



Livingston City Commission Agenda

April 19, 2016

6:30 PM

City – County Complex, Community Room

- **Public Comment:** *Prior to start of the meeting, citizens should sign-up in the public comment binder (back of the room) for any topic they wish to speak on/about. At each agenda item, the Chairman will call those citizens that signed up to speak for public comment. Then, the Chairman will ask for any additional public comment on the topic. 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.*

1. Call to Order

2. Roll Call

3. Moment of Silence

4. Pledge of Allegiance

5. Consent Items

A. Approve Minutes from 4.5.16 Regular Commission Meeting

B. Claims First half of April 2016

6. Proclamations

7. Scheduled Public Comment

A. SCHEDULED PUBLIC COMMENT -- JOHN DINNENY CONCERNING WIND FARM ON CITY-COUNTY PROPERTY

8. Public Hearings

A. ORDINANCE NO. 2062 -- AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 22, ENTITLED "CEMETERIES," BY MAKING MODIFICATIONS TO ACCOUNT FOR THE NEW MOUNTAIN VIEW CEMETERY REGULATIONS.

B. RESOLUTION NO. 4651 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA CHANGING THE RATES FOR PLOT SALES AND OTHER SERVICES PROVIDED AT MOUNTAIN VIEW CEMETERY.

C. RESOLUTION NO. 4650 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA OF ITS INTENT TO AMEND THE RULES AND REGULATIONS FOR MOUNTAIN VIEW CEMETERY.

9. Ordinances

10. Resolutions

A. RESOLUTION NO. 4642 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO DISCONTINUE THE ALLEY IN THE G BLOCK OF THE RIVERSIDE ADDITION TO THE CITY OF LIVINGSTON, MONTANA.

B. RESOLUTION NO. 4652 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA AUTHORIZING THE CITY MANAGER TO SIGN AN EXERCISE OF OPTION TO RENEW LEASE NO. 500,850 WITH MONTANA RAIL LINK, INC.

C. RESOLUTION NO. 4648 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA TO ACCEPT ENVIRONMENTAL ASSESSMENT FOR WATER RECLAMATION FACILITY IMPROVEMENTS AND TO AUTHORIZE CITY GRANT WRITER TO SUBMIT APPLICATION TO MONTANA DEPARTMENT OF COMMERCE.

11. Action Items

12. City Manager Comment

13. City Commission Comments

14. Public Comments

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

15. Adjournment

Calendar of Events

April 18, 2016 - 3:30 p.m. City Commission CIP Work Session - Community Room, City-County Complex

April 19, 2016 - 6:30 p.m. City Commission Meeting - Community Room, City-County Complex

April 20, 2016 - 8:30 a.m. Urban Renewal Agency - East Room, City-County Complex

April 20, 2016 - 12:00 p.m. Tree Board - East Room, City-County Complex

April 20, 2016 - 1:30 p.m. Transportation Meeting - Community Room, City-County Complex

April 20, 2016 - 5:00 p.m. Planning Board - Community Room, City-County Complex

April 23, 2016 Annual Yellowstone River Clean Up

April 27, 2016 - 6:30 p.m. Parks and Trails Committee- Community Room, City-County Complex

May 2 through May 5, 2016 Annual Public Works Spring Clean Up

May 3, 2016 - 6:30 p.m. City Commission Meeting - Community Room, City-County Complex

May 4, 2016 - 4:00 p.m. City - County Joint Meeting - MSU Extension Office

May 6, 2016 - Livingston Arbor Day Celebration

May 10, 2016 - 3:30 p.m. Historic Preservation Committee, Community Room, City-County Complex

June 4, 2016 - 8:30 a.m. Parks and Trails Clean Up - Civic Center

Supplemental Material

Monthly Police Report - March

Notice

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

Backup material for agenda item:

A. Approve Minutes from 4.5.16 Regular Commission Meeting

MINUTES

Livingston City Commission
Tuesday, April 5, 2016
6:30 p.m.
City- County Complex, Community Room

1. Call to Order Roll Call

- Bennett, Hoglund, Friedman, Schwarz and Sandberg were present. (Schwarz arrived at 6:40 p.m.)

2. Moment of Silence

3. Pledge of allegiance

4. Consent Items (00:03:30)

A. CONSENT - APPROVE MINUTES FROM 3.15.16 REGULAR CITY COMMISSION MEETING

B. CONSENT - APPROVE BILLS AND CLAIMS FOR 2nd HALF OF MARCH 2016

C. CONSENT - RATIFY CLAIM FOR 2nd HALF OF MARCH 2016

D. CONSENT - APPROVE JOE HANSER TO URBAN RENEWAL AGENCY (URA) BOARD

- Friedman made a motion to approve Consent Items A-D. Hoglund seconded.
 - All in favor, motion passed 4-0. (Vote taken prior to Schwarz's arrival.)

5. Proclamations

6. Scheduled Public Comment

A. SCHEDULED PUBLIC COMMENT -- AJ BOWERS TO DISCUSS CITY TREE TRIMMING STANDARDS (00:04:17)

- Rich Stevenson made comments (00:16:00)
- Ron Liljedahl made comments (00:19:18)
- Hoglund made a motion to discuss further at future meeting issues of tree trimming, certification standards, revision of Ordinance and request for Tree Board input. Friedman seconded.

B. SCHEDULED PUBLIC COMMENT - JOHN DINNENY CONCERNING WIND FARM ON CITY-COUNTY PROPERTY

- Item tabled until John Dinneny available to present information.

7. Public Hearings

8. Ordinances

A. ORDINANCE NO. 2062 -- AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 22, ENTITLED "CEMETERIES," BY MAKING MODIFICATIONS TO ACCOUNT FOR THE NEW MOUNTAIN VIEW CEMETERY REGULATIONS. (00:37:50)

- Chris Benden made comments (01:00:05)
- Friedman made a motion to pass Ordinance No. 2062. Hoglund seconded,
 - All in favor, motion passed 5-0.

9. Resolutions

A RESOLUTION NO. 4644 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA OF ITS INTENT TO CHANGE THE RATES FOR PLOT SALES AND OTHER SERVICES PROVIDED AT MOUNTAIN VIEW CEMETERY AND CALLING FOR A PUBLIC HEARING. (01:01:36)

- Schwarz made a motion to pass Resolution No. 4644. Hoglund seconded.
 - All in favor, motion passed 5-0.

B.RESOLUTION NO. 4645 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA OF ITS INTENT TO AMEND THE RULES AND REGULATIONS FOR MOUNTAIN VIEW CEMETERY AND CALLING FOR A PUBLIC HEARING. (01:03:10)

- Friedman made a motion to pass Resolution No. 4645. Schwarz seconded.
 - All in favor, motion passed 5-0.

C.RESOLUTION NO. 4643 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN A LEASE AGREEMENT WITH WISPWEST.NET FOR TRANSMISSION TOWER ON NORTH SIDE HILL. (01:04:47)

- Friedman made a motion to pass Resolution No. 4643. Sandberg seconded.
 - All in favor, motion passed 5-0.

D.RESOLUTION NO. 4646 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING APPLICATION FOR LAND & WATER CONSERVATION FUND ASSISTANCE. (01:07:49)

- Hoglund made a motion to pass Resolution No. 4646. Schwarz seconded.
 - All in favor, motion passed 5-0.

10. Action Items

A. DISCUSS/APPROVE/DENY -- PHOTOS FOR ART APPLICATION ON TRAFFIC SIGNAL BOX NEAR INTERSTATE (01:10:10)

- Photos #1 and #4 chosen by the Commission.

B. DISCUSS/APPROVE/DENY -- WAIVING DISPOSAL FEES FOR ANNUAL YELLOWSTONE RIVER CLEAN-UP AND PRESENTATION BY JEFF LADEWIG. (01:17:53)

- Hoglund made a motion to waive disposal fees for annual Yellowstone River Clean-up. Friedman seconded.
 - All in favor, motion passed 5-0.

C. DISCUSS/APPROVE/DENY -- CITY COMMISSIONER CONCERNS REGARDING ANNUAL SPRING CLEAN-UP (01:25:10)

- Chris Bendon made comments (01:52:52)
- Sandberg made a motion to continue Spring Clean-Up program for 2016 and review in the future for 2017. Schwarz seconded.
 - All in favor, motion passed 5-0.

D. DISCUSS/APPROVE/DENY -- LITIGATION STRATEGY UPDATE FROM CITY ATTORNEY IN THE CASE OF PAOLI & BROWN v. CITY OF LIVINGSTON (SESSION CLOSED TO THE PUBLIC PURSUANT TO MONT. CODE ANN. 2-3-203(4)(a)) (02:14:15)

(Open public meeting resumed at 02:38:10)

11. Manager Comment (02:38:10)

12. City Commission Comments

- Schwarz made comments (02:39:02)
- Hoglund made comments (02:39:32)
- Bennett made comments (02:40:52)

13. Public Comments

- Patricia Grabow made comments (02:41:41)

15. Adjournment 9:10 p.m. (02:45:50)

Backup material for agenda item:

B. Claims First half of April 2016

04/13/16
09:11:20

CITY OF LIVINGSTON
Claim Approval by Fund, Account
For the Accounting Period: 4/16

Page: 1
Report ID: AP100Z

For doc #s from 28050 to 28175, Operating Cash

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
1000 GENERAL	351033 PARKING	682 CENTRON SERVICES	Parking Ticket colle	28.34
1000 GENERAL	410130 CITY COMMISSION	3248 AGENDA PAL	AgendaPal subscripti	150.00
1000 GENERAL	410130 CITY COMMISSION	146 LIVINGSTON ENTERPRISE	Resol #4636	220.00
1000 GENERAL	410130 CITY COMMISSION	146 LIVINGSTON ENTERPRISE	City comm work sessi	24.00
1000 GENERAL	410130 CITY COMMISSION	146 LIVINGSTON ENTERPRISE	City comm work sessi	24.00
1000 GENERAL	410130 CITY COMMISSION	146 LIVINGSTON ENTERPRISE	PH Warren Mabie	57.00
1000 GENERAL	410130 CITY COMMISSION	146 LIVINGSTON ENTERPRISE	PH James Bawek	57.00
1000 GENERAL	410400 CITY MANAGER	146 LIVINGSTON ENTERPRISE	Employment Ad	54.76
1000 GENERAL	410450 ADMINISTRATIVE SERVICES -	3184 MASTERCARD	Facebook - WWTP	9.66
1000 GENERAL	410450 ADMINISTRATIVE SERVICES -	3184 MASTERCARD	T&C- WWTP	29.30
1000 GENERAL	410450 ADMINISTRATIVE SERVICES -	3184 MASTERCARD	T&C- WWTP	132.00
1000 GENERAL	410540 FINANCE OFFICER	3184 MASTERCARD	Commissioner Orienta	25.00
1000 GENERAL	410540 FINANCE OFFICER	3184 MASTERCARD	stand up desk	395.00
1000 GENERAL	410550 ACCOUNTING	3184 MASTERCARD	Cash drawer insert	29.02
1000 GENERAL	410550 ACCOUNTING	3184 MASTERCARD	Folder	187.13
1000 GENERAL	410550 ACCOUNTING	1783 J & H OFFICE EQUIPMENT	Late fees	55.06
1000 GENERAL	411030 PLANNER	879 VERIZON WIRELESS	Planning	13.23
1000 GENERAL	411030 PLANNER	3184 MASTERCARD	Paper 80 Cases	50.00
1000 GENERAL	411030 PLANNER	3184 MASTERCARD	Stapels - toner	328.16
1000 GENERAL	411030 PLANNER	3184 MASTERCARD	Costco	38.83
1000 GENERAL	411030 PLANNER	26 LIVINGSTON ACE HARDWARE -	Filters	8.66
1000 GENERAL	411030 PLANNER	3298 EXEC U CARE SERVICES,	Cleaning	80.00
1000 GENERAL	411030 PLANNER	102 INDUSTRIAL TOWEL	Mat cleaning	8.56
1000 GENERAL	411030 PLANNER	102 INDUSTRIAL TOWEL	Mat cleaning	8.56
1000 GENERAL	411030 PLANNER	3387 J & H, Inc.	Copier	13.89
1000 GENERAL	411100 CITY ATTORNEY	2823 WEST PAYMENT CENTER -	March information ch	275.56
1000 GENERAL	411230 FACILITY MAINTENANCE	2501 D.W. BURNS PLUMBING &	37% Kitchen sink clo	88.80
1000 GENERAL	411230 FACILITY MAINTENANCE	3298 EXEC U CARE SERVICES,	March office cleanin	1,119.42
1000 GENERAL	411230 FACILITY MAINTENANCE	63 HOUSE OF CLEAN	37% Janitorial suppl	46.00
1000 GENERAL	411230 FACILITY MAINTENANCE	63 HOUSE OF CLEAN	37% Janitorial suppl	20.79
1000 GENERAL	411230 FACILITY MAINTENANCE	63 HOUSE OF CLEAN	37% Janitorial suppl	8.06
1000 GENERAL	411230 FACILITY MAINTENANCE	63 HOUSE OF CLEAN	37% Janitorial suppl	48.64
1000 GENERAL	411230 FACILITY MAINTENANCE	63 HOUSE OF CLEAN	37% Janitorial suppl	44.44
1000 GENERAL	411230 FACILITY MAINTENANCE	272 PARK COUNTY	37% Maintenance supp	147.99
1000 GENERAL	411230 FACILITY MAINTENANCE	151 NORTHWESTERN ENERGY	101 Star road	161.14
1000 GENERAL	411230 FACILITY MAINTENANCE	3042 ARTISTIC LANDSCAPING,LLC	37% Lawn Care - Cour	186.85
1000 GENERAL	411300 CENTRAL COMMUNICATIONS	272 PARK COUNTY	City phones	143.33
1000 GENERAL	411300 CENTRAL COMMUNICATIONS	879 VERIZON WIRELESS	Central	64.77
1000 GENERAL	411300 CENTRAL COMMUNICATIONS	879 VERIZON WIRELESS	Central	68.64
1000 GENERAL	411300 CENTRAL COMMUNICATIONS	3440 CHARTER COMMUNICATIONS	110 S B Street	886.06
1000 GENERAL	411300 CENTRAL COMMUNICATIONS	3440 CHARTER COMMUNICATIONS	414 E Callender Inte	1,600.00
1000 GENERAL	411300 CENTRAL COMMUNICATIONS	3440 CHARTER COMMUNICATIONS	414 E Callender Inte	1,462.50
1000 GENERAL	411300 CENTRAL COMMUNICATIONS	3440 CHARTER COMMUNICATIONS	414 E Callender Inte	58.67
1000 GENERAL	411300 CENTRAL COMMUNICATIONS	162 CENTURYLINK	Finance Office 110 S	354.83
1000 GENERAL	411700 CENTRAL STORES	1783 J & H OFFICE EQUIPMENT	Canon copier lease	213.00
1000 GENERAL	411700 CENTRAL STORES	3184 MASTERCARD	Monthly stamps.com	24.99
1000 GENERAL	411700 CENTRAL STORES	3184 MASTERCARD	Fire Dept paper towe	42.60
1000 GENERAL	411700 CENTRAL STORES	3184 MASTERCARD	Anti Fatigue mat	27.82
1000 GENERAL	411700 CENTRAL STORES	3184 MASTERCARD	Toner - Xerox Financ	137.89
1000 GENERAL	411700 CENTRAL STORES	3184 MASTERCARD	Pens	13.59
1000 GENERAL	411700 CENTRAL STORES	3184 MASTERCARD	Paper 80 Cases	1,299.99
1000 GENERAL	411700 CENTRAL STORES	3184 MASTERCARD	White out pens	16.86

04/13/16
09:11:20

CITY OF LIVINGSTON
Claim Approval by Fund, Account
For the Accounting Period: 4/16

Page: 2
Report ID: AP100Z

For doc #s from 28050 to 28175, Operating Cash

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
1000 GENERAL	411700 CENTRAL STORES	3184 MASTERCARD	Toner Color printer	948.32
1000 GENERAL	411700 CENTRAL STORES	3353 STORY DISTRIBUTING	Diesel Fuel 402 gal	664.42
1000 GENERAL	411700 CENTRAL STORES	3353 STORY DISTRIBUTING	Diesel Fuel 257 gal	431.11
1000 GENERAL	411700 CENTRAL STORES	1783 J & H OFFICE EQUIPMENT	Canon Copier April	275.29
1000 GENERAL	420100 OPERATING ACCOUNT	272 PARK COUNTY	Police phones	74.94
1000 GENERAL	420100 OPERATING ACCOUNT	1814 SPECIAL LUBE	Vehicle service	40.00
1000 GENERAL	420100 OPERATING ACCOUNT	1920 HORIZON AUTO PARTS	Vehicle battery	96.14
1000 GENERAL	420100 OPERATING ACCOUNT	3314 CTS AMERICA	33% Annual Maintenanc	17,545.00
1000 GENERAL	420100 OPERATING ACCOUNT	3010 EMANUAL, ANDREW	Reimburse - vehicle	21.99
1000 GENERAL	420100 OPERATING ACCOUNT	3371 BALCO UNIFORM COMPANY,	Hard - Uniforms	169.00
1000 GENERAL	420100 OPERATING ACCOUNT	2671 COMDATA	March Fuel	832.92
1000 GENERAL	420100 OPERATING ACCOUNT	3376 TRANUNION RISK &	Investigative search	25.00
1000 GENERAL	420100 OPERATING ACCOUNT	2426 GRANITETCS, INC	March IT support 33%	75.00
1000 GENERAL	420100 OPERATING ACCOUNT	55 LIVINGSTON HEALTH	Initial Hire Physica	216.00
1000 GENERAL	420400 OPERATING ACCOUNTS	22 ALL SERVICE TIRE &	Tire repair	12.00
1000 GENERAL	420400 OPERATING ACCOUNTS	1633 CHAMBERS, MICHAEL	Reimburse tutition	1,697.50
1000 GENERAL	420400 OPERATING ACCOUNTS	2671 COMDATA	March fuel	330.56
1000 GENERAL	420400 OPERATING ACCOUNTS	250 INSTY-PRINTS	Business Cards-Masti	49.95
1000 GENERAL	420400 OPERATING ACCOUNTS	26 LIVINGSTON ACE HARDWARE	- Fasteners	2.58
1000 GENERAL	420400 OPERATING ACCOUNTS	26 LIVINGSTON ACE HARDWARE	- Mouse traps	2.59
1000 GENERAL	420400 OPERATING ACCOUNTS	272 PARK COUNTY	Fire 50%	43.53
1000 GENERAL	420400 OPERATING ACCOUNTS	3040 PRO RENTALS & SALES, INC.	Saw repair	56.35
1000 GENERAL	420400 OPERATING ACCOUNTS	2907 SHI INTERNATIONAL CORP.	Software	338.35
1000 GENERAL	420400 OPERATING ACCOUNTS	879 VERIZON WIRELESS	Fire	145.41
1000 GENERAL	420400 OPERATING ACCOUNTS	879 VERIZON WIRELESS	Fire	50.68
1000 GENERAL	420400 OPERATING ACCOUNTS	879 VERIZON WIRELESS	Fire	42.52
1000 GENERAL	420400 OPERATING ACCOUNTS	879 VERIZON WIRELESS	Ben Coffman -Fire Ch	91.01
1000 GENERAL	420400 OPERATING ACCOUNTS	879 VERIZON WIRELESS	Fire & Recuse	42.52
1000 GENERAL	420400 OPERATING ACCOUNTS	879 VERIZON WIRELESS	Fire & Recuse	42.52
1000 GENERAL	420400 OPERATING ACCOUNTS	879 VERIZON WIRELESS	Fire & Recuse	42.52
1000 GENERAL	420400 OPERATING ACCOUNTS	1915 MASTIN, JAMES	Travel Reimburment F	214.60
1000 GENERAL	420400 OPERATING ACCOUNTS	2657 ROTO-ROOTER - BOZEMAN	clear clogged drain	110.00
1000 GENERAL	420400 OPERATING ACCOUNTS	3184 MASTERCARD	Chief Badge	90.00
1000 GENERAL	420400 OPERATING ACCOUNTS	1690 LIVINGSTON FIRE & RESCUE	Extinguisher bracket	65.00
1000 GENERAL	420400 OPERATING ACCOUNTS	23 CARQUEST AUTO PARTS	Batter - Brush 1	122.99
1000 GENERAL	420400 OPERATING ACCOUNTS	2666 MUNICIPAL EMERGENCY	SCBA repair	116.00
1000 GENERAL	420403 BUILDING INSPECTION	1814 SPECIAL LUBE	Oil Change #601	42.00
1000 GENERAL	420403 BUILDING INSPECTION	879 VERIZON WIRELESS	Code Enforcement	22.98
1000 GENERAL	420403 BUILDING INSPECTION	879 VERIZON WIRELESS	Building dept	13.25
1000 GENERAL	420403 BUILDING INSPECTION	879 VERIZON WIRELESS	Building dept	0.00
1000 GENERAL	420403 BUILDING INSPECTION	3184 MASTERCARD	Buidling Codes Confe	75.00
1000 GENERAL	420403 BUILDING INSPECTION	2671 COMDATA	Fuel	84.60
1000 GENERAL	420403 BUILDING INSPECTION	1839 MARATHON PRINTING	Permit blanks	164.00
1000 GENERAL	420410 RESERVES OPERATING	999999 CARLIN, KRISTEN	Reimburse EMS cert	70.00
1000 GENERAL	420410 RESERVES OPERATING	3184 MASTERCARD	Fire helmet	356.98
1000 GENERAL	430950 ROAMING OPERATING	879 VERIZON WIRELESS	Cemtery	13.75
1000 GENERAL	430950 ROAMING OPERATING	879 VERIZON WIRELESS	Roaming crew - Jones	23.02
1000 GENERAL	430950 ROAMING OPERATING	879 VERIZON WIRELESS	Parks	23.12
1000 GENERAL	430950 ROAMING OPERATING	3184 MASTERCARD	Paper 80 Cases	50.00
1000 GENERAL	430950 ROAMING OPERATING	3184 MASTERCARD	Costco- Monitor	30.00
1000 GENERAL	430950 ROAMING OPERATING	3184 MASTERCARD	Costco	38.83
1000 GENERAL	430950 ROAMING OPERATING	3184 MASTERCARD	Skillpath Seminars	17.50

