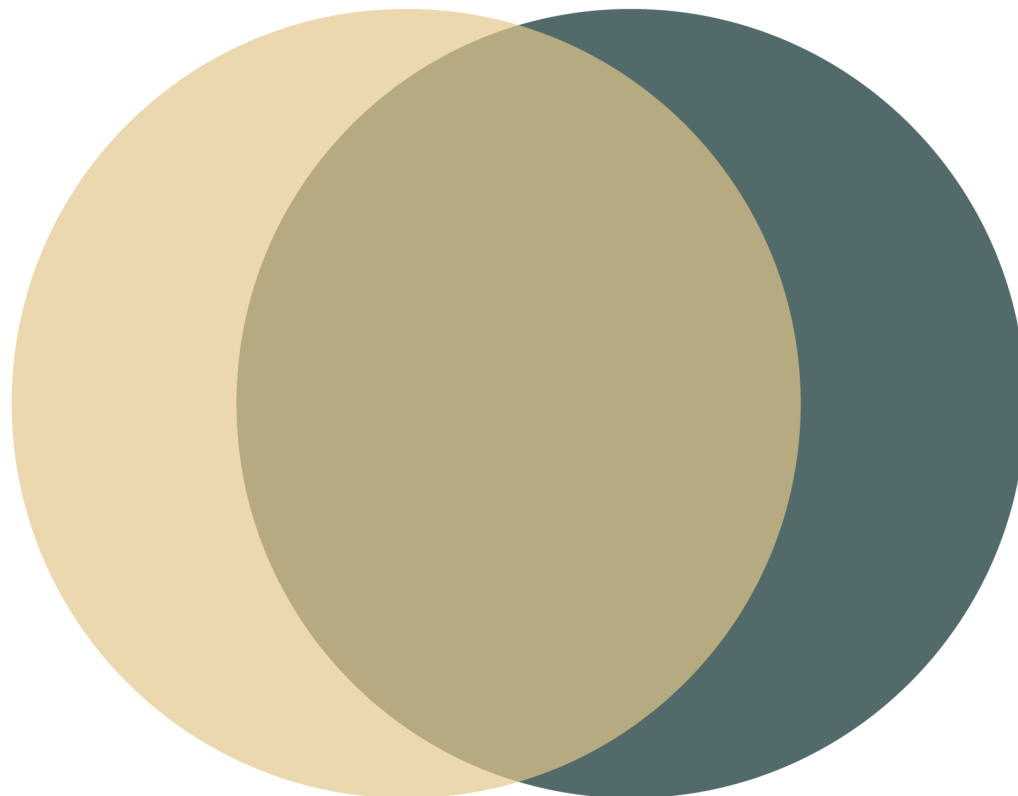
## TOOLS FOR FUTURE CONSIDERATION

28

The following chart shows tools that have not been prioritized at this time but were discussed during the planning process with the housing working group. These tools may be appropriate for another time or specific area of Park County. They have not been prioritized at this time due to lack of precedence in peer communities, barriers to implementation, limited perceived impact, or tools deemed less likely to be accepted by residents. The twelve prioritized tools above aim to represent a balance of near-term priorities, acknowledging there are possibilities worth considering that have not been selected at this time. Housing working group members expressed a strong interest in focusing on increasing opportunities for households with more limited resources, including renters and owners.

TOOL OR PROGRAM	DEFINITION	WHEN TO PRIORITIZE AND EXPLORATORY STEPS	IMPACTED PLAYERS
<p><b>Commercial Linkage</b> Goal: Create and preserve affordable housing Strategy: Generating revenue for affordable housing</p>	<p>Requirements for new commercial development to build, dedicate, donate, or pay for the creation of new housing directly related to the impact they are making in terms of new households to the housing market to provide housing for a portion of employees generated. Can be defined for community priorities.</p>	<p>Housing working group members did not advocate to prioritize this tool as a good fit for the communities of Park County. The employer round table should consider this tool highlighted as an outcome of the top tool, “employer-assisted housing.”</p>	<p>New businesses and potential residents of workforce housing.</p>
<p><b>Local Option Resort Tax</b> Goal: Create and preserve affordable housing Strategy: Generating revenue for affordable housing</p>	<p>Legislative changes to levy a Resort Tax on specific tourism related activities in the area to fund housing and/or other community priorities.</p>	<p>Advocate for state approval of a Resort Tax District that would allow funding to be directed to community priorities including affordable housing. Local Option Resort Taxes are already in place in Gardiner and Cooke City. The resort tax board should consider allocating additional funding towards housing. Creating a resort tax in Livingston would require a legislative change at the state level.</p>	<p>Potential funds could be used to address a range of housing needs along the housing continuum.</p>
<p><b>Right of First Refusal programs</b> Goal: Create and preserve affordable housing Strategy: Preserving existing affordable housing</p>	<p>Most often these programs require owners of affordable housing to notify the public sector of intent to sell or redevelop the property and allow a period of potential purchase by the public sector or nonprofit partner.</p>	<p>Housing working group members did not advocate to prioritize this tool as a good fit for the communities of Park County. We encourage local governments and nonprofits to monitor opportunities for the preservation of existing affordable housing with a focus on housing with subsidies.</p>	<p>Low-income renters at risk of displacement.</p>
<p><b>Tax Increment Financing (TIF)</b> Goal: Create and preserve affordable housing Strategy: Generating revenue for affordable housing</p>	<p>A tool currently only available to incorporated areas in Montana that allows the allocation of taxes within a defined district towards priorities of that district.</p>	<p>The City of Livingston could consider this tool for a specific area intending to promote the development of homes in that area.</p>	<p>Businesses intending to hire low to moderate-income employees locally, low and moderate-income households.</p>

As the largest incorporated community in Park County, the city of Livingston will play an important role in the success of future housing work. The Park County housing coalition will continue to focus on implementation in 2022 and beyond. The PCHC intends to move forward with additional subcommittees to focus on near-term goals, PCHC sustainability, and access to funding to ensure the success of this HAP. We expect three subcommittees will kick off in 2022. The top focus areas have been identified by a prioritization exercise with the housing working group. They will focus on workforce housing, establishing local funding sources including a community fund, a local investment fund, or additional grant funding, and a focus on continued data collection and monitoring. Led by HRDC in 2022, each subcommittee will develop a scope of work and timeline to ensure efficient use of volunteers' time. A PCHC coordinator will be identified to continue monitoring the success of the plan and the coalition by 2023.



**PARK COUNTRY PRIORITY TOOLS**

- Resident-owned cooperative
- Land Banking
- General Zoning Reform

**PARTNERSHIP TOOLS**

- Low Income Housing Tax Credit
- Community Land Trust
- Down Payment Assistance
- Employer Assisted Housing
- Short term rental regulations
- Coordinated Entry System
- STR Regulation
- Rehabilitation Loans and Grants

**CITY OF LIVINGSTON PRIORITY TOOLS**

- Density Bonus
- ADU expansion
- General Zoning Reform and Flexible Development Standards

## MONITORING, EVALUATION, TIMELINE, AND RESPONSIBLE PARTIES

30

The PCHC website launched in 2022 will be built out to provide additional information, including:

1. Key housing market snapshot indicators, for example:
  - Median home prices in Livingston and Park County
  - Number of permanently affordable homes under ownership (income restricted)
  - Average rent in Livingston and Park County
  - Number of HUD housing choice vouchers active in Park County
  - Number of subsidized and rent-restricted housing units
  - Rental vacancy rates
  - Status of housing funding sources
  - Average household income and associated affordable housing costs
  - Average household size
  - Percent of population housing cost-burdened, by race
  
2. Progress of HAP implementation, for example:
  - Number of homes created
  - Number of bedrooms created
  - Number of homes preserved
  - Number of bedrooms preserved
  - Number of new policies or regulations enacted
  - Number of residents that receive assistance including rental, loans or down payment assistance
  - Amount of land acquired and reserved for housing
  
3. A consolidated list of local housing
  - resources for community members,
  - planning documents, and relevant recorded virtual events

# SCOPE & TIMELINE OF RECOMMENDED HOUSING TOOLS

TOOL OR PROGRAM	LEAD AND SUPPORTING IMPLEMENTERS	GOAL	SUGGESTED TIMELINE	RECOMMENDED GEOGRAPHIC
Density Bonus	City of Livingston, supported by 3rd party expert	City of Livingston to pass ordinance of incentive program	Midterm	City of Livingston
General Zoning Reform & Flexible Development Standards	City of Livingston, supported by 3rd party expert	Pass ordinance based on recommendations	Midterm	City of Livingston
Increasing Accessory Dwelling Units	City of Livingston, educational support from community organizations including Park County Environmental Council and Park County Community Foundation	Create how-to guide to connect residents to education, financing, and resources to build ADUs	Short-Term	City of Livingston
Community Land Trust (CLT)	HRDC, Habitat, Trust Montana, Gardiner Investment Cooperative	Increase capacity of existing organizations and expand partnerships to add additional homes to CLT portfolio	Immediate	Park County and City of Livingston
Coordinated Entry System (CES)	HRDC supported by members of CES	Have Livingston Healthcare join CES by 2023, continue to meet regularly and increase data collection to advocate for residents	Immediate	Park County and City of Livingston
Down Payment Assistance (DPA)	HRDC, MoFi, Gardiner Investment Cooperative	Provide DPA to households in Park County	Immediate	Park County and City of Livingston
Employer Assisted Housing/ Partnerships	PCHC, local business community	Complete convenings in 2022/2023 and create EHA strategy while ensuring the autonomy of local employees	Immediate focus area of PHCH in 2022	Park County and City of Livingston

# SCOPE & TIMELINE OF RECOMENDED HOUSING TOOLS CONT.

TOOL OR PROGRAM	LEAD AND SUPPORTING IMPLEMENTERS	GOAL	SUGGESTED TIMELINE	RECOMMENDED GEOGRAPHIC
Land Banking	Park County and City of Livingston, public and institutional landowners including school districts	Consider land banking for future success of residents	Ongoing/long term	Park County and City of Livingston
Low-Income Housing Tax Credit	For-profit and nonprofit LIHTC developers supported by local governments	Continue to increase opportunities for low- and moderate-income renters through LIHTC home production	Ongoing	Park County and City of Livingston
Rehabilitation Loans and Grants	HRDC	Continue to weatherize homes in Park County and create new home rehab program for low-income owners and renters through CDBG grant funding	Immediate/Ongoing	Park County and City of Livingston
Resident-Owned Community Program (ROC)	NeighborWorks Montana, supported by Park County	Expand new communities in Park County	Ongoing	Park County and City of Livingston
Short-term Rental Regulation	Park County Health Department, Park County, City of Livingston, Gardiner Community Council	Increase data collection on the impact of short-term rentals, engage the public and pass a values-based ordinance	Short-term	Park County and City of Livingston



## PRIORITY AREA SUBCOMMITTEES

33

The PCHC priority area subcommittees will move forward on three topics in 2022. Additional information and registration will be available on the PCHC website. Facilitated by the PCHC coordinator, each subcommittee will define the scope and timeline within the first two meetings. There may be a small amount of overlap between the work of the subcommittees. The three priority areas will be focused on:

### 1. Developing a Community Investment Fund

- This subcommittee will evaluate the existing and future options related to expanding funding opportunities. Examples of options that subcommittee members may choose to advance would be:
  - a. Work with the Montana Cooperative Development Center to establish a community investment fund
  - b. Identify a leading organization and establish a local housing grant program
  - c. Support and organize support for a mill levy to fund housing within the City of Livingston

### 2. Workforce Housing Challenges & Employer-Based Solutions

- This subcommittee will focus on the impact of housing on the local economy, including examining current housing solutions that may be scaled and establishing new solutions to meet collective housing needs. Some examples of outcomes may include
  - a. Allocating land for housing development
  - b. Providing employees down payment assistance
  - c. Creating a community investment fund (joint-subcommittee outcome)
  - d. Build political will around policy changes and/or large-scale investments

### 3. Data Tracking/Metrics

- This subcommittee will add capacity to data collection and analysis for the PCHC, including building out the PCHC website and housing dashboard.

This HAP and future PCHC membership priorities will guide future subcommittee work. Existing subcommittees may have the option to extend or conclude and establish new focus areas.

## NEXT STEPS

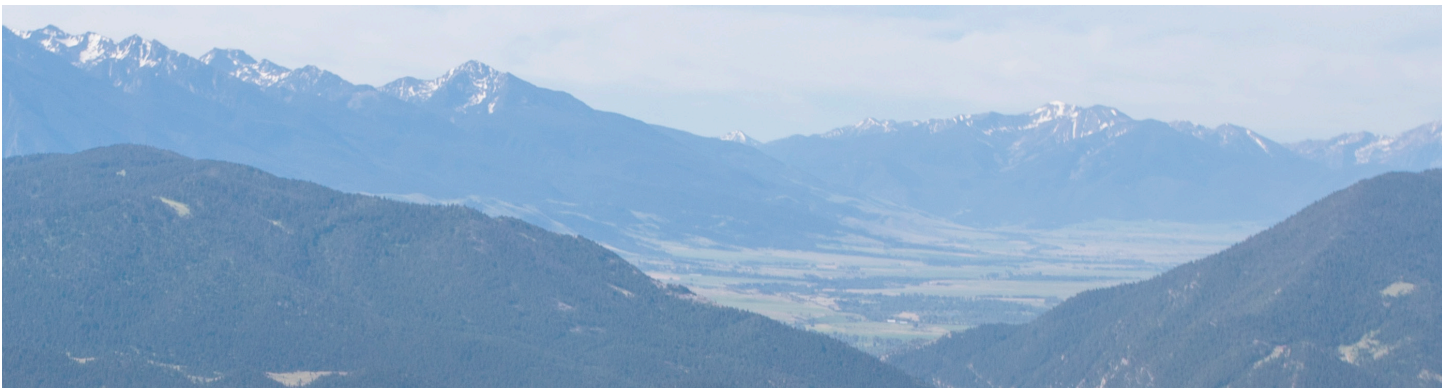
In addition to working throughout Park County, this plan recommends local housing leaders engage in regional housing discussions, coordinate with neighboring counties, and advocate for pro-housing policies at the state level.

Post-adoption by Park County and the City of Livingston, the Park County Housing Coalition will move forward with 2022 subcommittees to address near-term topics and coordinate with the local government to ensure successful implementation of the HAP. The PCHC will continue to be led by HRDC until additional capacity within the community has been identified to serve as the PCHC coordinator.

Initially led by HRDC's community development staff, the PCHC coordinator will be responsible for representing the goals and objectives of this HAP. The PCHC coordinator will monitor relevant local activities that pertain to the goals of this HAP and share information with the membership for advocacy opportunities when appropriate. These duties may include expected or unexpected opportunities to preserve or expand community housing, align infrastructure investments, secure funding from local, state, federal, or philanthropic sources, and support land-use and zoning strategies that align with the goals of this plan.

