



Livingston City Commission Agenda

January 16, 2024

5:30 PM

City – County Complex, Community Room

<https://us02web.zoom.us/j/83133202658?pwd=TIi4SUNrTOZPaDNFZjBhRzlwHQxZz09>

Meeting ID: 831 3320 2658

Passcode: 256368

1. Call to Order

2. Roll Call

3. Public Comment

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

4. Consent Items

A. APPROVAL OF MINTUES FROM JANUARY 02, 2024, REGULAR MEETING. PG. 4

B. ACCEPT CITY COURT FINANCIAL REPORT FROM NOVEMBER 2023 PG. 14

C. APPROVAL OF CLAIMS PAID 12/28/23 - 1/10/24 PG. 16

D. PLEDGED SECURITIES PG. 22

5. Proclamations

A. PROCLAMATION DECLARING JULY 2, 2024, THE 100TH ANNIVERSARY OF THE HISTORIC LIVINGSTON ROUNDUP PARADE DAY PG. 26

B. ARBOR DAY PROCLAMATION PG. 28

6. Scheduled Public Comment

7. Action Items

A. PRESENTATION REGARDING MONTANA STREET MDT SURFACE TRANSPORTATION PROGRAM URBAN PROJECT PG. 30

B. CONSOLIDATED LAND USE BOARD BYLAWS PG. 41

C. CONSOLIDATED LAND USE BOARD APPOINTMENTS PG. 46

D. COMMISSION DIRECTION REGARDING STATE-MANDATED CHANGES TO ZONING (ORDINANCE 3046) PG. 73

E. CLOSED SESSION PURSUANT TO MCA 2-3-203(3) AND (4)(B) TO DISCUSS MATTERS OF BOTH PERSONAL PRIVACY AND LITIGATION STRATEGY.

8. City Manager Comment

9. City Commission Comments

10. Adjournment

Calendar of Events

Supplemental Material

Notice

- Public Comment: The public can speak about an item on the agenda during discussion of that item by coming up to the table or podium, signing-in, and then waiting to be recognized by the Chairman. Individuals are reminded that public comments should be limited to items over which the City Commission has supervision, control, jurisdiction, or advisory power (MCA 2-3-202).
- Meeting Recording: An audio and/or video recording of the meeting, or any portion thereof, may be purchased by contacting the City Administration. The City does not warrant the audio and/or video recording as to content, quality, or clarity.
- Special Accommodation: If you need special accommodations to attend or participate in our meeting, please contact the Fire Department at least 24 hours in advance of the specific meeting you are planning on attending.

File Attachments for Item:

A. APPROVAL OF MINTUES FROM JANUARY 02, 2024, REGULAR MEETING.



Livingston City Commission Minutes

January 02, 2024

5:30 PM

City – County Complex, Community Room

<https://us02web.zoom.us/j/89316783633?pwd=TkxGOFVLMHpnaLowc2hqZjVPRVQRQT09>

Meeting ID: 893 1678 3633

Passcode: 299163

1. Call to Order

Chair Nootz called the meeting to order at 5:37pm

2. Roll Call

City Commission in attendance at start of meeting: Chair Nootz, Vice-Chair Kahle, Commissioner Friedman, Commissioner Schwarz, and Commissioner Lyons.

Staff in attendance: City Manager Grant Gager, Policy Analyst Greg Anthony, City Clerk Emily Hutchinson, Acting Police Chief Wayne Hard, Interim City Attorney Jon Hesse, Planning Director Jennifer Severson

3. Public Comment

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

Public Comment was offered by:

- Leslie Fiegel gave an update on the 2023 year for the Livingston Chamber.

4. Consent Items

A. APPROVAL OF MINUTES FROM CITY COMMISSION REGULAR MEETING ON 12/19/2024

PG.4

B. APPROVAL OF CLAIMS PAID 12/14/2023 TO 12/27/2023

PG.19

Motion to approve all consent agenda items was made by Vice-Chair Kahle and seconded by Commissioner Lyons. The motion passed unanimously by the five members present.

5. Proclamations

A. PROCLAMATION HONORING JOHN W. FRYER

PG.23

Chair Nootz read the proclamation.

The City Manager stated April 6th is a Saturday which is a great day to go enjoy downtown Livingston.

Commissioner Schwarz expressed he enjoyed knowing John and working with him over the years.

B. PROCLAMATION HONORING CITY COMMISSIONER MELVIN G. FRIEDMAN PG.25

Chair Nootz read the proclamation.

The City Manager thanked Commissioner Friedman for his time on the Commission.

Commissioner Schwarz thanked Commissioner Friedman for his time and teaching him along the way.

Commissioner Lyons expressed that Commissioner Friedman has been a great teacher and set a great example for the Commission and Community members. He expressed how great his dedication and thoughtfulness has been in his time as Commissioner.

Vice-Chair Kahle expressed it has been an honor to sit next to Commissioner Friedman for the last two years. She thanked him for his service to the Community.

Chair Nootz expressed the last five years have been a lot and she is glad they have been able to do it together.

Commissioner Friedman thanked fellow Commissioners for giving him rides when needed. He suffered vision loss in one eye and has been unable to drive himself. He briefly recalled how far the City has come, from being in a few small offices in the City-County Complex to the City getting the City Hall building we have now. Commissioner Friedman gave a history of his life on how he got where he is now with the Livingston City Commission. He expressed gratitude to the City Manager for picking him up Monday morning for their weekly meetings at City Hall.

6. Scheduled Public Comment

7. Action Items

A. OATH OF OFFICE FOR NEWLY-ELECTED CITY COMMISSIONER JAMES WILLICH PG.27

Chair Nootz met James Willich at the podium to swear him in as City Commissioner.

6:06pm Chair Nootz motioned for a 10 minute break seconded by Vice Chair Kahle. Unanimously approved.

B. ELECTION OF CITY COMMISSION OFFICERS FOR 2024 PG.34

Chair Nootz called on the City Manager to introduce the item.

The City Manager stated that LMC stipulates that the Commission will elect a Chair and Vice Chair at the first meeting of the year in January.

Commissioner Lyons nominated Karrie Kahle for Chair seconded by Commissioner Schwarz.

Commissioner Lyons expressed he appreciate Kahle's ability in running the meetings when necessary. He appreciates the leadership from Chair Nootz as well. He feels the Commission has an opportunity to pass the reign and allow Kahle the opportunity to show her leadership style.

Commissioner Schwarz agrees with Commissioner Lyons.

The position for Chair was unanimously approved by the five Commissioners present.

Commissioner Schwarz moved to nominate Commissioner Nootz for Vice Chair seconded by Commissioner Lyons.

Commissioner Nootz expressed she is happy to serve the community in whatever way the Commission sees fit.

The position for Vice Chair was unanimously approved by the five Commissioners present.

C. APPOINTMENT OF CITY COMMISSIONERS TO ADVISORY BOARDS AND COMMITTEES

PG.36

Chair Kahle called on the City Manager to introduce the item.

The City Manager stated this item is procedural work to assign Commissioners to various boards. There are five boards that the City has representatives on.

Consolidated Land Use: Commissioner Lyons

City/County Health Board: Vice Chair Nootz

City/County Library Board: Commissioner Willich

Urban Renewal Agency: Commissioner Schwarz

Livingston Community Trust Board: Chair Kahle

Commissioner Schwarz moved to approve Action Item C and Vice Chair Nootz seconded the motion

The item was approved unanimously by the five commissioners present

D. APPOINTMENT OF LIZ ZINK TO LIVINGSTON CITY POLICE COMMISSION

PG.40

Chair Kahle called on the City Manager to introduce the item.

The City Manager stated this item is his recommendation to reappoint Liz Zink to the Police Commission. She has served since 2009 where interviews and trial boards are some of the Police Commissions main functions. He expressed she is a dedicated public servant and is also very knowledgeable in the field of policing.

Commissioner Schwarz moved to approve Action Item D and Commissioner Lyons seconded the motion

Commissioner Willich expressed that this is a good reappointment

Vice Chair Nootz thanked Liz for reapplying and for her service

The item was approved unanimously by the five commissioners present

E. PURCHASE ORDER 20058 WITH ZOLL FOR HEART MONITORS

PG.46

Chair Kahle called on the City Manager to introduce the item.

The City Manager stated this is a purchase order for two heart monitors and associated equipment that will go into service in the two first out ambulances for the Fire Department. The existing heart monitors are nearing the end of their useful life and the team has expressed it's time to update equipment.

Commissioner Willich asked if we currently use Zoll.

The City Manager stated we are currently using Phillip heart monitors.

Commissioner Willich asked if there was training included in the purchase

The City Manager stated yes, and that staff has already demoed out some of the monitors and received training that way.

Vice Chair Nootz asked what the life expectancy is of these monitors.

The City Manager stated about 8 years.

Vice Chair Nootz moved to approve Action Item E and Commissioner Lyons seconded the motion

Commissioner Lyons expressed he liked that staff was able to test these out before purchase.

Chair Kahle feels like this looks like a good purchase.

The item was approved unanimously by the five commissioners present

F. ORDINANCE 3046: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 30, ZONING, OF THE LIVINGSTON MUNICIPAL CODE, BY ALTERING SECTION 30.40, SECTION 30.41, SECTION 30.43 AND SECTION 30.51 AS THEY RELATE TO ACCESSORY DWELLING UNITS, TWO (2) FAMILY DWELLINGS AND MULTI-FAMILY DWELLINGS. PG.63

Chair Kahle called on the City Manager to introduce the item.

The City Manager stated this item was discussed at an advisory level in December and it comes from State Mandated changes to local Zoning Ordinances.

Planning Director Severson reiterated a majority of these updates are state mandated related to Multi- Family Dwellings, ADUs, and Duplexes. Three laws passed in 2023 legislature include SB 245 Multi-Family (5 or more) Residential allowed in all Commercial districts, SB 323 Duplexes allowed anywhere Single Family Residential is allowed, and SB 528 ADUs allowed anywhere SFR is allowed. In 30.41 and additional revision requested by the Zoning Commission is to ensue ADUs are only allowed for Single Family Residences.

Commissioner Lyons referenced pg. 70 wondering if the strike through area is new or old language.

Planning Director Severson stated it is old language. She stated already the City allows that one residential unit within a commercial building in neighborhood commercial if it is for the business owner. New code should read "structures that include a minimum of five residential units with mixed uses are also allowed in neighborhood commercial".

The City Manager stated the old language appears in the top of pg. 71 in what was footnote number two, that language has been moved to footnote number one. In footnote number one after only the following residential uses are allowed there is a colon and then there is a semi colon later, so there

are two types of residential use allowed in neighborhood commercial. The first is a single residential unit establishment in a commercial building to allow living space for the owner, the second is structures that include a minimum of five residential units. There is no written mixed use requirements for those five plexes.

Commissioner Lyons asked about the use and space required table on pg. 76, and for the ADU it says no space required, and asked Planning Director Severson how that works for her.

Planning Director Severson stated it could potentially create a headache. They will urge people and strongly recommend that they provide and off street parking space if they and ADU. Up until the State changes we did require one off street parking space per ADU, and we no longer can do that. The purpose behind the States new laws are to try and provide incentives for more housing.

Vice Chair Nootz asked for insight on how this recommendation came in from staff perspective.

The City Manager stated the one unit allowed in a neighborhood commercial building for a business owner was pre-existing, and the State mandated five or more plexes are allowed in all commercial zones. When they reviewed legislative intent the goal for neighborhood commercial appeared to have it commercial district and not a residential district, so since the State mandated that five plexes or more be allowed in that district it didn't quite match the legislative intent of the City Commission when we adopted these Zoning District definitions and regulations. He stated it is in the purview of the City Commission to expand residential to neighborhood commercial.

Vice Chair Nootz asked what the difference is between neighborhood commercial and mixed use.

The City Manager stated the main difference between those districts is single family residential and two family residential as allowed uses in mixed use.

Commissioner Lyons referenced the table under neighborhood commercial stating it says ADUs are not permitted. He thought any zone that allows residential must also allow ADUs.

The City Manager stated the specific language of the bills limits the ADU where they are tied to single family homes.

Public Comment was offered by:

- Katherine Daly is commenting on behalf of PCHC. She talked briefly about how the value ADUs could have to the community. She stated it is a priority of PCHC to advance ADUs in the community.

Chair Kahle thanked Katherine for her comment and hopes she will bring back information from the Housing Coalition around ADUs.

Commissioner Lyons stated his is uncomfortable with the language of the single unit in neighborhood commercial, mainly it being living space for only a business owner. He feels it restricts the utility of the residential space, especially when the community is in lack of housing options. He also expressed concern about units being 1 or 5 or more, and ultimately would like to see the middle ground as an option meaning allowing 2, 3 and 4 units in neighborhood commercial.

Commissioner Willich expressed concerns about water and sewer infrastructure in some older neighborhoods that were not designed to hold a large amount of ADUs.

Commissioner Schwarz expressed he agreed with Commissioner Lyons about allowing 2, 3 and 4 units in neighborhood commercial.

Vice Chair Nootz asked to see a Zoning Map of Livingston.

The City Manager reviewed the map showing areas of neighborhood commercial.

