



# Livingston City Commission Agenda

March 19, 2019

5:30 PM

City – County Complex, Community Room

1. Call to Order

2. Roll Call

3. Moment of Silence

4. Pledge of Allegiance

5. 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)*

6. Consent Items

- A. APPROVE 3.5.19 COMMISSION MEETING MINUTES PG. 4**
- B. RATIFY CLAIMS 03/1/2019-03/15/2019 PG. 8**
- C. CONSENT ITEM- APPROVE PARKS AND TRAILS COMMITTEE RECOMMENDATION TO FILL BOARD VACANCY. PG. 19**
- D. APPROVE URA RECOMMENDATION TO FILL BOARD VACANCY. PG. 25**

7. Proclamations

- A. PROCLAMATION: NATIONAL WEEK OF THE YOUNG CHILD. PG. 28**
- B. NATIONAL PUBLIC SAFETY COMMUNICATION OFFICERS WEEK. PG. 30**

8. Scheduled Public Comment

9. Public Hearings

- A. PUBLIC HEARING REGARDING REQUEST FOR A VARIANCE FROM THE PROVISIONS OF CHAPTER 30 (ZONING) OF THE LIVINGSTON MUNICIPAL CODE. OWNER BURRTON LAUREL, LLC, IS REQUESTING A VARIANCE ALLOWING A 10 FOOT SETBACK FROM THE FRONT OF THE PROPERTY. PG. 32**

10. Ordinances

- A. ORDINANCE NO. 2078- AMENDING ORDINANCE 1999 AND ORDINANCE 2049 CHAPTER 9, ARTICLE IV OF THE LIVINGSTON MUNICIPAL CODE ENTITLED PARKING, STOPPING, AND STANDING BY ADDING TWO DESIGNATED LOADING ZONES FOR WINDRIDER TRANSIT SERVICE. 1) ON THE SOUTHWEST SIDE OF E. LEWIS STREET NEAR THE INTERSECTION OF SOUTH H AND EAST LEWIS STREET; AND 2) ON THE SOUTH SIDE OF THE NORTH 13TH STREET ADJACENT TO NORTHSIDE PARK PARKING LOT. PG. 38**

**B. ORDINANCE NO. 2079 AMENDING ORDINANCE 1999 AND ORDINANCE 2019 CHAPTER 9, ARTICLE IV, OF THE LIVINGSTON MUNICIPAL CODE ENTITLED PARKING, STOPPING, AND STANDING BY MOVING THE DESIGNATED LOADING ZONE FOR THE COUNTERPOINT VAN ON THE SOUTH SIDE OF EAST LEWIS STREET BETWEEN MAIN AND B ST. PG. 47**

11. Resolutions

**A. RESOLUTION NO. 4842 - A RESOLUTION REQUESTING DISTRIBUTION OF BRIDGE AND ROAD SAFETY AND ACCOUNTABILITY PROGRAM FUNDS. PG. 53**

**B. RESOLUTION NO. 4843- AUTHORIZING THE CITY MANAGER OF LIVINGSTON TO SIGN ALL DOCUMENTS REQUIRED TO EXECUTE WESTERN MUNICIPAL CONSTRUCTION CONTRACT CHANGE ORDER NO. 1, FOR THE 2019 CAPITAL IMPROVEMENT PROJECT ON CLARK STREET, TO ELIMINATE AN EXISTING SANITARY SEWER/STORM SEWER CONFLICT IN B STREET. PG. 56**

12. Action Items

**A. DISCUSS/APPROVE/DENY- STANDARDIZED CITY OF LIVINGSTON BOARD AND COMMITTEE POLICY. PG. 64**

**B. DISCUSS/APPROVE/DENY- APPROVAL OF TOURISM BUSINESS DISTRICT BY-LAWS. PG. 72**

**C. APPROVE/DISCUSS/DENY- PARK COUNTY COMMUNITY FOUNDATION FUNDING REQUEST FOR VISION/PROFILE PROJECT CONTRIBUTION. PG. 81**

**D. DISCUSS/APPROVE/DENY- COMMISSIONERS TO CONSIDER THE MAKEUP OPTIONS OF DOWN TOWN STREET CONFIGURATION WORK GROUP. PG. 83**

13. City Manager Comment

14. City Commission Comments

15. Adjournment

Calendar of Events

<b>Date</b>	<b>Time</b>	<b>Event</b>
March 20.2019	8:30 AM	Urban Renewal Agency Meeting East Room, City-County Complex
March 20.2019	4:00 PM	Livingston-Park County Library Board Meeting Bev Stevenson Meeting Room- Library
March 20. 2019	5:30 PM	City Planning Board Meeting Community Room, City-County Complex
March 20.2019	7:00 PM	Sister City Board Meeting Bev Stevenson Meeting Room- Library
March 22. 2019	6:00pm	Aspen's 9th Annual Soup to End the Silence Fundraiser

Livingston Depot Center

March 25. 2019	8:00 AM	City-County Airport Board Meeting Park County Commissioner's Meeting room
March 27. 2019	5:30 PM	City Planning Board Special Meeting/ Public Hearing Community Room, City-County Complex
March 27. 2019	6:00 PM	Parks & Trails Board Meeting West Room, City-County Complex
<i>March 30. 2019</i>	<i>All Day</i>	<i>National Take a Walk in the Park Day</i>
<i>April 1-30, 2019</i>		<i>National Child Abuse Prevention Month</i>
April 5. 2019	5:30 PM	City Commission Meeting Community Room, City-County Complex
April 8. 2019	6:15- 7:15pm	Active Transportation Coalition Meeting Neptune's Brewery 119 N L St.

### 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.

**Item Attachment Documents:**

- A. APPROVE 3.5.19 COMMISSION MEETING MINUTES**

LIVINGSTON CITY COMMISSION

MINUTES

March 5, 2019 5:30 PM

City-County Complex, Community Room

1 Call to Order

2 Roll Call

\* Hoglund, Schwarz, Friedman, Mabie, and Nootz were present

3 Moment of Silence

4 Pledge of Allegiance

5 Public Comments (00:01:54)

\* Leslie Fiegle

6 Consent Items (00:06:37)

\* Mabie motioned to approve consent items A-D, Friedman seconded.

\* All in favor, motion passed 5-0.

7 Proclamations

8 Scheduled Public Comment (00:07:20)

A. Colleen Ferris- Active Transportation Coalition Coordinator to present information regarding the Down Town Street Configuration Workgroup

\* Mabie asked questions (00:16:36)

\* Schwarz made comments (00:17:31)

9 Public Hearings (00:18:07)

A. Resolution No. 4841 amending the budget for fiscal year 2018-2019, by making net appropriation adjustments in the amount of \$0.

\* Schwarz motioned, Friedman seconded.

\* All in favor, motion passed 5-0.

10 Ordinances

11 Resolutions

12 Action Items (00:20:42)

A. DISCUSS/APPROVE/DENY- CITY MANAGERS RECOMMEND IMPACT FEE ADVISORY COMMITTEE

\* Mabie made comment (00:20:36)

\* Nootz made comment (00:23:00)

\* Schwarz made motion, Mabie seconded

All in favor of sub-motion, motion passes 5-0.

B. DISCUSS/APPROVE/DENY- APPROVE DRAFT RESOLUTION LANGUAGE FOR AMBULANCE MILL LEVY

\* Don Plattack made comments (00:27:48)

\* Schwarz made comment (00:32:21)

\* Nootz asked question (00:32:06)

\* Kardoes answered (00:33:00)

No vote necessary

**C. DISCUSS/APPROVE/DENY- CITY MANAGER UPDATE ON DOWNTOWN STREET CONFIGURATION COMMITTEE (00:36:29)**

- \* Fredrico Malatesta made comments (00:42:15)
- \* Hogleund asked question (00:45:12)
- \* Kardoes answered question (00:45:26)
- \* Nootz asked question (00:47:16)
- \* Colleen Ferris answered question (00:49:03)
- \* Schwarz made comments (00:51:53)
- \* Mabie made comments (00:53:05)
- \* Kardoes answered question (00:53:52)
- \* Nootz asked question (00:56:32)
- \* Kardoes answered question (00:56:40)
- \* Colleen Ferris answered question (01:04:25)
- \* Leslie Fiegler made comments (01:08:47)
- \* Fredrico Malatesta made comments (01:10:47)
- \* Mike Inman made comment (01:14:06)
- \* Friedman made comments (01:16:14)
- \* Mabie made comments (01:17:52)
- \* Kardoes answered question (01:19:31)
- \* Nootz made comment (01:23:12)
- \* Hogleund made comments (01:25:17)
- \* Friedman made comments (01:26:38)

**D. DISCUSS/APPROVE/DENY- FINAL DRAFT OF CITY OF LIVINGSTON ORGANIZATIONAL STRATEGIC PLAN (01:30:10)**

- \* Nootz made motion, Schwarz seconded
- All in favor, passes 5-0

**14 City Manger Comments (01:35:15)**

**15 City Commissioner Comments (01:47:03)**

- \* Nootz made comments (01:44:16)
- \* Mabie made comments (01:49:02)
- \* Friedman made comments (01:50:19)
- \* Schwarz made comments (01:50:53)
- \* Hogleund made comments (01:51:31)
- \* Schwarz made additional comments (01:52:47)

**16 Adjournment (01:53:53) 7:30 pm**

**Item Attachment Documents:**

**B. RATIFY CLAIMS 03/1/2019-03/15/2019**

## Report Criteria:

Detail report.  
 Only paid invoices included.  
 Invoice.Batch = {<>} "2" {OR} "3"

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>ADVANCED ENGINEERING &amp;</b>							
3605	ADVANCED ENGINEERING &	61442	December WRF Construction	01/08/2019	46,256.61	46,256.61	03/13/2019
3605	ADVANCED ENGINEERING &	61839	January WRF Construction	02/12/2019	74,140.48	74,140.48	03/13/2019
Total ADVANCED ENGINEERING &:					120,397.09	120,397.09	
<b>ALL SERVICE TIRE &amp; ALIGNMENT</b>							
22	ALL SERVICE TIRE & ALIGNME	56438	Tire Repair	02/12/2019	15.00	15.00	03/13/2019
22	ALL SERVICE TIRE & ALIGNME	56471	Tire Repair	02/21/2019	15.00	15.00	03/13/2019
22	ALL SERVICE TIRE & ALIGNME	56490	Oil Change	02/26/2019	65.00	65.00	03/05/2019
22	ALL SERVICE TIRE & ALIGNME	56519	Tire Repair	03/04/2019	15.00	15.00	03/13/2019
Total ALL SERVICE TIRE & ALIGNMENT:					110.00	110.00	
<b>ALLEGIANCE FLEX ADVANTAGE</b>							
3826	ALLEGIANCE FLEX ADVANTAG	20190205	Flex Claims	02/05/2019	29.74	29.74	02/28/2019
3826	ALLEGIANCE FLEX ADVANTAG	20190205.1	Flex Claims	02/05/2019	56.41	56.41	02/28/2019
3826	ALLEGIANCE FLEX ADVANTAG	20190206	Flex Claims	02/06/2019	210.00	210.00	02/28/2019
3826	ALLEGIANCE FLEX ADVANTAG	20190206.1	Flex Claims	02/06/2019	220.43	220.43	02/28/2019
3826	ALLEGIANCE FLEX ADVANTAG	20190207	Flex Claims	02/07/2019	230.59	230.59	02/28/2019
3826	ALLEGIANCE FLEX ADVANTAG	20190208	Flex Claims	02/08/2019	31.65	31.65	02/28/2019
3826	ALLEGIANCE FLEX ADVANTAG	20190215	Flex Claims	02/15/2019	519.52	519.52	02/28/2019
3826	ALLEGIANCE FLEX ADVANTAG	20190222	Flex Claims	02/22/2019	230.59	230.59	02/28/2019
3826	ALLEGIANCE FLEX ADVANTAG	20190226	Flex Claims	02/26/2019	104.40	104.40	02/28/2019
Total ALLEGIANCE FLEX ADVANTAGE:					1,633.33	1,633.33	
<b>ALPINE ELECTRONICS RADIO SHACK</b>							
402	ALPINE ELECTRONICS RADIO	10253940	Mouse	02/13/2019	14.99	14.99	03/05/2019
Total ALPINE ELECTRONICS RADIO SHACK:					14.99	14.99	
<b>ALPINE YAMAHA</b>							
721	ALPINE YAMAHA	90493	Blades	02/21/2019	94.95	94.95	03/05/2019
Total ALPINE YAMAHA:					94.95	94.95	
<b>AMERICAN PIZZA PARTNERS, L.P.</b>							
10000	AMERICAN PIZZA PARTNERS, L	221209	Hydrant dig out Pizza Coupons	03/06/2019	500.00	500.00	03/06/2019
Total AMERICAN PIZZA PARTNERS, L.P.:					500.00	500.00	
<b>BALCO UNIFORM COMPANY, INC.</b>							
3371	BALCO UNIFORM COMPANY, IN	52484	Badges	02/26/2019	72.55	72.55	03/05/2019
3371	BALCO UNIFORM COMPANY, IN	52484	Badges	02/26/2019	72.56	72.56	03/05/2019
3371	BALCO UNIFORM COMPANY, IN	52538	Reserve Uniform	03/06/2019	355.00	355.00	03/13/2019
Total BALCO UNIFORM COMPANY, INC.:					500.11	500.11	
<b>BETTI, GEORGE</b>							
10000	BETTI, GEORGE	2019-02	9 hours - basketball referee	02/26/2019	108.00	108.00	03/05/2019



Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total BETTI, GEORGE:					108.00	108.00	
<b>BLACKFOOT COMMUNICATIONS</b>							
3293	BLACKFOOT COMMUNICATION	2019-03	166824 Internet	03/01/2019	49.99	49.99	03/13/2019
3293	BLACKFOOT COMMUNICATION	2019-03	166824 Internet	03/01/2019	50.00	50.00	03/13/2019
3293	BLACKFOOT COMMUNICATION	2019-03	166824 Internet	03/01/2019	49.99	49.99	03/13/2019
Total BLACKFOOT COMMUNICATIONS:					149.98	149.98	
<b>BOUND TREE MEDICAL, LLC</b>							
2662	BOUND TREE MEDICAL, LLC	83120649	Patient Supplies	02/21/2019	215.55	215.55	03/05/2019
2662	BOUND TREE MEDICAL, LLC	83125983	Patient Supplies	02/27/2019	206.29	206.29	03/05/2019
2662	BOUND TREE MEDICAL, LLC	83129956	Patient Supplies	03/04/2019	422.34	422.34	03/13/2019
2662	BOUND TREE MEDICAL, LLC	83131552	Patient Supplies	03/05/2019	202.00	202.00	03/13/2019
2662	BOUND TREE MEDICAL, LLC	83134580	Patient Supplies	03/07/2019	167.74	167.74	03/13/2019
Total BOUND TREE MEDICAL, LLC:					1,213.92	1,213.92	
<b>CARQUEST AUTO PARTS</b>							
23	CARQUEST AUTO PARTS	1912-433568	Lube	02/07/2019	48.64	48.64	03/13/2019
23	CARQUEST AUTO PARTS	1912-434791	Brake Hose	02/22/2019	12.02	12.02	03/05/2019
23	CARQUEST AUTO PARTS	1912-434806	Brake Fluid	02/22/2019	50.06	50.06	03/05/2019
23	CARQUEST AUTO PARTS	1912-434919	Trico Ice Winter	02/25/2019	25.44	25.44	03/13/2019
23	CARQUEST AUTO PARTS	1912-435160	Onyx	02/26/2019	16.74	16.74	03/05/2019
23	CARQUEST AUTO PARTS	1912-435246	Power Adapter	02/27/2019	38.66	38.66	03/05/2019
23	CARQUEST AUTO PARTS	1912-435283	Wiper Blades	02/27/2019	58.86	58.86	03/05/2019
23	CARQUEST AUTO PARTS	1912-435697	Tow Strap	03/02/2019	31.67	31.67	03/05/2019
23	CARQUEST AUTO PARTS	1912-436030	Bungee	03/06/2019	11.89	11.89	03/13/2019
23	CARQUEST AUTO PARTS	1912-436058	Fuel Element	03/06/2019	51.33	51.33	03/13/2019
23	CARQUEST AUTO PARTS	1912-436169	Striker	03/07/2019	6.64	6.64	03/13/2019
23	CARQUEST AUTO PARTS	1912-436259	Def Fluid	03/08/2019	170.00	170.00	03/13/2019
Total CARQUEST AUTO PARTS:					521.95	521.95	
<b>CASELLE</b>							
3763	CASELLE	86804-B	APPLICATION SOFTWARE	02/20/2019	1,332.06	1,332.06	03/13/2019
3763	CASELLE	86804-B	APPLICATION SOFTWARE	02/20/2019	42.03	42.03	03/13/2019
3763	CASELLE	86804-B	APPLICATION SOFTWARE	02/20/2019	42.03	42.03	03/13/2019
3763	CASELLE	86804-B	APPLICATION SOFTWARE	02/20/2019	175.94	175.94	03/13/2019
3763	CASELLE	86804-B	APPLICATION SOFTWARE	02/20/2019	307.51	307.51	03/13/2019
3763	CASELLE	86804-B	APPLICATION SOFTWARE	02/20/2019	820.81	820.81	03/13/2019
3763	CASELLE	86804-B	APPLICATION SOFTWARE	02/20/2019	956.30	956.30	03/13/2019
3763	CASELLE	86804-B	APPLICATION SOFTWARE	02/20/2019	913.40	913.40	03/13/2019
3763	CASELLE	86804-B	APPLICATION SOFTWARE	02/20/2019	349.92	349.92	03/13/2019
3763	CASELLE	93952	Support and Maint.	03/01/2019	2,122.78	2,122.78	03/13/2019
3763	CASELLE	93952	Support and Maint.	03/01/2019	88.34	88.34	03/13/2019
3763	CASELLE	93952	Support and Maint.	03/01/2019	88.34	88.34	03/13/2019
3763	CASELLE	93952	Support and Maint.	03/01/2019	148.40	148.40	03/13/2019
3763	CASELLE	93952	Support and Maint.	03/01/2019	148.40	148.40	03/13/2019
3763	CASELLE	93952	Support and Maint.	03/01/2019	236.74	236.74	03/13/2019
Total CASELLE:					7,773.00	7,773.00	
<b>CENTURYLINK</b>							
162	CENTURYLINK	406-222-0082	City Shop	02/16/2019	30.96	30.96	03/05/2019
162	CENTURYLINK	406-222-0082	City Shop	02/16/2019	7.42	7.42	03/05/2019

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
162	CENTURYLINK	406-222-0082	City Shop	02/16/2019	23.53	23.53	03/05/2019
162	CENTURYLINK	406-222-0137	Scada Alarm	01/16/2019	93.25	93.25	03/05/2019
162	CENTURYLINK	406-222-0149	Civic Center Internet	02/16/2019	98.94	98.94	03/05/2019
Total CENTURYLINK:					254.10	254.10	
<b>CITY OF LIVINGSTON</b>							
2705	CITY OF LIVINGSTON	2019-03	Candy	03/12/2019	3.99	3.99	03/13/2019
2705	CITY OF LIVINGSTON	2019-03	Coffee and Candy	03/12/2019	26.36	26.36	03/13/2019
2705	CITY OF LIVINGSTON	2019-03	Coffee and Candy	03/12/2019	26.94	26.94	03/13/2019
2705	CITY OF LIVINGSTON	2019-03	Coffee and Candy	03/12/2019	15.96	15.96	03/13/2019
2705	CITY OF LIVINGSTON	2019-03	125v Fast Acting	03/12/2019	7.98	7.98	03/13/2019
2705	CITY OF LIVINGSTON	2019-03	Ice Cubes	03/12/2019	7.00	7.00	03/13/2019
2705	CITY OF LIVINGSTON	2019-03	Distilled Water	03/12/2019	5.38	5.38	03/13/2019
2705	CITY OF LIVINGSTON	2019-03	Mail	03/12/2019	1.21	1.21	03/13/2019
2705	CITY OF LIVINGSTON	2019-03	Baking Soda	03/12/2019	.87	.87	03/13/2019
2705	CITY OF LIVINGSTON	2019-03	Car Charger	03/12/2019	5.00	5.00	03/13/2019
2705	CITY OF LIVINGSTON	2019-03	Key Ring	03/12/2019	2.79	2.79	03/13/2019
2705	CITY OF LIVINGSTON	2019-03	Fastners	03/12/2019	3.90	3.90	03/13/2019
2705	CITY OF LIVINGSTON	2019-03	Fastners and Lampholder	03/12/2019	6.59	6.59	03/13/2019
2705	CITY OF LIVINGSTON	2019-03	Water	03/12/2019	19.92	19.92	03/13/2019
2705	CITY OF LIVINGSTON	2019-03	Water	03/12/2019	3.96	3.96	03/13/2019
2705	CITY OF LIVINGSTON	2019-03	Gorilla Tape	03/12/2019	9.99	9.99	03/13/2019
2705	CITY OF LIVINGSTON	2019-03	Petty Cash Short	03/12/2019	.24	.24	03/13/2019
Total CITY OF LIVINGSTON:					148.08	148.08	
<b>COMDATA</b>							
2671	COMDATA	20312479	PW Fuel	03/01/2019	25.19	25.19	03/05/2019
2671	COMDATA	20312479	PW Fuel	03/01/2019	858.59	858.59	03/05/2019
2671	COMDATA	20312479	PW Fuel	03/01/2019	205.79	205.79	03/05/2019
2671	COMDATA	20312479	PW Fuel	03/01/2019	272.32	272.32	03/05/2019
2671	COMDATA	20312479	PW Fuel	03/01/2019	388.36	388.36	03/05/2019
2671	COMDATA	20312479	PW Fuel	03/01/2019	80.11	80.11	03/05/2019
2671	COMDATA	20312479	PW Fuel	03/01/2019	53.35	53.35	03/05/2019
2671	COMDATA	20312494	EMS Fuel	03/01/2019	2,217.57	2,217.57	03/05/2019
2671	COMDATA	20312494	Fire Fuel	03/01/2019	379.84	379.84	03/05/2019
2671	COMDATA	20312501	Police Fuel	03/01/2019	1,688.74	1,688.74	03/13/2019
Total COMDATA:					6,169.86	6,169.86	
<b>CRASH REPAIR CENTER, INC.</b>							
9	CRASH REPAIR CENTER, INC.	90420	M4 Mirror	03/07/2019	617.00	617.00	03/13/2019
Total CRASH REPAIR CENTER, INC.:					617.00	617.00	
<b>CRIST, KROGH &amp; NORD, PLLC</b>							
3795	CRIST, KROGH & NORD, PLLC	26563	Professional Services	03/04/2019	1,184.50	1,184.50	03/05/2019
Total CRIST, KROGH & NORD, PLLC:					1,184.50	1,184.50	
<b>DEPARTMENT OF REVENUE</b>							
122	DEPARTMENT OF REVENUE	18	DAC - Gross Receipts	01/25/2019	4,516.09	4,516.09	03/13/2019
Total DEPARTMENT OF REVENUE:					4,516.09	4,516.09	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>DICK ANDERSON CONSTRUCTION</b>							
2840	DICK ANDERSON CONSTRUCTI	18	WRF pay application	01/25/2019	451,609.10	451,609.10	03/13/2019
2840	DICK ANDERSON CONSTRUCTI	18	Gross receipts tax	01/25/2019	4,516.09-	4,516.09-	03/13/2019
Total DICK ANDERSON CONSTRUCTION:					447,093.01	447,093.01	
<b>ENERGY LABORATORIES, INC.</b>							
424	ENERGY LABORATORIES, INC.	216146	Effluent	02/21/2019	147.00	147.00	03/13/2019
424	ENERGY LABORATORIES, INC.	216223	Eff Comp	02/21/2019	207.00	207.00	03/13/2019
424	ENERGY LABORATORIES, INC.	216239	Sludge Grab	02/21/2019	662.00	662.00	03/13/2019
Total ENERGY LABORATORIES, INC.:					1,016.00	1,016.00	
<b>EXEC U CARE SERVICES, INC.</b>							
3298	EXEC U CARE SERVICES, INC.	1781	Janitorial Services	03/01/2019	1,474.15	1,474.15	03/05/2019
Total EXEC U CARE SERVICES, INC.:					1,474.15	1,474.15	
<b>FIRST INTERSTATE BANK</b>							
225	FIRST INTERSTATE BANK	201902	Harland Check Order	02/13/2019	56.36	56.36	02/28/2019
Total FIRST INTERSTATE BANK:					56.36	56.36	
<b>GATEWAY OFFICE SUPPLY</b>							
54	GATEWAY OFFICE SUPPLY	43858	Prongs	02/28/2019	13.40	13.40	03/05/2019
Total GATEWAY OFFICE SUPPLY:					13.40	13.40	
<b>GENERAL DISTRIBUTING COMPANY</b>							
1845	GENERAL DISTRIBUTING COM	732512	Patient Supplies	02/28/2019	41.16	41.16	03/13/2019
Total GENERAL DISTRIBUTING COMPANY:					41.16	41.16	
<b>GENTRY, JESSE</b>							
3841	GENTRY, JESSE	2019-03	Rec Assistant	03/09/2018	412.29	412.29	03/13/2019
Total GENTRY, JESSE:					412.29	412.29	
<b>HAWKINS, INC</b>							
470	HAWKINS, INC	4429444	Aluminum Sulfate	01/15/2019	531.40	531.40	03/13/2019
470	HAWKINS, INC	4445768	Chlorine	02/14/2019	573.75	573.75	03/13/2019
Total HAWKINS, INC:					1,105.15	1,105.15	
<b>INDUSTRIAL TOWEL</b>							
102	INDUSTRIAL TOWEL	82631	Mat Cleaning	02/28/2019	35.12	35.12	03/05/2019
Total INDUSTRIAL TOWEL:					35.12	35.12	
<b>INSTY-PRINTS</b>							
250	INSTY-PRINTS	29567	Board Handbook	02/25/2019	121.75	121.75	03/05/2019
250	INSTY-PRINTS	29650	Board Handbook	03/05/2019	323.57	323.57	03/05/2019
Total INSTY-PRINTS:					445.32	445.32	
<b>J &amp; H OFFICE EQUIPMENT</b>							
1783	J & H OFFICE EQUIPMENT	24374374	Copier lease	03/04/2019	275.29	275.29	03/05/2019

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total J & H OFFICE EQUIPMENT:					275.29	275.29	
<b>J &amp; H, Inc.</b>							
3387	J & H, Inc.	553532	Civic Center copier	03/08/2019	81.25	81.25	03/13/2019
Total J & H, Inc.:					81.25	81.25	
<b>KELLEY, DARREN</b>							
3585	KELLEY, DARREN	2019-03	Station Supply	03/01/2019	8.99	8.99	03/05/2019
Total KELLEY, DARREN:					8.99	8.99	
<b>KEN'S EQUIPMENT REPAIR, INC</b>							
1390	KEN'S EQUIPMENT REPAIR, IN	52702	M3 Repairs	02/05/2019	974.74	974.74	03/13/2019
1390	KEN'S EQUIPMENT REPAIR, IN	52709	Repair M1	02/06/2019	432.25	432.25	03/13/2019
1390	KEN'S EQUIPMENT REPAIR, IN	52722	570 Repairs	02/08/2019	263.35	263.35	03/13/2019
1390	KEN'S EQUIPMENT REPAIR, IN	53057	G1 Repairs	02/14/2019	280.00	280.00	03/13/2019
1390	KEN'S EQUIPMENT REPAIR, IN	53060	Roll Off Repairs	02/14/2019	45.00	45.00	03/13/2019
1390	KEN'S EQUIPMENT REPAIR, IN	53064	G2 Repairs	02/14/2019	152.00	152.00	03/13/2019
1390	KEN'S EQUIPMENT REPAIR, IN	53076	G2 Repairs	02/13/2019	375.00	375.00	03/13/2019
1390	KEN'S EQUIPMENT REPAIR, IN	53090	571 Repairs	02/20/2019	111.30	111.30	03/13/2019
1390	KEN'S EQUIPMENT REPAIR, IN	53103	G2 Repairs	02/21/2019	759.50	759.50	03/13/2019
1390	KEN'S EQUIPMENT REPAIR, IN	53126	Bobcat Repairs	02/25/2019	106.00	106.00	03/13/2019
Total KEN'S EQUIPMENT REPAIR, INC:					3,499.14	3,499.14	
<b>KENYON NOBLE</b>							
776	KENYON NOBLE	6976028	Supplies	02/19/2019	52.42	52.42	03/05/2019
Total KENYON NOBLE:					52.42	52.42	
<b>KINNICK, FAITH</b>							
10000	KINNICK, FAITH	2019-02	Filmkit Shrink Window	02/25/2019	7.59	7.59	03/05/2019
Total KINNICK, FAITH:					7.59	7.59	
<b>LEAF</b>							
3449	LEAF	9196340	Kyocera Copier	02/19/2019	27.60	27.60	03/13/2019
Total LEAF:					27.60	27.60	
<b>LEHRKIND'S COCA-COLA</b>							
2830	LEHRKIND'S COCA-COLA	1607919	Water	01/30/2019	24.75	24.75	03/13/2019
2830	LEHRKIND'S COCA-COLA	1611770	Water	02/14/2019	16.50	16.50	03/13/2019
Total LEHRKIND'S COCA-COLA:					41.25	41.25	
<b>LIVINGSTON ACE HARDWARE - #122005</b>							
26	LIVINGSTON ACE HARDWARE -	E20666	Supplies	02/06/2019	196.63	196.63	03/13/2019
26	LIVINGSTON ACE HARDWARE -	E21380	Wall Repair	02/08/2019	25.55	25.55	03/05/2019
26	LIVINGSTON ACE HARDWARE -	E26027	Fasteners	02/21/2019	3.78	3.78	03/05/2019
26	LIVINGSTON ACE HARDWARE -	E26194	Fastners	02/21/2019	3.42	3.42	03/05/2019
26	LIVINGSTON ACE HARDWARE -	E26206	Supplies	02/21/2019	15.99	15.99	03/05/2019
26	LIVINGSTON ACE HARDWARE -	E29855	Propane	03/04/2019	9.87	9.87	03/13/2019
26	LIVINGSTON ACE HARDWARE -	E30228	Pipe	03/05/2019	32.89	32.89	03/13/2019
26	LIVINGSTON ACE HARDWARE -	E30755	Cable Ties	03/06/2019	9.59	9.59	03/13/2019