04/13/16
09:11:20

CITY OF LIVINGSTON
Claim Approval by Fund, Account
For the Accounting Period: 4/16

Page: 3
Report ID: AP100Z

For doc #s from 28050 to 28175, Operating Cash

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
1000 GENERAL	430950 ROAMING OPERATING	3184 MASTERCARD	Skillpath seminars	17.66
1000 GENERAL	430950 ROAMING OPERATING	151 NORTHWESTERN ENERGY	8th & Park	7.90
1000 GENERAL	430950 ROAMING OPERATING	151 NORTHWESTERN ENERGY	229 River	12.61
1000 GENERAL	430950 ROAMING OPERATING	151 NORTHWESTERN ENERGY	CC Roaming	159.40
1000 GENERAL	430950 ROAMING OPERATING	781 2M COMPANY, INC.	Couplings	66.29
1000 GENERAL	430950 ROAMING OPERATING	26 LIVINGSTON ACE HARDWARE	- ATV Battery	65.99
1000 GENERAL	430950 ROAMING OPERATING	26 LIVINGSTON ACE HARDWARE	- ATV Battery Return	-65.99
1000 GENERAL	430950 ROAMING OPERATING	26 LIVINGSTON ACE HARDWARE	- Filters	8.66
1000 GENERAL	430950 ROAMING OPERATING	22 ALL SERVICE TIRE &	Tires	568.00
1000 GENERAL	430950 ROAMING OPERATING	721 ALPINE YAMAHA	ATV Part	115.00
1000 GENERAL	430950 ROAMING OPERATING	3097 SCHNEIDER, ERIC	Boiler license reimb	35.00
1000 GENERAL	430950 ROAMING OPERATING	2932 FREDERICK, MIKE	Boiler license reimb	35.00
1000 GENERAL	430950 ROAMING OPERATING	3602 AM ARBOR CARE, LLC	Meet & report	195.00
1000 GENERAL	430950 ROAMING OPERATING	2671 COMDATA	Fuel	329.82
1000 GENERAL	430950 ROAMING OPERATING	54 GATEWAY OFFICE SUPPLY	Office Supplies	50.91
1000 GENERAL	430950 ROAMING OPERATING	1314 RIVER BEND	Caps	337.50
1000 GENERAL	430950 ROAMING OPERATING	2087 WISPWEST.NET	Internet	44.95
1000 GENERAL	440640 ANIMAL CONTROL SERVICES	879 VERIZON WIRELESS	Animal Control	64.47
1000 GENERAL	440640 ANIMAL CONTROL SERVICES	2671 COMDATA	Fuel	72.95
1000 GENERAL	440640 ANIMAL CONTROL SERVICES	1439 STAFFORD ANIMAL SHELTER	Board, Vac & Euth	1,195.00
1000 GENERAL	440640 ANIMAL CONTROL SERVICES	1439 STAFFORD ANIMAL SHELTER	Board, Vac & Euth	1,645.00
1000 GENERAL	440640 ANIMAL CONTROL SERVICES	3169 SPAY NEUTER PROJECT	Spay/Neuter July-Dec	2,452.25
1000 GENERAL	440640 ANIMAL CONTROL SERVICES	3169 SPAY NEUTER PROJECT	Spay/Neuter Jan. - M	872.85
1000 GENERAL	460430 PARKS OPERATING	3184 MASTERCARD	Sears- Tool box	89.99
1000 GENERAL	460430 PARKS OPERATING	3184 MASTERCARD	Shopko	5.99
1000 GENERAL	460430 PARKS OPERATING	26 LIVINGSTON ACE HARDWARE	- Shop Supplies	99.98
1000 GENERAL	460430 PARKS OPERATING	26 LIVINGSTON ACE HARDWARE	- Shop Supplies	62.96
1000 GENERAL	460430 PARKS OPERATING	26 LIVINGSTON ACE HARDWARE	- Shop Supplies	9.99
1000 GENERAL	460430 PARKS OPERATING	2112 CHURCHILL EQUIPMENT CO.,	Bushing	31.72
1000 GENERAL	460430 PARKS OPERATING	3491 COFFMAN'S PEAK ELECTRIC,	Bandshell Electric	2,113.00
1000 GENERAL	460430 PARKS OPERATING	16 PARISI WESTERN PLUMBING &	Lion Fountain	22.95
1000 GENERAL	460442 CIVIC CENTER ADMIN	26 LIVINGSTON ACE HARDWARE	- Battery/mopheads	28.97
1000 GENERAL	460442 CIVIC CENTER ADMIN	282 LIVINGSTON TRUE VALUE	Recycle bags	15.29
1000 GENERAL	460442 CIVIC CENTER ADMIN	14 SHOPKO STORES, LLC	Popping oil	5.49
1000 GENERAL	460442 CIVIC CENTER ADMIN	151 NORTHWESTERN ENERGY	Civic Center	1,206.44
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	151 NORTHWESTERN ENERGY	Pool	184.96
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	781 2M COMPANY, INC.	Valve	52.17
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	26 LIVINGSTON ACE HARDWARE	- Pool Supplies	59.90
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	26 LIVINGSTON ACE HARDWARE	- O ring	1.18
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	26 LIVINGSTON ACE HARDWARE	- Pool Supplies	22.99
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	26 LIVINGSTON ACE HARDWARE	- Supplies	17.98
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	26 LIVINGSTON ACE HARDWARE	- Pool Bath house	14.90
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	26 LIVINGSTON ACE HARDWARE	- Pool Supplies	115.90
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	26 LIVINGSTON ACE HARDWARE	- Pool Supplies	1.98
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	26 LIVINGSTON ACE HARDWARE	- Pool Supplies	151.68
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	26 LIVINGSTON ACE HARDWARE	- Pool Supplies	14.96
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	26 LIVINGSTON ACE HARDWARE	- Pool Supplies	14.58
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	16 PARISI WESTERN PLUMBING &	Pool Parts	123.00
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	3033 RECREATION SUPPLY CO.	Pool supplies	2,500.00
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	3033 RECREATION SUPPLY CO.	Pool Supplies	75.48
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3364 CITY OF LIVINGSTON	Reimburse petty cash	16.86
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	879 VERIZON WIRELESS	Rec. dept	135.01

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1000 GENERAL	460449 ADMINISTRATIVE SERVICES	879 VERIZON WIRELESS	Rec. dept	0.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	879 VERIZON WIRELESS	ATS	40.81
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	879 VERIZON WIRELESS	ATS	60.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	879 VERIZON WIRELESS	ATS	245.25
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3184 MASTERCARD	Town & Country Conce	37.47
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3184 MASTERCARD	Town & Country Conce	4.99
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3184 MASTERCARD	Shopko Skate Night	30.53
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3184 MASTERCARD	Albertson's Skate Ni	19.95
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3184 MASTERCARD	Shopko- Office suppl	10.97
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3184 MASTERCARD	Verizon	34.99
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3576 BARKMAN, ASHLEY	Skate Night 19 hrs \$	190.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3575 ROOPE, KYRA	Skate Night 15 hrs \$	150.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3588 CUMMINS, HEATHER	Skate Night 10 hrs \$	100.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3586 TARR, MARGARET	Costco Concessions	132.55
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3460 ROSBERG, SCOTT	Youth BBall Coach Tr	200.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3361 SPARK LASER CREATIONS	Adult BBall League C	75.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 FCCLA CLUB - PARK HIGH	Club Staffing at Ska	50.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3603 SUMMIT ACADEMY	Skate Night Staffing	50.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3603 SUMMIT ACADEMY	Skate Night Staffing	50.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3603 SUMMIT ACADEMY	Skate Night Staffing	50.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 TNT CLUB - PARK HIGH	Club staffing at Ska	50.00
Total for Fund:				53,804.76
2220 LIBRARY	460100 LIBRARY SERVICES	3184 MASTERCARD	Postage	100.00
2220 LIBRARY	460100 LIBRARY SERVICES	3184 MASTERCARD	Monthly Stamps.com	15.99
2220 LIBRARY	460100 LIBRARY SERVICES	3184 MASTERCARD	Tone Cartridges	21.39
2220 LIBRARY	460100 LIBRARY SERVICES	3184 MASTERCARD	MT Library Associatio	193.00
2220 LIBRARY	460100 LIBRARY SERVICES	3184 MASTERCARD	32 GB flash drive	17.49
Total for Fund:				347.87
2300 COMMUNICATIONS/DISPATCH	420160 DISPATCH/COMMUNICATIONS	3466 KIRK MICHAELS ARCHITECT,	Dispatch remodel 2/1	776.75
2300 COMMUNICATIONS/DISPATCH	420160 DISPATCH/COMMUNICATIONS	272 PARK COUNTY	Dispatch	40.06
2300 COMMUNICATIONS/DISPATCH	420160 DISPATCH/COMMUNICATIONS	2999 TEAR IT UP L.L.C.	Shred documents	94.40
2300 COMMUNICATIONS/DISPATCH	420160 DISPATCH/COMMUNICATIONS	879 VERIZON WIRELESS	Dispatch	46.83
2300 COMMUNICATIONS/DISPATCH	420160 DISPATCH/COMMUNICATIONS	306 GLASS, PEGGY	Reimburse - clorox w	9.99
2300 COMMUNICATIONS/DISPATCH	420160 DISPATCH/COMMUNICATIONS	306 GLASS, PEGGY	Jacobsen/Blankensho	25.98
2300 COMMUNICATIONS/DISPATCH	420160 DISPATCH/COMMUNICATIONS	306 GLASS, PEGGY	Notary renewal	25.00
2300 COMMUNICATIONS/DISPATCH	420160 DISPATCH/COMMUNICATIONS	306 GLASS, PEGGY	Flowers - Gillen Fun	59.44
2300 COMMUNICATIONS/DISPATCH	420160 DISPATCH/COMMUNICATIONS	3601 PRITT, CINDY	MLEA training- Helen	146.88
2300 COMMUNICATIONS/DISPATCH	420160 DISPATCH/COMMUNICATIONS	3184 MASTERCARD	EMD Manual - Pritt	142.95
Total for Fund:				1,368.28
2310 TAX INCREMENT DISTRICT -	470300 ECONOMIC DEVELOPMENT	146 LIVINGSTON ENTERPRISE	URA Meeting	69.00
Total for Fund:				69.00
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	Livingston SL	4,352.62
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	400 N M SL	12.35
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	608 W Chinook SL	77.05

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2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	710 W Callender SL	72.71
Total for Fund:				4,514.73
2500 STREET MAINTENANCE	430220 FACILITIES/CITY SHOP	879 VERIZON WIRELESS	Street	13.23
2500 STREET MAINTENANCE	430220 FACILITIES/CITY SHOP	879 VERIZON WIRELESS	Street	68.54
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	3184 MASTERCARD	Paper 80 Cases	50.00
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	3184 MASTERCARD	Costco	38.83
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	3184 MASTERCARD	Skillpath	17.50
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	3184 MASTERCARD	Costco - Monitor	30.00
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	3184 MASTERCARD	Skillpath seminars	17.66
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	26 LIVINGSTON ACE HARDWARE -	Filters	8.66
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	23 CARQUEST AUTO PARTS	Battery & Light	200.97
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	3491 COFFMAN'S PEAK ELECTRIC,	Shop heaters	271.92
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	2671 COMDATA	Fuel	244.10
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	3298 EXEC U CARE SERVICES,	Cleaning	80.00
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	102 INDUSTRIAL TOWEL	Mat cleaning	8.55
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	102 INDUSTRIAL TOWEL	Mat cleaning	8.55
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	2863 KIMBALL MIDWEST	Supplies	407.74
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	957 RESPOND SYSTEMS	Street First Aid	61.92
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	26 LIVINGSTON ACE HARDWARE -	Supplies	40.17
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	26 LIVINGSTON ACE HARDWARE -	Gloves	16.99
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	23 CARQUEST AUTO PARTS	Oring	7.28
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	23 CARQUEST AUTO PARTS	Oil	8.76
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	3387 J & H, Inc.	Copier	13.88
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	1390 KEN'S EQUIPMENT REPAIR,	Repairs	595.45
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	1814 SPECIAL LUBE	Oil Change	50.00
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	1814 SPECIAL LUBE	Oil Change	40.00
Total for Fund:				2,300.70
2600 SIDEWALKS	430240 STREET DEPARTMENT	2001 KARNATZ TREE SERVICE	Stump Grinding	432.00
Total for Fund:				432.00
2820 GAS TAX	430240 STREET DEPARTMENT	12 NORMONT EQUIPMENT	Supplies	186.13
Total for Fund:				186.13
4099 RAILROAD CROSSING LEVY	411850 RAILROAD UNDERPASS	1110 DOWL HKM	RRGS Utility relocat	2,258.75
Total for Fund:				2,258.75
5210 WATER OPERATING	430510 WATER ADMINISTRATION	2595 TOWN & COUNTRY FOODS -	Becki's retirement	17.84
5210 WATER OPERATING	430510 WATER ADMINISTRATION	3184 MASTERCARD	Paper 80 Cases	50.00
5210 WATER OPERATING	430510 WATER ADMINISTRATION	3184 MASTERCARD	B & B soaps	38.84
5210 WATER OPERATING	430510 WATER ADMINISTRATION	3184 MASTERCARD	Montanasect	105.00
5210 WATER OPERATING	430510 WATER ADMINISTRATION	3184 MASTERCARD	Montanasect	105.00
5210 WATER OPERATING	430510 WATER ADMINISTRATION	3184 MASTERCARD	Qdoba	14.25
5210 WATER OPERATING	430510 WATER ADMINISTRATION	26 LIVINGSTON ACE HARDWARE -	Filters	8.66
5210 WATER OPERATING	430515 WATER SERVICES	879 VERIZON WIRELESS	Water Cell	22.98
5210 WATER OPERATING	430515 WATER SERVICES	879 VERIZON WIRELESS	Water Cell	13.67