## CONCLUSION

The Park County housing action plan (HAP) is the outcome of a multi-year community engagement effort through the Park County Housing Coalition. The Park County Housing Coalition is a community-based collaborative effort to increase opportunities for Park County residents to access housing where they can afford to live and thrive. In 2022 Park County residents are experiencing a variety of challenges in housing access, affordability, and quality. This HAP provides a roadmap of twelve prioritized tools and strategies taking into account a balanced local housing strategy that includes regulations, programs, funding options and covers a range of household types, ages, geographic, and income spreads. Many stakeholders identified in this plan include the Park County Housing Coalition members, local governments, community partners, and local business representatives. The HAP outlines an implementation plan, schedule, responsible parties, and metrics as Park County works to provide housing opportunities for community members.



**File Attachments for Item:**

**E. DISCUSS/APPROVE/DENY: HAVING THE INTERIM CITY MANAGER SIGN AN ENGAGEMENT LETTER WITH RECRUITING CONTRACTOR FOR THE CITY MANAGER RECRUITMENT.**





JUNE 2022

# Recruitment Services Proposal

FOR THE CITY OF LIVINGSTON

---

PRESENTED BY

**Greg M. Prothman**

President, GMP Consultants

**GMP CONSULTANTS**

Greg@gmphr.com

(206) 714-9499

www.gmphr.com





June 6, 2022

Ms. Lisa L. Lowy  
Interim City Manager  
City of Livingston  
200 E Park St.  
Livingston, MT 97103

Dear Ms. Lowy,

I appreciate the opportunity to provide a proposal to assist the City of Livingston with the recruitment of a city manager. I'm sorry for the difficult circumstances that necessitate such assistance at this time.

GMP consultants have collectively worked on over 400 executive searches and have a reputation for providing superior service and building lasting relationships with both clients and candidates. We believe our proven process provides a best practices approach to attracting high quality candidates and ensuring a good fit for your organization.

If you have any questions or would like to discuss your specific needs, please do not hesitate to contact me at (206)714-9499 or [Greg@gmphr.com](mailto:Greg@gmphr.com). I look forward to hearing from you and hope to have the opportunity to work together soon.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Greg Prothman', is written over a faint, larger version of the signature.

Greg M. Prothman  
President,  
GMP Consultants LLC



## TABLE OF CONTENTS

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ABOUT GMP CONSULTANTS .....	3
PROJECT TEAM MEMBERS.....	4
WORKPLAN & APPROACH.....	6
PROFESSIONAL FEE.....	7
GUARANTEE & WARRANTY.....	7
PROFESSIONAL REFERENCES .....	8
WORK SAMPLES: .....	9



## ABOUT GMP CONSULTANTS

GMP Consultants is a public sector executive search firm with a collective 180 years of local government leadership experience with both regional and national relationships. GMP Consultants offer our clients experienced subject matter experts with a solid understanding of local government coupled with decades of experience. We have served in a wide range of executive positions, from city and county management to public works, management information systems, and finance.

### Our Qualifications

Founded and led by Greg M. Prothman, formerly the CEO of Prothman, GMP consultants have worked on over 400 executives searches and over 80 public sector consulting projects. All our senior search consultants are active in both ICMA and local state level city management associations or in their respective professional associations.

### Our Philosophy

Our business philosophy centers on the understanding that this is a “people” related industry. We have a reputation for providing superior service and building lasting relationships with both clients and candidates. We believe that attention to others’ needs is the key to effective customer service.

### Why Choose GMP?

What you get with GMP Consultants is personal service. You appreciate it when phone calls are returned, projects stay on schedule and your challenges are given thorough and creative thinking. While other companies may assign your business to lesser experienced staff, we offer exceptional service from senior-level consultants

- **Service & Relationship** - Our consultants bring a reputation for providing outstanding service and building lasting relationships with both clients and candidates.
- **Customized Solutions** - We take the time to become familiar with your organization to ensure that we offer the best solution and not just a single service.
- **People First** - We work closely with you and your candidates through every stage of the recruitment process, creating a welcoming candidate experience and ensuring an effective recruitment outcome.
- **Team Approach** - Our entire consulting group works as a team to leverage their networks to assist with each assignment and give your challenges thorough and creative thinking.
- **Oregon City Management Experience** - Our team includes a former Oregon city manager and we have conducted over 80 recruitments in Oregon ranging from department directors to city management.



## PROJECT TEAM MEMBERS

### **Greg M. Prothman – President**

Greg offers a unique combination of 20+ years of experience in various functions of government and 25 years of experience in public sector recruitment. Prior to forming GMP Consulting, Greg founded and was the driving force at Prothman Company as its CEO. Prior he was a partner at Waldron & Company. Early in his career Greg served as a police officer for the University of Washington and the City of Renton. He left police work after completing his Masters degree in Public Administration and accepted an administrative position for the City of Des Moines, WA. He was quickly promoted to Assistant City Manager and then City Manager. A Seattle native, Greg completed his BA at Western Washington University and his Master of Public Administration (MPA) degree from the University of Washington. Additionally, he completed the Senior Executives in State and Local Government program at Harvard University. Greg is a volunteer member of Seattle Mountain Rescue and a member of Crystal Mountain Ski Patrol.

### **Mark Bethune – Senior Consultant**

Mark brings 25 years in private and public sector executive management including 16 years leading the City of Orting, WA as City Manager. He has a strong background in community-based planning, budgeting and finance, labor relations and contract negotiations, hazard mitigation planning, and managing comprehensive city projects. Mark is known for being a participative leader and skilled negotiator with a commitment to excellence. He holds an M.B.A. in Marketing and Production/Operations from the University of Missouri.

### **Sarah Marsh – Content Designer**

Sarah brings a background across nonprofit, business, government, and education sectors. She holds an M.B.A in Organizational Behavior & Development from the University of Vermont. She also publishes in the field of American History and is the author of several award-winning children's books with Disney-Hyperion and Little, Brown. A storyteller at heart, Sarah enjoys researching and highlighting what makes a community or organization special.

### **Kate Hansen – Recruitment Coordinator**

Kate is a certified Project Management Professional (PMP) with a background in business, nonprofit, and fire administration. She has served as a Public Records Officer as well as a political campaign manager, and brings a distinguishing blend of attention to detail, creativity, and critical thinking. Kate holds a B.A. in Theatre from Chapman University with an emphasis on stage management.

## Additional Team Members

### **Andrew Neiditz – Senior Consultant**

Andrew is a tenured public administration professional bringing over 40 years of public sector leadership and management experience. Prior to retirement Andrew was the first executive director for the newly created South Sound 911 where he managed the consolidation of dispatch services for 19 police and 22 fire departments. Prior, he served as city manager for the City of Lakewood, WA for eight years and City Administrator for the City of Sumner, WA for six years. Andrew also has extensive leadership experience at county level having served as Deputy County Executive for Pierce County, WA for eight years.



Andrew is a recognized leader in his professional associations having served as International City Manager Association’s regional Vice President and Washington City Manager Association President. Andrew has a Bachelor of Arts in Social Work from Stockton State College and a Master of Public Administration from the University of Oregon. In addition to being an ICMA credentialed manager he has also attended the Senior Executive Program, State and Local Government at Harvard University.

**Bob Larson – Senior Consultant**

Bob is an experienced municipal manager who has served in senior management positions and local government since 1986. He is recently retired from City of Gig Harbor where he served as City Administrator. Previously he served for 16 years with the City of Snoqualmie as City Administrator. He also has city management experience in Minnesota where he provided management expertise with two communities. Bob is a former Washington City Manager Association President as well as serving on the Board of Directors for NORCOM. He is known and well respected within municipal government for his leadership and management qualities. Bob has a strong background in municipal finance, capital programs development, creating community partnerships, economic development, customer service improvements and organizational development. Bob has a Bachelor of Science Degree in Urban & Regional Planning and a Masters in Urban & Regional Planning. Bob is an avid skier and hiker.

**Mark Bethune – Senior Consultant**

Mark brings 25 years in private and public sector executive management including 16 years leading the City of Orting, WA as City Manager. He has a strong background in community-based planning, budgeting and finance, labor relations and contract negotiations, hazard mitigation planning, and managing comprehensive city projects. Mark is known for being a participative leader and skilled negotiator with a commitment to excellence. He holds an M.B.A. in Marketing and Production/Operations from the University of Missouri.

**Stephen Clark – Public Works & Planning Consultant**

Steve is a unique in that he brings 40 years of knowledge and experience in both public works and municipal planning to the company. After his retirement from the City of Maple Valley where he served as both Community Development and Public Works Director for six years, he has served as interim public works director for the cities of Snoqualmie, Yelm and Port Angeles. Additionally, he served as Maintenance and Operations Director for the City of Bonney Lake and Interim General Manager for the Snoqualmie Pass Utility District. Steve began his career as a senior planner for Yakima County and later became the Assistant Manager for Woodinville Water & Sewer. He has also served as Capital Projects Manager for City of Issaquah and Transportation Development Coordinator for the City of Renton. He also served 10 years as the City of Newcastle’s Public Works Director. Steve holds a Bachelor of Arts from the University of Washington in Urban Planning and a Master of Business Administration from City University. Steve remains active in both American Public Works Association and the American Planning Association.

**Justin Venezia – IT Consultant**

Justin Venezia brings over 20 years of Information Technology experience to Prothman. His resume includes working with/for major software firms - including VMware, F5 Networks and Citrix. He has extensive experience with designing, implementing, and operating large-scale/enterprise networks and telephony systems while managing support/operation/engineering teams at companies such as Blue Cross/Blue Shield and as an IT director one of the largest regional banks in Northeastern Pennsylvania. His experience brings a full “360 degree” view of IT services and solutions, focusing on how users consume IT as well as how customers choose, operate and implement technology to solve business and technical challenges.



## RECRUITMENT WORKPLAN & APPROACH

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### INFORMATION GATHERING & RECRUITMENT PROFILE DEVELOPMENT

#### Review and Finalize Search Process and Schedule

We meet with the City to review project needs, process, schedule, and identify the scope of the recruiting market. Our goal is to thoroughly understand your organization, current challenges, timeline, and preferred qualifications for this recruitment.

#### Develop, Review, and Approve a Detailed Recruitment Profile & Invitation

We create a custom recruitment profile highlighting the strengths of your job opportunity as well as your unique needs. Examples of prior recruitment profiles are included in this proposal and typically feature the following:

- Why Apply?
- Community Profile
- The Organization, Department, & Position
- The Ideal Candidate / Education & Experience
- Challenges & Opportunities
- Compensation & Benefits
- Resources
- Your Social Media (if applicable)

### STRATEGIC MARKETING

**Targeted Recruitments** - Having 20 plus years of designing and implementing national recruitments, GMP Consultants will create and conduct a nationwide recruitment and candidate generation process, employing recruitment strategies designed to encourage competitive applicants from diverse backgrounds and experiences. We have been successful in identifying a candidate pool that is racially, ethnically, and gender diverse. We advertise in national publications that target minorities and women, including the National Forum of Black Public Administrators and the International Hispanic Network.

We develop a national advertising strategy placing ads in websites, job boards, periodicals, and social media such as LinkedIn.

**Development of Candidate Database for Direct Mail Invitations** - We will mail approximately 800 to 900 letters of invitation to candidates in the western United States.

### CANDIDATE SCREENING AND SHORTLIST PRESENTATION

**Candidate Application Materials** - Candidates are asked to submit a cover letter, application, resume, answers to supplemental questions (designed to measure writing and thinking skills) and professional references.

**Selection & Interview of Semifinalists** - We review all candidate application materials and identify 8 to 12 of the most promising semifinalists. We conduct a one-hour interview with each semifinalist and provide written observations.

**Search Work Session** – We meet with you to review semifinalists. Prior to the meeting we send: each applicant’s cover letter, resume, essay questions, consultant semifinal interview notes, and candidate summary sheet. The City selects the finalist candidates and designs the final interviews.



## FINAL INTERVIEWS & SELECTION

**Design and Preparation of Final Interviews** - We help you decide on the structure and schedule of the interviews, including the panel participants and facilitators. We tailor the process to fit your needs and prepare all the candidate materials for the interviews.

**Reference & Background Checks** - We conduct professional reference checks on each candidate, requesting the names of supervisors, subordinates, and peers. Background checks include Education Verification, Criminal History, Driving Record, and Sex Offender Check.

**Candidate Travel** - We help you identify which candidate travel expenses your organization wishes to cover and then work with the candidates to coordinate the most cost-effective travel arrangements.

**Final Interviews & Selection** - The City interviews finalists. We facilitate a debrief with all participants. After the debrief, we facilitate the evaluation process, help the decision makers come to consensus, discuss next steps, and organize any additional candidate referencing or research if needed.

**Candidate Appointment** - We facilitate potential contract elements with the City. Once your top candidate has been selected, we assist as needed with the job offer, contract negotiations, and employment agreement.

## PROFESSIONAL FEE

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The fee for conducting a full recruitment is \$18,000. The professional fee covers all consultant and staff time required to conduct the recruitment. Professional fees are billed in three equal installments: at the beginning, halfway, and upon completion of the final interviews. The City will be responsible for reimbursing expenses incurred on the City's behalf.

Expenses include:

- Websites, job boards and other advertising (approx. \$1,600 - 1,900)
- Direct mail announcements (approx. \$1,200 - 1,400)
- Consultant travel: Mileage at IRS rate and \$65 per hour
- Background checks (approx. \$170 per candidate)

The City has the right to cancel the search at any time. The City's only responsibility would be the fees and expenses incurred prior to cancellation.

## GUARANTEE & WARRANTY

Should the selected candidate leave the employment of the City within the first 12 months of appointment, we will conduct one additional recruitment for the cost of expenses only, if requested to do so within six months of the employee's departure. If the major elements of the process are followed and a candidate is not chosen, we will repeat the recruitment once with no additional professional fee, the only cost to you would be the expenses.





