



Livingston City Commission Agenda

April 05, 2022

5:30 PM

VIA ZOOM

<https://us02web.zoom.us/j/82823003403?pwd=NIQ1QVNoWmN4TE1LVHNudG5Bc0lZUT09>

Meeting ID: 828 2300 3403 Passcode: 582113 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)

4. Consent Items

- A. APPROVE MINUTES FROM MARCH 15, 2022 REGULAR MEETING. Pg. 4**
- B. RATIFY CLAIMS PAID 03/04/2022-03/15/2022. Pg. 10**
- C. APPROVE APPLICATION FROM MALCOLM COX TO SERVE ON LIVINGSTON TBID AS REPRESENTATIVE FOR THE MURRAY HOTEL. Pg. 21**

5. Proclamations

- A. NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK PROCLAMATION. Pg. 25**
- B. PROCLAMATION OF THE LIVINGSTON CITY COMMISSION IN SUPPORT OF THE CITIZENS OF UKRAINE. Pg. 27**

6. Scheduled Public Comment

- A. 2021 LIVINGSTON ZONING COMMISSION ANNUAL REPORT PRESENTED BY JIM BAERG. Pg. 29**

7. Public Hearings

- A. PUBLIC HEARING ON ORDINANCE NO. 3027 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 PARCELS GENERALLY KNOWN AS 26 FLESHMAN CREEK ROAD AND LEGALLY DESCRIBED AS COS 543 IN SECTION 14, TOWNSHIP TWO SOUTH (T02S), RANGE NINE EAST (R09E), AS MEDIUM DENSITY RESIDENTIAL (R-II). Pg. 31**
- B. PUBLIC HEARING ON ORDINANCE NO. 3028 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 PARCELS GENERALLY KNOWN AS 25 LOVES LANE AND LEGALLY DESCRIBED AS Lot 5-A OF THE LAHREN MINOR SUBDIVISION IN SECTION 23,**

TOWNSHIP TWO SOUTH (T02S), RANGE NINE EAST (R09E), AS HIGH-DENSITY RESIDENTIAL (R-III). Pg. 46

C. PUBLIC HEARING ON ORDINANCE NO. 3029 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 PARCELS WITHIN THE MONTAGUE SUBDIVISION NORTH OF BENNETT STREET EXCLUDING BLOCK 3, LOT 5-14 AND BLOCK 3 AND A PORTION OF LOTS 22-26, AND INCLUDING THE ADJACENT ISLAND IN THE YELLOWSTONE RIVER LOCATED IN THE NE1/4 OF SECTION 7 (S07), TOWNSHIP TWO SOUTH (T02S), RANGE TEN EAST (R10E)AS MIXED-USE (MU), MEDIUM DENSITY RESIDENTIAL (R-III), AND PUBLIC (P) AS SHOWN IN EXHIBIT A. Pg. 66

8. Ordinances

9. Resolutions

A. RESOLUTION NO. 5026: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO DISCONTINUE AND VACATE A PORTION OF THE NORTH 12TH STREET RIGHT-OF-WAY ADJACENT TO LOTS 1-16 OF BLOCK 22 AND LOTS 17-32 OF BLOCK 23 OF THE PALACE ADDITION. Pg. 87

10. Action Items

A. DISCUSS/APPROVE/DENY: COMMISSIONERS APPOINTMENT TO SERVE ON GUIDING PRINCIPALS STRATEGIC PLAN COMMITTEE.

B. DISCUSS: RECOMMENDATION FROM CITY TREE BOARD FOR PARTNERSHIP WITH MSUE EXTENSION MASTER GARDNER PROGRAM TO FACILITATE VOLUNTEER PRUNING OF SMALL TREES IN PARKS. Pg. 105

C. DISCUSS: SCHEDULING GENERAL FUND WORK SESSION FOR CITY COMMISSIONERS.

11. City Manager Comment

12. City Commission Comments

13. Adjournment

Calendar of Events

Supplemental Material

Notice

- Public Comment: The public can speak about an item on the agenda during discussion of that item by coming up to the table or podium, signing-in, and then waiting to be recognized by the Chairman. Individuals are reminded that public comments should be limited to items over which the City Commission has supervision, control, jurisdiction, or advisory power (MCA 2-3-202).

- Meeting Recording: An audio and/or video recording of the meeting, or any portion thereof, may be purchased by contacting the City Administration. The City does not warrant the audio and/or video recording as to content, quality, or clarity.
- Special Accommodation: If you need special accommodations to attend or participate in our meeting, please contact the Fire Department at least 24 hours in advance of the specific meeting you are planning on attending.

File Attachments for Item:

A. APPROVE MINUTES FROM MARCH 15, 2022 REGULAR MEETING.



Livingston City Commission Minutes

March 15, 2022

5:30 PM

VIA Zoom

<https://us02web.zoom.us/j/81261239067?pwd=bHRyN1hmL0tQcjEzSkJmbzVjdC9hQT09>

Meeting ID: 812 6123 9067 **Passcode: 090859** Call in: (669) 900-6833

1. Call to Order

2. Roll Call

In attendance: Vice-Chair Kahle, Commissioner Friedman, Commissioner Schwarz, Chair Nootz & Commissioner Lyons excused. Staff in attendance: City Manager Michael Kardoes, City Attorney Courtney Lawellin, Public Works Director Shannon Holmes, Project Manager Martha O'Rourke, HR Director Lisa Lowy and City Clerk Faith Kinnick

3. Public Comment 5:34 p.m. (00:02:10)

- George Pierce
- Amy Tippenmeyer-Stephens
- Jessie Wilcox

4. Consent Items 5:46 p.m. (00:15:45)

A. APPROVE MINUTES FROM MARCH 1, 2022 REGULAR MEETING.

B. RATIFY CLAIMS PAID 02/16/2022-03/03/2022.

C. ACCEPT CITY COURT REPORT FROM DECEMBER 2021 AND JANUARY 2022.

- Schwarz motioned to approve A-C, second by Friedman.
- All in favor, passes 3-0

5. Proclamations 5:48 p.m. (00:17:20)

A. WEEK OF THE YOUNG CHILD PROCLAMATION APRIL 2-8, 2022.

6. Scheduled Public Comment 5:51 p.m. (00:19:55)

A. JESSIE WILCOX, CHAIR OF LIVINGSTON PLANNING BOARD PRESENTS 2021 ANNUAL REPORT.

B. MATT MCGEE OF TD&H PRESENTS A PROPOSAL OF ENGINEERING SERVICES FOR THE REGIONAL SEWER EXTENSION PROJECT. 5:54 p.m. (00:23:40)

- Kardoes made opening statements
- Holmes made clarifying statements
- Matt McGee presented
- Holmes made additional comments
- Schwarz made comments
- Friedman made comments
- Kahle asked question of Holmes
- Kardoes added clarifying comments

7. Public Hearings

8. Ordinances 6:27 p.m. (00:55:23)

A. ORDINANCE NO. 3030: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO AMEND CITY ORDINANCE NO. 2041, 2049, 2055, 2098, AND 3024 AS CODIFIED BY CHAPTER 9, SECTION 242 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED TRAFFIC AND VEHICLES, BY ESTABLISHING A LOADING/UNLOADING ZONE FOR CORE CONTROL AT 116 EAST GEYSER STREET AND ESTABLISHING A PENALTY FOR VIOLATIONS THEREOF.

- Kardoes made opening statements
 - Holmes made clarifying statements
 - Motion by Friedman, second by Schwarz
 - No public comment
 - Friedman made comments
 - Kahle made comments
 - Holmes made clarifying statements
- All in favor, passes 3-0

9. Resolutions 6:31 p.m. (01:00:23)

A. RESOLUTION NO. 5024: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA TO REQUIRE THE TRAVELODGE TO CONNECT TO CITY WATER.

- Kardoes made opening statements
- Schwarz asked clarifying questions

- Kahle asked clarifying question
 - Friedman made motion to approve, second by Schwarz
 - Leslie Feigel gave public comment
 - Schwarz made comments
 - Friedman made comments
 - Kahle made comments
- All in favor, passes 3-0

B. RESOLUTION NO. 5025: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN AN ADDENDUM TO THE PROFESSIONAL SERVICES AGREEMENT WITH THOMAS, DEAN & HOSKINS, INC. (TD&H ENGINEERING) EXTENDING THEIR CONTRACT FOR 2 YEARS, ENDING JUNE 30, 2024. 6:41 p.m. (01:10:20)

- Kardoes made opening statements
 - No Commission questions
 - Friedman motioned to approve, second by Schwarz
 - No public comment
 - Schwarz made comments
 - Kahle made comments
- All in favor, passes 3-0

10. Action Items 6:46 p.m. (01:14:52)

A. DISCUSS/APPROVE/DENY: MEMBERSHIP TO SERVE ON THE GUIDING PRINCIPALS STRATEGIC PLAN COMMITTEE.

- Kardoes made opening statements
- James Willich made comment
- Christina Nelson made comment
- Patricia Grabow made comment
- Thomas Bluerock made comment
- Wyeth Windham made comment
- Schwarz made comments
- Friedman made comments
- Kahle asked clarifying question's
- Schwarz motioned to approve Willich, Bluerock and Windham to Guiding Principles Strategic Plan Committee, second by Kahle.

- No public comments
- Schwarz asked clarifying questions
- Kahle called for additional discussion
- Friedman stated he'd like to see Willich, Windham & Nelson serve on the Committee.
- Schwarz reminded Friedman Nelson is a county resident
- Friedman withdrew, concurs with Schwarz motion.
- Kahle concurs
- All in favor, passes 3-0.
- Kahle would like to table appointing City Commissioners to serve on the board until the next meeting. Schwarz, and Friedman concur.

(10-minute recess 7:07 p.m. back in session (01:37:46))

B. DISCUSS/APPROVE/DENY: RESOLUTION NO. 5027, CREATING AD-HOC COMMITTEE FOR ARPA FUND DISTRIBUTION. 7:18 p.m. (01:37:30)

- Kardoos made opening statements
- Schwarz made comments
- Friedman made comments
- Schwarz suggested 3 citizens-2 Commissioners like we did with Strategic Plan Committee
- Friedman concurs with Schwarz
- Kahle concurs
- Kardoos suggested "ARPA Visioning Committee"
- Schwarz made motion to approve Resolution No. 5027 consisting of 3 citizens, 2 City Commissioners, titled ARPA Visioning Committee, second by Friedman.
- No public comment
- No further commission discussion
- All in favor, passes 3-0.

C. DISCUSS: CITY COMMISSIONER TO SERVE ON CITY-COUNTY JOINT AIRPORT BOARD. 7:27 p.m. (01:47:07)

- Kardoos made opening statements
- Schwarz made comments, stated City/County Compact needs re-written first.
- Friedman asked clarifying questions

- Kahle made comments, would like to see Mr. Whitman's report from the City/County Airport Board.
- Schwarz made additional comments
- Kardoes made additional comments

D. DISCUSS: DETERMINE CITY/COUNTY JOINT COMPACT APPROVAL METHOD. 07:35 p.m. (01:55:19)

- Kardoes made opening statements suggested joint meeting with the County Commissioners
- Friedman made comments
- Schwarz made comments
- Kahle concurs, suggested Doodle Poll

E. DISCUSS: STREET LIGHT MAINTENANCE DISTRICT ASSESSMENT METHOD. 7:41 p.m. (02:00:39)

- Kardoes explained current assessment method and possible future methods
- Schwarz asked questions
- Friedman asked questions
- Kahle made comments
- Schwarz made additional comments

F. DISCUSS: SCHEDULE CITY MANAGER ANNUAL EVALUATION. 7:56 p.m. (02:08:35)

- Kardoes made opening statements
- Kahle made additional comments
- Kahle made reminder to Commissioners to complete Doodle Poll

G. (*FROM ADDENDUM*) DISCUSS: CITIZEN REQUEST TO FLY THE FLAG OF UKRAINE AT LIVINGSTON CITY HALL IN SUPPORT OF THE CITIZENS AND A PROCLAMATION OF THE CITY COMMISSION IN SUPPORT OF THE CITIZENS OF UKRAINE. 7:59 p.m. (02:18:04)

- Kardoes made opening statements
- Friedman made comments
- Schwarz made comments
- Kahle made comments
- Lawellin made comments

- Schwarz made motion to approve the proclamation (no second)
- Kahle asked clarifying question
- Kardoes advised final proclamation will come before them during the April 5th meeting.

11. City Manager Comments 8:12 p.m. (02:31:40)

- Talked about the Mach 2022 City Newsletter
- Invisible City Podcast should be up and rolling next week
- Out of the office next week

12. City Commission Comments 8:12 p.m. (02:32:30)

13. Adjournment 8:14 p.m. (02:34:00)

Public in virtual attendance

1. Amy Tippenmeyer-Stephens
2. George Pierce
3. James Willich
4. Jessie Wilcox
5. Kathy's iPad
6. Manny Goetz
7. Patricia Grabow
8. Wyeth Windham
9. Leslie Fiegle
10. Patti Smith
11. Livingston Enterprise
12. Christina Nelson
13. Call in User 946-1572
14. Thomas Bluerock
15. Brittany Bont
16. Deborah Monaghan
17. "AKW"
18. Call in User

File Attachments for Item:

B. RATIFY CLAIMS PAID 03/04/2022-03/15/2022.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
ALL SERVICE TIRE & ALIGNMENT							
22	ALL SERVICE TIRE & ALIGNME	63425	Flat repair	02/18/2022	50.00	50.00	03/08/2022
22	ALL SERVICE TIRE & ALIGNME	63433	Oil Change	02/22/2022	55.00	55.00	03/08/2022
22	ALL SERVICE TIRE & ALIGNME	63459	RESCUE 1 OIL CHANGE	02/28/2022	65.00	65.00	03/15/2022
22	ALL SERVICE TIRE & ALIGNME	63478	Flat repair	03/03/2022	45.00	45.00	03/15/2022
Total ALL SERVICE TIRE & ALIGNMENT:					215.00	215.00	
ALPINE ELECTRONICS RADIO SHACK							
402	ALPINE ELECTRONICS RADIO	10278603	Batteries	02/24/2022	27.45	27.45	03/15/2022
Total ALPINE ELECTRONICS RADIO SHACK:					27.45	27.45	
AMERICAN AUTOMOTIVE							
3378	AMERICAN AUTOMOTIVE	3302	2005 GMC SIERRA	02/24/2022	384.41	384.41	03/08/2022
Total AMERICAN AUTOMOTIVE:					384.41	384.41	
BALCO UNIFORM COMPANY, INC.							
3371	BALCO UNIFORM COMPANY, IN	64449	Uniform	10/19/2021	120.30	120.30	03/15/2022
3371	BALCO UNIFORM COMPANY, IN	64483	Reserve Uniform	10/20/2021	58.00	58.00	03/15/2022
3371	BALCO UNIFORM COMPANY, IN	64600	Reserve Uniform	10/21/2021	7.20	7.20	03/15/2022
Total BALCO UNIFORM COMPANY, INC.:					185.50	185.50	
BOUND TREE MEDICAL, LLC							
2662	BOUND TREE MEDICAL, LLC	84400755	Patient Supplies	02/10/2022	556.33	556.33	03/15/2022
Total BOUND TREE MEDICAL, LLC:					556.33	556.33	
CARQUEST AUTO PARTS							
23	CARQUEST AUTO PARTS	1912-532743	PAINT	01/12/2022	7.34	7.34	03/15/2022
23	CARQUEST AUTO PARTS	1912-533978	STREET	01/25/2022	19.18	19.18	03/15/2022
23	CARQUEST AUTO PARTS	1912-534343	oil filter	01/28/2022	1.84	1.84	03/15/2022
23	CARQUEST AUTO PARTS	1912-534611	Ant fxab53	01/31/2022	75.96	75.96	03/15/2022
23	CARQUEST AUTO PARTS	1912-534940	CLEANING SUPPLIES	02/03/2022	129.87	129.87	03/15/2022
23	CARQUEST AUTO PARTS	1912-534940	Battery	02/03/2022	116.57	116.57	03/15/2022
23	CARQUEST AUTO PARTS	1912-535701	Cfi	02/11/2022	153.95	153.95	03/15/2022
23	CARQUEST AUTO PARTS	1912-535706	GREASE	02/11/2022	10.60	10.60	03/15/2022
23	CARQUEST AUTO PARTS	1912-535737	FUEL	02/11/2022	43.04	43.04	03/15/2022
23	CARQUEST AUTO PARTS	1912-535894	AIR INTAKE CLEANER	02/14/2022	6.43	6.43	03/15/2022
23	CARQUEST AUTO PARTS	1912-535928	AIR FILTER	02/14/2022	42.34	42.34	03/15/2022
23	CARQUEST AUTO PARTS	1912-535989	CREDIT RETURN	02/14/2022	10.84-	10.84-	03/15/2022
23	CARQUEST AUTO PARTS	1912-536035	VWS GR5	02/15/2022	16.32	16.32	03/15/2022
23	CARQUEST AUTO PARTS	1912-536172	AIR FILTER	02/16/2022	26.59	26.59	03/15/2022
23	CARQUEST AUTO PARTS	1912-536680	RAD EB1	02/22/2022	20.20	20.20	03/15/2022
23	CARQUEST AUTO PARTS	1912-536706	GROMMET	02/22/2022	35.96	35.96	03/15/2022
23	CARQUEST AUTO PARTS	1912-536798	AIR FILTER	02/23/2022	50.73	50.73	03/15/2022
Total CARQUEST AUTO PARTS:					746.08	746.08	
CASELLE							
3763	CASELLE	2022.4.1	APPLICATION SOFTWARE	03/01/2022	2,627.27	2,627.27	03/08/2022
3763	CASELLE	2022.4.1	APPLICATION SOFTWARE	03/01/2022	90.38	90.38	03/08/2022
3763	CASELLE	2022.4.1	APPLICATION SOFTWARE	03/01/2022	90.38	90.38	03/08/2022
3763	CASELLE	2022.4.1	APPLICATION SOFTWARE	03/01/2022	168.53	168.53	03/08/2022
3763	CASELLE	2022.4.1	APPLICATION SOFTWARE	03/01/2022	168.53	168.53	03/08/2022

