



# Livingston City Commission Agenda

June 06, 2023

5:30-8:30 PM

City – County Complex, Community Room, and Zoom

<https://us02web.zoom.us/j/89904889022?pwd=MWkrTXBYMGxBR2ZJTndLS21SUUkvQT09>

Meeting ID: 899 0488 9022 **Passcode: 135919** Call In: (669) 900-6833

1. Call to Order

2. Roll Call

3. Public Comment

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

4. Consent Items

- A. APPROVE MINUTES FROM MAY 16, 2023, REGULAR MEETING. Pg. 4**
- B. RATIFY CLAIMS PAID 05/01/2023--05/23/2023. Pg. 10**
- C. ACCEPT CITY COURT FINANCIAL REPORT FROM APRIL 2023. Pg. 30**
- D. CONSIDERATION OF OPEN CONTAINER SPECIAL EXCEPTION REQUEST FOR THE 99TH ANNUAL LIVINGSTON ROUNDUP PARADE ON JULY 2ND. Pg. 32**
- E. 2023 SUMMERFEST OPEN CONTAINER EXCEPTION REQUEST FOR EVENT ON JULY 15, 2023. Pg. 50**
- F. NORTHWESTERN ENERGY UTILITY BORE/ REPLACEMENT UNDER FLESHMAN CREEK. Pg. 63**
- G. ACCEPT RECOMMENDATION FROM LIVINGSTON DESTINATION MANAGEMENT ORGANIZATION (FORMERLY CVB) BOARD TO FILL VACANCIES. Pg. 73**
- H. LBID BOARD MEMBER RECOMMENDATION. Pg. 80**

5. Proclamations

- A. A PROCLAMATION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, DECLARING JUNE 30-JULY 4, 2023, AS RODEO DAYS IN LIVINGSTON, MONTANA. Pg. 84**

6. Scheduled Public Comment

7. Public Hearings

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

8. Ordinances

9. Resolutions

## 10. Action Items

- A. DISCUSS/APPROVE/DENY: SPECIAL EXCEPTION PERMIT REQUEST FROM SHANE LELANI CENTER. (Continued from May 16th Meeting) Pg. 86**
- B. TRANSMITTAL OF THE CITY MANAGERS RECOMMENDED BUDGET FY 2023-2024. Pg. 308**
- C. DISCUSS: SUMMER COMMISSIONER LISTENING SESSIONS AT FARMER'S MARKET.**

## 11. City Manager Comment

## 12. City Commission Comments

## 13. Adjournment

## Calendar of Events

## Supplemental Material

### Notice

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

**File Attachments for Item:**

**A. APPROVE MINUTES FROM MAY 16, 2023, REGULAR MEETING.**



# Livingston City Commission Minutes

May 16, 2023

5:30-8:30 PM

City – County Complex, Community Room, and Zoom

<https://us02web.zoom.us/j/83563439666?pwd=MzZ2WEp5Vkh5MThQbkhWd2FBK1dxQT09>

MEETING ID: 835 6343 9666 **Passcode 651307** Call in: (669) 900-6833

## 1. Call to Order

## 2. Roll Call:

Chair Melissa Nootz, Vice-Chair Karrie Kahle, Commissioners Friedman, Schwarz, and Lyons. Staff in attendance, City Manager Grant Gager, Interim City Attorney Jon Hesse, Planning Director Jen Severson, Public Works Director Shannon Holmes, Police Chief Dale Johnson, and Recording Secretary Faith Kinnick. Appearing virtually were City Finance Director Paige Fetterhoff, Administrative Services Director Lisa Lowy, Fire Chief Josh Chabalowski, Finance Clerk Emily Hutchinson.

## 3. Public Comment 5:33 (00:00:54)

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

- Leslie Feigel gave comments regarding the Soapbox Derby and possible coordination with the DUI Task Force. Invited everyone to come to the grand opening of the new exhibit at the Chamber.
- Patricia Grabow gave comments thanking the downtown business owners for willingness to renovate upstairs units into more housing, but believes the Ordinance the city passed was premature, citing concerns with very limited downtown parking, and businesses are reportedly negatively affected by infill.
- James Willich expressed a desire for an update on an overpass. Gager responded the city anticipates a decision on our application to be received by the end of June.
- Jay Keifer stated he saw an article in the paper with Melissa and Grant at Washington School regarding the possibility of a land swap with the school.
- Dustin Fanning of the Livingston Wheels Car Club stated he was there in support of the event.

## 4. Consent Items 5:44 p.m. (00:10:57)

### A. APPROVE MINUTES FROM MAY 2, 2023, REGULAR MEETING.

- B. RATIFY CLAIMS PAID 04.12.2023-04.28.2023.**
- C. APPROVE APPLICATION FOR SPECIAL PARKING SPACE**
- D. SPECIAL EXCEPTION REQUEST FOR HAWKES GRADUATION PARTY/BBQ ON JUNE 3, 2023.**
- E. CONSIDER LIVINGSTON AREA CHAMBER REQUEST TO REDUCE STREET CLOSURE FEES FOR THE ANNUAL CAR SHOW ON JUNE 3, 2023.**

Schwarz motioned to pull consent item E, and approve A-D, seconded by Kahle, all in favor passes 5-0. Schwarz agrees with City Manager's recommendation rejecting request to wave fees associated with event. Nootz reviewed the process, clarifying the item appears in the consent items as a previous request from the Commission, the item is administrative in nature. Nootz opened the consent item to receive public comments, which normally is not done. Leslie Feigle, Dustin Fanning, Jay Keifer, James Willich, Patricia Grabow, Michael Adams and Rusty Trzruc gave comments. The Commission deliberated, and concurred with City Manager recommendation despite opposition from the public. Chamber encouraged to collaborate and apply for special event funding through the TBID for future events. Schwarz motioned for approval, seconded by Lyons, consent item E passed 5-0.

#### **5. Proclamations 6:17 p.m. (00:44:01)**

- A. A PROCLAMATION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, DECLARING MAY 20, 2023, AS NATIONAL KIDS TO PARK DAY IN LIVINGSTON MONTANA.**

Nootz read proclamation. Gager thanked Maggie Tarr, Rec. Dept. manager.

- B. A PROCLAMATION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, RECOGNIZING NATIONAL PUBLIC WORKS WEEK MAY 21-27, 2023. 6:19 p.m. (00:46:01)**

Nootz read proclamation. Gager thanked a few members of our Public Works crew in the audience. Trace Tidwell, J Taylor, Shannon Holmes, Martha O'Rourke. Nootz and Schwarz also thanked the staff recognizing they are just a few members of a much larger group.

- C. A PROCLAMATION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON DECLARING ACCEPTANCE AND OPENNESS AMONG ALL OUR CITIZENS. 6:22 p.m. (00:49:03)**

Nootz read proclamation. Gager shared his goal is to make everyone feel as welcome has the community has made him feel over the last 6 months. Nootz responded to Schwarz question about contact with the Montana Human Rights Network.

Nootz advised the Commission will consider Action Item A in between items 6.B and 6.C to allow for a better meeting flow.

**6. Scheduled Public Comment 6:26 p.m. (00:53:57)**

**A. COMMUNITY SUPPORT TEAM**

Gager briefly introduced the Community Support Team to the Commission. Kacie Boteler of the Community Support Team gave a brief overview regarding creation and purpose. Nootz and Kahle gave comments in support. Gager shared city will add new resource on city website.

6:26 p.m. Schwarz motioned for a 10-minute recess, seconded by Kahle.

**B. RECREATION DEPARTMENT UPDATE 6:36 p.m. (00:56:21)**

Gager invited Maggie Tarr to the podium to provide the commission with an overview of her time with the Livingston Recreation Department and community program offerings, and responded to a few questions. The commission shared accolades for Maggie’s work with Livingston Rec.

10-minute recess 6:56 p.m.

**ACTION ITEM A. DISCUSS/APPROVE/DENY: SPECIAL EXCEPTION PERMIT REQUEST FROM SHANE LELANI CENTER. & C. SHANE CENTER PAVILLION PRESENTATION 7:08 p.m. (01:23:33)**

Nootz made a brief statement about moving items around for better flow of agenda. Gager made brief comments before inviting Jen Severson to give an updated staff recommendation from what was presented in the packet. Severson provided commission with written handouts and provided her recommendation.

Erika Adams of the Shane LeLani center gave presentation and a few commission clarifying questions were answered by Gager & Severson. Schwarz motioned for approval of Action Item A, with revised conditions of approval as provided by staff’s updated recommendations, seconded by Kahle.

Commission received public comments from Gavin Clark, James Willich, Lesa Maher, Finn Johnson, Hunter Viers, Zander Becnel, Sarah Skofield, Angela Devani, Jay Keifer, Patricia Grabow, Valerie Kinely. Commission sought clarifying comments from

Russell Lewis of the Shane LeLani Center. Commissioners deliberated and decided to continue discussion citing concerns regarding decibel of noise, impacts to neighborhood and maximum event capacity. Nootz motioned to continue the discussion to date certain of June 6, 2023, seconded by Lyons, passes 5-0.

Kahle motioned for a 5-minute recess, seconded by Friedman, passes 5-0.

Nootz called for a motion to extend the meeting at 9:28 p.m., Kahle motioned for extension, second by Schwarz, all in favor passes 5-0.

**7. Public Hearings 9:29 p.m. (03:35:00)**

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

**A. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 30 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED ZONING BY MAKING TEXT AMENDMENTS PERTAINING TO ZONING CODE CHAPTER 30 ARTICLE II. DEFINITIONS, SECTION 30.30 DISTRICT DESCRIPTIONS, TABLE 30.40 LIST OF USES, TABLE 30.41 RESIDENTIAL DENSITY REQUIREMENTS, AND SECTION 30.51 OFF-STREET PARKING AND LOADING ZONES.**

Nootz briefly introduced the item, noting this is the 2<sup>nd</sup> time the commission will be discussing, before turning over to Gager. Gager reminded commissioners of the text amendments, and answered a clarifying questions from the commission. Lyons motioned for approval, second by Kahle. Received public comments from Angela Devani and Rusty Trzruc. Commission deliberated for a few minutes and provided additional clarifying comments following comments made during public comment. All in favor, passes 5-0.

**8. Ordinances**

**9. Resolutions 9:53 p.m. (04:00:09)**

**A. RESOLUTION NO. 5090: A RESOLUTION RELATING TO SPECIAL IMPROVEMENT DISTRICT BOND (SPECIAL IMPROVEMENT DISTRICT NO. 181), SERIES 2023; FIXING THE FORM AND DETAILS AND PROVIDING FOR THE EXECUTION AND DELIVERY THEREOF AND SECURITY THEREFOR AND PROVIDING FOR A LOAN FROM DNRC.**

Nootz gave brief introduction, Gager noted this is the final resolution in the bonding of the Green Acres Subdivision. No clarifying questions from the Commission. Motion by Schwarz, second by Kahle, no public comments, Commission reflected

on how many times they have voted on items for Green Acres. All in favor, passed 5-0.

**B. RESOLUTION NO. 5091: A RESOLUTION OF THE CITY OF LIVINGSTON CITY COMMISSION AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT WITH THE ABBI AGENCY FOR PROFESSIONAL SERVICES TO UPDATE THE CITY LOGO AND BRANDING FOR THE CITY OF LIVINGSTON. 9:57 p.m.**

Nootz opened the discussion Gager introduced proposal and shared a brief overview of effort to date. Nootz shared a concern some of the Montana logos are focused more towards tourism, and that is not what we are looking for. Motion to approve contract by Schwarz seconded by Friedman. No public comments. Nootz and Lyons appreciates the proposal received, excited about next design phase and what they will provide us with. All in favor, passes 5-0.

**10. Action Items 10:03 p.m. (04:09:41)**

**B. CLOSED SESSION PURSUANT TO MONTANA CODE ANNOTATED 2-3-203(3).**

Nootz made motion to enter into closed session, Schwarz seconded. Reconvened at 11:04 p.m.

**11. City Manager Comment 11:04 p.m. (04:10:38)**

Sorry for the late hour, good night.

**12. City Commission Comments 11:04 p.m.**

Lyons, Schwarz, Friedman, Kahle, no comments

Nootz will share the City Manager evaluation with the paper in the coming days.

**13. Adjournment**

Motion by Lyons, second by Schwarz all in favor passes 5-0. 11:07 p.m.