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5210	WATER OPERATING	430515 WATER SERVICES	879 VERIZON WIRELESS	Water Cell	11.44
5210	WATER OPERATING	430515 WATER SERVICES	879 VERIZON WIRELESS	Water Cell 1/2	24.41
5210	WATER OPERATING	430515 WATER SERVICES	879 VERIZON WIRELESS	Water 1/2	26.09
5210	WATER OPERATING	430515 WATER SERVICES	879 VERIZON WIRELESS	Water 1/2	0.00
5210	WATER OPERATING	430515 WATER SERVICES	879 VERIZON WIRELESS	Water 1/2	47.34
5210	WATER OPERATING	430515 WATER SERVICES	879 VERIZON WIRELESS	Public works eng	57.76
5210	WATER OPERATING	430515 WATER SERVICES	879 VERIZON WIRELESS	Cain	42.52
5210	WATER OPERATING	430515 WATER SERVICES	3184 MASTERCARD	Costco - Monitor	30.00
5210	WATER OPERATING	430515 WATER SERVICES	3184 MASTERCARD	Skillpath	17.50
5210	WATER OPERATING	430515 WATER SERVICES	3184 MASTERCARD	Montana sect	105.00
5210	WATER OPERATING	430515 WATER SERVICES	3184 MASTERCARD	Skillpath seminars	17.66
5210	WATER OPERATING	430515 WATER SERVICES	3184 MASTERCARD	USA Bluebook	146.31
5210	WATER OPERATING	430515 WATER SERVICES	151 NORTHWESTERN ENERGY	200 E Reservoir	448.20
5210	WATER OPERATING	430515 WATER SERVICES	151 NORTHWESTERN ENERGY	601 Robin Lane	1,050.35
5210	WATER OPERATING	430515 WATER SERVICES	151 NORTHWESTERN ENERGY	4 Billman	1,516.76
5210	WATER OPERATING	430515 WATER SERVICES	151 NORTHWESTERN ENERGY	229 River CC Pump	8.75
5210	WATER OPERATING	430515 WATER SERVICES	26 LIVINGSTON ACE HARDWARE	- Supplies	124.89
5210	WATER OPERATING	430515 WATER SERVICES	2671 COMDATA	Fuel	477.89
5210	WATER OPERATING	430515 WATER SERVICES	957 RESPOND SYSTEMS	PW First Aid	53.38
5210	WATER OPERATING	430515 WATER SERVICES	3387 J & H, Inc.	Copier	13.89
5210	WATER OPERATING	430515 WATER SERVICES	2527 MSE TECHNOLOGY	Coliforms	158.40
5210	WATER OPERATING	430515 WATER SERVICES	2527 MSE TECHNOLOGY	Coliforms	158.40
5210	WATER OPERATING	430515 WATER SERVICES	1430 USA BLUEBOOK	SwiftTest	112.42
5210	WATER OPERATING	430520 FACILITIES/CAPITAL OUTLAY	3298 EXEC U CARE SERVICES,	Cleaning	80.00
5210	WATER OPERATING	430520 FACILITIES/CAPITAL OUTLAY	102 INDUSTRIAL TOWEL	Mat cleaning	8.56
5210	WATER OPERATING	430520 FACILITIES/CAPITAL OUTLAY	102 INDUSTRIAL TOWEL	Mat cleaning	8.56
5210	WATER OPERATING	430520 FACILITIES/CAPITAL OUTLAY	3016 MT WATERWORKS	Supplies	919.99
5210	WATER OPERATING	430520 FACILITIES/CAPITAL OUTLAY	3016 MT WATERWORKS	Supplies	189.19
5210	WATER OPERATING	430570 CUSTOMER ACCTG/COLLECTION	2958 NEOPOST USA, INC	Postage	383.26
5210	WATER OPERATING	430570 CUSTOMER ACCTG/COLLECTION	3184 MASTERCARD	UB bill Bar Code sca	82.73
5210	WATER OPERATING	430570 CUSTOMER ACCTG/COLLECTION	3184 MASTERCARD	Spring Flyer mat'ls	69.74
				Total for Fund:	6,767.63
5310	SEWER OPERATING	430610 SEWER ADMINISTRATION	2595 TOWN & COUNTRY FOODS -	Becki's retirement	17.84
5310	SEWER OPERATING	430610 SEWER ADMINISTRATION	3184 MASTERCARD	Paper 80 Cases	50.00
5310	SEWER OPERATING	430610 SEWER ADMINISTRATION	3184 MASTERCARD	Costco- Monitor	30.00
5310	SEWER OPERATING	430620 FACILITIES	879 VERIZON WIRELESS	Water Cell	23.12
5310	SEWER OPERATING	430620 FACILITIES	879 VERIZON WIRELESS	Sewer Cell 1/2	24.40
5310	SEWER OPERATING	430620 FACILITIES	879 VERIZON WIRELESS	Sewer Cell	23.12
5310	SEWER OPERATING	430620 FACILITIES	879 VERIZON WIRELESS	Sewer Cell	11.60
5310	SEWER OPERATING	430620 FACILITIES	879 VERIZON WIRELESS	Sewer 1/2	26.09
5310	SEWER OPERATING	430620 FACILITIES	879 VERIZON WIRELESS	Sewer 1/2	0.00
5310	SEWER OPERATING	430620 FACILITIES	879 VERIZON WIRELESS	Sewer 1/2	47.34
5310	SEWER OPERATING	430620 FACILITIES	879 VERIZON WIRELESS	WWTP	37.49
5310	SEWER OPERATING	430620 FACILITIES	879 VERIZON WIRELESS	WWTP - pager	22.98
5310	SEWER OPERATING	430620 FACILITIES	3184 MASTERCARD	B & B soaps	38.83
5310	SEWER OPERATING	430620 FACILITIES	26 LIVINGSTON ACE HARDWARE	- Filters	8.66
5310	SEWER OPERATING	430620 FACILITIES	3442 LIVINGSTON PUBLIC WORKS	Replenish petty cash	3.98
5310	SEWER OPERATING	430620 FACILITIES	3298 EXEC U CARE SERVICES,	Cleaning	80.00
5310	SEWER OPERATING	430620 FACILITIES	102 INDUSTRIAL TOWEL	Mat cleaning	8.55
5310	SEWER OPERATING	430620 FACILITIES	102 INDUSTRIAL TOWEL	Mat cleaning	8.55

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5310 SEWER OPERATING	430625 SEWER SERVICES	3184 MASTERCARD	Skillpath	17.50
5310 SEWER OPERATING	430625 SEWER SERVICES	3184 MASTERCARD	Skillpath seminars	17.66
5310 SEWER OPERATING	430625 SEWER SERVICES	3184 MASTERCARD	Montanasect	105.00
5310 SEWER OPERATING	430625 SEWER SERVICES	3442 LIVINGSTON PUBLIC WORKS	Replenish petty cash	7.99
5310 SEWER OPERATING	430625 SEWER SERVICES	2671 COMDATA	Fuel	368.02
5310 SEWER OPERATING	430625 SEWER SERVICES	34 MOUNTAIN AIR SPORTS	Shirts	138.80
5310 SEWER OPERATING	430625 SEWER SERVICES	957 RESPOND SYSTEMS	PW FirstAid	53.38
5310 SEWER OPERATING	430625 SEWER SERVICES	3387 J & H, Inc.	Copier	13.88
5310 SEWER OPERATING	430625 SEWER SERVICES	1390 KEN'S EQUIPMENT REPAIR,	Plate	375.00
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	3184 MASTERCARD	Skillpath Semianars	17.50
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	3184 MASTERCARD	Montana sect	105.00
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	3184 MASTERCARD	Napa	34.17
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	3184 MASTERCARD	Alpine Electronics	12.99
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	3184 MASTERCARD	Cafe Rio	20.72
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	3184 MASTERCARD	Skillpath seminars	17.65
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	26 LIVINGSTON ACE HARDWARE -	Supplies	57.46
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	26 LIVINGSTON ACE HARDWARE -	Exchange	-6.00
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	424 ENERGY LABORATORIES, INC.	Bl6031475	102.00
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	424 ENERGY LABORATORIES, INC.	Bl6032094	102.00
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	102 INDUSTRIAL TOWEL	Mat cleaning	23.90
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	102 INDUSTRIAL TOWEL	Mat cleaning	23.90
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	2830 LEHRKIND'S COCA-COLA	Water	25.05
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	33 NORTH CENTRAL	Supplies	2,824.11
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	957 RESPOND SYSTEMS	WWTP FirstAid	31.26
5310 SEWER OPERATING	430670 CUSTOMER ACCTG/COLLECTION	2958 NEOPOST USA, INC	Postage	383.26
5310 SEWER OPERATING	430670 CUSTOMER ACCTG/COLLECTION	3184 MASTERCARD	UB bill Bar Code sca	82.73
5310 SEWER OPERATING	430670 CUSTOMER ACCTG/COLLECTION	3184 MASTERCARD	Spring Flyer mat'ls	69.73
Total for Fund:				5,487.21
5410 SOLID WASTE	430810 SOLID WASTE	2595 TOWN & COUNTRY FOODS -	purchases	17.84
5410 SOLID WASTE	430810 SOLID WASTE	3184 MASTERCARD	Paper 80 Cases	50.00
5410 SOLID WASTE	430810 SOLID WASTE	3184 MASTERCARD	Costco- Monitor	30.00
5410 SOLID WASTE	430820 FACILITIES	879 VERIZON WIRELESS	Solid Waste truck	0.00
5410 SOLID WASTE	430820 FACILITIES	879 VERIZON WIRELESS	Solid Waste truck	13.23
5410 SOLID WASTE	430820 FACILITIES	879 VERIZON WIRELESS	Transfer Station	14.89
5410 SOLID WASTE	430820 FACILITIES	879 VERIZON WIRELESS	Scale House	22.98
5410 SOLID WASTE	430820 FACILITIES	879 VERIZON WIRELESS	Transfer station - V	47.12
5410 SOLID WASTE	430820 FACILITIES	3184 MASTERCARD	Costco	38.83
5410 SOLID WASTE	430820 FACILITIES	26 LIVINGSTON ACE HARDWARE -	Filters	8.66
5410 SOLID WASTE	430820 FACILITIES	3298 EXEC U CARE SERVICES,	Cleaning	80.00
5410 SOLID WASTE	430820 FACILITIES	102 INDUSTRIAL TOWEL	Mat cleaning	8.55
5410 SOLID WASTE	430820 FACILITIES	102 INDUSTRIAL TOWEL	Mat cleaning	8.55
5410 SOLID WASTE	430820 FACILITIES	3387 J & H, Inc.	Copier	13.88
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	3184 MASTERCARD	Skillpath	17.50
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	3184 MASTERCARD	Skillpath seminars	17.66
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	3184 MASTERCARD	Mobile Repair	727.46
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	3184 MASTERCARD	Jet.com	521.85
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	26 LIVINGSTON ACE HARDWARE -	Supplies	69.98
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	22 ALL SERVICE TIRE &	Tube & Mount	100.00
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	3442 LIVINGSTON PUBLIC WORKS	Replenish petty cash	24.99
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	2671 COMDATA	Fuel	109.52

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5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	2830 LEHRKIND'S COCA-COLA	Water	1.75
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	957 RESPOND SYSTEMS	TS FirstAid	147.53
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	957 RESPOND SYSTEMS	TS Supplies	237.66
5410 SOLID WASTE	430840 DISPOSAL	3380 EMERALD RECYCLING SERVICE	Hawk Test	770.78
5410 SOLID WASTE	430870 CUSTOMER ACCTG/COLLECTION	3326 CAROLINA SOFTWARE, Inc.	Waste works software	500.00
5410 SOLID WASTE	430870 CUSTOMER ACCTG/COLLECTION	2958 NEOPOST USA, INC	Postage	383.27
5410 SOLID WASTE	430870 CUSTOMER ACCTG/COLLECTION	3184 MASTERCARD	UB bill Bar Code sca	82.74
5410 SOLID WASTE	430870 CUSTOMER ACCTG/COLLECTION	3184 MASTERCARD	Spring Flyer mat'ls	69.73
5410 SOLID WASTE	430870 CUSTOMER ACCTG/COLLECTION	3184 MASTERCARD	Scale house supplies	34.36
Total for Fund:				4,171.31
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	2662 BOUND TREE MEDICAL, LLC	Patient supplies	568.90
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	23 CARQUEST AUTO PARTS	Cleaning supplies	9.38
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	2671 COMDATA	March fuel	513.89
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	26 LIVINGSTON ACE HARDWARE	Rotary knob M4	4.99
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	26 LIVINGSTON ACE HARDWARE	Duct tape, cleaning	25.96
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	26 LIVINGSTON ACE HARDWARE	Cleaning supplies	7.99
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	55 LIVINGSTON HEALTH	Patient supplies	68.69
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	272 PARK COUNTY	Amb 50%	43.52
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	14 SHOPKO STORES, LLC	Cleaning supplies	8.98
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	1396 WESTERN DRUG	Patient supplies	76.82
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	879 VERIZON WIRELESS	EMS	91.40
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	879 VERIZON WIRELESS	EMS	13.25
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	879 VERIZON WIRELESS	EMS	46.99
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	879 VERIZON WIRELESS	EMS	13.25
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	879 VERIZON WIRELESS	Medic 2	33.49
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	3184 MASTERCARD	Pediatric Pulse ox	32.09
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	3184 MASTERCARD	Public relations	31.39
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	3184 MASTERCARD	CPR Training materia	119.95
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	3184 MASTERCARD	Timer	46.87
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	3184 MASTERCARD	Defib pads	52.34
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	3184 MASTERCARD	Pulse oximeters	96.79
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	3184 MASTERCARD	M4 mirror	141.66
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	2662 BOUND TREE MEDICAL, LLC	Patient supplies	59.37
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	2662 BOUND TREE MEDICAL, LLC	Patient supplies	56.20
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	2662 BOUND TREE MEDICAL, LLC	Patient supplies	32.36
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	2662 BOUND TREE MEDICAL, LLC	Patient supplies	223.99
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	2662 BOUND TREE MEDICAL, LLC	Patient supplies	97.57
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	26 LIVINGSTON ACE HARDWARE	Bolt cutters	139.96
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	1390 KEN'S EQUIPMENT REPAIR,	Medic 1 repairs	135.00
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	55 LIVINGSTON HEALTH	Patient supplies	193.90
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	2628 WILD WEST CLOTHING	Uniform patches	53.00
Total for Fund:				3,039.94
7910 PAYROLL FUND	212970 FLEX PLAN BENEFITS PAY	2751 EDMISTON, KATHRYN	Flex account	117.89
7910 PAYROLL FUND	212970 FLEX PLAN BENEFITS PAY	958 HARRINGTON, KEVIN	Flex account	129.18
7910 PAYROLL FUND	212970 FLEX PLAN BENEFITS PAY	1901 HARRIS, JOSEPH E.	Flex account - close	372.47
Total for Fund:				619.54

Total: 85,367.85

Backup material for agenda item:

- A. ORDINANCE NO. 2062 -- AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 22, ENTITLED "CEMETERIES," BY MAKING MODIFICATIONS TO ACCOUNT FOR THE NEW MOUNTAIN VIEW CEMETERY REGULATIONS.**

Livingston City Commission
LEGISLATIVE ACTION SUMMARY
Ordinance No. 2062

Date of First Consideration / Status: April 5, 2016

Purpose of Legislation: To amend the Code of Ordinances, City of Livingston, Montana to account for changes to Mountain View Cemetery Regulations.

Statutory Authority / Reference: Mont. Code Ann. § 7-5-103 (2015), and Chapter 22 of the Code of Ordinances, City of Livingston, Montana.

Background: The Code of Ordinances, City of Livingston, Montana, are outdated in that they do not account for the new Mountain View Cemetery Regulations, which regulations include updated hours of operation and costs and expenses associated with interment, among other items. The language of proposed Ordinance 2062 includes the necessary changes.

Fiscal Impact: N/A.

Regulatory Impact (local): The City will be required to enforce Chapter 22 of the Code of Ordinances, City of Livingston, Montana.

Attachments: Mountain View Cemetery Regulations.

ORDINANCE NO. 2062

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 22, ENTITLED "CEMETERIES," BY MAKING MODIFICATIONS TO ACCOUNT FOR THE NEW MOUNTAIN VIEW CEMETERY REGULATIONS.

Purpose

The purpose of this Ordinance is provide for the public health, safety and welfare of the Livingston's residents by providing updated, improved and streamlined rules and regulations applicable to the Mountain View Cemetery.

WHEREAS, the Code of Ordinances, City of Livingston, Montana, are outdated in that they do not account for the new Mountain View Cemetery Regulations, which regulations include updated hours of operation and costs and expenses associated with interment, among other items; and

WHEREAS, the City Commission is satisfied with the language set forth hereinafter and believes it is in the best interests of the City of Livingston to enact the amendments discussed below.

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

SECTION 1

That Section 22-2 of the Livingston Municipal Code is hereby amended as follows (with additions underlined and deletions struck through):

Sec. 22-2. – Hours of operation.

Mountain View Cemetery is open to the public every day from sunrise to sunset~~shall be closed between the hours of eleven o'clock (11:00) p.m. and seven o'clock (7:00) a.m.~~ No person may enter the cemetery during the hours in which the cemetery is closed~~between sunset and sunrise.~~

Ordinance No. 2062

Amending Chapter 22, entitled "Cemeteries," by making modifications to account for updated Mountain View Cemetery Regulations

Page 1

SECTION 2

That Section 22-6 of the Livingston Municipal Code is hereby amended as follows (with additions underlined and deletions struck through):

Sec. 22-6. – Lot prices.

~~The following prices shall be paid to the City in advance for the sale of~~
Gravesites in Mountain View Cemetery shall be sold for the prices set forth in
the Mountain View Cemetery Regulations, as amended from time to time. All
costs shall be paid to the City in advance of any sale of a gravesite.:

1. ~~For adults: \$250.00~~
2. ~~For children up to 5 years of age: \$75.00.~~

SECTION 3

That Section 22-7 of the Livingston Municipal Code is hereby amended as follows (with additions underlined and deletions struck through):

Sec. 22-7 – Lot Sale Proceeds.

All moneys received by the City for the sale of all lots in Mountain View Cemetery shall be paid 50% into the Cemetery Perpetual Care Fund and 50% into the General Fund's Cemetery Plot Sales Account~~into the cemetery fund cash account of the City.~~

SECTION 4

That Section 22-9 of the Livingston Municipal Code is hereby amended as follows (with additions underlined and deletions struck through):

Sec. 22-9. - Sale of burial plot.

Ordinance No. 2062

Amending Chapter 22, entitled "Cemeteries," by making modifications to account for updated Mountain View Cemetery Regulations

Page 2

~~No~~ Burial plots sold by the City for burial purposes shall ~~may~~ be sold or transferred to ~~any other~~ another party with the written consent of the transferor ~~other than the City of Livingston~~ except that disinterred graves will not be repurchased by the City. The Finance Department shall issue a new deed to the transferee to effectuate such a transfer. The owner of a disinterred grave may authorize the City to transfer the disinterred grave to another party, but such authorization must be in writing. Burial plots may be sold back to the City for the original purchase price with the written consent of the plot owner listed on the deed.

~~The price paid by the City upon re-transfer of the burial plot shall be the same price set by the City for selling cemetery lots as of the date of repurchase.~~

SECTION 5

That Section 22-10 of the Livingston Municipal Code is hereby amended as follows (with additions underlined and deletions struck through):

Section 22-10. – Fees for opening graves.

~~Superintendent of Public Services~~ The Public Works Director or Cemetery Sexton ~~staff~~ will determine when to open or close a grave. Fees are to be paid to the City in advance for the classification of grave opening and closing, which fees are set forth in the Mountain View Cemetery Regulations, as amended from time to time. ~~as follows:~~

~~Adult – opening and closing\$175.00~~

~~Adult – opening and closing on holidays or weekends350.00~~

~~Ashes – opening and closing75.00~~

~~Child – opening and closing75.00~~

~~Child/ashes – opening and closing on holidays and weekends175.00~~

~~Removal of body350.00~~

~~Removal of body – under five years of age150.00~~

Ordinance No. 2062

Amending Chapter 22, entitled “Cemeteries,” by making modifications to account for updated Mountain View Cemetery Regulations

Page 3

SECTION 6

That Section 22-11 of the Livingston Municipal Code is hereby amended as follows (with additions underlined and deletions struck through):

Section 22-11. – Unlawful activity.

1. It shall be unlawful for any automobile, bicycle, motor truck or other conveyances to drive in excess of eight (8) miles per hour within the boundaries of the cemetery.
2. It shall be unlawful for any person to purposely or knowingly enter Mountain View Cemetery after sunset and before sunrise~~between the hours eleven (11) o'clock and seven (7) o'clock a.m.~~
3. Dogs and Livestock excluded from Mountain View Cemetery. No person shall negligently or knowingly permit a dog or any livestock whether under restraint or not, to enter within the boundaries of Mountain View Cemetery.
4. The penalty for violation of this subsection shall be a fine of not less than twenty dollars (\$20.00) or more than~~and to exceed~~ five hundred dollars (\$500.00), ~~or be imprisoned for any period not to exceed~~imprisonment for not more than ninety (90) days, or both.