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
3763	CASELLE	2022.4.1	APPLICATION SOFTWARE	03/01/2022	258.91	258.91	03/08/2022
Total CASELLE:					3,404.00	3,404.00	
CENTURYLINK							
162	CENTURYLINK	2022.2.16	406-222-0137 441B	02/16/2022	76.70	76.70	03/08/2022
Total CENTURYLINK:					76.70	76.70	
CERTIFIED LABORATORIES							
634	CERTIFIED LABORATORIES	7677067	SUPPLIES	02/09/2022	988.35	988.35	03/08/2022
Total CERTIFIED LABORATORIES:					988.35	988.35	
CHAPPELL'S BODY SHOP, INC.							
294	CHAPPELL'S BODY SHOP, INC.	534.1	Prepaid car wash	02/01/2022	25.00	25.00	03/08/2022
Total CHAPPELL'S BODY SHOP, INC.:					25.00	25.00	
COLJ CONFERENCE REGISTRATION							
2660	COLJ CONFERENCE REGISTRA	2022.3.7	Spring CONFERENCE	03/07/2022	300.00	300.00	03/15/2022
Total COLJ CONFERENCE REGISTRATION:					300.00	300.00	
COMDATA							
2671	COMDATA	20370570/ XW	CG72P	03/01/2022	252.28	252.28	03/15/2022
2671	COMDATA	20370570/ XW	CG72P	03/01/2022	44.48	44.48	03/15/2022
2671	COMDATA	20370570/ XW	CG72R	03/01/2022	369.80	369.80	03/15/2022
2671	COMDATA	20370570/ XW	CG73C	03/01/2022	695.46	695.46	03/15/2022
2671	COMDATA	20370570/ XW	CG73H	03/01/2022	94.55	94.55	03/15/2022
2671	COMDATA	20370570/ XW	CG73L	03/01/2022	315.85	315.85	03/15/2022
2671	COMDATA	20370570/ XW	CG73S	03/01/2022	709.14	709.14	03/15/2022
2671	COMDATA	20370570/ XW	CG74G	03/01/2022	508.28	508.28	03/15/2022
2671	COMDATA	20370570/ XW	CLFQH	03/01/2022	42.56	42.56	03/15/2022
Total COMDATA:					3,032.40	3,032.40	
D&R COFFEE SERVICE INC							
10002	D&R COFFEE SERVICE INC	150230	RENTAL FEE	02/28/2022	50.00	50.00	03/15/2022
Total D&R COFFEE SERVICE INC:					50.00	50.00	
DANIEL LASHINSKI							
10003	DANIEL LASHINSKI	2022.2.11	REIMB TRAVEL EXPENSE	02/11/2022	237.95	237.95	03/08/2022
Total DANIEL LASHINSKI:					237.95	237.95	
DELL MARKETING L.P.							
745	DELL MARKETING L.P.	10564944399	COMPUTER-lawelin	03/01/2022	1,341.45	1,341.45	03/15/2022
Total DELL MARKETING L.P.:					1,341.45	1,341.45	
EAGLE ENGRAVING, INC.							
3822	EAGLE ENGRAVING, INC.	2022-878	NAME PLATE	02/04/2022	92.95	92.95	03/08/2022
Total EAGLE ENGRAVING, INC.:					92.95	92.95	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
ENERGY LABORATORIES, INC.							
424	ENERGY LABORATORIES, INC.	451943	WATER	02/08/2022	431.00	431.00	03/08/2022
424	ENERGY LABORATORIES, INC.	451944	WATER	02/08/2022	462.00	462.00	03/08/2022
424	ENERGY LABORATORIES, INC.	454388	Analysis parameter	02/18/2022	291.00	291.00	03/08/2022
424	ENERGY LABORATORIES, INC.	456817	Effluent grab	03/01/2022	117.00	117.00	03/15/2022
Total ENERGY LABORATORIES, INC.:					1,301.00	1,301.00	
FISHER SAND AND GRAVEL							
2904	FISHER SAND AND GRAVEL	60496	COLD STORAGE BUILDING	01/29/2022	7,667.94	7,667.94	03/08/2022
2904	FISHER SAND AND GRAVEL	61012	COLD STORAGE BUILDING	02/12/2022	3,408.28	3,408.28	03/08/2022
2904	FISHER SAND AND GRAVEL	61847	Concrete rock	02/19/2022	697.20	697.20	03/15/2022
2904	FISHER SAND AND GRAVEL	61847	PIT RUN	02/19/2022	694.21	694.21	03/15/2022
Total FISHER SAND AND GRAVEL:					12,467.63	12,467.63	
FRONTLINE AG SOLUTIONS, LLC							
2516	FRONTLINE AG SOLUTIONS, LL	910732	hose fitting	03/04/2022	176.07	176.07	03/15/2022
Total FRONTLINE AG SOLUTIONS, LLC:					176.07	176.07	
GATEWAY OFFICE SUPPLY							
54	GATEWAY OFFICE SUPPLY	2021.12.31	POSTAGE-POLICE	12/31/2021	13.23	13.23	03/08/2022
54	GATEWAY OFFICE SUPPLY	53475	POSTAGE-POLICE	02/03/2022	13.23	13.23	03/08/2022
54	GATEWAY OFFICE SUPPLY	53489	POSTAGE-POLICE	02/04/2022	13.23	13.23	03/08/2022
54	GATEWAY OFFICE SUPPLY	53508	POSTAGE-POLICE	02/07/2022	13.23	13.23	03/08/2022
Total GATEWAY OFFICE SUPPLY:					52.92	52.92	
GENERAL DISTRIBUTING COMPANY							
1845	GENERAL DISTRIBUTING COM	0001094740	Oxygen	02/28/2022	13.72	13.72	03/15/2022
Total GENERAL DISTRIBUTING COMPANY:					13.72	13.72	
GRANITE TECHNOLOGY SOLUTIONS, INC							
2426	GRANITE TECHNOLOGY SOLU	8545	Cabling transfer station	02/28/2022	158.55	158.55	03/15/2022
2426	GRANITE TECHNOLOGY SOLU	8547	Cabling city hall	02/28/2022	143.75	143.75	03/15/2022
Total GRANITE TECHNOLOGY SOLUTIONS, INC:					302.30	302.30	
HACH COMPANY							
100	HACH COMPANY	12875694	SUPPLIES	02/09/2022	204.82	204.82	03/08/2022
Total HACH COMPANY:					204.82	204.82	
HIGH COUNTRY WILDLIFE CONTROL							
10002	HIGH COUNTRY WILDLIFE CON	4332	PEST CONTROL	02/21/2022	195.00	195.00	03/15/2022
Total HIGH COUNTRY WILDLIFE CONTROL:					195.00	195.00	
HORIZON AUTO PARTS							
1920	HORIZON AUTO PARTS	932171	BATTERY	02/23/2022	118.66	118.66	03/08/2022
Total HORIZON AUTO PARTS:					118.66	118.66	
INDUSTRIAL TOWEL							
102	INDUSTRIAL TOWEL	91080	Civic Center Mats	03/02/2022	129.35	129.35	03/15/2022

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
102	INDUSTRIAL TOWEL	91888	Mats sewer plant	03/08/2022	46.64	46.64	03/15/2022
Total INDUSTRIAL TOWEL:					175.99	175.99	
INSTY-PRINTS							
250	INSTY-PRINTS	522	spring mailer	03/07/2022	285.20	285.20	03/15/2022
250	INSTY-PRINTS	522	Spring mailer	03/07/2022	285.20	285.20	03/15/2022
250	INSTY-PRINTS	522	Spring mailer	03/07/2022	285.20	285.20	03/15/2022
250	INSTY-PRINTS	522	Spring mailer	03/07/2022	285.20	285.20	03/15/2022
250	INSTY-PRINTS	522	Spring mailer	03/07/2022	285.20	285.20	03/15/2022
Total INSTY-PRINTS:					1,426.00	1,426.00	
J & H OFFICE EQUIPMENT							
1783	J & H OFFICE EQUIPMENT	31139540	printer	02/24/2022	270.73	270.73	03/08/2022
Total J & H OFFICE EQUIPMENT:					270.73	270.73	
KELLEY CONNECT							
10001	KELLEY CONNECT	31157082	AGREEMENT 112-1689019-000	02/28/2022	326.25	326.25	03/08/2022
10001	KELLEY CONNECT	IN991106	PRINTER 330 BENNETT	02/23/2022	70.16	70.16	03/15/2022
10001	KELLEY CONNECT	IN998300	PRINTER FIRE	03/02/2022	7.46	7.46	03/15/2022
Total KELLEY CONNECT:					403.87	403.87	
KEN'S EQUIPMENT REPAIR, INC							
1390	KEN'S EQUIPMENT REPAIR, IN	58335	Dump truck	02/10/2022	229.31	229.31	03/15/2022
1390	KEN'S EQUIPMENT REPAIR, IN	58335	Dump truck	02/10/2022	229.30	229.30	03/15/2022
1390	KEN'S EQUIPMENT REPAIR, IN	58385	STRUB LIGHT	02/23/2022	181.50	181.50	03/15/2022
1390	KEN'S EQUIPMENT REPAIR, IN	58395	G2	02/24/2022	202.90	202.90	03/15/2022
1390	KEN'S EQUIPMENT REPAIR, IN	58409	Grader	02/28/2022	1,780.00	1,780.00	03/15/2022
1390	KEN'S EQUIPMENT REPAIR, IN	588351	410 L	02/14/2022	363.20	363.20	03/15/2022
Total KEN'S EQUIPMENT REPAIR, INC:					2,986.21	2,986.21	
LAW ENFORCEMENT TARGETS, INC.							
732	LAW ENFORCEMENT TARGETS	0529783-IN	CARDBOARD TARGETS	01/27/2022	269.96	269.96	03/08/2022
Total LAW ENFORCEMENT TARGETS, INC.:					269.96	269.96	
LAWSON PRODUCTS, INC.							
10003	LAWSON PRODUCTS, INC.	9309317807	DRILL BITS	02/25/2022	587.42	587.42	03/15/2022
10003	LAWSON PRODUCTS, INC.	9309317808	washers and nuts	02/25/2022	122.25	122.25	03/15/2022
Total LAWSON PRODUCTS, INC.:					709.67	709.67	
LIVINGSTON ACE HARDWARE - #122005							
26	LIVINGSTON ACE HARDWARE -	J85261	Fastners	01/26/2022	26.49	26.49	03/08/2022
26	LIVINGSTON ACE HARDWARE -	J94978	COUPLING	02/22/2022	89.94	89.94	03/08/2022
26	LIVINGSTON ACE HARDWARE -	J95418	THROTTLE CABLE	02/23/2022	146.48	146.48	03/08/2022
26	LIVINGSTON ACE HARDWARE -	X73012	BATTERIES	02/24/2022	29.97	29.97	03/08/2022
Total LIVINGSTON ACE HARDWARE - #122005:					292.88	292.88	
LIVINGSTON DAYCARE, LLC							
3407	LIVINGSTON DAYCARE, LLC	2022.4	Parking Lease 4/22-6/22	03/15/2022	2,700.00	2,700.00	03/15/2022

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total LIVINGSTON DAYCARE, LLC:					2,700.00	2,700.00	
LIVINGSTON ENTERPRISE							
146	LIVINGSTON ENTERPRISE	11507	PARKS AND TRAILS	02/21/2022	32.50	32.50	03/08/2022
146	LIVINGSTON ENTERPRISE	115188	COMMISION	02/25/2022	22.75	22.75	03/08/2022
146	LIVINGSTON ENTERPRISE	115189	COMMISION	02/25/2022	19.50	19.50	03/08/2022
Total LIVINGSTON ENTERPRISE:					74.75	74.75	
LIVINGSTON FLOORING AND CARPET CENTER							
10000	LIVINGSTON FLOORING AND C	2209	FLOORING	02/22/2022	5,560.75	5,560.75	03/08/2022
Total LIVINGSTON FLOORING AND CARPET CENTER:					5,560.75	5,560.75	
MASTERCARD							
3184	MASTERCARD	2022_01 BUSC	Posts	02/01/2022	604.68	604.68	02/09/2022
3184	MASTERCARD	2022_01 BUSC	Exam	02/01/2022	174.00	174.00	02/09/2022
3184	MASTERCARD	2022_01 BUSC	Posts	02/01/2022	100.42	100.42	02/09/2022
3184	MASTERCARD	2022_01 BUSC	Study Materials	02/01/2022	482.00	482.00	02/09/2022
3184	MASTERCARD	2022_01 FETT	Continuing ed	02/01/2022	99.00	99.00	02/09/2022
3184	MASTERCARD	2022_01 FETT	Office supplies	02/01/2022	32.50	32.50	02/09/2022
3184	MASTERCARD	2022_01 FETT	GFOA - Annual conference	02/01/2022	475.00	475.00	02/09/2022
3184	MASTERCARD	2022_01 FETT	Office supplies	02/01/2022	51.16	51.16	02/09/2022
3184	MASTERCARD	2022_01 FETT	Shipping city flag	02/01/2022	16.51	16.51	02/09/2022
3184	MASTERCARD	2022_01 FETT	Training - Darci	02/01/2022	166.00	166.00	02/09/2022
3184	MASTERCARD	2022_01 FETT	Training - Darci	02/01/2022	166.00	166.00	02/09/2022
3184	MASTERCARD	2022_01 FETT	Training - Darci	02/01/2022	167.00	167.00	02/09/2022
3184	MASTERCARD	2022_01 FETT	Computer supplies	02/01/2022	1,176.07	1,176.07	02/09/2022
3184	MASTERCARD	2022_01 FETT	Office supplies	02/01/2022	18.19	18.19	02/09/2022
3184	MASTERCARD	2022_01 GLAS	Toner	02/01/2022	646.32	646.32	02/09/2022
3184	MASTERCARD	2022_01 GLAS	Fee	02/01/2022	.18	.18	02/09/2022
3184	MASTERCARD	2022_01 GLAS	fax	02/01/2022	19.99	19.99	02/09/2022
3184	MASTERCARD	2022_01 GLAS	APCO INTERNATIONAL INC	02/01/2022	329.00	329.00	02/09/2022
3184	MASTERCARD	2022_01 GRA	1 book	02/01/2022	15.31	15.31	02/09/2022
3184	MASTERCARD	2022_01 GRA	3 books	02/01/2022	71.85	71.85	02/09/2022
3184	MASTERCARD	2022_01 GRA	2 books	02/01/2022	43.15	43.15	02/09/2022
3184	MASTERCARD	2022_01 GRA	service charges	02/01/2022	17.99	17.99	02/09/2022
3184	MASTERCARD	2022_01 GRA	postage to 59457	02/01/2022	7.83	7.83	02/09/2022
3184	MASTERCARD	2022_01 GRA	2 books	02/01/2022	42.11	42.11	02/09/2022
3184	MASTERCARD	2022_01 GRA	1 book	02/01/2022	28.79	28.79	02/09/2022
3184	MASTERCARD	2022_01 GRA	ice melt, facial tissue	02/01/2022	13.29	13.29	02/09/2022
3184	MASTERCARD	2022_01 HAEF	Test fee	02/01/2022	70.00	70.00	02/09/2022
3184	MASTERCARD	2022_01 HAEF	Blue Book	02/01/2022	219.00	219.00	02/09/2022
3184	MASTERCARD	2022_01 HAEF	Blue Book	02/01/2022	314.50	314.50	02/09/2022
3184	MASTERCARD	2022_01 HAPP	shipping	02/01/2022	21.91	21.91	02/09/2022
3184	MASTERCARD	2022_01 HAPP	storage unit	02/01/2022	47.03	47.03	02/09/2022
3184	MASTERCARD	2022_01 HAR	jump kit	02/01/2022	1,235.00	1,235.00	02/09/2022
3184	MASTERCARD	2022_01 HOFF	Battery Backup - Holmes	02/01/2022	28.33	28.33	02/09/2022
3184	MASTERCARD	2022_01 HOFF	Battery Backup - Holmes	02/01/2022	28.33	28.33	02/09/2022
3184	MASTERCARD	2022_01 HOFF	Battery Backup - Holmes	02/01/2022	28.33	28.33	02/09/2022
3184	MASTERCARD	2022_01 JOHA	Battery	02/01/2022	19.39	19.39	02/09/2022
3184	MASTERCARD	2022_01 JOHA	Office supplies	02/01/2022	17.99	17.99	02/09/2022
3184	MASTERCARD	2022_01 JOHA	Credit	02/01/2022	34.12-	34.12-	02/09/2022
3184	MASTERCARD	2022_01 JOHA	laboratory notebook	02/01/2022	59.97	59.97	02/09/2022
3184	MASTERCARD	2022_01 JOHA	Office supplies	02/01/2022	14.54	14.54	02/09/2022
3184	MASTERCARD	2022_01 JOHA	Wireless Keypad	02/01/2022	30.94	30.94	02/09/2022

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
3184	MASTERCARD	2022_01 JOHA	Office Supplies	02/01/2022	34.12	34.12	02/09/2022
3184	MASTERCARD	2022_01 JOHA	Office supplies	02/01/2022	35.96	35.96	02/09/2022
3184	MASTERCARD	2022_01 JOHA	Exercise Ball	02/01/2022	17.95	17.95	02/09/2022
3184	MASTERCARD	2022_01 KARD	ICMA Education Materials	02/01/2022	94.90	94.90	02/09/2022
3184	MASTERCARD	2022_01 KINN	Commissioner Zoom acct.	02/01/2022	41.50	41.50	02/09/2022
3184	MASTERCARD	2022_01 KINN	Office Supplies	02/01/2022	91.31	91.31	02/09/2022
3184	MASTERCARD	2022_01 KINN	Office Supplies	02/01/2022	15.95	15.95	02/09/2022
3184	MASTERCARD	2022_01 KINN	Training Services	02/01/2022	25.00	25.00	02/09/2022
3184	MASTERCARD	2022_01 KINN	AV Equipment	02/01/2022	99.99	99.99	02/09/2022
3184	MASTERCARD	2022_01 KINN	Thermometers	02/01/2022	33.90	33.90	02/09/2022
3184	MASTERCARD	2022_01 KINN	Office Supplies	02/01/2022	23.46	23.46	02/09/2022
3184	MASTERCARD	2022_01 KINN	Storage Totes- LPD	02/01/2022	269.97	269.97	02/09/2022
3184	MASTERCARD	2022_01 KINN	Office Supplies	02/01/2022	19.22	19.22	02/09/2022
3184	MASTERCARD	2022_01 KINN	Employee Jackets	02/01/2022	186.45	186.45	02/09/2022
3184	MASTERCARD	2022_01 KINN	Dan Clark materials	02/01/2022	9.70	9.70	02/09/2022
3184	MASTERCARD	2022_01 KINN	Board/Committee Acct.	02/01/2022	57.05	57.05	02/09/2022
3184	MASTERCARD	2022_01 KINN	Ethernet Cables	02/01/2022	179.08	179.08	02/09/2022
3184	MASTERCARD	2022_01 KINN	2nd Board Account	02/01/2022	57.05	57.05	02/09/2022
3184	MASTERCARD	2022_01 KINN	Office Supplies	02/01/2022	114.00	114.00	02/09/2022
3184	MASTERCARD	2022_01 KINN	Office Supplies	02/01/2022	11.97	11.97	02/09/2022
3184	MASTERCARD	2022_01 KINN	Employee Jackets	02/01/2022	186.45	186.45	02/09/2022
3184	MASTERCARD	2022_01 KINN	Fasteners	02/01/2022	5.98	5.98	02/09/2022
3184	MASTERCARD	2022_01 KINN	Wastebackets (3)	02/01/2022	34.99	34.99	02/09/2022
3184	MASTERCARD	2022_01 KINN	Commissioner name tags	02/01/2022	67.80	67.80	02/09/2022
3184	MASTERCARD	2022_01 KINN	Employee Jackets	02/01/2022	109.99	109.99	02/09/2022
3184	MASTERCARD	2022_01 KINN	TV Cart- Conference Room	02/01/2022	144.49	144.49	02/09/2022
3184	MASTERCARD	2022_01 KINN	Employee Jackets	02/01/2022	219.98	219.98	02/09/2022
3184	MASTERCARD	2022_01 KINN	Flagged with FIB as fraud	02/01/2022	.75	.75	02/09/2022
3184	MASTERCARD	2022_01 KINN	Commissioner Account	02/01/2022	83.40	83.40	02/09/2022
3184	MASTERCARD	2022_01 KINN	Tarr- Wellness Float	02/01/2022	55.00	55.00	02/09/2022
3184	MASTERCARD	2022_01 LAWE	Folders	02/01/2022	48.99	48.99	02/09/2022
3184	MASTERCARD	2022_01 LOW	Waiting for Receipts	02/01/2022	419.00	419.00	02/09/2022
3184	MASTERCARD	2022_01 LOW	Waiting for Receipts	02/01/2022	510.73	510.73	02/09/2022
3184	MASTERCARD	2022_01 LOW	Waiting for Receipts	02/01/2022	304.24	304.24	02/09/2022
3184	MASTERCARD	2022_01 LOW	Waiting for Receipts	02/01/2022	510.91	510.91	02/09/2022
3184	MASTERCARD	2022_01 LOW	Waiting for Receipts	02/01/2022	10.50	10.50	02/09/2022
3184	MASTERCARD	2022_01 LOW	Waiting for Receipts	02/01/2022	185.00	185.00	02/09/2022
3184	MASTERCARD	2022_01 LOW	Waiting for Receipts	02/01/2022	34.95	34.95	02/09/2022
3184	MASTERCARD	2022_01 LOW	Waiting for Receipts	02/01/2022	219.00	219.00	02/09/2022
3184	MASTERCARD	2022_01 LOW	Waiting for Receipts	02/01/2022	255.73	255.73	02/09/2022
3184	MASTERCARD	2022_01 MACI	December	02/01/2022	6,379.45	6,379.45	02/09/2022
3184	MASTERCARD	2022_01 O'RO	Storage Box	02/01/2022	95.72	95.72	02/09/2022
3184	MASTERCARD	2022_01 O'RO	Membership Dues	02/01/2022	270.00	270.00	02/09/2022
3184	MASTERCARD	2022_01 PURK	postage	02/01/2022	20.50	20.50	02/09/2022
3184	MASTERCARD	2022_01 RAYM	Shipping	02/01/2022	115.44	115.44	02/09/2022
3184	MASTERCARD	2022_01 TARR	Lifeguard Manager Training	02/01/2022	120.00	120.00	02/09/2022
3184	MASTERCARD	2022_01 TARR	Fan for our water cooler	02/01/2022	10.98	10.98	02/09/2022
3184	MASTERCARD	2022_01 TARR	Water Jug Refills Office	02/01/2022	18.98	18.98	02/09/2022
3184	MASTERCARD	2022_01 TARR	Lights - Skate / Party Events	02/01/2022	71.97	71.97	02/09/2022
3184	MASTERCARD	2022_01 TARR	Basketballs - 5	02/01/2022	124.95	124.95	02/09/2022
3184	MASTERCARD	2022_01 TARR	Storywalk Ice Cream	02/01/2022	49.92	49.92	02/09/2022
3184	MASTERCARD	2022_01 TARR	Coach Training/Certification	02/01/2022	350.00	350.00	02/09/2022
3184	MASTERCARD	2022_01 TARR	Coaching Folders / Ping Pong Set	02/01/2022	101.42	101.42	02/09/2022
3184	MASTERCARD	2022_01 TARR	CoVID Disposable Face Masks fo	02/01/2022	117.98	117.98	02/09/2022
3184	MASTERCARD	2022_01 TARR	Windshield Wipers for Durango	02/01/2022	41.26	41.26	02/09/2022
3184	MASTERCARD	2022_01 TARR	Storywalk Hot Cocoa's	02/01/2022	40.00	40.00	02/09/2022
3184	MASTERCARD	2022_01 WUL	Masks	02/01/2022	239.98	239.98	02/09/2022