## REFERENCES

---

**Human Resource Director** *(in progress)*

*City of Belgrade, MT*

Neil Cardwell – City Manager

406-388-3760

ncardwell@cityofbelgrade.net

**Fire Chief** *(in progress)*

*Central Valley Fire District, MT*

Ty Elliot – Chair, Board of Trustees

406-388-3178

ty.elliott.jfsw@statefarm.com

**City Manager** *(in progress)*

*City of Newcastle, WA*

Linda Newing – Mayor

Lindan@newcastlewa.gov

425-649-4444

**County Administrator** *(recently completed)*

*Island County, WA*

Catherine Reid – Human Resource Director

Creid@islandcountywa.gov

360-240-5584

**Chief Finance Officer** *(in progress)*

**Assistant County Manager for Public Works**

*(recently completed)*

**Planning Director** *(in progress)*

*Gunnison County, CO*

Matthew Birnie - County Manager

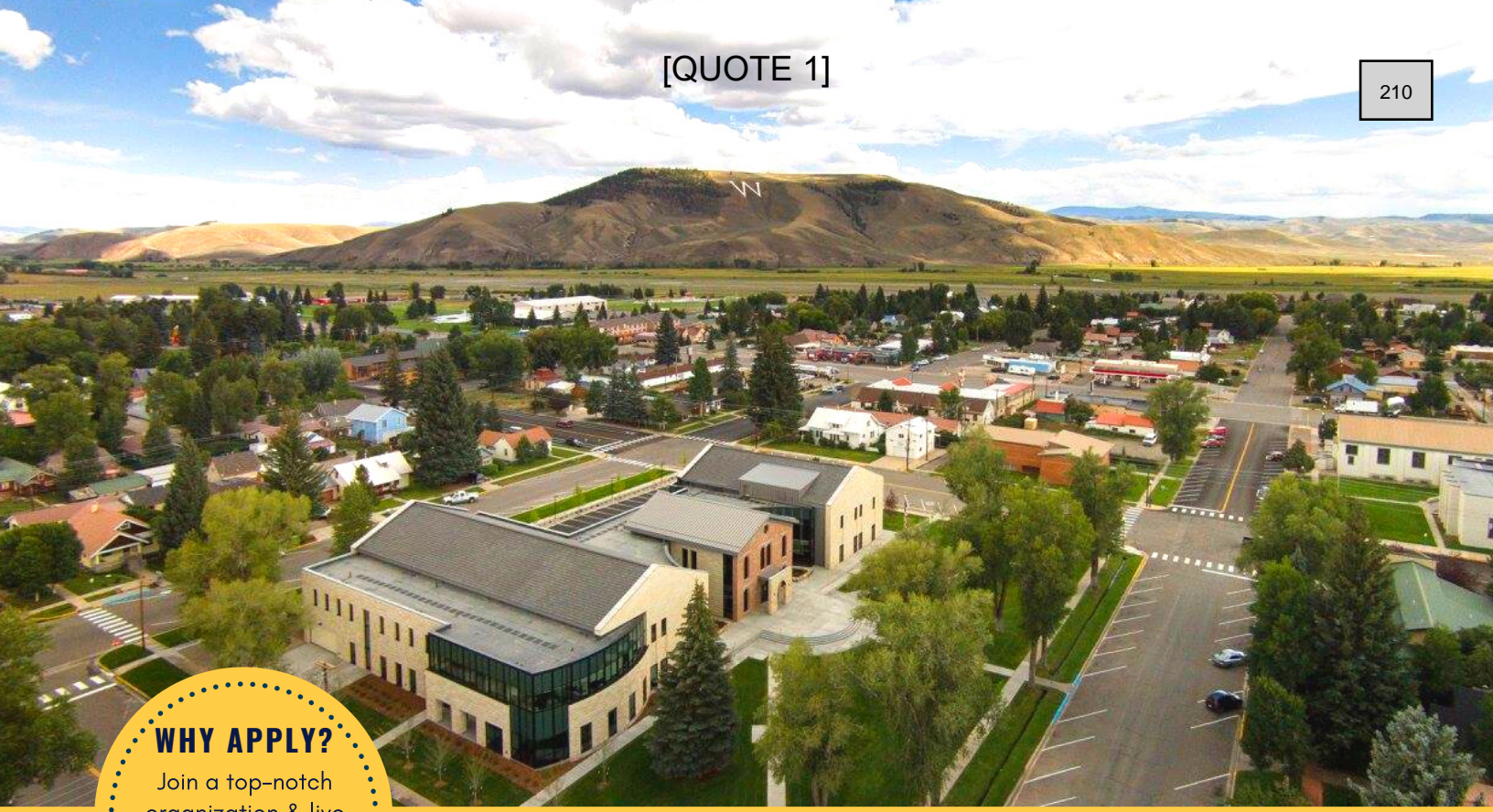
940-641-3061

MBirnie@gunnisoncounty.org

## WORK SAMPLES: POSITION PROFILE AND INVITATION TO APPLY LETTER

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(Attached)



**WHY APPLY?**  
 Join a top-notch organization & live in a beautiful area with a high quality of life.

# PLANNING DIRECTOR

## GUNNISON COUNTY, CO

Dear Colleague,

GMP Consultants is assisting Gunnison County in finding a **Planning Director**. Perhaps this is the right time in your career to consider this exciting opportunity. If not, would you please pass this on to other planning professionals who may be interested?

Thank you for your consideration and assistance.

**Greg M. Prothman**  
 GMP Consultants  
[gmphhr.com](http://gmphhr.com)





## GUNNISON COUNTY

Nestled in the heart of Colorado's Rocky Mountains, Gunnison County serves 17,000 year-round residents and a booming tourist community who enjoy a mountain culture and almost 2 million acres of accessible public lands offering world-class outdoor recreation opportunities. The County cherishes its sense of community and place, striving to preserve and promote the well-being of the County's citizens, natural environment, and rural character.

Gunnison County is a progressive, high-performing organization led by County Manager Matthew Birnie. Matthew has assembled a collegial team of exceptional public sector executives who enjoy working together collaboratively on important cross-cutting issues to maximize organizational effectiveness in delivering results to the community.



From 2018 to 2021, the International City/County Management Association (ICMA) acknowledged Gunnison County's commitment to data-driven performance management with consecutive awards of their Certificate of Excellence in Performance Management. Also notable, of the five counties nationwide that achieved this distinction, the next smallest has a population of 270,000 and the others have over one million residents.

## THE PLANNING DIRECTOR

Reporting to the Assistant County Manager (ACM) for Community and Economic Development, the new Planning Director will focus on leading current land use planning, code updates and revisions, as well as supporting larger regional efforts related to recovery/resiliency, climate change, and comprehensive planning. The new Director will play an important role in continuing to promote the professional and high-performing organizational culture of Gunnison County.

The Community and Economic Development Department operates with a 2022 budget of \$1,164,640 and a team of eight FTEs. Services include: Current Planning (land use permitting); Oil and Gas Projects; Long Range Planning; Building; Environmental Health; and Licensing Marijuana Cultivation, Manufacturing, and Testing.

### Preferred Qualifications:

- Graduation from an accredited four-year college or university with a bachelor's degree in urban/regional planning, or a related field. A master's degree and AICP certification is preferred.
- Three to five years of professional planning experience and demonstration of increasingly responsible related experience in land use planning and local government administration.
- Three to five years of experience with direct contact and assistance to the public in a governmental or regulatory context.

**LEARN  
MORE**

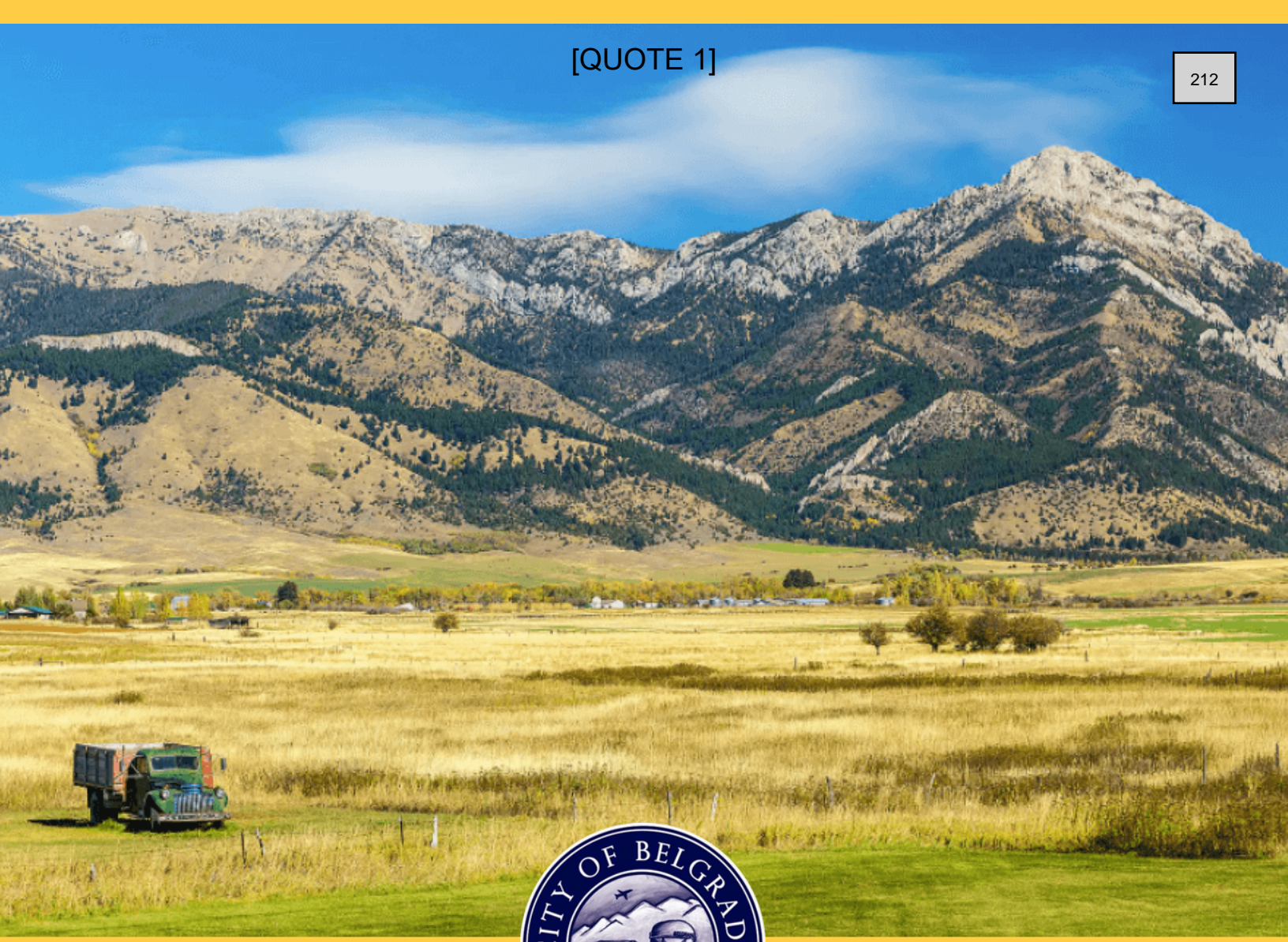
Visit [gmphr.com](http://gmphr.com)

Salary Range: \$94,508 - \$133,682 DOQ

First Review: June 27, 2022. Open Until Filled.

Greg M. Prothman, GMP Consultants  
Greg@GMPHr.com / 206-714-9499



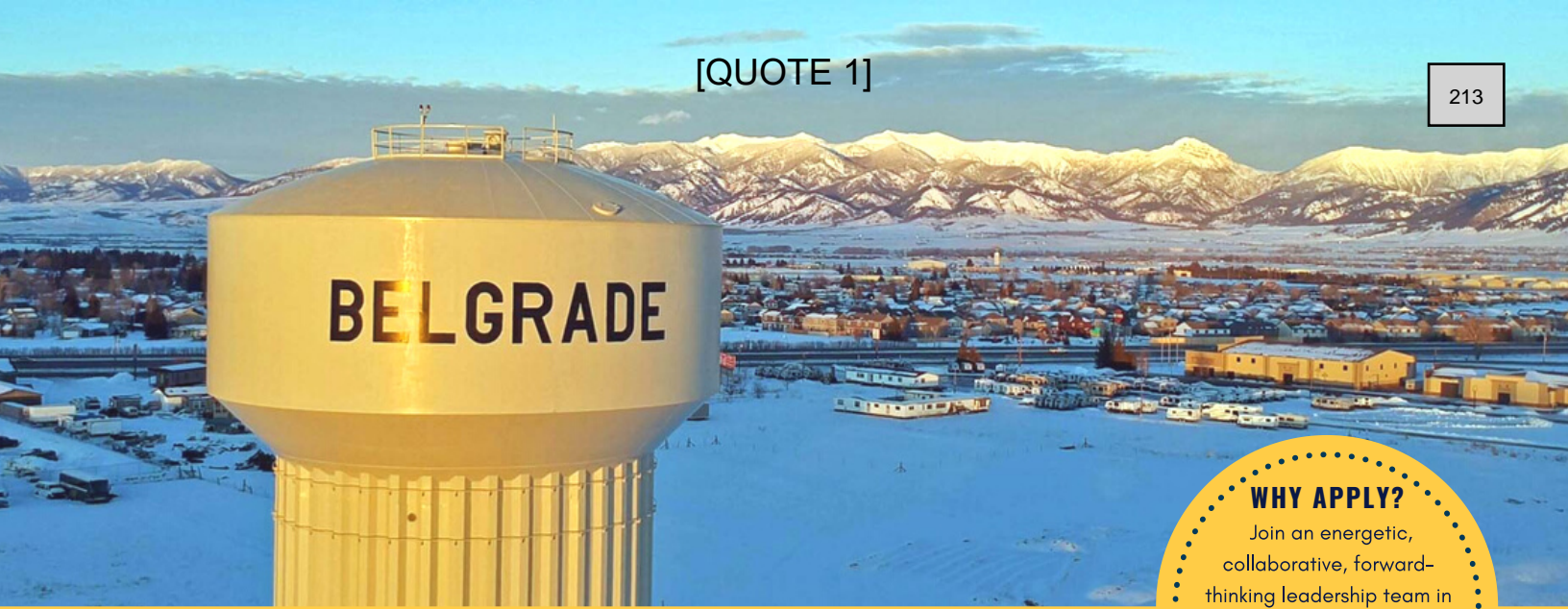


# DIRECTOR OF HUMAN RESOURCES

CITY OF BELGRADE, MONTANA

EXECUTIVE  
RECRUITMENT BY





**WHY APPLY?**  
 Join an energetic, collaborative, forward-thinking leadership team in one of Montana's fastest growing cities and take a HR department from good to great!

# WELCOME TO BELGRADE



One of the fastest growing cities in Montana, Belgrade is located in the heart of the beautiful Gallatin Valley just ten miles west of Bozeman alongside the Bridger Mountain range. Belgrade offers small-town charm, Big Sky views, and easy access to world-class outdoor recreation.



Located just off Interstate 90 at an elevation of 4,454 feet, Belgrade's prime location is attracting new businesses and housing developments, as well as residents who desire a simpler lifestyle within reach of larger city amenities and the great outdoors. As a result, Belgrade has become the 8th largest city in Montana with a population that has grown past 10,000.



Belgrade is proud of its history as a small western town and is making conscious efforts to shape the rapid growth while holding onto its roots as a welcoming, tight-knit community. City residents enjoy a growing downtown, stock car racing at the Gallatin Speedway, an annual Belgrade Fall Festival on homecoming weekend, a local Saturday Market, excellent schools, and numerous hometown parks.

The city also boasts a 4,800 seat Special Events Center and Montana's busiest airport – Bozeman Yellowstone International Airport (BZN). The airport's close proximity is making Belgrade a desirable home base for remote workers and frequent fliers.

The region is best known for its abundant outdoor recreation opportunities, from blue-ribbon fishing in the Missouri headwaters to world-class skiing and riding at Bridger Bowl and Big Sky. Visitors also flock to the area for hiking, camping, hunting, mountain biking, and river-rafting. The famous Yellowstone National Park is just 90 miles to the south.