SECTION 7

That Section 22-16 of the Livingston Municipal Code is hereby amended as follows (with additions underlined and deletions struck through):

Sec. 22-16. – Same – burial.

The day and hour of burial in the City cemetery shall be fixed in each and every case by the City, who shall issue to ~~the sexton~~cemetery staff a grave opening authorization showing thereon the time and place of burial, provided, however, in the event more than one burial application is received for burial on the same day, the City shall set the time for each burial not less than thirty (30) minutes apart.

SECTION 8

Statutory Interpretation and Repealer:

Any and all resolutions, ordinances and sections of the Livingston Municipal Code and

Ordinance No. 2062

Amending Chapter 22, entitled "Cemeteries," by making modifications to account for updated Mountain View Cemetery Regulations

parts thereof in conflict herewith are hereby repealed.

SECTION 9

Severability:

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

SECTION 10

Savings provision:

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

SECTION 11

Effective date:

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

* * * * *

PASSED by the City Commission of the City of Livingston, Montana, on first reading at a regular session thereof held on the ___ day of _____, 201__.

JAMES BENNETT - Chairman

Ordinance No. 2062

Amending Chapter 22, entitled "Cemeteries," by making modifications to account for updated Mountain View Cemetery Regulations

Page 5

ATTEST:

LISA HERRALD
Recording Secretary

PASSED, ADOPTED AND APPROVED by the City Commission of the City of
Livingston, Montana, on second reading at a regular session thereof held on the ___ day of
_____, 201__.

JAMES BENNETT - Chairman

ATTEST:

APPROVED AS TO FORM:

LISA HARRELD
Recording Secretary

ERIK COATE
Livingston City Attorney

City of Livingston, Montana
Mountain View Cemetery Regulations
Updated March 8, 2016

- **Definitions:**
- Lot- a space of one or more adjoining graves intended to be used for the interment of human remains.
- Grave- one space of ground used, or intended to be used, for the burial of human remains.
- Full Size Grave- to be used for a casket burial and shall be 4'4" wide and 13' (thirteen feet) long. (Limited exceptions to these dimensions do exist for some graves. Plot owners should verify grave specific dimensions with cemetery staff)
- ~~Cremation Grave- is to be used for a cremation burial and shall be grave 4'4" (four feet, four inches) wide by 6'5" (Six Foot, five Inches) long.—~~
- Infant/Child Grave- a space of ground to be used for the burial of a child under 5 years of age and shall be 2' (two feet) wide and 5' (five feet) long.
- Monument- a marker or stone used to identify the grave. The monument shall consist of granite or marble, either polished or unpolished, or standard bronze. Monuments shall be erected near the center of the head or foot of the grave as practicable and shall be placed within 30" (thirty inches) from the head of the grave or within 30" (thirty inches) from the foot of the grave. If a footstone is used, it shall be flush with the ground to allow the lawn mower to pass over the footstone without striking it.

Allowed Number of Burials in One Grave Site

~~Two cremated remains will be allowed in one cremation space.—~~

Four cremated remains will be allowed in a full sized grave site with no full sized burial, or two cremated remains and one full size burial.

~~Only one burial will be allowed in an infant/child grave.~~

Placement of Monument Policy and Requirements and Authorization

- 1 Cemetery ~~Sexton Staff must inspect-mark grave~~ location sign for placement of monument prior to installation thereof.
- 2 All monument foundations may be either marble or concrete, a minimum of 4 inches thick with a 6 inch border around the monument.
- 3 A single or double stone at the head or foot on one grave site will have a maximum width length of 44" (forty inches) and a maximum length-width of 30" (thirty inches), including any base or foundation. ~~be on a concrete foundation with a maximum width of 40" (forty inches). (Refer to diagram at the conclusion of this document.)~~
- 4 A double stone at the head of two grave sites will be centered between the two graves and will not exceed 88" (eighty eight inches) in width-length and 30" (thirty inches) in length

- width including any base or foundation. ~~on a foundation with a maximum width of 80" (eighty inches).~~
- ~~5 Double stone at foot of a single grave site with foundation for ashes not to exceed 40" (forty inches).~~
- ~~6 Single stone at foot of a single grave site with foundation not to exceed 40" (forty inches).~~
- 7 The minimum size of a footstone is 20" (twenty inches) wide by 36" (thirty six inches) length and must be at least 4" (four inches) thick. Footstones must be designed to withstand impact from heavy equipment including dump trucks and backhoes. ~~Any footstones made with a polished surface of marble or granite with engraving on the polished surface with a minimum length of at least 20" (twenty inches) and a maximum length of 30" (thirty inches) and with a minimum width of 36" (thirty six inches) and a maximum width of 40" (forty inches) and which are 4" (four inches) thick are not required to have a cement border.~~
- ~~a. Any footstones which are smaller than the above dimensions must have a 6" (six inches) cement border.~~
- b. Military footstones with a brass plate on granite or marble bases shall have a minimum 2" (two inch) border of granite or marble around the brass plate.
- ~~c. A double footstone on two gravesites made with a polished surface of marble or granite with engraving into the polished surface which are at a minimum of 20" (twenty inches) in length, and not exceeding 30" (thirty inches) in length and at least 50" (fifty inches) in width and not exceeding 80" (eighty inches) in width and 4" (four inches) thick are not required to have a cement border. Any smaller footstones shall be placed with a 6" (six inch) border of cement around the footstone.~~

Grave Liner Requirements and Options

1. The Mountain View Cemetery requires a liner for all full sized burials, i.e. Poly Guard, fiberglass, polypropylene or ~~cement, and/or~~ other material pre-approved by the City.
2. ~~Cremations containers shall be a sturdy plastic box with a minimum 1/8th inch thickness, or any other material pre-approved by the City.~~ Cremated remains must be enclosed within a rigid container of sufficient strength and durability and constructed of such materials as will permanently withstand pressures of earth compaction, resist decay, and prevent settling of the excavated area.

Errors May Be Corrected

The City reserves and shall have the right to correct any errors that may be made by it either in making interment, disinterment or removal, or in the description, transfer or conveyance of any interment property either by canceling such conveyance and substituting and conveying, in lieu thereof, other interment property of equal value and similar location as far as possible or as may be selected by the City. The City shall be in no way liable for the delay in the interment or disinterment of a body where protest to the same has been made or where the rules and regulations have not been complied with.

The City may require any protest to be in writing and filed in the office of the City ~~Administrator~~ **Manager**.

In the event of a grave being opened adjacent to a previous interment on the same or adjoining grave and it is impracticable to ~~protest~~ **protect** the adjacent grave from damage, the City disclaims responsibility for such damage or subsequent settlement.

Sale of Gravesites

The sale of gravesites for Mountain View Cemetery shall be paid in advance to the City. Prices can be obtained at the City Office. The price paid by the City upon re-transfer of the grave site(s) shall be the same price set by the City for selling cemetery grave site(s) as of the date of repurchase.

No gravesites shall be sold or transferred to any other party without a new deed being issued by the City of Livingston.

Fees for Opening Graves

~~The Public Works Director or the Cemetery Sexton~~ **The Cemetery Staff, in partnership with the Finance Office,** will determine when to open or close a grave. Fees are to be paid to the City in advance for the classification of grave opening and closing. All opening and closing costs can be obtained at the City **Finance** Office.

Perpetual Care Fund

From the sale of each new cemetery grave site, the sum of one half (1/2) shall be set aside and placed into the Perpetual Care Fund and shall be used exclusively for the permanent care and improvement, of the Mountain View Cemetery, including all additions thereto.

All Grave Openings and Closing

All openings and closing of graves, and disinterment shall be made only by the City and only with ~~24-a~~ **minimum of 48 hours' notice absent extenuating circumstances. All landscape work, improvements, and plantings will be made and cared for by the City.**

When burial is made on a Saturday, Sunday or any legal holiday, an increased fee will be charged for opening and closing the grave.

No Interment is Permitted Unless Property is Paid For

No interment or disinterment shall be permitted unless all fees and costs are paid in advance in full.

Interment is Human Remains

The use of cemetery property, such as a grave, is restricted to the interment of human remains only.

Cremated human remains shall be interred in standard cremation graves, or standard adult graves. Sprinkling, spreading or other such dispersal of cremated remains on cemetery grounds is not permitted.

Casket Not to be Opened

It is not permissible to open a casket at the grave site unless application is made in advance and approval is given by the Public Works Director or his designated representative. Consent also needs to be received from the legal representative of the deceased or with a court order. The City may take appropriate steps to correct obnoxious or improper conditions.

Veteran Section

~~Veteran only be sold as the next available grave.~~ Graves in the Veteran's Section may only be sold in sequential order. For example, grave #5 cannot be sold before grave #4 has been sold.

The burial of a veteran's spouse in the Veteran's section is limited to cremated remains with a flush foot stone.

Baby Section

Baby section sites will be sold only as the next available grave basis, ~~with only one burial being allowed in such site.~~ One burial is allowed per grave site. Exceptions for multiple burials in a single grave site may be made by the Cemetery Staff if the remains are cremated.

Enclosures or Guards Around Graves

Fences, railings, copings, hedges, or other enclosures and steps on graves or lots will not be permitted.

When fences, hedges, copings and other enclosures previously erected lawfully around any grave have, by reason of neglect or age, become objectionable in the judgment of the City, the City may remove such enclosures.

Work and Improvements on Cemetery Grounds

All work and improvements on the cemetery grounds must be subject to the control and under the direction of the City. Any improvements made in violation of these regulations will be removed by the City at the expense of the owner of the grave; and any person failing to conform to this regulation will be excluded from the grounds.

~~Owners of graves, or parcels thereof, who wish improvements made upon or any work performed in the care and embellishment and of their graves can have the same done by applying at the office of the City.~~ All grading, turfing, covering of graves, and planting of trees shall be done by employees of the cemetery only. ~~All graves prepared for planting will be sodded or seeded level.~~

No trees, shrubs, flowers, or other plants may be cultivated on graves. ~~Donated evergreens or blue spruce trees may be allowed with the City's permission along avenues if an avenue is available. Avenue trees shall be placed at least twenty six feet apart along avenues and shall not be placed upon graves. The avenue tree exception does not apply to the addition to Mountain View Cemetery established in 1975 to the east of the original site wherein no trees shall be allowed, but trees may be planted around the perimeter with the City's permission.~~ No trees or shrubs may be planted on the inside of Blocks 21, 22, 23. With City approval, some trees may be planted on the perimeter, however these areas are limited.

No tree may be planted, and no plant, flower, tree or shrub can be taken out of the cemetery without the permission of the City.

If any tree or shrub situated on any grave in the opinion of the City becomes by means of its roots or branches or in any other way detrimental to the adjacent graves, streets, alleys or walks or prejudicial to the general appearance of the grounds, the Cemetery ~~Sexton Staff~~ shall have the right to enter the grave and remove the tree or shrub or such parts thereof as he/she may consider detrimental or prejudicial.

Rubbish

The throwing of rubbish on cemetery grounds is strictly prohibited.

Decoration of Graves

All flowers and wreaths are to be fastened to the headstone or in flower pots on or in stone foundations. ~~Absolutely no decorations of any kind may be attached to a foot stone. These decorations will be removed by the City without notification and without the responsibility for storage. The ground planting of flowers or plants by a grave owner is not permitted.~~ The City shall have the authority to remove all floral designed flowers, **artificial flowers**, weeds, trees, shrubs, plants or herbage of any kind at any time. ~~This includes flowers and other decorations attached to headstones.~~

The City shall not be liable for floral pieces, baskets or frames to which floral pieces are attached, nor for the loss, misplacement or breaking of flower containers.

~~The City shall not be responsible for plants, herbage or plantings of any kind damaged by the elements, thieves, vandals, or by any other cause.—~~

~~The City reserves the right to prevent removal of any flowers, floral or designs, trees, shrubs, or plants herbage of any kind unless express written consent is given by the City. Glass receptacles and containers are prohibited.—~~

The City ~~shall~~ may remove from any lot or grave, without notice, any chairs, settees, glass cases, shells, toys, vases, artificial or natural flowers or any other article left thereon.

~~No person shall remove any flowers, plants or other articles from any lot or grave not belonging to their relatives.—~~

~~No person shall pick any flowers, either wild or cultivated, or damage any trees, shrubbery or plants, or write upon, deface or injure any to monument, fence or other structure, in or belonging to the cemetery or the owner of graves therein.~~

If the presence of decorations at a grave site prevents accessibility for maintenance (i.e. mowing and weeding), the Cemetery Staff, at its discretion, may choose to not maintain the area around the grave site until the decorations are removed.

Speed Limit Within Cemetery

Automobiles, bicycles, motor trucks or other conveyances must be driven only on the avenues within the cemetery and shall be restricted to a speed not to exceed eight (8) miles per hour.

Dogs

No person shall negligently or knowingly permit a dog, whether under restraint or not, within the boundaries of Mountain View Cemetery.

Decorum

People entering upon the Cemetery grounds shall conduct themselves with proper decorum, i.e. no disturbing the peace, no loud music, no interference with legal gatherings of people, no fireworks, no discharging of firearms except as permitted herein, no fires, no consumption of alcohol or drugs, no criminal mischief and refusing to abide by these regulations.

Firearms

No firearms shall be permitted within the cemetery, except by duly constituted authorities, or at a military funeral.

Memorial Day

Mountain View Cemetery can be decorated one week before and one week after the calendar Memorial Day. After one week, all decorations in foundation vases must be removed. The City is not responsible for decorations that have not been picked up.

Hours of Operation

The cemetery is open for visitation every day from sunrise to sunset.

Inclement and seasonal weather may restrict access to all blocks within the cemetery.

City of Livingston to Enforce Rules and Regulations

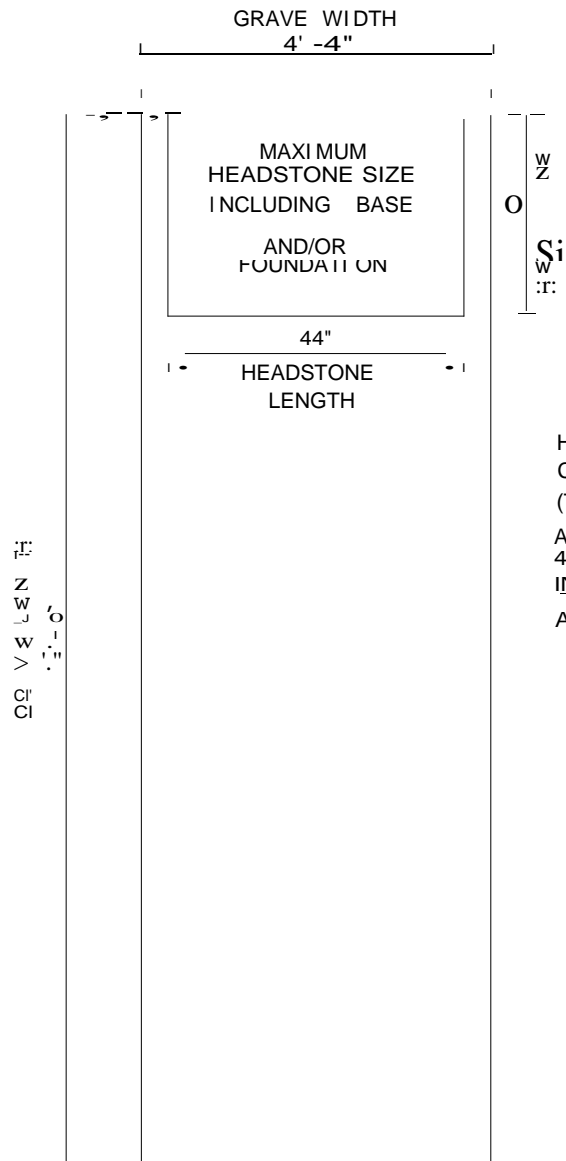
The cemetery employees are hereby empowered to enforce all rules and regulations, and to exclude from the property of the City any person violating the same. They shall have charge of the grounds and buildings and at all times shall have supervision and control of all persons in the cemetery, including the conduct of funerals, traffic, employees, grave and lot owners, and all visitors.

Powers and Adoption of Regulations

The Livingston City Commission shall make and adopt any regulations it may deem expedient and proper for the cemetery.

GENERAL INFORMATION

1. Glass containers will not be allowed.
2. Live plants will be allowed only in planters attached to stone or foundation.
3. The City shall not be responsible for flower containers, pots, or flowers damaged in summer due to mowing or due to snow removal in the winter, or by funerals or damage caused by removal of such items.
4. Driving metal, wood, wire, large nails posts into the ground will not be allowed.
5. The City may remove any object not directly attached to and on the headstone at any time and without notice. No decorations are allowed on footstones.



SCALE 1/16" = 1"

Date: 3/8/2016 | Revised: MRM | By: CJB

CITY OF LIVINGSTON

**MONUMENT PLACEMENT AT
MOUNTAIN VIEW CEMETERY**

NOTICE

The public is invited to attend and comment at a public hearing to be held on April 19, 2016, at 6:30 p.m. in the Community Room of the City County Complex, 414 East Callender Street, Livingston, Montana, on the second reading of ORDINANCE NO. 2062 entitled AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 22, ENTITLED "CEMETERIES," BY MAKING MODIFICATIONS TO ACCOUNT FOR THE NEW MOUNTAIN VIEW CEMETERY REGULATIONS. A copy of the ordinance is available for inspection at the City Office, 414 East Callender Street, Livingston, MT 59047. For further information call the City Attorney at (406) 823-6007.

Please publish April 7, 2016 and April 14, 2016.

Dated: April 6, 2016

Backup material for agenda item:

- B. RESOLUTION NO. 4651 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA CHANGING THE RATES FOR PLOT SALES AND OTHER SERVICES PROVIDED AT MOUNTAIN VIEW CEMETERY.**

Livingston City Commission
LEGISLATIVE ACTION SUMMARY
Resolution No. 4651

Requested by: Jessie Hogg, Chief Finance Officer

Date of First Consideration/Status: April 5th, 2016

Purpose of Legislation: Resolution #4651 updates fees charged for purchase of plots and interment services at Mountain View Cemetery.

Background: See Exhibit A for proposed new rates. The current fees for cemetery plots and services were last set 10 years ago and have not increased in the past 10 years. Cemetery Operations are paid for by the Roaming Crew Department. The Roaming Crew Department is in the General Fund. Fees collected for the cemetery go towards covering costs associated with caring for the cemetery grounds and providing interment services. 50% of plot sale revenue is allocated to a restricted fund for perpetual future care of the grounds once the cemetery is full. In Fiscal Year 2015, 43 graves were sold, and approximately 56 interments were performed. Approximately 2,000 graves are unsold and available for purchase.

The Finance Dept. studied cemetery fee structures in other Montana cities (Laurel, Lewistown, Anaconda/Deer Lodge, Butte, Helena, Whitefish).