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total LIVINGSTON ACE HARDWARE - #122005:					297.72	297.72	
<b>LIVINGSTON ENTERPRISE</b>							
146	LIVINGSTON ENTERPRISE	153728	URA Vacancy	02/04/2019	102.00	102.00	03/05/2019
146	LIVINGSTON ENTERPRISE	153730	Vacany Park & Trails	02/04/2019	96.00	96.00	03/05/2019
146	LIVINGSTON ENTERPRISE	153731	Vacancies Liv Historic	02/04/2019	108.00	108.00	03/05/2019
146	LIVINGSTON ENTERPRISE	153732	Public Comment Deadline	02/04/2019	42.25	42.25	03/05/2019
146	LIVINGSTON ENTERPRISE	153921	PH Bapit Capital	02/11/2019	45.50	45.50	03/05/2019
146	LIVINGSTON ENTERPRISE	154013	PH City Commission	02/15/2019	35.75	35.75	03/05/2019
146	LIVINGSTON ENTERPRISE	154174	Grant - Public Sewer	02/22/2019	84.00	84.00	03/05/2019
146	LIVINGSTON ENTERPRISE	154306	Work Session	02/25/2019	29.25	29.25	03/05/2019
Total LIVINGSTON ENTERPRISE:					542.75	542.75	
<b>LIVINGSTON HEALTH CARE</b>							
55	LIVINGSTON HEALTH CARE	0017154	Patient Supplies	02/26/2019	27.74	27.74	03/05/2019
55	LIVINGSTON HEALTH CARE	3936103	Patient Supplies	03/01/2019	68.50	68.50	03/05/2019
55	LIVINGSTON HEALTH CARE	3937968	Patient Supplies	03/04/2019	25.70	25.70	03/13/2019
Total LIVINGSTON HEALTH CARE:					121.94	121.94	
<b>LIVINGSTON LOCKS &amp; CLOCKS</b>							
3210	LIVINGSTON LOCKS & CLOCKS	126342	Lock Repair	03/05/2019	70.00	70.00	03/13/2019
Total LIVINGSTON LOCKS & CLOCKS:					70.00	70.00	
<b>LIVINGSTON UTILITY BILLING</b>							
147	LIVINGSTON UTILITY BILLING	14347	Utility Shop	01/09/2019	128.51	128.51	03/13/2019
147	LIVINGSTON UTILITY BILLING	14347	Utility Shop	01/09/2019	165.24	165.24	03/13/2019
147	LIVINGSTON UTILITY BILLING	14347	Utility Shop	01/09/2019	18.40	18.40	03/13/2019
147	LIVINGSTON UTILITY BILLING	14352	Street Shop	01/09/2019	46.38	46.38	03/13/2019
147	LIVINGSTON UTILITY BILLING	14352	Street Shop	01/09/2019	46.37	46.37	03/13/2019
147	LIVINGSTON UTILITY BILLING	14366	Sewer Plane	01/09/2019	376.83	376.83	03/13/2019
147	LIVINGSTON UTILITY BILLING	14474	Scale House	01/09/2019	39.03	39.03	03/13/2019
147	LIVINGSTON UTILITY BILLING	16149	Star Rd	01/09/2019	46.05	46.05	03/13/2019
147	LIVINGSTON UTILITY BILLING	16214	Cemetery	01/09/2019	14.72	14.72	03/13/2019
147	LIVINGSTON UTILITY BILLING	4601	Mars Park	01/09/2019	30.72	30.72	03/13/2019
147	LIVINGSTON UTILITY BILLING	4638	Soccer Fieldhouse	01/09/2019	42.04	42.04	03/13/2019
147	LIVINGSTON UTILITY BILLING	50000010	Parks	01/09/2019	114.08	114.08	03/13/2019
147	LIVINGSTON UTILITY BILLING	80013	B St	01/09/2019	55.12	55.12	03/13/2019
147	LIVINGSTON UTILITY BILLING	90016	City/County	01/09/2019	349.24	349.24	03/13/2019
Total LIVINGSTON UTILITY BILLING:					1,472.73	1,472.73	
<b>LIVINGSTONMONTANA.COM</b>							
10000	LIVINGSTONMONTANA.COM	1557	Yellow Pages Listing	02/01/2019	40.00	40.00	03/05/2019
Total LIVINGSTONMONTANA.COM:					40.00	40.00	
<b>MICROCOMM</b>							
10000	MICROCOMM	12353	Transducer	02/19/2019	815.74	815.74	03/05/2019
Total MICROCOMM:					815.74	815.74	
<b>MISC</b>							
99999	MISC	1245509	Overpayment on Account	03/04/2019	54.66	54.66	03/05/2019

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
99999	MISC	9003300	Overpayment on Account	03/04/2019	137.27	137.27	03/05/2019
99999	MISC	CR2016-0001	Restituition - D. Munro	02/28/2019	19.00	19.00	03/13/2019
99999	MISC	CR2016-0002	Restitution - J. Munro	02/28/2019	19.00	19.00	03/13/2019
99999	MISC	TK18-0407	Witness Fee	03/01/2019	10.00	10.00	03/05/2019
99999	MISC	TK18-0471	Witness Fee	03/01/2019	10.00	10.00	03/05/2019
99999	MISC	TK2019-0073	Bond Release - B. Adams	03/05/2019	285.00	285.00	03/06/2019
Total MISC:					534.93	534.93	
<b>MISKA, DIANE</b>							
10000	MISKA, DIANE	CR2016-002	Restitution - J. Munro	12/21/2018	20.00	20.00	03/07/2019
Total MISKA, DIANE:					20.00	20.00	
<b>MMIA</b>							
278	MMIA	219011	Hopkins Deductible	03/08/2019	1,438.50	1,438.50	03/13/2019
Total MMIA:					1,438.50	1,438.50	
<b>MONTANA ASSOCIATION OF CHIEFS OF</b>							
952	MONTANA ASSOCIATION OF CH	2019	Annual dues - Johnson	03/01/2019	100.00	100.00	03/05/2019
Total MONTANA ASSOCIATION OF CHIEFS OF:					100.00	100.00	
<b>MONTANA STATE - FIRE SERVICES</b>							
2631	MONTANA STATE - FIRE SERVI	34-133	FF2 Certification - Bernard	02/28/2019	95.00	95.00	03/13/2019
Total MONTANA STATE - FIRE SERVICES:					95.00	95.00	
<b>MOUNTAIN AIR SPORTS</b>							
34	MOUNTAIN AIR SPORTS	9364	Basketball Uniforms	01/09/2019	4,097.25	4,097.25	03/05/2019
34	MOUNTAIN AIR SPORTS	9400	Reserve Uniform	02/05/2019	30.00	30.00	03/05/2019
34	MOUNTAIN AIR SPORTS	9402	Coaches Shirts	02/07/2019	61.50	61.50	03/05/2019
Total MOUNTAIN AIR SPORTS:					4,188.75	4,188.75	
<b>MT WATERWORKS</b>							
3016	MT WATERWORKS	28409	Parts	02/26/2019	553.60	553.60	03/05/2019
Total MT WATERWORKS:					553.60	553.60	
<b>MUNICIPAL CODE CORPORATION</b>							
3058	MUNICIPAL CODE CORPORATI	325316	Subscription	03/06/2019	150.00	150.00	03/13/2019
Total MUNICIPAL CODE CORPORATION:					150.00	150.00	
<b>MUNICIPAL EMERGENCY SERVICES</b>							
2604	MUNICIPAL EMERGENCY SERV	1314506	Suspenders	02/26/2019	112.00	112.00	03/13/2019
Total MUNICIPAL EMERGENCY SERVICES:					112.00	112.00	
<b>NORTHWESTERN ENERGY</b>							
151	NORTHWESTERN ENERGY	0709877-5	200 E Reservoir (north side hill)	01/08/2019	530.65	530.65	03/05/2019
151	NORTHWESTERN ENERGY	0709880-9	200 River Dr - Pool	01/10/2019	228.91	228.91	03/05/2019
151	NORTHWESTERN ENERGY	0709881-7	229 River Dr. - Civic Center	01/10/2019	1,331.86	1,331.86	03/05/2019
151	NORTHWESTERN ENERGY	0709882-5	229 River Drive - Pump Civic Cent	01/17/2019	20.85	20.85	03/05/2019
151	NORTHWESTERN ENERGY	0719271-9	601 Robin Lane - Well	01/09/2019	304.54	304.54	03/05/2019

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
151	NORTHWESTERN ENERGY	0719272-7	4 Billman Lane - Well	01/09/2019	2,194.38	2,194.38	03/05/2019
151	NORTHWESTERN ENERGY	0719358-4	Street Lights - Livingston	01/16/2019	3,727.11	3,727.11	03/05/2019
151	NORTHWESTERN ENERGY	0719373-3	229 River Dr.	01/15/2019	9.22	9.22	03/05/2019
151	NORTHWESTERN ENERGY	0720113-0	229 River Dr - CC Builing	01/10/2019	244.23	244.23	03/05/2019
151	NORTHWESTERN ENERGY	0720122-1	400 North M	01/15/2019	13.11	13.11	03/05/2019
151	NORTHWESTERN ENERGY	0802599-1	608 W Chinook	01/15/2019	69.18	69.18	03/05/2019
151	NORTHWESTERN ENERGY	0933715-5	710 W Callender	01/15/2019	64.08	64.08	03/05/2019
Total NORTHWESTERN ENERGY:					8,738.12	8,738.12	
<b>OPPORTUNITY BANK OF MONTANA</b>							
3519	OPPORTUNITY BANK OF MONT	TAX 2018	Real Estate Tax	03/07/2019	5,519.39	5,519.39	03/13/2019
Total OPPORTUNITY BANK OF MONTANA:					5,519.39	5,519.39	
<b>O'REILLY AUTOMOTIVE, INC</b>							
2437	O'REILLY AUTOMOTIVE, INC	1558-158337	Wiper Blades	02/26/2019	56.03	56.03	03/05/2019
2437	O'REILLY AUTOMOTIVE, INC	1558-158383	Battery	02/27/2019	120.07	120.07	03/05/2019
2437	O'REILLY AUTOMOTIVE, INC	1558-158416	SSB Coresale	02/27/2019	18.00	18.00	03/05/2019
Total O'REILLY AUTOMOTIVE, INC:					194.10	194.10	
<b>PARISI WESTERN PLUMBING &amp; HEATING</b>							
16	PARISI WESTERN PLUMBING &	49367	Brass Bushing	02/12/2019	22.50	22.50	03/05/2019
Total PARISI WESTERN PLUMBING & HEATING:					22.50	22.50	
<b>PARK COUNTY HEALTH DEPT</b>							
255	PARK COUNTY HEALTH DEPT	058	Immunizations - Townsend	03/01/2019	131.00	131.00	03/05/2019
Total PARK COUNTY HEALTH DEPT:					131.00	131.00	
<b>POLYDYNE INC.</b>							
3144	POLYDYNE INC.	1322349	Clarifloc	02/07/2019	1,099.17	1,099.17	03/13/2019
Total POLYDYNE INC.:					1,099.17	1,099.17	
<b>REDSTONE LEASING</b>							
3842	REDSTONE LEASING	6	Copier Lease	04/01/2019	203.07	203.07	03/05/2019
Total REDSTONE LEASING:					203.07	203.07	
<b>RIVERSIDE HARDWARE LLC</b>							
3659	RIVERSIDE HARDWARE LLC	63725	Gutter Kit	02/14/2019	35.99	35.99	03/13/2019
3659	RIVERSIDE HARDWARE LLC	63726	Screwdriver	02/14/2019	2.79	2.79	03/13/2019
Total RIVERSIDE HARDWARE LLC:					38.78	38.78	
<b>ROY, JUDY</b>							
10000	ROY, JUDY	55394	Phone Case	02/22/2019	109.98	109.98	03/13/2019
Total ROY, JUDY:					109.98	109.98	
<b>TARR, MARGARET</b>							
3586	TARR, MARGARET	2019-02	Costo	02/27/2019	128.78	128.78	03/05/2019

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total TARR, MARGARET:					128.78	128.78	
<b>THE HELENA STAMP WORKS &amp; ENGRAVING</b>							
10000	THE HELENA STAMP WORKS &	18-1691	Notary Seal	08/01/2018	43.00	43.00	03/13/2019
Total THE HELENA STAMP WORKS & ENGRAVING:					43.00	43.00	
<b>THOMSON REUTERS - WEST</b>							
2823	THOMSON REUTERS - WEST	839893385	Information Charge	03/01/2019	298.59	298.59	03/13/2019
Total THOMSON REUTERS - WEST:					298.59	298.59	
<b>TOWN &amp; COUNTRY FOODS - LIVINGSTON</b>							
2595	TOWN & COUNTRY FOODS - LI	2019-02	8236002 Cleaning Supplies	02/23/2019	23.80	23.80	03/05/2019
2595	TOWN & COUNTRY FOODS - LI	TK2018-0468	Restitution - C. Swoboda	03/02/2019	79.55	79.55	03/13/2019
Total TOWN & COUNTRY FOODS - LIVINGSTON:					103.35	103.35	
<b>TRANSUNION RISK &amp; ALTERNATIVE</b>							
3376	TRANSUNION RISK & ALTERNA	2019-02	380349 Investigative Research	03/01/2019	81.10	81.10	03/13/2019
Total TRANSUNION RISK & ALTERNATIVE:					81.10	81.10	
<b>US POST OFFICE - LIVINGSTON</b>							
2596	US POST OFFICE - LIVINGSTON	2019-03	Bulk Mailing	03/04/2019	2,500.00	2,500.00	03/04/2019
2596	US POST OFFICE - LIVINGSTON	2019-03	Bulk Mailing	03/04/2019	2,500.00	2,500.00	03/04/2019
2596	US POST OFFICE - LIVINGSTON	2019-03	Bulk Mailing	03/04/2019	2,500.00	2,500.00	03/04/2019
Total US POST OFFICE - LIVINGSTON:					7,500.00	7,500.00	
<b>USDA-RD LOAN</b>							
3825	USDA-RD LOAN	201902	USDA RD Loan Pmt	02/01/2019	7,919.98	7,919.98	02/28/2019
3825	USDA-RD LOAN	201902	USDA RD Loan Pmt	02/01/2019	5,630.02	5,630.02	02/28/2019
Total USDA-RD LOAN:					13,550.00	13,550.00	
<b>UTILITIES UNDERGROUND LOCATION</b>							
3472	UTILITIES UNDERGROUND LO	9025087	Excavation Notifications	02/28/2019	17.27	17.27	03/05/2019
Total UTILITIES UNDERGROUND LOCATION:					17.27	17.27	
<b>WISPWEST.NET</b>							
2087	WISPWEST.NET	467624	Civic Center	03/01/2019	45.32	45.32	03/05/2019
2087	WISPWEST.NET	469767	Pool	03/01/2019	10.00	10.00	03/05/2019
2087	WISPWEST.NET	472361	Transfer Station	03/01/2019	50.47	50.47	03/05/2019
Total WISPWEST.NET:					105.79	105.79	
Grand Totals:					650,030.09	650,030.09	



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

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

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

\_\_\_\_\_

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\_\_\_\_\_

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

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Report Criteria:

Detail report.