Vice Chair Nootz asked when it went into the place that the single unit needed to be occupied by a business owner. She expressed agreement with Commissioners Willich about infrastructure in older neighborhood in regards to adding ADUs.

The City Manager reviewed LMC and found that neighborhood commercial has existed since at least 2008.

Chair Kahle expressed she agrees with Commissioner Lyons about the single unit being for business owners only, and she stated an example of the owner having an employee who is struggling to find housing and why they shouldn't be allowed to utilize that unit.

Commissioner Lyons would like to figure out what makes the most sense for neighborhood commercial. He would like to see residential uses are allowed as part of a mixed use building that also has commercial uses, and that could include the one – five plus.

Chair Kahle clarified structures that include a minimum of five resident units has to stay because it is State law.

The City Manager referenced pg. 83 the last underline "multiple until dwelling means a building designed for five or more dwelling units in which the dwelling units share a common separation" but doesn't say anything about a commercial building. So, a five plex or six plex is allowed in a commercial area.

Commissioner Lyons discussed at length different way to try and make code more permissive than the State.

Vice Chair Nootz discussed differences between neighborhood commercial and mixed use being modular homes, churches, schools, wholesale business, commercial green houses, and sexually oriented businesses. She wondered how neighborhood density is different or similar to everything in the residential density chart, since it's never been put in there before.

The City Manager stated it was a valid point that is has not been residential previously and he stated they would likely include it in the table during the zoning code overhaul. He stated neighborhood commercial will fall more in the central business district zoning where there is no minimum lot size, and there will be restrictions on how many residential units are allowed.

Vice Chair Nootz asked where that information is located for a developer.

The City Manager stated it would be like central business district guidelines.

Commissioner Lyons stated he would like to tie one to four unites to a commercial building to distinguish neighborhood commercial from the others zones.

Vice Chair Nootz expressed she agrees with Commissioner Lyons.

Commissioners asked the City Manager if they needed a motion, or can they send it back for changes.

The City Manager stated the goals could be accomplished by modifying pg. 70 footnote number one after the colon “ Up to four or five residential units may be established within a commercial building to allow living space for the businesses”

Chair Kahle asked Commissioner Lyons about his thoughts on this.

Commissioner Lyons expressed he doesn't feel a limit on the number of residential units should be listed.

Vice Chair Nootz asked if we didn't limit it and a developer bought a large area of neighborhood commercial to put a large house on, could they do that.

The City Manager stated no, single family residential is not allowed in the neighborhood commercial. It would have to be something tied to a business or something of five or more. He updated is original correction to pg. 70 footnote after the colon “residential units may be established within a commercial building; structures that include a minimum of five residential”

Commissioner Lyons moved to approve the ordinance with changes listed in the footnote and Commissioner Schwarz seconded the motion

The item was approved unanimously by the five commissioners present

8. City Manager Comment

The City Manager thanked the Commission and looks forward to working with them in 2024.

9. City Commission Comments

Commissioner Willich thanked the people of Livingston to trusting him, and is excited to work with fellow Commissioners.

Commissioner Lyons stated he did some research and this has been the warmest December on record dating back to the 1800s.

Commissioner Schwarz welcomed Commissioner Willich and thanked Commissioner Lyons for his expertise on the last ordinance.

Chair Kahle welcomed Commissioner Willich and thanked Vice Chair Nootz for her work as Chair previously.

10. Adjournment

8:04pm Commissioner Schwarz motioned to adjourn the meeting seconded by Vice Chair Nootz. Unanimously approved.

Calendar of Events

Supplemental Material

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Livingston Area Chamber and Visitor Center

2023 what a year we had!

134+ Meetings

City, County, State Commissions and Committees and local board mtgs, Summits, Zoom mtgs, conferences & BOD meetings attended.

18 Events

Ribbon cuttings, Job Fair, Car Show, Parade, Christmas Strolls, Annual member banquet, Annual Mtg, Meet & Greet, Business 2 Business Networking

7+ Marketing Campaigns

Fall Fly Fishing Guide, National Media tourism campaign, International tourism targeted marketing campaign in UK & Germany, Fall Hunting & Fishing Guide -National Campaign . Montana Television Christmas marketing for Park County events, 10 Media Interviews for Park Co. events & business development stories.

3696+ Visitor Center

Lewis & Clark Exhibit 453 visits, Rodeo & Event Tickets Sold 1200+, Information Center Calls 2670+, Visitor Walk-in's 3696+, 270 days of cleaning public bathrooms

We're looking forward to what else we can do for you in 2024. Call the Livingston Chamber of Commerce serving Park County, Livingston and beyond for over 115 years.

#DiscoverLivingstonmt ~#VisitLivingstonmt ~ FBK@LivingstonAreaChamber~ DiscoverLivingston.com

File Attachments for Item:

B. ACCEPT CITY COURT FINANCIAL REPORT FROM NOVEMBER 2023

LIVINGSTON CITY COURT
MONTHLY FINANCIAL REPORT

Month: NOVEMBER 2023

Dismissed-Plea Agreement: 3
“ Pretrial Diversion/Deferred: 1
“ Miscellaneous: 13

Paid-Bond Forfeit/Fines/Time Payments: \$4,331.00

Parking Enforcement & Police issued Parking Tickets: \$2,866.98


TOTAL \$7,197.98

MLEA Surcharge: \$225.00
TECH Surcharge: \$190.00
Victim/Witness Surcharge: \$339.00
MISD Surcharge: \$408.00
Court Costs \$ 80.00

TOTAL: (\$1,242.00)

Total amount credited to City of Livingston General Fund: \$5,955.98

*I hereby certify that this is a true and correct statement of the amount of fines/fees/costs which were fully paid and credited with the Livingston City Court during the month of: **November 2023***

Prepared by: 
Hon. Holly Happe
Livingston City Judge

Date: 1-2-24

File Attachments for Item:

C. APPROVAL OF CLAIMS PAID 12/28/23 - 1/10/24

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
AAA CLEANING, LLC							
3727	AAA CLEANING, LLC	2023.12.31	cleaning	12/31/2023	156.25	156.25	01/05/2024
3727	AAA CLEANING, LLC	2023.12.31	cleaning	12/31/2023	156.25	156.25	01/05/2024
3727	AAA CLEANING, LLC	2023.12.31	cleaning	12/31/2023	156.25	156.25	01/05/2024
3727	AAA CLEANING, LLC	2023.12.31	cleaning	12/31/2023	156.25	156.25	01/05/2024
3727	AAA CLEANING, LLC	2023.12.31	cleaning	12/31/2023	2,000.00	2,000.00	01/05/2024
Total AAA CLEANING, LLC:					2,625.00	2,625.00	
ALPINE ELECTRONICS RADIO SHACK							
402	ALPINE ELECTRONICS RADIO	10298879	Office Supplies	12/18/2023	14.99	14.99	01/05/2024
Total ALPINE ELECTRONICS RADIO SHACK:					14.99	14.99	
ALSCO							
10005	ALSCO	LBIL1909761	330 BENNETT	12/15/2023	15.14	15.14	01/05/2024
10005	ALSCO	LBIL1909761	330 BENNETT	12/15/2023	15.14	15.14	01/05/2024
10005	ALSCO	LBIL1909761	330 BENNETT	12/15/2023	15.15	15.15	01/05/2024
10005	ALSCO	LBIL1909761	330 BENNETT	12/15/2023	15.15	15.15	01/05/2024
10005	ALSCO	LBIL1911146	220 E PARK	12/21/2023	105.91	105.91	01/05/2024
Total ALSCO:					166.49	166.49	
ASSET PROTECTION UNIT, INC.							
10005	ASSET PROTECTION UNIT, INC.	9232104031	AMBULANCE OVERPAYMENT	12/03/2023	160.67	160.67	12/29/2023
10005	ASSET PROTECTION UNIT, INC.	9232104035	AMBULANCE OVERPAYMENT	12/03/2023	167.44	167.44	12/29/2023
Total ASSET PROTECTION UNIT, INC.:					328.11	328.11	
BALCO UNIFORM COMPANY, INC.							
3371	BALCO UNIFORM COMPANY, IN	76754-3	Uniform-JONATHAN	12/20/2023	103.20	103.20	01/05/2024
3371	BALCO UNIFORM COMPANY, IN	76757-2	Uniform-PIERCE	12/20/2023	128.20	128.20	01/05/2024
Total BALCO UNIFORM COMPANY, INC.:					231.40	231.40	
BILLINGS CLINIC OCCUPATIONAL HEALTH							
10000	BILLINGS CLINIC OCCUPATION	67EM155	ANNUAL PHYSICALS	11/14/2023	4,255.00	4,255.00	01/05/2024
Total BILLINGS CLINIC OCCUPATIONAL HEALTH:					4,255.00	4,255.00	
BOUND TREE MEDICAL, LLC							
2662	BOUND TREE MEDICAL, LLC	85180581	Patient Supplies	12/08/2023	1,694.03	1,694.03	01/05/2024
2662	BOUND TREE MEDICAL, LLC	85180582	Patient Supplies	12/08/2023	351.91	351.91	01/05/2024
2662	BOUND TREE MEDICAL, LLC	85191806	Patient Supplies	12/19/2023	1,718.83	1,718.83	01/05/2024
2662	BOUND TREE MEDICAL, LLC	85191807	Patient Supplies	12/19/2023	1,814.98	1,814.98	01/05/2024
2662	BOUND TREE MEDICAL, LLC	85193424	Patient Supplies	12/20/2023	267.80	267.80	01/05/2024
2662	BOUND TREE MEDICAL, LLC	85193425	Patient Supplies	12/20/2023	1,047.96	1,047.96	01/05/2024
2662	BOUND TREE MEDICAL, LLC	85194880	Patient Supplies	12/21/2023	51.16	51.16	01/05/2024
Total BOUND TREE MEDICAL, LLC:					6,946.67	6,946.67	
BRUCE E. BECKER, P.C.							
10000	BRUCE E. BECKER, P.C.	2023.12.31	Contracted service	12/31/2023	4,000.00	4,000.00	01/05/2024
Total BRUCE E. BECKER, P.C.:					4,000.00	4,000.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
CANON FINANCIAL SERVICES, INC							
1747	CANON FINANCIAL SERVICES, I	31755691	Printer	12/12/2023	29.31	29.31	01/05/2024
1747	CANON FINANCIAL SERVICES, I	31755692	Printer	12/12/2023	29.75	29.75	01/05/2024
Total CANON FINANCIAL SERVICES, INC:					59.06	59.06	
CENTURYLINK							
162	CENTURYLINK	2023.12.16	406-222-0137- 441b	12/16/2023	86.55	86.55	01/05/2024
Total CENTURYLINK:					86.55	86.55	
COMDATA							
2671	COMDATA	IB986/2039444	BZR70	12/01/2023	120.96	120.96	12/28/2023
Total COMDATA:					120.96	120.96	
DELTA SIGNS & GRAPHICS							
509	DELTA SIGNS & GRAPHICS	2992	WATER RECLAMATION	12/06/2023	250.00	250.00	01/05/2024
Total DELTA SIGNS & GRAPHICS:					250.00	250.00	
EMERALD SERVICES INC.							
3380	EMERALD SERVICES INC.	93313645-230	ANTIFREEZE	12/19/2023	262.50	262.50	01/05/2024
3380	EMERALD SERVICES INC.	93391216-230	OIL DISPOSAL	12/07/2023	368.50	368.50	12/28/2023
Total EMERALD SERVICES INC.:					631.00	631.00	
EXEC U CARE SERVICES, INC.							
3298	EXEC U CARE SERVICES, INC.	3645	Janitorial Services	12/26/2023	2,120.00	2,120.00	01/05/2024
Total EXEC U CARE SERVICES, INC.:					2,120.00	2,120.00	
FARSTAD OIL							
3353	FARSTAD OIL	103341	Diesel 764G	11/17/2023	2,567.12	2,567.12	01/05/2024
3353	FARSTAD OIL	105732	Diesel 550G	12/05/2023	1,699.50	1,699.50	01/05/2024
Total FARSTAD OIL:					4,266.62	4,266.62	
FOUR CORNERS RECYCLING, LLC							
2919	FOUR CORNERS RECYCLING,	4200	FULL FEES	11/28/2023	5,447.70	5,447.70	01/05/2024
2919	FOUR CORNERS RECYCLING,	CM4200	Credit	11/28/2023	2,646.90-	2,646.90-	01/05/2024
Total FOUR CORNERS RECYCLING, LLC:					2,800.80	2,800.80	
GERALD HAPPE							
10005	GERALD HAPPE	2023.10.11	BAILIFF	10/11/2023	170.00	170.00	12/28/2023
Total GERALD HAPPE:					170.00	170.00	
GRAYBEAL'S ALL SERVICE							
98	GRAYBEAL'S ALL SERVICE	15140	CIVIC CENTER FURNACE	12/20/2023	140.00	140.00	01/05/2024
Total GRAYBEAL'S ALL SERVICE:					140.00	140.00	
HANSER'S AUTOMOTIVE & WRECKER							
1687	HANSER'S AUTOMOTIVE & WR	LIV4840	Towing Charge	12/14/2023	100.00	100.00	01/05/2024