**File Attachments for Item:**

**B. RATIFY CLAIMS PAID 05/01/2023--05/23/2023.**

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>AAA CLEANING, LLC</b>							
3727	AAA CLEANING, LLC	2023.4.30	Bennett St cleaning	04/30/2023	125.00	125.00	05/09/2023
3727	AAA CLEANING, LLC	2023.4.30	Bennett St cleaning	04/30/2023	125.00	125.00	05/09/2023
3727	AAA CLEANING, LLC	2023.4.30	Bennett St cleaning	04/30/2023	125.00	125.00	05/09/2023
3727	AAA CLEANING, LLC	2023.4.30	Bennett St cleaning	04/30/2023	125.00	125.00	05/09/2023
3727	AAA CLEANING, LLC	2023.4.30	cleaning - park street	04/30/2023	2,000.00	2,000.00	05/09/2023
Total AAA CLEANING, LLC:					2,500.00	2,500.00	
<b>ADVANCED ENGINEERING &amp;</b>							
3605	ADVANCED ENGINEERING &	85564	PROFESSIONAL SERVICES	02/07/2023	1,002.45	1,002.45	05/09/2023
3605	ADVANCED ENGINEERING &	86054	PROFESSIONAL SERVICES	03/07/2023	2,259.75	2,259.75	05/09/2023
Total ADVANCED ENGINEERING &:					3,262.20	3,262.20	
<b>ALL SERVICE TIRE &amp; ALIGNMENT</b>							
22	ALL SERVICE TIRE & ALIGNME	65835	EMS TIRES	04/19/2023	470.00	470.00	05/09/2023
22	ALL SERVICE TIRE & ALIGNME	65901	Mount tire	04/27/2023	25.00	25.00	05/09/2023
22	ALL SERVICE TIRE & ALIGNME	65927	Tires	05/01/2023	820.00	820.00	05/09/2023
22	ALL SERVICE TIRE & ALIGNME	66014	Flat repair	05/10/2023	90.00	90.00	05/18/2023
Total ALL SERVICE TIRE & ALIGNMENT:					1,405.00	1,405.00	
<b>ALPINE ELECTRONICS RADIO SHACK</b>							
402	ALPINE ELECTRONICS RADIO	10290524.2023	SUPPLIES	04/14/2023	67.25	67.25	05/18/2023
402	ALPINE ELECTRONICS RADIO	10291490	Office Supplies-JUDGE	05/15/2023	12.00	12.00	05/18/2023
Total ALPINE ELECTRONICS RADIO SHACK:					79.25	79.25	
<b>ALSCO</b>							
10005	ALSCO	LBIL1831515	CIVIC CENTER	03/01/2023	129.35	129.35	05/09/2023
10005	ALSCO	LBIL1846641	330 BENNETT	04/21/2023	11.95	11.95	05/09/2023
10005	ALSCO	LBIL1846641	330 BENNETT	04/21/2023	11.95	11.95	05/09/2023
10005	ALSCO	LBIL1846641	330 BENNETT	04/21/2023	11.95	11.95	05/09/2023
10005	ALSCO	LBIL1846641	330 BENNETT	04/21/2023	11.94	11.94	05/09/2023
10005	ALSCO	LBIL1847543	CIVIC CENTER MATS	04/26/2023	129.35	129.35	05/09/2023
10005	ALSCO	LBIL1850595	330 BENNETT	05/05/2023	11.94	11.94	05/09/2023
10005	ALSCO	LBIL1850595	330 BENNETT	05/05/2023	11.95	11.95	05/09/2023
10005	ALSCO	LBIL1850595	330 BENNETT	05/05/2023	11.95	11.95	05/09/2023
10005	ALSCO	LBIL1850595	330 BENNETT	05/05/2023	11.95	11.95	05/09/2023
10005	ALSCO	LBIL1850809	220 E PARK	05/08/2023	100.86	100.86	05/09/2023
10005	ALSCO	LIB1839585	CIVIC CENTER	03/29/2023	129.35	129.35	05/09/2023
Total ALSCO:					584.49	584.49	
<b>BETTER DAYS CLEANING</b>							
10004	BETTER DAYS CLEANING	1205	CLEANING PD	05/01/2023	875.00	875.00	05/09/2023
Total BETTER DAYS CLEANING:					875.00	875.00	
<b>BIG SKY FIRE EQUIPMENT</b>							
3	BIG SKY FIRE EQUIPMENT	0503052	CALIBRATION GAS	05/01/2023	620.00	620.00	05/18/2023
Total BIG SKY FIRE EQUIPMENT:					620.00	620.00	
<b>BILLINGS CLINIC OCCUPATIONAL HEALTH</b>							
10000	BILLINGS CLINIC OCCUPATION	34EM295	EXAM	04/19/2023	439.00	439.00	05/09/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total BILLINGS CLINIC OCCUPATIONAL HEALTH:					439.00	439.00	
<b>BILLINGS CLINIC TRAINING CENTER</b>							
3069	BILLINGS CLINIC TRAINING CE	22132	EMS TRAINING	04/17/2023	30.00	30.00	05/09/2023
Total BILLINGS CLINIC TRAINING CENTER:					30.00	30.00	
<b>BOUND TREE MEDICAL, LLC</b>							
2662	BOUND TREE MEDICAL, LLC	84843941	Patient Supplies	01/31/2023	209.45	209.45	05/09/2023
2662	BOUND TREE MEDICAL, LLC	84863269	Patient Supplies	02/16/2023	434.71	434.71	05/09/2023
2662	BOUND TREE MEDICAL, LLC	84863270	Patient Supplies	02/16/2023	383.98	383.98	05/09/2023
2662	BOUND TREE MEDICAL, LLC	84869346	Patient Supplies	02/22/2023	755.09	755.09	05/09/2023
Total BOUND TREE MEDICAL, LLC:					1,783.23	1,783.23	
<b>BRIDGER ANALYTICAL LAB</b>							
3820	BRIDGER ANALYTICAL LAB	2304186	ANALYSIS HARDNESS COPPER	04/12/2023	228.00	228.00	05/18/2023
Total BRIDGER ANALYTICAL LAB:					228.00	228.00	
<b>BRUCE E. BECKER, P.C.</b>							
10000	BRUCE E. BECKER, P.C.	2023.5.1	Contracted service	05/01/2023	4,000.00	4,000.00	05/09/2023
Total BRUCE E. BECKER, P.C.:					4,000.00	4,000.00	
<b>CANON FINANCIAL SERVICES, INC</b>							
1747	CANON FINANCIAL SERVICES, I	30326243	EMS PRINTER	04/11/2023	29.31	29.31	05/09/2023
1747	CANON FINANCIAL SERVICES, I	30326244	FIRE PRINTER	04/11/2023	29.75	29.75	05/09/2023
Total CANON FINANCIAL SERVICES, INC:					59.06	59.06	
<b>CARQUEST AUTO PARTS</b>							
23	CARQUEST AUTO PARTS	1912-576884	OIL	04/04/2023	97.06	97.06	05/09/2023
23	CARQUEST AUTO PARTS	1912-576918	NERF BAR	04/04/2023	270.00	270.00	05/09/2023
23	CARQUEST AUTO PARTS	1912-577030	BATTERY	04/05/2023	119.25	119.25	05/09/2023
23	CARQUEST AUTO PARTS	1912-577738	FUEL LINE	04/14/2023	34.03	34.03	05/09/2023
23	CARQUEST AUTO PARTS	1912-577957	FILTERS	04/17/2023	170.88	170.88	05/09/2023
23	CARQUEST AUTO PARTS	1912-578263	Battery	04/20/2023	150.06	150.06	05/09/2023
23	CARQUEST AUTO PARTS	1912-578854	EXHAUST FLUID	04/27/2023	139.90	139.90	05/09/2023
Total CARQUEST AUTO PARTS:					981.18	981.18	
<b>CASELLE</b>							
3763	CASELLE	124785	APPLICATION SOFTWARE	05/01/2023	2,895.16	2,895.16	05/09/2023
3763	CASELLE	124785	APPLICATION SOFTWARE	05/01/2023	95.10	95.10	05/09/2023
3763	CASELLE	124785	APPLICATION SOFTWARE	05/01/2023	95.10	95.10	05/09/2023
3763	CASELLE	124785	APPLICATION SOFTWARE	05/01/2023	183.51	183.51	05/09/2023
3763	CASELLE	124785	APPLICATION SOFTWARE	05/01/2023	183.51	183.51	05/09/2023
3763	CASELLE	124785	APPLICATION SOFTWARE	05/01/2023	278.62	278.62	05/09/2023
Total CASELLE:					3,731.00	3,731.00	
<b>CENTRON SERVICES</b>							
682	CENTRON SERVICES	2023.3.28	Parking Collections	03/28/2023	26.68	26.68	05/09/2023
682	CENTRON SERVICES	2023.4.25	Utility Collections	04/25/2023	28.20	28.20	05/18/2023
682	CENTRON SERVICES	2023.4.25	Utility Collections	04/25/2023	43.59	43.59	05/18/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
682	CENTRON SERVICES	2023.4.25	Utility Collections	04/25/2023	34.62	34.62	05/18/2023
682	CENTRON SERVICES	2023.4.25.1	Collections PARKING	04/25/2023	80.02	80.02	05/18/2023
Total CENTRON SERVICES:					213.11	213.11	
<b>CENTURYLINK</b>							
162	CENTURYLINK	2023.4.16	406-222-0137- 441b	04/16/2023	85.61	85.61	05/09/2023
Total CENTURYLINK:					85.61	85.61	
<b>CK MAY EXCAVATING INC</b>							
10005	CK MAY EXCAVATING INC	1	LEEVE RIP RAP RESTORATION	05/01/2023	240,862.10	240,862.10	05/09/2023
10005	CK MAY EXCAVATING INC	1	1% GROSS RECEIPTS TAX	05/01/2023	2,408.62-	2,408.62-	05/09/2023
10005	CK MAY EXCAVATING INC	2023.5.16	LEEVE RIP RAP RESTORATION	05/16/2023	2,432.95	2,432.95	05/18/2023
10005	CK MAY EXCAVATING INC	2023.5.16	LEEVE RIP RAP RESTORATION	05/16/2023	24.33-	24.33-	05/18/2023
Total CK MAY EXCAVATING INC:					240,862.10	240,862.10	
<b>COFFMAN'S PEAK ELECTRIC, LLC</b>							
3491	COFFMAN'S PEAK ELECTRIC, L	12410953	STREET LIGHT I ST	04/20/2023	336.80	336.80	05/09/2023
3491	COFFMAN'S PEAK ELECTRIC, L	12410960	underpass sprinkler controller	04/27/2023	1,700.00	1,700.00	05/09/2023
3491	COFFMAN'S PEAK ELECTRIC, L	12410960	underpass sprinkler controller	04/27/2023	1,700.00	1,700.00	05/09/2023
Total COFFMAN'S PEAK ELECTRIC, LLC:					3,736.80	3,736.80	
<b>COMDATA</b>							
2671	COMDATA	XW716/203900	CG72P	05/01/2023	183.82	183.82	05/09/2023
2671	COMDATA	XW716/203900	CG72P	05/01/2023	129.24	129.24	05/09/2023
2671	COMDATA	XW716/203900	CG72R	05/01/2023	375.46	375.46	05/09/2023
2671	COMDATA	XW716/203900	CG73C	05/01/2023	916.29	916.29	05/09/2023
2671	COMDATA	XW716/203900	CG73H	05/01/2023	83.61	83.61	05/09/2023
2671	COMDATA	XW716/203900	CG73H	05/01/2023	58.80	58.80	05/09/2023
2671	COMDATA	XW716/203900	CG73L	05/01/2023	136.01	136.01	05/09/2023
2671	COMDATA	XW716/203900	CG73S	05/01/2023	1,034.49	1,034.49	05/09/2023
2671	COMDATA	XW716/203900	CG74G	05/01/2023	327.32	327.32	05/09/2023
2671	COMDATA	XW716/203900	CG74G	05/01/2023	86.01	86.01	05/09/2023
2671	COMDATA	XW717/203900	CG72S	05/01/2023	2,058.10	2,058.10	05/09/2023
Total COMDATA:					5,389.15	5,389.15	
<b>CRAZY MOUNTAIN FENCING</b>							
10005	CRAZY MOUNTAIN FENCING	0000001	FENCING-POOL	05/01/2023	1,000.00	1,000.00	05/09/2023
Total CRAZY MOUNTAIN FENCING:					1,000.00	1,000.00	
<b>CURTIS</b>							
3720	CURTIS	INV697736	COMPRESSOR	04/21/2023	2,017.50	2,017.50	05/09/2023
3720	CURTIS	INV698092	EDRAULIC HURST	04/24/2023	510.00	510.00	05/09/2023
Total CURTIS:					2,527.50	2,527.50	
<b>D&amp;R COFFEE SERVICE INC</b>							
10002	D&R COFFEE SERVICE INC	165517	RENTAL FEE	04/26/2023	50.00	50.00	05/09/2023
10002	D&R COFFEE SERVICE INC	165794	COFFEE	05/05/2023	105.00	105.00	05/09/2023
Total D&R COFFEE SERVICE INC:					155.00	155.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>DEPARTMENT OF REVENUE</b>							
122	DEPARTMENT OF REVENUE	2023_03WMC	REGIONAL SEWER EXT APP #2	04/03/2023	5,582.42	5,582.42	05/09/2023
122	DEPARTMENT OF REVENUE	2023_04CKMA	2013 LEVY RESTORATION APP	05/01/2023	2,408.62	2,408.62	05/09/2023
122	DEPARTMENT OF REVENUE	2023_04CKMA	2013 LEVY RESTORATION APP	05/16/2023	24.33	24.33	05/22/2023
Total DEPARTMENT OF REVENUE:					8,015.37	8,015.37	
<b>ENERGY LABORATORIES, INC.</b>							
424	ENERGY LABORATORIES, INC.	545237	COMPOSITE	04/16/2023	1,532.00	1,532.00	05/09/2023
424	ENERGY LABORATORIES, INC.	546552	Analysis parameter	04/20/2023	264.00	264.00	05/09/2023
Total ENERGY LABORATORIES, INC.:					1,796.00	1,796.00	
<b>EXEC U CARE SERVICES, INC.</b>							
3298	EXEC U CARE SERVICES, INC.	3436	Janitorial Services	04/30/2023	2,395.59	2,395.59	05/09/2023
Total EXEC U CARE SERVICES, INC.:					2,395.59	2,395.59	
<b>FARSTAD OIL</b>							
3353	FARSTAD OIL	103376	Diesel 499G	05/01/2023	1,742.01	1,742.01	05/09/2023
3353	FARSTAD OIL	103421	Diesel 296G	05/05/2023	974.14	974.14	05/18/2023
3353	FARSTAD OIL	104848	Diesel 370G	05/01/2023	1,299.81	1,299.81	05/09/2023
Total FARSTAD OIL:					4,015.96	4,015.96	
<b>FERGUSON WATERWORKS #1701</b>							
2386	FERGUSON WATERWORKS #17	0801529	MXU-RADIO	05/10/2023	2,272.00	2,272.00	05/18/2023