Only paid invoices included.

Invoice.Batch = {<>} "2" {OR} "3"

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**Item Attachment Documents:**

- C. CONSENT ITEM- APPROVE PARKS AND TRAILS COMMITTEE RECOMMENDATION TO FILL BOARD VACANCY.**

**From:** [Jeanne](#)  
**To:** [Dorel Hoglund](#)  
**Cc:** [Faith Kinnick](#)  
**Subject:** Committee applicant recommendation  
**Date:** Friday, March 8, 2019 7:19:44 AM

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Hi, Dorel,

The Parks & Trails Committee met last night to consider applicants for the vacancy on the Committee. We were fortunate to have four strong applicants and are encouraged by the community interest in promoting parks and trails.

We recommend Dr. Alison Shannon-Lier be appointed to the committee. Alison and her family are avid outdoor enthusiasts and trails and parks users. She has coached local kids' teams, organized winter-time adult ultimate Frisbee pick-up at the Civic Center, helped coordinate fundraising events and has experience leading cooperative efforts and finding common ground. We think she would be a positive addition to the committee and help move our efforts forward on behalf of the city's parks and trails, and we would welcome her to the committee.

Thank you.

Jeanne

Jeanne-Marie Souvigny  
(406) 581-8942  
[jsouvigny@onemain.com](mailto:jsouvigny@onemain.com)

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

**Appointed Position Seeking:** Parks and Trails Board

**Date of Application:** 1/28/19

Name: Cassie Burns Signed: C Burns

Address: 120 South 8th Street

Telephone: daytime 406-222-0446 after 5:00 p.m.: 406-222-0446

Fax Number: \_\_\_\_\_ e-mail address: cassie8388@gmail.com

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

2. Are you a registered voter? yes

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

4. Describe the reasons you are interested in this appointment: I am very interested in promoting, expanding and championing parks and trails in Livingston.

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

A. Occupation: Retired from public schools and Community Health Partners

B. Education: B.S - Family and Child Services, MEd - Elementary Ed

C. Experience: please see attached resume

(please attach a detailed resume if desired)

6. Have you served on any previous boards or in any governmental positions in the past? I have served on Park County Trails Board for three terms

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

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

8. Current Employer? Retired

9. Are you available for night meetings? yes

10. Are you available for daytime meetings? yes

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

12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? I would recuse myself and not vote on any issue that would be a conflict of interest.

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

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

Appointed Position Seeking: SEAT ON PARKS TRAILS COMMITTEE

Date of Application: Feb 12, 2019

Name: ALISON SHANNON-LIER  
Address: 303 W MONTANA ST  
Telephone: daytime (406) 222-4682  
Fax Number: (406) 222-4681

Signed: Alison Shannon-Lier  
after 5:00 p.m.: (617) 459 1885  
e-mail address: SHANNONLIER@GMAIL.COM

1. Are you a resident of the City of Livingston? YES
2. Are you a registered voter? YES
3. Will you be at least 18 years of age at the time of the appointment? YES
4. Describe the reasons you are interested in this appointment: I AM PROUD OF THE TOWN I LIVE IN, I WOULD LOVE TO HELP MAKE THE OUTDOORS MORE EASILY ACCESSIBLE AND SAFE FOR EVERYONE.
5. Describe any background, experience and interests that you have which may assist you in performing the responsibilities of this appointment:
  - A. Occupation: PHYSICAL THERAPIST, SPECIALIST IN PELVIC HEALTH
  - B. Education: BACHELORS IN REHAB SCIENCE, DOCTORATE IN PT
  - C. Experience: DAILY WALKER AND BIKER IN TOWN, ENTHUSIAST FOR THE OUTDOORS, REGULAR TRAIL RUNNER


(please attach a detailed resume if desired)
6. Have you served on any previous boards or in any governmental positions in the past? NO
7. Are you currently serving on any Community Boards? NO
  - A. If yes, please describe those boards.
8. Current Employer? GRANITE SPORTS MEDICINE
9. Are you available for night meetings? YES
10. Are you available for daytime meetings? NO
11. Do you foresee any potential conflicts of interest that you might have in executing the duties of this appointed office? NO
12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? I WOULD BRING IT UP WITH THE CHAIR OR PRESIDENT OF THE BOARD, IF IT WERE RELATED TO VOTING OF A DECISION I WOULD WITHDRAW MY VOTE.

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

**Appointed Position Seeking:** Parks and Trails Committee

**Date of Application:** 30th January 2019

Name: Sarah Stands

Signed: 

Address: 217 South E Street

Telephone: daytime 406-220-1668

after 5:00 p.m.: \_\_\_\_\_

Fax Number: \_\_\_\_\_

e-mail address: sarah.stands@gmail.com

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

2. Are you a registered voter? Yes

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

4. Describe the reasons you are interested in this appointment: Im an avid trails user, and would like to be involved in the planning and execution to see improved parks and trails for increased use and enjoyment of our residents. Our public urban spaces are an extension of the wilderness around us, and just as valuable.

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

A. Occupation: Consultant in sustainable development, specifically strategy and planning

B. Education: MPhil Sustainable Development, BAFine Arts, and courses in permaculture

C. Experience: Working on fire for the FS gave me hands on experience, as well as volunteering for a trail committee in WY. Working across various stakeholders to acheive a desired outcome, public, private, and gov.

(please attach a detailed resume if desired)

6. Have you served on any previous boards or in any governmental positions in the past? \_\_\_\_\_

I currently sit on the grants committee for Montana Matriarchs, and within my company Skrandr. In the past I was President of Club Sports Committee, but never within government.

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

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

8. Current Employer? Self

9. Are you available for night meetings? Yes

10. Are you available for daytime meetings? Yes

11. Do you foresee any potential conflicts of interest that you might have in executing the duties of this appointed office? None at this stage, except my travels to Africa which may be end of March to June.

12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? transparency and communication is essentail. I would discuss witih my chairman directly and take the necessary actions to mitigate any conflict of interest, even if that meant resigning from this or another board.

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

**Appointed Position Seeking:** Trails & Park Committee

**Date of Application:** 2-6-19

Name: Wayne Bowman Signed: [Signature]

Address: 100 S. Yellowstone Cir. MT. 59047

Telephone: daytime 406-224-7234 after 5:00 p.m.: 406-224-7234

Fax Number: N/A e-mail address: Jandydog00@gmail.com

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

2. Are you a registered voter? Yes

3. Will you be at least 18 years of age at the time of the appointment? Age 61

4. Describe the reasons you are interested in this appointment: I believe that with my business background, I will be better able to help the park trails.

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

A. Occupation: Retired

B. Education: 12<sup>th</sup> grade

C. Experience: Self-employed Boot maker for 45 years. Worked with the National Yellowstone Park maintaining trails & upkeep for park.  
(please attach a detailed resume if desired)

6. Have you served on any previous boards or in any governmental positions in the past? I served as head of trails in Yellowstone Nat. Park for 2 years, back in the late 80's.

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

A. If yes, please describe those boards. N/A

8. Current Employer? N/A - NO

9. Are you available for night meetings? Yes

10. Are you available for daytime meetings? Yes

11. Do you foresee any potential conflicts of interest that you might have in executing the duties of this appointed office? I do not.

12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? I would contact the chairman to discuss the issue, with the rest of the board community.

**Item Attachment Documents:**

**D. APPROVE URA RECOMMENDATION TO FILL BOARD VACANCY.**



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

**Appointed Position Seeking:** Urban Renewal Board  
Member

---

**Date of Application:**  
2/11/2019

---

Name: Richard (Rick) VanAken Signed: *Richard VanAken*

Address: 220 West Montana St., Livingston (59047)

Telephone: daytime 406-223-5916 after 5:00 p.m.: 406-333-5916

Fax Number: N/A e-mail address:

rdv59047@gmail.com

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

2. Are you a registered voter? Yes

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

4. Describe the reasons you are interested in this appointment: I have an abiding interest in Livingston's growth, upkeep, and betterment.

---

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

B. Occupation: Retired from BNSF Railway

C. Education: BA in Business, University of Montana, 1969 ; MBA, Univ. of Montana, 1974

D. **Experience: 30 years railroad clerical positions (Livingston, Seattle, Missoula, Great Falls), 1969-2006; Lieutenant, U.S. Army, 1970-1972; party-time Waddell & Reed representative, 1988; President, Secretary-Treasurer, and Legislative Representative for two union locals (Missoula, Great Falls), 1980-2001; re-established Friends of Yellowstone Gaterway Museum in 1999 and served as President or Treasurer, 1999-2015; Treasurer of Park Co, Senior Center Board, 2000-2015, board member 2016-2018; also served on other non-profit boards, often as treasurer, 1978-2010**

(please attach a detailed resume if desired)



**Item Attachment Documents:**

**A. PROCLAMATION: NATIONAL WEEK OF THE YOUNG CHILD**

**City Manager**  
*Michael Kardoes*

414 East Callender Street  
Livingston, Montana 59047  
(406) 823-6000 phone  
(406) 222-4199 fax  
[citymanager@livingstonmontana.org](mailto:citymanager@livingstonmontana.org)  
[www.livingstonmontana.org](http://www.livingstonmontana.org)



**Chairperson**  
*Dorel Hoglund*

**Vice Chairman**  
*Quentin Schwarz*

**Commissioners**  
*Mel Friedman*  
*Warren Mabie*  
*Melissa Nootz*

*Incorporated 1889*

### PROCLAMATION

WHEREAS, Community Health Partners, Child Care Connections, the Park County Health Department, Livingston Recreation Department, and other local early childhood organizations in conjunction with the National Association for the Education of Young Children, are celebrating the National Week of the Young Child, April 8-12, 2019; and

WHEREAS, these organizations are working to improve early learning opportunities, which are crucial to the growth and development of young children and to building better futures for everyone in Livingston, Montana; and

WHEREAS, quality childcare is directly connected to the success of our community and the ability for Livingston, Montana to be a great place to raise children; and

WHEREAS, early childhood professionals, and others who make a difference in the lives of young children in Livingston, Montana, deserve thanks and recognition; and

WHEREAS, making sure children thrive and are ready to learn is a community endeavor that involves parents, child care providers, policy makers, businesses and community agencies; and

WHEREAS, Livingston, Montana is dedicated to education and understands that early care and education is key to developing children who are more likely to finish school, attend college, and to be employed.

NOW, THEREFORE, I, CHAIRPERSON OF THE LIVINGSTON CITY COMMISSION, MONTANA, do hereby proclaim:

***April 8 through April 12, 2019 as Week of the Young Child in the City of Livingston, Montana***

in the county of Park County and encourage all citizens to work to make a good investment in early childhood development and education.

Dated this 19th day of March, 2019

ATTEST:

\_\_\_\_\_  
Lisa Harreld, Recording Secretary

\_\_\_\_\_  
Dorel Hoglund, Chairperson City Commission

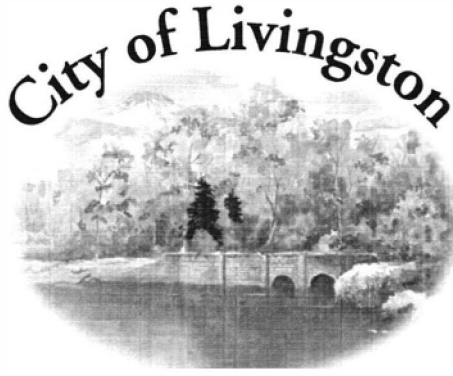


**Item Attachment Documents:**

**B. NATIONAL PUBLIC SAFETY COMMUNICATION OFFICERS WEEK.**

**City Manager**  
*Michael Kardoes*

414 East Callender Street  
Livingston, Montana 59047  
(406) 823-6000 phone  
(406) 222-4199 fax  
[citymanager@livingstonmontana.org](mailto:citymanager@livingstonmontana.org)  
[www.livingstonmontana.org](http://www.livingstonmontana.org)



**Chairperson**  
*Dorel Hoglund*

**Vice Chairman**  
*Quentin Schwarz*

**Commissioners**  
*Mel Friedman*  
*Warren Mabie*  
*Melissa Nootz*

*Incorporated 1889*

**PROCLAMATION**

Whereas, emergencies that require immediate response from 911 centers, police, fire, and medical services could occur at any time; and,

Whereas, the prompt response of emergency equipment and personnel is critical to the protection and preservation of life and property; and,

Whereas, public safety communication officers are the first and most critical contact citizens have with emergency services; and,

Whereas, public safety communication officers are the single vital link for police officers and firefighters in monitoring their activities by radio, providing information, and ensuring their safety; and,

Whereas, public safety communication officers continually demonstrate compassion, understanding, and professionalism while enduring the stress of shift work and numerous emergencies; and,

Whereas, the community is fortunate to have diligent and dedicated professional public safety communication officers to provide these services.

Now, therefore, I Dorel Hoglund, Chairperson of the Livingston City Commission, do hereby proclaim;  
**April 14-20, 2019 Public Safety Communication Officers Week  
in the City of Livingston, Montana**

in honor and recognition of our Public Safety Communication Officers for their vital contributions to the safety and well-being of law enforcement officers, firefighter/EMT's and the citizens of Park County and the City of Livingston.

Dated this 19<sup>TH</sup> day of March, 2019

ATTEST:

\_\_\_\_\_  
Lisa Harreld, Recording Secretary

\_\_\_\_\_  
Dorel, Hoglund, Chairperson



**Item Attachment Documents:**

- A. PUBLIC HEARING REGARDING REQUEST FOR A VARIANCE FROM THE PROVISIONS OF CHAPTER 30 (ZONING) OF THE LIVINGSTON MUNICIPAL CODE. OWNER BURRTON LAUREL, LLC IS REQUESTING A VARIANCE ALLOWING A 10 FOOT SETBACK FROM THE FRONT OF THE PROPERTY.**

February 27, 2019

**STAFF REPORT**

**VARIANCE – BURRTON LAUREL, LLC**

**Background**

Burton Laurel, LLC, owner of property described as Lot G, Block 82, Original Plat, located at the corner of Callender and 5<sup>th</sup> Streets, is requesting a variance from the front setback requirement for RII zoning districts. They wish to develop this lot with a front setback of 10 feet. Code requires a 25-foot front setback.

**Findings of Fact**

Livingston Municipal Code\* stipulates that the following questions shall be considered by the City in making decisions regarding variance requests:

- 1) Are there special conditions and circumstances existing which are peculiar to the land, the lot, or something inherent in the land which causes hardship and which are not applicable to other lands in the same district?

Yes. By requiring a 25-foot front setback on Callender Street, the buildable lot space is reduced to 1,200 square feet from the original 3,500 square feet. Only a 20-foot by 60-foot strip is usable. This lot is the rear half of what was originally Lots 31 and 32. It no longer has street frontage on 5<sup>th</sup> Street and therefore must be addressed off of Callender. The other half of Lots 31 and 32 will be allowed to build out to the 10-foot setback on Callender Street as this represents the side adjacent to a street. It still has street frontage on both 5<sup>th</sup> and Callender.



- 2) Will a literal interpretation of the provisions of this ordinance deprive the applicant of the rights commonly enjoyed by other tracts in the same district?

Yes. Staff believes that requiring a 25-foot setback from Callender Street, which reduces the useable width of the lot by half, is unreasonable. This is especially so given the fact that neighboring lot can, by right, build to within 10 feet of Callender Street.