LEWIS & CLARK PARK

# THE CITY OF BELGRADE [QUOTE 1]



The City of Belgrade was incorporated in 1906 and is governed by a Council/Manager system. The city council consists of six members serving 4-year terms with two members elected from each of the city's three wards. The Council establishes policy direction and hires a City Manager to implement this policy. Neil Cardwell was appointed City Manager in 2021. The mayor is elected in a city-wide vote for a 2-year term and Belgrade's current Mayor, Russ Nelson, has been serving since 2003.

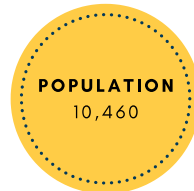
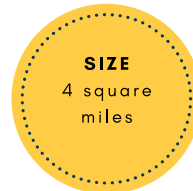


The City celebrates Belgrade's rich history while, at the same time, strives toward a future where Belgrade residents enjoy an outstanding quality of life and businesses provide good jobs for Belgrade residents. Belgrade is a full-service city operating on a total 2022 budget of \$7 million with a team of 78 FTEs. Departments include: Community Development, City Attorney, City Prosecutor, Court, Human Resources, Finance, Library, Parks, Planning, Police, and Water, Sewer & Streets.



City Manager Neil Cardwell leads an energetic and collaborative leadership team that is driven to find innovative solutions to challenges that regularly arise in managing one of the fastest growing cities in the state. The City fosters an environment that encourages courageous conversations and new ideas. For example, the City Council recently supported a \$20/hour minimum wage for all City employees (\$41,600 annually, if exempt).

**BELGRADE CITY HALL**



**Community Vision:**  
"A tight-knit City full of enriching and lively fathering places where we can build a sense of community, raise our children, spend our retirement years, and share our stories."  
— BELGRADE GROWTH POLICY, 2020

The Human Resources Department was established in 2018 as a part of the City Administration Office and operates with a team of 1.75 FTE's. The Director of Human Resources is appointed by and reports directly to the City Manager and is a member of the City's management team.

This position oversees and provides support in the areas of recruitment, benefits management, training and development, performance evaluation, safety, health and environment regulations and requirements, employment law, policy development, and employee relations. The HR Department also manages payroll. The Director champions a positive organizational culture, encourages teamwork, and fosters employee engagement. Various related functions may be assigned to the department depending on the needs and priorities of the City.

The Director's work is broad in scope and requires seasoned judgement and a high degree of initiative and independence. As a relatively new department, there is a need to create structure through the development of documented policies and processes. As part of the leadership team, the Director will also assist the City Manager in shaping the work culture and developing new City services as Belgrade continues to grow.



## THE IDEAL CANDIDATE

The City of Belgrade is seeking an experienced and innovative Director of Human Resources with the knowledge, skills, and drive to build an organization from the ground up. The ideal candidate will be an energetic individual who values collaborative, creative thinking, and who thrives on responding to new challenges in a rapidly changing, fast-paced environment. This person should be comfortable speaking up in their role as HR Director to support the best interests of the City, whether to ensure that policies and procedures are being followed or to contribute to discussions as part of the leadership team.

- A bachelor's degree or higher in HR or related field.
- Progressively responsible experience in human resources administration, preferably in the public sector.
- Experience with fast growing or larger municipalities and the transition process from a small to large organization.
- Payroll experience, preferably with ADP, to manage the City's transition to ADP services.
- Experience creating and implementing personnel policies and procedures.
- The City may consider other qualifications such as a combination of education, training, and professional experience as it relates to this position.



# OPPORTUNITIES & CHALLENGES



**Policy Creation** - The selected candidate will need to develop and implement personnel policies and procedures, and work with the leadership team to support implementation.

**Recruitment** - The new Director will need to develop employee recruitment and retention strategies to help the organization remain competitive in the tight job market. Creative and innovative solutions are not only welcomed, but encouraged.

**Culture Development** - The City's workforce is evolving from a town to a growing City with increased staffing levels who are challenged with providing additional services to the City's growing population. The new Human Resource Director will be a partner in helping the City Manager continue to establish a positive and progressive work culture as Belgrade grows from a small town to a small city.

## COMPENSATION & BENEFITS

The City of Belgrade is offering a salary range of \$100,000 - \$115,000 for this position dependent upon experience and qualifications.

- Medical, dental, and vision coverage
- Vacation Leave: 120 hours for per year accrued bi-weekly
- Sick Leave: 80 hours per year accrued bi-weekly
- 11 paid holidays (plus Election Day on "even" numbered years)
- Medical and/or Dependent Care FSA
- Health Savings Account option
- Basic Group Life and AD&D Insurance
- PERS Retirement Membership
- 457 Deferred Comp Plan Match Program (city funds 7%)
- Supplemental Retirement Program (Sick Leave Deferral)

## RESOURCES



[Belgrade Chamber of Commerce](#)

[Belgrade News](#)

[Belgrade School District](#)

[Visit Bozeman / Gallatin Valley](#)

## TO APPLY

Apply online at [gmphr.com](http://gmphr.com)

First Review: **June 5, 2022**

For more information:

**Greg M. Prothman**

GMP Consultants

[greg@gmphr.com](mailto:greg@gmphr.com)

206-714-9499





**Proposal to provide  
recruitment services for the  
City of Livingston's  
next  
City Manager**



**Leadership is Key to the Sustainability of Any Organization**

*Character, integrity, and the commitment of a leader inspires those in the workplace to go the extra mile and can greatly influence the team's success in achieving its objectives.*

**Finding great leaders is what we do!**



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**Executive Recruitment**

*Interim Staffing. Application Software. Job Board.*

## **STATEMENT OF QUALIFICATIONS**

### **ABOUT PROTHMAN**

Prothman specializes in providing executive recruitment services to cities, counties, districts, and other governmental agencies throughout the western half of United States. Founded in 2002 and headquartered in the outskirts of Seattle, Prothman is known and respected for outstanding customer service, quality candidate pools, and depth of knowledge of local government.

### **OUR EXPERTISE**

**Firsthand Knowledge of Local Government:** Our lead consultants have dedicated their careers to local government and joined Prothman upon retiring from their distinguished careers. Our 20 years of recruiting experience, combined with each of our consultants' 30+ years of local government experience, provides our clients with a solid and effective team that can handle any senior level or highly specialized position recruitment.

**Recruitment Knowledge and Experience:** The Prothman team has conducted over 550 recruitments and interim placements. We have read and screened over 16,000 resumes, and we have personally interviewed over 7,000 semifinalist candidates. We know how to read between the lines, filter the fluff, and drill down to the qualities and experiences required to be a good manager.

### **OUR PROVEN PROCESS**

Clients and candidates continually tell us that we have the best process and client service in the industry. The tenure of our placements is among the best in the industry because we understand that "fit" is the most important part of the process; not just fit within the organization, but fit within the community, as well.

### **OUR GUARANTEE**

We are confident in our ability to recruit an experienced and qualified candidate who will be the perfect "fit" for your organization. Should the selected finalist leave the position or be terminated for cause within one year from the employment date, we will conduct a replacement search with no additional professional fee.

### **CONTACT INFORMATION**

Owner/CEO: Sonja Prothman - sonja@prothman.com, 206.368.0050  
371 NE Gilman Blvd., Suite 310, Issaquah, WA 98027  
www.prothman.com  
www.prothman-jobboard.com  
Submittal Date: June 8, 2022

### **COMMITMENT TO PROVIDE SERVICE**

Prothman commits to performing all services represented in this proposal.

## **STATEMENT OF QUALIFICATIONS - PROJECT TEAM**

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### **Cliff Moore - Project Lead**

Cliff Moore joins Prothman after a 30-year career of public service in Washington State. Cliff's background includes senior administrative positions at Washington State University in Pullman and executive leadership positions at the university's extension offices in both Jefferson and Thurston Counties. Cliff has also served as County Manager and Development Services Director at Thurston County and as City Manager in Yakima. Prior to his years of public service, Cliff worked abroad as a Peace Corps volunteer in Togo, West Africa; he was Assistant Country Director for the CARE mission in Honduras; and he was the Director of the US Refugee Resettlement Office in Khartoum, Sudan. Cliff lives in Port Townsend with his wife Mea and their two dogs, Addie and Lucy.

### **Gary Buchanan - Project Support**

Gary brings 31 years of successful Human Resources leadership experience to the Prothman Team. He recently served five years as the Director of Human Resources for the City of Tacoma, WA, population 212,869, until his retirement in June of 2021. Gary also served 14 years at the Port of Seattle as the Human Resources Director. The Port of Seattle encompasses both the Seattle Seaport and Seattle-Tacoma International Airport. Prior to that, he served nine years as the Senior Human Resources Leader (Northwest Region) for Milgard Windows, headquartered in Tacoma, WA. Additionally, Gary served 30 years in the Naval Reserve. His Naval career included three command assignments and he was deployed twice in support of Operation Iraqi Freedom. In 2019, he retired as a Captain, earning the Legion of Merit Medal and the Meritorious Service Medal. Gary received his Bachelor of Science degree from Westminster College, Salt Lake City, UT, and his Naval Science degree from the University of Utah.

### **Sonja Prothman - Project Support**

Sonja directs the day-to-day operations of the Prothman Company and has over 15 years of experience in local government recruiting, interim placements, and organizational assessments. Sonja is a former councilmember for the City of Normandy Park, Washington, and brings to Prothman the "elected official" side of government – a vital perspective for understanding our clients' needs. Sonja also brings private sector expertise having worked with the Boeing Company where she was on the start-up team as lead negotiator for schedules and deliverables for the first 777 composite empennage. A Seattle native, Sonja earned a bachelor's degree in Communications from the University of Washington.

### **Barry Gaskins - Project Support**

Barry has been a key member of the Prothman team for 17 years and is responsible for office and candidate management. His attention to detail and understanding of timeliness to the customer and candidates is remarkable. Barry works with the lead consultant in following through with scheduling interviews, arranging candidate travel, managing candidate application packets, and assembly of candidate information to give to the client. Barry came to us from the Bill & Melinda Gates Foundation where he served as a Program Assistant for four years in the US Library Program. Barry earned his bachelor's degree from California State University.

### **Jared Eckhardt - Project Support**

Jared has been a key member of the Prothman team for seven years and is responsible for profile development and candidate outreach. Jared works one-on-one with the client for position profile development and works with Sonja and the lead consultant on each client's outreach strategies. Jared also functions as recruitment support as a secondary lead consultant on recruitments and special projects. Jared graduated from the University of Washington, earning his BA in Communications.

## **AVAILABILITY, COMMUNICATION & SCHEDULE**

### **We are ready to start when you are!**

One of our first tasks will be to coordinate and commit to a schedule. Then, we protect your dates on a master schedule to assure we never miss a commitment. We provide you with our cell phone numbers so that you have direct access to your lead consultant and support staff, and we will communicate and update you as often as you desire. Our recruitments take approximately 10-14 weeks to complete, depending on the scope and direction from the client. You can expect approximately: 2-3 weeks for stakeholder interviews and profile development and approval, 5-6 weeks for recruitment, 2-3 weeks for screening and interviewing, and 2-3 weeks for coordinating final interviews.

### **SAMPLE SCHEDULE**

Blue highlighted / bolded events represent meetings with the client.

<b>Date</b>	<b>Topic</b>
<b>Weeks of June 13 &amp; 20, 2022</b>	<b>Travel to Livingston or meet via Zoom for stakeholder interviews. Gather information for position profile. Send profile for review and edits.</b>
June 27, 2022	Post Profile and Start Advertising
July 5, 2022	Send Direct Mail
July 31, 2022	Application Closing Date
Weeks of August 1 & 8, 2022	Prothman screens applications & interviews top 6 - 12 candidates
<b>Week of August 15 - 19, 2022</b>	<b>Travel to Livingston or meet via Zoom to review semifinalists and pick finalists, and design final interviews</b>
<b>Week of August 29 - September 2, 2022</b>	<b>Travel to Livingston for Final Interview Process</b>

## **EXECUTIVE SUMMARY**

Prothman has been in the business of finding highly qualified candidates for placement in local government organizations of various sizes with varying political ideologies for 20 years. We have worked for small organizations like the city of Yachats, Oregon, population 800, to the city of Great Falls, Montana, population 58,700, to large counties like King County, Washington, population 2+ million. We understand politics, Mayor and Council dynamics, and community passion, and we are experts in facilitating. We have designed our recruitment process so that all stakeholders are included, listened to, and treated with respect. Our company takes pride in and stakes its reputation on finding qualified candidates who are the right “fit” for our clients.

**COVID–19 Experience:** We have successfully completed many recruitments during the current pandemic and social distancing regulations. We have implemented many levels of Zoom meetings with the client, including work sessions and final interviews with boards. We have held final interviews via Zoom to narrow the candidates down to the top one or two to be invited for a personal onsite interview and we have had a final candidate chosen based solely on the Zoom interviews. We have also had final interviews where all candidates were on site and social distancing parameters and masks were adhered to. There is no cookie cutter here; we work with you to address your concerns and comfort level with social distancing and we provide a process that supports your needs.

## **PROPOSED SCOPE OF WORK**

### **1. Develop a Tailored Recruitment Strategy**

#### **Project Review**

The first step will be to:

- ◆ Review the scope of work and project schedule

#### **Information Gathering and Research (*Soliciting Input*)**

**We will travel to Livingston or meet via Zoom and spend as much time as it takes to learn everything we can about your organization.** Our goal is to thoroughly understand the values and culture of your organization, as well as the preferred qualifications you desire in your next City Manager. We will:

- ◆ Meet with the City Commissioners
- ◆ Meet with the Leadership Team, as directed
- ◆ Meet with staff, as directed
- ◆ Meet with community and other stakeholders, as directed
- ◆ Review all documents related to the position

#### **Position Profile Development (*Identifying the Ideal Candidate*)**

We will develop a profile of your ideal candidate. Once the Position Profile is written and approved, it will serve as the foundation for our determination of a candidate’s “fit” within the organization and community. Profiles include the following:

- ◆ **A description of the ideal candidate’s qualifications**
- ◆ **Organization-specific information**
- ◆ **Community-specific information**
- ◆ **Compensation package details**
- ◆ **Information on how to apply**

## 2. Identify, Target, and Recruit Viable Candidates

### **Outreach and Advertising Strategy** (*Locating Qualified Candidates*)

**We recognize that often the best candidates are not actively looking for a new position- *this is the person we want to reach and recruit.*** We have an aggressive recruitment strategy which involves the following:

- ◆ **Print and Internet-based Ads** placed nationally in professional publications, journals and on related websites.
- ◆ **Targeted Direct Mail Brochures** sent to hundreds of highly qualified city/county management professionals who are not actively searching for a new position.
- ◆ **Focused Candidate Outreach** via thousands of personal emails and networking from our database of city/county management professionals.
- ◆ **Posting the Position Profile on Prothman's Facebook and LinkedIn pages, and on the Prothman website**, which receives over five thousand visits per week from potential candidates.