Total FERGUSON WATERWORKS #1701:					2,272.00	2,272.00	
<b>FISHER SAND AND GRAVEL</b>							
2904	FISHER SAND AND GRAVEL	91900	Con SAND	04/08/2023	438.52	438.52	05/09/2023
2904	FISHER SAND AND GRAVEL	92334	Concrete	04/15/2023	751.50	751.50	05/09/2023
2904	FISHER SAND AND GRAVEL	92696	DINO PARK SAC	04/15/2023	755.65	755.65	05/09/2023
2904	FISHER SAND AND GRAVEL	92696	dino park-sac	04/15/2023	106.80	106.80	05/09/2023
Total FISHER SAND AND GRAVEL:					2,052.47	2,052.47	
<b>FITCH &amp; ASSOCIATES LLC</b>							
10005	FITCH & ASSOCIATES LLC	22-8404-01	PROFESSIONAL SERVICES	11/28/2022	13,743.75	13,743.75	05/09/2023
Total FITCH & ASSOCIATES LLC:					13,743.75	13,743.75	
<b>FORT HARRISON INN</b>							
10000	FORT HARRISON INN	30638	CONF-BRUMMEL	04/30/2023	242.50	242.50	05/18/2023
Total FORT HARRISON INN:					242.50	242.50	
<b>FOUR CORNERS RECYCLING, LLC</b>							
2919	FOUR CORNERS RECYCLING,	4944	FULL FEES	04/28/2023	4,792.60	4,792.60	05/18/2023
2919	FOUR CORNERS RECYCLING,	CM94944	Credit Memo	04/28/2023	2,631.45-	2,631.45-	05/18/2023
Total FOUR CORNERS RECYCLING, LLC:					2,161.15	2,161.15	
<b>GENERAL DISTRIBUTING COMPANY</b>							
1845	GENERAL DISTRIBUTING COM	0001242161	NITROUS	04/30/2023	109.89	109.89	05/09/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total GENERAL DISTRIBUTING COMPANY:					109.89	109.89	
<b>GRAYBEAL'S ALL SERVICE</b>							
98	GRAYBEAL'S ALL SERVICE	13074	REGULATOR FIX	01/26/2023	1,102.00	1,102.00	05/09/2023
Total GRAYBEAL'S ALL SERVICE:					1,102.00	1,102.00	
<b>HANSER'S AUTOMOTIVE &amp; WRECKER</b>							
1687	HANSER'S AUTOMOTIVE & WR	LIV3970	IMPOUND FORD	04/19/2023	95.00	95.00	05/09/2023
Total HANSER'S AUTOMOTIVE & WRECKER:					95.00	95.00	
<b>HAPPE, HOLLY</b>							
3750	HAPPE, HOLLY	2023.4.28	REIMB-CONFERENCE	04/28/2023	297.63	297.63	05/18/2023
Total HAPPE, HOLLY:					297.63	297.63	
<b>HEALTHY IS WELLNESS LLC</b>							
10005	HEALTHY IS WELLNESS LLC	INV300332	WELLSERVICE	04/30/2023	300.00	300.00	05/09/2023
Total HEALTHY IS WELLNESS LLC:					300.00	300.00	
<b>HIGH COUNTRY WILDLIFE CONTROL</b>							
10002	HIGH COUNTRY WILDLIFE CON	7229	pest control	04/28/2023	210.00	210.00	05/18/2023
Total HIGH COUNTRY WILDLIFE CONTROL:					210.00	210.00	
<b>HORIZON AUTO PARTS</b>							
1920	HORIZON AUTO PARTS	966598	AntiFREEZE TESTER	04/19/2023	8.49	8.49	05/09/2023
1920	HORIZON AUTO PARTS	968099	PRIMARY WIRE	05/08/2023	159.37	159.37	05/18/2023
1920	HORIZON AUTO PARTS	968351	ARGON	05/10/2023	150.24	150.24	05/18/2023
Total HORIZON AUTO PARTS:					318.10	318.10	
<b>IBS INC</b>							
10004	IBS INC	815050-1	DRILL SET	05/04/2023	444.60	444.60	05/18/2023
10004	IBS INC	815051-1	SUPPLIES	05/04/2023	156.52	156.52	05/18/2023
Total IBS INC:					601.12	601.12	
<b>INDUSTRIAL SERVICE SOLUTIONS</b>							
10004	INDUSTRIAL SERVICE Solutio	0050503	FLEX COUPLING	04/26/2023	968.34	968.34	05/09/2023
Total INDUSTRIAL SERVICE SOLUTIONS:					968.34	968.34	
<b>INSTY-PRINTS</b>							
250	INSTY-PRINTS	15463	Business cards-BUCKLEY, GRUN	04/20/2023	139.90	139.90	05/09/2023
250	INSTY-PRINTS	15555	ABANDONED VEHICLE NOTICE	05/09/2023	140.96	140.96	05/18/2023
Total INSTY-PRINTS:					280.86	280.86	
<b>J &amp; H OFFICE EQUIPMENT</b>							
1783	J & H OFFICE EQUIPMENT	33933379	AGREEMENT 015-1486424-000	04/06/2023	270.73	270.73	05/09/2023
Total J & H OFFICE EQUIPMENT:					270.73	270.73	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>JON M HESSE PC</b>							
10005	JON M HESSE PC	45461	PROFESSIONAL SERVICES	04/27/2023	4,617.78	4,617.78	05/09/2023
Total JON M HESSE PC:					4,617.78	4,617.78	
<b>JORDAN BRUMMEL</b>							
10002	JORDAN BRUMMEL	2023.4.14	REIMB TRAVEL	04/14/2023	326.18	326.18	05/09/2023
Total JORDAN BRUMMEL:					326.18	326.18	
<b>KELLEY CONNECT</b>							
10001	KELLEY CONNECT	33957561	AGREEMENT 112-1689019	05/01/2023	449.19	449.19	05/09/2023
10001	KELLEY CONNECT	IN1312454	JH206501	05/01/2023	9.30	9.30	05/18/2023
10001	KELLEY CONNECT	IN1312455	JH206696	05/01/2023	33.35	33.35	05/18/2023
10001	KELLEY CONNECT	IN1314822	JH205973	05/03/2023	27.37	27.37	05/18/2023
10001	KELLEY CONNECT	IN1314822	JH205973	05/03/2023	27.38	27.38	05/18/2023
10001	KELLEY CONNECT	IN1314822	JH205973	05/03/2023	27.38	27.38	05/18/2023
10001	KELLEY CONNECT	IN1314822	JH205973	05/03/2023	27.38	27.38	05/18/2023
10001	KELLEY CONNECT	IN1314830	JH16535	05/03/2023	180.88	180.88	05/09/2023
Total KELLEY CONNECT:					782.23	782.23	
<b>KEN'S EQUIPMENT REPAIR, INC</b>							
1390	KEN'S EQUIPMENT REPAIR, IN	1467	IMPOUND-SENTRA	04/21/2023	130.00	130.00	05/09/2023
1390	KEN'S EQUIPMENT REPAIR, IN	60393	Data Link	03/27/2023	375.92	375.92	05/18/2023
1390	KEN'S EQUIPMENT REPAIR, IN	60402	Data Link	04/03/2023	613.62	613.62	05/18/2023
1390	KEN'S EQUIPMENT REPAIR, IN	60411	Data Link	04/19/2023	5,001.52	5,001.52	05/09/2023
1390	KEN'S EQUIPMENT REPAIR, IN	60447	FREIGHTLINER-ROLLOFF	04/12/2023	12,289.23	12,289.23	05/18/2023
1390	KEN'S EQUIPMENT REPAIR, IN	60633	PACKER PLATE	04/12/2023	1,895.70	1,895.70	05/18/2023
1390	KEN'S EQUIPMENT REPAIR, IN	60668	COOLANT LEAK	04/19/2023	171.75	171.75	05/18/2023
1390	KEN'S EQUIPMENT REPAIR, IN	60669	Data Link	04/19/2023	3,050.34	3,050.34	05/18/2023
1390	KEN'S EQUIPMENT REPAIR, IN	60690	CUMMINS	04/21/2023	8,230.94	8,230.94	05/18/2023
1390	KEN'S EQUIPMENT REPAIR, IN	60693	PACKER PLATE	04/21/2023	1,128.16	1,128.16	05/18/2023
1390	KEN'S EQUIPMENT REPAIR, IN	60722	FILTER	04/26/2023	336.18	336.18	05/18/2023
1390	KEN'S EQUIPMENT REPAIR, IN	60733	Data Link	04/27/2023	475.00	475.00	05/18/2023
Total KEN'S EQUIPMENT REPAIR, INC:					33,698.36	33,698.36	
<b>KENYON NOBLE</b>							
776	KENYON NOBLE	803919	THREADED ELBOW	03/28/2023	7.99	7.99	05/09/2023
776	KENYON NOBLE	805072	LUMBER	03/28/2023	238.10	238.10	05/09/2023
776	KENYON NOBLE	805355	SHELVING	03/28/2023	706.86	706.86	05/09/2023
776	KENYON NOBLE	806422	PLYWOOD	03/29/2023	74.97	74.97	05/09/2023
776	KENYON NOBLE	806812	GOLD TORX	03/29/2023	38.99	38.99	05/09/2023
776	KENYON NOBLE	806993	LUMBER	03/29/2023	155.52	155.52	05/09/2023
776	KENYON NOBLE	807117	SHELVING	03/29/2023	246.34	246.34	05/09/2023
776	KENYON NOBLE	813205	HOLE DOZER	04/03/2023	82.98	82.98	05/09/2023
776	KENYON NOBLE	813871	RETURN	04/03/2023	953.20-	953.20-	05/09/2023
776	KENYON NOBLE	818333	CORNER BRACE	04/06/2023	29.95	29.95	05/09/2023
776	KENYON NOBLE	825303	CUT OFF DISCS	04/11/2023	70.53	70.53	05/09/2023
776	KENYON NOBLE	825367	EXPANSION JOINT	04/11/2023	46.32	46.32	05/09/2023
776	KENYON NOBLE	825479	DAMOND SEGMTD	04/11/2023	93.98	93.98	05/09/2023
776	KENYON NOBLE	826384	SUPPLIES	04/11/2023	130.31	130.31	05/09/2023
776	KENYON NOBLE	826698	DIAM SEG TURBO	04/11/2023	57.99	57.99	05/09/2023
776	KENYON NOBLE	832054	strike anchor	04/14/2023	70.99	70.99	05/09/2023
776	KENYON NOBLE	83407	CLEANING	04/16/2023	26.98	26.98	05/09/2023
776	KENYON NOBLE	834253	CLEANING	04/16/2023	1.41-	1.41-	05/09/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
776	KENYON NOBLE	837895	BACKER ROD	04/18/2023	27.99	27.99	05/09/2023
776	KENYON NOBLE	840683	RECIP BLADE	04/19/2023	16.99	16.99	05/09/2023
Total KENYON NOBLE:					1,169.17	1,169.17	
<b>K-E-SWEETS, LLC</b>							
10005	K-E-SWEETS, LLC	1	COOKIES	04/24/2023	54.00	54.00	05/09/2023
Total K-E-SWEETS, LLC:					54.00	54.00	
<b>KVH STRATEGIES</b>							
10005	KVH STRATEGIES	197	FACILITATIONS	05/01/2023	4,499.00	4,499.00	05/09/2023
Total KVH STRATEGIES:					4,499.00	4,499.00	
<b>LEHRKIND'S COCA-COLA</b>							
2830	LEHRKIND'S COCA-COLA	1999701	Water	04/19/2023	60.50	60.50	05/09/2023
2830	LEHRKIND'S COCA-COLA	2040515	Water	05/03/2023	30.50	30.50	05/18/2023
2830	LEHRKIND'S COCA-COLA	2040516	Water	05/03/2023	50.00	50.00	05/09/2023
Total LEHRKIND'S COCA-COLA:					141.00	141.00	
<b>LIVINGSTON ACE HARDWARE - #122005</b>							
26	LIVINGSTON ACE HARDWARE -	C23162	QUIKRETE	04/03/2023	41.94	41.94	05/09/2023
26	LIVINGSTON ACE HARDWARE -	C23171	PAD ANTI SKID	04/03/2023	17.97	17.97	05/09/2023
26	LIVINGSTON ACE HARDWARE -	C23585	KEYKRAFTER	04/04/2023	20.72	20.72	05/09/2023
26	LIVINGSTON ACE HARDWARE -	C23946	RYL EXT5 FLT	04/05/2023	39.99	39.99	05/09/2023
26	LIVINGSTON ACE HARDWARE -	C24172	PAINT SUPPLIES	04/06/2023	133.50	133.50	05/09/2023
26	LIVINGSTON ACE HARDWARE -	C24651	CAULK	04/07/2023	41.16	41.16	05/09/2023
26	LIVINGSTON ACE HARDWARE -	C24701	BEN ET FLT	04/07/2023	40.99	40.99	05/09/2023
26	LIVINGSTON ACE HARDWARE -	C25503	PIPE	04/10/2023	8.36	8.36	05/09/2023
26	LIVINGSTON ACE HARDWARE -	C25710	CEMENT	04/10/2023	18.98	18.98	05/09/2023
26	LIVINGSTON ACE HARDWARE -	C25822	FASTNERS	04/10/2023	3.52	3.52	05/09/2023
26	LIVINGSTON ACE HARDWARE -	C26514	FaUCT	04/12/2023	24.99	24.99	05/09/2023
26	LIVINGSTON ACE HARDWARE -	C26611	ORING	04/12/2023	.99	.99	05/09/2023
26	LIVINGSTON ACE HARDWARE -	C26770	ORING	04/12/2023	15.98	15.98	05/09/2023
26	LIVINGSTON ACE HARDWARE -	C28947	PaintERS TOOL	04/17/2023	9.99	9.99	05/09/2023
26	LIVINGSTON ACE HARDWARE -	C29970	VINYL TUB	04/19/2023	9.55	9.55	05/09/2023
26	LIVINGSTON ACE HARDWARE -	C29972	CREDIT RETURN	04/19/2023	1.99-	1.99-	05/09/2023
26	LIVINGSTON ACE HARDWARE -	C30702	BUNGEE CORD	04/20/2023	4.59	4.59	05/09/2023
26	LIVINGSTON ACE HARDWARE -	X89549	CHAIN COIL	04/04/2023	71.80	71.80	05/09/2023
Total LIVINGSTON ACE HARDWARE - #122005:					503.03	503.03	
<b>LIVINGSTON HEALTH CARE</b>							
55	LIVINGSTON HEALTH CARE	200238376	770395636	05/19/2023	31.50	31.50	05/09/2023
55	LIVINGSTON HEALTH CARE	75804253	CDL PHYSICAL-TIDWELL	03/20/2023	142.50	142.50	05/18/2023
55	LIVINGSTON HEALTH CARE	770390154	CDL PHYSICAL-EGGAR	03/20/2023	142.50	142.50	05/18/2023
Total LIVINGSTON HEALTH CARE:					316.50	316.50	
<b>MASTERCARD</b>							
3184	MASTERCARD	2023_03 BAKE	Coffee for Expedition Church	04/01/2023	20.00	20.00	04/14/2023
3184	MASTERCARD	2023_03 BAKE	Grass Seed	04/01/2023	351.12	351.12	04/14/2023
3184	MASTERCARD	2023_03 CHAB	Taho Registration	04/01/2023	24.36	24.36	04/14/2023
3184	MASTERCARD	2023_03 CHAB	Lunch Meeting	04/01/2023	28.34	28.34	04/14/2023
3184	MASTERCARD	2023_03 CHAB	Building Repair	04/01/2023	71.95	71.95	04/14/2023



Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
3184	MASTERCARD	2023_03 CHAB	Lodging - Chief/Helena	04/01/2023	745.82	745.82	04/14/2023
3184	MASTERCARD	2023_03 DELA	Tianruida Flashing Light Bar	04/01/2023	490.00	490.00	04/14/2023
3184	MASTERCARD	2023_03 DELA	Soap Dispenser/Frequent Stop M	04/01/2023	18.59	18.59	04/14/2023
3184	MASTERCARD	2023_03 DELA		04/01/2023	29.99	29.99	04/14/2023
3184	MASTERCARD	2023_03 DELA	Motafar Truck Box Mounting Kit	04/01/2023	10.99	10.99	04/14/2023
3184	MASTERCARD	2023_03 DELA	Soap Dispenser	04/01/2023	13.36-	13.36-	04/14/2023
3184	MASTERCARD	2023_03 DELA		04/01/2023	13.36-	13.36-	04/14/2023
3184	MASTERCARD	2023_03 DELA	Liquid Soap/Batteries	04/01/2023	41.97	41.97	04/14/2023
3184	MASTERCARD	2023_03 DELA		04/01/2023	41.97	41.97	04/14/2023
3184	MASTERCARD	2023_03 DELA	Soap Dispenser	04/01/2023	13.36	13.36	04/14/2023
3184	MASTERCARD	2023_03 DELA		04/01/2023	13.36	13.36	04/14/2023
3184	MASTERCARD	2023_03 DELA	Dum/Dum Suckers	04/01/2023	122.95	122.95	04/14/2023
3184	MASTERCARD	2023_03 DELA	Multi Charger Cable	04/01/2023	9.96	9.96	04/14/2023
3184	MASTERCARD	2023_03 DELA		04/01/2023	9.96	9.96	04/14/2023
3184	MASTERCARD	2023_03 DELA	Iphone Charger	04/01/2023	11.51	11.51	04/14/2023
3184	MASTERCARD	2023_03 DELA	Engine Heater	04/01/2023	124.00	124.00	04/14/2023
3184	MASTERCARD	2023_03 DELA	Paper Towels	04/01/2023	43.07	43.07	04/14/2023
3184	MASTERCARD	2023_03 DELA	Paper Towels	04/01/2023	43.07	43.07	04/14/2023
3184	MASTERCARD	2023_03 DELA	Paper Towels	04/01/2023	43.07	43.07	04/14/2023
3184	MASTERCARD	2023_03 DELA	Paper Towels	04/01/2023	43.08	43.08	04/14/2023
3184	MASTERCARD	2023_03 DELA	Paper Towels	04/01/2023	43.08	43.08	04/14/2023
3184	MASTERCARD	2023_03 DELA	Paper Towels	04/01/2023	43.08	43.08	04/14/2023
3184	MASTERCARD	2023_03 FETT	Office supplies	04/01/2023	10.79	10.79	04/14/2023
3184	MASTERCARD	2023_03 FETT	Office supplies	04/01/2023	42.03	42.03	04/14/2023
3184	MASTERCARD	2023_03 FETT	Office supplies	04/01/2023	10.67	10.67	04/14/2023
3184	MASTERCARD	2023_03 FETT	GFOA Closing Event	04/01/2023	35.00	35.00	04/14/2023
3184	MASTERCARD	2023_03 FETT	Office supplies	04/01/2023	28.90	28.90	04/14/2023
3184	MASTERCARD	2023_03 FETT	Storm water discharge permit	04/01/2023	1,000.00	1,000.00	04/14/2023
3184	MASTERCARD	2023_03 FETT	Storm water discharge permit	04/01/2023	1,500.00	1,500.00	04/14/2023
3184	MASTERCARD	2023_03 FETT	Office supplies	04/01/2023	10.99	10.99	04/14/2023
3184	MASTERCARD	2023_03 FETT	Office furniture	04/01/2023	366.57	366.57	04/14/2023
3184	MASTERCARD	2023_03 FETT	Office supplies	04/01/2023	39.95	39.95	04/14/2023
3184	MASTERCARD	2023_03 GILB	Postage - FF1 Registration	04/01/2023	30.25	30.25	04/14/2023
3184	MASTERCARD	2023_03 GILB	Postage - FF1 Certification	04/01/2023	12.55	12.55	04/14/2023
3184	MASTERCARD	2023_03 GILB	Gas Monitor Repair	04/01/2023	299.50	299.50	04/14/2023
3184	MASTERCARD	2023_03 GILB	Lunch Meeting w/Rural Fire	04/01/2023	26.26	26.26	04/14/2023
3184	MASTERCARD	2023_03 GILB	Postage - FF1 Certification	04/01/2023	2.22	2.22	04/14/2023
3184	MASTERCARD	2023_03 GILB	Food - Wulf Retirement	04/01/2023	133.83	133.83	04/14/2023
3184	MASTERCARD	2023_03 GILB	Food - Wulf Retirement	04/01/2023	222.56	222.56	04/14/2023
3184	MASTERCARD	2023_03 GLAS	Fax	04/01/2023	34.99	34.99	04/14/2023
3184	MASTERCARD	2023_03 GLAS	Fax Fee	04/01/2023	.31	.31	04/14/2023
3184	MASTERCARD	2023_03 GLAS	Office Supplies	04/01/2023	739.71	739.71	04/14/2023
3184	MASTERCARD	2023_03 GRA	postage to 59858	04/01/2023	6.11	6.11	04/14/2023
3184	MASTERCARD	2023_03 GRA	register rolls, stapler	04/01/2023	35.83	35.83	04/14/2023
3184	MASTERCARD	2023_03 GRA	hand soap, bungee cords, nitrile g	04/01/2023	32.19	32.19	04/14/2023
3184	MASTERCARD	2023_03 GRA	72 pens	04/01/2023	15.29	15.29	04/14/2023
3184	MASTERCARD	2023_03 GRA	1 year print, digital subscription Li	04/01/2023	179.99	179.99	04/14/2023
3184	MASTERCARD	2023_03 GRA	1 year print, digital subscription Sc	04/01/2023	159.99	159.99	04/14/2023
3184	MASTERCARD	2023_03 GRA	postage purchase	04/01/2023	100.00	100.00	04/14/2023
3184	MASTERCARD	2023_03 GRA	3 books	04/01/2023	29.97	29.97	04/14/2023
3184	MASTERCARD	2023_03 GRA	1 book	04/01/2023	7.99	7.99	04/14/2023
3184	MASTERCARD	2023_03 GRA	2023 MLA Annual Conference regi	04/01/2023	250.00	250.00	04/14/2023
3184	MASTERCARD	2023_03 GRA	service charges	04/01/2023	17.99	17.99	04/14/2023
3184	MASTERCARD	2023_03 GRA	printer toner blk	04/01/2023	92.89	92.89	04/14/2023
3184	MASTERCARD	2023_03 GRA	barcode reader x2	04/01/2023	140.32	140.32	04/14/2023
3184	MASTERCARD	2023_03 GRA	postage purchase	04/01/2023	100.00	100.00	04/14/2023
3184	MASTERCARD	2023_03 HAEF	Replacement Cap	04/01/2023	513.76	513.76	04/14/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
3184	MASTERCARD	2023_03 HAEF	Ryan's CDL Physical	04/01/2023	141.00	141.00	04/14/2023
3184	MASTERCARD	2023_03 HAPP	temporary recording system for co	04/01/2023	.99	.99	04/14/2023
3184	MASTERCARD	2023_03 HAPP	Postage Stamps	04/01/2023	189.00	189.00	04/14/2023
3184	MASTERCARD	2023_03 HOL	Samsung Moniter	04/01/2023	84.99	84.99	04/14/2023
3184	MASTERCARD	2023_03 HOL	Samsung Moniter	04/01/2023	85.00	85.00	04/14/2023
3184	MASTERCARD	2023_03 JOHN	Gunderson DT instructor	04/01/2023	995.00	995.00	04/14/2023
3184	MASTERCARD	2023_03 JOHN	Software Subscription	04/01/2023	14.99	14.99	04/14/2023
3184	MASTERCARD	2023_03 JOHN	B. Roberts Training	04/01/2023	329.00	329.00	04/14/2023
3184	MASTERCARD	2023_03 JOHN	Office Supplies	04/01/2023	98.97	98.97	04/14/2023
3184	MASTERCARD	2023_03 KINNI	Subscription refund	04/01/2023	604.95-	604.95-	04/14/2023
3184	MASTERCARD	2023_03 KINNI	Subscription renewal	04/01/2023	197.02	197.02	04/14/2023
3184	MASTERCARD	2023_03 KINNI	Subscription software	04/01/2023	604.95	604.95	04/14/2023
3184	MASTERCARD	2023_03 KINNI	Employee Jackets: Parsons, Wak	04/01/2023	387.75	387.75	04/14/2023
3184	MASTERCARD	2023_03 KINNI	Subscription software	04/01/2023	58.09	58.09	04/14/2023
3184	MASTERCARD	2023_03 KINNI	Office Supplies	04/01/2023	21.61	21.61	04/14/2023
3184	MASTERCARD	2023_03 KINNI	Subscription renewal	04/01/2023	119.88	119.88	04/14/2023
3184	MASTERCARD	2023_03 KINNI	Employee Jacket: Kirkegard	04/01/2023	198.85	198.85	04/14/2023
3184	MASTERCARD	2023_03 KINNI	Subscription software	04/01/2023	60.00	60.00	04/14/2023
3184	MASTERCARD	2023_03 LOW	Recruiting Expense	04/01/2023	300.00	300.00	04/14/2023
3184	MASTERCARD	2023_03 LOW	Recruiting Expense	04/01/2023	428.67	428.67	04/14/2023
3184	MASTERCARD	2023_03 LOW	Recruiting Expense	04/01/2023	504.81	504.81	04/14/2023
3184	MASTERCARD	2023_03 LOW	Recruiting Expense	04/01/2023	503.09	503.09	04/14/2023
3184	MASTERCARD	2023_03 LOW	Recruiting Expense	04/01/2023	500.59	500.59	04/14/2023
3184	MASTERCARD	2023_03 LOW	Meeting	04/01/2023	15.99	15.99	04/14/2023
3184	MASTERCARD	2023_03 LOW	Adobe Upgrade for Grant Writing	04/01/2023	19.99	19.99	04/14/2023
3184	MASTERCARD	2023_03 LOW	Recruiting Expense	04/01/2023	574.50	574.50	04/14/2023
3184	MASTERCARD	2023_03 LOW	Recruiting Expense	04/01/2023	501.35	501.35	04/14/2023
3184	MASTERCARD	2023_03 LOW	Office Supplies	04/01/2023	23.68	23.68	04/14/2023
3184	MASTERCARD	2023_03 LOW	Stand Up Desk - Gager	04/01/2023	207.99	207.99	04/14/2023
3184	MASTERCARD	2023_03 LOW	Breakfast for Union meeting	04/01/2023	92.18	92.18	04/14/2023
3184	MASTERCARD	2023_03 LOW	Recruiting Expense	04/01/2023	512.53	512.53	04/14/2023
3184	MASTERCARD	2023_03 MIKE	Hi-Viz Aluminum 2" Female Caml	04/01/2023	105.36	105.36	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Safety Meeting Breakfast	04/01/2023	26.40	26.40	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Safety Meeting Breakfast	04/01/2023	26.40	26.40	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Safety Meeting Breakfast	04/01/2023	26.40	26.40	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Safety Meeting Breakfast	04/01/2023	26.40	26.40	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Safety Meeting Breakfast	04/01/2023	26.40	26.40	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Safety Meeting Breakfast	04/01/2023	26.40	26.40	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Safety Meeting Breakfast	04/01/2023	12.00	12.00	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Public Works Retreat Breakfast	04/01/2023	8.24	8.24	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Public Works Retreat Breakfast	04/01/2023	8.24	8.24	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Public Works Retreat Breakfast	04/01/2023	8.23	8.23	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Public Works Retreat Breakfast	04/01/2023	8.23	8.23	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Public Works Retreat Breakfast	04/01/2023	8.24	8.24	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Public Works Retreat Breakfast	04/01/2023	8.24	8.24	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Public Works Retreat Lunch	04/01/2023	41.66	41.66	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Public Works Retreat Lunch	04/01/2023	41.66	41.66	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Public Works Retreat Lunch	04/01/2023	41.67	41.67	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Public Works Retreat Lunch	04/01/2023	41.67	41.67	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Public Works Retreat Lunch	04/01/2023	41.67	41.67	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Public Works Retreat Lunch	04/01/2023	41.67	41.67	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Public Works Retreat Lunch	04/01/2023	41.67	41.67	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Paper Plates	04/01/2023	8.79	8.79	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Public Works Retreat Coffee	04/01/2023	3.67	3.67	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Public Works Retreat Coffee	04/01/2023	3.67	3.67	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Public Works Retreat Coffee	04/01/2023	3.67	3.67	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Public Works Retreat Coffee	04/01/2023	3.67	3.67	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Public Works Retreat Coffee	04/01/2023	3.66	3.66	04/14/2023
3184	MASTERCARD	2023_03 O'RO	Public Works Retreat Coffee	04/01/2023	3.66	3.66	04/14/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
3184	MASTERCARD	2023_03	O'RO Snow Window Scraper	04/01/2023	11.99	11.99	04/14/2023
3184	MASTERCARD	2023_03	PURK 941	04/01/2023	4.95	4.95	04/14/2023
3184	MASTERCARD	2023_03	PURK GFOA Membership	04/01/2023	150.00	150.00	04/14/2023
3184	MASTERCARD	2023_03	PURK February Medwrite	04/01/2023	3,983.42	3,983.42	04/14/2023
3184	MASTERCARD	2023_03	RICH Employee Appreciation Breakfast	04/01/2023	39.71	39.71	04/14/2023
3184	MASTERCARD	2023_03	TARR Kids Club Pizza	04/01/2023	51.93	51.93	04/14/2023
3184	MASTERCARD	2023_03	TARR Volunteer Treat	04/01/2023	12.25	12.25	04/14/2023
3184	MASTERCARD	2023_03	TARR Easter Prizes	04/01/2023	50.89	50.89	04/14/2023
3184	MASTERCARD	2023_03	TARR Easter Prizes	04/01/2023	218.73	218.73	04/14/2023
3184	MASTERCARD	2023_03	TARR Spring Break Camp Supplies	04/01/2023	3.58	3.58	04/14/2023
3184	MASTERCARD	2023_03	TARR Spring Break Camp Supplies	04/01/2023	4.49	4.49	04/14/2023
3184	MASTERCARD	2023_03	TARR Easter Giveaway - planting kit	04/01/2023	197.94	197.94	04/14/2023
3184	MASTERCARD	2023_03	TARR Easter Giveaway - planting kit	04/01/2023	18.99	18.99	04/14/2023
3184	MASTERCARD	2023_03	TARR Easter Prizes	04/01/2023	23.98	23.98	04/14/2023
3184	MASTERCARD	2023_03	TARR Easter Giveaway - planting kit	04/01/2023	113.65	113.65	04/14/2023
3184	MASTERCARD	2023_03	TARR Easter Prizes	04/01/2023	147.78	147.78	04/14/2023
3184	MASTERCARD	2023_03	TARR Spring Break Camp Supplies	04/01/2023	16.88	16.88	04/14/2023
3184	MASTERCARD	2023_03	TARR Easter Stuffers	04/01/2023	292.67	292.67	04/14/2023
3184	MASTERCARD	2023_03	TARR Easter Stuffers	04/01/2023	63.94	63.94	04/14/2023
3184	MASTERCARD	2023_03	TARR Easter Stuffers	04/01/2023	323.28	323.28	04/14/2023
3184	MASTERCARD	2023_03	TARR Easter Stuffers	04/01/2023	47.96	47.96	04/14/2023
3184	MASTERCARD	2023_03	TARR Easter Stuffers	04/01/2023	183.20	183.20	04/14/2023
3184	MASTERCARD	2023_03	TARR Basketball Prizes	04/01/2023	20.79	20.79	04/14/2023
3184	MASTERCARD	2023_03	TARR Coach Accounts - Background ch	04/01/2023	510.00	510.00	04/14/2023
3184	MASTERCARD	2023_03	TARR Easter Giveaway - planting kit	04/01/2023	8.99	8.99	04/14/2023
3184	MASTERCARD	2023_03	TIDW Plasma Cutter	04/01/2023	142.41	142.41	04/14/2023
3184	MASTERCARD	2023_03	TIDW Plasma Cutter	04/01/2023	142.41	142.41	04/14/2023
3184	MASTERCARD	2023_03	TIDW Plasma Cutter	04/01/2023	142.42	142.42	04/14/2023
3184	MASTERCARD	2023_03	TIDW Plasma Cutter	04/01/2023	142.41	142.41	04/14/2023
3184	MASTERCARD	2023_03	TIDW IT Pager System	04/01/2023	100.00	100.00	04/14/2023
3184	MASTERCARD	2023_03	TIDW Reusable Liquid Sprayer	04/01/2023	39.75	39.75	04/14/2023
3184	MASTERCARD	2023_03	TIDW Plasma Torch Gas Ring Roller Gui	04/01/2023	18.36	18.36	04/14/2023
3184	MASTERCARD	2023_03	TIDW Plasma Torch Gas Ring Roller Gui	04/01/2023	18.36	18.36	04/14/2023
3184	MASTERCARD	2023_03	TIDW Plasma Torch Gas Ring Roller Gui	04/01/2023	18.37	18.37	04/14/2023
3184	MASTERCARD	2023_03	TIDW Plasma Torch Gas Ring Roller Gui	04/01/2023	18.37	18.37	04/14/2023
3184	MASTERCARD	2023_03	TIDW Drain Cleaning Tool	04/01/2023	23.25	23.25	04/14/2023
3184	MASTERCARD	2023_03	TIDW Drive, DC, 115/230VAC, 90/180V	04/01/2023	741.05	741.05	04/14/2023
3184	MASTERCARD	2023_03	TIDW Black Toner Cartridges	04/01/2023	219.78	219.78	04/14/2023
3184	MASTERCARD	2023_03	TIDW Springs for Garage Door	04/01/2023	281.84	281.84	04/14/2023
3184	MASTERCARD	2023_03	TIDW Coax Ratchet Crimp Tool	04/01/2023	42.95	42.95	04/14/2023
3184	MASTERCARD	2023_03	TIDW Weather Stripping	04/01/2023	18.74	18.74	04/14/2023
3184	MASTERCARD	2023_03	TIDW T-Bolt Hose Clamps	04/01/2023	35.37	35.37	04/14/2023
3184	MASTERCARD	2023_03	TIDW PIC Gauge	04/01/2023	11.09	11.09	04/14/2023