- Livingston's average plot prices are approximately 15-40% lower than comparable cities
- Livingston's average grave opening/closing fees are approximately 25-42% lower than comparable cities
- The existing fee structure for grave opening and closings does not cover actual labor and equipment costs to provide services
- The proposed new fees take into account a combination of market rate adjustments and/or the past 10 years of inflationary impact on labor and equipment costs.

Staff Recommendation: Staff recommends approval of this Resolution.

Fiscal Impact: Based on FY15 historical plot sale and interment service revenue, future annual revenue may increase by approximately \$3,000 in plot sales and \$6,000 in interment services. Revenue will help to support labor and materials costs to provide services, especially for weekend and holiday services.

Regulatory Impact (local): N/A

Attachments: Exhibit A

RESOLUTION NO. 4651

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA CHANGING THE RATES FOR PLOT SALES AND OTHER SERVICES PROVIDED AT MOUNTAIN VIEW CEMETERY.

WHEREAS, fees and rates associated with cemetery plot sales and other services at Mountain View Cemetery have been unchanged for approximately ten (10) years; and

WHEREAS, the City’s finance department researched how Livingston’s rates compare to cities around the state of Montana, including Laurel, Lewistown, Anaconda, Deer Lodge, Butte, Helena and Whitefish; and

WHEREAS, the finance department’s research showed Livingston’s rates to be lower than other communities around Montana; and

WHEREAS, the City’s finance department also determined the current fees and rates for grave openings and closings were fiscally unsound in that said fees and rates do not cover the City’s actual labor and equipment costs; and

WHEREAS, in light of the above, an increase to the rates and fees charged at Mountain View Cemetery is necessary; and

WHEREAS, the proposed increase to the fees and rates takes into account a combination of market rate adjustments and 10 years of inflationary impact on labor and equipment costs; and

WHEREAS, the City of Livingston’s administration recommends approval of the proposed rate changes, which changes are attached hereto and incorporated herein as Exhibit A.

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

That the City Commission approves the proposed rate changes for cemetery plots and services provided at Mountain View Cemetery, which proposed rate changes are detailed in Exhibit A.

PASSED AND ADOPTED by the City Commission of the City of Livingston, this _____ day of April, 2016.

JAMES BENNETT - Chairman

ATTEST:

APPROVED AS TO FORM:

LISA HARRELD
Recording Secretary

ERIK COATE
City Attorney

Exhibit A

Mountain View Cemetery Rate Change Proposal

Plot Sales	Current Rate	Proposed New Rate	
Full Size Grave	\$ 300	\$ 425	
Infant/Child Grave	\$ 100	\$ 150	
Cemetery Services - Grave Opening and Closing:	Current Rate	Proposed New Rate	Estimated current labor and equipment cost
Full Size Grave	\$ 200	\$ 400	\$395
Full Size Grave (Holiday/Weekend)	\$ 400	\$ 600	\$ 505 - \$612
Child Grave	\$ 100	\$ 175	\$237
Child Grave (Holiday/Weekend)	\$ 200	\$ 300	\$303-369
Cremation	\$ 100	\$ 175	\$132
Cremation (Holiday/Weekend)	\$ 200	\$ 300	\$ 198 -\$264
Winter Surcharge Frozen Ground Present (all opening/closings)	\$ -	+\$50	
Other Services	Current Rate	Proposed New Rate	
Disinterment	\$ 400	Time and Materials*	
Infant/Child Disinterment	\$ 200	Time and Materials*	
Park County Indigent Burial (Adult)	\$ 150	\$150**	
Park County Indigent Burial (Infant/Child)	\$ 50	\$50**	

* Requests for disinterment are rare and costs vary widely based on circumstances. A quote shall be provided by Cemetery Staff in advance for those requesting disinterment.

** Indigent burial rates charged to Park County were last established in 2005. A change to rates for Park County should include discussion with the county and/or the creation of a Cemetery Chapter in the City/County Compact.

Backup material for agenda item:

- C. RESOLUTION NO. 4650 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA OF ITS INTENT TO AMEND THE RULES AND REGULATIONS FOR MOUNTAIN VIEW CEMETERY.**

Livingston City Commission
LEGISLATIVE ACTION SUMMARY
Resolution No. 4650

Requested by: Jessie Hogg, Chief Finance Officer

Date of First Consideration/Status: April 5th, 2016

Purpose of Legislation: Resolution #4650 updates operational rules and regulations at Mountain View Cemetery.

Background: See Exhibit A for proposed revisions to existing rules and regulations. The cemetery rules and regulations were last updated on July 20th, 2009. The updates in the document serve to clarify confusing language and reflect current operational practices in the cemetery.

Staff Recommendation: Staff recommends approval of this Resolution.

Fiscal Impact: N/A

Regulatory Impact (local): N/A

Attachments: Exhibit A

RESOLUTION NO. 4650

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA OF ITS INTENT TO AMEND THE RULES AND REGULATIONS FOR MOUNTAIN VIEW CEMETERY.

WHEREAS, the Rules and Regulations for Mountain View Cemetery have not been updated since July 20, 2009; and

WHEREAS, the Rules and Regulations for Mountain View Cemetery require updating in an effort to lessen confusion, bring clarity, and to reflect current operational practices at Mountain View Cemetery; and

WHEREAS, the proposed changes to the Rules and Regulations for Mountain View Cemetery are attached hereto and incorporated herein as Exhibit A; and

WHEREAS, the City of Livingston's administration recommends approval of the proposed changes, which changes are attached hereto and incorporated herein as Exhibit A.

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

That the City Commission hereby approves the proposed changes to the Rules and Regulations for Mountain View Cemetery, which proposed changes are detailed in Exhibit A.

PASSED AND ADOPTED by the City Commission of the City of Livingston, this _____ day of April, 2016.

JAMES BENNETT - Chairman

ATTEST:

APPROVED AS TO FORM:

LISA HARRELD
Recording Secretary

ERIK COATE
City Attorney

City of Livingston, Montana
Mountain View Cemetery Regulations
Updated March 8, 2016

Definitions:

- Lot- a space of one or more adjoining graves intended to be used for the interment of human remains.
- Grave- one space of ground used, or intended to be used, for the burial of human remains.
- Full Size Grave- to be used for a casket burial and shall be 4'4" wide and 13' (thirteen feet) long. (Limited exceptions to these dimensions do exist for some graves. Plot owners should verify grave specific dimensions with cemetery staff)
- ~~Cremation Grave- is to be used for a cremation burial and shall be grave 4'4" (four feet, four inches) wide by 6'5" (Six Foot, five Inches) long.~~
- Infant/Child Grave- a space of ground to be used for the burial of a child under 5 years of age and shall be 2' (two feet) wide and 5'(five feet) long.
- Monument- a marker or stone used to identify the grave. The monument shall consist of granite or marble, either polished or unpolished, or standard bronze. Monuments shall be erected near the center of the head or foot of the grave as practicable and shall be placed within 30" (thirty inches) from the head of the grave or within 30" (thirty inches) from the foot of the grave. If a footstone is used, it shall be flush with the ground to allow the lawn mower to pass over the footstone without striking it.

Allowed Number of Burials in One Grave Site

~~Two cremated remains will be allowed in one cremation space.~~

Four cremated remains will be allowed in a full sized grave site with no full sized burial, or two cremated remains and one full size burial.

~~Only one burial will be allowed in an infant/child grave.~~

Placement of Monument Policy and Requirements and Authorization

- 1 Cemetery ~~Sexton~~ Staff must inspect mark grave location sign for placement of monument prior to installation thereof.
- 2 All monument foundations may be either marble or concrete, a minimum of 4 inches thick with a 6 inch border around the monument.
- 3 A single or double stone at the head or foot on one grave site will have a maximum width length of 44" (forty inches) and a maximum length width of 30" (thirty inches), including any base or foundation. ~~be on a concrete foundation with a maximum width of 40" (forty inches).~~ (Refer to diagram at the conclusion of this document.)

- 4 A double stone at the head of two grave sites will be centered between the two graves and will not exceed 88" (eighty eight inches) in width length and 30" (thirty inches) in length width including any base or foundation. ~~on a foundation with a maximum width of 80" (eighty inches).~~
- 5 ~~Double stone at foot of a single grave site with foundation for ashes not to exceed 40" (forty inches).~~
- 6 ~~Single stone at foot of a single grave site with foundation not to exceed 40" (forty inches).~~
- 7 The minimum size of a footstone is 20" (twenty inches) wide by 36" (thirty six inches) length and must be at least 4" (four inches) thick. Footstones must be designed to withstand impact from heavy equipment including dump trucks and backhoes. ~~Any footstones made with a polished surface of marble or granite with engraving on the polished surface with a minimum length of at least 20" (twenty inches) and a maximum length of 30" (thirty inches) and with a minimum width of 36" (thirty six inches) and a maximum width of 40" (forty inches) and which are 4" (four inches) thick are not required to have a cement border.~~
 - a. ~~Any footstones which are smaller than the above dimensions must have a 6" (six inches) cement border.~~
 - b. Military footstones with a brass plate on granite or marble bases shall have a minimum 2" (two inch) border of granite or marble around the brass plate.
 - c. ~~A double footstone on two gravesites made with a polished surface of marble or granite with engraving into the polished surface which are at a minimum of 20" (twenty inches) in length, and not exceeding 30" (thirty inches) in length and at least 50" (fifty inches) in width and not exceeding 80" (eighty inches) in width and 4" (four inches) thick are not required to have a cement border. Any smaller footstones shall be placed with a 6" (six inch) border of cement around the footstone.~~

Grave Liner Requirements and Options

1. The Mountain View Cemetery requires a liner for all full sized burials, i.e. Poly Guard, fiberglass, polypropylene or ~~cement, and/or~~ other material pre-approved by the City.
2. ~~Cremations containers shall be a sturdy plastic box with a minimum 1/8th inch thickness, or any other material pre-approved by the City.~~ Cremated remains must be enclosed within a rigid container of sufficient strength and durability and constructed of such materials as will permanently withstand pressures of earth compaction, resist decay, and prevent settling of the excavated area.

Errors May Be Corrected

The City reserves and shall have the right to correct any errors that may be made by it either in making interment, disinterment or removal, or in the description, transfer or conveyance of any interment property either by canceling such conveyance and substituting and conveying, in lieu thereof, other interment property of equal value and similar location as far as possible or as may be selected by the

City. The City shall be in no way liable for the delay in the interment or disinterment of a body where protest to the same has been made or where the rules and regulations have not been complied with. The City may require any protest to be in writing and filed in the office of the City ~~Administrator~~ ~~Manager~~.

In the event of a grave being opened adjacent to a previous interment on the same or adjoining grave and it is impracticable to ~~protest~~ ~~protect~~ the adjacent grave from damage, the City disclaims responsibility for such damage or subsequent settlement.

Sale of Gravesites

The sale of gravesites for Mountain View Cemetery shall be paid in advance to the City. Prices can be obtained at the City Office. The price paid by the City upon re-transfer of the grave site(s) shall be the same price set by the City for selling cemetery grave site(s) as of the date of repurchase.

No gravesites shall be sold or transferred to any other party without a new deed being issued by the City of Livingston.

Fees for Opening Graves

~~The Public Works Director or the Cemetery Sexton staff, in partnership with the Finance Office,~~ will determine when to open or close a grave. Fees are to be paid to the City in advance for the classification of grave opening and closing. All opening and closing costs can be obtained at the City ~~Finance~~ Office.

Perpetual Care Fund

From the sale of each new cemetery grave site, the sum of one half (1/2) shall be set aside and placed into the Perpetual Care Fund and shall be used exclusively for the permanent care and improvement, of the Mountain View Cemetery, including all additions thereto.

All Grave Openings and Closing

All openings and closing of graves, and disinterment shall be made only by the City and only with ~~24 a minimum of 48 hours' notice absent extenuating circumstances. All landscape work, improvements, and plantings will be made and cared for by the City.~~

When burial is made on a Saturday, Sunday or any legal holiday, an increased fee will be charged for opening and closing the grave.

No Interment is Permitted Unless Property is Paid For

No interment or disinterment shall be permitted unless all fees and costs are paid in advance in full.

Interment is Human Remains

The use of cemetery property, such as a grave, is restricted to the interment of human remains only.

Cremated human remains shall be interred in standard cremation graves, or standard adult graves. Sprinkling, spreading or other such dispersal of cremated remains on cemetery grounds is not permitted.

Casket Not to be Opened

It is not permissible to open a casket at the grave site unless application is made in advance and approval is given by the Public Works Director or his designated representative. Consent also needs to be received from the legal representative of the deceased or with a court order. The City may take appropriate steps to correct obnoxious or improper conditions.

Veteran Section

~~Veteran only be sold as the next available grave.~~ Graves in the Veteran’s Section may only be sold in sequential order. For example, grave #5 cannot be sold before grave #4 has been sold.

The burial of a veteran's spouse in the Veteran's section is limited to cremated remains with a flush foot stone.

Baby Section

Baby section sites will be sold only as the next available grave basis, ~~with only one burial being allowed in such site.~~ One burial is allowed per grave site. Exceptions for multiple burials in a single grave site may be made by the Cemetery Staff if the remains are cremated.

Enclosures or Guards Around Graves

Fences, railings, copings, hedges, or other enclosures and steps on graves or lots will not be permitted.

When fences, hedges, copings and other enclosures previously erected lawfully around any grave have, by reason of neglect or age, become objectionable in the judgment of the City, the City may remove such enclosures.

Work and Improvements on Cemetery Grounds

All work and improvements on the cemetery grounds must be subject to the control and under the direction of the City. Any improvements made in violation of these regulations will be removed by the

City at the expense of the owner of the grave; and any person failing to conform to this regulation will be excluded from the grounds.

~~Owners of graves, or parcels thereof, who wish improvements made upon or any work performed in the care and embellishment and of their graves can have the same done by applying at the office of the City.~~ All grading, turfing, covering of graves, and planting of trees shall be done by employees of the cemetery only. ~~All graves prepared for planting will be sodded or seeded level.~~

No trees, shrubs, flowers, or other plants may be cultivated on graves. ~~Donated evergreens or blue spruce trees may be allowed with the City's permission along avenues if an avenue is available. Avenue trees shall be placed at least twenty-six feet apart along avenues and shall not be placed upon graves. The avenue tree exception does not apply to the addition to Mountain View Cemetery established in 1975 to the east of the original site wherein no trees shall be allowed, but trees may be planted around the perimeter with the City's permission.~~ No trees or shrubs may be planted on the inside of Blocks 21, 22, 23. With City approval, some trees may be planted on the perimeter, however these areas are limited.

No tree may be planted, and no plant, flower, tree or shrub can be taken out of the cemetery without the permission of the City.

If any tree or shrub situated on any grave in the opinion of the City becomes by means of its roots or branches or in any other way detrimental to the adjacent graves, streets, alleys or walks or prejudicial to the general appearance of the grounds, the Cemetery ~~Sexton Staff~~ shall have the right to enter the grave and remove the tree or shrub or such parts thereof as he/she may consider detrimental or prejudicial.

Rubbish

The throwing of rubbish on cemetery grounds is strictly prohibited.

Decoration of Graves

All flowers and wreaths are to be fastened to the headstone or in flower pots on or in stone foundations. ~~Absolutely no decorations of any kind may be attached to a foot stone. These decorations will be removed by the City without notification and without the responsibility for storage. The ground planting of flowers or plants by a grave owner is not permitted.~~ The City shall have the authority to remove all floral designed flowers, ~~artificial flowers~~, weeds, trees, shrubs, plants or herbage of any kind at any time. ~~This includes flowers and other decorations attached to headstones.~~

The City shall not be liable for floral pieces, baskets or frames to which floral pieces are attached, nor for the loss, misplacement or breaking of flower containers.

~~The City shall not be responsible for plants, herbage or plantings of any kind damaged by the elements, thieves, vandals, or by any other cause.—~~

~~The City reserves the right to prevent removal of any flowers, floral or designs, trees, shrubs, or plants herbage of any kind unless express written consent is given by the City. Glass receptacles and containers are prohibited.—~~

The City ~~shall~~ may remove from any lot or grave, without notice, any chairs, settees, glass cases, shells, toys, vases, artificial or natural flowers or any other article left thereon.

~~No person shall remove any flowers, plants or other articles from any lot or grave not belonging to their relatives.—~~

~~No person shall pick any flowers, either wild or cultivated, or damage any trees, shrubbery or plants, or write upon, deface or injure any to monument, fence or other structure, in or belonging to the cemetery or the owner of graves therein.~~

If the presence of decorations at a grave site prevents accessibility for maintenance (i.e. mowing and weeding), the Cemetery Staff, at its discretion, may choose to not maintain the area around the grave site until the decorations are removed.

Speed Limit Within Cemetery

Automobiles, bicycles, motor trucks or other conveyances must be driven only on the avenues within the cemetery and shall be restricted to a speed not to exceed eight (8) miles per hour.

Dogs

No person shall negligently or knowingly permit a dog, whether under restraint or not, within the boundaries of Mountain View Cemetery.

Decorum

People entering upon the Cemetery grounds shall conduct themselves with proper decorum, i.e. no disturbing the peace, no loud music, no interference with legal gatherings of people, no fireworks, no discharging of firearms except as permitted herein, no fires, no consumption of alcohol or drugs, no criminal mischief and refusing to abide by these regulations.

Firearms

No firearms shall be permitted within the cemetery, except by duly constituted authorities, or at a military funeral.

Memorial Day

Mountain View Cemetery can be decorated one week before and one week after the calendar Memorial Day. After one week, all decorations in foundation vases must be removed. The City is not responsible for decorations that have not been picked up.

Hours of Operation

The cemetery is open for visitation every day from sunrise to sunset.

Inclement and seasonal weather may restrict access to all blocks within the cemetery.

City of Livingston to Enforce Rules and Regulations

The cemetery employees are hereby empowered to enforce all rules and regulations, and to exclude from the property of the City any person violating the same. They shall have charge of the grounds and buildings and at all times shall have supervision and control of all persons in the cemetery, including the conduct of funerals, traffic, employees, grave and lot owners, and all visitors.

Powers and Adoption of Regulations

The Livingston City Commission shall make and adopt any regulations it may deem expedient and proper for the cemetery.

GENERAL INFORMATION

1. Glass containers will not be allowed.
2. Live plants will be allowed only in planters attached to stone or foundation.
3. The City shall not be responsible for flower containers, pots, or flowers damaged in summer due to mowing or due to snow removal in the winter, or by funerals or damage caused by removal of such items.
4. Driving metal, wood, wire, large nails posts into the ground will not be allowed.
5. The City may remove any object not directly attached to and on the headstone at any time and without notice. No decorations are allowed on footstones.

Backup material for agenda item:

- A. RESOLUTION NO. 4642 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO DISCONTINUE THE ALLEY IN THE G BLOCK OF THE RIVERSIDE ADDITION TO THE CITY OF LIVINGSTON, MONTANA.**

Livingston City Commission
LEGISLATIVE ACTION SUMMARY
Resolution No. 4642

Requested by: Julia Barton

Date of First Consideration / Status: March 15, 2016.