## 3. Conduct Preliminary Screening

### **Candidate Screening** (*Narrowing the Field*)

Once the application deadline has passed, we will conduct an extensive candidate review designed to gather detailed information on the leading candidates. The screening process has 3 key steps:

- 1) **Application Review:** Using the Position Profile as our guide, we will screen the candidates for qualifications based on the resumes, applications, and supplemental question responses (to determine a candidate's writing skills, analytical abilities, and communication style). After the initial screening, we take the yes's and maybe's and complete a second screening where we take a much deeper look into the training, work history and qualifications of each candidate.
- 2) **Internet Publication Background Search:** We conduct an internet publication search on all semifinalist candidates prior to their interviews. If we find anything out of the ordinary, we discuss this during the initial interview and bring this information to you.
- 3) **Personal Interviews:** We will conduct in-depth videoconference or in-person interviews with the top 6 to 12 candidates. During the interviews, we ask the technical questions to gauge their competency, and just as importantly, we design our interviews to measure the candidate's fit within your organization.

### **Candidate Presentation** (*Choosing the Finalists*)

**We will prepare and send to you candidate packets** which include each candidate's application materials and the results of the personal interviews and publication search.

**We will travel to Livingston or meet via Zoom** and advise you of the candidates meeting the qualifications, our knowledge of them, and their strengths and weaknesses relative to fit within your organization. We will give you our recommendations and then work with you to identify the top 3 to 6 candidates to invite to the final interviews. We will discuss the planning and design of the final interview process during this meeting.

## 4. Prepare Materials and Process for Final Interviews

### **Final Interview Process** (*Selecting the Right Candidate*)

The design of the final interviews is an integral component towards making sure that all stakeholders have the opportunity to learn as much as possible about each candidate.

- ◆ **Elements of the design process include:**
  - **Deciding on the Structure of the Interviews**  
We will tailor the interview process to fit your needs. It may involve using various interview panels and an evening reception.
  - **Deciding on Candidate Travel Expenses**  
We will help you identify which expenses your organization wishes to cover.
  - **Identifying Interview Panel Participants & Panel Facilitators**  
We will work with you to identify the participants of different interview panels.
- ◆ **Background Checks**  
Background checks include the following:
  - **References**  
We conduct 6-8 reference checks on each candidate. We ask each candidate to provide names of their supervisors, subordinates, and peers for the last several years.
  - **Education Verification, Criminal History, Driving Record and Sex Offender Check**  
We contract with Sterling for all background checks.
- ◆ **Candidate Travel Coordination**  
After you have identified the travel expenses you wish to cover, we work with the candidates to organize the most cost-effective travel arrangements.
- ◆ **Final Interview Packets**  
The final interview packets include a schedule and suggested interview questions, as well as the candidates' resumes and supplemental question responses. Each panel member will be provided a packet.
- ◆ **Final Interviews with Candidates**  
**We will travel to Livingston and facilitate the interviews.** The interview process usually begins with a morning briefing where schedule and process will be discussed with all those involved in the interviews. Each candidate will then go through a series of one-hour interview sessions, with an hour break for lunch.
- ◆ **Panelists & Decision Makers Debrief:** After the interviews are complete, we will facilitate a debrief with all panel participants where the panel facilitators will report their panel's view of the strengths and weaknesses of each candidate interviewed.
- ◆ **Candidate Evaluation Session:** After the debrief, we will facilitate the evaluation process, help the decision makers come to consensus, discuss next steps, and organize any additional candidate referencing or research if needed.
- ◆ **Facilitate Employment Agreement:** Once the top candidate has been selected, we will offer any assistance needed in developing a letter of offer and negotiating terms of the employment agreement.

## **FEE, EXPENSES & GUARANTEE**

### **Professional Fee**

**The fee for conducting a City Manager recruitment with a one-year guarantee is \$19,500.** The professional fee covers all Prothman staff time required to conduct the recruitment. This includes all correspondence and all on-site meetings with the client, writing and placing the recruitment ads, development of the candidate profile, creating and processing invitation letters, reviewing resumes, coordinating and conducting semifinalist interviews, coordinating and attending finalist interviews, coordinating candidate travel, conducting background checks and professional references on the finalist candidates and all other search related tasks required to successfully complete the recruitment.

Professional fees are billed in three equal installments throughout the recruitment, one at the beginning, at the halfway point, and upon completion.

### **Expenses**

Expenses vary depending on the design and geographical scope of the recruitment. We do not mark up expenses and work diligently to keep expenses at a minimum and keep records of all expenditures. The City of Livingston will be responsible for reimbursing expenses Prothman incurs on your behalf. Expenses include:

- Trade journal, LinkedIn, and associated website advertising (approx. \$1,700 - 1,900)
- Diversity Site Advertising, if requested (approx. \$600 - \$2,000)
- Direct mail announcements (\$1,800)
- Printing of materials (approx. \$100 - 400)
- Consultant travel: Airfare, rental car, lodging when needed, travel time at \$40 per hour (approx. \$950 - 1,300 per trip)
- Background checks performed by Sterling (approx. \$180 per candidate)

Expenses are billed monthly.

### **Other Expenses**

**Candidate travel:** We cannot approximate candidate travel expenses because they vary depending on the number of candidates, how far the candidates travel, length of stay, if spouses are included, etc. If you wish, we will coordinate and forward to your organization the candidates' travel receipts for direct reimbursement to the candidates.

### **Warranty**

**Repeat the Recruitment:** If you follow the main phases of our process and a top candidate is not chosen, we will repeat the recruitment once with no additional professional fee, the only cost to you would be for the expenses.

### **Guarantee**

If you follow the main phases of our process and the selected finalist is terminated for cause or resigns within one year from the employment date, we will conduct one replacement search with no additional professional fee, the only cost to you would be the expenses.

### **Cancellation**

You have the right to cancel the search at any time. Your only obligation would be the fees and expenses incurred prior to cancellation.



## **DIVERSITY INITIATIVE**

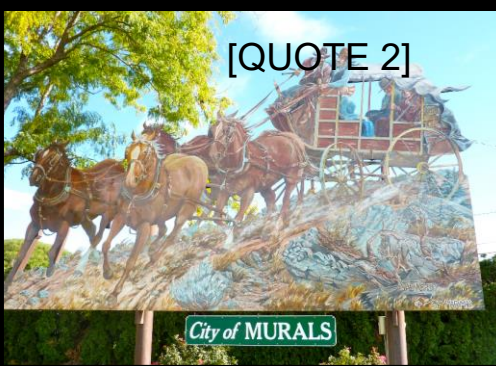
### **Equal Opportunity**

*All qualified applicants are considered in accordance with applicable laws prohibiting discrimination on the basis of race, religion, color, gender, age, national origin, sexual orientation, physical or mental disability, marital status or veteran status or any other legally protected status. We will provide assistance in the recruitment, application and selection process to applicants with disabilities who request such assistance.*

Local government serves each and every community member regardless of ethnicity, gender, race, background, or economy and as we specialize in "public" organizations, we see firsthand how diversity in the workforce allows for government agencies to better understand, communicate with, and enlist cooperation from residents in multi-cultural communities.

We can assure you that we recognize the importance and wisdom of a diversity rich candidate pool and for every recruitment we conduct, we have made it our mission to reach out to and attract the most qualified and diverse candidate pool as possible for our clients. If we are chosen to be your executive recruiting partner, we will do so with the common goal of finding the agency a diverse and qualified pool of candidates.

## EXAMPLE OF POSITION PROFILE



# CITY OF TOPPENISH



*“Where the West Still Lives”*

**Washington**

## CITY MANAGER

# \$122,225 - \$147,025

*Plus Excellent Benefits*

*Apply by*

**July 10, 2022**

*(First Review, Open Until Filled)*



## TOPPENISH, WASHINGTON



Incorporated in 1907, the City of Toppenish is located in the agricultural center of the Yakima Valley, located approximately 20 miles south along I-82 from the greater Yakima metropolitan area. Home to 8,854 residents, Toppenish is culturally diverse with a Hispanic population of 75%. A premier place to live, work and play, Toppenish offers a temperate climate, a low cost of living, and a strong sense of community.

Separated from Seattle and Portland by the Cascade Mountains and from Spokane by the Columbia River, a stretch of farmland and rolling hills, the Yakima Valley region has been the cultural, business, educational, and governmental focal point of the Central Washington region since it was founded more than 125 years ago. Toppenish has preserved its beginnings as a rugged western town through restoration and beautification efforts that make it a popular tourist attraction today. Efforts include 76 historically related murals about Toppenish painted throughout the city, which has led Toppenish to be known as the "City of Murals". Toppenish is also home to three unique museums including the American Hop Museum - the only one of its kind in the entire country; the Yakima Valley Rail & Steam Museum inside the beautifully restored Toppenish Depot; and the Yakama Nation Cultural Center, which boasts one of the finest Native American displays in the country.

Sitting amid productive agricultural fields, orchards, vineyards, and hop yards, Toppenish enjoys easy access to the Yakima River where residents and visitors enjoy fishing, boating, rafting, picnicking, and much more. With warm summers, cool winters, and four distinct but mild seasons, Toppenish boasts 300 days of sunshine per year. The region offers top-quality golf courses including the Mount Adams and Apple Tree Golf Courses along with public golfing at Sun Tides Golf Course, and two community golf courses, Westwood, and Fisher Golf Courses. The Yakima Valley is also well known throughout the State as the heart of the Northwest craft beverage scene, and also offers award-winning wines and wine country tours.

For those looking to explore beyond Toppenish, the Yakima Regional Airport is an easy 20-minute drive away. In addition, Seattle, Spokane, and Portland are each roughly two and a half hours away, and a 60-minute drive from Toppenish will bring you to the foot of two spectacular mountain passes, White Pass and Chinook Pass.

The Toppenish School District has an award-winning and progressive curriculum and has just built a new gymnasium, football stadium, greenhouse as well as remodeling a portion of the high school and elementary school.

## THE CITY

The City of Toppenish operates under the Council-Manager form of government. The City's seven Councilmembers, elected to staggered 4-year terms, hire the City Manager who serves as the chief executive officer for the City. Councilmembers select a Mayor from among the council body to serve as the Mayor for a 2-year term. The City Manager sees that all policies set by the City Council are carried out, hires personnel, enforces city laws, prepares the annual budget, and supervises the City's daily operations. The City operates with 54 FTEs from five departments including Executive, Fire, Police, Public Works, and Administrative Services on a 2022 budget of \$31 million.



## THE POSITION

Under the general direction and authority of the City Council, the City Manager serves as the Chief Executive Officer of the City. This position plans, organizes, directs and/or performs the development, management and administration of City-wide budget, policies, procedures, regulations, ordinances, and programs, including long-range and short-term planning. The City Manager will exercise direct supervision over department directors, program managers, and the City Clerk.

For a full job description and to view the essential functions of this position, please view the attachment found [here](#).



## OPPORTUNITIES & CHALLENGES

1. The incoming City Manager will be tasked with managing the deferred maintenance throughout the city.
2. As with many organizations, employee retention will be a priority.
3. The City Manager will seek and implement alternative funding options for the City.
4. Establishing and reestablishing relationships with community partners including the neighboring Yakima Nation is essential.
5. The City Manager will help move the city forward on the City's new Vision Statement "A Safe, Healthy and Vibrant Community for All Residents."

## IDEAL CANDIDATE

### Education & Experience:

Any combination equivalent to a bachelor's degree in public administration or a related field and eight (8) years of experience working in a government agency, including at least four (4) years in a responsible management position in municipal government is required.

The selected candidate must be bondable, possess or have the ability to obtain a valid State of Washington Driver's License and have a driving record free of significant moving violations, and pass a background check.

The selected candidate will be required to live within City limits.

Any equivalent combination of training and experience that provides evidence that the applicant possesses the required knowledge, skills, and abilities will be considered.

### Necessary Knowledge, Skills & Abilities:

- Previous experience as a City Manager or Deputy City Manager and the ability to hold department directors accountable without being a micro-manager.
- Experience with city budgets and government financial processes.
- Demonstrated success in obtaining extramural funding.
- Demonstrated integrity, honesty, humility, timeliness, diplomacy, and transparency.
- Experience working with tribal nations.
- Strong interpersonal communication skills both verbally and in writing. Fluency in Spanish is a plus.
- An "open-door" policy for the community, staff, and Council.
- The ability to restructure or, better yet, lower utility rates within the city.
- A willingness to make a long-term commitment to Toppenish.
- Familiarity with, and the ability to negotiate union contracts.
- The ability to hold both staff and the City Council accountable.

## COMPENSATION & BENEFITS

Toppenish offers a competitive compensation and benefit package:

- **\$122,225 - \$147,025 DOQ**
- AWC medical, dental and vision Insurance.
- \$20,000 life insurance policy.
- 11 holidays and 1 floating holiday.
- Paid vacation. Minimum of 13.67/hours per month, subject to negotiation.
- 40 Hours vacation cash out per year.
- Negotiated annual executive leave.
- Washington PERS retirement.
- Negotiated deferred compensation.
- Negotiated vehicle allowance
- Negotiated vacation/sick leave credited at time of hire.
- Longevity pay.
- Bilingual pay.

**To learn more about the  
City of Toppenish, please visit:**

**[www.cityoftoppenish.us](http://www.cityoftoppenish.us)**



**CITY OF TOPPENISH**



*"Where the West Still Lives"*

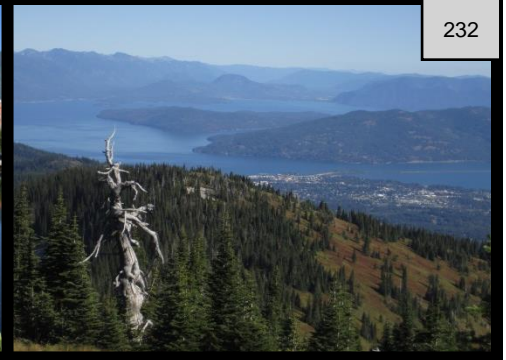
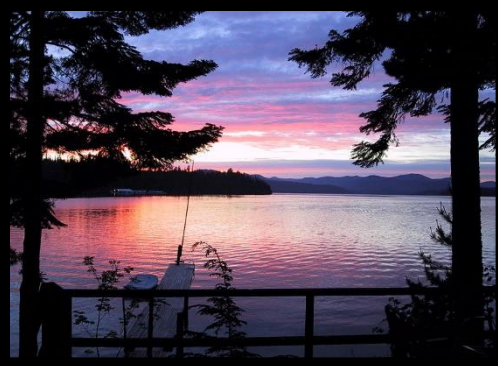
The City of Toppenish is an Equal Opportunity Employer. All qualified candidates are strongly encouraged to apply by **July 10, 2022** (first review, open until filled). Applications, supplemental questions, resumes and cover letters will only be accepted electronically. To **apply online**, go to **[www.prothman.com](http://www.prothman.com)** and click on "**Open Recruitments**", select "**City of Toppenish, WA – Public Works Director**", and click "**Apply Online**", or click [here](#).