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total MASTERCARD:					20,060.44	20,060.44	
MEYER ELECTRIC AND GROUNDS REPAIR, LLC							
3812	MEYER ELECTRIC AND GROUN	856	HEAT FOR SCALE HOUSE	03/01/2022	314.18	314.18	03/15/2022
Total MEYER ELECTRIC AND GROUNDS REPAIR, LLC:					314.18	314.18	
MIDWAY RENTAL, INC.							
3040	MIDWAY RENTAL, INC.	1644583-0001	HOSE AND FITTING	02/22/2022	274.36	274.36	03/08/2022
Total MIDWAY RENTAL, INC.:					274.36	274.36	
MISC							
99999	MISC	2022.3.2	ReSTITUTION CR2019-009	03/02/2022	20.00	20.00	03/15/2022
99999	MISC	2022.3.2.1	ReSTITUTION TK2021-0099	03/02/2022	102.00	102.00	03/15/2022
99999	MISC	TK2021-0181	Bond Release	03/01/2022	770.00	770.00	03/08/2022
Total MISC:					892.00	892.00	
MONTANA DEPT OF ENVIRONMENTAL							
2346	MONTANA DEPT OF ENVIRONM	5K2201432	ANNUAL FEE	02/23/2022	3,000.00	3,000.00	03/15/2022
2346	MONTANA DEPT OF ENVIRONM	5L2201021	ANNUAL FEE	02/22/2022	1,000.00	1,000.00	03/15/2022
Total MONTANA DEPT OF ENVIRONMENTAL:					4,000.00	4,000.00	
MONTANA FLAG AND POLE LLC							
10003	MONTANA FLAG AND POLE LLC	20220106	BEADED RETAINER	02/22/2022	156.00	156.00	03/08/2022
Total MONTANA FLAG AND POLE LLC:					156.00	156.00	
MONTANA LAW ENFORCEMENT ACADEMY							
642	MONTANA LAW ENFORCEMENT	20901	Training	02/22/2022	250.00	250.00	03/08/2022
Total MONTANA LAW ENFORCEMENT ACADEMY:					250.00	250.00	
MONTANA RAIL LINK							
112	MONTANA RAIL LINK	462690	Agreement 600678	03/02/2022	100.00	100.00	03/15/2022
112	MONTANA RAIL LINK	462691	Agreement 600679	03/02/2022	100.00	100.00	03/15/2022
Total MONTANA RAIL LINK:					200.00	200.00	
MONTANA STATE - FIRE SERVICES TRAINING							
2631	MONTANA STATE - FIRE SERVI	34-181	FF1 CBRT LEVIN	02/24/2022	95.00	95.00	03/15/2022
Total MONTANA STATE - FIRE SERVICES TRAINING:					95.00	95.00	
MSA SAFETY SALES, LLC							
10000	MSA SAFETY SALES, LLC	962274939	SENSOR	02/04/2022	725.00	725.00	03/08/2022
10000	MSA SAFETY SALES, LLC	962290679	SENSORS	02/14/2022	825.00	825.00	03/08/2022
Total MSA SAFETY SALES, LLC:					1,550.00	1,550.00	
MUNICIPAL EMERGENCY SERVICES							
2604	MUNICIPAL EMERGENCY SERV	IN1676941	STRUCTURE HELMETS	03/16/2022	880.00	880.00	03/15/2022
2604	MUNICIPAL EMERGENCY SERV	IN1680390	NAME TAGS FOR TURNOUTS	03/25/2022	195.06	195.06	03/15/2022

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total MUNICIPAL EMERGENCY SERVICES:					1,075.06	1,075.06	
NORMONT EQUIPMENT							
12	NORMONT EQUIPMENT	26892	CURB GUARD	03/02/2022	3,144.33	3,144.33	03/15/2022
12	NORMONT EQUIPMENT	30149	U CHANNEL	02/25/2022	313.68	313.68	03/15/2022
Total NORMONT EQUIPMENT:					3,458.01	3,458.01	
NORTH CENTRAL LABORATORIES							
33	NORTH CENTRAL LABORATORI	466547	agar plates	02/16/2022	1,556.61	1,556.61	03/08/2022
Total NORTH CENTRAL LABORATORIES:					1,556.61	1,556.61	
ONE VISION SOLUTIONS							
10003	ONE VISION SOLUTIONS	2022.3.1	SUPPORT	03/01/2022	1,155.00	1,155.00	03/15/2022
Total ONE VISION SOLUTIONS:					1,155.00	1,155.00	
O'REILLY AUTOMOTIVE, INC							
2437	O'REILLY AUTOMOTIVE, INC	1558-270098	Capsule	02/11/2022	64.88	64.88	03/08/2022
2437	O'REILLY AUTOMOTIVE, INC	1558-270420	Wiper Blades	02/15/2022	1.47-	1.47-	03/08/2022
Total O'REILLY AUTOMOTIVE, INC:					63.41	63.41	
PITNEY BOWES							
10001	PITNEY BOWES	0935278	Meter Refill	02/14/2022	1,000.00	1,000.00	02/14/2022
10001	PITNEY BOWES	3315057532	Lease	01/11/2022	193.00	193.00	02/03/2022
10001	PITNEY BOWES	3315057532	Lease	01/11/2022	193.00	193.00	02/03/2022
10001	PITNEY BOWES	3315057532	Lease	01/11/2022	193.00	193.00	02/03/2022
Total PITNEY BOWES:					1,579.00	1,579.00	
REDSTONE LEASING							
3842	REDSTONE LEASING	2022.4.1	Lease 42 OF 60	03/01/2022	203.07	203.07	03/08/2022
Total REDSTONE LEASING:					203.07	203.07	
REPUBLIC SERVICES #670							
10000	REPUBLIC SERVICES #670	0670-0003278	recycling	02/28/2022	59,493.60	59,493.60	03/15/2022
Total REPUBLIC SERVICES #670:					59,493.60	59,493.60	
RICHARD ORMISTON							
10003	RICHARD ORMISTON	2022.2.17	REIMB TRAVEL EXPENSE	02/17/2022	210.28	210.28	03/08/2022
Total RICHARD ORMISTON:					210.28	210.28	
RIVERSIDE HARDWARE LLC							
3659	RIVERSIDE HARDWARE LLC	2022.2.28	CLEANING SUPPLIES	02/28/2022	129.87	129.87	03/15/2022
Total RIVERSIDE HARDWARE LLC:					129.87	129.87	
SLEEPING GIANT ANIMAL CLINIC							
3645	SLEEPING GIANT ANIMAL CLINI	42741	RHINO	02/24/2022	97.10	97.10	03/15/2022

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total SLEEPING GIANT ANIMAL CLINIC:					97.10	97.10	
SPARK LASER CREATIONS							
3361	SPARK LASER CREATIONS	1556	Name Plates	02/24/2022	10.00	10.00	03/15/2022
Total SPARK LASER CREATIONS:					10.00	10.00	
SPECIAL LUBE							
1814	SPECIAL LUBE	224-280-1639	Oil Change	03/03/2022	59.39	59.39	03/15/2022
Total SPECIAL LUBE:					59.39	59.39	
STAFFORD ANIMAL SHELTER							
1439	STAFFORD ANIMAL SHELTER	2022.1	Boarding AND VACC	02/03/2022	1,503.75	1,503.75	03/08/2022
Total STAFFORD ANIMAL SHELTER:					1,503.75	1,503.75	
STATE PRINT & MAIL							
3829	STATE PRINT & MAIL	000002300	Envelopes	03/03/2022	1,339.98	1,339.98	03/15/2022
Total STATE PRINT & MAIL:					1,339.98	1,339.98	
SWS EQUIPMENT							
10000	SWS EQUIPMENT	0140635-IN	G1 GARBAGE TRUCK	02/25/2022	2,020.39	2,020.39	03/15/2022
Total SWS EQUIPMENT:					2,020.39	2,020.39	
TEAR IT UP L.L.C.							
2999	TEAR IT UP L.L.C.	51898	Shredding	02/23/2022	33.50	33.50	03/08/2022
2999	TEAR IT UP L.L.C.	52067	Shredding Finance Office	03/09/2022	51.00	51.00	03/15/2022
Total TEAR IT UP L.L.C.:					84.50	84.50	
TECH ELECTRIC							
1	TECH ELECTRIC	20186	1" EXPLOSION PROOF	02/15/2022	67.99	67.99	03/08/2022
1	TECH ELECTRIC	43459	CLINIC WELL HOUSE	02/07/2022	318.22	318.22	03/15/2022
Total TECH ELECTRIC:					386.21	386.21	
THOMSON REUTERS - WEST							
2823	THOMSON REUTERS - WEST	845962845	Subscription	03/01/2022	315.76	315.76	03/15/2022
Total THOMSON REUTERS - WEST:					315.76	315.76	
UTILITIES UNDERGROUND LOCATION							
3472	UTILITIES UNDERGROUND LO	2025093	Excavation Notifica	02/28/2022	46.58	46.58	03/15/2022
3472	UTILITIES UNDERGROUND LO	2025093	Excavation Notifica	02/28/2022	46.58	46.58	03/15/2022
3472	UTILITIES UNDERGROUND LO	2025093	Excavation Notifica	02/28/2022	46.57	46.57	03/15/2022
Total UTILITIES UNDERGROUND LOCATION:					139.73	139.73	
WHISTLER TOWING, LLC							
3237	WHISTLER TOWING, LLC	6754	WASHER NOZZLE	02/21/2022	28.32	28.32	03/08/2022
3237	WHISTLER TOWING, LLC	6775	2018 FREIGHTLINER	02/23/2022	105.00	105.00	03/15/2022

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total WHISTLER TOWING, LLC:					133.32	133.32	
WISPWEST.NET							
2087	WISPWEST.NET	708617	Civic Center	03/01/2022	63.51	63.51	03/15/2022
2087	WISPWEST.NET	712462	Internet	03/01/2022	84.19	84.19	03/15/2022
Total WISPWEST.NET:					147.70	147.70	
XYLEM DEWATING SOLUTION, INC.							
2432	XYLEM DEWATING SOLUTION, I	401149205	LIFTSTATION REPAIR	02/16/2022	1,299.89	1,299.89	03/08/2022
Total XYLEM DEWATING SOLUTION, INC.:					1,299.89	1,299.89	
Grand Totals:					145,620.11	145,620.11	

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

File Attachments for Item:

C. APPROVE APPLICATION FROM MALCOLM COX TO SERVE ON LIVINGSTON TBID AS REPRESENTATIVE FOR THE MURRAY HOTEL.

From: [Kris King](#)
To: [Faith Kinnick](#)
Subject: TBID Board approvals
Date: Thursday, March 17, 2022 4:29:35 PM

3/16 - TBID Board meeting; Vote on Malcolm Cox application to join board, contingent on 4/5 Commission vote - Motion to approve board member by Kelly Baker/ Second by Tammy Fitzgerald / Approved Unanimously. The TBID Board recommends the City of Livingston Commissioners approve Malcom Mandela Cox as a TBID member.

I will have Joel Boren and the LBID's board applications and Board recommendations to you before April 6. Thanks

--



Kris King, EXECUTIVE DIRECTOR
Tourism Business Improvement District
PHONE [406.224.3904](tel:406.224.3904)
EMAIL info@explorelivingstonmt.com
WEBSITE explorelivingstonmt.com
MAIL PO Box 348, Livingston, MT 59047



CITY OF LIVINGSTON, MONTANA APPLICATION
FOR THE LIVINGSTON TOURISM BUSINESS IMPROVEMENT DISTRICT (TBID)
BOARD OF TRUSTEES

Date: 02-15-22

Name: Malcolm M. Cox

Physical Address: 1402 West Crawford Street #6

Mailing Address (if different): _____

Email: malcolmandela.cox223@gmail.com

Phone(s): (406) 404-4613

Name of Property Owned within the District: Murray Hotel

Address of Property: 201 West Park Street

Are you the owner of the property within the District, or the designee of an owner of property within the District? Yes No

I Kathleen Kaul certify that I am a property owner within the District and I am duly authorized to either serve on the Board of Trustees or appoint malcolm cox as my designee.

Kathleen Kaul Property Owner Signature Date 02-16-22

PLEASE NOTE: An application from the manager of a hotel must contain a signed statement from the owner indicating that the hotel manager is authorized to represent the owner or a note from the corporate officer authorized to represent the board.

Have you ever served on a City or County board? No.
(If so, where, what board, and how long?)

Please explain your relevant qualifications, interests, and experiences.

I have worked in tourist related business for 10 years. I am a hotel manager in Livingston.

References (Individual or Organization) Name: _____ Phone: _____
Yellowstone National Park employee
Manager of the Murray Hotel

This application is considered public record.

Please print and sign this application where appropriate and mail to:
Livingston Tourism Business Improvement District
PO Box 348, Livingston, MT 59047
Or email to: info@explorelivingstonmt.com

File Attachments for Item:

A. NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK PROCLAMATION.



**Proclamation
National Public Safety Telecommunicators Week**

April 10-16, 2022

WHEREAS emergencies can occur at any time that requires law enforcement, fire or emergency medical services, and the Public Safety Telecommunicators are the first and most critical contact to those citizens needing those services;

WHEREAS when an emergency does occur the prompt response of law enforcement officers, firefighters and paramedics is critical to the protection of life and preservation of property; and,

WHEREAS the safety of all of our law enforcement officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who provide the Livingston/Park County 911 Dispatch Center with information; and,

WHEREAS Public Safety Telecommunicators are the single vital link for our law enforcement officers and firefighters by monitoring their activities by radio, providing them information and ensuring their safety; and,

WHEREAS Public Safety Telecommunicators of the Livingston/Park County 911 Dispatch Center have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and,

WHEREAS each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year;

NOW THEREFORE BE IT RESOLVED, I, Melissa Nootz, Chair of City Commission of the City of Livingston Montana, do hereby declare the week of April 10 through 16, 2022, to be National Public Safety Telecommunicators Week in Livingston, Montana, in honor of the men and women whose diligence and professionalism keep our city and all of our citizens safe.

Signed this ___ day of _____, 2022

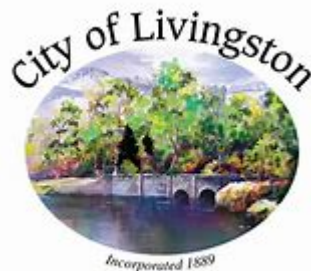
Melissa Nootz, Chair
Livingston City Commission

Faith Kinnick,
Recording Secretary



File Attachments for Item:

B. PROCLAMATION OF THE LIVINGSTON CITY COMMISSION IN SUPPORT OF THE CITIZENS OF UKRAINE.



Proclamation of the Livingston City Commission

WHEREAS, Ukraine has been a sovereign and independent nation since August 24, 1991, upon its withdrawal from the collapsing former Soviet Union; and

WHEREAS, Ukraine is the second-largest European nation by landmass and is home to more than 41 million proud Ukrainian citizens with their own national history and culture; and

WHEREAS, the United States' relationship with Ukraine serves as a cornerstone for security, democracy, and human rights in Ukraine and the broader region; and

WHEREAS, on February 24, 2022, at the direction of President Vladimir Putin, Russian forces began an unprovoked invasion of Ukraine in violation of international law; and

WHEREAS, Russian aggression in this invasion and the annexation of Crimea have resulted in over 14,000 Ukrainian deaths; and

NOW THEREFORE BE IT RESOLVED, the elected members of the City Commission of the City of Livingston Montana, do hereby condemn this violence and the threats to innocent civilians in Ukraine and stand in support of the citizens of Ukraine and their sovereignty.

Signed this ____ day of March 2022

Melissa Nootz, Chair
Livingston City Commission

Faith Kinnick,
Recording Secretary

File Attachments for Item:

A. 2021 LIVINGSTON ZONING COMMISSION ANNUAL REPORT PRESENTED BY JIM BAERG.

Livingston Zoning Commission
Report to the City Commission
December 14, 2021

Meetings:

The Livingston Zoning Commission met 3 times in person and 9 times via Zoom in 2021. Members include Jim Baerg, Chair, Michal DeChellis, Sean Mascia, who was replaced by Deborah Monaghan in August of 2021, Wendy Weaver, and Michael Wojdylak. Mathieu Menard provides technical support from the city Planning Department.

Zoning Map Amendments passed as recommendations to the City Commission:

- 1. Mayor’s Landing, zoned to Public
- 2. 1607 Mountain View Drive, zoned to R-II
- 3. Livingston Inn, zoned to Highway Commercial.
- 4. 1 and 5 Pronghorn Dr., zoned to Highway Commercial.
- 5. 1014 & 1016 W. Park Street, zoned to Highway Commercial
- 6. KPRK Area, included in the Gateway Overlay and Zoned to Neighborhood Commercial and R-2.
- 7. Montana 40 Acre, LLC, (Love’s Truck Stop) zoned to Highway Commercial with a Gateway Overlay

Zoning Text Amendments passed as recommendations to the City Commission:

- 1. Marijuana production definitions and Uses, Health and Exercise,
- 2. Large Scale Retail; size limits, landscape buffer, parking requirements
- 3. Fees and Permitting revisions
- 4. Tiny Homes and Modular homes defined
- 5. Maximum Building Heights for Residential
- 6. Manufacturing definitions and Use Table
- 7. Densities and Mixed Use
- 8. Building Design Standards (Sec. 30.46)

Anticipated work in 2022:

- 1. Create text and map for Gateway overlays
- 2. Review the recommendations from the Growth Policy and set priorities for the year.
- 3. Revisit the City Zoning categories and map

We are happy to visit with the City Commission about these ideas and to receive additional direction.

Best wishes in 2022!



Jim Baerg, Chair

Livingston Zoning Commission

File Attachments for Item:

A. PUBLIC HEARING ON ORDINANCE NO. 3027 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 PARCELS GENERALLY KNOWN AS 26 FLESHMAN CREEK ROAD AND LEGALLY DESCRIBED AS COS 543 IN SECTION 14, TOWNSHIP TWO SOUTH (T02S), RANGE NINE EAST (R09E), AS MEDIUM DENSITY RESIDENTIAL (R-II).

February 11, 2022

STAFF REPORT
ZONING MAP AMENDMENT – 26 FLESHMAN CREEK

Background

On September 7th, 2021, the City Commission Adopted a Resolution (No. 4983) (Attachment I) approving the second reading of the annexation of the parcel commonly addressed as 26 Fleshman Creek Road. The parcel is legally described COS 543, in Section 14 (S14), Township Two South (T02S), Range Nine East (R09E), as shown outlined in blue on the map below.