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total HANSER'S AUTOMOTIVE & WRECKER:					100.00	100.00	
HUGHES FIRE EQUIPMENT, INC							
3721	HUGHES FIRE EQUIPMENT, INC	599812	MOTOR	11/28/2023	1,632.05	1,632.05	01/05/2024
Total HUGHES FIRE EQUIPMENT, INC:					1,632.05	1,632.05	
INSTY-PRINTS							
250	INSTY-PRINTS	17278	NO PARKING SIGN	12/06/2023	35.32	35.32	01/05/2024
Total INSTY-PRINTS:					35.32	35.32	
J.P COOKE CO.							
261	J.P COOKE CO.	1509336	TAGS	12/20/2023	440.45	440.45	01/05/2024
Total J.P COOKE CO.:					440.45	440.45	
KELLEY CONNECT							
10001	KELLEY CONNECT	IN491739	JH13332	12/04/2023	14.98	14.98	01/05/2024
10001	KELLEY CONNECT	IN491739	JH13332	12/04/2023	14.98	14.98	01/05/2024
10001	KELLEY CONNECT	IN491739	JH13332	12/04/2023	14.98	14.98	01/05/2024
10001	KELLEY CONNECT	IN491739	JH13332	12/04/2023	14.98	14.98	01/05/2024
Total KELLEY CONNECT:					59.92	59.92	
KENYON NOBLE							
776	KENYON NOBLE	1051580.23	MARKING PAINT	07/28/2023	.21	.21	01/05/2024
776	KENYON NOBLE	1307120	Strike anchor	12/06/2023	70.99	70.99	01/05/2024
776	KENYON NOBLE	1310727	1-1/2 ref	12/08/2023	6.21	6.21	01/05/2024
776	KENYON NOBLE	1314391	BROWNTONE	12/11/2023	104.88	104.88	01/05/2024
776	KENYON NOBLE	1314840	HANDRAIL	12/11/2023	101.36	101.36	01/05/2024
776	KENYON NOBLE	1317249	SPRAY BOTTLE	12/12/2023	16.77	16.77	01/05/2024
776	KENYON NOBLE	1317439	IOCK	12/12/2023	34.98	34.98	01/05/2024
776	KENYON NOBLE	1318472	IOCK	12/13/2023	69.96	69.96	01/05/2024
776	KENYON NOBLE	1318586	BOLT WASHER	12/13/2023	51.53	51.53	01/05/2024
776	KENYON NOBLE	1319593	APPLIANCE CORD	12/13/2023	51.47	51.47	01/05/2024
776	KENYON NOBLE	1319791	CLK CRN BRC	12/13/2023	18.78	18.78	01/05/2024
776	KENYON NOBLE	1323159	HEX HEAD BOLT	12/15/2023	77.19	77.19	01/05/2024
776	KENYON NOBLE	1326467	DRIVEWAY CLEANER	12/18/2023	24.99	24.99	01/05/2024
776	KENYON NOBLE	1326467	DRIVEWAY CLEANER	12/18/2023	24.99	24.99	01/05/2024
Total KENYON NOBLE:					654.31	654.31	
LIVINGSTON DAYCARE, LLC							
3407	LIVINGSTON DAYCARE, LLC	2024.1	Parking Lease	01/01/2024	3,000.00	3,000.00	01/05/2024
Total LIVINGSTON DAYCARE, LLC:					3,000.00	3,000.00	
LIVINGSTON DEPOT CENTER							
184	LIVINGSTON DEPOT CENTER	2024.1.8	DEPOSIT FACILITY RENTAL	01/08/2024	250.00	250.00	01/05/2024
Total LIVINGSTON DEPOT CENTER:					250.00	250.00	
MEYER ELECTRIC AND GROUNDS REPAIR, LLC							
3812	MEYER ELECTRIC AND GROUN	1189	WALLPACK	12/17/2023	537.09	537.09	01/05/2024

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total MEYER ELECTRIC AND GROUNDS REPAIR, LLC:					537.09	537.09	
MONTANA MUNICIPAL INTERLOCAL AUTHORITY							
10002	MONTANA MUNICIPAL INTERLO	DR1005519	EV2023010885	12/29/2023	220.00	220.00	01/05/2024
Total MONTANA MUNICIPAL INTERLOCAL AUTHORITY:					220.00	220.00	
PACIFIC STEEL & RECYCLING							
3743	PACIFIC STEEL & RECYCLING	8575574	ALUM PLATE	12/14/2023	383.05	383.05	01/05/2024
Total PACIFIC STEEL & RECYCLING:					383.05	383.05	
PERSNICKETY DRY CLEANERS							
10005	PERSNICKETY DRY CLEANERS	10-040377	TABLE WEAR	10/26/2023	106.89	106.89	12/28/2023
10005	PERSNICKETY DRY CLEANERS	10040409	TABLE WEAR	10/26/2023	83.32	83.32	12/28/2023
10005	PERSNICKETY DRY CLEANERS	10-040410	TABLE WEAR	10/24/2023	84.90	84.90	12/28/2023
10005	PERSNICKETY DRY CLEANERS	23345-122	TABLE CLOTH	12/11/2023	53.08	53.08	12/28/2023
10005	PERSNICKETY DRY CLEANERS	23345-7777	TABLE CLOTH	12/11/2023	79.61	79.61	12/28/2023
Total PERSNICKETY DRY CLEANERS:					407.80	407.80	
PLUMMER, JAMIE							
10003	PLUMMER, JAMIE	2023.12.13	clerical assisst	12/13/2023	370.00	370.00	12/28/2023
Total PLUMMER, JAMIE:					370.00	370.00	
SECURITY SOLUTIONS, INC.							
3020	SECURITY SOLUTIONS, INC.	18455-A	ALARM MONITORING	01/01/2024	96.00	96.00	01/05/2024
Total SECURITY SOLUTIONS, INC.:					96.00	96.00	
SHERYL DAHL							
10005	SHERYL DAHL	2023.12.1	REFUND SUBDIVISION WITHDR	12/01/2023	200.00	200.00	12/28/2023
Total SHERYL DAHL:					200.00	200.00	
SPECIAL LUBE							
1814	SPECIAL LUBE	224-280-15122	Oil Change	12/07/2023	65.20	65.20	01/05/2024
Total SPECIAL LUBE:					65.20	65.20	
WHISTLER TOWING, LLC							
3237	WHISTLER TOWING, LLC	7997	M3 MAINT	12/20/2023	793.25	793.25	01/05/2024
Total WHISTLER TOWING, LLC:					793.25	793.25	
WISPWEST.NET							
2087	WISPWEST.NET	301467	Internet-CIVIC CENTER	12/22/2023	63.51	63.51	01/05/2024
2087	WISPWEST.NET	301467	LIVINGSTON SOCCER	12/22/2023	85.19	85.19	01/05/2024
Total WISPWEST.NET:					148.70	148.70	
Grand Totals:					38,605.79	38,605.79	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
--------	-------------	----------------	-------------	--------------	-----------------------	-------------	-----------

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

File Attachments for Item:

D. PLEDGED SECURITIES

DEPOSITORY BONDS AND SECURITIES
December 31, 2023

	<u>MATURITY</u>	<u>CUSIP NO.</u>		<u>TOTAL AMOUNT PLEDGED</u>
FIRST INTERSTATE BANK				
All Accounts				
Federal Deposit Insurance Corporation			\$	250,000.00
FEPC	1/1/1935	3132D54K5		1,325,182.40
FMNT	4/27/2029	3134GWEL6		7,000,000.00
FMNT	7/29/2030	3134GWGJ9		6,000,000.00
FNNT	12/24/2029	3135GAAR2		10,000.00
FFNT	11/18/2030	31422B2Z2		175,000.00
TOTAL - First Interstate Bank				<u><u>\$ 14,760,182.40</u></u>
 OPPORTUNITY BANK				
All Accounts				
Federal Deposit Insurance Corporation			\$	250,000.00
Manhattan MT School District	7/1/2025	563113AN9		90,000.00
Marion OH LTD Tax GO	12/1/1931	569832MU9		390,000.00
TOTAL - Opportunity Bank				<u><u>\$ 730,000.00</u></u>

PLEDGED SECURITIES AND CASH IN BANK
As of
December 31, 2023

First Interstate Bank

	<u>Total</u>
Cash & CD's on Deposit	\$ 12,070,878.19
FDIC Coverage	250,000.00
Amount Remaining	<u>11,820,878.19</u>
Pledges required @ 50%	5,910,439.10
Actual Amount of Pledges	14,510,182.40
Over (Under) Pledged	<u><u>\$ 8,599,743.31</u></u>

PLEDGED SECURITIES AND CASH IN BANK
As of
December 31, 2023

Opportunity Bank of Montana

	<u>Total</u>
Cash & CD's on Deposit	\$ 518,842.65
FDIC Coverage	250,000.00
Amount Remaining	<u>268,842.65</u>
Pledges required @ 50%	134,421.33
Actual Amount of Pledges	480,000.00
Over (Under) Pledged	<u><u>\$ 345,578.68</u></u>

File Attachments for Item:

A. PROCLAMATION DECLARING JULY 2, 2024, THE 100TH ANNIVERSARY OF THE HISTORIC LIVINGSTON ROUNDUP PARADE DAY



Proclamation of the Livingston City Commission

Celebrating the 100th Annual Livingston Roundup Rodeo Parade in Livingston, Montana, on July 2, 2024.

WHEREAS, the City of Livingston, Montana, is proud of our long tradition and history of kicking off the Livingston Roundup Rodeo with a parade that involves local businesses, community organizations, and families; and

WHEREAS, the Annual Parade has been a significant event that has brought together our community and the surrounding areas for a century, showcasing our history, enduring spirit, and the strong sense of community that characterizes our great town; and

WHEREAS, this centennial parade not only commemorates the past 100 years of parades but also honors the generations of Livingston residents who have contributed to the fabric of our community through their participation and support; and

WHEREAS, it is fitting and proper to officially recognize and commend all those who have worked tirelessly to organize and participate in the parade each year, ensuring its success and continuity as we reach this historic milestone; and

WHEREAS, the City Commission of the City of Livingston, Montana, invites all members of the community and surrounding areas to join in the celebration of this historic event, fostering a sense of pride, gratitude, and fellowship in our great community.

NOW, THEREFORE, BE IT RESOLVED, on behalf of the Livingston City Commission, I, Karrie Kahle, Chair, do hereby thank the Livingston Area Chamber of Commerce for its work in organizing the parade in 2024, and also the many volunteers that made this annual event possible, and do proclaim July 2, 2024, as the:

**100th ANNIVERSARY OF THE HISTORIC LIVINGSTON ROUNDUP RODEO
PARADE DAY CELEBRATION IN LIVINGSTON, MONTANA**

Signed this ____ day of January, 2024.

**Karrie Kahle, Chair
Livingston City Commission**

**Emily Hutchinson,
City Clerk**

File Attachments for Item:

B. ARBOR DAY PROCLAMATION



Proclamation

of the Livingston City Commission

Declaring April 26, 2024, as Arbor Day in the City of Livingston

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving up paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, BE IT RESOLVED on behalf of the Livingston City Commission, I, Karrie Kahle, Chair, do hereby declare April 26, 2024, to be:

ARBOR DAY IN LIVINGSTON, MONTANA

Signed this ___ day of January, 2024.

KARRIE KAHLE, Chair
Livingston City Commission

EMILY HUTCHINSON
CITY CLERK

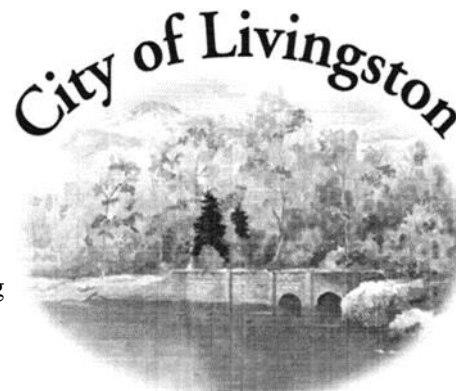
File Attachments for Item:

A. PRESENTATION REGARDING MONTANA STREET MDT SURFACE TRANSPORTATION PROGRAM URBAN PROJECT

City Manager
Grant Gager

220 E Park Street
(406) 823-6000 phone

citymanager@livingstonmontana.org
www.livingstonmontana.org



Incorporated 1889

Chair
Karrie Kahle

Vice Chair
Melissa Nootz

Commissioners
Quentin Schwarz
Torrey Lyons
James Willich

Date: 01/16/2024
To: Chair Kahle and City Commissioners
From: Shannon Holmes, Public Works Director

**Staff Report for Presentation on Montana Street
Surface Transportation Program Urban Project**

Recommendation and Summary

Staff is providing an update on a project that will be funded through the Surface Transportation Program Urban with the Montana Department of Transportation and no motion is necessary.

The reasons for the recommendation are as follows:

- The City has an annual allocation to fund projects on urban routes.
- The City has been working with MDT to identify a suitable project.

Introduction and History

The Montana Department of Transportation (MDT) administers Surface Transportation Program -Urban (STPU). The City receives an annual allocation from the Urban Highway Construction Program of \$183,235.00. From 2010 to 2020, this annual allocation and balance was committed to the Star Road Underpass project. The City terminated the agreement for the Star Road Project with MDT in November 2020. In 2022, the City nominated and the Transportation Coordinating Committee (TCC) approved the Montana Street 7th to 12th Street project as its priority project for the STPU program. The City is also committed to replace the water main, sewer main and install new stormwater infrastructure prior to or concurrent with this streetscape project. This utility project has been incorporated in to the 5-year capital planning process.