**PROTHMAN**

**[www.prothman.com](http://www.prothman.com)**

371 NE Gilman Blvd., Suite 310  
Issaquah, WA 98027  
206.368.0050

## EXAMPLE OF INVITE LETTER



# CITY ENGINEER

## \$81,515 - \$112,611

*Plus Excellent Benefits*  
**Moving allowance/reimbursement  
may be provided!**

First Review:  
**June 19, 2022**  
(Open Until Filled)

Apply at [www.prothman.com](http://www.prothman.com)

Dear Colleague,

Prothman is currently recruiting for the **City Engineer** position for the **City of Sandpoint, Idaho**. We invite you to review the position details on the back page, and if you find that this position is not right for you, we kindly ask that you please pass this on to other professionals you know who may be ready for this next step in their career.

Thank you for your consideration and help!

**PROTHMAN**





## THE COMMUNITY



Nestled in the northern panhandle of Idaho, the City of Sandpoint is known for its magnificent lakes, stunning mountains, vast forests, and vibrant community. Sandpoint is just 63 minutes south of the Canadian border, 46 miles from Coeur D'Alene, Idaho, and 72 miles from Spokane, Washington. This gem of an area is a wonderful place to live, work, and do business! Sandpoint offers breathtaking parks, eclectic downtown areas, upscale dining and retail, and a variety of entertainment venues. The City of Sandpoint has a population of 10,000 and is the county seat and largest city in Bonner County. The city is snuggled at the base of three mountain ranges which offers year-round outdoor recreation from hiking and biking to skiing and snowboarding. This charming city is located right on the banks of Lake Pend Oreille, the largest lake in Idaho at 43-miles long and is the fifth deepest lake in the United States. The city is the largest city along lake Pend Oreille, which attracts a large number of tourists and seasonal residents. It is also home to some of the most innovative companies in the State of Idaho and thriving industries such as aerospace, biomedical, software development, food production and manufacturing.

Sandpoint is just 63 minutes south of the Canadian border, 46 miles from Coeur D'Alene, Idaho, and 72 miles from Spokane, Washington. This gem of an area is a wonderful place to live, work, and do business! Sandpoint offers breathtaking parks, eclectic downtown areas, upscale dining and retail, and a variety of entertainment venues. The City of Sandpoint has a population of 10,000 and is the county seat and largest city in Bonner County. The city is snuggled at the base of three mountain ranges which offers year-round outdoor recreation from hiking and biking to skiing and snowboarding. This charming city is located right on the banks of Lake Pend Oreille, the largest lake in Idaho at 43-miles long and is the fifth deepest lake in the United States. The city is the largest city along lake Pend Oreille, which attracts a large number of tourists and seasonal residents. It is also home to some of the most innovative companies in the State of Idaho and thriving industries such as aerospace, biomedical, software development, food production and manufacturing.

## THE CITY

The City of Sandpoint functions on a FY 2021-22 budget of \$40,597,539 including a general fund of \$19,559,196 with approximately 113 FTEs. The City operates under a mayor-council form of government, with six council members; one of whom serves as the Council President. The City also has six officials who are appointed by the Mayor and affirmed by Council, including a City Administrator. The City is divided into six divisions.



## THE DIVISION AND POSITION

The Infrastructure and Development Services (IDS) Division oversees and supports the Engineering, Maintenance, Planning and Building, and Streets service groups. IDS functions with a total of 13.90 FTEs, on a FY 2022 budget of \$2,363,004, plus capital projects. The Engineering Services group has two FTEs. This service group assists property owners, developers, and the public in technical matters primarily related to civil engineering. This includes providing information on the regulations and guidelines that apply to property and projects; reviewing and processing development applications; reviewing plans for compliance with various codes and performing infrastructure inspections/acceptance. The Engineering Service group supports capital construction projects and may assist other service groups, such as but not limited to Utilities and Parks & Recreation, with project delivery. The two-year, city-wide capital project list totals nearly \$20 million and the City is considering restructuring options and adding additional staff to meet this demand.

Under the direction of the Infrastructure and Development Services (IDS) Director, the City Engineer is responsible for the direction and administration of engineering programs and related policy development for the City and works in close coordination with other City officials and the broader IDS team to accomplish the City Council's strategic plan and priorities. The City Engineer is a staff liaison to the City Council and Planning & Zoning Commission and educates members of the public and elected officials, compiles data, maintains records, and completes analyses and studies as the basis for policy recommendation. This position processes, reviews, and approves various private development proposals related to subdivisions (plats), streets, stormwater management plans, water and sanitary sewer improvements, and related infrastructure. Additionally, the City Engineer directs, oversees, and participates in design and review of capital improvement development including, but not limited to, utility infrastructure and transportation projects. The Engineer focuses on promoting a positive customer experience within the development services area and providing services to citizens and applicants in an effective and efficient manner.

**Please visit [www.prothman.com](http://www.prothman.com) to review the full position profile and compensation package, and to learn more about Prothman.**

# **City of Livingston, Montana Request for Proposal City Manager Recruitment & Selection**

June 23, 2022



630 Dundee Road  
Suite 225  
Northbrook, IL 60062

**Primary Contact Person:**

Laurie Pederson  
Director of Administrative Services  
847-380-3198  
[LPederson@GovHRusa.com](mailto:LPederson@GovHRusa.com)

## Table of Contents

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Cover Letter .....	3
Firm Profile.....	4
Our Leadership.....	4
Why Choose GovHR? .....	5
Our Team .....	6
References .....	7
Project Approach and Methodology.....	8
Phase I: Position Assessment, Position Announcement & Brochure.....	8
Phase II: Advertising, Candidate Recruitment & Outreach.....	8
Phase III: Candidate Evaluation & Screening .....	9
Phase IV: Presentation of Recommended Candidates .....	9
Phase V: Interviewing Process & Background Screening.....	9
Phase VI: Appointment of Candidate.....	10
Project Timeline .....	11
Commitment to Diversity, Equity & Inclusion in Recruitments .....	11
Recruiting During the Great Resignation .....	12
Full Scope Recruitment – Price Proposal .....	13
The GovHR Guarantee – Full Scope Recruitment .....	14
Contract Signature Page .....	15
Optional Services .....	16

## Attachments

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Consultant Biography  
 Client List

## Cover Letter

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June 23, 2022

Procurement Division  
111 E Maple, PO Box 1019  
Independence, MO 64051-0519

To the Procurement Division of the City of Livingston, Montana:

Thank you for the opportunity to provide you with a proposal for the City Manager recruitment and selection process for the City of Livingston, Montana. GovHR USA (“GovHR”) prides itself on a tailored, personal approach to executive recruitment and selection, able to adapt to your specific requirements for the position.

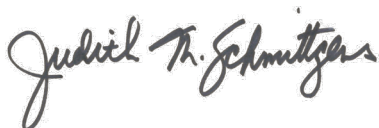
GovHR is a public management consulting firm serving municipal clients and other public-sector entities on a national basis. Our headquarters offices are in Northbrook, Illinois. We are a certified Female Business Enterprise and work exclusively in the public sector. We have 19 full-time and 7 permanent part-time employees including 6 full-time recruiters and 26 additional project consultants. Our employees and project consultants are located across the country, giving us a national presence. GovHR offers customized executive recruitment services and completes other management studies and consulting projects for communities.

GovHR Vice President Don Tripp will be responsible for your recruitment and selection process. He will be assisted by a home office Recruitment Coordinator, and a Reference Specialist. His biography can be found on the following pages attached to the proposal and his contact information is:

**Don Tripp**  
Vice President  
847-380-3240  
[DTripp@GovHRusa.com](mailto:DTripp@GovHRusa.com)

We believe we have provided you with a comprehensive proposal; however, if you would like a service that you do not see, let us know. Please contact Laurie Pederson, Director of Administrative Services, 847-380-3198, if you have questions regarding our proposal or need additional information. We look forward to hearing from you and hope to have the opportunity to work with you on this important recruitment.

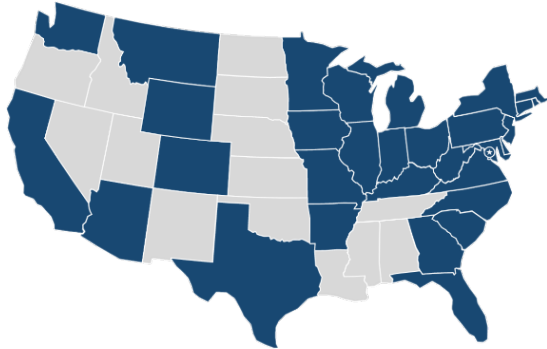
Sincerely,



Judith Schmittgens,  
Corporate Secretary and Compliance Manager

## Firm Profile

GovHR is a public management consulting firm serving local government clients and other public-sector entities across the country. The firm was originally formed as Voorhees Associates in 2009 and changed its name to GovHR USA in 2013. Our headquarters are in Northbrook, Illinois. We are a certified Female Business Enterprise in the State of Illinois and work exclusively in the public and non-profit sectors. GovHR offers customized executive recruitment services, management studies and consulting projects for local government and organizations who work with local government.



GovHR has 19 full-time and 7 permanent part-time employees including 6 full-time recruiters and 26 additional project consultants who are based in Arizona, Colorado, Florida, Georgia, Illinois, Indiana, Massachusetts, Michigan, Minnesota, Ohio, Tennessee, Texas and Wisconsin, giving us a national presence. Additionally, GovTempsUSA, GovHR’s subsidiary, provides interim staffing solutions to keep operations moving during the recruitment process.

Our consultants are experienced executive recruiters who have conducted over 1,000 recruitments, working with cities, counties, special districts, and other governmental entities of all sizes throughout the country. In addition, we have held leadership positions within local government, giving us an understanding of the complexities and challenges facing today’s public sector leaders.

## Our Leadership



**Heidi Voorhees**  
President  
847-380-3240

[HVoorhees@GovHRusa.com](mailto:HVoorhees@GovHRusa.com)

*Ms. Voorhees has conducted more than 400 recruitments in her management consulting career, with many of her clients being repeat clients, attesting to the high quality of work performed for them. In addition to her 17 years of executive recruitment and management consulting experience, Ms. Voorhees has 19 years of local government leadership and management service, including ten years as Village Manager for the Village of Wilmette, Illinois.*



**Joellen Cademartori**  
Chief Executive Officer  
847-380-3238

[JCademartori@GovHRusa.com](mailto:JCademartori@GovHRusa.com)

*Ms. Cademartori is a seasoned manager, with expertise in public sector human resources management. She has held positions from Human Resources Director and Administrative Services Director to Assistant Town Manager and Assistant County Manager. Ms. Cademartori has worked in forms of government ranging from Open Town Meeting to Council-Manager and has supervised all municipal and county departments ranging from Public Safety and Public Works to Mental Health and Social Services.*

## Why Choose GovHR?

**Unparalleled Expertise and Level of Service:** We are a leader in the field of local government recruitment and selection with experience in **41 states**, in communities ranging in population from 1,000 to 3,000,000. Since our establishment in 2009, more than 40% of our clients are repeat clients showing a high level of satisfaction with our work. We encourage you to call any of our previous clients. Surveys of our clients show that 94% rate their overall experience with our firm as **Outstanding** and indicate that they plan to use our services or highly recommend us in the future.

**Delivering the Best:** We conduct comprehensive **due diligence** on candidates. Our state-of-the-art process, includes extensive use of **social media** for candidate outreach and video interviews with potential finalist candidates, ensure a successful recruitment for your organization. Our high quality, thorough Recruitment Brochure reflects the knowledge we will have about your community and your organization and will provide important information to potential candidates. Additionally, before we recommend a candidate to you, we will have interviewed them via video, conducted reference calls, and news media and social media searches. Our knowledge of local government ensures that we can ask probing questions that will verify their expertise.

**A Partner from Start to Finish:** We are your partners in this important process. You are welcome to review all the resumes we receive, and we will share our honest assessment of the candidates. Our goal is your **complete satisfaction**. We can strategize with you on a variety of approaches for meeting your recruiting needs, including evaluation of internal candidates, identification of non-traditional candidates who meet your recruitment requirements, succession planning and mentoring options. We are committed to working with you until you find the candidate that is the best fit for your position.

**Services for Any Budget and Any Search:** We strive to meet the specific needs of our clients. We offer several options for recruitment services to meet your needs and your budget. Our services range from Full Executive Recruitments to Virtual Recruitments and even simply Professional Outreach for those who want to reach a broader network. In the following proposal, we have provided the scope we believe that best fits your needs. However, you may find all our services [here on our website](#).

## Our Team

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GovHR employs a team of professionals with backgrounds in local government and the not-for-profit sector. With your staff needs in mind and due to the significance of this recruitment, we have assigned our highly knowledgeable and experienced Vice President Don Tripp. He will act as your project manager and primary point of contact for this project. He will be responsible for your recruitment and selection process. His full biography can be found as part of the Appendix and his client list is available on our website.

### Project Manager & Main Point of Contact



**Don Tripp**  
Vice President  
847-380-3240  
[DTripp@GovHRusa.com](mailto:DTripp@GovHRusa.com)

### Proposal Inquiries



**Laurie Pederson**  
Client Services & Administrative Director  
847-380-3198  
[LPederson@GovHRusa.com](mailto:LPederson@GovHRusa.com)

## References

---

We are a proven leader in public sector consulting. ***More than one-third of the organizations served by GovHR are repeat clients.*** Our team provides a growing pool of highly qualified candidates who are well-suited to handle the challenges and expectations of professional positions in local government and the not-for-profit sector.

The following references can speak to the quality of service provided by GovHR.

**St. Louis Park, MN  
(City Manager, 2021)**

Ali Timpone, Human Resources Manager  
5005 Minnetonka Blvd.  
St. Louis Park, MN 55416  
952-928-2846  
[atimpone@stlouispark.org](mailto:atimpone@stlouispark.org)

**Cape Girardeau, MO  
(City Manager, 2021)**

Robert “Bob” Fox, Mayor  
401 Independence Avenue  
P.O. Box 617  
Cape Girardeau, MO 63703  
573-334-0854  
[bfox@cityofcape.org](mailto:bfox@cityofcape.org)

**Minot, North Dakota  
(City Manager, 2020)**

Lisa Jundt, Human Resources Director  
P.O. Box 5006  
Minot, ND 58702  
701-857-4756  
[lisa.jundt@minotnd.org](mailto:lisa.jundt@minotnd.org)



## Project Approach and Methodology

---

A typical recruitment and selection process takes approximately 175 hours to conduct. At least 50 hours of this time is administrative, including advertisement placement, reference interviews, and due diligence on candidates. We believe our experience and ability to professionally administer your recruitment will provide you with a diverse pool of highly qualified candidates for your position search. GovHR clients are informed of the progress of their recruitment throughout the entire process. We are always available by mobile phone or email should you have a question or need information about the recruitment.

### Phase I: Position Assessment, Position Announcement & Brochure

GovHR treats each executive recruitment as a transparent partnership with our client. We believe in engaging with stakeholders early in each recruitment process to fully understand the challenges and opportunities inherent in the position. Understanding the organizational culture is critical to a successful recruitment. We gain this insight and information through meetings (one on one and small groups), surveys and a review of relevant information. This information is reflected in a polished marketing piece that showcases the organization and the area it serves.