- 3) Will granting this variance confer on the applicant any special privilege that is denied by this ordinance to other land in the same (zoning) district?

No. By granting this variance, the physical lay-out of this corner would be the same as if the original lots had been developed as a single property.

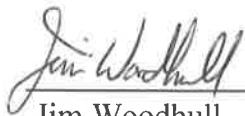
- 4) Will the granting of this variance request be in harmony with the general purpose and intent of this ordinance?

Yes. Staff believes that the intent of the ordinance is to provide for pedestrian and vehicular safety where private property abuts a street. In this case, the setback line is established at 10 feet by the property closest to the 5<sup>th</sup> Street intersection.

**Public Hearing**

**Staff Recommendation**

Based on the Findings of Fact section of this staff report, the City Zoning Administrator feels that it is appropriate for the City Commission to **approve** this variance request.

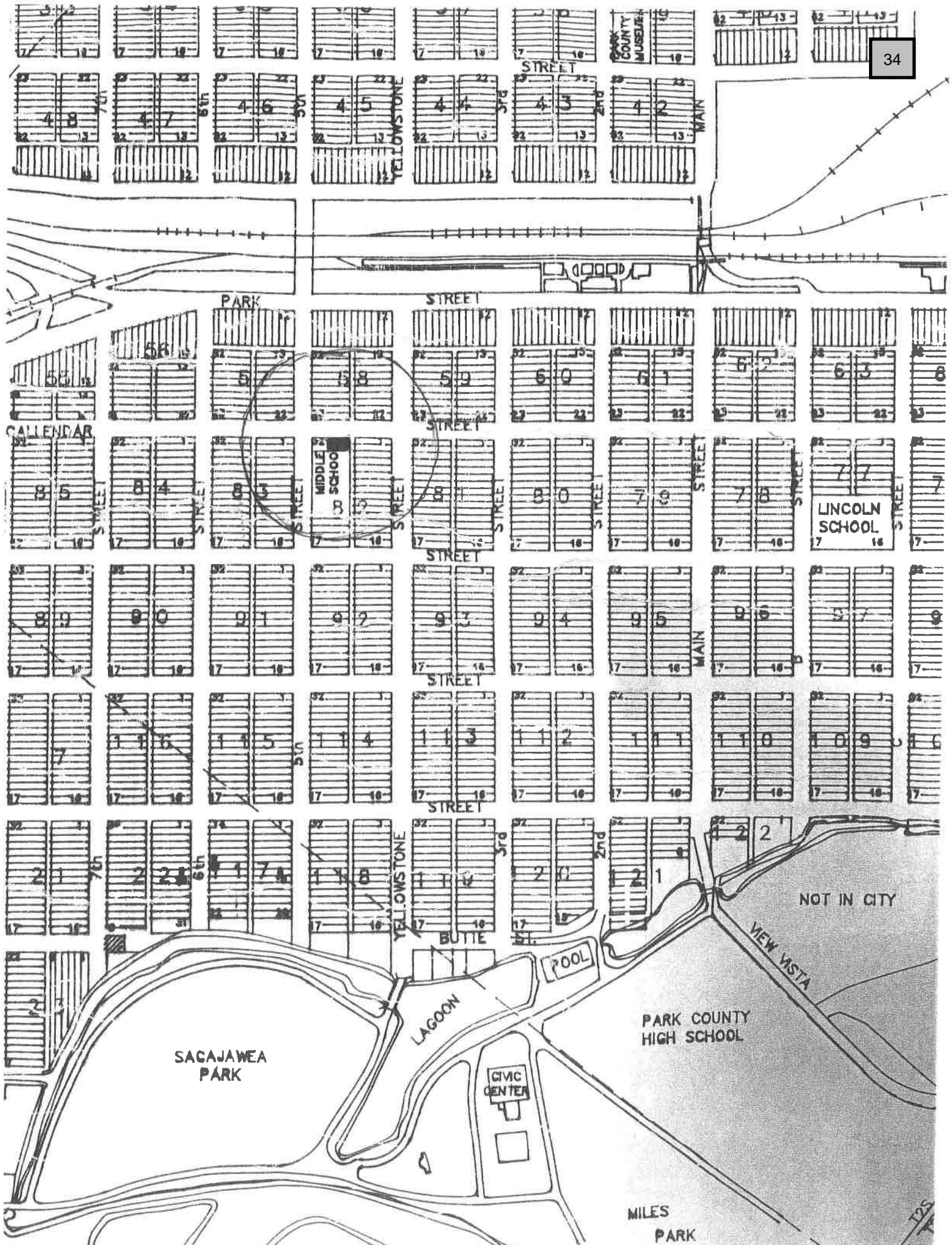



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Jim Woodhull  
City Zoning Administrator

**List of Attachments**

- Attachment I..... Location Map
- Attachment II..... Site Map



CALLENDER STREET

35

SOUTH 5TH STREET

SIDEWALK

EXISTING RETAINING WALL

SIDEWALK

25'-0"  
LOT F  
FRONT SETBACK

10'-0"  
LOT F  
SIDE  
SETBACK

LOT F

PROPERTY LINE

PROPOSED FRONT SETBACK

EXISTING FRONT SETBACK

LOT G

TOTAL LOT AREA: 3,500 SF  
EXISTING BUILDABLE AREA: 1,200 SF  
PROPOSED BUILDABLE AREA: 2,100 SF

REAR SETBACK

PROPERTY LINE

PROPERTY LINE

ALLEY  
BETWEEN 5TH ST AND YELLOWSTONE AVE.

LOTE



LTS  
AIA

EXHIBIT A: SITE PLAN

SCALE: 1/16" = 1'-0"

PRINT DATE: JUNE 26, 2018

## NOTICE OF PUBLIC HEARING

A public hearing before the City Commission will be held at 5:30 p.m. on Tuesday, March 19, 2019 in the Community Room of the City-County Complex, 414 East Callender Street. The Purpose of this hearing is to receive public comment regarding a request for a variance from the provisions of Chapter 30 (Zoning) of the Livingston Municipal Code. Burrton Laurel, LLC, owner of vacant property located at the corner of 5th and Callender Streets, described as Lot G of Subdivision 491, is requesting a variance from the front setback requirement for RII zoning districts. They are requesting to be allowed to have a ten (10) foot front setback. Code requires a twenty-five (25) foot front setback.

For further information, please contact the City Planning Office at 222-4903.

Jim Woodhull

City Planner

Publish Mar. 5, 2019

**Item Attachment Documents:**

- A. ORDINANCE NO. 2078- AMENDING ORDINANCE 1999 AND ORDINANCE 2049 CHAPTER 9, ARTICLE IV OF THE LIVINGSTON MUNICIPAL CODE ENTITLED PARKING, STOPPING, AND STANDING BY ADDING TWO DESIGNATED LOADING ZONES FOR WINDRIDER TRANSIT SERVICE. 1) ON THE SOUTHWEST SIDE OF E. LEWIS STREET NEAR THE INTERSECTION OF SOUTH H AND EAST LEWIS STREET; AND 2) ON THE SOUTH SIDE OF THE NORTH 13TH STREET ADJACENT TO NORTHSIDE PARK PARKING LOT.**

**ORDINANCE NO. 2078**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE 1999 AND ORDINANCE 2049 CHAPTER 9, ARTICLE IV OF THE LIVINGSTON MUNICIPAL CODE ENTITLED PARKING, STOPPING, AND STANDING BY ADDING TWO DESIGNATED LOADING ZONES FOR WINDRIDER TRANSIT SERVICE. 1) ON THE SOUTH SIDE OF E. LEWIS STREET NEAR THE INTERSECTION OF SOUTH H AND EAST LEWIS STREET; AND 2) ON THE SOUTHWEST SIDE OF THE NORTH 13<sup>TH</sup> STREET ADJACENT TO NORTHSIDE PARK PARKING LOT.**

**Preamble.**

The purpose of this Ordinance change is to create two additional loading/unloading parking zones for Windrider Transit Bus Service located by establishing a loading/unloading zone near the intersection of Lewis St and H Street and establishing a loading/unloading zone at North 13<sup>th</sup> Street adjacent to Northside Park/ Soccer Fields parking lot.

**WHEREAS**, the City Commission believes it would be in the best interests to establish two additional loading/unloading and for the benefit of the community ensuring all citizens have additional access to this free transport service.

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

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

**SECTION 1**

**Section 9-221 through 9-241- Unchanged.**

**Section 9-242- Loading/unloading zones established.**

Two additional loading/unloading zone parking spots are hereby established for Windrider Transit Service near the intersection of Lewis & H Street, and at the N 13<sup>th</sup> St. and Northside Park parking lot. No vehicle shall park longer than (5) minutes at said location during the hours of 6:30 am to 6:00pm, Monday through Friday. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00).

**SECTION 2**

**Statutory Interpretation and Repealer:**

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

**SECTION 3**

**Severability:**

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

**SECTION 4**

**Savings Provision:**

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

**SECTION 5**

**Effective date:**

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

\* \* \* \* \*

**PASSED**, by the City Commission of the City of Livingston, Montana, upon first reading at a regular session thereof held on the \_\_\_\_\_ day of March, 2019.

\_\_\_\_\_  
**Dorel Hogleund, Chair**

**ATTEST:**

**APPROVED TO AS FORM:**

\_\_\_\_\_  
**LISA HARRELD**  
Recording Secretary

\_\_\_\_\_  
**JAY PORTEEN**  
City Attorney

**PASSED, ADOPTED AND APPROVED** by the City Commission of the City of Livingston, Montana, on a second reading at a regular session thereof held on the \_\_\_\_\_ day of April, 2019.

\_\_\_\_\_  
**Dorel Hogleund, Chair**

**ATTEST:**

**APPROVED TO AS FORM:**

\_\_\_\_\_

\_\_\_\_\_



**LISA HARRELD**  
**Recording Secretary**

**JAY PORTEEN**  
**City Attorney**

**PUBLIC NOTICE OF  
THE LIVINGSTON CITY COMMISSION**

PLEASE TAKE NOTICE, the Livingston City Commission will hold a public hearing on March 19, 2019 at 5:30 in the Community Room of the City-County Complex, for a first reading of **AN ORDINANCE NO. 2078 OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE 1999 AND ORDINANCE 2049 CHAPTER 9, ARTICLE IV OF THE LIVINGSTON MUNICIPAL CODE ENTITLED PARKING, STOPPING, AND STANDING BY ADDING TWO DESIGNATED LOADING ZONES FOR WINDRIDER TRANSIT SERVICE. 1) ON THE SOUTH SIDE OF E. LEWIS STREET NEAR THE INTERSECTION OF SOUTH H AND EAST LEWIS STREET; 2) ON THE SOUTHWEST SIDE OF NORTH 13<sup>TH</sup> STREET, ADJACENT TO NORTHSIDE PARK PARKING LOT.**

A copy of the ordinance is available for inspection at the City Office, 414 E. Callender St. Livingston, MT 59047. For further information, call Faith Kinnick (406) 823-6002.

Please publish on Friday March 15, 2019.

Faith Kinnick  
City of Livingston



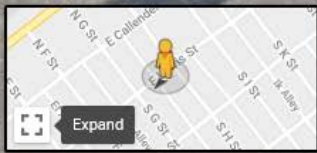
Google

Google Camera : 2,019 m 45°39'47"N 110°35'04"W 1,408 m 100%

798 E Lewis St  
Livingston, Montana

Google

Street View - Aug 2012



**Shannon W. Holmes**  
*Public Works Director*

**Matt Whitman**  
*Project Manager*

**Almira Johansson**  
*Administrative Assistant*

**Dan Emter**  
*Waste Reclamation Facility*



330 Bennett Street  
Livingston, MT 59047  
Phone: (406) 222-5667

[www.livingstonmontana.org](http://www.livingstonmontana.org)

**Tom Schweigert**  
*Water / Sewer*

**Craig Hahn**  
*Streets*

**Rich Stordalen**  
*Solid Waste*

**Eric Schneider**  
*Parks*

January, 25<sup>th</sup> 2019

To whom it may concern.

Park County and the City of Livingston’s public transportation bus Winder Rider has pickup/drop-off stops on the corner of Lewis Street and H Street, Monday –Friday 6:30 AM – 6:30PM with the exception of Holidays. As things currently stand it stops to pick up its passengers on any open parking space at this intersection. We would like to create a reserved spot for the Winder Rider. We are looking at using the parking place on the South side of Lewis, West of H where there is an approach to the street. See attached picture. If you have any questions or concerns in regard to this please contact the Public Works department at 222-5667.

Sincerely,

City of Livingston Public Works Department

**Item Attachment Documents:**

- B. ORDINANCE NO. 2079 AMENDING ORDINANCE 1999 AND ORDINANCE 2019 CHAPTER 9, ARTICLE IV, OF THE LIVINGSTON MUNICIPAL CODE ENTITLED PARKING, STOPPING, AND STANDING BY MOVING THE DESIGNATED LOADING ZONE FOR THE COUNTERPOINT VAN ON THE SOUTH SIDE OF EAST LEWIS STREET BETWEEN MAIN AND B ST.**

**ORDINANCE NO. 2079**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE 1999 AND ORDINANCE 2049 CHAPTER 9, ARTICLE IV OF THE LIVINGSTON MUNICIPAL CODE ENTITLED PARKING, STOPPING, AND STANDING BY MOVING THE DESIGNATED LOADING ZONE FOR THE COUNTER POINT VAN ON THE SOUTH SIDE OF EAST LEWIS STREET BETWEEN MAIN AND B STREETS.**

**Preamble.**

The purpose of this Ordinance is provide for the public health, safety and welfare of all citizens by moving one designated loading/unloading zone around the corner to South B Street, so the Counterpoint Van does not obstruct the view of the intersection.

WHEREAS, Counterpoint is located at 116 East Lewis Street, in Livingston; and

WHEREAS, the City Commission believes it would be in the best interests of the Counterpoint residents and city citizens to move one loading/unloading zone around the corner on South B St.

By doing so, it provides drivers with an unobstructed view of the intersection.

WHEREAS, the City Commission realizes that parking spots are a public necessity and that said loading/unloading zone should be reserved for Counterpoint vehicle at all times.

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

**SECTION I**

**Section 9-221 through 9-241 - Unchanged.**

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

A loading/unloading zone for one (1) parking spot is hereby established for the purpose of dropping off and picking up residents adjacent to Counterpoint on South. B St. No non-Counterpoint Vehicles shall park in this designated parking space. The minimum civil penalty under this subsection shall be Twenty Dollars (\$20.00)

ORDINANCE 2079 AMENDING ORDINANCE 1999 AND ORDINANCE 2049 CHAPTER 9, ARTICLE IV OF THE LIVINGSTON MUNICIPAL CODE ENTITLED PARKING, STOPPING, AND STANDING BY MOVING THE DESIGNATED LOADING ZONE FOR COUNTERPOINT VAN.

**SECTION 2**

**Statutory Interpretation and Repealer:**

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

**SECTION 3**

**Severability:**

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

**SECTION 4**

**Savings Provision:**

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

**SECTION 5**

**Effective date:**

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



\*\*\*\*\*

**PASSED** by the City Commission of the City of Livingston, Montana, upon first reading at a regular session this \_\_\_\_\_ day of March, 2019.