Total MASTERCARD:

25,047.33 25,047.33

MISC

99999	MISC	2023.4.21.1	BUY BACK PLOTS	04/21/2023	212.50	212.50	05/09/2023
99999	MISC	2023.4.21.1	BUY BACK PLOTS	04/21/2023	212.50	212.50	05/09/2023
99999	MISC	2023.4.21.2	ReSTITUTION TK2015-0293	04/21/2023	60.00	60.00	05/18/2023
99999	MISC	2023.4.25.1	ReSTITUTION TK2021-0352	04/25/2023	40.00	40.00	05/18/2023
99999	MISC	2023.5	REFUND MAY PREMIUM	04/30/2023	798.80	798.80	05/10/2023
99999	MISC	2023.5.1	ReSTITUTION TK2020-0086	05/01/2023	60.00	60.00	05/09/2023
99999	MISC	2023.5.3	ReSTITUTION TK2021-0352	05/03/2023	40.00	40.00	05/18/2023

Total MISC:

1,423.80 1,423.80

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>MOBILE REPAIR &amp; WELDING, INC</b>							
10	MOBILE REPAIR & WELDING, IN	33886	FLAT HINGES	05/05/2023	10.30	10.30	05/18/2023
Total MOBILE REPAIR & WELDING, INC:					10.30	10.30	
<b>MONTANA DEPT OF ENVIRONMENTAL</b>							
2346	MONTANA DEPT OF ENVIRONM	5R2300746	WATER RENEWAL-HAEFS	05/01/2023	30.00	30.00	05/18/2023
2346	MONTANA DEPT OF ENVIRONM	5R2301209	WATER RENEWAL-TOWNSEND	05/01/2023	30.00	30.00	05/18/2023
2346	MONTANA DEPT OF ENVIRONM	5R2301371	WATER RENEWAL-DILLEY	05/01/2023	30.00	30.00	05/18/2023
Total MONTANA DEPT OF ENVIRONMENTAL:					90.00	90.00	
<b>MONTANA LAW ENFORCEMENT ACADEMY</b>							
642	MONTANA LAW ENFORCEMENT	21519	FIRE TRAINING	04/11/2023	201.00	201.00	05/09/2023
642	MONTANA LAW ENFORCEMENT	21556	LAW ENFORCEMENT BASIC CO	04/19/2023	1,500.00	1,500.00	05/09/2023
642	MONTANA LAW ENFORCEMENT	21601	FIREARMS-REGISTRATION	04/21/2023	400.00	400.00	05/09/2023
Total MONTANA LAW ENFORCEMENT ACADEMY:					2,101.00	2,101.00	
<b>MONTANA OUTDOOR SCIENCE SCHOOL</b>							
10004	MONTANA OUTDOOR SCIENCE	1022	PIR DAY CAMPS	05/07/2023	3,153.00	3,153.00	05/09/2023
Total MONTANA OUTDOOR SCIENCE SCHOOL:					3,153.00	3,153.00	
<b>MOTOROLA</b>							
2634	MOTOROLA	8281601383	NEW AMBULANCE-RADIO	04/07/2023	6,353.68	6,353.68	05/09/2023
Total MOTOROLA:					6,353.68	6,353.68	
<b>MOUNTAIN MOBILE AUTO GLASS</b>							
2106	MOUNTAIN MOBILE AUTO GLAS	19752	WINDSHIELD 2019 FORD	05/01/2023	295.00	295.00	05/09/2023
Total MOUNTAIN MOBILE AUTO GLASS:					295.00	295.00	
<b>MURDOCH'S RANCH &amp; HOME SUPPLY</b>							
3688	MURDOCH'S RANCH & HOME S	1/37	GLOVES/TOOLS	04/03/2023	134.76	134.76	05/18/2023
3688	MURDOCH'S RANCH & HOME S	6/37	Propane	04/05/2023	13.82	13.82	05/18/2023
3688	MURDOCH'S RANCH & HOME S	7/37	GLOVES	04/05/2023	41.96	41.96	05/18/2023
3688	MURDOCH'S RANCH & HOME S	76/37	TARP	03/27/2023	15.96	15.96	05/18/2023
3688	MURDOCH'S RANCH & HOME S	K00008/37	SUPPLIES	04/04/2023	143.91	143.91	05/18/2023
3688	MURDOCH'S RANCH & HOME S	K00096/37	TOOLBOX	03/27/2023	399.99	399.99	05/18/2023
3688	MURDOCH'S RANCH & HOME S	K00103/37	BATTERIES	03/30/2023	45.98	45.98	05/18/2023
3688	MURDOCH'S RANCH & HOME S	K00114/37	HOSE	04/03/2023	99.98	99.98	05/18/2023
3688	MURDOCH'S RANCH & HOME S	K00124/37	ADAPTOR	04/13/2023	86.94	86.94	05/18/2023
Total MURDOCH'S RANCH & HOME SUPPLY:					983.30	983.30	
<b>NORMONT EQUIPMENT</b>							
12	NORMONT EQUIPMENT	29352	NOZZLE	04/20/2023	573.30	573.30	05/09/2023
12	NORMONT EQUIPMENT	29353	DELINEATOR	04/20/2023	1,757.50	1,757.50	05/09/2023
12	NORMONT EQUIPMENT	29353	DELINEATOR	04/20/2023	1,232.00	1,232.00	05/09/2023
12	NORMONT EQUIPMENT	29353	COLD PATCH ASPHALT	04/20/2023	1,757.50	1,757.50	05/09/2023
Total NORMONT EQUIPMENT:					5,320.30	5,320.30	
<b>NORTHWEST PIPE FITTINGS, INC</b>							
423	NORTHWEST PIPE FITTINGS, I	5906456	METER BOX FRAME	04/26/2023	220.66	220.66	05/18/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total NORTHWEST PIPE FITTINGS, INC:					220.66	220.66	