#### Information Gathering:

- One-on-one or group interviews with stakeholders identified by the client.
- GovHR can establish a dedicated email address for feedback from stakeholders or the community.
- Community forums (In-person or via video) can be used to gather input and feedback.
- Surveys can be used for department personnel and/or the community to gather feedback.
- Conversations/interviews with department heads.

A combination of the above items can be used to fully understand community and organizational needs and expectations for the position (this proposal includes 12 hours of meetings – additional meetings can be added for a fee of \$125/hours plus actual expenses if incurred. Dedicated email address and one organizational survey are included. Community Survey can be conducted for \$2,500. Community Forums can be conducted as an optional service.

Development of a **Position Announcement** to be placed on websites and social media.

Development of a thorough **Recruitment Brochure** for client review and approval.

Agreement on a detailed **Recruitment Timetable** – a typical recruitment takes between 90 to 120 days from the time you sign the contract to appointment of the finalist candidate.

### Phase II: Advertising, Candidate Recruitment & Outreach

We make extensive use of social media as well as traditional outreach methods to ensure a diverse and highly qualified pool of candidates. In addition, our website is well known in the local government industry – we typically have 14,000+ visits monthly to our website and career center. Additionally, our weekly jobs listings are sent to over 7,000 subscribers.

Phase II will include the following:

- GovHR consultants will personally identify and contact potential candidates.
- Develop a database of potential candidates from across the country unique to the position and to the Client, focusing on:

- Leadership and management skills
- Size of organization
- Experience in addressing challenges and opportunities also outlined in Phase I
- The database will range from several hundred to thousands of names and an email blast will be sent to each potential candidate.
- Placement of the Position Announcement in appropriate professional online publications:
  - Public sector publications & websites (approximately 20 online sources)
  - Social media: LinkedIn (over 20,000 connections), Facebook, Instagram and Twitter
  - GovHR will provide you with a list of advertising options for approval

### **Phase III: Candidate Evaluation & Screening**

Phase III will include the following steps:

- Review and evaluation of candidates' credentials considering the criteria outlined in the Recruitment Brochure
- Candidates will be narrowed down to those candidates that meet the qualification criteria
- Candidate evaluation process:
  - Completion of a questionnaire explaining prior work experience
  - Live Video Interview (45 minutes to 1 hour) conducted by consultant with each finalist candidate
  - References provided by the candidate are contacted
  - Internet/Social Media search conducted on each finalist candidate

All résumés will be acknowledged and inquiries from candidates will be personally handled by GovHR, ensuring that the Client's process is professional and well regarded by all who participate.

### **Phase IV: Presentation of Recommended Candidates**

Phase IV will include the following steps:

- GovHR will prepare a Recruitment Report presenting the credentials of those candidates most qualified for the position.
- GovHR will provide an electronic recruitment portfolio which contains the candidates' materials along with a "mini" résumé for each candidate so that each candidate's credentials are presented in a uniform way.
- Client will receive a log of all applicants and may review résumés if requested.
- Report will arrive in advance of the Recruitment Report Presentation.

GovHR will spend approximately 2 hours with the Client reviewing the recruitment report and providing additional information on the candidates.

### **Phase V: Interviewing Process & Background Screening**

Phase V will include the following steps:

GovHR will:

- Develop the first and second round interview questions for your review and comment
- Coordinate candidate travel and accommodations

- Provide you with an electronic file that includes:
  - Candidates’ credentials
  - Set of questions with room for interviewers to make notes
  - Evaluation sheets to assist interviewers in assessing the candidate’s skills and abilities

Background screening will be conducted along with additional references contacted:

<b>GovHR USA Background Screening</b>	
✓ Social Security Trace & Verification	✓ County/Statewide Criminal
✓ U.S. Federal Criminal Search	✓ Civil Search
✓ Enhanced Verified National Criminal	✓ Bankruptcy, Leans and Judgements
- National Sex Offender Registry	✓ Motor Vehicle Record
- Most Wanted Lists FBI, DEA, ATF, Interpol	✓ Education Verification – All Degrees Earned
- OFAC Terrorist Database Search	<b>Optional:</b> Credit Report – Transunion with score (based on position and state laws)
- OIG, GSA, SAM, FDA	<b>Optional:</b>
- All felonies and misdemeanors reported to the National Database	Professional License Verification
	Drug Screen
	Employment Verification

GovHR will work with you to develop an interview schedule for the candidates, coordinating travel and accommodations. GovHR consultants will be present for all the interviews, serving as a resource and facilitator.

GovHR will coordinate a 2-Step Interview process. The first round interviews will include four to five candidates. The second round interviews will include two or three candidates. GovHR will supply interview questions and an evaluation form.

In addition to a structured interview, the schedule can incorporate:

- Tour of Client facilities
- Interviews with senior staff

### **Phase VI: Appointment of Candidate**

- GovHR will assist you as much as you request with the salary and benefit negotiations and drafting of an employment agreement, if appropriate.
- GovHR will notify all applicants of the final appointment, providing professional background information on the successful candidate.

## Project Timeline

Week	Week	Week	Week	Week	Week	Week	Week	Week	Week	Week	Week	Week	Week
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Phase I		Phase II				Phase III			Phase IV	Phase V		Phase VI	

Weeks 1 & 2	Phase 1: Interviews & Brochure Development
Weeks 3 thru 6	Phase 2: Advertising, Candidate Recruitment & Outreach
Weeks 7 thru 9	Phase 3: Candidate Evaluation & Background Screening
Week 10	Phase 4: Presentation of Recommended Candidates
Week 11 & 12	Phase 5: Interview Process & Additional Background Screening
Weeks 13 & 14	Phase 6: Appointment of Candidate

## Commitment to Diversity, Equity & Inclusion in Recruitments

GovHR has a long-standing commitment to Equity, Diversity and Inclusion in all of our recruitment and selection processes. Since our firm's inception we have supported, with our time and financial resources, organizations that advance women and other underrepresented minorities in local government. These include the National Forum for Black Public Administrators, the Local Government Hispanic Network, The League of Women in Government and CivicPride.

**GovHR Team Members have moderated and spoken on DEI initiatives at the International City and County Management Association conference and state conferences in Illinois, Michigan, Wisconsin, and North Carolina.** Our employees and consultants have undergone Implicit Bias Training and we are frequent speakers on incorporating DEI values into recruitment and selection processes. We have a list of DEI resources on the front page of our website (<https://www.govhrusa.com/diversity-equity-and-inclusion-resources/>) that can be accessed by anyone who visits our website.

GovHR has formally partnered with the National Forum for Black Public Administrators' consulting arm, i4x, in several recruitment and selection processes throughout the country including Toledo, OH, Fort Collins, CO, Ann Arbor, MI, Oakland, MI and Arlington, TX. Our partnership reflects our mutual commitment to advancing DEI values and increasing the diversity of local government leaders at the highest levels of local government organizations.

## Recruiting During the Great Resignation

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The GovHR team is aware of the lasting impact that the Great Resignation has had on nearly all local government positions. Data shows annual quit rates have been at record highs the past two years. Additionally, there is a growing trend of public workers accelerating retirement plans, a drastic change from when workers were *postponing* retirement.

Our team of consultants work diligently to ensure the success of each recruitment and will be transparent upfront and throughout the process regarding any obstacles or delays they anticipate. Despite these challenging times, we have still seen a tremendous amount of success in our recruitments largely due to our consultants' outreach methods and our team's marketing strategies.

### GOVHR'S RECOMMENDATIONS TO RECRUIT AND RETAIN TOP TALENT

**Responsive: Roll out the Welcome Mat!** Candidates may struggle with relocating for a new position as well as be concerned about the "fit" with a new team. It is important to include costs for your top candidate(s) to travel to your location for the final interview process. Our team will work with you to create a welcoming, informative experience for both you and the candidate(s).

**Encouraging:** Employee development is a must-have in today's market. Candidates appreciate their employer investing in them as much as they are investing themselves in the job. Consider "up and coming" candidates who may lack one or two preferred skills and assign a mentor or invest in a course to encourage their professional development. A mentor/training program will also help establish a peer-to-peer connection and make them feel more comfortable about the transition to a new job.

**Competitive:** Our team will guide you in offering a competitive market rate compensation and competitive benefits package attractive to today's candidates. Competitive employers must include relocation expenses and should consider signing bonuses and temporary housing.

**Resourceful:** Review your job description – do you need public sector experience? Are the years' experience you list essential, or can that be preferred? Consider a more resourceful approach when reviewing candidates' experience. Carefully consider requirements such as CPA, Professional Engineer and others that will limit your talent pool – consider using the word "ideally" or "preferably."

**Understanding:** These past few years have, without a doubt, changed the work environment. Competitive employers have recognized this and are offering flexible/hybrid/remote work options. Those positions that offer this type of flexibility consistently receive a better candidate response rate.

**Innovative:** Think about what is unique and attractive about your community and organization and highlight that in your recruitment efforts. Talk about organizational culture and what your values are with respect to your employees. GovHR will assist you in being as innovative as possible in your outreach.

**Transparent:** Some states now mandate listing salary ranges in any job advertisements or postings. More and more companies are now showing at least a salary range in their postings to promote pay transparency and equity. Post the salary range you will use for hiring – it is public information if we make it too difficult for candidates to find out the salary, they will move on to the next opportunity.

## Full Scope Recruitment – Price Proposal

Summary of Costs: Full Scope	Price
Recruitment Fee:	<b>\$19,500</b>
Recruitment Expenses: (not to exceed) <ul style="list-style-type: none"> <li>➤ Expenses include candidate due diligence efforts</li> </ul>	<b>\$1,500</b>
Advertising: <i>*Advertising costs over \$2,500 will be placed only with client approval. If less than \$2,500, Client is billed only for actual cost.</i>	<b>\$2,500*</b>
<b>Total:</b>	<b>\$23,500**</b>

\*\*Consultant travel expenses are not included in the price proposal. If the consultant is requested to travel to the client, travel costs will be estimated at time of request. Only actual expenses will be billed to the client for reimbursement to GovHR.

- Possible in-person meetings could include:
1. Recruitment brochure interview process
  2. Presentation of recommended candidates
  3. Interview Process

Any additional consultant visits requested by the Client (beyond the three visits listed above) will be billed at \$125/hour; \$500 for a half day and \$950 for a full day. The additional visits may also result in an increase in the travel expenses and those expenses will be billed to the client.

This fee does not include travel and accommodations for candidates interviewed.

### Payment for Fees & Services

Professional fees and expenses will be invoiced as follows:

- |  |  |
|--|--|
| <b>1<sup>st</sup> Invoice upon acceptance of proposal:</b>       | 40% of the Recruitment Fee                   |
| <b>2<sup>nd</sup> Invoice upon recommendation of candidates:</b> | 40% of the Recruitment Fee                   |
| <b>Final Invoice upon completion:</b>                            | 20% of the Recruitment Fee plus all expenses |

Payment of invoices is due within thirty (30) days of receipt (unless the client advises that its normal payment procedures require 60 days.)

## The GovHR Guarantee – Full Scope Recruitment

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GovHR is committed to assisting our clients until a candidate is appointed to the position. Therefore, no additional professional fee will be incurred if the client does not make a selection from the initial group of recommended candidates and requests additional candidates be developed for interview consideration. If additional advertising beyond the Phase I advertising is requested, client will be billed for actual advertising charges. Reimbursable expenses may be incurred should the recruitment process require consultant travel to the Client.

Upon appointment of a candidate, GovHR provides the following guarantee: should the selected and appointed candidate, at the request of the Client or the employee's own determination, leave the employ of the Client within the first 12 months of appointment, we will, if desired, conduct one additional recruitment for the cost of expenses and announcements only. This request must be made within 6 months of the employee's departure.

## Contract Signature Page

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We believe we have provided you with a comprehensive proposal; however, if you would like a service that you do not see in our proposal, please let us know. We can most likely accommodate your request.

This proposal will remain in effect for a period of six months from the date of the proposal. We look forward to working with you on this recruitment and selection process!

City of Livingston, Montana agrees to retain GovHR USA, LLC (“GovHR”) to conduct a City Manager Recruitment in accordance with its proposal dated June 23, 2022. The terms of the proposal are incorporated herein and shall become a part of this contract.

**ACCEPTED:**

**City of Livingston, Montana**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Billing Contact: \_\_\_\_\_

Billing Contact Email: \_\_\_\_\_

**GovHR USA, LLC**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



## Optional Services

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### GovTemps USA

Need an Interim? GovTempsUSA, a subsidiary of GovHR USA, specializes in the temporary placement of positions in local government. The firm offers short-term assignments, in addition to long-term and outsourced arrangements. Our placement professionals at GovTempsUSA have typically enjoyed distinguished careers in local government and displayed a commitment to public service throughout their career.

### Recorded One-Way Video Interview of Candidates

Candidates we recommend for your consideration can complete a one-way video interview with 3 to 5 questions that will be recorded and which you can review electronically at your convenience. This can occur prior to making your decision on which candidates to invite for an interview. Cost \$100 per candidate.

### Leadership/Personality Testing

GovHR has experience working with a wide variety of leadership and personality assessment tools, depending on the qualities and experiences the client is seeking in their candidates. These include but are not limited to Luminaspark, Caliper, DISC and others. Depending on the evaluation type selected fees can range between \$100 to \$500 per candidate.

### 360° Evaluation

As a service to the Client, we offer the option to provide you with a proposal for a 360° performance evaluation for the appointed position at six months into his or her employment. This evaluation will include seeking feedback from both elected officials and department directors, along with any other stakeholder the Client feels would be relevant and beneficial. This input will be obtained on a confidential basis with comments known only to the consultant. If you are interested in this option, GovHR will prepare a proposal for this service.



# DONALD M. TRIPP



Don Tripp has over 40 years of experience in local government with most of that time spent as a City Manager or Department Director. His diverse experience varies from a small town to central, capital city with work in Iowa, Michigan, and Colorado. Don’s visionary leadership and abilities to attract and support a team have contributed to award winning success in service to hundreds of thousands of local government customers.

Mr. Tripp’s experiences are of value in GovHR USA Executive searches, GovTemps USA and strategic support of professionals and elected officials of local government. His background offers extensive and successful lessons in Community and Economic Development; examples include the renaissance of downtown Des Moines, IA and “new urban center” evolution of Westminster, CO. Public Safety and Social Justice actions taken to support first responders and all whom expect fair and equal treatment in our cities. A first adopter of diversity, equity and inclusion self-assessment and programs, Tripp’s employees benefited with a more diverse workforce and specific attention to pay and promotion equity. Tripp’s work has a long track record of being visionary and innovative, including creation of first ever sustainability plans, energy attentive development, all while developing improved city financial positions prove that the triple bottom line can be uniformly valued. Tripp understands that conflict between the status quo and necessary change requires Courageous Leadership that is a blend of courage, accountability and humility while having genuine compassion. Tripp’s personal family values that started on his boyhood Iowa farm life have served his career well and now motivate him to continue his career by doing everything he can to help cities, that he terms, “of the most important institutions in our society”.