\_\_\_\_\_  
Dorel Hoglund, Chair

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
LISA HARRELD  
Recording Secretary

\_\_\_\_\_  
JAY PORTEEN  
City Attorney

\*\*\*\*\*

**PASSED, ADOPTED AND APPROVED** by the City Commission of the City of Livingston, Montana, on second reading at a regular session thereof held on the \_\_\_\_\_ day of April, 2019.

\_\_\_\_\_  
Dorel Hoglund, Chair

\_\_\_\_\_  
LISA HARRELD  
Recording Secretary

\_\_\_\_\_  
JAY PORTEEN  
City Attorney

ORDINANCE 2079 AMENDING ORDINANCE 1999 AND ORDINANCE 2049 CHAPTER 9, ARTICLE IV OF THE LIVINGSTON MUNICIPAL CODE ENTITLED PARKING, STOPPING, AND STANDING BY MOVING THE DESIGNATED LOADING ZONE FOR COUNTERPOINT VAN.

**PUBLIC NOTICE OF  
THE LIVINGSTON CITY COMMISSION**

PLEASE TAKE NOTICE, the Livingston City Commission will hold a public hearing on March 19, 2019 at 5:30 in the Community Room of the City-County Complex, for a first reading of **AN ORDINANCE NO. 2079 OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING ORDINANCE 1999 AND ORDINANCE 2049 CHAPTER 9, ARTICLE IV OF THE LIVINGSTON MUNICIPAL CODE ENTITLED PARKING, STOPPING, AND STANDING BY MOVING THE DESIGNATED LOADING ZONE FOR THE COUNTERPOINT VAN ON THE SOUTH SIDE OF EAST LEWIS STREET BETWEEN MAIN AND B STREETS.**

A copy of the ordinance is available for inspection at the City Office, 414 E. Callender St. Livingston, MT 59047. For further information, call Faith Kinnick (406) 823-6002.

Please publish on Friday March 15, 2019.

Faith Kinnick  
City of Livingston



New Designated space



**Item Attachment Documents:**

- A. RESOLUTION NO. 4842 - A RESOLUTION REQUESTING DISTRIBUTION OF BRIDGE AND ROAD SAFETY AND ACCOUNTABILITY PROGRAM FUNDS**

**RESOLUTION NO. 4842**

**A RESOLUTION REQUESTING DISTRIBUTION OF BRIDGE AND ROAD SAFETY AND ACCOUNTABILITY PROGRAM FUNDS**

**WHEREAS**, the Bridge and Road Safety and Accountability Account requires the Montana Department of Transportation to allocate accrued funds to cities, towns, counties, and consolidated city-county governments for construction, reconstruction, maintenance, and repair of rural roads, city or town streets and alleys, bridges, or roads and streets that the city, town, county, or consolidated city-county government has the responsibility to maintain; and,

**WHEREAS**, a city, town, county, or consolidated city-county government that requests funds under the Bridge and Road Safety and Accountability Account must match each \$20 requested with \$1 of local government matching funds; and,

**WHEREAS**, a city, town, county, or consolidated city-county government requesting distribution of allocated funds may make such a request to the Department of Transportation between March 1 and November 1 of the year the funds were allocated; and,

**WHEREAS**, the project(s) to be funded is phase II of its downtown area capital improvement plan. This plan will include new streets, water and sewer mains, sidewalks, storm drains, and lights. The area to be completed includes Main Street between Callender Street and Lewis Street and Callender Street between 2<sup>nd</sup> Street and B Street; and,

**WHEREAS**, the local match for the allocated funds has been budgeted from the Water, Wastewater, Street Maintenance, Light Maintenance, and Urban Renewal Agency Funds.

**THEREFORE, NOW BE IT RESOLVED THAT:**

1. The City of Livingston requests distribution of its share of the allocated Bridge and Road Safety and Accountability funds to be used for the projects identified herein.
2. That the Council hereby empowers and authorizes the Mayor or other staff to execute such further documents as may be necessary to facilitate the distribution of said funds.

**Adopted this 19th day of March, 2019.**

\_\_\_\_\_  
DOREL HOGLUND  
Chairperson

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
LISA HARRELD  
Recording Secretary

\_\_\_\_\_  
JAY PORTEEN  
City Attorney



Livingston City Commission  
**LEGISLATIVE ACTION SUMMARY**  
Resolution No: 4842

**Requested by:** Paige Fetterhoff, Finance Director

**Date of First Consideration/Status:** March 19, 2019

**Purpose of Legislation:** Approve funding in the amount of \$117,695.46 under the Bridge and Road Safety and Accountability Program (BaRSSA).

**Statutory Authority/Reference:** Local Government Road Construction and Maintenance Match Program (MCA 15-70-130) and Allocation of State Funds for Public Transportation (MCA 7-14-102)

**Background:** House Bill 473 increased the gas tax paid by distributors effective July 1. The additional tax is required to be distributed in the same manner as existing gas tax funds. The State Legislature requires a 5% match of these funds from the receiving government. The City of Livingston will use this funding to help fund the Downtown Capital Improvement Plan with matching funds being generated from the Street Maintenance, Water, Sewer, and Light Maintenance Funds.

**Staff Recommendation:** The City staff recommends approving the acceptance of additional BaRSSA funds.

**Fiscal Impact:** This revenue was included in the FY 19 budget adopted by the commission. I can be found in the Gas Tax Fund under account 335040.

**Regulatory Impact (local):** N/A

**Attachments:** Resolution 4842

**Item Attachment Documents:**

- B. RESOLUTION NO. 4843- AUTHORIZING THE CITY MANAGER OF LIVINGSTON TO SIGN ALL DOCUMENTS REQUIRED TO EXECUTE WESTERN MUNICIPAL CONSTRUCTION CONTRACT CHANGE ORDER NO. 1, FOR THE 2019 CAPITAL IMPROVEMENT PROJECT ON CLARK STREET, TO ELIMINATE AN EXISTING SANITARY SEWER/STORM SEWER CONFLICT IN B STREET.**

**RESOLUTION NO. 4843**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS REQUIRED TO EXECUTE WESTERN MUNICIPAL CONSTRUCTION (WMC) CONTRACT CHANGE ORDER NO. 1, FOR THE 2019 CAPITAL IMPROVEMENT PROJECT ON CLARK STREET, TO ELIMINATE AN EXISTING SANITARY SEWER/STORM SEWER CONFLICT IN B STREET.**

**WHEREAS**, the original contract for the Livingston 2019 CIP Schedule 1 was executed with Western Municipal Construction, referred to hereafter as (WMC) for the amount of \$1,693,844. The City of Livingston Directed TD& H Engineering referred to hereafter as (TD&H) to design a sewer extension in Clark Street to eliminate an existing sanitary sewer/storm sewer conflict in B Street; and

**WHEREAS**, this additional work was not completed, nor was the additional work included with the original bid set of plans; and

**WHEREAS**, TD& H, the City of Livingston and WMC have negotiated a proposed cost to complete the sewer extension work in Clark Street with the contractor. The proposed Change Order No. 1 is \$130, 838.68. TD& H's recommendation, plan sheet showing sewer improvements, change order No. 1, and WMC's detailed price quote are incorporated in this as Exhibit A, B, and C.; and

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

On the City of Livingston's behalf, the City Manager is hereby authorized to sign all documents with Western Municipal Construction, and any other parties required to implement this recommendation.

**PASSED AND ADOPTED** by the City Commission of the City of Livingston, this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Dorel Høglund, Chair

**ATTEST:**

**APPROVED TO AS FORM:**

\_\_\_\_\_  
LISA HARRELD, Recording Secretary

\_\_\_\_\_  
JAY PORTEEN, City Attorney





Livingston City Commission  
**LEGISLATIVE ACTION SUMMARY**  
 Resolution No. 4843

**Requested by:** Michael J. Kardoes, City Manger

**Date of First Consideration/Status:** 19 March 2019, 1<sup>st</sup> time before the Commission.

**Purpose of Legislation:** Authorize the City Manager to sign documents associated with Change Order No. 1, for the Livingston 2019 CIP sanitary sewer/storm sewer project.

**Statutory Authority/Reference:** Budget Authority

**Background:** The City directed TD& H Engineering to design a sewer extension in Clark Street to eliminate an existing sanitary sewer/storm sewer conflict in B St. This additional work was not completed nor included with the original bid set of plans. Price does not include any utility conflicts/relocations, dewatering, or storm drain by-pass.

**Impact on Project Contingency:**

<b>Original Contingency Amount</b>	<b><u>\$1,693,844. 00</u></b>
<b>Change Order No. 1</b>	<b><u>\$130,833.68</u></b>
<b>Contract Price Incorporating Change Order</b>	<b><u>\$1,824,677.68</u></b>

**Regulatory Impact (local):** N/A

**Attachments:**

Western Municipal Construction, Inc. quote per plan revision.

Date of Issuance: 3/12/2019

Effective Date: 3/12/2019

Project: City of Livingston 2019 CIP – Schedule I	Owner: City of Livingston	Owner's Contract No.:
Contract: Livingston 2019 CIP – Schedule I		Date of Contract: March 6, 2019
Contractor: Western Municipal Construction Inc.		Engineer's Project No.: B18-051

**The Contract Documents are modified as follows upon execution of this Change Order:**

**Description:**

Sewer extension in Clark Street.

**Attachments (list documents supporting change):**

1. Western Municipal Construction proposal price quotation – Revision 1
2. TD&H memo to City of Livingston

**CHANGE IN CONTRACT PRICE:**

**CHANGE IN CONTRACT TIMES:**

Original Contract Price:

\$ 1,693,844.00

[Increase] [Decrease] from previously approved Change Orders No. \_\_\_\_\_ to No. \_\_\_\_\_

\$ \_\_\_\_\_

Contract Price prior to this Change Order:

\$ 1,693,844.00

Increase of this Change Order:

\$ 130,833.68

Contract Price incorporating this Change Order:

\$ 1,824,677.68

Original Contract Times:  Working days  Calendar days

Substantial completion (days or date):

Ready for final payment (days or date): 140

[Increase] [Decrease] from previously approved Change Orders No. \_\_\_\_\_ to No. \_\_\_\_\_:

Substantial completion (days): \_\_\_\_\_

Ready for final payment (days): \_\_\_\_\_

Contract Times prior to this Change Order:

Substantial completion (days or date):

Ready for final payment (days or date): 140

Increase of this Change Order:

Substantial completion (days or date): \_\_\_\_\_

Ready for final payment (days or date): 21

Contract Times with all approved Change Orders:

Substantial completion (days or date): \_\_\_\_\_

Ready for final payment (days or date): 161

**RECOMMENDED:**

By:   
Engineer (Authorized Signature)

Date: 3/12/2019

**ACCEPTED:**

By: \_\_\_\_\_  
Owner (Authorized Signature)

Date: \_\_\_\_\_

**ACCEPTED:**

By:   
Contractor (Authorized Signature)

Date: 3/12/19



# WESTERN MUNICIPAL CONSTRUCTION, INC.

5855 Elysian Road Billings, MT 59101

Phone (406) 254-2106 Fax (406) 245-9736

March 11, 2019

RE: City of Livingston 2019 CIP – Revision 2

Western Municipal Construction, Inc. is pleased to submit the following proposal price quotation per the revised plans.

Item #	Description	Quantity	UOM	Unit Price	Extended Total
1	General Requirements	1	LS	\$15,500	\$15,500.00
6	Locate and Protect Public and Private Utilities	1	LS	\$2,500	\$2,500.00
5	Traffic Control	1	LS	\$4,000	\$4,000.00
17	By-pass Pumping	1	LS	\$7,000	\$7,000.00
18	Remove Existing Sewer MH	2	EA	\$2,000	\$4,000.00
21	5' Dia. Sewer MH	1	EA	\$5,500	\$5,500.00
22	Extra Depth Sewer MH	8.96	VF	\$233	\$2,087.68
	5' Dia. Drop Sewer MH (Full Depth)	1	EA	\$6,500	\$6,500.00
24	Connect to Existing Sewer Main	3	EA	\$3,500	\$10,500.00
12d	21" PVC SDR 35	365	LF	\$172	\$62,780.00
	Remove Existing Storm Drain MH and Reconnect 42" SD Pipe	1	LS	\$18,000	\$18,000.00
56	Remove & Replace Asphalt Pavement	308	SY	\$21	\$6,468.00
57	1.5" Minus Crushed Base Course, 6" Thick	220	SY	\$8	\$1,760.00
58	6" Minus Subbase, 12" Thick	220	SY	\$10	\$2,200.00
	Dual E.V. Charging Station - Buy	1	EA	\$9,259	\$9,259.00
<b>Grand Total</b>					<b>\$158,054.68</b>

Item #	Description	Quantity	UOM	Unit Price	Extended Total
12d	21" PVC SDR 35	143	LF	\$130.00	(\$18,590.00)
21	5' Dia. Sewer MH	1	EA	\$4,000.00	(\$4,000.00)
22	Extra Depth Sewer MH	7	VF	\$233.00	(\$1,631.00)
24	Connect to Existing Sewer Main	1	EA	\$3,000.00	(\$3,000.00)
<b>Grand Total</b>					<b>-\$27,221.00</b>

**Clarifications:**

- Asphalt & Gravel restoration will be paid per SY under existing bid items 56, 57, and 58
- Due to the close proximity of the water service on Clark Street near the existing MH #10 would very likely need to be taken out of service during the removal and install of the new drop MH #10. After the new MH #10 is replaced and the new sewer piping is installed past the service location it will be reconnected within the trench limits. If possible we propose that the City installs a house to house jumper for this time. We can assist if needed.
- It was brought to our attention that the existing 42" storm drain in B Street could have a spring feed present during install time frame. If this is the case during the removal and replacement of the existing 42" piping this would require a bypass that is not included in this pricing.
- 21 Added Contract Days

**Prices Excludes:**

- Any utility conflicts/relocations
- Dewatering – It is anticipated that ground water will not be present in excavation. If dewatering is needed added compensation will be warranted.
- Storm Drain by-pass

**WESTERN MUNICIPAL CONSTRUCTION'S STANDARD TERMS AND CONDITIONS, WHICH APPLY TO THIS PROPOSAL-SEE BELOW.**

Respectfully,



Justin Biehl  
Project Manager/Estimator

**STANDARD TERMS & CONDITIONS**

The terms and conditions set forth below, govern on any contractual agreement with Western Municipal Construction (WMC), unless specifically set forth in the body of the proposal, bid, or contractual agreement. This proposal is to be made an exhibit to the contract.

**Standards:**

- All pricing is contingent upon a mutually agreeable change order agreement.
- All material is guaranteed to be as specified.
- All work to be completed in a workmanlike manner according to industry standard practices.

**Site Conditions:**

- In that grading will be done according to staking performed by, or on behalf of, the Owner/Developer, WMC will not be held responsible or liable for mistakes, differences, or inconsistencies in elevations, drainage, or other grading conditions resulting from engineering, surveying and/or staking, mistakes, miscalculations, defects and/or deficiencies.
- WMC is not, and does not purport to be, a civil or geotechnical engineer and/or surveyor.
- WMC is not liable for site conditions not expressed, depicted and/or represented in the applicable contract documents, and which have not been considered in WMC's investigation. WMC shall not be responsible for any conditions, which are not readily visible by a site inspection.