Purpose of Legislation: Julia Barton owns 100% of the land on an alley located in the G Block of the Riverside Addition to the City of Livingston, Montana. Montana Code Annotated § 7-14-4114 provides that a city “may discontinue a street or alley or any part of a street or alley in a city or town, if it can be done without detriment to the public interest upon...a petition in writing of all owners of lots on the street or alley.” Ms. Barton has filed a petition to have the alley located in the G Block of the Riverside Addition to the City of Livingston, Montana discontinued. The City Commission believes the discontinuation can occur without detriment to the public interest.

Statutory Authority / Reference: Mont. Code Ann. § 7-14-4114.

Staff Recommendation: Staff recommends approval of this resolution.

Fiscal Impact: N/A

Regulatory Impact (local): N/A

Attachments: Petition and supporting documents

RESOLUTION NO. 4642

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO DISCONTINUE THE ALLEY IN THE G BLOCK OF THE RIVERSIDE ADDITION TO THE CITY OF LIVINGSTON, MONTANA.

WHEREAS, Julia Barton owns 100% of the land on an alley located in the G Block of the Riverside Addition to the City of Livingston, Montana; and

WHEREAS, Mont. Code Ann. § 7-14-4114 provides that a city “may discontinue a street or alley or any part of a street or alley in a city or town, if it can be done without detriment to the public interest upon...a petition in writing of all owners of lots on the street or alley”; and

WHEREAS, Ms. Barton has filed a petition to have the alley located in the G Block of the Riverside Addition to the City of Livingston, Montana discontinued, which petition is attached hereto as Exhibit A; and

WHEREAS, the City Commission believes the discontinuation can occur without detriment to the public interest.

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

That it is the intent of the City Commission to discontinue the alley in the G Block of the Riverside Addition to the City of Livingston, Montana.

BE IT FURTHER RESOLVED, that a public hearing on the proposal be held at 6:30 p.m. on April 5, 2016, and that the notice attached hereto as Exhibit B be published according to law.

Dated this _____ day of March, 2016.

JAMES BENNETT - Chairman

ATTEST:

APPROVED AS TO FORM:

LISA HARRELD
Recording Secretary

ERIK COATE
City Attorney

Resolution No. 4642
Intent to discontinue alley in the G Block of the Riverside Addition to the City of Livingston, Montana.

Page 1

[Exhibit A to Resolution No. 4642]

[**Exhibit B to Resolution No. 4642**]

NOTICE

A public hearing will be held by the City Commission of Livingston, Montana, on April 5, 2016, at 6:30 p.m. in the Community Room of the City County Complex, 414 East Callender Street, Livingston, Montana, on **Resolution No. 4642** entitled **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO DISCONTINUE THE ALLEY IN THE G BLOCK OF THE RIVERSIDE ADDITION TO THE CITY OF LIVINGSTON, MONTANA.**

All interested persons are invited to attend and give their comments. For additional information contact Lisa Harreld, Legal Analyst, 414 East Callender Street, Livingston, MT 59047, or by phone at 823-6009. (Publish twice at least 6 days apart and the notice needs also to be posted and copies made available to the public.)

February 9, 2016

To Members of the City Commission of the City of Livingston, Montana,

I, Julia Barton, of 1601 E. Lewis St, Livingston, MT, would petition the commission to please discontinue and abandon an alley that runs through my property and only my property, whereby allowing me, legally, to make use of ground already within my property. This alley affects no other neighbor nor the City of Livingston as it is situated on ground in the middle of property owned by me and has not been used for an actual alley for at least as long as the house and garage have been in existence. The records for the house and garage are dated to be built in 1935.

This property is in the "G" Block of the Riverside Addition to the City of Livingston, MT.

The alley rests near the center of the property at the corner of "Q" St. and E. Lewis St on the north side of Lewis St.

The property tax description reads: Livingston Riverside Addition, S18, T02 S, R10 E, block G, FCT'L Lots 13-16, all Lots 17-20, FCT'L Lots 21-23.

49-0803-18-2-24-13-0000

Thank you for considering this petition.

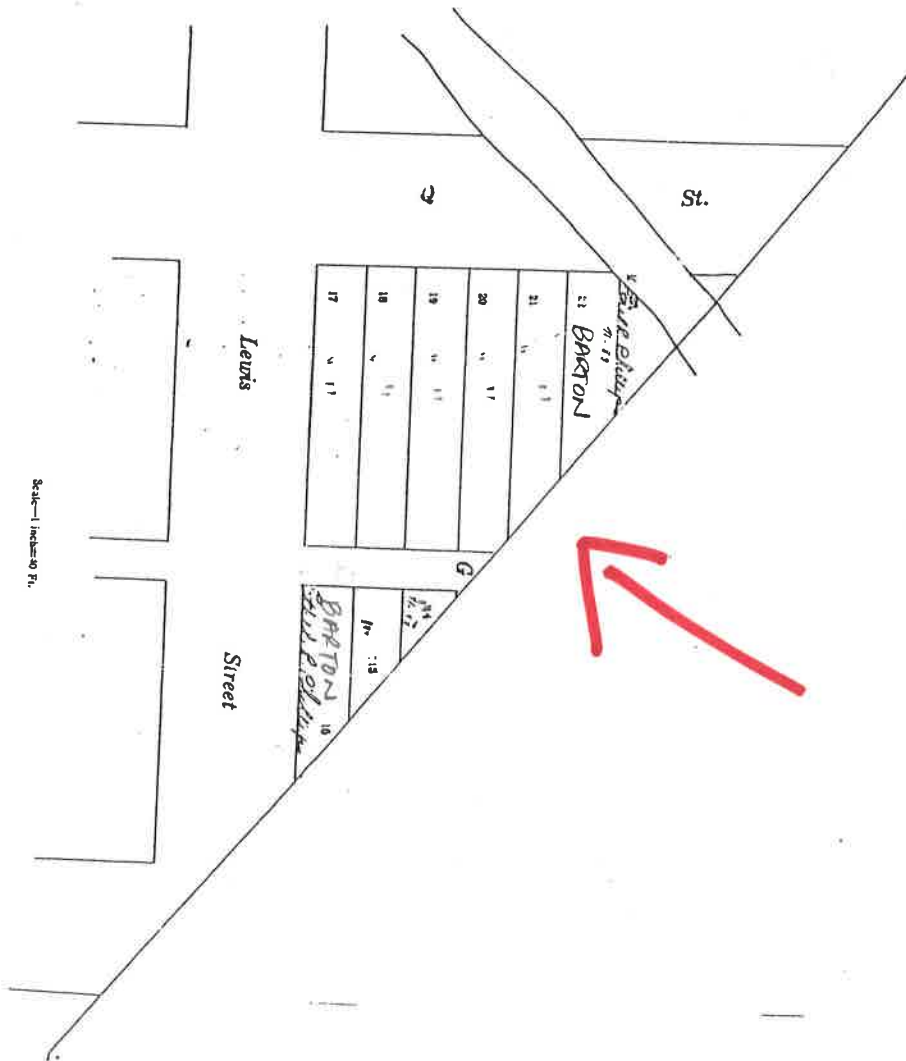
Respectfully,

Julia Barton

A handwritten signature in black ink, appearing to read "Julia Barton", with a long horizontal flourish extending to the right.

2 enclosures

Block G



Montana Code Annotated 2015

[Previous Section](#) [MCA Contents](#) [Part Contents](#) [Search](#) [Help](#) [Next Section](#)

7-14-4114. Procedure to discontinue streets. (1) The council may discontinue a street or alley or any part of a street or alley in a city or town, if it can be done without detriment to the public interest, upon:

- (a) a petition in writing of all owners of lots on the street or alley; or
- (b) (i) a petition in writing of more than 50% of the owners of lots on the street or alley; and
(ii) approval by a majority vote of the council.

(2) Where the street or alley is to be closed for school purposes, the council may discontinue the street or alley upon a petition signed by 75% of the lot owners on the whole street or alley to be closed.

(3) Before acting upon the petition, a notice must be published, stating when the petition will be acted on and what street or alley or part of a street or alley is asked to be vacated. The notice must be published as provided in [7-1-4127](#).

History: (1), (2)En. Sec. 429, 5th Div. Comp. Stat. 1887; amd. Sec. 5030, Pol. C. 1895; re-en. Sec. 3479, Rev. C. 1907; re-en. Sec. 5306, R.C.M. 1921; amd. Sec. 1, Ch. 13, L. 1929; re-en. Sec. 5306, R.C.M. 1935; amd. Sec. 1, Ch. 1, L. 1941; amd. Sec. 1, Ch. 36, L. 1945; Sec. 11-2801, R.C.M. 1947; (3)En. Sec. 429, 5th Div. Comp. Stat. 1887; amd. Sec. 5031, Pol. C. 1895; re-en. Sec. 3480, Rev. C. 1907; re-en. Sec. 5307, R.C.M. 1921; re-en. Sec. 5307, R.C.M. 1935; Sec. 11-2802, R.C.M. 1947; R.C.M. 1947, 11-2801(part), 11-2802; amd. Sec. 1, Ch. 78, L. 1989; amd. Sec. 51, Ch. 354, L. 2001.

Provided by Montana Legislative Services

Backup material for agenda item:

- B. RESOLUTION NO. 4652 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA AUTHORIZING THE CITY MANAGER TO SIGN AN EXERCISE OF OPTION TO RENEW LEASE NO. 500,850 WITH MONTANA RAIL LINK, INC.**

CITY OF LIVINGSTON FISCAL NOTE

Ordinance # _____
 Resolution # 4652

Fiscal Analysis Assumptions

- This contract will renew the Montana Rail Link (MRL) lease for a period of 5 years with no annual rent and a one time renewal fee of \$150.00.
- This fee will be paid out of the General Fund.

<input checked="" type="checkbox"/> Budgeted Expenditure	<input type="checkbox"/> Unbudgeted Expenditure:
	<input type="checkbox"/> Unanticipated Revenue
	<input type="checkbox"/> Reserves
	<input type="checkbox"/> Other Line Item Savings

<u>Costs by Object</u>	<u>FY 16</u>	<u>FY17</u>	<u>FY 18</u>
Personnel	\$ -	\$ -	\$ -
Operating	150	150	150
Capital			
Debt Service			
 Total Costs	<u>\$ 150</u>	<u>\$ 150</u>	<u>\$ 150</u>
 <u>Funding Source</u>	<u>FY 16</u>	<u>FY17</u>	<u>FY 18</u>
Fund Name: General Fund	\$ 150	\$ 150	\$ 150
 Total	<u>\$ 150</u>	<u>\$ 150</u>	<u>\$ 150</u>

Signature Jessie R. Hogg
 Date 4/13/2016

Livingston City Commission
LEGISLATIVE ACTION SUMMARY
Resolution No. 4652

Requested by: Erik Coate, City Attorney

Date of First Consideration/Status: April 19, 2016

Purpose of Legislation: Resolution No. 4652 renews the City's lease of property from Montana Rail Link, Inc., which property is leased for the purposes of a bike path.

Background: Montana Rail Link, Inc. ("MRL") is in the railroad transportation business and leases a track system and various properties from BNSF Railway Company. The City of Livingston and MRL entered into a Definite Term Lease Agreement (the "Lease") for Land on December 15, 1998. By the terms of the Lease, MRL leased to the City certain property located in the City of Livingston, Park County, Montana, which property is more specifically located at or near Mile Post 115+3115, Survey Station 6103+25, all as more particularly described in the Lease. The initial term of the Lease was from December 15, 1998 to December 14, 2013, and, as a result, the Lease has expired and must be renewed. The Lease contains an option to renew, which renewal period shall commence on December 15, 2013 and expire on December 14, 2018. MRL has requested the Lease be renewed.

Staff Recommendation: Staff recommends this resolution be approved.

Fiscal Impact: \$150.00 renewal fee.

Regulatory Impact (local): N/A

Attachments: Exercise of Option to Renew Lease Agreement and Fiscal Note.

RESOLUTION NO. 4652

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA AUTHORIZING THE CITY MANAGER TO SIGN AN EXERCISE OF OPTION TO RENEW LEASE NO. 500,850 WITH MONTANA RAIL LINK, INC.

WHEREAS, Montana Rail Link, Inc. (“MRL”) is in the railroad transportation business and leases a track system and various properties from BNSF Railway Company; and

WHEREAS, the City of Livingston and MRL entered into a Definite Term Lease Agreement (the “Lease”) for Land on December 15, 1998; and

WHEREAS, by the terms of the Lease, MRL leased to the City certain property located in the City of Livingston, Park County, Montana, which property is more specifically located at or near Mile Post 115+3115, Survey Station 6103+25, all as more particularly described in the Lease; and

WHEREAS, the initial term of the Lease was from December 15, 1998 to December 14, 2013, and, as a result, the Lease has expired and must be renewed; and

WHEREAS, the Lease contains an option to renew, which renewal period shall commence on December 15, 2013 and expire on December 14, 2018; and

WHEREAS, MRL has requested the Lease be renewed and the City of Livingston’s administration recommends renewal of the lease.

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

That the City Manager is hereby authorized to enter into the Exercise of Option to Renew Lease No. 500,850, which document is attached hereto and incorporated herein as Exhibit A.

PASSED AND ADOPTED by the City Commission of the City of Livingston, this _____ day of April, 2016.

JAMES BENNETT - Chairman

ATTEST:

APPROVED AS TO FORM:

LISA HARRELD
Recording Secretary

ERIK COATE
City Attorney



MONTANA RAIL LINK, INC. (800) 241-5676
Real Estate Department (406) 523-1500
101 International Drive (406) 523-1462 fax
Post Office Box 16624 www.montanarail.com
Missoula, Montana
USA 59808

March 17, 2016

City of Livingston
Attn: Lisa Harreld
414 East Callender Street
Livingston, MT 59047

RE: Exercise of Option to Renew Lease No. 500,850

Dear Lessee:

Montana Rail Link, Inc. (MRL) has prepared an Exercise of Option to Renew Agreement. The purpose of this Agreement is to renew City of Livingston lease for Five (5) years. The annual rental rate is \$0.00. There is also a \$150.00 fee for this Agreement.

Please ensure that all provisions of the Agreement are read and understood. Then please sign all copies of the Agreement and forward all signed copies of the Agreement to the Real Estate Department at the address shown above. Also, please provide our office with valid insurance certificate(s) as provided in the Lease Agreement. The certificate(s) must meet the requirements shown on the enclosed insurance checklist. *Failure to provide a valid insurance certificate with the signed copies of the Agreement will halt the processing of this Agreement.*

This is not a binding Agreement until all parties to the contract have signed it and your lease interest in the premises is not renewed according to the Agreement until you have received the Agreement signed by all parties to the contract.

Thank you in advance for your attention and cooperation regarding this matter. If you have any questions, please contact me at 406/523-1385 or 1.800.338.4750.

A handwritten signature in black ink, appearing to read 'Bev Kenfield'.

Bev Kenfield
Supervisor - Real Estate
Real Estate Department

**EXERCISE OF OPTION TO RENEW LEASE NO. 5
02LIVINGSTON**

THIS EXERCISE OF OPTION TO RENEW ("**Renewal Agreement**") is dated as of the 12th day of March, 2013 (the "**Effective Date**") between **MONTANA RAIL LINK, INC.**, a Montana corporation ("**Lessor**"), whose mailing address is PO Box 16624, Missoula, MT 59808-6624 and physical address is 101 International Way, Missoula, MT 59808 and City of Livingston, ("**Lessee**"), whose address is Attn. City Manager, City of Livingston, 414 East Callender Street, Livingston, MT 59047

RECITALS

A. Lessor is in the railroad transportation business and leases a system of rail tracks ("**Lessor's Track(s)**") and various real properties associated therewith from BNSF Railway Company, a Delaware corporation ("**BNSF**"), pursuant to that certain Agreement between Lessor and BNSF dated July 21, 1987 ("**Master Lease**"), including the Premises described below which Lessee desires to further lease from Lessor.

B. Lessee and Lessor entered into a Definite Term Lease Agreement for Land ("**Lease**") on December 15, 1998.

C. By the terms and provisions of the Lease, Lessor leases to Lessee and Lessee leases from Lessor that certain property located at City of Livingston, County of Park, State of Montana, Mile Post 115+3115, Survey Station 6103+25, as more particularly described in the Lease ("**Premises**").

D. The current Term of the Lease for the Premises commenced on December 15, 1998 and will expire on December 14, 2013.

E. The Lease contains an option to renew ("**Option**"). The renewal period shall commence on December 15, 2013 and expire on December 14, 2018.

F. Lessee desires to exercise the Option and Lessor and Lessee desire to extend the Term of the Lease pursuant to the terms set forth below in this Renewal Agreement.

AGREEMENTS

NOW, THEREFORE, in consideration of the mutual covenants, premises, and agreements contained in this Renewal Agreement and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Lessee hereby exercises the Option, and Lessor and Lessee hereby extend the Term of the Lease for a period of five (5) years (the "**Extended Term**") under the same terms and conditions set forth in the Lease except as otherwise provided herein.

2. The Extended Term will commence on December 15, 2013 and shall expire on December 14, 2018.

3. This Renewal Agreement and the Lease are subject and subordinate to the Master Lease. BNSF by its signature below acknowledges Lessee's rights under the Lease, if, prior to the termination of the Lease, or to the expiration of the term of the Lease, the term of the Master Lease expires, the Master Lease is terminated or BNSF reenters and repossesses the Premises after a default by Lessor under the Master Lease. If BNSF succeeds to the rights of Lessor as the "Lessor" under the Lease, Lessee agrees that (i) BNSF shall not be liable or responsible for any breach of or default under the Lease arising prior to the date that BNSF succeeds to the rights of Lessee as the "Lessor" under the Lease; (ii) BNSF shall not be required to cure or correct any breach or default under the Lease arising prior to the date that BNSF succeeds to the rights of Lessor as the "Lessor" under the Lease; and (iii) no breach of or default under the Lease arising prior to the date that BNSF succeeds to the rights of Lessor as the "Lessor" under the Lease shall excuse, delay, release or relieve Lessee from the payment and performance of all of Lessee's duties and obligations under the Lease. The preceding sentence is not intended and shall not be construed to affect any rights or remedies of Lessee against Lessor arising or resulting from a breach of or default under the Lease by Lessor prior to the date that BNSF succeeds to the rights of Lessor as the "Lessor" under this Lease. If BNSF succeeds to the rights of Lessor as the "Lessor" under this Lease, Lessee agrees to recognize BNSF as the "Lessor" under the Lease and timely tender payment and performance of Lessee's duties and obligations under the Lease to BNSF as if BNSF were named as "Lessor" in the Lease.

4. Lessee agrees that Lessor has complied fully and completely with all of Lessor's obligations under the Lease with the result that Lessee is fully obligated to pay, and will pay, the rent and other charges due thereunder in accordance with the terms and provisions set forth in the Lease, and Lessee is fully obligated to perform, and is performing, all of the other obligations of Lessee under the Lease, without the right of counterclaim, offset, or defense.

5. Unless otherwise provided herein, all capitalized and/or defined terms herein shall have the same meaning given to such capitalized and/or defined terms in the Lease.