## PROFESSIONAL EDUCATION

- Bachelor of Arts, Leisure Services, Iowa State University, IA
- Certificate for Senior Executives in State and Local Government, John F. Kennedy School of Government, Harvard University, MA

## MEMBERSHIPS AND AFFILIATIONS

- International City/County Management Association
- CASA of Adams County Board of Directors
- Former, National League of Cities
- Former, National Recreation and Park Association
- Former, Colorado Park and Recreation Association
- Former Board Member, Iowa Park and Recreation Association
- Former Rotary International

## AWARDS

- Founding Member, Colorado Smart Cities Alliance
- 2021: CASA of Adams County Board Member of the Year
- 2021: Distinguished Budget Presentation Award, Government Finance Officers Association
- 2019: Colorado Large City of the Year, Economic Development
- 2018: 1st Place, National Digital Cities Survey Winner, Digital Government (75,000–124,999 population)
- 2017: Top 100 in United States, National Healthiest Employers Award
- 2017: 2nd Place, Cultural Diversity Award, National League of Cities (NLC) (51,000–200,000 population)

## PROFESSIONAL TRAINING

- Parks Planning and Management School, National Recreation and Parks Schools
- Revenue Development School, National Recreation and Parks Schools
- Sports Management School, National Recreation and Parks Schools
- Executive Development School, National Recreation and Parks Schools
- Understanding Human Behavior, Menninger Institute
- Youth Development Seminars (KYDS), Kellogg Foundation
- NeuroLeadership Summit, NeuroLeadership Institute
- Leadership at the Peak, Center for Creative Leadership

## PROFESSIONAL BACKGROUND

### Over 40 Years of Local Government Experience

- City Manager, City of Westminster, CO
- Executive Director, Economic Development Authority, Westminster, CO
- Executive Director, Housing Authority, Westminster, CO
- Director of Parks, Recreation and Libraries, City of Westminster, CO
- Park and Recreation Director, City of Des Moines, IA
- Recreation Director and Recreation and Park Director, City of Battle Creek, MI
- Park and Recreation Director, Nevada, IA





**City Management Client List**

<i>STATE</i>	<i>CLIENT</i>	<i>POSITION</i>	<i>POPULATION</i>	<i>YEAR</i>	
Alabama	Lee County	Chief Administrative Officer	166,831	2021	
Alaska	Bethel	City Manager	6,500	2019	
	Homer	City Manager (Professional Outreach)	5,300	2019	
	Seward	City Manager	2,693	2019	
	Unalaska	City Manager	4,768	2017	
Arizona	Buckeye	City Manager	69,744	2021	
Colorado	Eagle	Town Manager	6,739	2017	
	Englewood	City Manager	34,957	2019	
Connecticut	Cheshire	Town Manager	29,261	2017	
	East Hampton	Town Manager	13,000	2019	
	Enfield	Town Manager	45,246	2015	
				2018	
				2021	
	Manchester	General Manager	59,710	2021	
	Meriden	City Manager	60,838	2018	
Delaware	Newark	City Manager	33,398	2018	
Florida	Deerfield Beach	Assistant City Manager	80,000	2022	
	Gainesville	Assistant City Manager	133,997	2021	
	Lakeland	City Manager	110,000	2020	
	Largo	Assistant City Manager	82,244	2018	
	Palm Beach	Assistant City Manager	85,933	2021	
Georgia	Albany	City Manager	77,434	2021	
	College Park	City Manager	14,500	2021	
	Decatur	Assistant City Manager	25,000	2018	
		City Manager	25,000	2018	
Illinois	Algonquin	Village Manager	30,947	2012	
	Arlington Heights	Village Manager	75,500	2014	
	Barrington	Village Manager	10,455	2018	
	Bensenville	Village Manager	20,703	2015	
	Bloomington	City Manager	78,005	2018	
	Buffalo Grove	Village Manager	42,909	2010	
	Carbondale	City Manager	25,092	2011	
	Cary	Village Administrator	18,713	2011	
	Centralia	City Manager	13,000	2020	
	Clarendon Hills	Village Administrator	8,653	2014	
			Village Manager	8,653	2010
		Crest Hill	City Administrator	21,169	2015
					2021
	Decatur	City Manager	76,178	2014	
				2018	
		Deputy City Manager	76,178	2019	

	DeKalb	City Manager	43,849	2018
			44,862	2013
	Dixon	City Manager	18,601	2015
	East Moline	City Administrator	21,300	2011
				2016
	East Peoria	City Administrator	23,503	2016
	Effingham	City Administrator	12,384	2010
			12,577	2018
	Elmhurst	City Manager	46,387	2010
	Forsyth	Village Administrator	3,490	2021
	Fox Lake	Village Administrator	10,550	2013
				2021
	Freeport	City Manager	25,000	2017
	Galesburg	City Manager	33,706	2010
	Geneseo	City Administrator (Virtual)	6,500	2019
	Glen Ellyn	Assistant Village Manager	27,000	2013
		Village Manager	27,000	2010
	Glencoe	Assistant Village Manager	8,723	2015
		Village Manager	8,723	2013
	Greenville	City Manager	7,000	2021
	Hanover Park	Village Manager	38,510	2012
	Highland Park	City Manager	31,365	2011
	Hinsdale	Village Manager	16,816	2013
	Homer Glen	Village Manager	24,220	2011
	Homewood	Assistant Village Manager (Virtual)	19,464	2017
				2021
	Inverness	Village Administrator	7,400	2013
	Joliet	City Manager	147,500	2013
				2017
	Kenilworth	Village Manager	2,562	2012
	La Grange	Assistant Village Manager (Virtual)	15,610	2017
	La Grange	Village Manager	15,610	2017
	La Grange Park	Assistant Village Manager	13,579	2020
	Lake Bluff	Assistant to the Village Manager	5,700	2016
	Lake Forest	City Manager	19,375	2018
	Lake Villa	Village Administrator	8,774	2013
	Lake Zurich	Village Manager	19,631	2015
	Libertyville	Village Manager	20,431	2016
	Lincoln	City Administrator	14,500	2014
		Assistant Village Manager/Community Development Director		
	Lincolnshire		7,500	2016
		Village Manager	7,500	2012
	Lindenhurst	Village Administrator	14,468	2017
	Lombard	Village Manager	43,815	2013
	Marengo	City Administrator	7,614	2011
	Mettawa	Part-time Village Administrator	500	2010
	Mokena	Village Administrator	19,042	2015
	Moline	City Administrator	43,100	2017

Monmouth	City Administrator	9,444	2014
Morton Grove	Village Administrator	23,500	2011
Mt. Prospect	Village Manager	54,771	2015
Mundelein	Village Administrator	31,385	2020
New Lenox	Village Administrator	25,000	2011
Niles	Village Manager	30,001	2021
Normal	City Manager	54,264	2017
North Chicago	Chief of Staff	30,020	2021
Northbrook	Village Manager	35,000	2021
Oak Brook	Village Manager	8,058	2014
			2021
Oak Park	Assistant Village Manager/Human Resources Director	52,000	2019
	Village Manager	52,000	2021
Orland Park	Village Manager	60,000	2016
			2019
Palos Heights	City Administrator (Virtual)	12,480	2021
Pekin	City Manager	33,223	2016
Peoria	Assistant City Manager	115,234	2021
Pingree Grove	Village Manager	10,000	2020
Plainfield	Village Administrator	41,734	2021
Princeton	City Manager	7,700	2011
Princeton	City Manager	7,700	2019
River Forest	Village Administrator	11,635	2010
			2021
Rock Island	City Manager	39,684	2011
			2021
Savoy	Village Administrator (Virtual)	8,607	2020
Schaumburg Township	Township Administrator (Virtual)	140,000	2021
Schiller Park	Village Manager	11,692	2015
Shorewood	Village Administrator	17,495	2018
Skokie	Village Manager	65,000	2013
St. Clair Shores	Assistant City Manager (Professional Outreach)	59,984	2021
Sycamore	City Manager (Professional Outreach)	18,557	2021
Tinley Park	Village Manager	56,831	2013
Vernon Hills	Village Manager	25,911	2021
Villa Park	Assistant Village Manager (Virtual)	22,038	2021
	Village Manager	22,038	2022
Volo	Village Administrator	6,283	2013
Washington	City Administrator	15,700	2015
			2021
Wauconda	Village Administrator	14,125	2013
			2017
			2021
Willowbrook	Village Administrator	8,967	2019
Winnetka	Assistant Village Manager	12,417	2019
Woodridge	Village Administrator	32,971	2017

Indiana	Munster	Town Manager	23,603	2014
	St. John	Town Manager (Professional Outreach)	18,047	2020
Iowa	Bondurant	City Administrator	5,493	2017
	Burlington	City Manager	25,663	2011
	Indianola	City Manager	15,833	2022
	Knoxville	City Manager	7,300	2021
	Muscatine	City Administrator	23,819	2020
	Newton	City Administrator	15,000	2016
	Washington	City Administrator	7,266	2011
	Webster City	City Manager	8,000	2016
	West Liberty	City Manager	3,736	2013
	Windsor Heights	City Administrator	4,860	2019
Kentucky	Paducah	City Manager	24,850	2021
	Paris	City Manager	9,846	2021
Maine	Bangor	City Manager	33,039	2021
Maryland	Greenbelt	City Manager	23,753	2016
	Hagerstown	City Administrator	40,612	2015
	Sykesville	Town Manager	3,941	2019
	Westminster	City Administrator	18,522	2021
Massachusetts	Cambridge	City Manager	110,000	2016
	Eastham	Town Administrator	4,956	2016
	Provincetown	Town Manager	2,990	2015
	Williamstown	Town Manager	7,806	2021
			8,400	2015
Michigan	Adrian	City Administrator	20,676	2018
	Albion	City Manager	8,337	2018
	Alpena	City Manager	10,410	2012
	Caro	City Manager	4,208	2012
	Charlotte	City Manager	9,100	2020
	Clawson	City Manager	11,946	2021
	Delta Charter Township	Township Manager	32,400	2014
	Eastpointe	City Manager	32,673	2019
	Ferndale	City Manager	20,428	2019
	Hamtramck	City Manager	21,752	2017
	Kalamazoo	City Manager	75,000	2013
	Lincoln Park	City Manager	36,665	2019
	Oakland Township	Township Manager	16,779	2013
			19,132	2018
	Rochester	City Manager	13,000	2015
	Royal Oak	City Manager	59,112	2020
	Royal Oak Township	Township Manager	2,600	2021
	Troy	Assistant City Manager	83,181	2019
		City Manager	83,181	2018
Minnesota	Becker	City Administrator	4,874	2021
	Buffalo	Assistant City Administrator	15,855	2021
	Hibbing	City Administrator	15,855	2021
	Minnetonka	City Manager	53,953	2022

	St. Louis Park	City Manager	48,662	2021
	Waconia	City Administrator	13,500	2021
	Woodbury	Assistant City Administrator	68,820	2017
Missouri	Ballwin	City Administrator	30,181	2020
	Cape Girardeau	City Manager	38,000	2020
	Ferguson	City Manager	21,111	2015
	Maryland Heights	City Administrator	27,436	2015
	Republic	City Administrator	15,590	2016
	South Lyon	City Manager	11,327	2018
	University City	Assistant City Manager	35,172	2020
		Assistant to the City Manager/Communications Director	35,172	2018
		Assistant to the City Manager/Director of Human Resources	35,172	2020
		City Manager	35,172	2017
	Warrensburg	City Manager	20,200	2021
	Webster Groves	City Manager	22,800	2020
	Wildwood	City Administrator	35,517	2014
		City Manager	35,524	2019
Nevada	Boulder City	City Manager	16,207	2021
New Hampshire	Portsmouth	City Manager	21,796	2019
New Jersey	Waldwick	Borough Administrator	9,800	2015
New York	Long Beach	Deputy City Manager (Virtual)	33,275	2021
	Mamaroneck (Town)	Town Administrator	29,156	2021
	Mamaroneck (Village)	Village Manager	19,426	2018
	Scarsdale	Village Manager	17,837	2021
North Carolina	Fayetteville	Assistant City Manager	210,000	2012
				2017
				2018
North Dakota	Minot	City Manager	45,700	2020
Ohio	Oberlin	City Manager	8,390	2016
Pennsylvania	Centre County	County Administrator	158,172	2022
	Ferguson Township	Township Manager	18,300	2017
				2022
	Mt. Lebanon	Municipal Manager	33,137	2015
	South Fayette Township	Township Manager	14,416	2018
Rhode Island	North Kingston	Town Manager	26,326	2015
Texas	Austin	Assistant City Manager	885,000	2021
	Burleson	City Manager	36,990	2011
			43,960	2018
	Garland	Assistant City Manager	233,206	2016
	McKinney	Assistant City Manager	191,645	2019
	Missouri City	Assistant City Manager	74,139	2019
		City Manager	74,139	2021
Vermont	Winooski	City Manager	7,997	2021
Virginia	Chesapeake	City Manager	245,000	2019
	Portsmouth	City Manager	96,000	2020
	Salem	City Manager	25,643	2019

	Virginia Beach	City Manager	442,707	2019
Washington	Duwall	City Administrator (POS)	8,090	2021
	Yakima	Assistant City Manager	97,000	2021
West Virginia	Bridgeport	City Manager	8,582	2019
				2021
	Morgantown	City Manager	31,000	2016
Wisconsin	Baraboo	City Administrator	12,048	2019
	Bayside	Assistant Village Manager	4,400	2019
	Beaver Dam	City Administrator	16,291	2021
	Bellevue	Village Administrator	15,524	2018
	Beloit (City)	City Manager	36,966	2015
	Beloit (Town)	Town Administrator	7,083	2016
				2020
	Brown Deer	Village Manager	12,000	2012
	Burlington	City Administrator	10,511	2014
	Cedarburg	Town Administrator	11,475	2015
	Fond du Lac	City Manager	43,021	2012
	Fort Atkinson	City Manager	12,300	2012
	Franklin	Director of Administration	36,155	2019
	Glendale	City Administrator	12,920	2016
	Harrison	Village Manager	13,185	2021
	Hartford	City Administrator	14,251	2015
	Hobart	Village Administrator	8,500	2016
	Janesville	City Manager	63,480	2013
	Lake Geneva	City Administrator	7,710	2015
	Lisbon	Town Administrator/Clerk	2,521	2014
	Monroe	City Administrator	10,827	2020
	Oak Creek	City Administrator	35,243	2016
	Plymouth	City Administrator/Utilities Manager	8,540	2020
		Director of City Services	8,540	2010
	Port Washington	Assistant City Administrator/Human Resources Director	11,250	2022
	Prairie du Chien	City Administrator	5,900	2017
	Princeton	City Administrator	1,504	2010
	Racine	City Administrator	78,200	2016
	Rhineland	City Administrator	7,800	2018
	Richfield	Village Administrator	11,500	2009
	Rome	Town Administrator	2,720	2016
	Shorewood	Village Manager	13,331	2017
	Waukesha	City Administrator	72,489	2012
				2014
	West Bend	City Administrator	31,000	2016
	Whitewater	City Manager	14,300	2012