Analysis

Montana Street is on the Urban system from Sunrise to 2nd Street and is eligible for STPU funding. Based on the existing conditions of Montana Street compared to other urban classified streets within the city limits, City administration and the Transportation Coordinating Committee nominated and approved the Montana Street project nomination in November 2022. This project would improve Montana Street to meet current City Street standards by improving the driving surface, pavement markings, signage and ADA for sidewalks and crosswalks, adding stormwater infrastructure with curb and gutter and inlets and adding street lights. The City would like to pursue management of this project through the Local Agency Guidelines (LAG) process that would allow the City to plan, design and construct this project.

Fiscal Impact

Project Cost Estimate (Construction in FFY29)	\$ 3,912,000
Available Funding (Construction in FFY29)	\$ 4,294,000
Balance	\$ (382,000)

Funding (FFY29)			
Source	Federal	State	Total
Surface Transportation - Urban (STPU)*	\$3,387,000	\$525,000	\$3,912,000

*STPU estimate is based on anticipated FFY 2029 Livingston STPU balance. Livingston receives an approximately \$183,000 annual allocation.

Strategic Alignment

The project aligns with the Growth Policy as follows:

Objective 8.1.1 : Improve pedestrian and bicycle safety within the City.

Strategy 8.1.2.1: Explore developing roadway standards that accommodate bike/auto/pedestrian and transit.

Goal 8.2: Create a complete and well-maintained transportation network within the City.

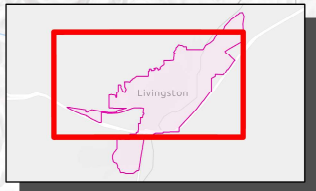
Objective 8.2.7.1 Prioritize roadway construction or improvements in areas that have been dedicated as mixed use or higher density in the Growth Policy.

Strategy 8.2.7.3: Carefully assess the induced demand impacts of transportation improvements, providing these improvements strategically for intended growth, not in response to development that is out-of-step with the goals of the Growth Policy.

Attachments

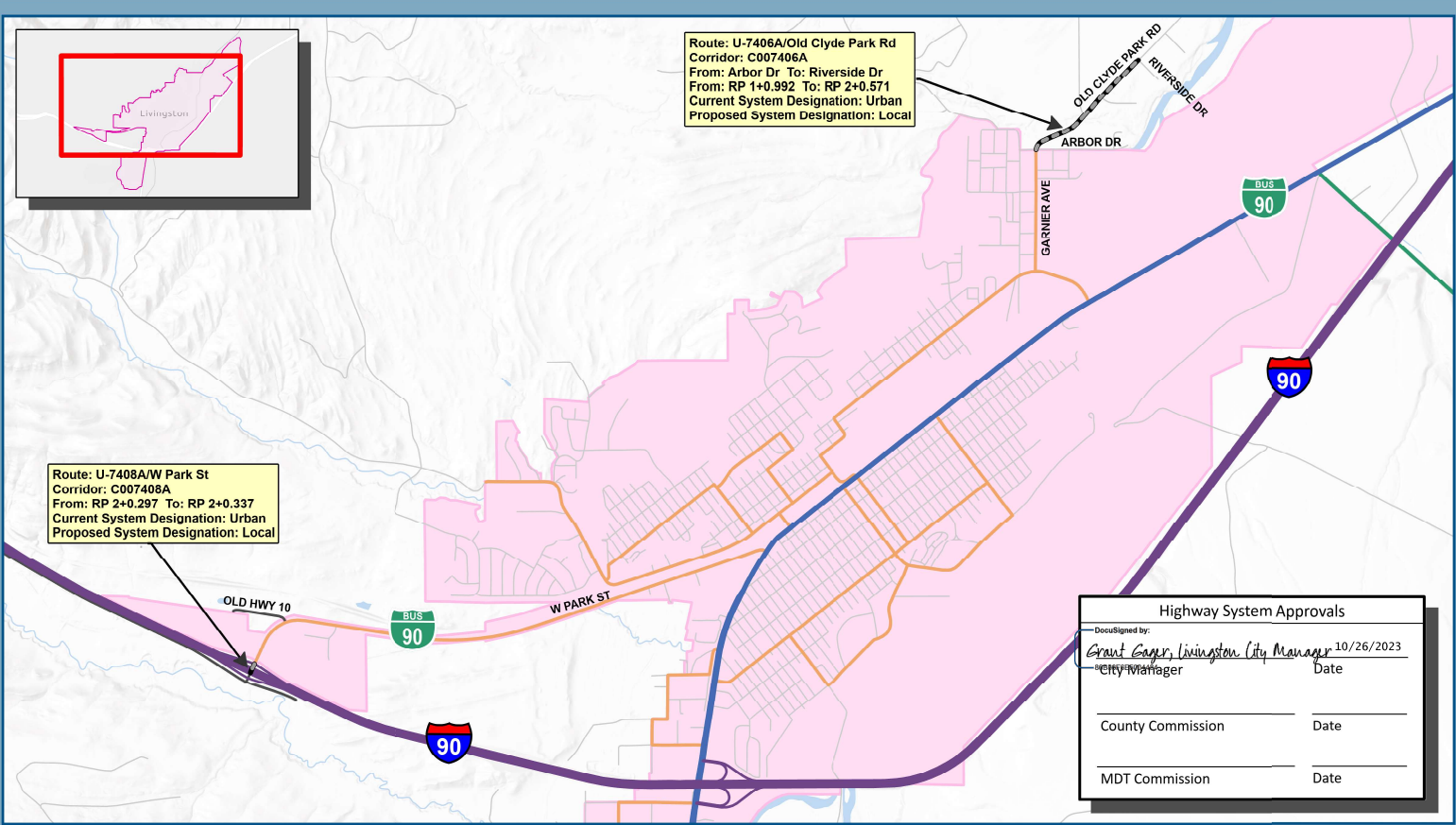
- Attachment A: Urban Area Boundary Map
- Attachment B: STPU Program Overview

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Route: U-7406A/Old Clyde Park Rd
Corridor: C007406A
From: Arbor Dr To: Riverside Dr
From: RP 1+0.992 To: RP 2+0.571
Current System Designation: Urban
Proposed System Designation: Local

Route: U-7408A/W Park St
Corridor: C007408A
From: RP 2+0.297 To: RP 2+0.337
Current System Designation: Urban
Proposed System Designation: Local



Highway System Approvals	
DocuSigned by:	
<i>Grant Cayer, Livingston City Manager</i>	10/26/2023
City Manager	Date
County Commission	Date
MDT Commission	Date



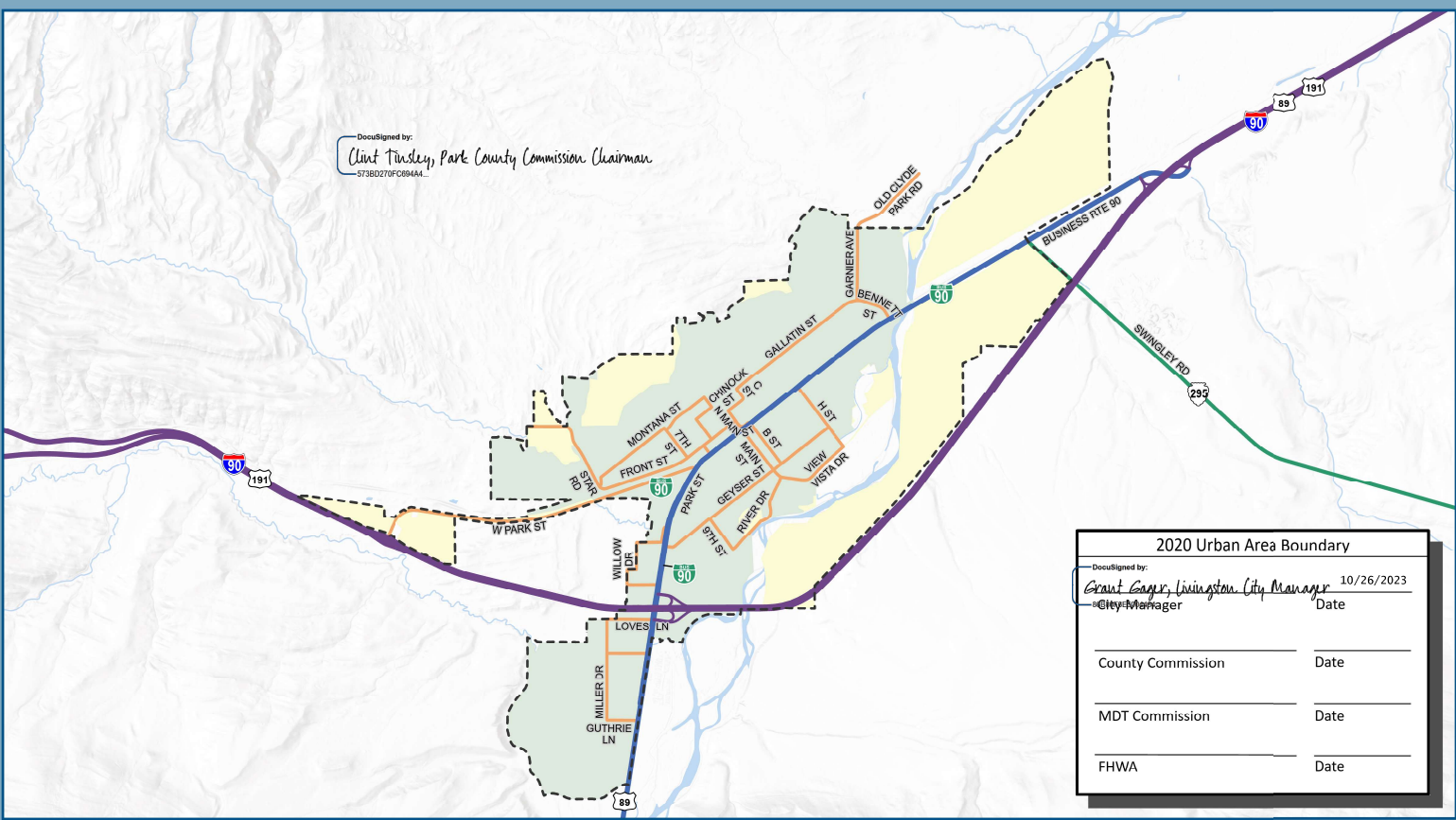
LIVINGSTON HIGHWAY SYSTEM APPROVALS

- 2020 Urban Area Boundary
- Proposed Urban
- Proposed Secondary
- Proposed Local
- Interstate
- Non-Interstate NHS
- Primary
- Secondary
- Urban

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DocuSigned by:
Clint Tinsley, Park County Commission Chairman
5738027FC6944...



2020 Urban Area Boundary	
DocuSigned by: <i>Grant Gager, Livingston City Manager</i> City Manager	10/26/2023 Date
County Commission	Date
MDT Commission	Date
FHWA	Date



LIVINGSTON

2020 URBAN AREA BOUNDARY

- 2020 Urban Area Boundary
 - 2020 Census Urban Area Boundary
 - City Boundary
 - Interstate
 - Non-Interstate NHS
 - Primary
 - Secondary
 - Urban
- MDT SYSTEM DESIGNATION

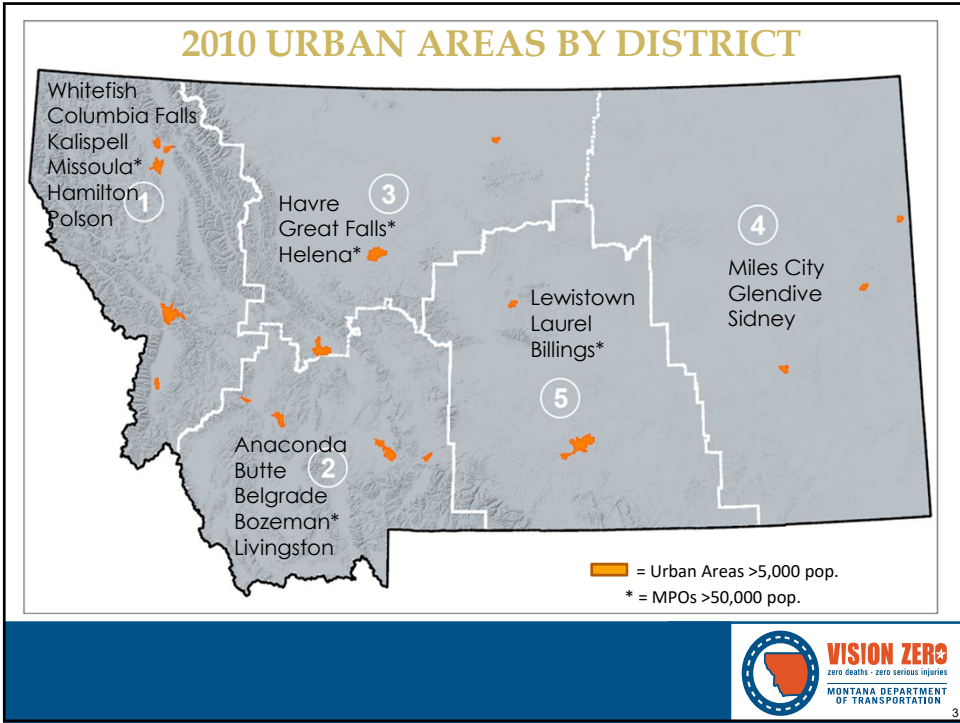
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US Census Bureau Definitions