234 East Babcock Street  
Suite 3  
Bozeman, MT 59715

**TD&H**  
Engineering



406.586.0277  
tdhengineering.com

## MEMORANDUM

<b>Date:</b>	March 12, 2019	<b>TDH Job No.:</b>	B18-051
<b>To:</b>	Michael Kardoes, City of Livingston – City Manager		
<b>From:</b>	TD&H Engineering		
<b>Subject:</b>	Livingston 2019 CIP Schedule I Change Order No. 1		

The original contract for the Livingston 2019 CIP Schedule I was executed with Western Municipal Construction (WMC) on March 6, 2019 for \$1,693,844. The City of Livingston directed TD&H Engineering (TD&H) to design a sewer extension in Clark Street to eliminate an existing sanitary sewer/storm sewer conflict in B Street. This additional work was not completed and included with the bid set of plans. The additional work revises the design of 21" sewer main in Clark Street beginning at the manhole in the alley between Main Street and B Street. The updated design includes deepening the sewer main to achieve clearance under the 42" storm drain main in B Street. New 21" sewer will replace existing main to the manhole in the alley between B Street and C Street. The sewer extension includes all work associated with removing and replacing sewer main, remove existing storm drain manhole in B Street and removing both existing sewer manholes in the B/C alley in Clark Street. Two new manholes will be installed in the sewer extension. The change order also includes road section gravel and asphalt to resurface the trenched area. The change order also includes the cost of purchasing the car charging station.

TD&H, the City of Livingston and WMC have negotiated a proposed cost to complete the sewer extension work in Clark Street. After negotiating the proposed costs with the Contractor, the cost of Change Order No. 1 is \$130,833.68. TD&H, City of Livingston representative and WMC met in the field to observe conditions of this extension work and we feel the revised costs are reasonable for the scope of work. The increased pipe cost is due to the new sewer main being installed up to 3.5 feet deeper than existing to maintain clearance under the storm drain pipe in B Street.

The critical assumptions to note in the change order are that no dewatering is anticipated or included in the cost of replacing the sewer main and that bypass pumping for the 42" storm drain main is not included in the cost to remove the existing manhole and reconnect the storm drain pipe. These two items are difficult to estimate costs for without knowing more about the subsurface conditions and weather conditions during the work. It is hopeful that neither condition exists during the work.

The Change Order No. 1 form, plan sheet showing the sewer improvements and WMC detailed price quotation are included with this memo. TD&H is of the opinion that including this work with the 2019 CIP Schedule I work is the most cost effective option to eliminate the utility conflict in B Street while the contractor is mobilized and improving the adjacent utilities.



**Item Attachment Documents:**

- A. DISCUSS/APPROVE/DENY- STANDARDIZED CITY OF LIVINGSTON BOARD AND COMMITTEE POLICY.**

## Chapter 2 – Boards & Committees

### Purpose of Boards & Committees

The City of Livingston has formed a variety of boards and committees to help with the administration of the roles and duties of the city. Some boards are required by Montana law, while others are discretionary. All boards and committees exist to enhance public participation in local government. The City Commission intends that boards and committees are an avenue for the citizenry to express their desires in how the city government functions while taking advantage of the expertise they possess to achieve the best results for the community.

Every board or committee, when it is formed will have a specific statement of purpose and function, which will be re-examined periodically by the City Commission to determine its effectiveness. This statement will include purpose, membership, authority, and expectations. The City Commission may determine any specific guidelines or tasks to be referred to the board or committee by motion or resolution.

### Membership

Each board and committee has its own requirements for membership, but overall, the city is looking for enthusiastic people willing to work in a group setting. Ethical behavior, good judgment, dignity and respect are required.

#### Membership on more than one board or committee

It is the intent of the City Commission that board and committee members not serve on more than one board, committee, commission, or task force at any time in order to provide opportunities for diverse citizen input. However, there may be extenuating circumstances that will justify multiple memberships. Specifically, the City Commission will consider appointing a citizen to multiple memberships if a board or committee does not have enough membership for a quorum, there have been vacant positions on a board or committee for more than six months, or other circumstances determined by the City Commission.

#### Residency Requirement

Unless specified by the resolution establishing the board or committee every member will have been a resident of Park County for one year. In most cases preference will be given to citizens of the City of Livingston, but there are positions that are appropriate for citizens of the county who own property in the city, work in the city, or have expertise that will be beneficial to a board or committee.

#### Diversity

The City of Livingston is dedicated to ensuring the greatest diversity of representation as possible on its boards and committees. Consideration of the diversity of boards and committees will be given during the selection process. Additionally, the City of Livingston feels it is important to include the community's youth in the governing process and will identify youth-specific seats on specific boards to increase their representation. Youth-specific seats will be held for citizens ages 16-25, with differing age



ranges depending on the type of seat to be filled and will be governed by the by-laws for each board or committee.

#### Selecting Board and Committee Members

Board and committee members will be selected by the City Commission Chair, the City Commission as a whole, or the city manager in accordance with the procedures for each specific board or committee. All applications for open positions will be provided to the selecting authority. If the selection authority is the City Commission Chair or City Commission as a whole, the applications will be accompanied by a recommendation from the city manager. Once the selection has been made, all applicants will be notified if they were selected or not selected.

#### Terms of Office and Reappointment

Each board and committee will have a specified term of office in its by-laws. The City of Livingston does not set a limit on the number of terms a citizen may serve; however, at the end of each term the seat will be opened up to the public for applications, and the current member will reapply for the seat and be evaluated along with any new applicants. If a member is not able to complete their term or office or are removed for cause, the selecting authority will appoint a new member to serve out the original term of office.

#### Removal for Cause

Unless otherwise specified, the selecting authority for a board or committee has the ability to remove a member for cause. Situations that could result in removal for cause include but are not limited to: habitual absenteeism, inability to hold to the rules of conduct, inability to work respectfully as part of the board or committee, improper conduct, or failure to interact with the public in a productive manner.

#### Restrictions on City Employees as Members

Unless otherwise specified, city employees will not act as members of city boards and committees.

## **Board and Committee Governance**

#### By-laws

Each board and committee will pass a set of by-laws that govern their composition and operations. By-laws follow the format of Attachment A.

#### Quorum

All meetings of boards and committees require a quorum as defined by the by-laws in order to be valid. If a quorum for a meeting does not exist, the meeting will be canceled and no discussion of current topics will take place.

#### Agendas

Each board and committee will produce an agenda prior to each meeting. The agenda will be publically posted and included on the board or committee webpage on the city website a minimum of 48 hours before the meeting. Discussion by the board and committee will be limited to the items on the agenda for that meeting.

### Minutes

Each board and committee will produce meeting minutes that capture the content of each meeting and provide the minutes for the public record. As a minimum, minutes will include:

- Date, time, and place of meeting
- A list of the individual members of the board or committee in attendance
- The substance of all matters proposed, discussed or decided
- At the request of any member, a record by individual members of any votes taken
- Public comment received at the meeting

### Open Meetings

All boards, committees, or commission meetings will be open to all members of the public.

### Meeting Procedures

Meetings will be conducted in accordance with the parliamentary rules adopted in the specific by-laws. In all cases the board or committee chair will preside over the meeting, or in their absence the vice chair. If both the chair and vice chair are absent the chair will appoint the presiding member for that meeting.

### Board and Committee Expectations

All Boards and Committees are expected to:

- Interpret community opinions, attitudes, and needs to department staff and the commissioners
- Study programs and services, and analyze problems and needs
- Offer new proposals and recommend changes in programs and policies
- Provide fellow community members with information about city policies, programs and budgets
- Focus their efforts on the goals adopted by the Commission in the Strategic Plan and the priorities identified in the Growth Policy

During meetings all board and committee members will:

- Be fair, impartial, and respectful of the public, staff, and each other
- Respect the limitations of their individual and collective authority. The role of members is to advise the city commission, not to make final decisions
- Appreciate differences in approach and point of view
- Participate in the discussion and work assignments without dominating the discussion or activity of the group
- Attempt to reach consensus. If consensus is not possible, strong differing opinions should be recorded and acknowledged in the report to the City Commission as the “minority opinion”

Products and reports from the board or committee will:

- Be in written form
- Be expressed in clear and concise language
- Provide solutions that are viable and cost-effective
- Identify the reasons for suggested changes

## Legal Issues for Boards and Committees

### Ethics

Board and committee members will ensure they comply with Montana's Code of Ethics that prohibits conflict between public duty and private interest. At no time should a board or committee member benefit personally from their positions. If there is a conflict of interest, a member will recuse themselves from the discussion and decision on that topic. If there is an apparent or possible conflict of interest the member will declare it at the beginning of the discussion and provide reasoning if they do not believe it is a conflict and choose to participate in the matter in question.

### Ex Parte Communications

Ex parte communications are private conversations between a decision maker and a party or person concerning issues before the decision maker. Board and committee members will declare any conversations about specific issues before the board or committee and relay the information and parties involved in the conversation.

### Group Emails and Communications

Board and committee members may not send group emails, hold conference calls, video chats, or any other type of communication that discuss issues before the board or issues likely to come before the board. This type of communication constitutes a quorum and violates the Montana Open Meeting laws. Group communications that communicate only administrative topics such as meeting times or provide the official agenda to members are allowed.

### Board Member Liability

Board members acting in good faith cannot be held personally liable if they are acting within the course and scope of their authority. In addition, members adhering to city policies and procedures will be included under city liability coverage.

## Public Records

All boards and committees will maintain a page on the city's website with all pertinent information relating to that board or committee. As a minimum, the page will include:

- Creating resolution
- Statement of purpose
- By-laws
- A list of current members and term of office
- Agendas
- Minutes for the last 12 months
- Reports to the City Commission

## City Commission Updates

Each board and committee will present an annual report to the City Commission outlining the work it has accomplished over the previous 12 months. The report will be presented by the chair at a regularly scheduled meeting of the City Commission. Additionally, the report will focus on any work currently underway but not yet presented to the Commission and topics the board or committee intends to review during the next 12 months.

### Role of the City Manager

Boards and committees work under the direction of the City Commission and do not report to the City Manager. However, it is the job of the City Manager to review products from boards and committees prior to presentation to the City Commission; ensure all boards and committees are adhering to state laws, city ordinances, and the policies set forth in this chapter; and act as a conduit of information between the City Commission and its boards and committees outside of formal meetings.

DRAFT

**SAMPLE BYLAWS**

BYLAWS OF \_\_\_\_\_ BOARD

**ARTICLE I–NAME, PURPOSE**

Section 1: The name of the municipal/county board shall be \_\_\_\_\_.

Section 2: The \_\_\_\_\_ is organized for the purpose of [insert language used in enabling resolution], more specifically to \_\_\_\_\_.

**ARTICLE II–MEMBERSHIP**

Section 1: Membership shall consist only of the members appointed by the Mayor of \_\_\_\_\_ City/Town or \_\_\_\_\_ County Commissioners.

**ARTICLE III–MEETINGS**

Section 1: Meetings. The [monthly/quarterly/etc.] meetings will be held on the second Tuesday, of the second month of each quarter at the \_\_\_\_\_ meeting room starting at 6:00 p.m.

Section 2: Special Meetings. Special meetings may be called by the [Chair/Chair and one Board Member/ Executive Committee/??].

Section 3: Notice. Notice of each meeting will follow the city/county noticing policy

**ARTICLE IV – GOVERNING/ADVISORY BOARD**

Section 1: Board Role, Size, Compensation. The Board is responsible for (see enabling resolution). The Board shall have up to \_\_\_\_\_ and not fewer than \_\_\_\_\_ members. The board receives no compensation other than reasonable expenses.

Section 2: Meetings. The [monthly/quarterly/etc.] meetings will be held on \_\_\_\_\_ at the \_\_\_\_\_ meeting room starting at 6:00 p.m.

Section 3: Terms. All Board members shall serve \_\_\_\_\_ year terms and no more than \_\_\_\_\_ consecutive terms. Board members are appointed or reappointment by the Mayor of \_\_\_\_\_ City/Town or the \_\_\_\_\_ County Commissioners.

Section 4: Quorum. A quorum consists of a majority of appointed board members and no official action can be transacted or motions made or passed without a quorum present.

Section 5: Officers and Duties. There shall be \_\_\_\_\_ officers of the Board consisting of a Chair, Vice Chair and Secretary. Their duties are as follows:

1. The Chair shall convene regularly scheduled Board meetings, shall preside or arrange for other members of the executive committee to preside at each meeting in the following order: Vice-Chair and Secretary.
2. The Vice-Chair will chair committees on special subjects as designated by the board.
3. The Secretary shall be responsible for keeping records of Board actions and/or recommendations, including overseeing the taking of minutes at all board meetings, sending out meeting announcements, and distributing copies of minutes and the agenda to each Board member.

Section 6: Vacancies. When a vacancy on the Board exists, the board may compile a list of nominations for the Mayor/County Commissioners to consider

Section 7: Resignation, Termination and Absences. Resignation from the Board must be in writing and received by the Secretary. A recommendation for removal from the board will be given to the governing body when a Board member has three unexcused absences from Board meetings in a year. A Board member may be removed for other reasons by a three-fourths vote of the remaining directors.

Section 8: Special Meetings. Special meetings of the Board shall be called upon the request of the Chair or one-

third of the Board. Notices of special meetings shall follow City/County noticing policy.

Section 9: Voting. The chairperson shall \_\_\_\_\_ . In the event of a tie vote,

\_\_\_\_\_.

ARTICLE V–COMMITTEES

Section 1: The Board may create committees as needed. The Board Chair appoints all committee chairs.

ARTICLE VI–AMENDMENTS

Section 1: These Bylaws may be amended when necessary by a two-thirds majority of the Board or by resolution passed by the governing authority. Proposed amendments must be submitted to the Secretary to be sent out with regular Board announcements.

These Bylaws were approved at a meeting of the \_\_\_\_\_ Board of \_\_\_\_\_ (City/County) on \_\_\_\_\_, 20XX.

**Item Attachment Documents:**

**B. DISCUSS/APPROVE/DENY- APPROVAL OF TOURISM BUSINESS DISTRICT BY-LAWS.**

**BYLAWS  
Of  
Livingston Tourism Business Improvement District**

**PURPOSE**

**MISSION STATEMENT**

To generate room nights for lodging facilities in the city of Livingston by effectively marketing our region as a preferred year-round travel destination.

**Livingston Tourism Business Improvement  
District Board of Directors Statement of  
Governance**

The Livingston Tourism Business Improvement District Board of Directors governing priorities are to:

- \* Actively support, promote and participate in the TBID's mission;
- \* Work with strategic partners to better position Livingston as a tourism destination;
- \* Ensure communication with stakeholders and the community for transparency
- \* Have a productive relationship with the Convention and Visitor Bureau and Chamber leadership.



# LIVINGTON TOURISM BUSINESS IMPROVEMENT DISTRICT BYLAWS

## Article I Organization

Section 1.1 Name. The name of the organization shall be the Livingston Tourism Business Improvement District, hereafter referred to as the “TBID.”

Section 1.2 Mission. The mission of the TBID is to generate room nights for lodging facilities in the City of Livingston, Montana by effectively marketing our region as a preferred travel and tourism destination.

Section 1.3 Powers. The TBID may engage in any activity consistent with Montana law, and these Bylaws, provided that the Board of Directors determines that the activity is in furtherance of the purposes for which the TIBD was formed.