6. Except as amended hereby, or by other previous amendments signed by the parties, all of the terms and provisions of the Lease are hereby reaffirmed and remain in full force and effect. In the event there is a conflict between the terms and provisions of the Lease and the terms and provisions of this Renewal Agreement, the terms and provisions of this Renewal Agreement shall control.

7. This Renewal Agreement may be executed in multiple counterparts, each of which shall, for all purposes, be deemed an original but which together shall constitute one and the same instrument, and the signature pages from any counterpart may be appended to any other counterpart to assemble fully executed documents, and counterparts of this Renewal Agreement may also be exchanged via electronic facsimile machines and any electronic facsimile of any party's signature shall be deemed to be an original signature for all purposes.

Executed by the parties to be effective as of the Effective Date set forth above.

LESSOR

Montana Rail Link, Inc., a Montana corporation

By: _____
Joe Gentri, Manager Real Estate Administration

LESSEE

City of Livingston

By: _____
Printed Name: _____
Title: _____



BNSF's execution in the space provided below evidences BNSF's consent to this Renewal Agreement. This Renewal Agreement is not valid and shall have no force and effect without BNSF's signature.

BNSF

BNSF Railway Company, a Delaware corporation

By: _____
Name: _____
Title: _____

BNSF Railway Company
2500 Lou Menk Drive, AOB-3
Fort Worth, TX 76131-2828
Attn: _____

Backup material for agenda item:

- C. RESOLUTION NO. 4648 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA TO ACCEPT ENVIRONMENTAL ASSESSMENT FOR WATER RECLAMATION FACILITY IMPROVEMENTS AND TO AUTHORIZE CITY GRANT WRITER TO SUBMIT APPLICATION TO MONTANA DEPARTMENT OF COMMERCE.**

RESOLUTION NO. 4648

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA TO ACCEPT ENVIRONMENTAL ASSESSMENT FOR WATER RECLAMATION FACILITY IMPROVEMENTS AND TO AUTHORIZE CITY GRANT WRITER TO SUBMIT APPLICATION TO MONTANA DEPARTMENT OF COMMERCE.

WHEREAS, the City of Livingston is applying to the Montana Department of Commerce for financial assistance from the Treasure State Endowment Program (TSEP) to complete improvements to the wastewater treatment facility (Water Reclamation Facility Upgrade);

WHEREAS, the TSEP program requires completion of an Environmental Assessment (EA) as part of the grant application to characterize the environmental effects of the proposed project, which EA is attached hereto and incorporated herein as Exhibit A.

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

That the City of Livingston has had the EA completed and advertised for public comment, as required, and the City Commission hereby adopts the final EA for incorporation into the grant application.

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

That Melody Montgomery is authorized to submit an application to the Montana Department of Commerce, on behalf of the City of Livingston, to act on its behalf and to provide such additional information as may be required.

PASSED AND ADOPTED by the City Commission of the City of Livingston, Montana this ____ day of April, 2016.

JAMES BENNETT – Chairman

LISA HARRELD
Recording Secretary

ERIK COATE
City Attorney



CITY OF LIVINGSTON WATER RECLAMATION FACILITY UPGRADE

Environmental Assessment Update

Background

The City of Livingston is pursuing an upgrade to their Wastewater Treatment Plant, in order to comply with forthcoming more stringent discharge regulations for ammonia, and to replace existing, deteriorated treatment infrastructure and equipment.

2013 Preliminary Engineering Report

In 2013 the City procured a Wastewater Facility Plan that served as the Preliminary Engineering Report (2013 PER) for the needed project. The 2013 PER, completed in Spring 2014, examined eight different process alternatives for upgrading the WWTP to meet projected changes in population, wastewater loadings, and discharge permit limitations. The 2013 PER provided an alternative screening process which considered all reasonable and economical alternatives for upgrading the existing wastewater treatment facility. In total, seven secondary treatment alternatives, four disinfection system improvements and two biosolids digestion alternatives were evaluated, including a “No Action” alternative. Decision criteria included costs, reliability, design flexibility, operability, energy and environmental resource impacts and local economic effects.

After calculating project costs, operation and maintenance costs, and determining a present value cost, the options were ranked using a matrix scoring process. To procure funding for the project, the 2013 PER was submitted to the Department of Environmental Quality and Department of Natural Resources Conservation. An Environmental Assessment was prepared, including the Uniform Environmental Checklist.

2015 Nutrient Removal Treatment Process Evaluation

Subsequent to the submission of the 2013 PER, the City completed a Nutrient Removal Treatment Process Evaluation (2015 NRTPE), which provided a more detailed evaluation of two treatment approaches that the 2013 PER recommended for further consideration: A2O (anaerobic-anoxic-oxic (aerobic) activated sludge system) and the intermittent cycle extended aeration system (ICEAS) sequencing batch reactor (SBR). Based on this analysis, the 2015 NRTPE recommended the ICEAS SBR system for the project, citing the following benefits: “significantly lower capital and annual costs,” it would possess a “smaller overall footprint,” and it would be “less complex.”

2016 Preliminary and Final Design Services

In October of 2015, the City solicited for Statements of Qualifications for final design of the project. The City received eight technically detailed proposals. Subsequently, three teams were short-listed for interviews and, ultimately, AE2S was contracted for design services for the project in February 2016.

Updated Project Description

As a result of the above efforts on the project since the 2013 PER, additional project needs have been identified. The current project scope includes the following upgrades:

- Addition of a septage receiving facility
- Improvements to the headworks facility:
 - Addition of a redundant grinder and coarse (6 mm) auger screen
 - Improve access to grit processing unit
 - Rehabilitation of existing ventilation
- Replacement of primary clarifiers, rotating biological contactors, and secondary clarifiers with a continuous flow sequencing batch reactor (SBR) process
- Equalization of secondary effluent
- Improvements to UV disinfection
- Addition of a new process control building
- Equalization and thickening of waste activated sludge (WAS)
- Replacement of anaerobic digester with aerobic digesters
- Replacement of the standby power generator
- Addition of a 5th biosolids composting unit
- Addition of new electrical feed, transformer, distribution, and motor control centers
- Addition of a new SCADA system

A preliminary site layout plan is attached.

Due to the modifications that have been proposed to the original 2013 PER, and the time since the original Environmental Assessment was prepared and distributed, an amendment to the 2013 PER is being provided, along with this Environmental Assessment update and Uniform Environmental Checklist.

The current estimated project cost (including administration, engineering, and construction) is \$14,651,000. The city will fund the project with a Clean Water Act State Revolving Fund (SRF) loan in the amount of \$13,901,000, a \$125,000 grant from the Department of Natural Resources and Conservation (Renewable Resource Grants and Loans, RRGL), with the residual provided by internal reserves. A Treasure State Endowment Program grant in the amount of \$750,000 is also being pursued, which, if obtained, would supplant \$750,000 of the loan from SRF.

Environmental Assessment

The Montana Environmental Policy Act requires that an environmental assessment be performed for the following reasons: whenever a state agency takes an action; whenever that action is not exempt or excluded from MEPA; and whenever the action may impact the human environment. This Environmental Assessment (EA) update verifies that none of the impacts of the proposed City of Livingston WRF Upgrade project are significantly adverse, or warrant a more detailed EA or environmental impact statement. The reasoning for this finding is documented in the attached Uniform Environmental Checklist, and is summarized as follows:

- The construction site will be within the existing footprint and fenced property boundary of the existing wastewater treatment facility.
- Best management practices (BMP's) will be implemented to prevent dust and stormwater runoff from the site during construction. The contract documents will include requirements for these systems. The site will be sprayed down if it appears that dust will have any offsite impact. Sediment control fencing will be placed on the downhill edge of all disturbances.
- The project area is surrounded by a ten-foot security fence which prevents the entry of most wildlife. Birds visiting the site could be temporarily impacted during construction, but is not expected. There are no reported cultural or historical sites at the project location.
- The project will result in no significant adverse impacts to any agricultural land, wetlands, cultural resources, fish and wildlife, water quality, air quality, or public health. On the contrary, the project should have a positive impact on fish and wildlife, water quality, and public health as a result of improved effluent quality discharged to the Yellowstone River. It should also be noted that the Yellowstone is not designated as a "Wild and Scenic River" by the National Wild and Scenic Rivers System.
- A very small portion of the site, near the old chlorine contact basin, does lie within the 100-year floodplain of the Yellowstone River. A County Floodplain permit will be obtained if it is proven necessary after the preliminary engineering is done and any necessary activities within the floodplain are identified.
- Energy requirements will increase with the new treatment systems; however, the City has included an Energy Study with the preliminary engineering work, which includes an evaluation of energy alternatives as well as energy efficiency optimization for the installed equipment.
- Short-term noise levels will increase due to construction activities. The construction period will be limited to daylight hours, generally between 7 a.m. and 5 p.m. New equipment will be housed indoors and will not significantly increase offsite noise levels.
- Sludge disposal will continue as it does currently, with a portion of the dewatered biosolids disposed of at the High Plains Landfill and Recycling Center near Great Falls, and the remainder composted with green waste and provided free of charge to members of the community.
- There will be no adverse or disproportionate impact on the human health or environmental effects on minority or low income populations.
- The design population equivalent for the project is 11,500. Based on the U.S. Census Bureau's most recent available data, the 2014 population of Livingston was 7,245. The design population equivalent could be met as soon as 2040 at a modest growth rate of 1.8% per year. This simply represents good infrastructure planning and it is not a growth-inducing project.

Public Participation

The City of Livingston has discussed the need for this project at numerous City Commission meetings over the last five years. A public meetings regarding the project was held at the City and County Office Complex on April 15th, 2015, at 6:30 p.m. for the purpose of obtaining public comments regarding the selection of alternatives for upgrading the existing wastewater system through application to the Treasure State Endowment Program (TSEP). The City Commissioners, Public Works staff, and city residents attended the meeting.

The agenda for the meeting included discussion of the existing facility, the need for upgrades (including new discharge limits), design alternatives, cost estimates, rate impacts, and project schedule.

The conclusions of the public and City Commission were documented as follows:

1. The existing facility is obsolete and will not be capable of meeting new discharge limits
2. A new, upgraded water reclamation facility is the best alternative for moving forward
3. Livingston must provide the best, financially feasible level of treatment before discharging to the Yellowstone River
4. Strong City Commission support for the project
5. Strong public support for the project

The Draft Uniform Environmental Checklist, based on the 2013 PER, was originally advertised in the Livingston Enterprise on Monday, March 24th and Wednesday, March 26th, 2014, with comments to be received by the City of Livingston Grants Administrator by April 4th, 2014. A public meeting was held at the Livingston Civic Center on April 6th, 2014 to discuss the initial EA.

The City held another public hearing on March 30th, 2016, to discuss modifications to the Water Reclamation Facility, impact on user rates, the TSEP grant proposal, and the environmental checklist. The City began advertising this hearing approximately two weeks in advance, using all platforms available, including the City's website, social media, posters, legal ads, community news, and a front page article in the Livingston Enterprise.

The meeting was conducted by AE2S Project Manager, Scott Buecker, PE; Jessie Hogg, City of Livingston Chief Financial Officer; Shannon Holmes, City of Livingston Public Works Director; and Melody Montgomery, City of Livingston Grant Writer.

Project Schedule

- Preliminary Design Report March 2016 - May 2016
- Final Design Development May 2016 - February 2017
- Bidding March 2017 - April 2017
- Award April 2017
- Construction Notice to Proceed..... May 2017
- Substantial Completion..... June 2018
- Final Completion September 2018
- Warranty Period..... September 2018 – September 2019



Other Agencies

Park County, Montana

- Jurisdictional Requirements – potential flood-plain permitting

Agencies Contacted

- Department of Commerce
- Department of Environmental Quality
- Department of Fish, Wildlife and Parks
- Department of Labor and Industry
- Department of Natural Resources and Conservation
- Department of Transportation
- State Historic Preservation Office
- Bureau of Indian Affairs
- Bureau of Land Management
- Federal Aviation Administration
- National Park Service
- Natural Resource Conservation Service
- Occupational Safety and Health Administration
- US Army Corps of Engineers
- US Department of Transportation
- US Environmental Protection Agency
- US Fish and Wildlife Service
- US Forest Service

**Montana Department of Commerce
Treasure State Endowment Program
Environmental Assessment**

**City of Livingston
Water Reclamation Facility Improvements
Livingston, Montana**

Proposed Action: The proposed project will provide an upgrade to the City's existing wastewater treatment system over an approximately year and a half construction duration, including the following major components:

- Addition of a septage receiving station
- Addition of a second grinder and mechanical coarse screen
- Replacement of primary clarifiers, rotating biological contactors, and secondary clarifiers with a Sequencing Batch Reactor (SBR) process
- UV disinfection improvements
- Replacement of the existing anaerobic digestion process with waste activated sludge thickening and aerobic digesters
- A new Control Building with equipment, electrical, and control rooms
- A new Supervisory Control and Data Acquisition (SCADA) system
- Ancillary improvements including improved ventilation in the headworks building, secondary effluent equalization, new electrical distribution and standby/emergency generator, and a utility water system utilizing plant effluent.

UNIFORM ENVIRONMENTAL CHECKLIST

A completed environmental checklist as contained in the Uniform Application for Montana Public Facility Projects, 9th Edition, begins on the next page.

As the engineer that prepared the preliminary engineering report, I, Scott Buecker, P.E. have reviewed the information presented in this checklist and believe that it accurately identifies the environmental resources in the area and the potential impacts that the project could have on those resources. In addition, the required state and federal agencies were provided with the required information about the project and requested to provide comments on the proposed public facility project. Their comments have been incorporated into and attached to the Preliminary Engineering Report.

Engineer's Signature _____

Date: 03/31/2016

Key Letter: N – No Impact/Not Applicable **B** – Potentially Beneficial **A** – Potentially Adverse
P – Approval/Permits Required **M** – Mitigation Required

PHYSICAL ENVIRONMENT	
<u>Key</u> B	<p>1. Soil Suitability, Topographic and/or Geologic Constraints (e.g., soil slump, steep slopes, subsidence, seismic activity)</p> <p><i>Comments:</i></p> <p>Soils in the area are suitable for the construction of the proposed facilities as evidenced by the existence of similar structures on the site, some of which are well over 40 years old. The seismic zone is low risk for seismic events. Existing ground slopes allow for conventional design and construction, and sufficient bearing pressure exists for the new structures.</p> <p>The site is within the detected Tetrachloroethene (PCE) groundwater plume that is part of the Burlington Northern Livingston Shop Complex CECRA Facility. The plume has also resulted in the contamination of some of the subsurface soils in the area. Since any excavated soils may be contaminated with PCE, excavated soils will be contained onsite. Water & Environmental Technologies (WET), the remediation contractor for the plume, will pick up contained soils and transport them to their site just north of the project, for testing, remediation (if necessary), and disposal or return to the site.</p> <p>In order to minimize excavated soils and the testing and remediation impacts, import material may be required for pipe bedding and to construct protective earth berms around above ground tanks.</p> <p><i>Source(s) of Information:</i></p> <p>USGS topo maps, NRCS soil mapping studies, existing treatment system design drawings, field inspections of proposed construction sites, deq.mt.gov/Land/statesuperfund/bnlivingston, City of Livingston Contaminated Soils Workplan (TD&H).</p>
<u>Key</u> N	<p>2. Hazardous Facilities (e.g., power lines, EPA hazardous waste sites, acceptable distance from explosive and flammable hazards including chemical/petrochemical storage tanks, underground fuel storage tanks, and related facilities such as natural gas storage facilities & propane storage tanks)</p> <p><i>Comments:</i></p> <p>There are no known hazardous facilities near the proposed construction areas. Power lines and underground utilities, if applicable, will be located through MT One-Call during the design and construction phases.</p> <p><i>Source(s) of Information:</i></p> <p>Field Observations</p>

Key Letter: N – No Impact/Not Applicable **B** – Potentially Beneficial **A** – Potentially Adverse
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<p style="text-align: center;"><u>Key</u> B</p>	<p>3. Effects of Project on Surrounding Air Quality or Any Kind of Effects of Existing Air Quality on Project (e.g., dust, odors, emissions)</p> <p><i>Comments:</i></p> <p>The WRF is located more than a mile from any high density residential areas, and there is no development downwind of prevailing winds, so historically there have not been any issues with offsite odor.</p> <p>However, odor generation at the site will be reduced, as a result of replacing the ventilation system in the Headworks Building, replacing primary treatment and rotating biological contactors with a sequencing batch reactor system, and replacing anaerobic digestion with aerobic digestion. Overall these measures will reduce the amount of reduced sulfurous and organic compounds generated at the Water Reclamation Facility (WRF).</p> <p>The construction activities will generate dust during the summer months. These effects can be mitigated with a spray truck when necessary.</p> <p>Water & Environmental Technologies has conducted extensive air quality testing around the site as part of their remediation work, and the testing has not indicated that the PCE contamination is resulting in any off-gassing. Therefore, excavation is not anticipated to result in any air quality impacts.</p> <p><i>Source(s) of Information:</i></p> <p>Facility maps, wastewater process engineering and construction observation experience, and correspondence with Water & Environmental Technologies.</p>
<p style="text-align: center;"><u>Key</u> N</p>	<p>4. Groundwater Resources & Aquifers (e.g., quantity, quality, distribution, depth to groundwater, sole source aquifers)</p> <p><i>Comments:</i></p> <p>Groundwater elevations are understood to be high on the site, and any excavations beyond a depth of 4 to 6 feet could result in contact with groundwater. Provisions for groundwater control will be included in the contract documents. A geotechnical study is being conducted in April of 2016, to better identify actual construction season conditions. The new facilities will be constructed at depths similar to existing ones that have worked in the present location for many years.</p> <p><i>Source(s) of Information:</i></p> <p>NRCS mapping data, Water & Environmental Solutions, Montana DEQ, Livingston Public Works Department</p>
<p style="text-align: center;"><u>Key</u> B</p>	<p>5. Surface Water/Water Quality, Quantity & Distribution (e.g., streams, lakes, storm runoff, irrigation systems, canals)</p>

	<p><i>Comments:</i></p> <p>Treated effluent has been discharged to the Yellowstone River from the facility since approximately 1960. There will be no change in the location of the discharge point.</p> <p>The proposed project will substantially improve the quality of the effluent, including a substantial reduction in effluent ammonia concentrations, reducing potential effects to the salmonid fishery. Effluent disinfection will be more effective and reliable, due to the improvement in effluent quality and resulting improvement in UV transmittance.</p> <p>During construction, the contractor will be required to file an erosion control plan and prepare a storm water pollution prevention plan (SWPPP).</p> <p><i>Source(s) of Information:</i></p> <p>City of Livingston Public Works Department, Montana DEQ Statement of Basis, Montana Natural Heritage Program, AE2S, US Fish & Wildlife Service</p>
<p style="text-align: center;"><u>Key</u></p> <p style="text-align: center;"><u>P</u></p>	<p>6. Floodplains & Floodplain Management (Identify any floodplains within one mile of the boundary of the project.)</p> <p><i>Comments:</i></p> <p>The project location is reflected in FIRM Panel 30067CO591C Park Co. Montana and indicates that a portion of the project is within Zone AE (1% Annual Chance Flood Hazard), and all of the project is within 1 mile of Zone AE. The Montana DNRC will require that the proper floodplain permits be obtained.</p> <p>Circular DEQ 2 requires that wastewater facilities be protected from damage from the 100-year flood. This will be complied with for the portion of the project within the 100-year floodplain.</p> <p><i>Source(s) of Information:</i></p> <p>Montana DEQ Circular-2, Livingston Public Works Department, Montana DNRC Floodplain Section</p>
<p style="text-align: center;"><u>Key</u></p> <p style="text-align: center;"><u>N</u></p>	<p>7. Wetlands Protection (Identify any wetlands within one mile of the boundary of the project.)</p> <p><i>Comments:</i></p> <p>There are no jurisdictional wetlands known to be present on the existing wastewater treatment plant or within the specified boundary. However wetlands are located within 1 mile of the project site. All construction is on existing wastewater plant grounds which does not contain jurisdictional wetlands.</p> <p>Erosion control and SWPPP will be implemented during the project to protect down-gradient ecosystems from harm.</p> <p><i>Source(s) of Information:</i></p> <p>US Fish & Wildlife Service, Stahly Engineering, US Army Corps of Engineers.</p>