As the property was annexed into the City a zoning amendment must be undertaken to update the Official Zoning Map to include the lot. The parcel is currently used for a single-family residence and several outbuildings. The zoning proposed by City Staff is R-II, consistent with the adjoining residential properties. The intent of the R-II Zoning District is “[p]rimarily a single-family residence district. Duplexes and two (2) family dwellings may also be accommodated on lots of adequate plat sizes.”



Currently, the adjoining properties to the north, east, and west are used residentially and are zoned R-II, and properties to the south are zoned public and contain the armory, soccer fields, and cemetery. The parcel is one (1) acre in size and would be allowed 12 primary residences and 12 accessory dwelling units if zoned R-II.

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 parcel is shown in the Extra-territorial Jurisdiction (ETJ) as it has recently been annexed into the City. The ETJ Future Land Use Map shows the area as “Pastoral/ Open Space” described as a “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 designation of R-II differs from the ETJ FLUM significantly. The parcel is an excellent example of the broad-brush nature of the FLUM, especially the ETJ FLUM. The parcel is anomalous in that it was unincorporated, yet entirely surrounded by the City. While being shown as Pastoral/ Open Space on the ETJ FLUM the property is developed residentially and is not particularly appropriate for agricultural uses due to its size. As the parcel has now been annexed into the city the designation of Pastoral/Open Space is not consistent with the Growth Policy for parcels within the city, which stresses infill and compact development. The vast majority of the parcels on the north side of town are shown as “Medium Density Residential” on the FLUM consistent with the proposed R-II zoning.
- *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 application proposes amending the zoning to allow for city density adjacent to existing R-II density housing.
 - Adjacent infrastructure is adequate for increased density. Any development on the parcel will require connections to the City’s water and sewer system.
- *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/County interface and adjacent to existing city density residential 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.

- *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 proposed R-II designation allows for anything from a single-family home to multi-unit buildings. The potential for denser, multi-unit buildings should 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.

(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 lot has 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 lot is accessed by an existing public road, Fleshman Creek Road. Zoning the parcel allows the City to ensure transportation is adequate prior to development of the parcel.
- Increasing the density allowed on the parcel could add additional students to the school system and users to the parks system. Based on the location of the parcel, the development is currently utilizing the same schools and parks that would be utilized if the parcel were to develop further. The schools and parks should have capacity to maintain service with any future development.
- The lot is required to connect to City water and sewer. Analysis of the water and sewer capacity will need occur with any development proposal.

(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.
- By zoning the lot any new structures will be required to meet the setbacks as listed in the City’s Zoning Ordinance which do not currently apply to the lot, ensuring separation between structures for light and air.

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

Staff Comments:

- Zoning the parcel R-II should have a minimal impact on transportation systems.

(c) *promotion of compatible urban growth;*

Staff Comments:

- Adjacent privately-owned lots in the City are zoned R-II and the proposal would be a continuation of adjacent urban growth.

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

Staff Comments:

- The lot sits within an existing residential neighborhood, and is currently used residentially. The proposed zoning on the parcel is consistent with the adjacent parcels within the City.

(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.

Spot zoning Criteria:

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

Staff Comments:

- The proposed zoning is identical to adjacent residential lots within the City.

(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 single lot with a single owner that has been annexed into the City. The change should benefit neighboring landowners through the imposition of the City Zoning Ordinance on the property, including setbacks and height restrictions.

(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 single lot with a single owner that has been annexed into the City. The change should benefit neighboring landowners through the imposition of the City Zoning Ordinance on the property, including setbacks and height restrictions.

Public Hearing

The Zoning Commission heard this item at their February 8, 2022 meeting and unanimously (4:0) recommended approval of the proposed R-II zoning. Concerns were raised at the meeting about traffic. Chair of the Zoning Commission, Jim Baerg noted that despite this being technically infill, he was concerned about the recent zoning amendments being at the edges of town. The Zoning Commission also requested I make the City Commission aware of the potential automobile trips per day if the property were developed to max density. The general calculation is 10 trips-per-day for single-family homes, so if the property were to develop at max density all detached single-family homes the potential trips-per-day from the property is 240. Multi-family uses generally generated fewer trips-per-day.

Staff Recommendation

The Zoning Coordinator believes that the proposed zoning designation listed above meets both the requirements of the City of Livingston, State Statute, and the spot zoning criteria. Staff recommends that the Commission adopt the proposed zone map amendment.

Attachments

Attachment I.....Resolution 4983
Attachment II.....Draft Ordinance

ORDINANCE NO. 3027

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 PARCELS GENERALLY KNOWN AS 26 FLESHMAN CREEK ROAD AND LEGALLY DESCRIBED AS COS 543 IN SECTION 14, TOWNSHIP TWO SOUTH (T02S), RANGE NINE EAST (R09E), AS MEDIUM DENSITY RESIDENTIAL (R-II).

* * * * *

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 4983 on September 7, 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 unanimously (4:0) to recommend approval of the zoning of the parcel to Medium Density Residential (R-II) 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 addressed as 26 Fleshman Creek Road and legally described as COS 543 in Section 14, Township Two South (T02S), Range Nine East (R09E) as shown in Exhibit A as Medium Density Residential (R-II)

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 1st day of March, 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 April, 2022.

MELISSA NOOTZ – Chair

ATTEST:

APPROVED AS TO FORM:

FAITH KINNICK
Recording Secretary

COURTNEY LAWELLIN
City Attorney

EXHIBIT A



RESOLUTION NO. 4983

A RESOLUTION TO THE CITY OF LIVINGSTON, MONTANA, ANNEXING CERTAIN LAND WHICH IS WHOLLY SURROUNDED BY THE CITY OF LIVINGSTON AND IS DESCRIBED AS 26 FLESHMAN CREEK ROAD.

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 the Armory and Ridgeview Trails Subdivision which are 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:

26 Fleshman Creek Road in COS 543 in Section 14 of Township 2 South, Range 9 East. See attached map.

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

Resolution No. 4983: 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 DESCRIBED AS 26 FLESHMAN CREEK ROAD.

ATTEST:



FAITH KINNICK
Recording Secretary

PASSED ADOPTED AND FINALLY APPROVED, during a second reading by the Livingston City Commission this 7th day of September, 2021.



QUENTIN SCHWARZ Vice- Chair



ATTEST:



FAITH KINNICK
Recording Secretary

APPROVED TO AS FORM:



COURTNEY JO LAWELLIN
City Attorney

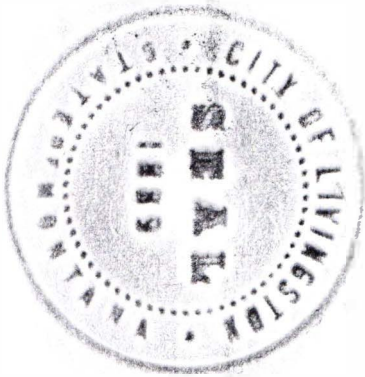
Resolution No. 4983: A RESOLUTION TO THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO ANNEX CERTAIN LAND WHICH IS WHOLLY SURROUNDED BY THE CITY OF LIVINGSTON AND IS DESCRIBED AS 26 FLESHMAN CREEK ROAD.

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 DESCRIBED AS 26 FLESHMAN CREEK ROAD.**
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. 4983: 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 DESCRIBED AS 26 FLESHMAN CREEK ROAD.



File Attachments for Item:

B. PUBLIC HEARING ON ORDINANCE NO. 3028 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 PARCELS GENERALLY KNOWN AS 25 LOVES LANE AND LEGALLY DESCRIBED AS Lot 5-A OF THE LAHREN MINOR SUBDIVISION IN SECTION 23, TOWNSHIP TWO SOUTH (T02S), RANGE NINE EAST (R09E), AS HIGH-DENSITY RESIDENTIAL (R-III).

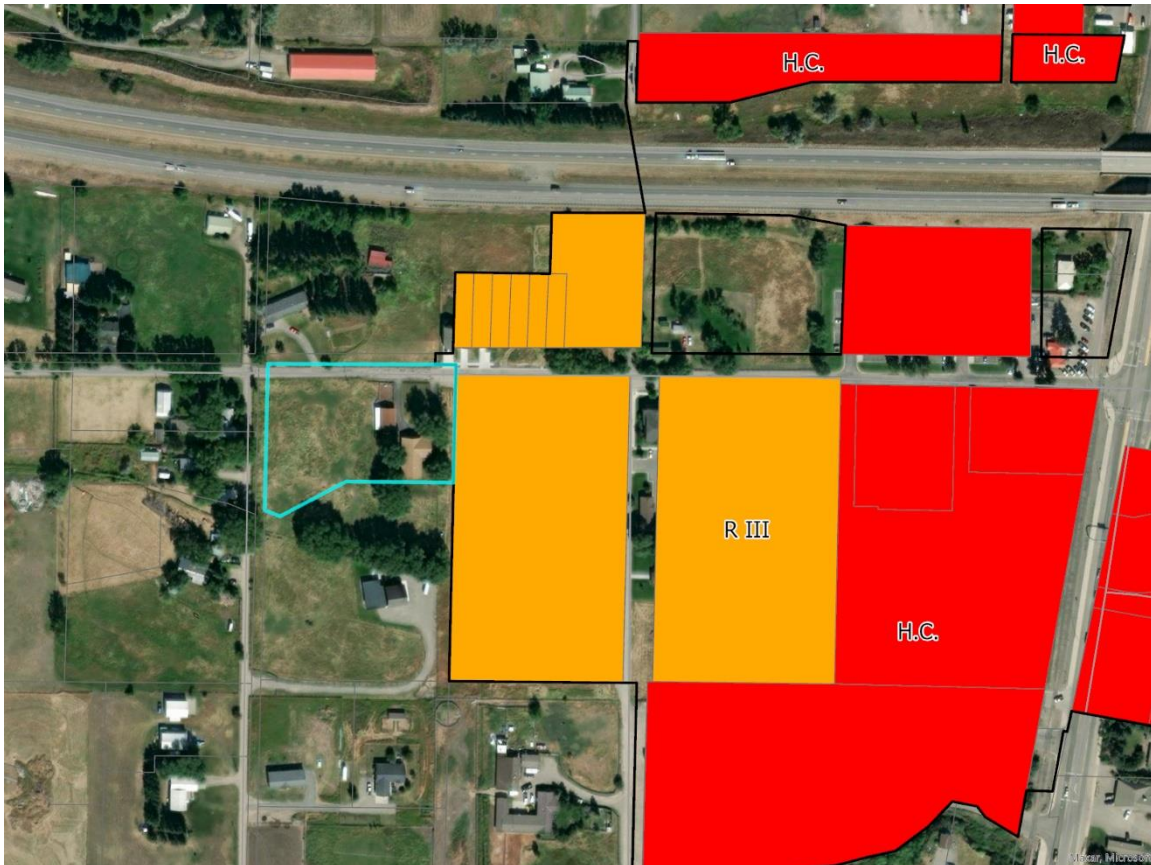
February 11, 2022

STAFF REPORT
ZONING MAP AMENDMENT – 25 LOVES LANE

Background

On January 18th, 2022, the City Commission Adopted a Resolution (No. 5010) approving the second reading of the annexation of the parcel commonly addressed as 25 Loves Lane. The parcel is legally described as Lot 5-A of the Lahren Minor Subdivision in Section 23, Township Two South (T02S), Range Nine East (R09E), as shown outlined in blue on the map below.

As the property was annexed into the City a zoning amendment must be undertaken to update the Official Zoning Map to include the lot. The parcel is currently used for a single-family residence, and the applicant has stated that they would like to place two (2) additional 8-unit buildings on the property and has applied to be zoned R-III (Application included as attachment II). The intent of the R-III Zoning District is “[a] residential classification intended to provide adequate sites for multifamily developments, including condominiums and rowhouses.”



Currently, the adjoining properties in the City are used residentially and are zoned R-III, with the properties directly adjacent to the east utilized for 3-story condominium

development. The properties within the County are within the Park County US Highway 89 South-East River Road-Old Yellowstone Trail Zoning District, which generally regulates signage. Adjacent properties in the County are generally used for single-family residences, though the property directly to the west is utilized for a marijuana business.

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 parcel is shown in the Extra-territorial Jurisdiction (ETJ) as it has recently been annexed into the City. The ETJ Future Land Use Map shows the area as “Medium Density Residential” described as a “designation [that] provides for single-family detached and attached dwellings. The density range is 10 to 19 dwelling units per acre.” The designation of R-III would be higher than the density described by the Growth Policy, though the proposed development would meet the density stated. If they parcel were to be zoned R-III a maximum of approximately 75 units would be allowed on the property. It should be noted that while there is a proposed development stated in the application, there is no requirement for the applicant to construct the development or retain the property, anything allowed by zoning could be built on the property once the zoning is approved by the City Commission.
- *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 application proposes amending the zoning to allow for higher density adjacent to existing (contextually) higher density housing.
 - Adjacent infrastructure is adequate for increased density. Any development on the parcel will require that, at a minimum, Loves Lane and sidewalks are brought to City Standards consistent with the adjacent condominium development and connection to the City’s water and sewer system.
- *Strategy 3.1.1.6: Encourage residential developments to provide neighborhood commercial areas serving residents within walking distance.*
 - Any future development would be within easy walking distance of the Albertsons grocery store.
- *Strategy 3.1.1.8: Reduce urban sprawl through compact development consistent with the Future Land Use Map of this Growth Policy.*

- The proposed zoning allows for a higher density than what is shown on the ETJ FLUM for the parcel.
- Zoning for higher densities in already developed areas of the City/County interface and adjacent to existing higher density residential and commercial services 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.*
 - The parcel is within walking distance of an existing Windrider Transit line (Attachment III) and the 89S multi-use path.
- *Strategy 4.1.3.3: Reduce climate disruption through compact growth and increased transportation choices that reduce the need for driving.*
 - The parcel is in an existing developed area and the R-III designation would allow for a significant amount of dwelling units within walking distance of a Windrider bus stop, the 89S multi-use path, and Albertsons, promoting transportation choices and minimizing the need to drive.
- *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 proposed R-III designation allows for anything from a single-family home to multi-unit buildings. The potential for denser, multi-unit buildings should 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.

(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 lot has 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 lot is accessed by an existing public road (Loves Lane). Zoning the parcel allows the City to ensure transportation is adequate prior to development of the parcel. Additional development on the parcel will require that Loves Lane is brought to city standards.
- Increasing the density allowed on the parcel could add additional students to the school system and users to the parks system. The schools and parks should have capacity to maintain service with any future development.
- The lot is required to connect to City water and sewer. Analysis of the water and sewer capacity will need occur with any development proposal.

(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.
- By zoning the lot any new structures will be required to meet the setbacks as listed in the City’s Zoning Ordinance which do not currently apply to the lot, ensuring separation between structures for light and air.

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

Staff Comments:

- Zoning the parcel R-III could increase the traffic on Loves Lane, and increase usage of the Windrider bus and sidewalk. All three systems should be able to accommodate future growth and impacts will be evaluated at time of development.

(c) promotion of compatible urban growth;

Staff Comments:

- Adjacent lots in the City are zoned R-III and the proposal would be a continuation of adjacent urban growth.

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

Staff Comments:

- The lot sits within an existing residential neighborhood, and is currently used residentially. The proposed zoning on the parcel is consistent with the adjacent parcels within the City.
- As noted above the location of the parcel is in the vicinity of Albertsons and multiple transportation systems and is appropriate for higher density development.

(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.

Spot zoning Criteria:

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

Staff Comments:

- The proposed zoning is identical to adjacent lots within the City.

(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 single lot with a single owner that has been annexed into the City. No impact to adjacent landowners is expected.

(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 single lot with a single owner that has been annexed into the City. No negative impact to adjacent landowners is expected.

Public Hearing

The Zoning Commission heard this item at their February 8, 2022 meeting and unanimously (4:0) recommended approval of the proposed R-III zoning. Concerns were raised at the meeting about traffic and parking.

Staff Recommendation

The Zoning Coordinator believes that the proposed zoning designation listed above meets both the requirements of the City of Livingston, State Statute, and the spot zoning criteria. Staff recommends that the Commission adopt the proposed zone map amendment.

Attachments

- Attachment I.....Application Materials
- Attachment II.....Windrider Route Map
- Attachment III.....Draft Ordinance

Kristopher Lahren
414 N 16th Ave
Bozeman, MT 59715
Phone: (425) 442-4594
Email: krislahren@gmail.com

City of Livingston Planning Dept
330 Bennett St
Livingston, MT 59047
(406) 222-4903

Zoning Map Amendment Application – 25 Loves LN Cover Letter

To whom it may concern:

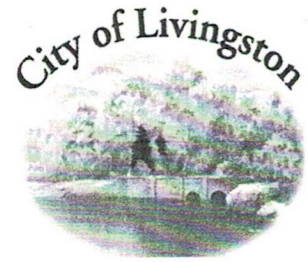
I am writing this letter to be included in my Zoning Map Amendment Application for City of Livingston, MT for the property located at 25 Loves Ln Livingston, MT. The property was recently approved for annexation into the City of Livingston.

I am seeking approval for zoning of R-III for this property to construct two 8-unit multi-family buildings and connect to the city’s water and sewer infrastructure. The property currently consists of an existing single-family residence which will be connected to the city water and sewer and 2 acres of land. The multi-family buildings will be built in two phases. The first phase will be to develop the necessary infrastructure (sewer, water, and power) to support the two buildings and construct the first building. The second phase will be to construct the second building. The property at 25 Loves Ln is adjacent to the Flats at Yellowstone Bend development which is zoned R-III.

Sincerely,



Kristopher Lahren



City of Livingston
Department of Planning
220 E. Park St.
Livingston, MT 59047
(406)222-4903
planning@livingstonmontana.org

City of Livingston Zoning Map Amendment Application Instructions

A Zoning Map Amendment (ZMA) is required to change the zoning designation on any parcel or parcels within the City of Livingston.

Zoning Map Amendments require a public hearing before the Zoning Commission for a recommendation to the City Commission, and are approved or denied by the City Commission. All ZMAs are evaluated by the Zoning Commission and City Commission based upon the following criteria:

1. What reasons prevent the property from being used for any of the uses allowed under the existing Zoning?
2. Why is there a need for the intended use of the property at this location?
3. How will the public interest be served if this application is granted?
4. Compliance with 76-2-304 MCA:
 - In accordance with the adopted Growth Policy.
 - Designed to secure safety from fire and other dangers.
 - Promote public health, public safety, and general welfare.
 - Facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.
 - Consider the adequate provision of light and air.
 - Consider the effect on motorized and non-motorized transportation systems.
 - Consider the promotion of compatible urban growth.
 - Consider the character of the district and its peculiar suitability for particular uses.
 - Consider conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area.
5. The spot zoning criteria:
 - The proposed use is significantly different from the prevailing use in the area.
 - 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.
 - 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.

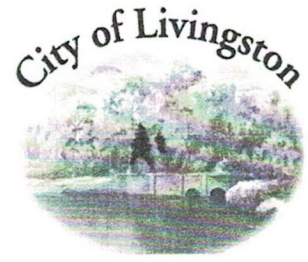
It is highly recommended that you meet with planning staff prior to applying for a ZMA.

Submittal Requirements:

- Completed Application Form.

- Cover letter with a description of the project and how the project meets the criteria included in these instructions.
- A map showing the dimensions, acreage and location of the tract(s) and adjacent land uses.
- The ZMA review fee.

All documents shall be submitted on either 8 ½" x 11" or 11" x 17" paper. Additionally, digital copies of the submittal in PDF file format are required.



City of Livingston
Department of Planning
220 E. Park St.
Livingston, MT 59047
(406)222-4903
planning@livingstonmontana.org

City of Livingston Zoning Map Amendment Application

1. **Property Owner Name:** Kristopher Lahren

2. **Location of Property**

General Location: Located on cross streets Loves Ln and Miller Drive

Address: 25 Loves LN Livingston, MT 59047

Subdivision: LAHREN MINOR SUBIVISION Lot: 5-A Block: _____

Zoning District: _____

3. **Contact Information**

Property Owner

Home Address: 414 N16th Ave Bozeman, MT 59715

Phone Number: (425) 442-4594

Email Address: krislahren@gmail.com

Primary Contact/ Applicant

Name: Kris Lahren

Address: 414 N16th Ave Bozeman, MT 59715

Phone Number: (425) 442-4594

Email Address: krislahren@gmail.com

Secondary Contact

Name: _____

Address: _____

Phone Number: _____

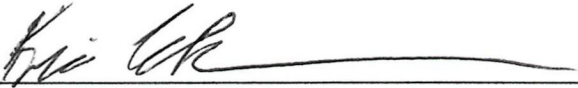
Email Address: _____

4. Property Information

Existing Structures on Property: 1 single family home w/detached garage

Proposed Zoning Designation: R-III

I hereby certify that the information included in this application is true and accurate.