- Transportation Management Areas (TMA)
 - Population exceeding 200,000
 - No TMA's designated in Montana
- Metropolitan Planning Organization (MPO)
 - Population between 50,000-199,999
 - Three MPOs designated in Montana
 - Billings
 - Great Falls
 - Missoula
 - Two MPOs currently working through designation process
 - Bozeman
 - Helena
- Urban Area
 - Population between 5,000-49,999
 - 20 urban areas in Montana

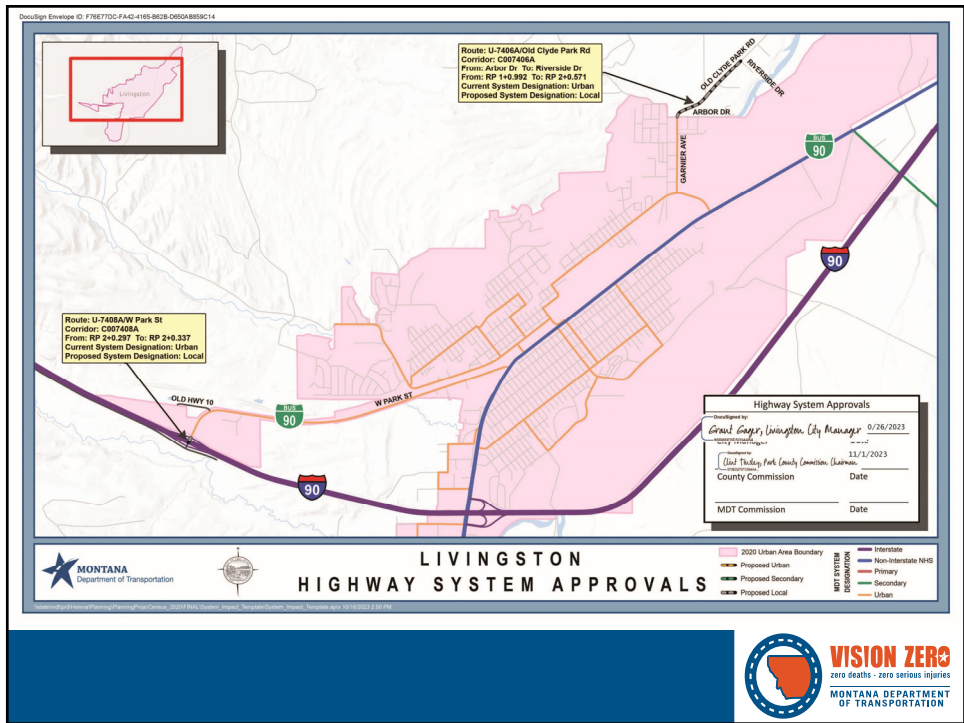
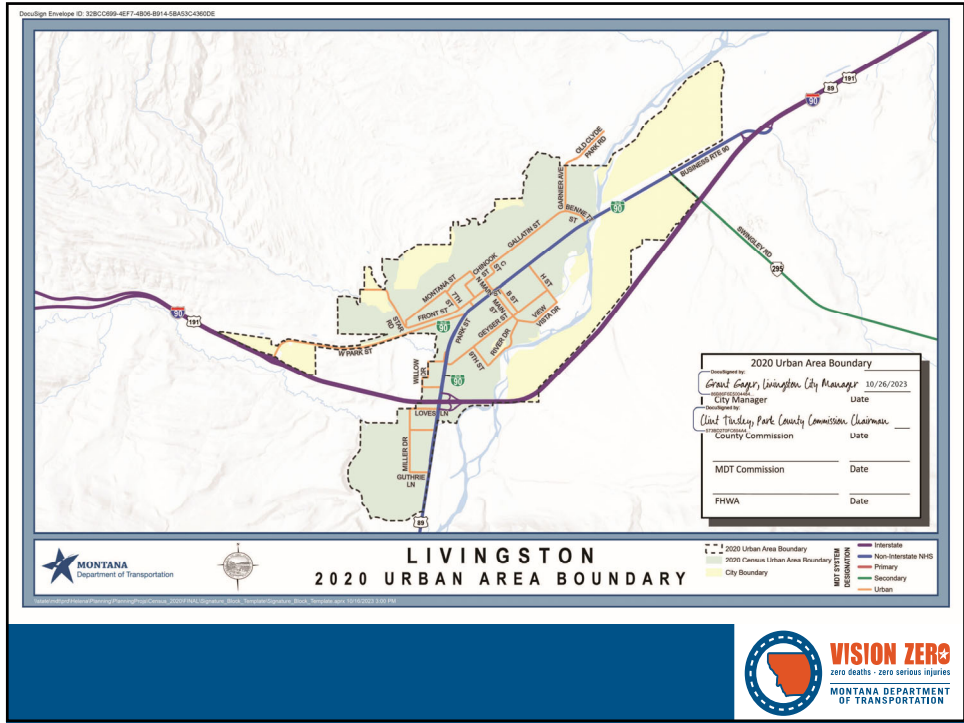




Urban Highway System

- "Urban highway system" means the highways and streets that are in and near incorporated cities with populations of over 5,000 and within urban boundaries established by the department, **that have been functionally classified as either urban arterials or collectors**, and that have been **selected by the commission, in cooperation with local government** authorities, to be placed on the urban highway system. [MCA 60-1-103 (28)]
- All systems must be properly integrated with each on-system route connected to another on-system route.
- When mileage is added to the Urban system, a reasonably equal amount of mileage may be required to be removed from the Urban system.


 MONTANA DEPARTMENT OF TRANSPORTATION



Montana's Urban Highway Program

Provides financial resources to make improvements on the designated urban highway system in Montana.

FUNDING:

- The Urban Highway Program is provided under State law (MCA 60-2-127)
- Sub-allocation of federal Surface Transportation Block Grant Program (STBGP) by the Montana Transportation Commission
- Transportation Commission determines program funding level
- Federal funds matched with State (not local) funds

DISTRIBUTION FORMULA:

- Statutory population formula to 20 urban areas
- Based on decennial census population and MCA 60-3-211
 - *Urban Area Population/Total State Urban Area Population*



Urban Project Eligibilities:

- Reconstruction, resurfacing, restoration and rehabilitation of existing facilities
- Operational improvements
- Bicycle facilities, pedestrian walkways, and carpool projects and programs



Advancing an Urban Funded Project:

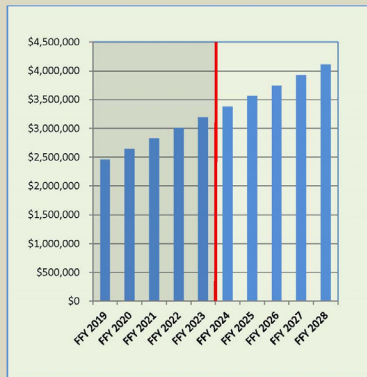
- Priorities determined by action of the TCC consistent with a Long Range Transportation Plan (LRTP), if one exists.
 - Livingston TCC provides forum for project and planning coordination between MDT and local governments in addition to responsibility for selection and nomination of STPU project priorities.
- Letter from local officials to MDT indicating priority.
- MDT reviews project to assure it is affordable and eligible for STPU funds.
- Final decision of committing funds for prioritized project is made by the Transportation Commission in accordance with the state's programming process.
- MDT Districts or Consultant Design develop & implement projects.



LIVINGSTON

Urban Highway Construction Program Summary Estimated Annual Allocation – STPU - \$183,235

Estimated Balances



Project Priorities

- No current project priorities

• *Estimated Annual Allocations are subject to MDT Transportation Commission approval*
 • *Funding projections are based on best available information and are subject to change given current funding uncertainties and unknown impacts of future congressional or other federal actions. Federal program funding availability may impact the scheduling of projects*

12/15/2023



Thank you!

Beth Clarkson
Statewide and Urban Planner
Montana Department of Transportation
(406) 444-9274 | elclarkson@mt.gov



File Attachments for Item:

B. CONSOLIDATED LAND USE BOARD BYLAWS

City Manager
Grant Gager

220 E Park Street
(406) 823-6000 phone

citymanager@livingstonmontana.org
www.livingstonmontana.org



Incorporated 1889

Chair
Karrie Kahle

Vice Chair
Melissa Nootz

Commissioners
Quentin Schwarz
Torrey Lyons
James Willich

Date: January 16, 2024
To: Chair Kahle and City Commissioners
From: Grant Gager, City Manager

Staff Report for Adoption of Consolidated Land Use Board By-Laws

Recommendation and Summary

Staff recommends the Commission approve the by-laws of the Livingston Consolidated Land Use Board as established under Ordinance 3048 by adopting the following motion:

“I move to approve the by-laws of the Livingston Consolidated Land Use Board.”

The reasons for the recommendation are as follows:

- Under Ordinance 3048, the City of Livingston established a Consolidated Land Use Board to replace the Planning Board and the Zoning Commission
- The creation of the Consolidated Land Use Board requires new by-laws to be approved that provide the framework for the administration and function of the new board

Introduction and History

The City of Livingston previously had both a Planning Board and a Zoning Commission pursuant to the requirements of the Montana Code Annotated. Recent legislation allowed such boards to be consolidated. In December 2023, the City Commission approved Ordinance 3048 to consolidate the membership of these two advisory boards to ensure that land use decisions in the City of Livingston will be made in a cogent, holistic and timely manner.

Analysis

The effective function of advisory boards is critical to quality public engagement regarding consideration of development applications and deliberation of land use policy. The consolidation of the Planning Board and the Zoning Commission necessitates the establishment of new by-laws that address how the new Consolidated Land Use Board will fulfill the roles and responsibilities previously accomplished by two distinct advisory boards.

Fiscal Impact

No fiscal impact is anticipated as a result of adopting by-laws for the Consolidated Land Use Board.

Strategic Alignment

The establishment of by-laws ensures that advisory boards function effectively by promoting quality public engagement, respectful deliberations, and timely recommendations about land use and development applications to the City Commission.

Attachments

- Attachment A: Bylaws

**CITY OF LIVINGSTON
CONSOLIDATED LAND USE BOARD**

**BY-LAWS
January 2024**

Article 1: **Purpose**

Section 1: The Livingston Consolidated Land Use Board shall be vested with the authority of both the City Planning Board, as described in Title 76, Chapter 1, M.C.A., and the City Zoning Commission, set out in Title 76, Chapter 2, Part 3, M.C.A. As such, this Board will advise the City Commission on matters pertaining to subdivision and zoning within the City’s jurisdiction. This Board will also advise the City Commission as to any revisions or updating of the City’s Growth Policy. The creation and operation of the Board is codified in Chapter 27 of the Livingston Municipal Code.

Article 2: **Membership**

Section 1: The Livingston Consolidated Land Use Board shall consist of eight (8) members. Seven (7) citizen members, who are residents of the City, to be appointed by the City Commission for overlapping two (2) year terms and one (1) member of the City Commission who shall be a non-voting member and shall be appointed annually by the City Commission.

Section 2: Vacancies will be filled by the City Commission as soon as practicable.

Article 3: **Meetings**

Section 1: Regular meetings will be held on the second Wednesday of each month at a venue provided by the City (generally the Community Room in the City-County Building).

Section 2: Special meetings may be called by the City Manager. City staff will notify Board members at least two (2) days in advance of the purpose, date, time and place of the meeting.

Section 3: Notice. All meetings will be noticed in accordance with City policy, City ordinance and State law.

Section 4: Regular meetings may be canceled when no business is pending; however, the Board shall meet at least once quarterly in each calendar year.

Article 4: **General Operations**

Section 1: Board Role. The Consolidated Land Use Board is responsible for holding public hearings and making recommendations pertaining to land use, zoning, and community development to the City Commission.

Section 2: Quorum: A quorum shall consist of a majority of appointed, voting Board members (four of seven). No official action can be transacted and no motions may be passed without a quorum present.

Section 3: Officers: At the first meeting of each calendar year, the Board will elect, from its members, a Chair and a Vice-Chair. The Chair will perform the following duties:

- Control and run all meetings to include deciding who will have the floor, how debate will take place, and maintaining order.
- Promote efficient use of the Board’s time while assuring that all interested parties have an opportunity to participate in Board activities.

The Vice-Chair shall perform the duties of the Chair in the Chair’s absence.

Appointed City staff shall act as Secretary. The Secretary shall be responsible for keeping records of the Board actions and recommendations, including overseeing the taking of minutes, sending out meeting notices and distributing copies of minutes and agendas.

Section 4: Order: All speakers, including board members, must be recognized by the Chair and granted the floor before proceeding. Speakers should direct their comments to the Board through the Chair and avoid speaking directly to any member. Likewise, members must ask the Chair’s permission to directly question a speaker, including City staff.