Section 1.4 Definitions. The following terms used herein shall have the following definitions:

- (a) “Act” means the Montana Business Improvement District Act.
- (b) “Board” means the Board of Directors of the TBID.
- (c) “Governing Body” means the City Commission of the City of Livingston, Montana.
- (d) “Director” means a director of the Board of Directors of the TBID.

## Article II Board of Directors

Section 2.1 Board of Directors. All corporate powers shall be exercised by or under authority of, and the business and affairs of the TBID shall be managed under the direction of, the Board of Directors of the TBID except as may be otherwise provided in these Bylaws or by law.

Section 2.2 Number. The Board of Directors shall consist of not less than five or more than seven owners of property within the TBID or their designees. The number of directors of the board, once established, may be changed within these limits from time to time by resolution of the Governing Body. A resolution to reduce board membership may not require resignation of any member prior to completion of the member’s appointed term.

Section 2.3 Qualifications of Directors. Candidates for director should meet the following general criteria:

- (1) owners of property within the geographic area of the TBID or their designee (per state statute),
- (2) Property they represent must be a lodging property open for business and collecting the TBID assessment at the time of appointment and while serving on the board;
- (3) committed to the well-being of the TBID,
- (4) respected citizen or leader,
- (5) able to work effectively as part of a group,
- (6) competent in some area of value in achieving objectives of the TBID,
- (7) able to maintain a commitment for the term of appointment, and
- (8) balances board in terms of representation of large, medium and small hotel properties It is the desire of the board to maintain a well-balanced representative board based on property size.

Section 2.4 Nominations. A nominating committee of the Board, as designated by the Board, shall submit the name(s) of nominee(s) for Board service to the Governing Body at any time, as determined by the Board.

Section 2.5 Appointment. Five initial directors have been appointed by the Governing Body, and future directors shall be nominated by the nominating committee of the Board and approved by the Governing Body.

Section 2.6 Term. Three of the directors who are first appointed must be designated to serve for terms of 1, 2, and 3 years, respectively, from the date of their appointments, and two must be designated to serve for terms of 4 years from the date of their appointments. For a seven-member board, there must be two additional appointments for terms of 2 years and 3 years, respectively. After initial appointment, directors must be appointed for a term of office of 4 years, except that a vacancy occurring during a term must be filled for the unexpired term.

Section 2.7 Absences. If, within a period of twelve (12) consecutive months, any director is absent from four (4) or more regular Board meetings, notice of which has been given to the director at the director's usual place of work or residence, or by announcement at a meeting attended by the director, the Chairman may call such absences to the attention of the Board which may then recommend to the Governing Body that such director be removed and that another person be appointed to serve for the unexpired term.

Section 2.8 Resignation, Removal and Vacancies. A director may resign at any time by delivering written notice to the Board. A director's resignation is effective upon delivery of the notice of resignation unless the Board authorizes otherwise. A member of the Board may be removed by the Board, with the consent of the Governing Body. A vacancy on the Board shall be filled by the nominating committee, with the approval of the Governing Body. It is the desire of the Board to maintain property-size diversity on the board. If a board member moves to a similar size property, that board member should retain his or her position on the Board as long as they provide a letter from the ownership appointing that individual as their designee within 30-days. A Board member moving to a different size property must refer to Sections 2.4 and 2.5.

Section 2.9 Powers and Duties. The Board shall have those powers set forth in the Act. The Board's responsibilities shall include, without limitation, (1) administration of the TBID, including oversight of expenditure of its funds; (2) the establishment of goals and policies for the TBID, (3) providing annual budgets and work plans to the Governing Body for approval each fiscal year; (4) nomination of directors for the TBID to the Governing Body; (5) recommending to the Governing Body for approval each fiscal year a method of levying an assessment on the property within the TBID that will best ensure that the assessment on each lot or parcel is equitable in proportion to the benefits to be received; (6) appointment of an Executive Director of the TBID; (7) approval and implementation of projects and programs to be undertaken or administered in furtherance of the objectives of the TBID and the purposes of the Act, (8) compliance with the requirements of the Act, and (9) long range and strategic planning.

Section 2.10 No Compensation. Members of the Board may receive no compensation.

### **Article III Meetings of the Board**

Section 3.1 Regular Board Meetings. The regular meetings of the Board shall be held at a time and location determined by the Board. Notice of such meetings shall be provided by telephone, telefax, U.S. mail, e-mail, or other communication, at least twenty-four hours before the regular meeting is to occur. Public notice of regular Board meetings shall be provided via news release, web site, newspaper advertisement or other method determined by the Board to inform the community.

Section 3.2 Special Board Meetings. The Chair or any officer and two members of the Board may call a special meeting of the Board upon at least twenty-four hours' notice as provided in Section 3.1 to each member of the Board. Such notice shall state the purpose for which such special meeting is called.

Section 3.3 Quorum. A quorum of the Board consists of a majority of the number of directors in office immediately before the meeting begins. Directors may be in attendance at

any meeting in person or by telephone connection, but any such connection shall permit any director not attending in person to hear all discussion concerning any item upon which action is to be taken, and shall permit all persons in attendance to hear the director attending by telephone.

Section 3.4 Board Action. If a quorum is present at a meeting of the Board, then the affirmative majority vote of the directors present at the meeting shall constitute the act of the Board. The Board may not take any action unless a quorum of the Board is present, except a majority of less than a quorum may adjourn the meeting from time to time without further notice. Each director shall have one (1) vote.

Section 3.5 Proxy Prohibition. No proxy voting shall be permitted.

Section 3.6 Actions by Written Consent. Any action of the Board may be taken without a meeting and may be in the form of fax or email. A 2/3 majority of the voting members of the Board are required to pass a written motion.

Section 3.7 Committees. The Board may designate and establish such committees and task forces as it considers appropriate to carry into effect the objectives and purposes of the TBID. Committee chairs will be appointed by the Chair of the Board. Committee meetings or task force meetings may be called at any time by the chairperson of the committee or task force or by the Chair of the Board. At any duly called meeting of a committee or task force, those present shall constitute a quorum. Each committee and task force shall study, investigate and make recommendations to the Board on subjects within the general scope of activity assigned it by the Chair of the Board or which subsequently may be referred to it by the Chair of the Board or by the Board.

**Article IV  
Officers**

Section 4.1 Officers. There shall be a Chair, a Vice Chair, a Secretary/Treasurer and TBID Executive Director of the Board who shall be the officers of TBID. In the absence of the Chair the Vice Chair shall act as chairman. The Executive Director is a non-voting member of the Board.

Section 4.2 Election of Officers. Officers shall be elected annually by the Board at the last regular meeting of the fiscal year. Any officer may sign all official documents on behalf of the organization upon approval by the Board, and shall have such other duties as the Board may direct.

Section 4.3 Chair. The Chair shall preside at all meetings of the Board and at any other meetings of the TBID. The Chair shall appoint members to such committees and task forces as are created by the Board of Directors. The initial chair shall be appointed by the City Commission of the City of Livingston, Montana. The term of office

of the Chair shall be for one year or until his/her successor is elected.

Section 4.4 Vice Chair. The Vice Chair shall perform the duties and exercise the powers of the Chair in the absence or disability of the Chair and shall perform any other duties as prescribed by the Board of Directors.

Section 4.5 Secretary/Treasurer. The secretary/treasurer shall keep a record of all proceedings, minutes of meetings, certificates, contracts and corporate acts of the Board and shall be responsible for oversight of the financial records of the organization. The Board may appoint an assistant secretary/treasurer who need not be a member of the Board.

Section 4.6 Executive Director. An Executive Director of the TBID shall be appointed by the Board. The Executive Director must be the executive director of a nonprofit convention and visitors bureau, as defined in 15-65-101, M.C.A., if a nonprofit convention and visitors bureau is operating within the Governing Body’s jurisdiction. The Executive Director shall be charged with the general supervision and management of the business affairs of the TBID. The Executive Director shall be the chief executive officer and shall be charged with initiating and implementing the marketing plan, budget and related projects, the general supervision over employees, including their duties and compensation in conformity with the policies approved by the Board. The Executive Director shall keep the minutes of the Board meetings, keep other records as the Board may direct, and perform such other duties as may be prescribed by the Board, these Bylaws, or by law. The Executive Director shall so manage the affairs of the TBID as to promote the objectives for which the TBID is organized.

Section 4.7 Other Officer Duties. The Board may provide such additional duties for any officer, as it deems necessary.

Section 4.8 Officer Vacancy. A vacancy in any office shall be filled by the Board at its next regular meeting for the remainder of the unexpired term.

**Article V  
Conflict of Interest**

Section 5.1 Conflict of Interest. A conflict of interest transaction is a transaction with the TBID in which a director of the TBID has a direct or indirect interest. A conflict of interest transaction is not voidable or the basis for imposing liability on the interested director if the transaction was fair at the time it was entered into or is approved pursuant to Mont. Code Ann. §35-2-418. However, in no event shall the interested director vote on the decision to enter into such transaction. Any director having an interest or conflict in a transaction presented to the Board for authorization, approval, or ratification shall make a prompt, full and frank disclosure of his or her interest to the Board prior to its acting on such transaction. Such disclosure shall include any relevant and material facts, known to such person, about the transaction

which might reasonably be construed to be adverse to the TBID's interest. The Board shall thereupon determine, by majority vote, whether the disclosure shows that a conflict of interest exists or can reasonably be construed to exist. If a conflict is deemed to exist, such director shall not vote on, nor use his or her personal influence on, nor participate (other than to present factual information or to respond to questions) in the discussions or deliberations with respect to such contract or transaction, nor shall the director be counted in determining the quorum for the meeting. The minutes of the meeting will, upon request, reflect that a disclosure was made, the action taken with respect to such disclosure, and, if applicable, the abstention from voting and the presence of a quorum.

## **Article VI Administrative and Financial Provisions**

Section 6.1 Fiscal Year. The fiscal year of TBID shall be January 1-December 31.

Section 6.2 Check Writing Authority. The Board shall establish limits on the check writing authority of directors, officers, employees, and agents of TBID.

Section 6.3 Budget and Marketing Plan. Expenditure of all income shall be allocated to meet the operating needs of the TBID under a budget and marketing plan prepared by the Executive Director and adopted by the Board. The Executive Director shall make a cumulative report each month to the Board on income and expenditures. The approved budget and marketing plan shall be reviewed as requested by the Board to assure that funds are being expended as allocated and to determine if any reallocation of resources is needed.

Section 6.4 Disbursements. Upon approval of the Fiscal Year Budget by the Board and the Governing Body, the Executive Director is authorized to make such disbursements as necessary on accounts and expenses provided for in that budget, without additional approval from the Board. Such disbursements may be made by check and require any two (2) of the following signatures: Executive Director; Chair; or any designated director(s). Checks shall be supported by proper requisitions, vouchers, statements, or other evidence showing the expenditure to be appropriate and authorized under the budget.

Section 6.5 Indebtedness. No loan or advance shall be made or contracted on behalf of the TBID, and no note, bond, or other evidence of indebtedness shall be executed or delivered in its name except in the manner provided by law and as authorized by the Board.

Section 6.6 Public Records. All financial records of the TBID related to assessments are public documents and shall be made available to any member of the public who wishes to see them, provided arrangements are made in advance to review said records in the office of the TBID during regular office hours. Approval of a majority of the Board

shall be required to remove any financial record of the TBID from the public file.

Section 6.7 Audit. The Board shall engage an independent certified public accounting firm to audit, annually, all general and special accounts of the TBID. The firm may be instructed to perform unannounced audits at any given period of the year for verification of accounts, in addition to the annual audit. The Board may from time to time audit hotel reports of occupancy to assure proper collections of assessments. All audit results should be distributed in writing on a timely basis to the Board.

Section 6.8 Use of Assessments. Assessments collected by the TIBD shall be used for the following purposes:

- (a) The funding of all uses and projects for tourism promotion within Livingston as specified in the Livingston TBID budget; and
- (b) The marketing of convention and trade shows that benefit local tourism and lodging businesses in Livingston; and
- (c) The marketing of Livingston to the travel industry in order to benefit local tourism and the lodging businesses located within the Livingston TBID; and
- (d) The marketing of Livingston to recruit sporting events in order to promote local tourism and to benefit the lodging businesses within the Livingston TBID.

Section 6.9 Spokesperson. Only the Chair of the Board, the Executive Director, or their designee shall have authority to speak on behalf of, or to issue media releases for the Board or the TBID.

**Article VII  
Amendments**

Section 7.1 These Bylaws may be amended or repealed and new Bylaws adopted by the Board at any regular or special meeting of the Board by the affirmative vote of at least two-thirds (2/3) of the directors.

**CERTIFICATE OF ADOPTION OF BYLAWS**

The undersigned hereby certifies that the above Bylaws of the **Livingston Tourism Business Improvement District** were duly adopted by majority vote of the Board of Directors at a duly held meeting on \_\_\_\_\_, and now constitute the Bylaws of the Livingston Tourism Business Improvement District.

DATED: \_\_\_\_\_

“TBD” Livingston TBID Secretary

\_\_\_\_\_

**Item Attachment Documents:**

- C. APPROVE/DISCUSS/DENY- PARK COUNTY COMMUNITY FOUNDATION FUNDING REQUEST FOR VISION/PROFILE PROJECT CONTRIBUTION.**



Park County Community Foundation  
PO Box 2199  
Livingston, MT 59047  
(406) 224-3920

PARK COUNTY  
**COMMUNITY**  
FOUNDATION

INVOICE 2-2019-1	2.7.2019
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BILL TO

City of Livingston  
Attn: Mike Kardoes, City Manager  
414 E Callender Street  
Livingston, MT 59047

REMIT PAYMENT TO

Park County Community Foundation  
PO Box 2199  
Livingston, MT 59047

ITEM	DESCRIPTION	AMOUNT
1.	Vision/Profile Project Contribution	\$5,000.00

TOTAL DUE: \$5,000.00

If you have questions please call 406-224-3920 or email Gavin Clark, Executive Director, at [gavin.clark@pccf-montana.org](mailto:gavin.clark@pccf-montana.org).

**Item Attachment Documents:**

- D. DISCUSS/APPROVE/DENY- COMMISSIONERS TO CONSIDER THE MAKEUP OPTIONS OF DOWN TOWN STREET CONFIGURATION WORK GROUP.**

## Downtown Street Configuration Public Participation Options

### Option A: Active Transportation Coalition Public Engagement Process

This option is meant to be a guided public engagement process that would result in a report of the comments obtained from the public with possible recommendations regarding the final design options to the City Commission. ATC would oversee the process, but would not be an official city board or employees.

### Option B: City Temporary Board to Provide a Recommendation

This option would create a temporary board of primary stakeholders to engage in the public process and provide a final recommendation to the City Commission. This board would be an official city board and would be required to meet all the appropriate guidance in state law and local ordinance in relation to open meetings, notice requirements, etc.

### Option C: ATC Public Engagement Process combine with a City Temporary Board

This option would place the ATC engagement process underneath the city board which would then use the information provide to provide a recommendation on final action.

### Option D: Include Street Configuration in Growth Policy Public Outreach (**Staff Recommendation**)

This option would include street configuration in the growth policy public input process accomplished by the contractor. A separate report could be required in the contract to provide all public comment on street configuration. Once the process was complete the city could decide on the next steps to include additional public engagement or a temporary board to use the information to make a recommendation.