**NORTHWESTERN ENERGY**

151	NORTHWESTERN ENERGY	0708370-2	202 8th & Park Sprinklers	04/13/2023	6.46	6.46	05/09/2023
151	NORTHWESTERN ENERGY	0709793-4	202 City Shop Building 50% 406 Benn	04/13/2023	565.73	565.73	05/09/2023
151	NORTHWESTERN ENERGY	0709793-4	202 City Shop Building 50% 406 Benn	04/13/2023	565.73	565.73	05/09/2023
151	NORTHWESTERN ENERGY	0709794-2	202 WRF 316 Bennett	04/06/2023	3,403.28	3,403.28	05/09/2023
151	NORTHWESTERN ENERGY	0709796-7	202 97 View Vista Drive	04/13/2023	6.00	6.00	05/09/2023
151	NORTHWESTERN ENERGY	0709869-2	202 Carol Lane	04/13/2023	146.70	146.70	05/09/2023
151	NORTHWESTERN ENERGY	0709870-0	202 G Street Park - 422 S G	04/13/2023	312.41	312.41	05/09/2023
151	NORTHWESTERN ENERGY	0709871-8	202 Star Addition - Lights	04/13/2023	338.66	338.66	05/09/2023
151	NORTHWESTERN ENERGY	0709873-4	202 800 W Cambridge - Pump Station	04/13/2023	26.30	26.30	05/09/2023
151	NORTHWESTERN ENERGY	0709874-2	202 Werner Addition Pump	04/07/2023	136.77	136.77	05/09/2023
151	NORTHWESTERN ENERGY	0709875-9	202 900 River Drive Pump	04/07/2023	3,795.92	3,795.92	05/09/2023
151	NORTHWESTERN ENERGY	0709876-7	202 132 South B Street - B St Well	04/10/2023	1,721.81	1,721.81	05/09/2023
151	NORTHWESTERN ENERGY	0709877-5	202 200 E Reservoir (north side hill)	04/06/2023	580.15	580.15	05/09/2023
151	NORTHWESTERN ENERGY	0709878-3	202 227 River Drive - Concessions sta	04/11/2023	132.94	132.94	05/09/2023
151	NORTHWESTERN ENERGY	0709879-1	202 227 River Drive - Softball Field	04/11/2023	424.15	424.15	05/09/2023
151	NORTHWESTERN ENERGY	0709880-9	202 200 River Drive - Pool	04/11/2023	290.34	290.34	05/09/2023
151	NORTHWESTERN ENERGY	0709881-7	202 229 River Drive - Civic Center	04/10/2023	2,460.75	2,460.75	05/09/2023
151	NORTHWESTERN ENERGY	0709882-5	202 229 River Drive - Pump Civic Cent	04/13/2023	14.10	14.10	05/09/2023
151	NORTHWESTERN ENERGY	0709886-6	202 200 E Reservoir	04/13/2023	137.02	137.02	05/09/2023
151	NORTHWESTERN ENERGY	0709891-6	202 Cemetery Road Shop - 15 Fleshm	04/13/2023	207.92	207.92	05/09/2023
151	NORTHWESTERN ENERGY	0709892-4	202 40 Water Tower Avenue	04/13/2023	61.21	61.21	05/09/2023
151	NORTHWESTERN ENERGY	0709894-0	202 56 Water Tower	04/06/2023	677.81	677.81	05/09/2023
151	NORTHWESTERN ENERGY	0709914-6	202 1011 River Dr - Edge Water Sewe	04/07/2023	25.27	25.27	05/09/2023
151	NORTHWESTERN ENERGY	0719058-0	202 3 Rogers Lane Lift Station	04/07/2023	56.94	56.94	05/09/2023
151	NORTHWESTERN ENERGY	0719271-9	202 601 Robin Lane - Well	04/07/2023	2,340.03	2,340.03	05/09/2023
151	NORTHWESTERN ENERGY	0719272-7	202 4 Billman Lane - Well	04/07/2023	2,209.09	2,209.09	05/09/2023
151	NORTHWESTERN ENERGY	0719358-4	202 Street Lights - Livingston	04/13/2023	5,672.28	5,672.28	05/09/2023
151	NORTHWESTERN ENERGY	0719373-3	202 229 River Drive	04/13/2023	7.54	7.54	05/09/2023
151	NORTHWESTERN ENERGY	0720048-8	202 330 Bennett 1/3	04/06/2023	482.03	482.03	05/09/2023
151	NORTHWESTERN ENERGY	0720048-8	202 330 Bennett 1/3	04/06/2023	482.03	482.03	05/09/2023
151	NORTHWESTERN ENERGY	0720048-8	202 330 Bennett 1/3	04/06/2023	482.04	482.04	05/09/2023
151	NORTHWESTERN ENERGY	0720113-0	202 229 River Drive - CC Building	04/10/2023	273.20	273.20	05/09/2023
151	NORTHWESTERN ENERGY	0720122-1	202 400 North M	04/13/2023	23.38	23.38	05/09/2023
151	NORTHWESTERN ENERGY	0720176-7	202 Weimer Park	04/13/2023	9.90	9.90	05/09/2023
151	NORTHWESTERN ENERGY	0802599-1	202 608 W Chinook	04/13/2023	89.15	89.15	05/09/2023
151	NORTHWESTERN ENERGY	0933715-5	202 710 W Callender	04/13/2023	45.47	45.47	05/09/2023
151	NORTHWESTERN ENERGY	1134866-1	202 N 2nd & Montana & Chinook	04/13/2023	57.13	57.13	05/09/2023
151	NORTHWESTERN ENERGY	1134879-4	202 N 7th & Montana & Chinook	04/13/2023	26.76	26.76	05/09/2023
151	NORTHWESTERN ENERGY	1155965-5	202 229 River Drive	04/13/2023	156.99	156.99	05/09/2023
151	NORTHWESTERN ENERGY	1290352-2	202 School Flasher Park & 13th	04/13/2023	10.64	10.64	05/09/2023
151	NORTHWESTERN ENERGY	1441030-2	202 D & Geyser Well House	04/10/2023	1,706.88	1,706.88	05/09/2023
151	NORTHWESTERN ENERGY	1452951-5	202 Booster Stnt Starlow on Monroe	04/07/2023	583.56	583.56	05/09/2023
151	NORTHWESTERN ENERGY	1493850-0	202 412 W Callender	04/13/2023	65.66	65.66	05/09/2023
151	NORTHWESTERN ENERGY	1498936-2	202 I90 & 89S-ing	04/13/2023	6.00	6.00	05/09/2023
151	NORTHWESTERN ENERGY	1594141-2	202 9th & 10th Lift Station	04/07/2023	38.01	38.01	05/09/2023
151	NORTHWESTERN ENERGY	1613803-4	202 M & N on Callender	04/13/2023	58.81	58.81	05/09/2023
151	NORTHWESTERN ENERGY	1728687-3	202 Transfer Station 408 Bennett Stre	04/13/2023	480.26	480.26	05/09/2023
151	NORTHWESTERN ENERGY	1747570-8	202 D & E on Callender	04/13/2023	29.97	29.97	05/09/2023
151	NORTHWESTERN ENERGY	1747572-4	202 F & G on Callender	04/14/2023	28.70	28.70	05/09/2023
151	NORTHWESTERN ENERGY	1893530-4	202 600 W Park	04/13/2023	65.66	65.66	05/09/2023
151	NORTHWESTERN ENERGY	1893536-1	202 E Street & Alley	04/13/2023	28.84	28.84	05/09/2023
151	NORTHWESTERN ENERGY	1893541-1	202 18 W Park	04/13/2023	112.16	112.16	05/09/2023
151	NORTHWESTERN ENERGY	1906055-7	202 815 North 13th - Soccer Fields	04/13/2023	2.10	2.10	05/09/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
151	NORTHWESTERN ENERGY	2023479-5 202	900 W Geyser Street School Light	04/13/2023	6.46	6.46	05/09/2023
151	NORTHWESTERN ENERGY	2023484-5 202	1100 W Geyser Street School Lig	04/13/2023	6.46	6.46	05/09/2023
151	NORTHWESTERN ENERGY	2114861-4 202	132 South B Street Lights	04/13/2023	175.78	175.78	05/09/2023
151	NORTHWESTERN ENERGY	2171060-3 202	Scale House 408 Bennett Street	04/13/2023	125.92	125.92	05/09/2023
151	NORTHWESTERN ENERGY	3015965-1 202	330 Bennett - Fire Training Center	04/13/2023	137.67	137.67	05/09/2023
151	NORTHWESTERN ENERGY	3093003-6 202	114 West Summit	04/13/2023	23.67	23.67	05/09/2023
151	NORTHWESTERN ENERGY	3093023-4 202	320 North Main	04/13/2023	4.48	4.48	05/09/2023
151	NORTHWESTERN ENERGY	3093027-5 202	105 West Park	04/13/2023	55.57	55.57	05/09/2023
151	NORTHWESTERN ENERGY	3141997-1 202	C & D on Lewis	05/13/2023	22.12	22.12	05/09/2023
151	NORTHWESTERN ENERGY	3184602-5 202	202 South 2nd	04/13/2023	25.12	25.12	05/09/2023
151	NORTHWESTERN ENERGY	3210240-2 202	616 River Drive	04/13/2023	6.15	6.15	05/09/2023
151	NORTHWESTERN ENERGY	3258086-2 202	2800 East Park Lift Station	04/07/2023	632.86	632.86	05/09/2023
151	NORTHWESTERN ENERGY	3258262-9 202	320 Alpenglow Lift Station	04/06/2023	295.99	295.99	05/09/2023
151	NORTHWESTERN ENERGY	3267010-1 202	330 Bennett - Compactor	04/07/2023	194.94	194.94	05/09/2023
151	NORTHWESTERN ENERGY	3287727-6 202	320 Alpenglow LN-	04/13/2023	46.72	46.72	05/09/2023
151	NORTHWESTERN ENERGY	3386783-9 202	Btwn G and H on Clark	04/13/2023	41.45	41.45	05/09/2023
151	NORTHWESTERN ENERGY	3386845-6 202	Btwn I and K on Callender	04/13/2023	40.20	40.20	05/09/2023
151	NORTHWESTERN ENERGY	3386846-4 202	Btwn 7th and 8th on Summit	04/13/2023	8.82	8.82	05/09/2023
151	NORTHWESTERN ENERGY	3506014-4 202	Brookstone/Elm	04/13/2023	6.03	6.03	05/09/2023
151	NORTHWESTERN ENERGY	3566038-0 202	114 East Callender	04/13/2023	34.29	34.29	05/09/2023
151	NORTHWESTERN ENERGY	3566039-8 202	115 East Lewis	04/13/2023	20.69	20.69	05/09/2023
151	NORTHWESTERN ENERGY	3585235-9 202	New WRF 316 Bennett	04/07/2023	16,645.58	16,645.58	05/09/2023
151	NORTHWESTERN ENERGY	3643752-3 202	115 East Clark	04/13/2023	36.74	36.74	05/09/2023
151	NORTHWESTERN ENERGY	3643753-1 202	112 East Clark	04/13/2023	39.79	39.79	05/09/2023
151	NORTHWESTERN ENERGY	3678204-3 202	502 River Dr. Pmp	04/10/2023	13.26	13.26	05/09/2023
151	NORTHWESTERN ENERGY	3725873-8 202	340 Bennett	04/13/2023	39.86	39.86	05/09/2023
151	NORTHWESTERN ENERGY	3753023-5 202	410 Bennett Transfer St Shop	04/06/2023	841.29	841.29	05/09/2023
151	NORTHWESTERN ENERGY	3787060-7 202	Green Acres Lights	04/13/2023	83.28	83.28	05/09/2023
151	NORTHWESTERN ENERGY	3787427-8 202	Green Acres	04/13/2023	259.90	259.90	05/09/2023
151	NORTHWESTERN ENERGY	3828216-6 202	203 W Callender	04/13/2023	104.05	104.05	05/09/2023
151	NORTHWESTERN ENERGY	3837245-4 5.2	220 E PARK	05/10/2023	649.00	649.00	05/18/2023
151	NORTHWESTERN ENERGY	3867654-0 202	2222 Willow Dr. Lt A	04/13/2023	52.80	52.80	05/09/2023
151	NORTHWESTERN ENERGY	3913678-3 202	Green Acres Park -	04/07/2023	8.70	8.70	05/09/2023
151	NORTHWESTERN ENERGY	3950711-6 202	Scenic Drive & Sweetgrass Lane	04/13/2023	51.59	51.59	05/09/2023
Total NORTHWESTERN ENERGY:					52,405.87	52,405.87	
<b>O'REILLY AUTOMOTIVE, INC</b>							
2437	O'REILLY AUTOMOTIVE, INC	1558-307220	WipeS	04/18/2023	17.99	17.99	05/09/2023
2437	O'REILLY AUTOMOTIVE, INC	1558-307328	Capsule	04/19/2023	18.59	18.59	05/09/2023
2437	O'REILLY AUTOMOTIVE, INC	1558-308586	Muffler	05/01/2023	116.48	116.48	05/09/2023
2437	O'REILLY AUTOMOTIVE, INC	158-308781	disc horn	05/02/2023	18.39	18.39	05/09/2023
Total O'REILLY AUTOMOTIVE, INC:					171.45	171.45	
<b>PARK COUNTY</b>							
272	PARK COUNTY	2023_03	IT-NETWORK CIRCUITS	03/31/2023	76.50	76.50	05/09/2023
272	PARK COUNTY	2023_03	VIDEO CONF - DEC	03/31/2023	79.88	79.88	05/09/2023
272	PARK COUNTY	2023_03	CITY COURT IP PHONES	03/31/2023	76.63	76.63	05/09/2023
272	PARK COUNTY	2023_03	IT CITY PORTION - DEC	03/31/2023	402.47	402.47	05/09/2023
272	PARK COUNTY	2023_03	VIDEO CONF - JAN	03/31/2023	79.88	79.88	05/09/2023
272	PARK COUNTY	2023_03	CITY COURT IP PHONES	03/31/2023	81.65	81.65	05/09/2023
272	PARK COUNTY	2023_03	IT CITY PORTION - JAN	03/31/2023	263.62	263.62	05/09/2023
272	PARK COUNTY	2023_03	UPS SYSTEM	03/31/2023	1,431.76	1,431.76	05/09/2023
272	PARK COUNTY	2023_03	MATS	03/31/2023	44.92	44.92	05/09/2023
272	PARK COUNTY	2023_03	MATS	03/31/2023	43.64	43.64	05/09/2023
272	PARK COUNTY	2023_03	DOMAIN CONTROLLER	03/31/2023	13,500.00	13,500.00	05/09/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
272	PARK COUNTY	2023_03	REMOTE MANAGMENT & PLAT	03/31/2023	309.29	309.29	05/09/2023
272	PARK COUNTY	2023_03	VIDEO CONF - FEB	03/31/2023	79.88	79.88	05/09/2023
272	PARK COUNTY	2023_03	CITY COURT IP PHONES	03/31/2023	81.09	81.09	05/09/2023
272	PARK COUNTY	2023_03	IT CITY PORTION - FEB	03/31/2023	278.06	278.06	05/09/2023
272	PARK COUNTY	2023_03	IT-NETWORK CIRCUITS	03/31/2023	76.50	76.50	05/09/2023
272	PARK COUNTY	2023_03	ASSET MANAGEMENT - IT	03/31/2023	1,662.00	1,662.00	05/09/2023
272	PARK COUNTY	2023_03	CITY COUNTY BLDG REPAIRS	03/31/2023	314.50	314.50	05/09/2023
272	PARK COUNTY	2023_03	ANALOG LINE - LOBBY ELEVAT	03/31/2023	9.43	9.43	05/09/2023
272	PARK COUNTY	2023_03	RECYCLING	03/31/2023	74.00	74.00	05/09/2023
272	PARK COUNTY	2023_03	FEB - POWER BILL	03/31/2023	3,242.42	3,242.42	05/09/2023
272	PARK COUNTY	2023_03	FIRE ALARM TROUBLESHOOTI	03/31/2023	146.89	146.89	05/09/2023
272	PARK COUNTY	2023_03	FEB- CELL PHONE	03/31/2023	533.44	533.44	05/09/2023
272	PARK COUNTY	2023_03	PLOWING	03/31/2023	46.25	46.25	05/09/2023
272	PARK COUNTY	2023_03	FUEL - SNOW PLOW	03/31/2023	35.06	35.06	05/09/2023
272	PARK COUNTY	2023_03	QUARTERLY PORT SCANS	03/31/2023	55.00	55.00	05/09/2023
272	PARK COUNTY	2023_03	INTERNET - CITY/COUNTY COM	03/31/2023	2,165.20	2,165.20	05/09/2023
272	PARK COUNTY	2023_03	PHONES - CITY/COUNTY COMP	03/31/2023	186.48	186.48	05/09/2023
272	PARK COUNTY	2023_03	INTERNET - CITY HALL	03/31/2023	826.66	826.66	05/09/2023
272	PARK COUNTY	2023_03	INTERNET - PUBLIC WORKS	03/31/2023	191.92	191.92	05/09/2023
272	PARK COUNTY	2023_03	INTERNET - PUBLIC WORKS	03/31/2023	191.92	191.92	05/09/2023
272	PARK COUNTY	2023_03	INTERNET - PUBLIC WORKS	03/31/2023	191.91	191.91	05/09/2023
272	PARK COUNTY	2023_03	INTERNET - PUBLIC WORKS	03/31/2023	191.91	191.91	05/09/2023
272	PARK COUNTY	2023_03	INTERNET - CIVIC CENTER	03/31/2023	767.66	767.66	05/09/2023
272	PARK COUNTY	2023_03	INTERNET - TRANSFER STATIO	03/31/2023	220.64	220.64	05/09/2023
272	PARK COUNTY	2023_03	INTERNET - POOL	03/31/2023	220.64	220.64	05/09/2023
272	PARK COUNTY	2023_03	INTERNET - STREET SHOP	03/31/2023	73.55	73.55	05/09/2023
272	PARK COUNTY	2023_03	INTERNET - STREET SHOP	03/31/2023	73.55	73.55	05/09/2023
272	PARK COUNTY	2023_03	INTERNET - STREET SHOP	03/31/2023	73.54	73.54	05/09/2023
272	PARK COUNTY	2023_03	ANALOG LINE - LOBBY ELEVAT	03/31/2023	9.43	9.43	05/09/2023
272	PARK COUNTY	2023_03	OPTIPLEX SHANNON HOLMES	03/31/2023	299.54	299.54	05/09/2023
272	PARK COUNTY	2023_03	OPTIPLEX SHANNON HOLMES	03/31/2023	299.54	299.54	05/09/2023
272	PARK COUNTY	2023_03	OPTIPLEX SHANNON HOLMES	03/31/2023	299.54	299.54	05/09/2023
272	PARK COUNTY	2023_03	OPTIPLEX SHANNON HOLMES	03/31/2023	299.54	299.54	05/09/2023
272	PARK COUNTY	2023_03	OPTIPLEX CITY SPARE	03/31/2023	2,396.32	2,396.32	05/09/2023
272	PARK COUNTY	2023_03	MAR -POWER BILL	03/31/2023	3,633.75	3,633.75	05/09/2023
272	PARK COUNTY	2023_03	MAR- CELL PHONE	03/31/2023	533.46	533.46	05/09/2023
272	PARK COUNTY	2023_03	SUPPLIES ADJUSTMENT	03/31/2023	528.69-	528.69-	05/09/2023
272	PARK COUNTY	2023_03	SUPPLIES ADJUSTMENT	03/31/2023	581.44-	581.44-	05/09/2023
272	PARK COUNTY	2023_03	REPLACE WINDOW CITY SHAR	03/31/2023	149.85	149.85	05/09/2023
272	PARK COUNTY	2023_03	MATS	03/31/2023	43.64	43.64	05/09/2023
272	PARK COUNTY	2023_03	MATS	03/31/2023	43.64	43.64	05/09/2023
272	PARK COUNTY	2023_03	CITY COUNTY BLDG REPAIRS	03/31/2023	190.55	190.55	05/09/2023
272	PARK COUNTY	2023_03	MATS	03/31/2023	43.64	43.64	05/09/2023
272	PARK COUNTY	2023_03	MATS	03/31/2023	43.64	43.64	05/09/2023
272	PARK COUNTY	2023_03	STANDARD PHONE CITY - JUL	03/31/2023	84.73	84.73	05/09/2023
272	PARK COUNTY	2023_03	STANDARD PHONE CITY - AUG	03/31/2023	83.35	83.35	05/09/2023
272	PARK COUNTY	2023_03	MATS	03/31/2023	43.64	43.64	05/09/2023
272	PARK COUNTY	2023_03	MATS	03/31/2023	43.64	43.64	05/09/2023
272	PARK COUNTY	2023_03	MATS	03/31/2023	43.64	43.64	05/09/2023
272	PARK COUNTY	2023_03	MATS	03/31/2023	43.64	43.64	05/09/2023
272	PARK COUNTY	2023_03	INTERNET - CIVIC CENTER	03/31/2023	750.09	750.09	05/09/2023
272	PARK COUNTY	2023_03	INTERNET - TRANSFER STATIO	03/31/2023	215.46	215.46	05/09/2023
272	PARK COUNTY	2023_03	INTERNET - POOL	03/31/2023	215.46	215.46	05/09/2023
272	PARK COUNTY	2023_03	STANDARD PHONE CITY - OCT	03/31/2023	80.51	80.51	05/09/2023
272	PARK COUNTY	2023_03	STANDARD PHONE CITY - SEP	03/31/2023	81.31	81.31	05/09/2023
272	PARK COUNTY	2023_03	CITY COUNTY BLDG REPAIRS	03/31/2023	199.95	199.95	05/09/2023
272	PARK COUNTY	2023_03	ANALOG LINE - LOBBY ELEVAT	03/31/2023	9.35	9.35	05/09/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
272	PARK COUNTY	2023_03	BUILDING MAINT SUPPLIES	03/31/2023	30.70	30.70	05/09/2023
272	PARK COUNTY	2023_03	MATS	03/31/2023	43.64	43.64	05/09/2023
272	PARK COUNTY	2023_03	MATS	03/31/2023	43.84	43.84	05/09/2023
272	PARK COUNTY	2023_03	STANDARD PHONE CITY - NOV	03/31/2023	78.57	78.57	05/09/2023
272	PARK COUNTY	2023_03	MATS	03/31/2023	44.72	44.72	05/09/2023
272	PARK COUNTY	2023_03	MATS	03/31/2023	44.72	44.72	05/09/2023
272	PARK COUNTY	2023_03	MATS	03/31/2023	43.64	43.64	05/09/2023
272	PARK COUNTY	2023_03	MATS	03/31/2023	44.92	44.92	05/09/2023
Total PARK COUNTY:					37,845.81	37,845.81	
<b>PARK COUNTY HEALTH DEPT</b>							
255	PARK COUNTY HEALTH DEPT	84	HEP B-MARQUEZ	05/15/2023	65.00	65.00	05/18/2023
Total PARK COUNTY HEALTH DEPT:					65.00	65.00	
<b>PARK YOUR PAWS</b>							
10004	PARK YOUR PAWS	2023.5.7	BOARDING	05/07/2023	1,000.00	1,000.00	05/18/2023
Total PARK YOUR PAWS:					1,000.00	1,000.00	
<b>PURKETT, KALSEY</b>							
3784	PURKETT, KALSEY	2023.5.4	REIMB TRAVEL	05/04/2023	68.12	68.12	05/09/2023
3784	PURKETT, KALSEY	2023.5.4	REIMB TRAVEL	05/04/2023	22.71	22.71	05/09/2023
3784	PURKETT, KALSEY	2023.5.4	REIMB TRAVEL	05/04/2023	22.71	22.71	05/09/2023
3784	PURKETT, KALSEY	2023.5.4	REIMB TRAVEL	05/04/2023	22.70	22.70	05/09/2023
Total PURKETT, KALSEY:					136.24	136.24	
<b>RECREATION SUPPLY CO.</b>							
3033	RECREATION SUPPLY CO.	492112	Pool VAC	03/31/2023	12,215.48	12,215.48	05/18/2023
3033	RECREATION SUPPLY CO.	492112	Pool CHEMICALS	03/31/2023	650.90	650.90	05/18/2023
3033	RECREATION SUPPLY CO.	494479	Pool CARTRIDGE	04/20/2023	7,159.90	7,159.90	05/18/2023
Total RECREATION SUPPLY CO.:					20,026.28	20,026.28	
<b>REDSTONE LEASING</b>							
3842	REDSTONE LEASING	2023.6	Lease 56 OF 60	05/01/2023	203.07	203.07	05/09/2023
Total REDSTONE LEASING:					203.07	203.07	
<b>RELENTLESS</b>							
10005	RELENTLESS	13091	3 DAY CRIMINAL INTERDICTION	10/03/2022	649.00	649.00	05/09/2023
Total RELENTLESS:					649.00	649.00	
<b>REPUBLIC SERVICES #670</b>							
10000	REPUBLIC SERVICES #670	0670-0003991	DESPOSAL	04/30/2023	72,413.71	72,413.71	05/18/2023
Total REPUBLIC SERVICES #670:					72,413.71	72,413.71	
<b>RESTORATION ENGINEERING LLC</b>							
10004	RESTORATION ENGINEERING L	0920-3-38	LEVEE INSPECTIONS	04/19/2023	1,610.00	1,610.00	05/09/2023
Total RESTORATION ENGINEERING LLC:					1,610.00	1,610.00	



Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
<b>ROEHL, BLAKE</b>							
10001	ROEHL, BLAKE	22-183	50% tuition reimb	05/01/2023	367.50	367.50	05/09/2023
Total ROEHL, BLAKE:					367.50	367.50	
<b>RUSSELL INDUSTRIES, INC.</b>							
3582	RUSSELL INDUSTRIES, INC.	147296-00	PUMPS	04/27/2023	1,956.49	1,956.49	05/09/2023
Total RUSSELL INDUSTRIES, INC.:					1,956.49	1,956.49	
<b>SAFETRAC</b>							
3143	SAFETRAC	39467	CDL Services	05/01/2023	242.00	242.00	05/09/2023
3143	SAFETRAC	39589	LAB TESTING	04/30/2023	98.05	98.05	05/09/2023
Total SAFETRAC:					340.05	340.05	
<b>SALT LAKE WHOLESALE SPORTS</b>							
2213	SALT LAKE WHOLESALE SPOR	89517	55 GR FMJ	04/21/2023	257.12	257.12	05/09/2023
2213	SALT LAKE WHOLESALE SPOR	89923	ARMSCOR 9MM	05/09/2023	307.85	307.85	05/18/2023
Total SALT LAKE WHOLESALE SPORTS:					564.97	564.97	
<b>SARA GILLEN</b>							
10005	SARA GILLEN	2023.5.5	REIMB TRAVEL	05/05/2023	39.30	39.30	05/18/2023
Total SARA GILLEN:					39.30	39.30	
<b>SEA WESTERN FIRE FIGHTING EQUIPMENT</b>							
10005	SEA WESTERN FIRE FIGHTING	INV23050	TURNOUTS	04/20/2023	37,049.84	37,049.84	05/18/2023
Total SEA WESTERN FIRE FIGHTING EQUIPMENT:					37,049.84	37,049.84	
<b>SLEEPING GIANT ANIMAL CLINIC</b>							
3645	SLEEPING GIANT ANIMAL CLINI	54492	BRIGGS	04/04/2023	406.99	406.99	05/09/2023
3645	SLEEPING GIANT ANIMAL CLINI	55333	BRIGGS OFFICE VISIT	04/26/2023	406.99	406.99	05/18/2023
Total SLEEPING GIANT ANIMAL CLINIC:					813.98	813.98	
<b>SPECIAL LUBE</b>							
1814	SPECIAL LUBE	224-280-9375	ENGINE OIL	04/20/2023	57.01	57.01	05/09/2023
Total SPECIAL LUBE:					57.01	57.01	
<b>STARFISH AQUATICS INSTITUTE</b>							
10005	STARFISH AQUATICS INSTITUT	22004	SWIMMING MEMBERSHIP	04/27/2023	948.00	948.00	05/09/2023
Total STARFISH AQUATICS INSTITUTE:					948.00	948.00	
<b>TD&amp;H ENGINEERING, INC</b>							
3390	TD&H ENGINEERING, INC	33352	ON CALL SEWER MODELING	04/18/2023	372.00	372.00	05/09/2023
3390	TD&H ENGINEERING, INC	33352	ON CALL DRYING BED DESIGN	04/18/2023	943.75	943.75	05/09/2023
3390	TD&H ENGINEERING, INC	33352	ON CALL DRYING BED DESIGN	04/18/2023	943.75	943.75	05/09/2023
3390	TD&H ENGINEERING, INC	33352	GARNIER PROPERTIES SURVE	04/18/2023	3,890.44	3,890.44	05/09/2023
3390	TD&H ENGINEERING, INC	33352	GARNIER PROPERTIES SURVE	04/18/2023	3,890.44	3,890.44	05/09/2023
3390	TD&H ENGINEERING, INC	33352	LEVEE RESTORATION BID SUP	04/18/2023	805.00	805.00	05/09/2023
3390	TD&H ENGINEERING, INC	33353	REGIONAL SEWER EXT	04/17/2023	49,819.00	49,819.00	05/09/2023
3390	TD&H ENGINEERING, INC	33354	2023 DOWNTOWN ALLEY CIP	04/17/2023	1,569.93	1,569.93	05/09/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
3390	TD&H ENGINEERING, INC	33354	2023 DOWNTOWN ALLEY CIP	04/17/2023	2,354.88	2,354.88	05/09/2023
3390	TD&H ENGINEERING, INC	33354	2023 DOWNTOWN ALLEY CIP	04/17/2023	2,354.89	2,354.89	05/09/2023
Total TD&H ENGINEERING, INC:					66,944.08	66,944.08	
<b>TOWN &amp; COUNTRY FOODS - LIVINGSTON</b>							
2595	TOWN & COUNTRY FOODS - LI	117.2023	Water	04/10/2023	11.39	11.39	05/09/2023
2595	TOWN & COUNTRY FOODS - LI	121.2023	Supplies	04/18/2023	15.18	15.18	05/09/2023
2595	TOWN & COUNTRY FOODS - LI	14.2023	Water	05/07/2023	4.18	4.18	05/09/2023
2595	TOWN & COUNTRY FOODS - LI	2023.5.3	RESTITUTION TK2022-0174	05/03/2023	18.27	18.27	05/18/2023
2595	TOWN & COUNTRY FOODS - LI	2023.5.3.0173	RESTITUTION TK2022-0173	05/03/2023	22.96	22.96	05/18/2023
2595	TOWN & COUNTRY FOODS - LI	2023.5.3.0175	RESTITUTION TK2022-0175	05/03/2023	19.52	19.52	05/18/2023
2595	TOWN & COUNTRY FOODS - LI	2023.5.3.0176	RESTITUTION TK2022-0176	05/03/2023	2.30	2.30	05/18/2023
2595	TOWN & COUNTRY FOODS - LI	24.2023	Water	05/02/2023	4.18	4.18	05/09/2023
2595	TOWN & COUNTRY FOODS - LI	68.2023	Water	04/25/2023	11.76	11.76	05/09/2023
Total TOWN & COUNTRY FOODS - LIVINGSTON:					109.74	109.74	
<b>TRACE TIDWELL</b>							
10005	TRACE TIDWELL	2023.5.2	REIMB BALANCE	05/02/2023	75.96	75.96	05/09/2023
Total TRACE TIDWELL:					75.96	75.96	
<b>TRANSUNION RISK &amp; ALTERNATIVE</b>							
3376	TRANSUNION RISK & ALTERNA	380349-20230	investigative resear	05/01/2023	75.00	75.00	05/09/2023
Total TRANSUNION RISK & ALTERNATIVE:					75.00	75.00	
<b>ULINE</b>							
3564	ULINE	162487799	Supplies	04/17/2023	121.50	121.50	05/09/2023
Total ULINE:					121.50	121.50	
<b>UPS STORE #2420, THE</b>							
292	UPS STORE #2420, THE	2023.5.12	ShipPING	05/12/2023	10.06	10.06	05/18/2023
292	UPS STORE #2420, THE	2023.5.15	ShipPING	05/15/2023	12.52	12.52	05/18/2023
Total UPS STORE #2420, THE:					22.58	22.58	
<b>UTILITIES UNDERGROUND LOCATION</b>							
3472	UTILITIES UNDERGROUND LO	3045091	Excavation Notifica	04/30/2023	143.92	143.92	05/09/2023
3472	UTILITIES UNDERGROUND LO	3045091	Excavation Notifica	04/30/2023	143.92	143.92	05/09/2023
3472	UTILITIES UNDERGROUND LO	3045091	Excavation Notifica	04/30/2023	143.91	143.91	05/09/2023
Total UTILITIES UNDERGROUND LOCATION:					431.75	431.75	
<b>VERIZON WIRELESS</b>							
879	VERIZON WIRELESS	9934415089	MAY 2023 CELLPHONES	05/08/2023	59.80	59.80	05/18/2023
879	VERIZON WIRELESS	9934415089	MAY 2023 CELLPHONES	05/08/2023	45.78	45.78	05/18/2023
879	VERIZON WIRELESS	9934415089	MAY 2023 CELLPHONES	05/08/2023	18.72	18.72	05/18/2023
879	VERIZON WIRELESS	9934415089	MAY 2023 CELLPHONES	05/08/2023	18.72	18.72	05/18/2023
879	VERIZON WIRELESS	9934415089	MAY 2023 CELLPHONES	05/08/2023	18.72	18.72	05/18/2023
879	VERIZON WIRELESS	9934415089	MAY 2023 CELLPHONES	05/08/2023	146.14	146.14	05/18/2023
879	VERIZON WIRELESS	9934415089	MAY 2023 CELLPHONES	05/08/2023	59.80	59.80	05/18/2023
879	VERIZON WIRELESS	9934415089	MAY 2023 CELLPHONES	05/08/2023	41.77	41.77	05/18/2023
879	VERIZON WIRELESS	9934415089	MAY 2023 CELLPHONES	05/08/2023	18.72	18.72	05/18/2023
879	VERIZON WIRELESS	9934415089	MAY 2023 CELLPHONES	05/08/2023	224.85	224.85	05/18/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
879	VERIZON WIRELESS	9934415089	MAY 2023 CELLPHONES	05/08/2023	41.77	41.77	05/18/2023
879	VERIZON WIRELESS	9934415089	MAY 2023 CELLPHONES	05/08/2023	41.78	41.78	05/18/2023
879	VERIZON WIRELESS	9934415089	MAY 2023 CELLPHONES	05/08/2023	41.77	41.77	05/18/2023
879	VERIZON WIRELESS	9934415089	MAY 2023 CELLPHONES	05/08/2023	18.72	18.72	05/18/2023
879	VERIZON WIRELESS	9934415089	MAY 2023 CELLPHONES	05/08/2023	2.80-	2.80-	05/18/2023
879	VERIZON WIRELESS	9934415089	MAY 2023 CELLPHONES	05/08/2023	15.88	15.88	05/18/2023
879	VERIZON WIRELESS	9934415089	MAY 2023 CELLPHONES	05/08/2023	15.88	15.88	05/18/2023
879	VERIZON WIRELESS	9934415089	MAY 2023 CELLPHONES	05/08/2023	41.78	41.78	05/18/2023
879	VERIZON WIRELESS	9934415089	MAY 2023 CELLPHONES	05/08/2023	41.78	41.78	05/18/2023
879	VERIZON WIRELESS	9934415089	MAY 2023 CELLPHONES	05/08/2023	18.72	18.72	05/18/2023
879	VERIZON WIRELESS	9934415089	MAY 2023 CELLPHONES	05/08/2023	13.31	13.31	05/18/2023
879	VERIZON WIRELESS	9934415089	MAY 2023 CELLPHONES	05/08/2023	11.60	11.60	05/18/2023
879	VERIZON WIRELESS	9934415089	MAY 2023 CELLPHONES	05/08/2023	45.78	45.78	05/18/2023
879	VERIZON WIRELESS	9934415089	MAY 2023 CELLPHONES	05/08/2023	41.77	41.77	05/18/2023
879	VERIZON WIRELESS	9934415089	MAY 2023 CELLPHONES	05/08/2023	41.76	41.76	05/18/2023
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	45.53	45.53	05/18/2023
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	65.14	65.14	05/18/2023
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	45.53	45.53	05/18/2023
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	10.21	10.21	05/18/2023
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	10.21	10.21	05/18/2023
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	45.53	45.53	05/18/2023
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	24.14	24.14	05/18/2023
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	20.40	20.40	05/18/2023
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	45.53	45.53	05/18/2023
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	20.40	20.40	05/18/2023
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	20.40	20.40	05/18/2023
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	.00	.00	
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	45.53	45.53	05/18/2023
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	45.53	45.53	05/18/2023
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	12.65	12.65	05/18/2023
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	20.40	20.40	05/18/2023
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	20.40	20.40	05/18/2023
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	20.40	20.40	05/18/2023
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	20.40	20.40	05/18/2023
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	20.40	20.40	05/18/2023
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	20.40	20.40	05/18/2023
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	12.65	12.65	05/18/2023
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	12.65	12.65	05/18/2023
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	12.65	12.65	05/18/2023
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	45.53	45.53	05/18/2023
879	VERIZON WIRELESS	9934415090	MAY 2023 CELLPHONES	05/08/2023	45.49	45.49	05/18/2023
Total VERIZON WIRELESS:					1,770.22	1,770.22	
<b>WESTERN DRUG</b>							
1396	WESTERN DRUG	416056.2023	Patient Supplies	04/18/2023	74.79	74.79	05/18/2023
Total WESTERN DRUG:					74.79	74.79	
<b>WESTERN MUNICIPAL CONSTRUCTION, INC.</b>							
10000	WESTERN MUNICIPAL CONSTR	2023.4.3	REGIONAL SEWER EXT APP 2	04/03/2023	558,242.15	558,242.15	05/09/2023
10000	WESTERN MUNICIPAL CONSTR	2023.4.3	1% GROSS RECEIPTS TAX	04/03/2023	5,582.42-	5,582.42-	05/09/2023
Total WESTERN MUNICIPAL CONSTRUCTION, INC.:					552,659.73	552,659.73	
<b>WHISTLER TOWING, LLC</b>							
3237	WHISTLER TOWING, LLC	14854	IMPOUND-CHEVY	05/03/2023	125.00	125.00	05/18/2023
3237	WHISTLER TOWING, LLC	14977	IMPOUND-HYUANDI	05/01/2023	125.00	125.00	05/09/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
3237	WHISTLER TOWING, LLC	15098	IMPOUND MERCEDES	05/09/2023	85.00	85.00	05/18/2023
3237	WHISTLER TOWING, LLC	15164	IMPOUND CAMPER	04/18/2023	115.00	115.00	05/09/2023
3237	WHISTLER TOWING, LLC	15172	IMPOUND-TRAILER	05/01/2023	85.00	85.00	05/09/2023
3237	WHISTLER TOWING, LLC	7523	MEDIC 2	04/14/2023	159.98	159.98	05/09/2023
3237	WHISTLER TOWING, LLC	7536	E1 REPAIR	04/20/2023	157.50	157.50	05/09/2023
Total WHISTLER TOWING, LLC:					852.48	852.48	
<b>WISPWEST.NET</b>							
2087	WISPWEST.NET	802721	Civic Center	05/01/2023	63.51	63.51	05/09/2023
2087	WISPWEST.NET	806213	LIVINGSTON SOCCER	05/01/2023	85.19	85.19	05/09/2023
Total WISPWEST.NET:					148.70	148.70	
Grand Totals:					1,258,850.86	1,258,850.8	