Formality must be maintained when conducting a public hearing. Comments for and against an issue must be called for by the Chair and it is the responsibility of the Chair to ensure the comments remain relevant to the agenda item being discussed.

When voting on an issue, the Chair shall call for those “in favor” and those “opposed”. The Chair will tally the votes and, once the vote is done, will announce whether the motion passes or fails and state the number of votes for and against. The vote of the total membership will be reflected in the minutes of the meeting.

Section 5: Attendance: A member of the Board who knows, in advance, that they will be absent from a scheduled meeting shall notify the Chair and City staff of this fact as soon as possible. Any absence without notice is undesirable. Any member who, over the course of any one calendar year, accumulates three absences without giving notice shall be considered to have vacated their position and shall be replaced by the governing body.

Article 5: Conduct of Business:

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In making recommendations to the City Commission relating to land use decisions, the Board will seek to ensure the integrity of the public record of its proceedings. All evidence and/or testimony received by the Board shall occur in a properly noticed public hearing. When an individual Board member inadvertently receives information outside of this venue, it is incumbent upon that member to introduce such information into the Board’s public record at the earliest possible opportunity.

The Board’s recommendation will, at a minimum, include: the Board’s adopted findings of fact; the Staff Report provided to the Board with the Board’s adopted Findings of Fact; all written correspondence either for or against the action; and, any exhibits submitted at the public hearing or otherwise entered into the Board’s record.

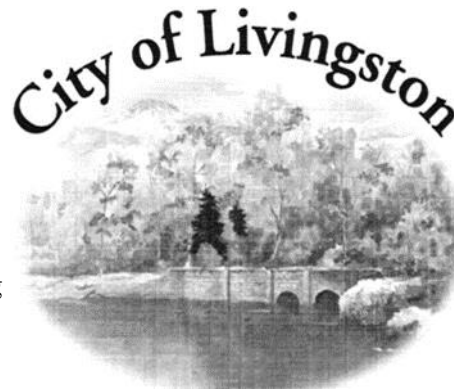
File Attachments for Item:

C. CONSOLIDATED LAND USE BOARD APPOINTMENTS

City Manager
Grant Gager

220 E Park Street
(406) 823-6000 phone

citymanager@livingstonmontana.org
www.livingstonmontana.org



Incorporated 1889

Chair
Karrie Kahle

Vice Chair
Melissa Nootz

Commissioners
Quentin Schwarz
Torrey Lyons
James Willich

Date: 1/16/24
To: Chair Kahle and City Commissioners
From: Grant Gager, City Manager

Staff Report for Appointment of Consolidated Land Use Board Members

Recommendation and Summary

Staff is recommending the Commission appoint members to the Consolidated Land Use Board by adopting the following motion:

“I move to appoint Johnathan Hettinger, John Kalmon and Jessie Wilcox to the Consolidated Land Use Board for one-year terms and Caitlin Chiller, Baily Goodwine, Forrest Huisman and Frank O’Connor to the Consolidated Land Use Board for two year terms.”

The reasons for the recommendation are as follows:

- The City Commission created a consolidated land use board pursuant to 2023 SB 130.
- The enabling ordinance established a board of 8 members including 7 voting community members.

Introduction and History

At its meeting on November 21, 2023, the Livingston City Commission established a consolidated land use board pursuant to 2023 SB 130 to exercise the powers of both the City Planning Board as authorized by MCA 76-1-101 and the City Zoning Commission as authorized by MCA 76-2-307. The board was created with a membership of eight (8) total members including a non-voting City Commission and seven (7) voting members from the community.

Analysis

The City Manager advertised the opportunity to join the Consolidated Land Use Board through the City newsletter, Livingston Enterprise and other outlets including social media. Thirteen applications were received and evaluated by the City Manager who also conducted interviews with all applicants.

In determining a recommended composition of the board, the City Manager and staff worked to establish a balanced perspective that represents many segments of the community. Attention was given to creating a board with members of varying: duration of habitation in Livingston; professional occupation; familiarity with land use and development; real estate ownership status;

and other factors. The applications submitted by each prospective member are included as an attachment to this staff report.

Fiscal Impact

There is no fiscal impact to the appointment of members to this unpaid board.

Strategic Alignment

Appointing board members will enable the board to execute on strategic priorities of the Commission and Growth Policy.

Attachments

- Attachment A: Applications Received

City of Livingston
Application for Appointed Office
(Revised 8/01/2023)

Appointed Position Seeking: Planning and Zoning Committee

Date of Application: 12/9/2023

Name: Caitlin Chiller

Signed: _____

Address: 320 N. 2nd St

Telephone: daytime 510-410-1710

after 5:00 p.m.: 510-410-1710

Fax Number: _____

e-mail address: caitlin.chiller@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: As a teacher at Park High I r

recognize the impact planning and development has on families. I am also interested in policy.

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

A. Occupation: 9-12 English Teacher, Park High School

B. Education: M.Ed. Montana State University-Bozeman, 2011, BA San Francisco State 2007

C. Experience: 15+ years as A 9-12 teacher in public schools in Montana. Service on numerous policy boards related to education.

(please attach a detailed resume if desired)

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

2010 - ELA Standards Review Team; 2015 Negotiated Rule Making Committee; 2017 - Montana Comprehensive Literacy Plan

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

A. If yes, please describe those boards. _____

8. Current Employer? Livingston Public School

9. Are you available for night meetings? Yes

10. Are you available for daytime meetings? Between June 10th and August 15th

11. Do you foresee any potential conflicts of interest that you might have in executing the duties of this appointed office? I am an MFPE member, but I believe that is not a strong conflict.

12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? I would check to make sure the conflict did not interfere with voting. If it did, I would recuse myself.

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

Return completed applications to Emily Hutchinson at Livingston City Hall 220 E. Park Street or by email at ehutchinson@livingstonmontana.org

Caitlin Chiller
 320 N. 2nd Street, Livingston, MT 59047
 510-410-1710
 caitlin.chiller@gmail.com

EDUCATION

<i>Montana State University Bozeman</i>	
M.Ed. – Curriculum & Instruction	2011
<i>San Francisco State University</i>	
B.A. English (Literature)	2007
Dean’s List Sp. 06, Fa. 07, Sp. 07	

AWARDS

- NCTE High School Teacher of Excellence **2017**
- Educational Seminars Participant Kolkata, India **2012**
- **Fulbright Japan-U.S. Teacher Exchange Program Participant** **2011**

TEACHING EXPERIENCE

Park High School	
9-12 Classroom Teacher – Special Education Case Manager & English Teacher	2018-2023
General Education Classroom Teacher – English	2023-Present
Whitehall High School	
9-12 Classroom Teacher– English	2015-2018
8 th Grade, 9 th Grade, 11 th Grade Language Arts – Annual Class-Dual Credit, College Writing 101	
Sun River Valley School District– English	2011 - 2015
AP, Pre-AP, English II & IV, 8 th Grade – Student Council Advisor, Concessions Manager	
Frazer Public Schools– English	2008 -2011
7-12 English Language Arts, Concessions Manager,	

PROFESSIONAL DEVELOPMENT IN EDUCATION

- Intern, 826 Valencia, San Francisco, CA February – June, 2008
 Volunteered in schools, assisted in publishing student writing, fundraising, assisted in the design and layout of a student writing center
- Workshop Presenter, June 2010 - Present
 Various regional and statewide professional development conferences including MEA/MFT Educator’s Conference, OPI Indian Education Best Practices, Golden Triangle Curriculum Consortium
- Montana Writing Project Fellow, July 2010, July 2015
 Laurel High School and Billings Career Center
- Common Core Standards Analysis Team, August 2010
- Master Teacher Project, NEA BetterLesson, September 2013 – September 2014, wrote web lesson plans for 12th grade ELA

KEY QUALIFICATIONS

- Plan and instruct each subject area using wide variety of teaching aids, motivational and implementation
- Designed and implements Common Core-based Sun River Valley ELA Curriculum 7-12
- Participated in selection and implementation of *Collections* ELA Curriculum in Whitehall
- Served as MTSS Coordinator at Park High School – 2018-2021

MEMBERSHIPS

- National Council of Teachers of English - Past Member
- Montana Association of Teachers of English Language Arts – Past President, Curriculum Chair
- MFPE Member

City of Livingston
Application for Appointed Office
(Revised 8/01/2023)

Appointed Position Seeking: Consolidated Land Use Board

Date of Application: 1/4/24

Name: Baily Goodwine

Signed: *Baily Goodwine*

Address: 318 S. F Street

Telephone: daytime 406-823-9397

after 5:00 p.m.: 406-823-9397

Fax Number: _____

e-mail address: bailygoodwine@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: Livingston native wanting to

be involved in the present day and future of our town.

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

A. Occupation: Real Estate Broker

B. Education: BA in Economics from University of Victoria

C. Experience: background in urban planning, master planned community development, project management and real estate

(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? Self (Maverick Realty)

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 disclose the conflict and abstain from actions pertaining to the conflict intere

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

Return completed applications to Emily Hutchinson at Livingston City Hall 220 E. Park Street or by email at ehutchinson@livingstonmontana.org

Dear City Commission,

I am writing to express my interest in serving as a member of the Livingston Consolidated Land Use Board. With nearly two years of dedicated service on the Planning Board, two years on the Conservation Board and a demonstrated commitment to helping Livingston navigate growth and change, I am eager to contribute my skills, knowledge, and passion to the critical decisions made by the Land Use Board.

During my tenure on the Planning Board, I have actively engaged in shaping our city's growth and development strategies. I have learned the ropes on how to evaluate whether new developments meet the city's subdivision regulations, and I have also learned about how zoning regulations impact development.

Prior to my time on the Planning Board, I frequently engaged in city land use decision-making processes. I attended growth policy meetings, planning board and zoning commission meetings. I also worked as a member of the Park County Housing Working Group that helped craft the Park County Housing Action Plan. This experience has equipped me with a deep understanding of the interconnected facets of land use, urban planning, and community development.

I also believe that my perspective as a renter represents an underrepresented group in the context of land use decisions. I lobbied the commission hard to ensure that non-freeholders were able to participate in the planning board, and I am glad that this outdated requirement of being a freeholder is no longer included in the bylaws of the new consolidated land use board. I am acutely aware of the unique challenges faced by renters during this time of growth and change and the importance of ensuring their voices are heard in the decision-making process. I believe that diversity in representation is essential for creating equitable and inclusive urban policies that address the needs of all residents – not just those that own land.

I am committed to collaborating with fellow board members, city officials, and the community to strike a balance between economic growth, sustainability, and the well-being of Livingston residents.

I am confident that my experience, passion, and commitment make me a valuable candidate for the Consolidated Land Use Board. I look forward to the opportunity to contribute to the future of Livingston.

Thank you for considering my application,

Johnathan Hettinger
111 N C. St, Livingston

City of Livingston
Application for Appointed Office
(Revised 8/01/2023)

Appointed Position Seeking: Land Use Board

Date of Application: 1/5/24

Name: Johnathan Hettinger

Signed: 

Address: 111 N C St, Livingston

Telephone: daytime 217-493-9791

after 5:00 p.m.: 217-493-9791

Fax Number: _____

e-mail address: jhett93@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: See Letter of Interest.

5. Describe any background, experience and interests that you have which may assist you in performing the responsibilities of this appointment:
 - A. Occupation: Journalist and Community Organizer
 - B. Education: University of Illinois, Bachelor of Science in Journalism, 2015.
 - C. Experience: Livingston City Planning Board Non-Freeholder Seat (2021-2023)

(please attach a detailed resume if desired)

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

Livingston City Planning Board, Livingston Conservation Board

7. Are you currently serving on any Community Boards? Yes
 - A. If yes, please describe those boards. Elk River Arts and Lectures
8. Current Employer? Park County Environmental Council and freelance.
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 consult the attorney's office and recuse myself if necessary.

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

Return completed applications to Emily Hutchinson at Livingston City Hall 220 E. Park Street or by email at ehutchinson@livingstonmontana.org

City of Livingston
Application for Appointed Office
(Revised 8/01/2023)

Appointed Position Seeking: Consolidated Land Use Board

Date of Application: 12/22/2023

Name: Forrest W. Huisman

Signed: Forrest William Huisman

Address: 209 S. B St.

Telephone: daytime 406-641-0495

after 5:00 p.m.: _____

Fax Number: _____

e-mail address: forresthuisman@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: As a resident of SW Montana since

1996, I want to further contribute toward policies that protect our unique community with intelligent and sustainable growth.

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

A. Occupation: Architect

B. Education: Masters Degree in Architecture, Montana State University (Bozeman) 2001

C. Experience: As a licensed Architect in Montana, my profession is focused in land use and master planning of diverse projects, including mixed-use planned unit developments.

(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? Lone Mountain Land Company

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? Immediately provide written communication to the Board of any potential conflicts of interests.