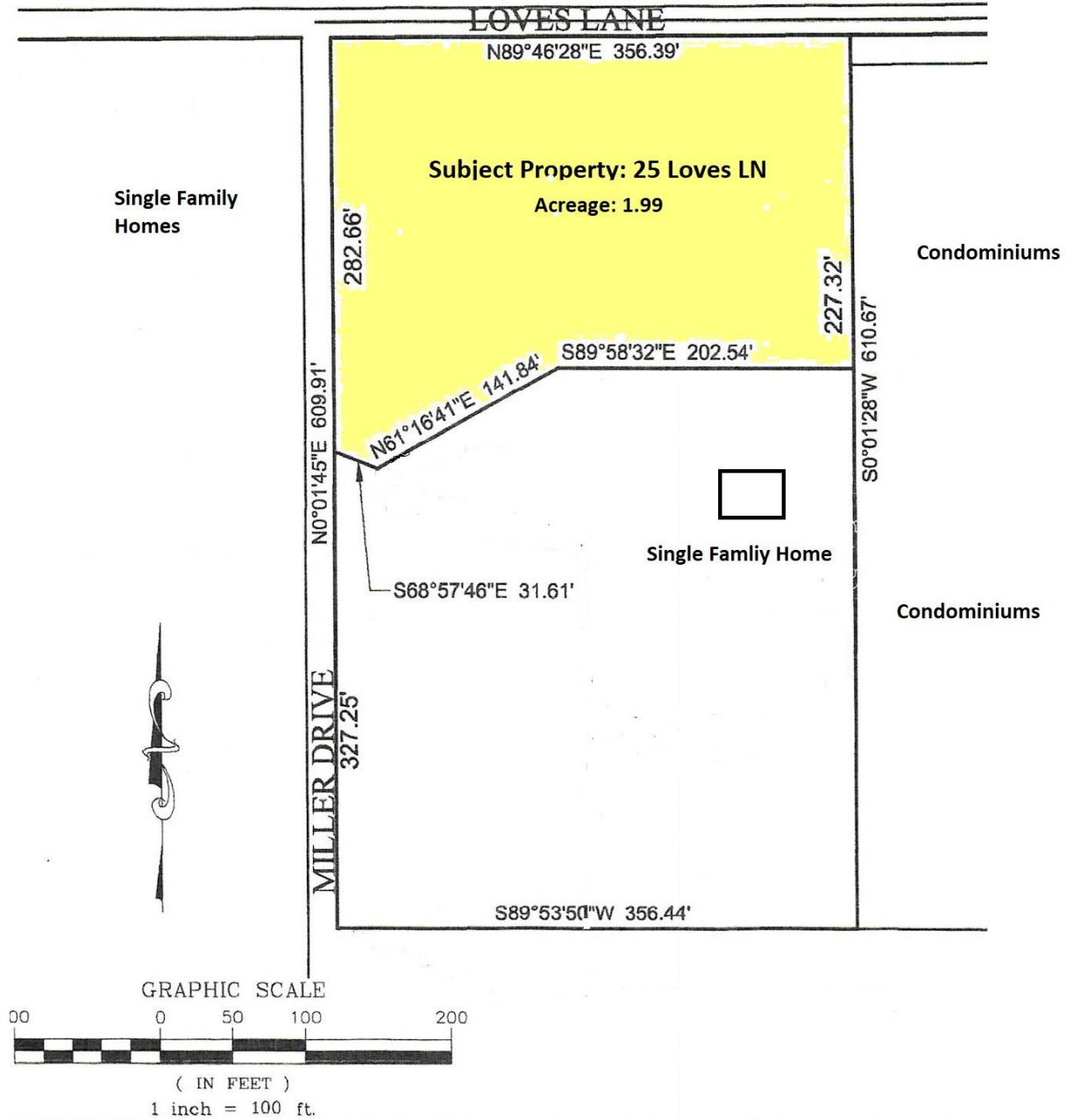


Applicant's Signature

01/19/2022

Date

Zoning Map Amendent Site MAP – 25 Loves LN Livingston, MT 59047





ORDINANCE NO. 3028

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 PARCELS GENERALLY KNOWN AS 25 LOVES LANE AND LEGALLY DESCRIBED AS Lot 5-A OF THE LAHREN MINOR SUBDIVISION IN SECTION 23, TOWNSHIP TWO SOUTH (T02S), RANGE NINE EAST (R09E), AS HIGH DENSITY RESIDENTIAL (R-III).

* * * * *

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 5010 on January 18, 2022;

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 unanimously (4:0) to recommend approval of the zoning of the parcel to High Density Residential (R-III) 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 addressed as 25 Loves Lane and legally described as Lot 5-A of the Lahren Minor Subdivision in Section 23, Township Two South (T02S), Range Nine East (R09E) as shown in Exhibit A as High Density Residential (R-III)

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 1st day of March, 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 April, 2022.

MELISSA NOOTZ – Chair

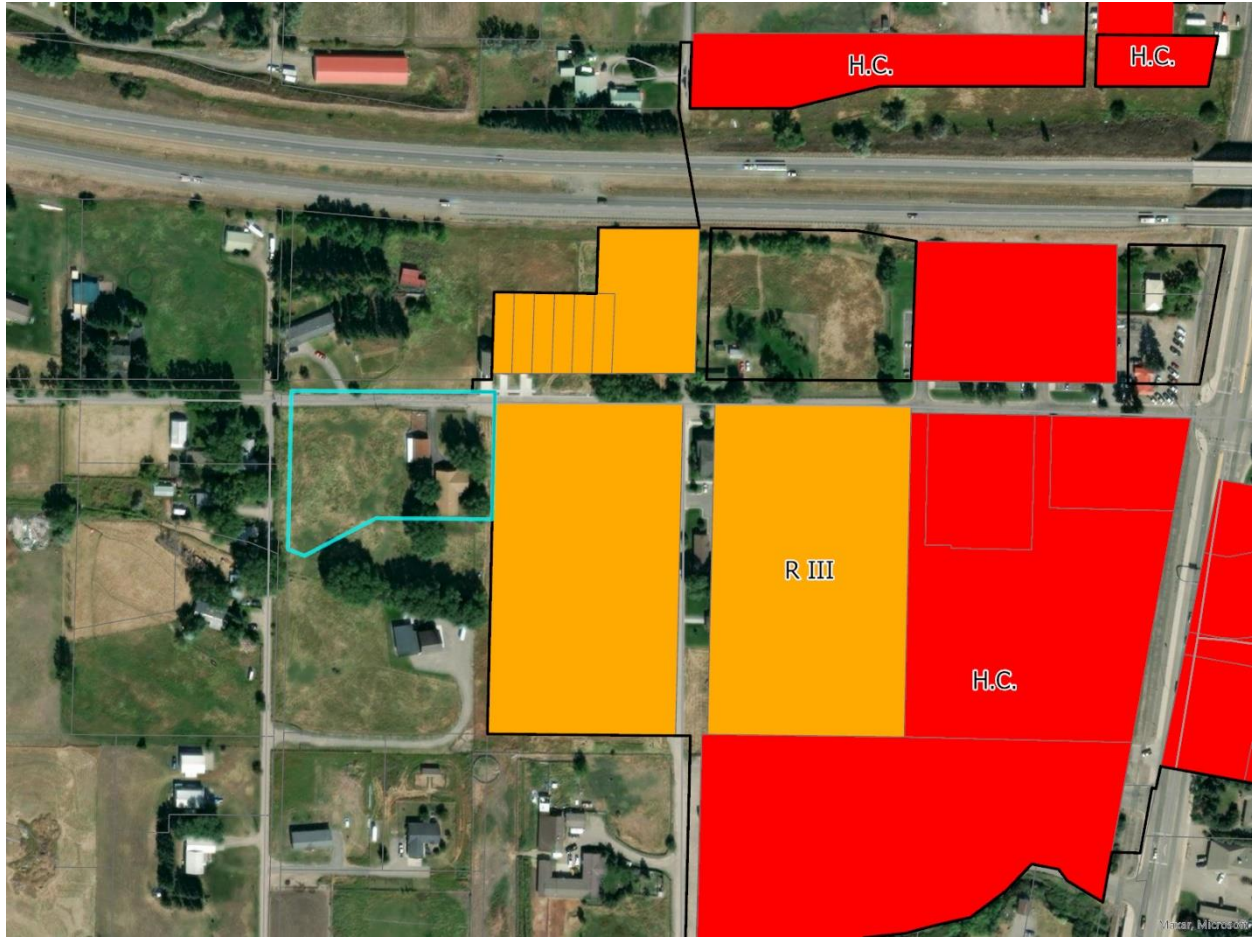
ATTEST:

APPROVED AS TO FORM:

FAITH KINNICK
Recording Secretary

COURTNEY LAWELLIN
City Attorney

EXHIBIT A



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.



Livingston HealthCare

Billings Clinic Affiliate



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.

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

Print Edition Date:
09/01/2021

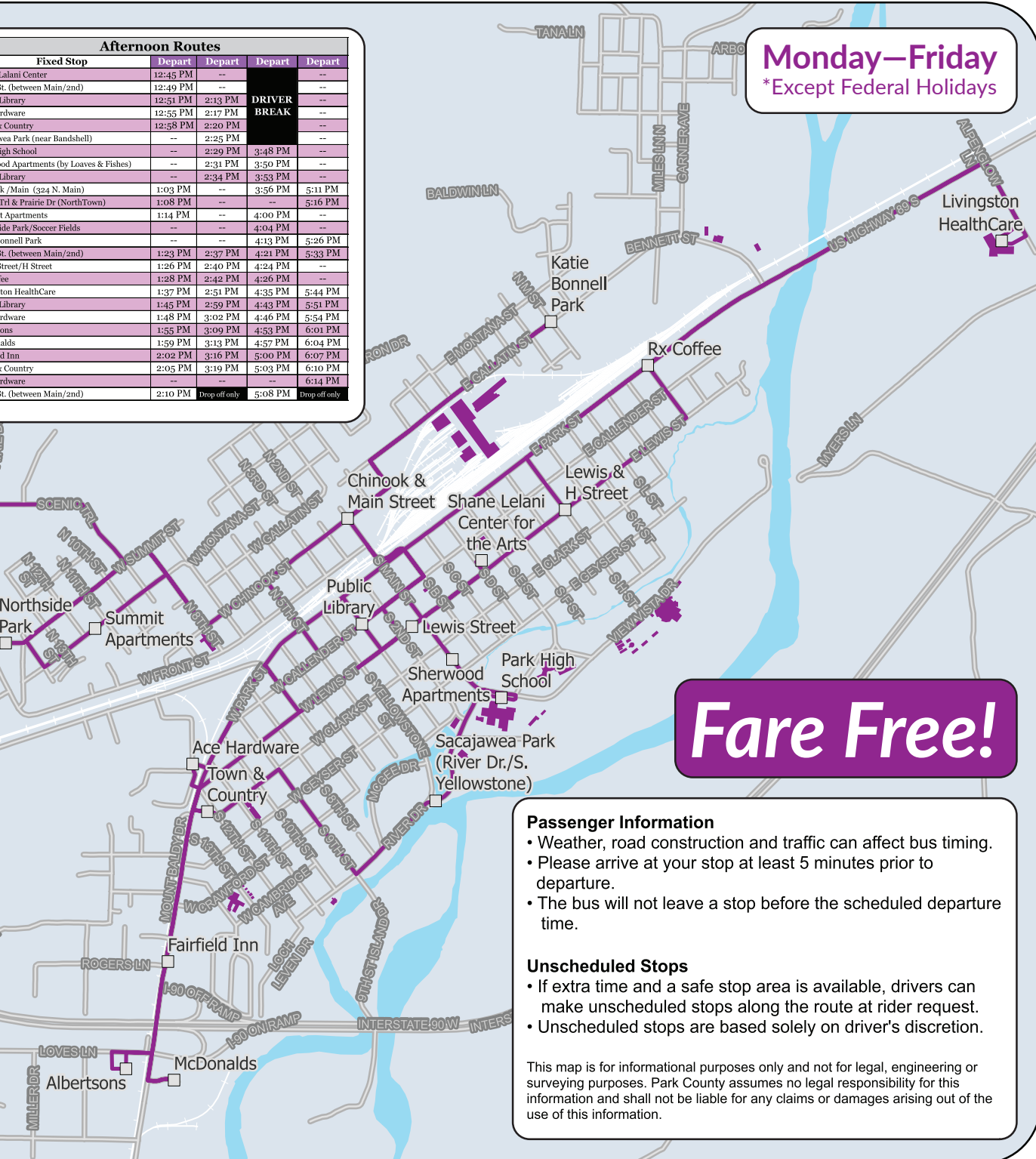
Ride Free!

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.

File Attachments for Item:

C. PUBLIC HEARING ON ORDINANCE NO. 3029 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 PARCELS WITHIN THE MONTAGUE SUBDIVISION NORTH OF BENNETT STREET EXCLUDING BLOCK 3, LOT 5-14 AND BLOCK 3 AND A PORTION OF LOTS 22-26, AND INCLUDING THE ADJACENT ISLAND IN THE YELLOWSTONE RIVER LOCATED IN THE NE1/4 OF SECTION 7 (S07), TOWNSHIP TWO SOUTH (T02S), RANGE TEN EAST (R10E)AS MIXED-USE (MU), MEDIUM DENSITY RESIDENTIAL (R-III), AND PUBLIC (P) AS SHOWN IN EXHIBIT A.

February 11, 2022

STAFF REPORT
**ZONING MAP AMENDMENT – MONTAGUE SUBDIVISION NORTH OF
BENNETT STREET**

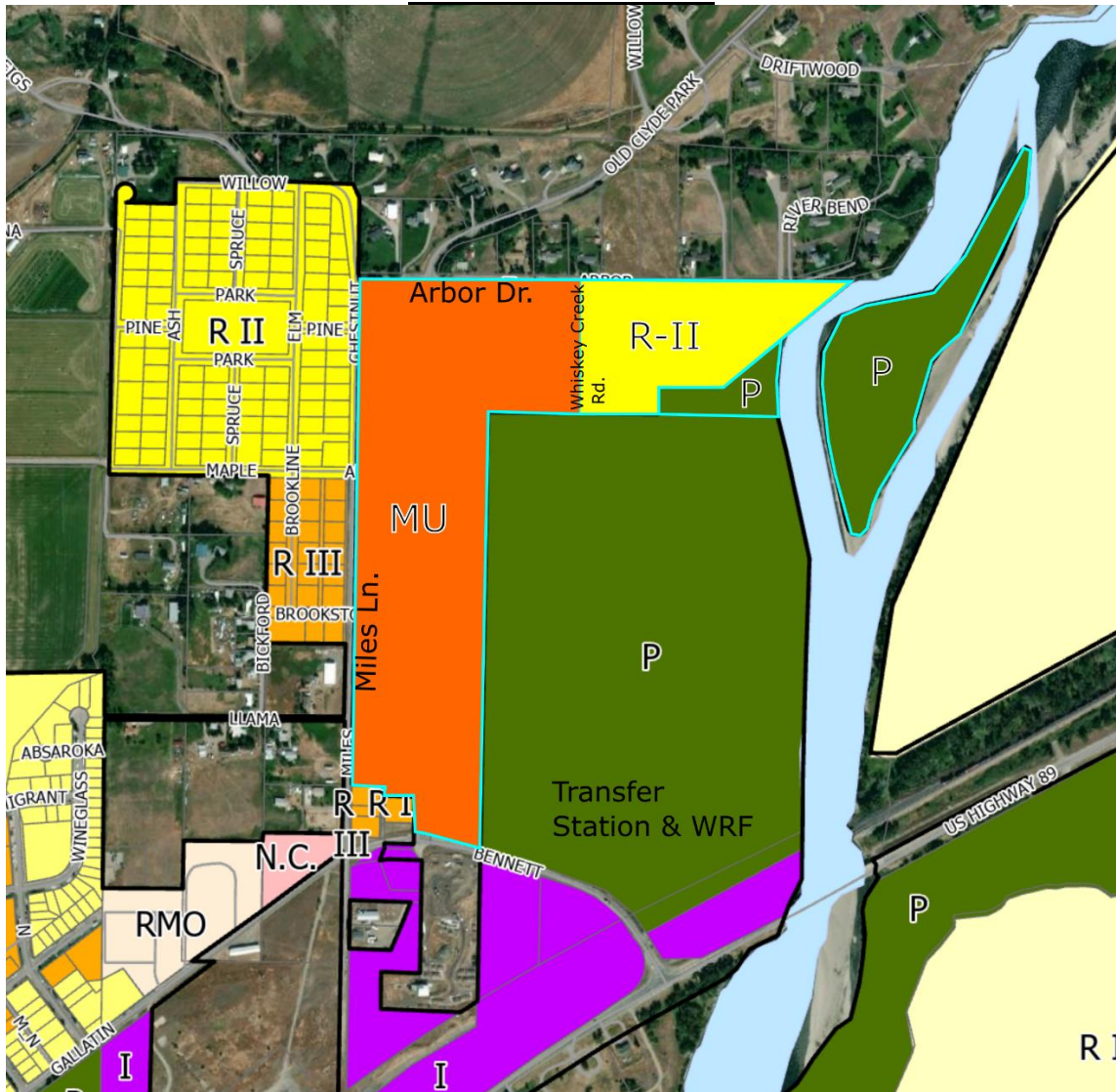
Background

On September 7th, 2021, the City Commission Adopted a Resolution (No. 4983) (Attachment I) approving the second reading of the annexation of the unannexed portions of the Montague Subdivision north of Bennett Street and a Resolution (No. 4960) (Attachment II) approving the second reading of the annexation of the island in the Yellowstone River on June 1, 2021.