Key Letter: N – No Impact/Not Applicable B – Potentially Beneficial A – Potentially Adverse
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<p style="text-align: center;"><u>Key</u></p> <p style="text-align: center;">N</p>	<p>8. Agricultural Lands, Production, & Farmland Protection (e.g., grazing, forestry, cropland, prime or unique agricultural lands) (Identify any prime or important farm ground or forest lands within one mile of the boundary of the project.)</p> <p><i>Comments:</i></p> <p>There are no areas of prime farmland located within the project boundaries. All construction is at the existing wastewater plant site.</p> <p><i>Source(s) of Information:</i></p> <p>City of Livingston</p>
<p style="text-align: center;"><u>Key</u></p> <p style="text-align: center;">N</p>	<p>9. Vegetation & Wildlife Species & Habitats, Including Fish (e.g., terrestrial, avian and aquatic life and habitats)</p> <p><i>Comments:</i></p> <p>The proposed project only includes construction on existing City owned land already utilized for wastewater treatment. The site is fenced with a 10 foot security fence, so no large animals can enter. A summertime construction season will mean that any birds or small animals entering the site are in their best condition and will be less susceptible to stress.</p> <p>The project will result in overall better habitat for salmonid species near the discharge of the treatment facility.</p> <p><i>Source(s) of Information:</i></p> <p>City Records and Maps, Montana FWP, Montana Natural Heritage Program</p>
<p style="text-align: center;"><u>Key</u></p> <p style="text-align: center;">N</p>	<p>10. Unique, Endangered, Fragile, or Limited Environmental Resources, Including Endangered Species (e.g., plants, fish or wildlife)</p> <p><i>Comments:</i></p> <p>No plant or animal species of concern have been identified near the proposed construction site. Impacts to any animals are expected to be minimal for a variety of reasons including the following:</p> <ul style="list-style-type: none"> • The project site is fenced with a ten foot security fence and is within or directly adjacent to existing City-owned wastewater treatment facilities. • Construction is during the summer when the animals are in their best condition and when ground animals have the most mobility. • The construction period is relatively short. <p><i>Source(s) of Information:</i></p> <p>Montana Natural Heritage Program, Montana FWP, US Fish & Wildlife Service</p>

Key Letter: N – No Impact/Not Applicable **B** – Potentially Beneficial **A** – Potentially Adverse
P – Approval/Permits Required **M** – Mitigation Required

<u>Key</u> N	<p>11. Unique Natural Features (e.g., geologic features)</p> <p><i>Comments:</i> None known or thought to be present.</p> <p><i>Source(s) of Information:</i> Historical agency correspondence, physical site survey</p>
<u>Key</u> B	<p>12. Access to, and Quality of, Recreational & Wilderness Activities, Public Lands and Waterways (including Federally Designated Wild & Scenic Rivers), and Public Open Space</p> <p><i>Comments:</i> No impacts to access for recreational and/or wilderness activities will occur as a result of this project. The quality of the Yellowstone River in the vicinity of the City's outfall will be improved, providing a benefit to resident fish, and river users.</p> <p><i>Source(s) of Information:</i> AE2S</p>
HUMAN POPULATION	
<u>Key</u> N	<p>1. Visual Quality – Coherence, Diversity, Compatibility of Use and Scale, Aesthetics</p> <p><i>Comments:</i> The proposed project is within the existing wastewater treatment plant boundary, and new facilities will be directly adjacent to existing wastewater treatment facilities. The new SBR facility and Process Control Building will be located adjacent to North Bennet Street, and will be designed with coherence to surrounding public works structures and wastewater treatment facilities.</p> <p><i>Source(s) of Information:</i> AE2S</p>
<u>Key</u> N	<p>2. Nuisances (e.g., glare, fumes)</p> <p><i>Comments:</i> The project will not create any nuisance conditions.</p> <p><i>Source(s) of Information:</i> AE2S</p>

<p style="text-align: center;"><u>Key</u> N</p>	<p>3. Noise -- suitable separation between noise sensitive activities (such as residential areas) and major noise sources (aircraft, highways & railroads)</p> <p><i>Comments:</i></p> <p>Construction of the project may result in noise that is audible offsite. The completed project includes some noise generating equipment, but these equipment items will be housed indoors and will not result in excessive noise outside of the buildings or offsite.</p> <p><i>Source(s) of Information:</i></p> <p>AE2S</p>
<p style="text-align: center;"><u>Key</u> N</p>	<p>4. Historic Properties, Cultural, and Archaeological Resources</p> <p><i>Comments:</i></p> <p>There are no known historic, cultural, or archeological resources on the project site.</p> <p><i>Source(s) of Information:</i></p> <p>Montana State Historic Preservation Office</p>
<p style="text-align: center;"><u>Key</u> B</p>	<p>5. Changes in Demographic (population) Characteristics (e.g., quantity, distribution, density)</p> <p><i>Comments:</i></p> <p>Implementation of the project will provide the wastewater treatment capacity needed by the community to grow as economic conditions require up to the design population equivalence.</p> <p><i>Source(s) of Information:</i></p> <p>Stahly Engineering, AE2S</p>
<p style="text-align: center;"><u>Key</u> N</p>	<p>6. Environmental Justice – (Does the project avoid placing lower income households in areas where environmental degradation has occurred, such as adjacent to brown field sites?)</p> <p><i>Comments:</i></p> <p>The project does not locate or cause the location of any lower income households into unacceptable areas.</p> <p><i>Source(s) of Information:</i></p> <p>Stahly Engineering, AE2S, Montana Department of Commerce</p>

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<p style="text-align: center;"><u>Key</u> B</p>	<p>7. General Housing Conditions - Quality, Quantity, Affordability</p> <p><i>Comments:</i></p> <p>The new Wastewater Reclamation Facility is being designed and constructed for a population equivalence of 11,500, which will provide enough capacity to support the future growth and development of the community, providing more economic opportunity for local residents.</p> <p><i>Source(s) of Information:</i></p> <p>AE2S</p>
<p style="text-align: center;"><u>Key</u> N</p>	<p>8. Displacement or Relocation of Businesses or Residents</p> <p><i>Comments:</i></p> <p>No businesses or residences will be relocated as a result of this project.</p> <p><i>Source(s) of Information:</i></p> <p>AE2S</p>
<p style="text-align: center;"><u>Key</u> B</p>	<p>9. Public Health and Safety</p> <p><i>Comments:</i></p> <p>Implementation of this project will improve the quality of the City's effluent, thereby improving the effluent's UV transmittance and the subsequent performance and reliability of the UV disinfection process. Increased dependability of the UV disinfection process will increase the degree of certainty that effluent discharged to the Yellowstone River poses minimal risk to public health and safety.</p> <p><i>Source(s) of Information:</i></p> <p>AE2S</p>
<p style="text-align: center;"><u>Key</u> N</p>	<p>10. Lead Based Paint and/or Asbestos</p> <p><i>Comments:</i></p> <p>No impact expected. The City Public Works Department indicates no hazardous materials exist at the proposed construction site. The contractor will be required to take normal precautions when demolishing any old facilities.</p> <p><i>Source(s) of Information:</i></p> <p>City of Livingston Public Works Department, Stahly Engineering</p>
<p style="text-align: center;"><u>Key</u> N</p>	<p>11. Local Employment & Income Patterns - Quantity and Distribution of Employment, Economic Impact</p> <p><i>Comments:</i></p> <p>The construction phase will provide a positive economic impact due to construction jobs and the presence of additional construction crews in town during the construction phase.</p> <p>Longer-term, the capacity of the WRF will allow for economic development within the City of Livingston.</p> <p><i>Source(s) of Information:</i></p> <p>AE2S</p>

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<p style="text-align: center;"><u>Key</u> B <u> </u></p>	<p>12. Local & State Tax Base & Revenues</p> <p><i>Comments:</i> Construction employment will increase the state tax base for the duration of the construction period. Any construction work provided by local residents on the project will increase the local tax base.</p> <p><i>Source(s) of Information:</i> AE2S</p>
<p style="text-align: center;"><u>Key</u> N <u> </u></p>	<p>13. Educational Facilities - Schools, Colleges, Universities</p> <p><i>Comments:</i> No impacts expected.</p> <p><i>Source(s) of Information:</i> AE2S</p>
<p style="text-align: center;"><u>Key</u> N <u> </u></p>	<p>14. Commercial and Industrial Facilities - Production & Activity, Growth or Decline</p> <p><i>Comments:</i> No impacts expected</p> <p><i>Source(s) of Information:</i> AE2S</p>
<p style="text-align: center;"><u>Key</u> N <u> </u></p>	<p>15. Health Care – Medical Services</p> <p><i>Comments:</i> No impacts expected</p> <p><i>Source(s) of Information:</i> AE2S</p>
<p style="text-align: center;"><u>Key</u> N <u> </u></p>	<p>16. Social Services – Governmental Services (e.g., demand on)</p> <p><i>Comments:</i> No impacts expected.</p> <p><i>Source(s) of Information:</i> AE2S</p>

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<p style="text-align: center;"><u>Key</u></p> <p style="text-align: center;"><u>N</u></p>	<p>17. Social Structures & Mores (Standards of Social Conduct/Social Conventions)</p> <p><i>Comments:</i> No impact.</p> <p><i>Source(s) of Information:</i> AE2S</p>
<p style="text-align: center;"><u>Key</u></p> <p style="text-align: center;"><u>B</u></p>	<p>18. Land Use Compatibility (e.g., growth, land use change, development activity, adjacent land uses and potential conflicts)</p> <p><i>Comments:</i> No impacts. The proposed project improves the existing wastewater treatment facility and is located entirely within the existing boundaries of the treatment plant.</p> <p><i>Source(s) of Information:</i> AE2S</p>
<p style="text-align: center;"><u>Key</u></p> <p style="text-align: center;"><u>N</u></p>	<p>19. Energy Resources - Consumption and Conservation</p> <p><i>Comments:</i> The proposed upgrade to the WRF will result in higher electricity usage than the plant has historically required. However, an Energy Management Study is being conducted as part of the preliminary design, in order to ensure the new WRF is as energy efficient as financially feasible. The Study will also include a Renewable Energy Evaluation that will assess the feasibility of utilizing solar, wind or geothermal energy to partially or fully offset the WRF energy use.</p> <p><i>Source(s) of Information:</i> AE2S</p>
<p style="text-align: center;"><u>Key</u></p> <p style="text-align: center;"><u>N</u></p>	<p>20. Solid Waste Management</p> <p><i>Comments:</i> Biosolids generated at the Water Reclamation Facility are dewatered and either: 1) composted with local green waste and given away to the public, or 2) hauled to a transfer station for eventual disposal at the High Plains Sanitary Landfill & Recycling Center near Great Falls.</p> <p><i>Source(s) of Information:</i> Livingston Public Works Department, AE2S</p>
<p style="text-align: center;"><u>Key</u></p> <p style="text-align: center;"><u>B</u></p>	<p>21. Wastewater Treatment - Sewage System</p> <p><i>Comments:</i> The proposed project will replace an antiquated wastewater treatment system with a new, better-performing wastewater treatment system, which will improve local surface water quality.</p> <p><i>Source(s) of Information:</i> AE2S</p>

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<p style="text-align: center;"><u>Key</u> N</p>	<p>22. Storm Water – Surface Drainage</p> <p><i>Comments:</i> No impacts anticipated. The contractor will be required to obtain and comply with a storm water pollution prevention permit (SWPPP) during construction.</p> <p><i>Source(s) of Information:</i> AE2S</p>
<p style="text-align: center;"><u>Key</u> N</p>	<p>23. Community Water Supply</p> <p><i>Comments:</i> The City of Livingston utilizes groundwater resources for drinking water. No impacts anticipated.</p> <p><i>Source(s) of Information:</i> AE2S</p>
<p style="text-align: center;"><u>Key</u> N</p>	<p>24. Public Safety – Police</p> <p><i>Comments:</i> No impacts anticipated</p> <p><i>Source(s) of Information:</i> AE2S</p>
<p style="text-align: center;"><u>Key</u> N</p>	<p>25. Fire Protection – Hazards</p> <p><i>Comments:</i> No impacts anticipated</p> <p><i>Source(s) of Information:</i> AE2S</p>
<p style="text-align: center;"><u>Key</u> N</p>	<p>26. Emergency Medical Services</p> <p><i>Comments:</i> No impacts anticipated</p> <p><i>Source(s) of Information:</i> AE2S</p>
<p style="text-align: center;"><u>Key</u> N</p>	<p>27. Parks, Playgrounds, & Open Space</p> <p><i>Comments:</i> No impacts anticipated.</p> <p><i>Source(s) of Information:</i> AE2S</p>

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<p style="text-align: center;"><u>Key</u> N</p>	<p>28. Cultural Facilities, Cultural Uniqueness & Diversity</p> <p><i>Comments:</i> No impacts anticipated</p> <p><i>Source(s) of Information:</i> Stahly Engineering, Montana Natural Heritage Program</p>
<p style="text-align: center;"><u>Key</u> N</p>	<p>29. Transportation Networks and Traffic Flow Conflicts (e.g., rail; auto including local traffic; airport runway clear zones - avoidance of incompatible land use in airport runway clear zones)</p> <p><i>Comments:</i> During construction there will be slightly more traffic around the project site, however, no impacts are anticipated.</p> <p><i>Source(s) of Information:</i> AE2S</p>
<p style="text-align: center;"><u>Key</u> B</p>	<p>30. Consistency with Local Ordinances, Resolutions, or Plans (e.g., conformance with local comprehensive plans, zoning, or capital improvement plans)</p> <p><i>Comments:</i> The proposed improvements are modifications to existing facilities all of which are compliant with local regulations and zoning (where zoning exists).</p> <p><i>Source(s) of Information:</i> Montana DEQ, City of Livingston</p>
<p style="text-align: center;"><u>Key</u> N</p>	<p>31. Is There a Regulatory Action on Private Property Rights as a Result of this Project? (Consider options that reduce, minimize, or eliminate the regulation of private property rights.)</p> <p><i>Comments and Source of Information:</i> No impacts anticipated.</p> <p><i>Source(s) of Information:</i> Stahly Engineering, AE2S</p>

Backup material for agenda item:

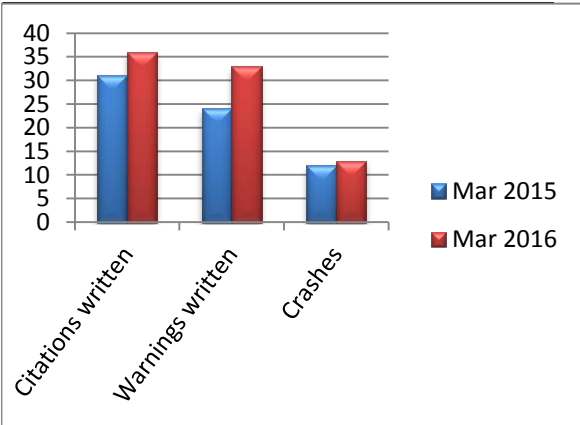
Monthly Police Report - March



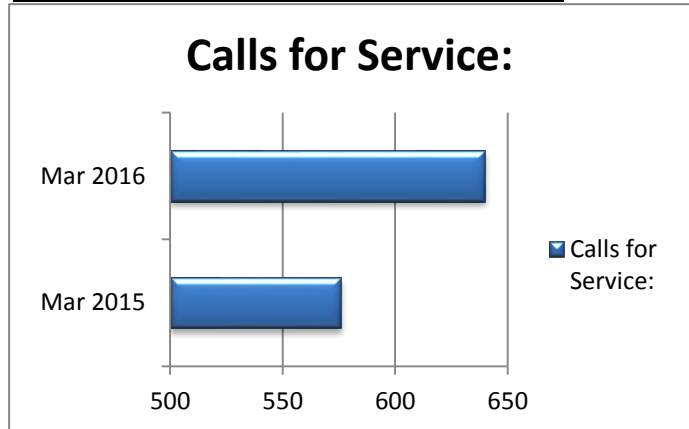
Livingston Police Department Monthly Report - March 2016



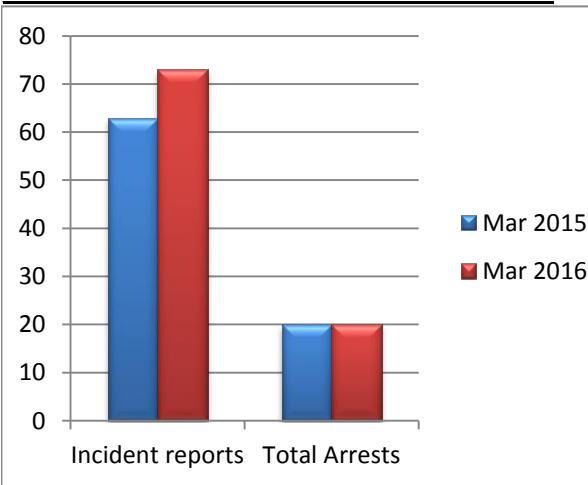
	<u>Mar 2015</u>	<u>Mar 2016</u>
Citations written	31	36
Warnings written	24	33
Crashes	12	13



	<u>Mar 2015</u>	<u>Mar 2016</u>
Calls for Service:	576	640



	<u>Mar 2015</u>	<u>Mar 2016</u>
Incident reports	63	73
Total Arrests	20	20



Notes:

Although not included in the "Top 5" 911 hang-ups continue to a significant issue. I will not be including them from now on as they typically do not require any type of "investigation." Also not included was the proactive efforts of Officer Kynett and attempting to identify and remove the large number of abandoned vehicles on the city streets. She located 55 vehicles that were marked as abandoned.

Officers Sullivan and Hildebrand have successfully completed the Law Enforcement Academy and are back into the daily rotation of police work. We are proud of both of them and excited to have the additional personnel back on the department.

Top 5 categories investigated by the LPD in March

- 1- Police Assist **62**
- 2- Welfare Check **22**
- 3- Disturbance **21**
- 4- Theft **20**
- 5- Forgery/ Fraud **19**