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

Return completed applications to Emily Hutchinson at Livingston City Hall 220 E. Park Street or by email at ehutchinson@livingstonmontana.org

City of Livingston
Application for Appointed Office
(Revised 8/01/2023)

Appointed Position Seeking: Land Use Board

Date of Application: 1/1/24

Name: Frank O'Connor
Address: 612 Bluebird Lane 59047
Telephone: daytime 406-223-7511
Fax Number: 406-223-2750

Signed: [Signature]
after 5:00 p.m.: 406-223-7511
e-mail address: FrankOConnor@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 would like to help with the future development of Livingston and the surrounding area

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

- A. Occupation: Self Employed
- B. Education: 12th
- C. Experience: President of O'Connor Auto Body LLC and Horizon Auto Parts Inc (NAPA)

(please attach a detailed resume if desired)

6. Have you served on any previous boards or in any governmental positions in the past? Yes
Park County Planning Board, County Rep. on City Planning Board

7. Are you currently serving on any Community Boards? NO
A. If yes, please describe those boards.

8. Current Employer? O'Connor Auto Body LLC and Horizon Auto Parts

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? State conflict and recuse myself

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

Return completed applications to Emily Hutchinson at Livingston City Hall 220 E. Park Street or by email at ehutchinson@livingstonmontana.org

City of Livingston
Application for Appointed Office
(Revised 8/01/2023)

Appointed Position Seeking: Consolidated Land Use Board

Date of Application: 12.8.2023

Name: Jessica Wilcox

Signed: Jessica Wilcox

Address: 617 N 8th Street

Telephone: daytime 406 823-6256

after 5:00 p.m.: 406 570-0377

Fax Number: _____

e-mail address: jewilliams2010@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: _____

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

A. Occupation: Executive Director of the Livingston HealthCare Foundation

B. Education: MS in Health and Human Development, MSU. BSx2 Colorado State University

C. Experience: I have close to 4 years of experience serving on the City Planning Board, and 16 years of experience workign as a health care provider, public health coordinator in Park County.

(please attach a detailed resume if desired)

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

City Planning Board since 2019, Livingston Food Resource Center Board, ASPEN Board and Winderider Board and Farm to School Board. I currently only serve on the City Planning Board.

7. Are you currently serving on any Community Boards? no, given my current position I resigned form my community non-profit Boards in January of 2023. _____

A. If yes, please describe those boards. _____

8. Current Employer? Livingston HealthCare

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 from paticipating and/or voting.

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

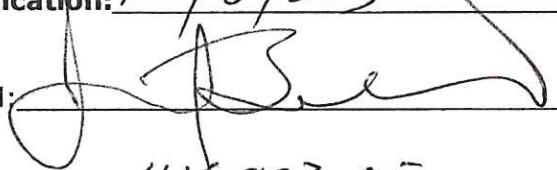
Return completed applications to Emily Hutchinson at Livingston City Hall 220 E. Park Street or by email at ehutchinson@livingstonmontana.org

City of Livingston
Application for Appointed Office
(Revised 8/01/2023)

Appointed Position Seeking: Consolidated land use

Date of Application: 12/8/23

Name: Jim Barrett

Signed: 

Address: 231 S H Street

Telephone: daytime 406-823-9502

after 5:00 p.m.: 406-823-9502

Fax Number: N/A

e-mail address: jimbarrettfineart@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 would like to continue serving the community of Livingston as a supporter of the City's recent Growth Policy and help with its implementation.

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

A. Occupation: Artist/Builder

B. Education: Art + Architecture BA MSU-Boz

C. Experience: 30+ years involvement in land use issues in the City of Livingston and Park County

(please attach a detailed resume if desired)

6. Have you served on any previous boards or in any governmental positions in the past? Present member City of Livingston Planning Board

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? no

12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? I would make it known and if warranted recuse myself from any decisions related to it.

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

Return completed applications to Emily Hutchinson at Livingston City Hall 220 E. Park Street or by email at ehutchinson@livingstonmontana.org

To: Grant Gager
City Manager City of Livingston, Montana

From: Tom Blurock

Re: Application for Appointment to The Consolidated Land Use Board

Let this memo affirm my interest in an appointment to the new Consolidated Land Use Board. I was encouraged to see the city consolidate the Planning and Zoning boards to streamline the process as the rework of the zoning code goes forward. I would like to be an active participant in this process. Please see some of my qualifications outlined below.

Education:

Bachelor of Environmental Design: University of Washington 1970
Master of Architecture: Harvard University 1974

Professional Background:

Over my forty year career as an architect I have worked in a political/regulatory environment and I believe can bring an nuanced understanding of land use policy to the city of Livingston’s process.

Early in my career I was involved in urban design and redevelopment projects in New England and California. Working for a non-profit foundation in Massachusetts, I developed historical preservation master plans for five small New England Communities. I also held staff positions for two Southern California redevelopment agencies using tax increment financing for major downtown redevelopment projects.

I headed a medium sized architectural firm in Southern California for twenty five years specializing in educational facility design. The firm specialized in school design in existing urban communities including site planning, land acquisition, new facility design, existing facility rehabilitation and community integration. We completed over 150 school projects working closely with senior staff, school boards and community organizations. The firm received numerous local and national awards for our work.

I received a Fellowship from the American Institute of Architects for this body of work in 2006.

Local Involvement:

I built a small fishing cabin in Paradise Valley in 1993 and have been coming to Park County and Livingston regularly ever since.

I have served on the City of Livingston Historical Preservation Commission For the past three years.

I currently serve on the board of Friends of Park County.

I have renovated two buildings in downtown Livingston rehabilitating street level retail space and converting derelict upper floors to living space. My wife and I live in one of these units and are committed to the continued health of downtown.

I am currently completing a four unit development on D street near on a typical 50'x140' city residential lot to provide affordable housing units for the city and as a demonstration of the economics of housing in the city.

I closely followed the public process which produced the city's recent Growth policy and believe it is an enlightened document which could become a model for other cities such as Livingston.

Summary:

In summary, I believe I would be a valuable addition to the new planning board for the following reason.

- over forty years of experience as a practicing architect
- knowledge of urban land use regulation and zoning
- familiarity with local real estate economics
- concern for the growth of the city including workforce housing and the preventing urban sprawl

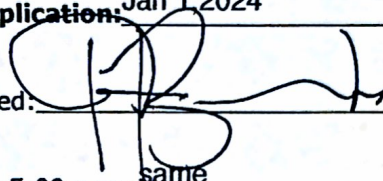
I hope you will give my application your consideration

City of Livingston
Application for Appointed Office
(Revised 8/01/2023)

Appointed Position Seeking: Consolidated Land Use Board

Date of Application: Jan 1, 2024

Name: Thomas Blurock
Address: 122 1/2 South 2nd Street
Telephone: daytime 949 285 2435
Fax Number: _____

Signed: 
after 5:00 p.m.: same
e-mail address: tblurock@aol.com

1. Are you a resident of the City of Livingston? yes
2. Are you a registered voter? yes
3. Will you be at least 18 years of age at the time of the appointment? yes
4. Describe the reasons you are interested in this appointment: see attached

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

- A. Occupation: architect
- B. Education: Master of Architecture, Harvard University, 1975
- C. Experience: see attached

(please attach a detailed resume if desired)

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

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

A. If yes, please describe those boards. Livingston Historical Preservation Commission

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 on advice of the city attorney

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

Return completed applications to Emily Hutchinson at Livingston City Hall 220 E. Park Street or by email at ehutchinson@livingstonmontana.org

City of Livingston
Application for Appointed Office
(Revised 8/01/2023)

Appointed Position Seeking: Consolidated Land Use Board member

Date of Application: 12/15/2023

Name: Rebecca Heemstra

Signed: Rebecca Heemstra

Address: 121 S N St

Telephone: daytime 406.599.0020

after 5:00 p.m.: same

Fax Number: _____

e-mail address: rebec919@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: _____

To become more involved in housing and business development in my community.

5. Describe any background, experience and interests that you have which may assist you in performing the responsibilities of this appointment:
 - A. Occupation: Technical Assistance Provider for Resident Owned Communities
 - B. Education: _____
 - C. Experience: I currently work with a non-profit that seeks to preserve affordable housing. I also have a background in banking and business management.

(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? NeighborWorks Mt

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? Decision making that impacts ROCs that I represent

12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? I would contribute to the conversation, but recuse myself from voting on matters that directly impact my communities.

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

Return completed applications to Emily Hutchinson at Livingston City Hall 220 E. Park Street or by email at ehutchinson@livingstonmontana.org

REBECCA HEEMSTRA

121 South N St, Livingston, MT 59047
(406) 599-0020 / rebec919@gmail.com

A committed, success-oriented leader with 15 years of experience in management roles empowering local businesses to care for the community, operate more efficiently, and hire staff committed to excellence and success.

Work Experience

ROC Program Specialist — *NeighborWorks MT* **September 2023 - Present**

Great Falls, Montana

- Provide technical assistance and training for ROC (Resident Owned Communities) board members
- Develop annual budgets for 6 independent non-profit communities
- Connect community members with relevant government agencies to ensure seamless implementation of long- and short-term infrastructure planning
- Lead and facilitate online and in-person meetings with resident owners, board members, and property managers
- Support the larger non-profit in preserving affordable housing throughout the state of Montana

Teller Supervisor — *First Interstate Bank* **January, 2021 - September, 2023**

Livingston and Gardiner branches, Montana

- Provided stellar customer support and account management
- Kept meticulous, accurate records of teller transactions and branch ledgers
- Maintained daily inventory of on-hand vault cash and supplies
- Planned, directed, and managed the daily and weekly operations of a 6-person team
- Embodied the mission and values of First Interstate Bank

Operations Manager — *Fink's Delicatessen* **April 2018 – June 2020**

Bozeman, Montana

- Developed and implemented an innovative operations system for all specialty merchandise
- Developed long-term, strategic partnerships with food producers, vendors, and other businesses throughout the state to identify, source, and stock local, ethically sourced products
- Hired, trained, and mentored an 8-person team focused on excellence and professionalism
- Processed payroll for 12 employees

General Manager — *The Daily Coffee Bar*

July 2015 – Apr. 2018

Bozeman, Montana

- Trained, hired, and supported a 40-person team across 3 locations with a focus on excellent customer service
- Managed the administration of cash-handling and budgeting for \$1.5 million in annual revenue
- Coordinated all retail sales, infrastructure and machine maintenance, and inventory management
- Leveraged personal experience as a chef and caterer to create a top-tier food and drink menu
- Developed long-term, strategic partnerships with local farmers and specialty food vendors to source high-quality ingredients, coffee, and merchandise

Store Manager — *Starbucks*

Sept. 2013 – July 2015

Bozeman, Montana

- Developed and implemented new strategies for a multi-national corporation to cut food waste by 30%
- Analyzed business P&L to adjust daily operations to meet immediate company needs
- Trained, hired, and managed a team of 35 to provide excellent customer service
- Managed inventory supplies and cash handling
- Monitored and maintained store infrastructure, machinery, appliances, and relevant technologies

EDUCATION:

Maharishi International University - Fairfield, IA
Bachelor of Arts in Ayurvedic Medicine

July, 2022

Kripalu Center for Yoga and Health -Stockbridge, MA
200 hour YTT Certification

November, 2019

Permaculture Institute, USA - Santa Fe, NM
Permaculture Design Certificate (PDC)

February, 2008

INTERESTS:

Local regenerative agricultural systems, health, nutrition, cooking, camping, hiking, Permaculture, organic farming, teaching and mentoring

To whom it may concern,

I am writing to apply for a board member seat on Livingston’s newly formed, Consolidated Land Use Board. I track the legislative activity within the City of Livingston and have followed along with the merging of the Planning and Zoning boards into one entity. Combining the two boards was a great decision, and it will certainly have a positive impact on the future development of our city. I am extremely interested in being a part of Livingston’s continued growth. I have included an “Application for Appointed Office” with this email and can provide any additional information immediately upon request.

I can summarize my interest in joining this board into two main things. 1) Livingston is my home; it has been for 35 years, and it is very important to me. 2) Growth and change are inevitable; they are upon us, and it is crucial that the development of our town is pursued carefully and strategically.

Like most individuals, I want Livingston to grow in the healthiest way possible; prospering in its growth while preserving our unique culture and history. I want everyone who would like to live here to do so with equal opportunity for housing availability and career pursuit. I want it to stay clean, remarkable, and well-integrated into the beautiful surroundings in which it sits. There are many factors to the equation, and they must all be carefully considered when executing the plan and materialization of our growth. I am passionate about this, I want to be a part of it, and I believe that I have the qualifications to assist as we move forward as a community.

Livingston has been my home for my entire life. Because of this, I have strong ties to the community and have been involved in a variety of different sectors that exist within it. I was a real estate agent for several years, so I have a good understanding of the market and the changes that we have seen over the course of the last decade. I currently work as a Project Manager for Basecamp Construction and have worked in the construction industry for well over a decade. I have an intimate understanding and broad knowledge within the world of building and construction in our area, and I am very familiar with all things building-related; challenges that exist and potential opportunities that are available. I stay engaged and pay attention to the many things that occur in our state and local areas. Doing so has provided me with a robust and far-reaching connection with many community groups and members.

We are at a pivotal stage in the planning and development of the future Livingston. Many of us have a conceptual understanding of what that Livingston looks like, and a strategic plan has been formulated and presented to the community. We are entering into the implementation phase of that plan, and the next 5 years of growth will lay the groundwork for the next 20 years. We have the ability to lead Livingston along a path of healthy and sustainable growth, and this is something that I would like to be a part of.