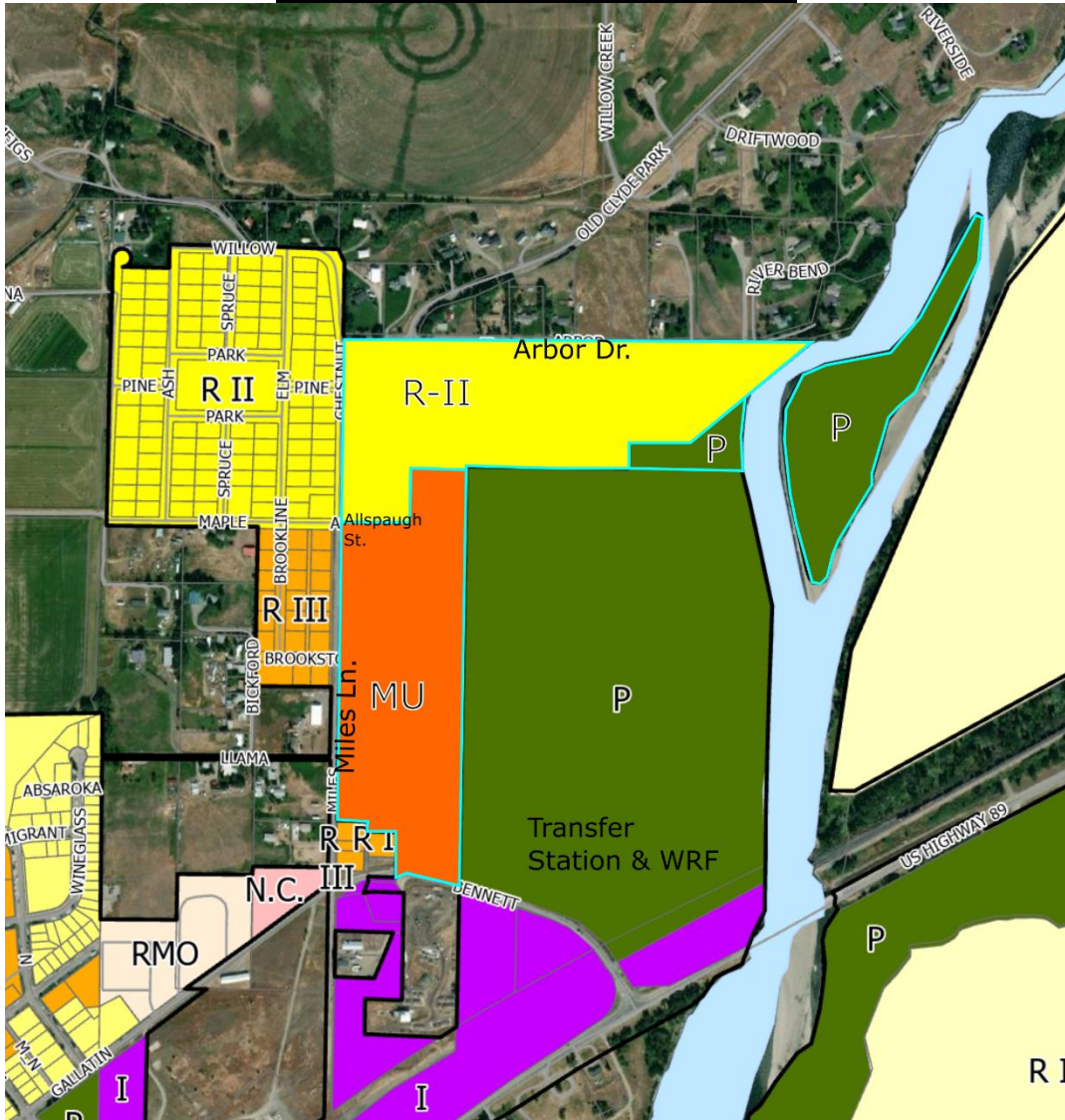
As the property was annexed into the City a zoning amendment must be undertaken to update the Official Zoning Map to include the parcels. Staff has proposed zoning generally consistent with the Extra-territorial Jurisdiction (ETJ) Future Land Use Map (FLUM), with the areas between Bennett Street and Arbor Drive along Miles Lane and Garnier Avenue and to Whiskey Creek Road at the north east corner proposed to be Mixed Use (MU), the area between Whiskey Creek Road and the Yellowstone River proposed to be Medium Density Residential (R-II), the parcel owned by the City north of the transfer station at the east end of Grandview Boulevard and the island in the Yellowstone (also owned by the City) proposed to be Public (P). As outlined in blue on the map on the next page. The Zoning Commission felt that zoning the existing residential neighborhood at the north end of the proposed MU area was inappropriate and recommended that the area be zoned R-II, with the boundary between R-II and MU in line with the boundary of R-II and R-III to the west following Allspaugh Street from Chestnut Lane to Garnier Ave and north along Garnier and then following the southern property lines of 206 and 212 Grandview Boulevard until it intersects with the City’s property to the east. A map of Zoning Commission recommendation is provided below.

Currently, the adjoining residential properties in the City are used residentially and are zoned High Density Residential (R-III) (Brookstone Subdivision) and R-II (Green Acres Subdivision) and many of the properties border the City’s Transfer Station and Water Reclamation Facility (WRF), zoned P.

Staff Recommendation



Zoning Commission Recommendation



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 area proposed as MU as “Mixed Use” described as “[t]he Mixed-Use land use designation accommodates mixture of retail, office, restaurant, entertainment, cultural and residential uses.” The designation of MU is consistent with the Growth Policy. The area shown as R-II and P east of

Whiskey Creek Road is shown 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.” While the designation of the City land north of the transfer station as P is consistent with this designation, the proposed R-II is not. Currently, the land is not utilized for agricultural production, and is generally not viable for this use. Additionally, the privately-owned area surrounding the proposed R-II, both in the City and County, is utilized residentially. The island is not addressed in either FLUM. The recommendation by the Zoning Commission is less consistent with the ETJ FLUM as a portion of the MU area shown on the ETJ FLUM is recommended to be R-II. The Zoning Commission did not believe it was appropriate to zone the primarily single-family residential area as MU. The MU area could be expanded in the future if the area proposed to be zoned MU at this time is built out to higher densities, or if the Commission believe that more MU is required at some point in the future.

- *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 intent of the Mixed Use zone is to allow a wider mix of land uses and higher densities to promote compact, walkable development. Neighborhood oriented commercial services are a noted need on the north-side of the City, especially the north-eastern portion of the City most distant from downtown and grocery stores.
 - The ETJ FLUM shows this area as designated for higher densities and mixed uses, showing its appropriateness for the use. The area adjacent to the Yellowstone River has not been shown for higher densities as it was determined that lower densities were appropriate to protect the river and associated riparian areas. The proposed R-II designation is generally the lowest density that staff feels is appropriate for City development at this time.
 - As development occurs the City will need to upgrade the infrastructure in the area as much of the area does not contain sidewalks, curb, or gutter.
- *Strategy 3.1.1.6: Encourage residential developments to provide neighborhood commercial areas serving residents within walking distance.*
 - Zoning the area for mixed use would allow for commercial areas within close proximity to existing residential neighborhoods and would potentially allow north-side residents to access commercial services without crossing the rail-road tracks.

- *Strategy 3.1.1.8: Reduce urban sprawl through compact development consistent with the Future Land Use Map of this Growth Policy.*
 - The intent of the Mixed Use zone is to allow a wider mix of land uses and higher densities to promote compact, walkable development to minimize sprawl.
 - Zoning for higher densities in already developed areas of the City/County interface 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.
- *Strategy 4.1.3.3: Reduce climate disruption through compact growth and increased transportation choices that reduce the need for driving.*
 - The intent of the Mixed Use zone is to allow a wider mix of land uses and higher densities to promote compact, walkable development.
 - Commercial in this area has the potential to serve a significant area of the north-side of the City increasing walking and biking as trips across the tracks could be minimized.
- *Objective 4.2.1: Identify, conserve, and protect the quality and health of water resources and ecosystems to meet local standards for public use and recreation.*
- *Objective 4.3.2: Protect the riparian corridors to preserve unique wildlife, promote water quality, and provide for public trails and open space.*
 - The Yellowstone River is a significant environmental feature throughout the community. The proposed R-II zoning is intended to minimize impact on the river by development. It should be noted that currently the City has no watercourse or riparian setbacks or protections. While portions of the riparian area are within the floodway and floodplain, the regulatory floodplain is extremely tight to the river in this location.
- *Strategy 5.1.1.3: Evaluate manufactured or similar type structures to create affordable housing inventory.*
- *Strategy 5.1.5.3: Consider protecting mobile home parks with a codified ordinance.*
 - There are a significant number of manufactured homes in the area, specifically in the area proposed to be zoned MU.

Currently, the City has no ordinances preventing manufactured homes or manufactured home parks from being redeveloped. Zoning the area for MU may encourage the redevelopment of the properties as property values increase, potentially reducing affordable housing stock within the City.

- *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 proposed MU designation allows for anything from a single-family home to multi-unit buildings. The potential for denser, multi-unit buildings should 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. The MU designation would also allow for alternative housing arrangements such as live-work units, potentially increasing affordability for craftspeople and artists.

(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:

- Additional development on the parcels will require that several of the roads are brought to City standards. Transportation will need to be considered in any future development proposal
- Currently, the parcels are unzoned and therefore uncontrolled, allowing unlimited density. Zoning will set the density to specific limits, the connection of the parcels to the City’s water and sewer system will have the greatest impact on density and therefore effects on transportation, water, sewer, schools, parks, and other infrastructure.

- 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.
- The proposed MU areas are separated from other zoning designations by roadways, creating a buffer between the taller buildings allowed in MU and neighboring areas. The Zoning Commission recommendation did place a direct boundary between the MU and R-II districts, with two (2) R-II parcels directly abutting one (1) MU parcel.
- The required setbacks in the area zoned R-II ensure separation between buildings for 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. Zoning will set the density to specific limits, the connection of the parcels to the City’s water and sewer system will have the greatest impact on density and therefore effects on transportation systems.
- Developments will need to be evaluated for transportation impacts at the time of permitting.

(c) promotion of compatible urban growth;

Staff Comments:

- The proposed zoning is consistent with the FLUM and Growth Policy showing the compatibility with growth and the needs of the City.

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

Staff Comments:

- As shown on the FLUM, the noted need for housing and commercial services on the north-side of the railroad tracks the proposed MU and R-II is consistent with the character of the district.

(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. Generally, annexing the properties into the City, providing water and sewer service, and zoning to regulate incompatible uses significantly increases property value.

Spot zoning Criteria:

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

Staff Comments:

- The proposed R-II zoning is similar to adjacent areas within the City.
- The proposed P zoning is identical to adjacent City owned property.
- The proposed MU zoning is a departure from adjacent zoning, as the majority of the area does not allow commercial uses.

(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 large area and large number of landowners.

(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 large area with a large number of landowners. For the reasons listed above, the zoning amendment should benefit the individual landowners and general public.

Public Hearing

As noted above the Zoning Commission voted unanimously (4:0) to recommend approval of the zoning amendment with the expansion of the R-II area at their February 8, 2022 meeting. This change was made after both the public and the Zoning Commission raised concerns about the MU area at the north side of the proposed zoning amendment and impacts on the existing neighborhood. Staff has provided a draft ordinance with this change included.

Staff Recommendation

The Zoning Coordinator believes that the proposed zoning designation listed above meets both the requirements of the City of Livingston, State Statute, and the spot zoning

criteria. Staff recommends that the Commission adopt the proposed zone map amendment.

Attachments

- Attachment I.....Resolution 4983
- Attachment II.....Resolution 4960
- Attachment III.....Draft Ordinance

RESOLUTION NO. 4986

A RESOLUTION TO THE CITY OF LIVINGSTON, MONTANA, ANNEXING CERTAIN LAND WHICH IS WHOLLY SURROUNDED BY THE CITY OF LIVINGSTON AND IS DESCRIBED AS THE PROPERTY BETWEEN ARBOR DRIVE AND BENNETT STREET BOUNDED BY MILES LANE/CHESTNUT LANE, THE CITY TRANSFER STATION AND THE YELLOWSTONE RIVER IN SECTION 7 IN TOWNSHIP 2 SOUTH RANGE 10 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 Miles Lane/Chestnut Lane, Arbor Drive, Bennett Street, and the Yellowstone River all of which are 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.

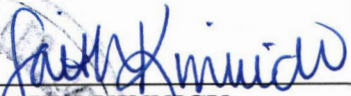
NOW, THEREFORE, BE IT RESOLVED, by the City Commission of the City of Livingston, Montana, as follows:

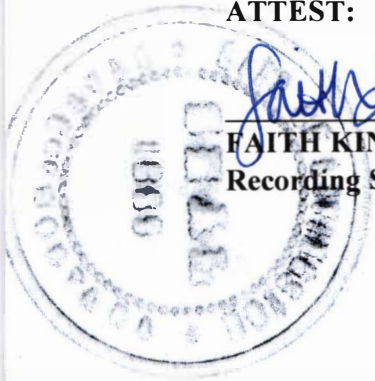
It is the intent of the City Commission to annex wholly surrounded land more particularly described as:

The properties all in Section 7 defined in exhibit A and bounded by Arbor Drive, Miles Lane/Chestnut Lane, Bennett Street, the City transfer station, and the Yellowstone river. See Attached.

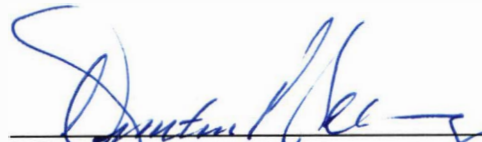
PASSED at a first reading by the Livingston City Commission, on August 3, 2021.

ATTEST:



FAITH KINNICK
Recording Secretary



PASSED ADOPTED AND FINALLY APPROVED, during a second reading by the Livingston City Commission this 19th day of September, 2021.


QUENTIN SCHWARZ Vice- Chair

ATTEST:

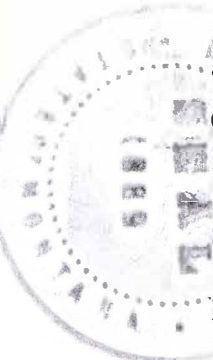

FAITH KINNICK
Recording Secretary



APPROVED TO AS FORM:


COURTNEY JO LAWELLIN
City Attorney

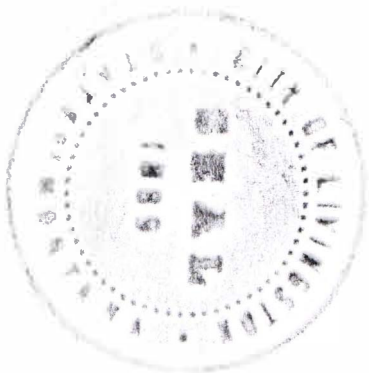
PUBLIC NOTICE

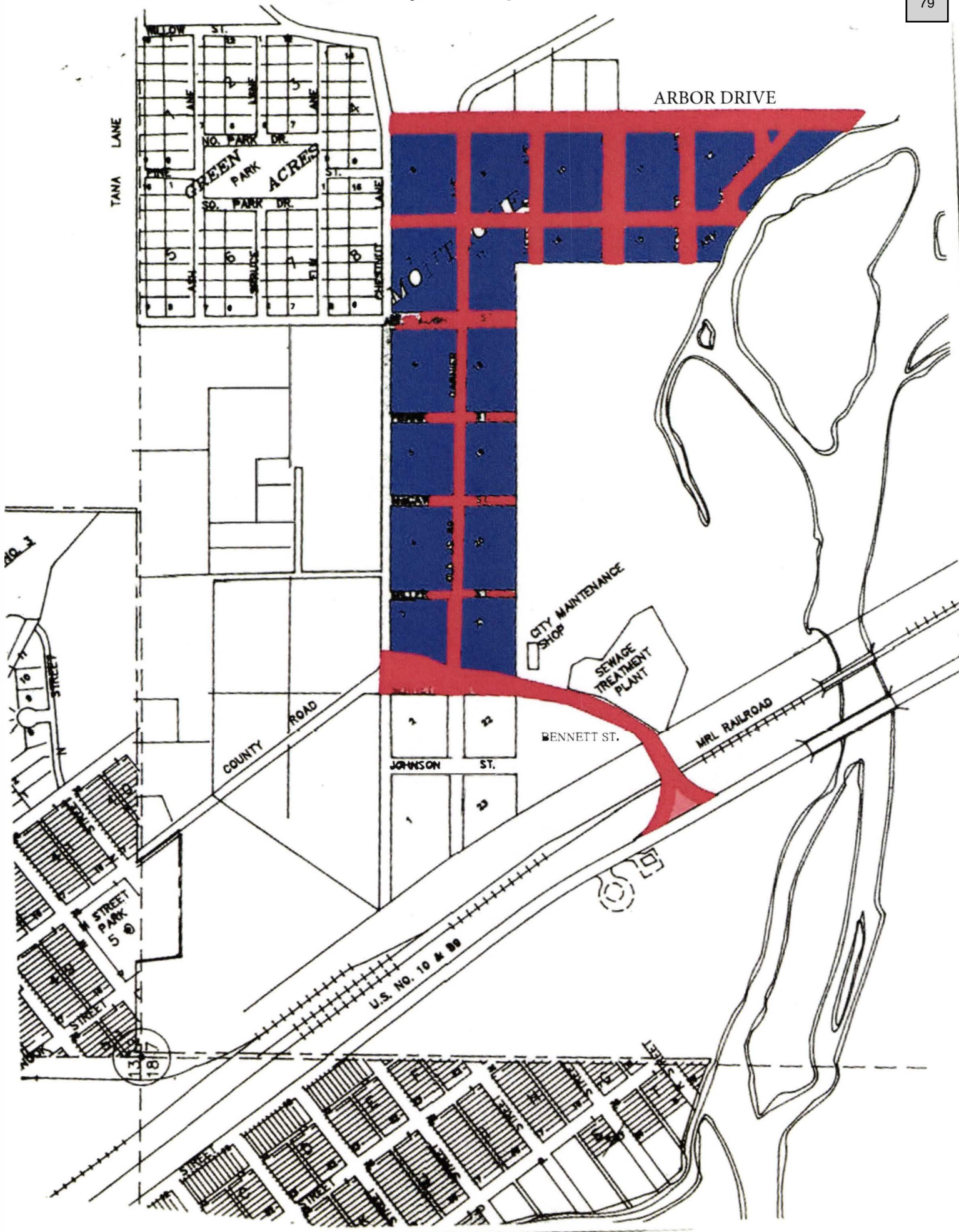


NOTICE is hereby given, a public hearing will be conducted by the Livingston City Commission on Tuesday, September 7th, 2021, during a second reading of **RESOLUTION NO. XXXX: entitled A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, TO ANNEX CERTAIN LAND WHICH IS WHOLLY SURROUNDED BY THE CITY OF LIVINGSTON AND IS DESCRIBED AS THE PROPERTY BETWEEN ARBOR DRIVE AND BENNETT STREET BOUNDED BY MILES LANE/CHESTNUT LANE, THE CITY TRANSFER STATION AND THE YELLOWSTONE RIVER IN SECTION 7 IN TOWNSHIP 2 SOUTH RANGE 10 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. 4960

A RESOLUTION TO THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO ANNEX CERTAIN LAND BELONGING TO THE CITY OF LIVINGSTON WHICH IS DESCRIBED AS THE ISLAND IN THE NE 1/4 OF SECTION 7 IN TOWNSHIP 2 SOUTH RANGE 10 EAST.

WHEREAS, Section 7-2-4301, Montana Code Annotated, authorizes annexation of contiguous property, and the City owns the above described Island which is contiguous to the Yellowstone Preserve; 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 as being owned by the City and between properties in the City’s Annexation Policy that the boundaries of the City of Livingston be extended to the above described island; and

WHEREAS, Section 7-2-4301 deems property contiguous to a 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 City, as owner of the parcel, consents to the annexation of the Island 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 contiguous land more particularly described as:


The Island in the NE1/4 of Section 7 in Township 2 South Range 10 East, on file with the Park County Clerk and Recorder.

PASSED at a first reading by the Livingston City Commission, on May 4, 2021.

ATTEST:


FAITH KINNICK
Recording Secretary

PASSED ADOPTED AND FINALLY APPROVED, during a second reading by the Livingston City Commission this 1st day of June 2021.



DOREL HOGLUND- Chair

ATTEST:



FAITH KINNICK
Recording Secretary

APPROVED TO AS FORM:



COURTNEY JO LAWELLIN
City Attorney

PUBLIC NOTICE

NOTICE is hereby given, a public hearing will be conducted by the Livingston City Commission on Tuesday, June 1, 2021, during a second reading of **RESOLUTION NO. 4960** entitled **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, TO ANNEX CERTAIN LAND WHICH IS CONTIGUOUS TO THE CITY OF LIVINGSTON AND IS DESCRIBED AS THE ISLAND IN THE NE1/4 OF SECTION 7 IN TOWNSHIP 2 SOUTH RANGE 10 EAST**. This hearing will be conducted via Zoom. All interested parties are invited to attend and give their comments. To join this meeting <http://us02web.zoom.us>
Meeting ID: 885 2666 8435 Passcode: 261645 or by phone at (669) 900-6833. For additional information contact Faith Kinnick at (406) 823-6002.

Please publish Friday, May 7, 2021 and May 21, 2021.

Faith Kinnick
City of Livingston
May 4, 2021

Resolution No. 4960: Intent to annex certain land described as The Island in the NE1/4 of Section 7 in Township 2 South Range 10 East.



Receipt #91406
 06/22/2021 4:07 PM

Park County, MT
 Clerk and Recorder/ Surveyor
 Park County

CUST: CITY OF LIVINGSTON
 User: PATTI SMITH
 Drawer: Cash 1

Doc# 424391
 RECORDED MISC DOCUMENTS
 3 pages \$21.00

Doc# 424392
 RECORDED MISC DOCUMENTS
 6 pages \$42.00

Total Fees: \$63.00
 Amount Received: \$63.00
 Change: \$0.00

ORDINANCE NO. 3029

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 PARCELS WITHIN THE MONTAGUE SUBDIVISION NORTH OF BENNETT STREET EXCLUDING BLOCK 3, LOT 5-14 AND BLOCK 3 AND A PORTION OF LOTS 22-26, AND INCLUDING THE ADJACENT ISLAND IN THE YELLOWSTONE RIVER LOCATED IN THE NE1/4 OF SECTION 7 (S07), TOWNSHIP TWO SOUTH (T02S), RANGE TEN EAST (R10E) AS MIXED USE (MU), MEDIUM DENSITY RESIDENTIAL (R-II), AND PUBLIC (P) AS SHOWN IN EXHIBIT A.

* * * * *

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 Parcels by passing Resolution 4960 on June 1, 2021, and Resolution 4983 on September 7, 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 unanimously (4:0) to recommend approval of the zoning of the parcels to Mixed Use (MU), Medium Density Residential (R-II), and Public (P) on the Zoning Map to the City Commission as shown by Exhibit A;

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 parcels north of Bennett Street within the Montague Subdivision, excluding Block 3, Lot 5-14 and Block 3 and a portion of lot 22-lot 26, and including the adjacent island in the Yellowstone river located in the NE1/4 of Section 7 (S07), Township Two South (T02S), Range Ten East (R10E)

as shown in Exhibit A as Mixed Use (MU), Medium Density Residential (R-II), and Public (P). The boundary between R-II and MU is as follows and shown on Exhibit A:

- The centerline of Allspaugh Street between Chestnut Lane and Garnier Avenue.
- The centerline of Garnier Street from the intersection of Allspaugh Street to the point where it intersects the southern property line of the property addressed as 206 Grandview Boulevard and legally described as Montague Subdivision, S07, T02 S, R10 E, Block 17, Lot 1 – 3
- The southern property lines of the properties addressed as 206 and 212 Grandview Boulevard and legally described as Montague Subdivision, S07, T02 S, R10 E, Block 17, Lot 1 – 3 & Block 17, Lot 14-16.

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 1st day of March, 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 April, 2022.

MELISSA NOOTZ – Chair

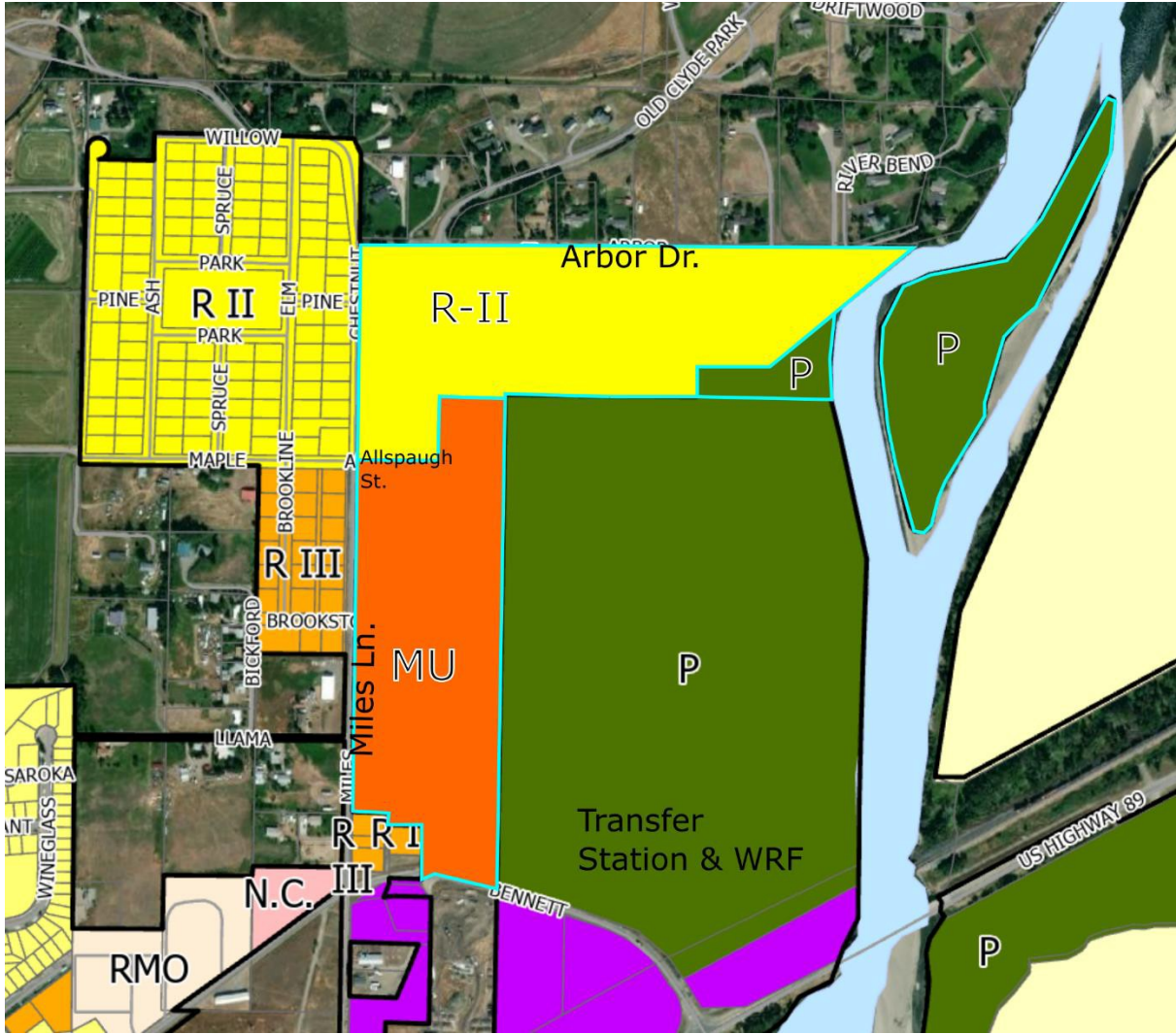
ATTEST:

APPROVED AS TO FORM:

FAITH KINNICK
Recording Secretary

COURTNEY LAWELLIN
City Attorney

EXHIBIT A



File Attachments for Item:

A. RESOLUTION NO. 5026: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO DISCONTINUE AND VACATE A PORTION OF THE NORTH 12TH STREET RIGHT-OF-WAY ADJACENT TO LOTS 1-16 OF BLOCK 22 AND LOTS 17-32 OF BLOCK 23 OF THE PALACE ADDITION.

RESOLUTION NO. 5026

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO DISCONTINUE AND VACATE A PORTION OF THE NORTH 12TH STREET RIGHT-OF-WAY ADJACENT TO LOTS 1-16 OF BLOCK 22 AND LOTS 17-32 OF BLOCK 23 OF THE PALACE ADDITION.

WHEREAS the City has received application from the owners of Lots 1-16 of Block 22 and Lots 17-32 of Block 23, Palace Addition, requesting vacation of a 400-foot section of North 12th Street; and

WHEREAS, the building on this property was construction in 1973 and is located in the originally platted 12th Street Right-of-Way; and

WHEREAS, since, at least, the early 1980’s official documents, including the deed to the subject property, have reflected that the right-of-way had already been vacated.

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 discontinue and vacate that portion of North 12th Street adjacent to Lots 1-16 of Block 22 and Lots 17-32 of Block 23, Palace Addition.

PASSED AND ADOPTED by the City Commission of the City of Livingston, Montana, this ____ day of April, 2022.

MELISSA NOOTZ – Chair

ATTEST:

APPROVED AS TO FORM:

FAITH KINNICK – Recording Secretary

COURTNEY LAWELLIN – City Attorney

APPLICATION FOR STREET/ALLEY VACATION*

- 1. Applicant's Name: John L. and Susan J. Clark
- 2. Applicant's Address: 1200 W. Montana Street, Livingston MT 59047 (subject property)
511 South 8th, Livingston MT 59047 (mailing)

3. Applicant's Telephone Number: 406-220-2680

4. Description of street/alley requested for vacation:

Portion of 12th Street between Montana Street and Gallatin Street, adjacent lots 1-16 of block 22 and lots 17-32 of block 23 of the Palace Addition of Livingston.

- 5. Attach map/diagram of proposed vacation with the following:
 - a. location in city
 - b. the street/alley proposed for vacation
 - c. applicant's property
 - d. abutting property owners
 - e. utilities; and
 - f. adjacent buildings/fixtures
- 6. Attach names and addresses of all landowners adjacent to the street/alley being sought to be vacated. No other landowners are adjacent to 12th street on this block.
- 7. Is the Street/Alley improved? (circle appropriate response):

Yes

No

- 8. Attach statements from utility companies indicating whether they consent, consent with conditions and stating conditions or object to proposed vacation.
- 9. Attach title report showing all ownership interests and easements in property abutting the proposed vacation.
- 10. A nonrefundable Application Fee for street/alley vacation in the amount of \$ 225.00 must accompany the application.

*NOTE: A. Submission of Application for street/alley vacation with appropriate fees in no way obligates the City to vacate said street or alley; the City Council will ultimately decide whether the street/alley vacation can be done without detriment to the public interest.

B. The City reserves the right to maintain a strip of land in the vacated street or alley for purposes of a public thoroughfare.

Friday, March 11th, 2022

City Of Livingston, MT
RE: 1200 W Montana Street
Livingston, MT 59047

Dear Livingston City Commission,

We, John and Susan Clark, have owned 1200 West Montana Street in Livingston, MT, since March, 2009. During our term of ownership, we have always been under the understanding that the portion of 12th Street that lies on our property between Montana Street and Gallatin Street was vacated/abandoned by the City of Livingston prior to our ownership. We were simply never informed otherwise as even the legal description of our property contains language that 12th Street is vacated: Palace Addition (Livingston), S14, T02 S, R09 E, Blk 23 Lots 17-32, Blk 22 Lots 1-16 POR vacated 12th Street and POR abandoned alley of Blk 22.

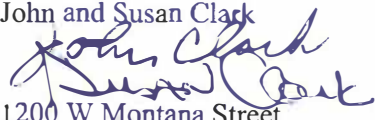
The existing home was built in 1973 and after comparing the plat map and aerial maps, it appears that the home was built right on 12th Street, another reason to believe that it was vacated by the city when the home was built and far prior to our ownership. 12th Street is not physically established on our property as it would not only go through the house but also down a steep embankment towards the Bowling Alley. The City of Livingston has never maintained this Street during our ownership as there simply is not one present to maintain. We have also paid property taxes to include lots 1-16 of block 22 and lots 17-32 of block 23 and vacated 12th Street. There are no other abutting property owners on the portion of 12th street that we are requesting be vacated so it would be low impact.

After further research and in working with our Realtor, Title Company and the City Planner, Jim Woodhull, it appears that the Resolution to vacate 12th Street may have never been recorded with the City. We found records of a deed dating back to March 17th, 1981, where the legal description changed to include vacated 12th Street (see attached). There are also records of an Ordinance dated March 19th, 2009, that includes language that 12th Street between Montana Street and Gallatin Street was vacated by the City (see attached). There are indications that it went through process and was vacated by the city but we simply cannot find a recorded Resolution.

We are in the process of selling our property and this is presenting some challenges and impacting its salability. We do not feel vacating this portion of 12th Street would be a detriment to the public interest since, to our knowledge, it has never been used by the public previously. In an effort to avoid a cloud on title and to clear up any records with the city, we appreciate your consideration of our request.

Best Regards,

John and Susan Clark



1200 W Montana Street
Livingston, MT 59047
406-220-2680

STATE OF MONTANA)
 :SS.
 County of Park)

On this 3 day of March, 2009, before me, the undersigned, a Notary Public for the State of Montana, personally appeared John L. Clark, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



[Signature]
Notary Public for the State of Montana.
Print Name: Katie N. Peec
Residing at Lewinston, MT
My Commission expires: 12/29/2009

STATE OF ARIZONA)
 :SS.
 County of MARICOPA)

On this 23RD day of February, 2009, before me, the undersigned, a Notary Public for the State of Arizona, personally appeared Ramona Vik, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

[Signature]

Notary Public for the State of Arizona.
Print Name: SARA VANNUCCI
Residing at 340 E PALM, # 330, PHOENIX AZ 85004
My Commission expires: 11-5-2010

Jh.3.rc.2.09. Clark. Abstract

REALTY TRANSFER RECEIVED



+

WARRANTY DEED

* * * * *

THIS INDENTURE, Made the 2 day of May, 1995, by and between KEITH LEHTO and SHELLY LEHTO, husband and wife, of 436 East Dana Court, Hayden Lake, ID 83835, hereinafter called the Grantor; and

RAMONA VIK, of P.O. Box 741, Livingston, MT 59047, hereinafter called the Grantee;

W I T N E S S E T H :

That the said Grantor, for and in consideration of the sum of ONE AND NO/100ths DOLLARS (\$1.00), lawful money of the United States, and for other valuable consideration, in hand paid by the said Grantee, the receipt whereof is hereby acknowledged by the Grantor, does hereby grant, bargain, sell and convey, unto the said Grantee, and to his heirs and assigns, FOREVER, those certain lands and premises situated in the County of Park, State of Montana, more particularly described as follows, to wit:

Gammelan title

All of Lots 1 through 16 in Block 22 of the Palace Addition to the City of Livingston and all of Lots 17 through 32 in Block 23 of the Palace Addition to the City of Livingston, together with all of Twelfth Street between Montana Street and Gallatin Street and adjacent to Blocks 22 and 23 of the Palace Addition, all in the City of Livingston, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Park County, Montana.

SUBJECT to all existing easements, rights of way, mineral reservations, covenants and other reservations or exceptions of record or obvious from a visual inspection of the premises.

TOGETHER with the tenements, hereditaments, appurtenances, water rights, and/or water ditches, if any, thereunto belonging.

TO HAVE AND TO HOLD the same, unto the said Grantee, and to his heirs and assigns forever.

And the said Grantor covenants with the Grantee, that the former is now seized in fee simple of the property granted; that the latter shall enjoy the same without any lawful disturbance; that the same is free from all encumbrances, except as herein mentioned; that the Grantor and all persons acquiring any interest in the same through or from him, will, on demand, execute and deliver to the said Grantee, at the expense of the latter, any further assurance of the same that may be reasonably required; and that the Grantor will warrant to the Grantee all of the said property against every person lawfully claiming the same.

Words used in this instrument in the masculine gender include the feminine and neuter, the singular number includes the plural and the plural the singular.

IN WITNESS WHEREOF, the Grantor has set his hand hereto, this day and year first above written.



KEITH LEHTO


SHELLY LEHTO

STATE OF MONTANA)
County of Park) ss.

On this 26 day of May, 1995, before me, the undersigned, a Notary Public for the State of Montana, personally appeared KEITH LEHTO and SHELLY LEHTO, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Denise L. Myrsted
NOTARY PUBLIC for the State of MT
Residing at Livingston MT
My Commission expires; 4-10-96

State of Montana } ss
County of Park }
Filed for record this 26 day of July, A.D. 1999 at 3:07
P.M. Recorded in Vol. 141 Page 129, 130
By Denise Nelson Deputy
County Clerk & Recorder
Recording Fee \$ 12.00 Document No. 276589 Return to: GUARDIAN TITLE CO.
504 E CALLENDER STREET
LIVINGSTON MT 59047

REALTY TRANSFER RECEIPT

Park County Recorded 3/19/2009 At 3:49 PM

Denise Nelson, Clk & Rcdr By *JAN*

Return to:

GUARDIAN TITLE, INC. 504 EAST CALLENDER
LIVINGSTON, MT 59047

ORDINANCE 1669

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY CHANGING THE ZONING DESIGNATION OF LOTS 1-16 OF BLOCK 22 OF THE PALACE ADDITION FROM I (INDUSTRIAL) TO RII (MEDIUM DENSITY RESIDENTIAL). ALSO THAT PORTION OF 12TH STREET BETWEEN MONTANA AND GALLATIN STREETS WHICH HAS BEEN VACATED BY THE CITY BE ZONED RII (MEDIUM DENSITY RESIDENTIAL).

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LIVINGSTON, MONTANA, AS FOLLOWS:

Section 1. That the official Zoning Map, as described in Section 30.13 of the Code of Ordinances, is hereby amended to change the zoning designation of Lots 1-16 of Block 22 of the Palace Addition of the City of Livingston from I (Industrial) to RII (Medium Density Residential), thereby amending the Official Zoning Map.

Section 2. That the official Zoning Map, as described in Section 30.13 of the Code of Ordinances, is hereby amended to change the zoning designation of that portion of 12th Street between Montana and Gallatin Streets which has been vacated by the City be zoned RII (Medium Density Residential), thereby amending the Official Zoning Map.


Section 3. That the subject real property attached as Exhibit "A" shall be zoned as RII (Medium density Residential) use.

Section 4. That this Ordinance shall take effect 30 days from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LIVINGSTON, MONTANA, ON THE FIRST READING ON THE 4th DAY OF September, 1990.

ORDINANCE NO. 1669 POSTED AND COPIES MADE AVAILABLE TO THE PUBLIC BY THE CITY ON THIS 5th DAY OF SEPTEMBER, 1990.

Julianne Blakely
JULIANNE BLAKELY
Recording Secretary

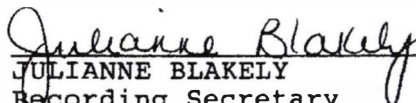

I hereby certify that this document is a full, true and correct copy of the original now on file and of record in my office.
Witness my hand and seal this 19th day of April, 2009
By: *Pam Yaworch*
Pam Yaworch
Recording Secretary

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
LIVINGSTON, MONTANA, ON SECOND AND FINAL READING ON THE 17th
DAY OF September, 1990.

APPROVED:


BILL R. DENNIS
Mayor

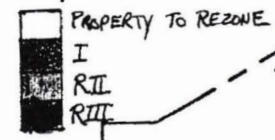
ATTEST:


JULIANNE BLAKELY
Recording Secretary

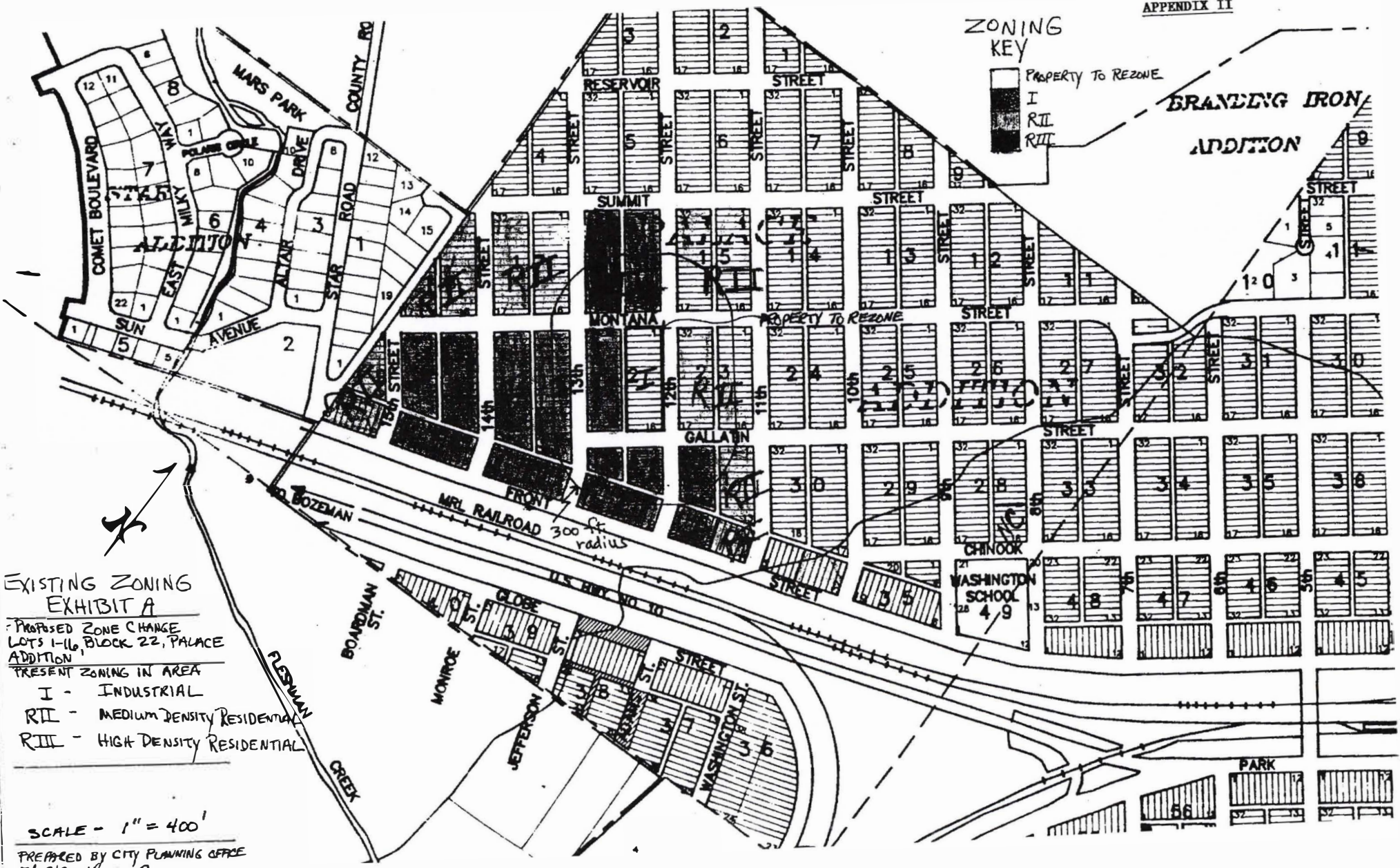


APPENDIX II

ZONING KEY



BRANDLING IRON ADDITION



EXISTING ZONING EXHIBIT A

PROPOSED ZONE CHANGE
LOTS 1-16, BLOCK 22, PALACE
ADDITION

- PRESENT ZONING IN AREA
- I - INDUSTRIAL
 - RII - MEDIUM DENSITY RESIDENTIAL
 - RIII - HIGH DENSITY RESIDENTIAL

SCALE - 1" = 400'

PREPARED BY CITY PLANNING OFFICE

Order No.