Please review my application and consider meeting with me to discuss the future of our beautiful town. I am very excited about this opportunity, and I look forward to hearing from you soon!


Elijah Isaly
Project Manager - Basecamp Construction
(406) 209 - 1626

City of Livingston
Application for Appointed Office
(Revised 8/01/2023)

Appointed Position Seeking: Consolidated Land Use Board

Date of Application: 12/29/2023

Name: Elijah J. Isaly
Address: 219 South 11th Street
Telephone: daytime (406) 209 - 1626
Fax Number: _____

Signed: 
after 5:00 p.m.: (406) 209 - 1626
e-mail address: eli@basecamp.mt

1. Are you a resident of the City of Livingston? YES
2. Are you a registered voter? YES
3. Will you be at least 18 years of age at the time of the appointment? YES
4. Describe the reasons you are interested in this appointment: See Cover Letter

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

- A. Occupation: Project Manager for Basecamp Construction
- B. Education: Bachelor of Science in Mechanical Engineering Technology from Montana State University.
- C. Experience: See Cover Letter

(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? Basecamp Construction

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? See Cover Letter

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

Return completed applications to Emily Hutchinson at Livingston City Hall 220 E. Park Street or by email at ehutchinson@livingstonmontana.org

City of Livingston
Application for Appointed Office
(Revised 8/01/2023)

Appointed Position Seeking: Consolidated Land Use Board

Date of Application: January 2, 2024

Name: Stacy Jovick

Signed: *Stacy Jovick*

Address: 410 S. 8th

Telephone: daytime 406-223-0200

after 5:00 p.m.: same

Fax Number: _____

e-mail address: rsjovick@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 would like to continue serving on this board so that I can help with the transition of merging the planning and zoning boards. I have gained an incredible amount of knowledge during the past several years serving on the City Planning Board and the redrafting of the Growth Policy and would like to help in the first transition year.

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

A. Occupation: Property Manager

B. Education: BA Speech Pathology and Audiology

Experience: I have seen many ups and downs in Livingston as a resident for the past 47 years. I think it is important to include historical perspective and experiences in board deliberations. I have held numerous leadership positions in many volunteer organizations, Ex. Livingston Education Foundation (founding member and president the first 6 years, P.E.O. (a philanthropic education organization, the American Association of University Women, and Grace United Methodist Church. I am a team builder and I want to be part of this new Consolidated Land Use Board as it helps Livingston grow into the future.

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

Livingston City Planning Board 2020-

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? No.

12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? I would abstain from voting on any issue where there was a conflict of interest.

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

Return completed applications to Emily Hutchinson at Livingston City Hall 220 E. Park Street or by email at ehutchinson@livingstonmontana.org

City of Livingston
Application for Appointed Office
(Revised 8/01/2023)

Appointed Position Seeking: Consolidated Land Use Board

Date of Application: January 6, 2024

Name: Becky Moores

Signed: 

Address: 2402 Constellation Drive

Telephone: daytime 303-919-6735

after 5:00 p.m.: 303-919-6735

Fax Number: _____

e-mail address: becky.moores@gmail.com

1. Are you a resident of the City of Livingston? Yes (since August 2019)

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: Desire to become more involved in my community and help shape the future of Livingston in a positive and inclusive manner

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

A. Occupation: Director of Environmental and Permitting for a utility scale renewable energy company

B. Education: Bachelors of Science in Environmental Biology

C. Experience: The past 10 years of my career have focused on siting, permitting, and regulatory compliance for projects ranging from renewable energy, roads/transportation, mining, oil & gas, and water resources. Understanding local zoning codes and regulations is a large part of what I still do today to help site projects in the most appropriate and suitable way with having the fewest significant impacts to the land, environment, and community.

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. N/A

8. Current Employer? Intersect Power

9. Are you available for night meetings? Yes

10. Are you available for daytime meetings? Yes, with advanced notice

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

12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? If a perceived or actual conflict of interest arose I would consult with my fellow board members to fully disclose the situation and ask for their insight and suggestions for how to best proceed given the specific scenario.

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

Return completed applications to Emily Hutchinson at Livingston City Hall 220 E. Park Street or by email at ehutchinson@livingstonmontana.org

Becky Moores

Livingston, Montana – 303.919.6735 – becky.moores@gmail.com

Over 16 years of experience in permitting, land use planning, regulatory compliance, and natural resources management for a variety of projects and industries including renewable energy, power, water resources, mining, oil and gas, telecommunications, and transportation. Strengths include interpreting regulations and codes and working with agencies and stakeholders to satisfy regulatory obligations through compliance and compromise. Enthusiastic in networking and connecting people in various roles both internally and externally to help build teams and progress ideas. Key roles on projects have varied from account manager, project manager, deputy project manager, liaison between multiple working groups, and technical specialist. Project support has occurred during all stages of the permitting process including baseline desktop and field surveys, writing and reviewing technical reports, alternatives analysis, design recommendations and modification, client collaboration, stakeholder engagement, regulatory agency coordination, and public involvement.

CORE ACCOMPLISHMENTS

- Invited to be a member of an internal New Energies Leadership Team focused on developing a collaborative strategy for renewable energy service offerings across the U.S., and to support the company’s focus on the global energy transition. Primary role is to lead efforts and growth in the Rocky Mountain and Pacific Northwest regions.
- Mentor new project managers and team members to provide them with skills, lessons learned, and strategies for how to successfully initiate and complete projects in the renewable energies space including critical issues analyses and full permitting and planning support.
- After multiple application iterations, attained approval of a county conditional use permit for a solar/storage facility that had citizen support but minimal backing from the county board of commissioners.
- Successfully lead on-schedule permitting efforts for a disaster recovery stream restoration project through the NEPA process, and influenced design to meet federal, state, and municipal regulatory requirements in addition to minimizing impacts to sensitive resources including nesting bald eagles and other federally listed species.
- Supported a 735-mile pipeline project through four states, providing management and coordination between two internal projects teams that delivered parallel services for half of the project footprint; full permitting support including CWA Section 404, ESA Section 7, and NHPA Section 106; collaboration with challenging client managers; problem response and resolution.
- Technical support for NEPA and ESA Section 7 efforts for an active coal mine in New Mexico that had to produce an updated EIS to more thoroughly evaluate impacts to federally listed sensitive species, resulting in an approved ROD.

PROFESSIONAL EXPERIENCE

Intersect Power | Remote Position – Livingston, Montana

November 2022 – Present

Director, Environmental and Permitting

- Site, permit, and support construction and operations of greenfield renewable energy projects
- Manage multiple consultant groups performing work for various aspects of development projects
- Leading the permitting what will be California’s largest solar project and largest green hydrogen electrolyzer facility through a new process with the California Energy Commission
- Leading the permitting of solar and battery storage projects in Alameda County, CA and Haskell County, TX
- Member of the Renewable Energy Wildlife Institute Research Fund to identify and help fund scientific wildlife research projects for renewable energy technologies including wind and solar

ERM | Livingston, Montana (previously Denver, Colorado)

October 2017 – 2022

Principal Consultant

- Manage capital projects to identify regulatory requirements, development constraints, and mitigation options
- Renewables lead for the western / pacific northwest region driving market research and business development
- Account manager for new clients identified for targeted growth in the aggregate mining and renewables industries
- Exceeded sales goal in FY20, FY21, and FY22
- Selected for a leadership development program to work with a team to identify ways to progress the company and drive growth, ultimately developing an improved, logical, and interactive onboarding process for new hires

Rebecca ‘Becky’ Moores – Principal Consultant, Biologist
Livingston, Montana – 303.919.6735 – becky.moores@gmail.com

CH2M Hill | Denver, Colorado

2012 – 2017

Biologist IV

- Conducted surveys throughout the western U.S. including wetland delineations, habitat surveys, bald and golden eagles surveys/monitoring, vegetation inventories, and sensitive species surveys
- Supported the socioeconomics analysis for the industrial siting process for the Chokecherry and Sierra Madre Wind Energy Project in Wyoming
- Aided the Arkansas River Roundtable/State of Colorado in analyzing non-consumptive water uses, preparing goals and objectives for future use and water management, analyzing public input information, and designed a program to gather and organize ongoing public feedback

PacifiCorp | Utah and Idaho

2011

Wildlife Biologist

- Performed avian risk assessment surveys for compliance with MBTA and BGEPA
- Field evaluations of electrocution and collision risks and determined the effectiveness of avian protection measures on distribution power poles and lines

Colorado Department of Public Health and Environment | Denver, Colorado

2010

Water Quality Compliance Technician

- Performed compliance assurance duties for State and Federal requirements of the Clean Water Act resulting in up to 80% increase in compliance of testing and reporting requirements
- Helped identify patterns of non-compliance resulting in the discovery of various technical issues in Spigot and ICIS databases

CH2M Hill | Edwards Air Force Base, California

2008

Scientist I

- Surveys and monitoring of projects and activities ensuring Air Force compliance with Federal, State, and local regulations
- Extensive efforts to protect the state and federally threatened desert tortoise (*Gopherus agassizii*)
- Administered public and private natural resources briefings

SWCA Environmental Consultants | Utah

2007

Biological Field Technician II

- Conducted surveys for raptor nests and the Uinta Basin hookless cactus (*Sclerocactus wetlandicus*, federally threatened)
- Efforts involved block surveys, transect surveys, GPS navigation, data management, habitat assessment, plant and animal identification, and special status species reports

Education

2005 – B.S. Environmental Biology, California State University Northridge (summa cum laude)

Other Professional and Volunteer Experience

- 2019 – Present Steering Committee Member, 13th International Symposium for Environmental Concerns in Rights-of-Way Management (ROW 13)
- 2016 – 2018 Local Planning Committee Chair and Steering Committee Member, 12th International Symposium for Environmental Concerns in Rights-of-Way Management (ROW 12)
- 2014 – 2017 Earth Force volunteer and sponsor for a CH2M Foundation grant
- 2008 – 2010 Professional Athlete, Volleyball: Santiago, Chile and Innsbruck, Austria

File Attachments for Item:

**D. COMMISSION DIRECTION REGARDING STATE-MANDATED CHANGES TO ZONING
(ORDINANCE 3046)**

City Manager
Grant Gager

220 E Park Street
(406) 823-6000 phone

citymanager@livingstonmontana.org
www.livingstonmontana.org



Incorporated 1889

Chair
Karrie Kahle

Vice Chair
Melissa Nootz

Commissioners
Quentin Schwarz
Torrey Lyons
James Willich

Date: 1/16/24
To: Chair Kahle and City Commissioners
From: Grant Gager, City Manager

Staff Report for Commission Direction on State Mandated Changes to the Zoning Code

Recommendation and Summary

Staff is seeking Commission direction on how to proceed with a second reading of Ordinance 3046 given recent legal action that has forestalled the required implementation of certain legislative changes.

The reasons for the request are as follows:

- The City must modify its zoning ordinance to comply with State-mandated changes to Montana Code Annotated.

Introduction and History

The 2023 Montana Legislature passed several laws related to municipal zoning regulations for Multi-Family Dwellings, Accessory Dwelling Units (ADUs) and Duplexes. The City of Livingston had begun an update to Chapter 30 to comply with the new state laws through completion of the first reading of Ordinance 3046.

On December 29, the Eighteenth Judicial District (Gallatin County) issued a preliminary injunction against the implementation of SB 323 and SB 528. However, SB 245 remains effective at this time and those municipalities to which they apply (including Livingston) must take steps to come into compliance with these laws as set forth therein.

Before conducting the second reading of ordinance 3046, staff welcomes Commission direction on its desire to proceed with the implementation of SB 323 and 528 or whether the ordinance should be revised to only include the provisions required by SB 245 and related changes discussed by the Commission on January 2.

Analysis

Below are bills passed by the 2023 State Legislature that necessitate this zoning code update and a brief summary of the impacts to the City’s existing zoning code:

SB 245: Establishes that multi-unit (5 or more) residential dwellings and mixed-use developments that include a minimum of five (5) residential dwelling units are allowed in all commercial zones. All Commercial districts in the City already allow multi-family residential development except Neighborhood Commercial (NC). The mandated code updates will allow both residential developments and development that have a mix of commercial and residential uses in the NC district provided that those developments include a minimum of five (5) dwelling units.

SB 323: Provides that a duplex (two-family) housing unit is allowed on each lot where a single-family use is permitted. Currently, only Low Density Residential (RI) and Residential Mobile Home (RMO) districts allow single family homes but do not allow duplexes. The mandated code updates will allow duplex development in these districts.

SB 528: Provides that an Accessory Dwelling Unit (ADU) is allowed on each lot where a single-family use is permitted, which is already allowed under the current zoning code. Based on feedback from the City Commission at its November 21, 2023 meeting, the City code has been revised to limit ADUs to single-family uses only. Accessory dwelling units do not apply to two (2) family and multi-family dwellings. This bill also establishes restrictions for regulating parking, impact fees, and design aesthetics for ADUs.

Fiscal Impact

There is no fiscal impact to the appointment of members to this unpaid board.

Strategic Alignment

Appointing board members will enable the board to execute on strategic priorities of the Commission and Growth Policy.

Attachments

- Attachment A: None