WARRANTY DEED
(JOINT TENANCY)

681 34 619

For Value Received John A. Tecca, also known as John Alfred Tecca, and Mary Lee Tecca, husband and wife,

the grantors do hereby grant, bargain, sell and convey unto John Alfred Tecca and Mary Lee Tecca, of Livingston, Montana,

the grantees as joint tenants (and not as tenants in common), and to the survivor of said named joint tenants, and to the heirs and assigns of such survivor, the following described premises, in Park County, Montana, to-wit:

All of Lots numbered 1 through 16, both inclusive, in Block numbered 22 of the Palace Addition to the City of Livingston.

All of Lots numbered 17 through 32, both inclusive, in Block numbered 23 of the Palace Addition to the City of Livingston.

Together with that part of vacated Twelfth Street adjoining, between Montana Street and Gallatin Street, adjacent to Blocks numbered 22 and 23 of the Palace Addition to the City of Livingston, which attached to said land by operation of law upon vacation.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, as joint tenants with right of survivorship (and not as tenants in common) and to the heirs and assigns of the survivor of said named joint tenants forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: March 17, 1981

John A. Tecca *Mary Lee Tecca*
John Alfred Tecca

164655

STATE OF MONTANA, COUNTY OF Park
On this 26th day of March, 1981,
before me, a notary public in and for said State, personally
appeared

JOHN A. Tecca, also known as
John Alfred Tecca, and Mary
Lee Tecca, husband and wife

whom to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Mark K. Hervey
Notary Public
Residing at Livingston, Montana
Comm. Expires 10/5/84

STATE OF MONTANA, COUNTY OF PARK
I hereby certify that this instrument was filed for record at
the request of *Nyle Douglas*

at 50 minutes past 3:00 o'clock p.m.
this 27th day of March
1981, in my office, and duly recorded in Book *Roll 34*
of Deeds at page 619

May 2. Smith
Deputy

Fees \$ 2.00
Mail to: *John A. Tecca*
1146 West Park
Livingston, Mont.

INSTRUMENT NO.

RESOLUTION NO. 3678 CORRECTED

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, DISCONTINUING AND VACATING A PORTION OF UNDEVELOPED 13th STREET LOCATED BETWEEN MONTANA AND GALLATIN STREETS AND BETWEEN BLOCKS 21 AND 22 OF THE PALACE ADDITION TO THE CITY OF LIVINGSTON, MONTANA, AND TO DISCONTINUE AND VACATE THE UNDEVELOPED ALLEY LOCATED IN BLOCK 22 BETWEEN MONTANA AND GALLATIN STREETS ALL LOCATED IN THE PALACE ADDITION TO THE CITY OF LIVINGSTON, MONTANA.

WHEREAS, on September 6, 2005, the Livingston City Commission adopted Resolution No. 3678 vacating a portion of 13th Street and a portion of an undeveloped alley in Block 22; and

WHEREAS, the purpose of this resolution is to correct the legal description of the 13th Street vacation; and

WHEREAS, Don Eastep, the owner of lots 1 through 15 of Block 21 and Lots 17 through 32 of Block 22 of the Palace Addition to the City of Livingston, Montana, (Palace Addition) has petitioned the City to discontinue and vacate that portion of undeveloped 13th Street adjacent to the Lots through 15 of Block 21 and Lots 18 through 32, of Block 22 as depicted on Exhibit A which is attached hereto and incorporated by this reference as though fully set forth herein; and

WHEREAS, Don Eastep, owner of lots 17 through 32 of Block 22 of the Palace Addition to the City of Livingston, Montana, has petitioned the City to discontinue and vacate that portion of the undeveloped alley in Block 22 of the Palace Addition between Montana and Gallatin Street adjacent to his lots and that Ramona Vik the owner of the other side of the alley, i.e. Lots 1 through 16 of Block 22 of the Palace Addition does not object to said vacation and that these two owners together represent all of the lots adjacent to the alley in Block 22 of the Palace Addition between Montana and Gallatin Street as depicted on Exhibit A which is attached hereto and incorporated by this reference as though fully set forth herein; and

WHEREAS, 70-16-202 Montana Code Annotated (MCA) provides that the owner of land bounded by a street or road is presumed to own to the center thereof unless the contrary can be shown; and

WHEREAS, the Development Review Committee (DRC) has reviewed the petition and made its recommendation that the petition be approved; and

WHEREAS, the Trails, Green Way and Open Space Task Force has reviewed the petition and made a recommendation that the city not maintain an easement to be used as a walking path; and

WHEREAS, the petitioner has paid the required fee to cover the City's costs of

Resolution No. 3678 - Corrected

Discontinuing and vacation a portion of undeveloped 13th Street located between Montana and Gallatin Street adjacent to Blocks 21 and 22 of the Palace Addition and to discontinue and vacate that portion of the undeveloped alley in Block 22 of the Palace Addition to the City of Livingston, Montana between Montana and Gallatin Street.

discontinuing the street as allowed by 7-14-104 MCA; and

WHEREAS, 7-14-4115 MCA provides that any discontinuance shall not affect the right of any public utility to continue to maintain its plant and equipment in any such street or alley so discontinued; and

WHEREAS, following due notice and a public hearing on the proposed street vacation was held on September 6, 2005.

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

That the City Commission hereby discontinues and vacates that portion of the undeveloped 13th Street located between Lots 1 through 15, Block 21 and Lots 18 through 32, Block 22, and from Montana Street southerly to a line between the southeasterly corner of Lot 15, Block 21 and the southwesterly corner of Lot 18, Block 22 of the Palace Addition to the City of Livingston, Montana, to Don Eastep as he is the owner of all lots on each side of that portion of 13th Street being vacated all as shown in Exhibit A. of 13th Street being vacated.

That the City Commission hereby discontinues and vacates that portion of the undeveloped alley in Block 22 of the Palace Addition to the City of Livingston, Montana, between Montana and Gallatin Street as follows, one-half to Don Eastep and one-half to Ramona Vik according to their respective ownerships set forth above.

BE IT FURTHER RESOLVED, that Resolution No. 3678 - Corrected hereby replaces Resolution No. 3678.

BE IT FURTHER RESOLVED, that a certified copy of Resolution No. 3678 - Corrected be filed and placed of public record in the office of the Park County Clerk and Recorder.

3rd **PASSED AND ADOPTED** by the City Commission of the City of Livingston, this day of April, 2006.




STEVE CALDWELL - Chairman

ATTEST:



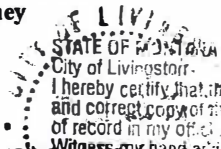
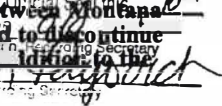
PAM PAVOVICH
Recording Secretary

APPROVED AS TO FORM:



BRUCE E. BECKER
City Attorney

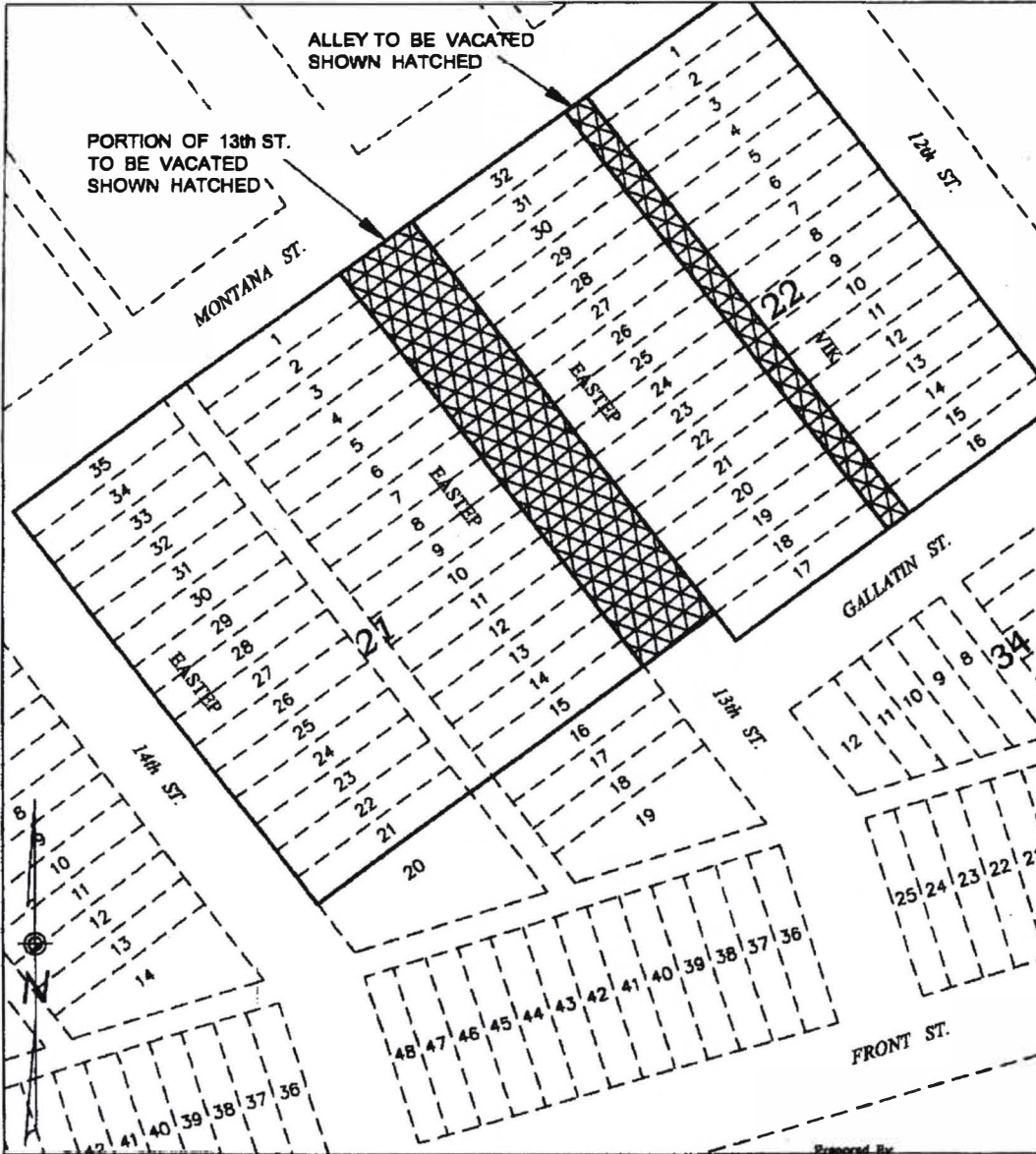
Resolution No. 3678 - Corrected
Discontinuing and vacation a portion of undeveloped 13th Street located between Montana and Gallatin Street adjacent to Blocks 21 and 22 of the Palace Addition and to discontinue and vacate that portion of the undeveloped alley in Block 22 of the Palace Addition to the City of Livingston, Montana between Montana and Gallatin Street.


I hereby certify that this instrument is a full, true and correct copy of the original now on file and of record in my office.
Witness my hand and Official Seal this 3rd day of April, 2006.


Pam Pavovich
Recording Secretary

EXHIBIT "A"


PALACE ADDITION TO LIVINGSTON, MONTANA



Scale: 1" = 100'

Prepared By:
Rocky Mountain Engineers, P.L.L.C.
 Civil Engineering & Land Surveying
 1700 West Koch Street, Suite 7
 Bozeman, Montana 59715 (406)586-4859
 Drawing File Name: 1141-Vacation Exhibit.dwg 02/15/2006

MEMO

Date: 3/27/06
To: City Commission/City Manager
From: City Attorney 
Re: Resolution No. 3678

I have been approached by Rocky Mountain Engineering on behalf of Don Eastep, concerning the legal description of the 13th Street Vacation set forth in Resolution No. 3678. The original resolution vacated that portion of 13th Street between Montana Street on the north and Gallatin Street on the south. The correction shows that the street vacation should not have gone all of the way to Gallatin Street, and that the portion of 13th Street being vacated is more correctly being described as that portion of 13th Street, being adjacent to Lot 1 and 15 of Block 21 and Lots 17 through Lots 32 of Block 22.

The corrected resolution more accurately describes the street vacation. No additional public hearing is required.

BLOCK 22-23
PALACE ADDITION

MONTANA

32	1
31	2
30	3
29	4
28	5
27	6
26	7
25	8
24	9
23	10
22	11
21	12
20	13
19	14
18	15
17	16

ST.

13th

GALLATIN

ST.

32	1
31	2
30	3
29	4
28	5
27	6
26	7
25	8
24	9
23	10
22	11
21	12
20	13
19	14
18	15
17	16

ST.

12th

22

23

ST.

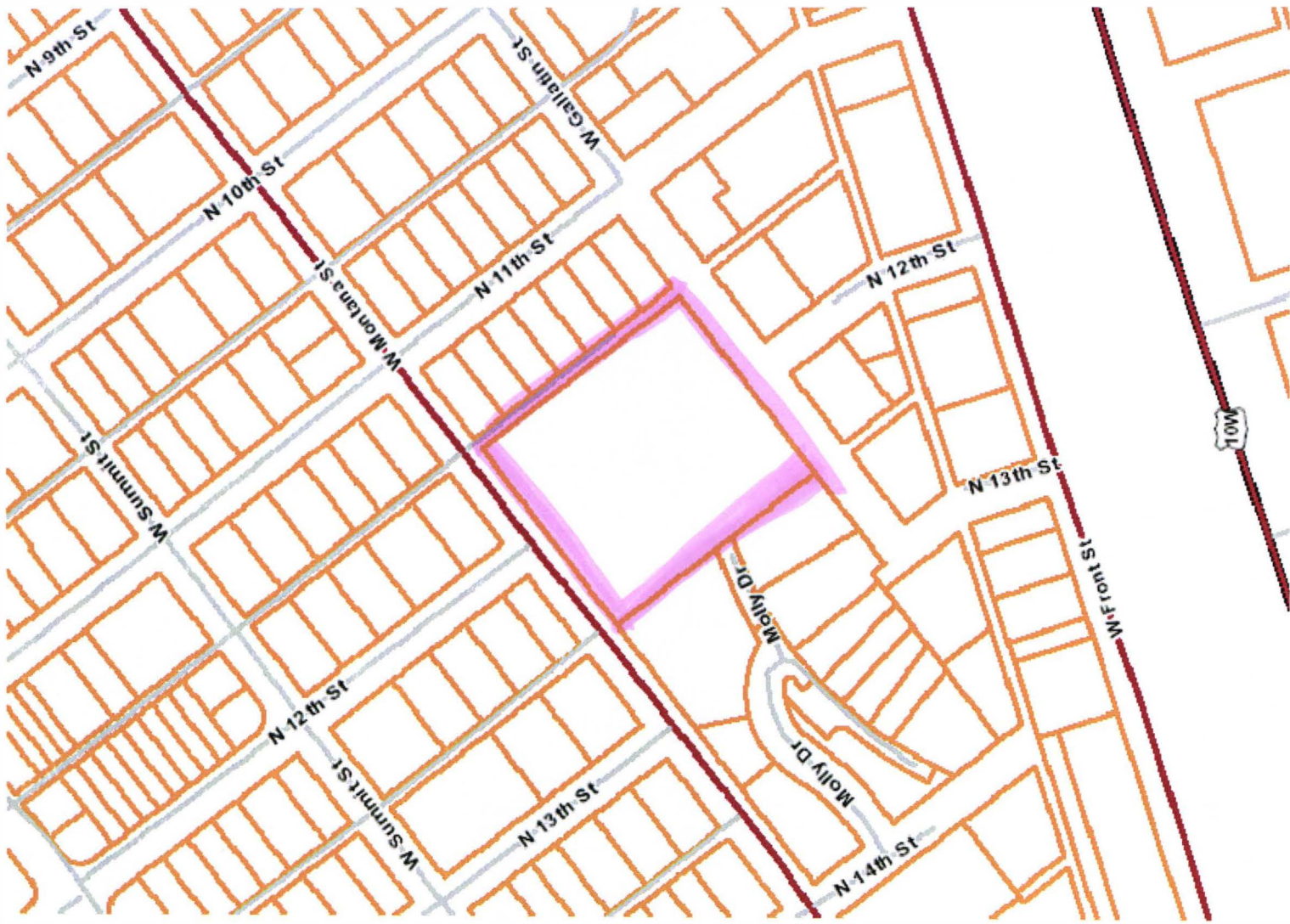
11th

ST.

1200 West Montana Street Livingston MT

**PALACE ADD (LIVINGSTON), S14, T02 S, R09 E, BLOCK 23, LOT 17-32, BLK 22 LOTS 1-16
POR VACATED 12TH ST & POR ABANDONED ALLEY OF BLK 22**





File Attachments for Item:

B. DISCUSS: RECOMMENDATION FROM CITY TREE BOARD FOR PARTNERSHIP WITH MSUE EXTENSION MASTER GARDNER PROGRAM TO FACILITATE VOLUNTEER PRUNING OF SMALL TREES IN PARKS.



To: City Manager
CC: City Commission
From: Tree Board
Date: March 17, 2022

Recommendation for partnership with MSU Extension

The Tree Board is recommending that the City partner with MSU Extension's Master Gardener program to facilitate volunteer pruning of small trees in parks. We have observed that recently planted trees in several parks are in need of structural pruning, which helps establish a healthy tree structure that can reduce more costly pruning and hazard mitigation in the future.

Josh Bilboa, local MSU Extension horticulture specialist, teaches a Master Gardener class that typically wraps up in early March. Participants in the class learn about structural pruning of young trees, among other things, and then complete 20 hours of volunteer service to receive a Master Gardener certificate. Josh indicated he may be able to do a workshop in a park in which he would guide participants in practicing pruning of young trees. After that, volunteers could potentially be assigned to different parks for pruning.

We recommend G Street splash park and Mars Park as places to consider starting with this partnership.

This is in line with Livingston's 2015 Tree Management Plan, which states:

It is recommended that the City make contact with and re-establish a partnership with the University's Extension Service Agents. This renewed partnership could be beneficial in terms of a once popular but abandoned volunteer group called the 'Green Thumb Program.' In the past this group of volunteers who had practical experience in the care of new trees would perform duties such as trimming/ pruning/ mulching/ weeding trees. As mentioned previously, these services are greatly needed to improve the health and condition of numerous small trees.

We believe this could develop into a beneficial partnership with potential for reducing long-term tree maintenance costs for the City.

Contact:
joshua.bilboa@montana.edu
(406) 222-4156

Thank you for the opportunity to serve Livingston,

Sarah Boyle
Laurel Desnick
Lisa Harreld
Maureen Lighthiser
Thomas Shands
Marshall Swearingen