Dated: \_\_\_\_\_

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

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

**File Attachments for Item:**

**C. Accept City Court Financial Report from April 2023.**

LIVINGSTON CITY COURT  
FINANCIAL REPORT

Apr-23

Date PD Monthly Report Received from City of Livingston Finance Office 5/11/2023

Tickets/Criminal Complaints Cleared: 43

Dismissed-Plea Agreement:	1	
Dismissed-Pretrial Diversion/Deferred:	1	
Dismissed-Miscellaneous:	6	
Paid-Bond Forfeit/Fine:	13	\$1,725.00
Paid-Time Payments:	22	\$6,941.50
Warrant Fees:		
	Total	\$8,666.50
	Parking Tickets:	\$1,205.00
	Total:	\$9,871.50

**Surcharges/Costs/Fees:**

MLEA Surcharge:	\$200.00	
TECH Surcharge:	\$150.00	
Victim/Witness Surcharge:	\$256.00	
MISD Surcharge:	\$365.00	
Court Costs:	\$80.00	
Public Defender Fee:		
Public Defender Fee:	\$ -	
Jury Fees	\$ -	
Interpreter	\$ -	
	Total	(\$1,051.00)

**Total amount credited to City of Livingston General Fund: \$8,820.50**

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

Prepared by: Holly Happe  
Hon. Holly Happe  
Livingston City Judge

Date: 5-11-23

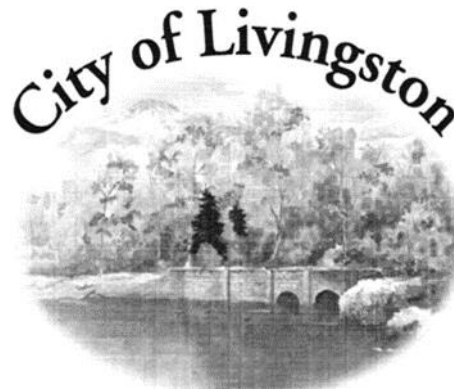
**File Attachments for Item:**

**D. CONSIDERATION OF OPEN CONTAINER SPECIAL EXCEPTION REQUEST FOR THE 99TH ANNUAL LIVINGSTON ROUNDUP PARADE ON JULY 2ND.**

**City Manager**  
Grant Gager

220 E Park Street  
(406) 823-6000 phone

citymanager@livingstonmontana.org  
www.livingstonmontana.org



*Incorporated 1889*

**Chairperson**  
Melissa Nootz

**Vice Chair**  
Karrie Kahle

**Commissioners**  
Mel Friedman  
Quentin Schwarz  
Torrey Lyons

Date: 6/6/2023  
To: Chair Nootz and City Commissioners  
From: Grant Gager, City Manager

**Staff Report for Consideration of Request for a Special Event Exception To City of Livingston Alcohol Consumption Restrictions for the 99<sup>th</sup> Annual Livingston Roundup Parade**

**Recommendation and Summary**

Staff is recommending the City Commission approve the exception to the enforcement of restrictions on consumption of beer or liquor during the 99th Annual Livingston Roundup Parade scheduled for July 2, 2023, by adopting the following motion:

**“I move to approve the request to create an exception to the enforcement of the Open Container Statute during the 99th Annual Livingston Roundup Parade.”**

The reasons for the recommendation are as follows:

- The Livingston Municipal Code allows the City Commission to provide exceptions for special events to allow public consumption of beer or liquor.
- The City has received a request from a special event operator for such an exception.

**Introduction and History**

The applicant, the Livingston Chamber of Commerce, has submitted a Special Event Permit requesting a road closure in the downtown area to host a special event. The applicant has presented two possible route maps for consideration by the City. In accordance with Section 9-16 of the Livingston Municipal Code (LMC), the Chief of Police has reviewed both maps and determined that either of the maps entitled “old short route” or “2022 Route” that are included in the application packet are acceptable and do not “interfere with the governmental functions of the fire and police departments of the City” in accordance with Section 9-16(c) of the LMC.

The applicant has requested a waiver of fees for the event which are \$3,160 and include coverage from the Fire, Police and Public Works Departments for a road closure, emergency services coverage, trash and clean-up.

The applicant has additionally requested an exception pursuant to Section 10-8.B. that would allow for the consumption of beer or liquor during the event. The applicant is seeking the exception from 3:00 p.m. to 5:00pm on July 2, 2023.



**Analysis**

City staff has reviewed the application are agreeable to the proposed event with the route designated by the Chief of Police and so the application has been conditionally approved, pending Commission decision regarding the alcohol consumption waiver.

Staff is not recommending approval of the fee waiver due to the costs incurred by the City to help stage the event.

**Fiscal Impact**

Application fees will offset costs associated with the event for additional emergency service coverage as well as associated trash and road closure costs.

**Attachments**

- Attachment A: 99th Annual Livingston Roundup Parade Event Application Materials

### City of Livingston Special Event Permit Application

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

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

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

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

Renter/Contact Name: Leslie Feigel

Organization: Livingston Area Chamber of Commerce

Email Address: Info@livingston-chamber.com Tax ID Number: 81-0160223

Address: 303 E.Park St City, State, Zip: Livingston, MT 59047

Mobile Phone: 406-223-6603 Work Phone: 406-222-0850

Group insuring event: The Hartford

Insurance Company: Lightfoot & Associates Policy Number: 34SBAPP9189

Insurance Agent: Harper West Insurance Phone: 720-261-2249

Insurance Address: 8354 Northfield Blvd STE 3700, San Antonio TX 78257

**Event Information**

Name of Event: 99th Annual Livingston Roundup Parade Date of Event: July 2nd, 2023

Event Type: Parade Approx # of Attendees: unknown 5k-8k

Proposed Route(s) and/or Map(s) Attached: YES  Time(s) of event: 3pm

Set up	Event	Event	Cleanup
Begins: <u>12pm</u>	Begins: <u>3pm</u>	ends: <u>5pm</u>	Complete: <u>6pm</u>

Please provide a brief description of your event: *(use additional sheet if you need more space)*

99th Annual Parade with safety chalk lines to stand behind and no throwing of candy from the parade route center only from the sides. No lewed acts or vulgar distastful entry's to be permitted and an ethics committee will enforce prior to the parade start. Three announcer booths along the parade route and one Judges station for awards. Safety officials and closure attendees along route and flaggers from Whisltler towing company for detour areas. All bathrooms along route via Crazy mountain ind. and garbage cans from the city for clean up crews. The city street sweeper finishes the parade.

Please identify any safety / security issues:

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

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

**Accumulate waste:** Yes  If yes, please notate your disposal plan (We recommend 1 – 96 Gallon can per 200 people):

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

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

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

**Need restrooms:** Yes  If yes, how do you plan to accommodate? (We recommend one toilet per 250 people)  
8

**Need electricity:** Yes  If yes, what for and what source do you plan to use?

local businesses let us plug in.

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

cones out night before.

**Utilize City park/facility/space:** No  If yes, please name the space and provide record of reservation. Contact the Recreation Department at 406-223-2233 to reserve.

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

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

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

Candlestick Cones: 9 @ \$3 each    A-Frames: 9 @ \$7 each    Barricades: 9 @ \$12 each

Construction Fencing: 9 @ \$15 / 100 feet

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

**Street Closure:** Yes  If yes, please notate number of streets\* in accurate space provided as well as on the route map

9 Mon – Fri, 7am – 4pm: \$110 each (up to 2 streets) \$50 per street over 2

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

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

**Alcohol to be served at event:** No  If yes, describe the location of sales, liquor license to be used and measures to insure proper ID for purchases and persons supervising the operation:

Asking for a waiver within the closure area as needed during the parade only.

Liquor Liability Attached as described in Section 7

Proof of Alcohol Server Training as described in Section 7

**Requests for special animal policy considerations as described in Section 7:** No  If yes, please describe:

dogs on leash only and not recommended as the crowds are heavy.

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

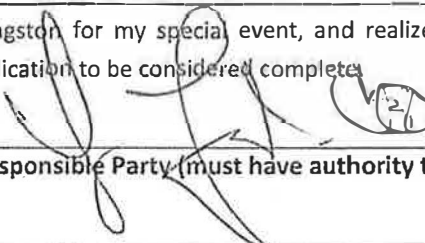
\_\_\_\_\_ Date(s) Camping will occur \_\_\_\_\_ Location of camp site(s) \_\_\_\_\_ Number of campers  
\_\_\_\_\_ Number of tents \_\_\_\_\_ Location of tent(s) \_\_\_\_\_ Fire Ring(s) needed? (must be authorized by Fire Dept)

Please describe plan for water/sanitation facilities and parking:

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

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

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

 **3-27-23**

Responsible Party (must have authority to sign)      Date

City of Livingston Parks & Recreation      Date

The logo for the Livingston Area Chamber of Commerce & Visitors Center. It features the word "LIVINGSTON" in a large, bold, serif font with a stylized mountain range graphic above it. Below "LIVINGSTON" is the word "AREA" in a smaller, bold, sans-serif font. Underneath "AREA" is the text "Chamber of Commerce & Visitors Center" in a bold, serif font.

**LIVINGSTON**  
AREA  
Chamber of Commerce  
& Visitors Center

March 30, 2023

City of Livingston  
414 E. Callender  
Livingston, MT 59047

Request to the City Commission for our Historic Parade Route.

The Livingston Chamber Board and Community Members are requesting that the City Commission approve the Historic Parade Route Starting at 2<sup>nd</sup> Street at Geyser north to Park Street, Park Street for one block, then South onto Main Street south bound to the High School, be the dedicated route of the 99<sup>th</sup> Annual Livingston Chamber Round up Parade and for all future Livingston Chamber Roundup Parades.

Every year since the City Staff increased event and road closure fees, we have asked for assistance in the reduction of fees due to our nonprofit status along with the historical factor and out of respect for our local economic value to the businesses especially the ones on the Parade route and the city has gladly assisted.

The Livingston Chamber has overseen and produced the Parade for many years after taking over from the Roundup Association and has a tremendous job not only finding funding from membership partners but sponsors who are mostly 100% local businesses. Most are the businesses that truly care about its incredible history, but some are the ones who benefit from the increased tourism of both non-residents in the state and surrounding communities, also travelers from around the world. Our parade well exceeds over 10k viewing patrons when we had the original route and is no small feat to find the abundance in space for viewing safely, for all ages and for surrounding events crossing from the combined festival. Our community parade is viewed and participated in at a state level as the largest July parade and longest consecutive annual parade in the state. We would like to go back to this stature in the state once again.

March 30, 2023

City of Livingston  
414 E. Callender St  
Livingston, MT 59047

Formal Requests for the 99<sup>th</sup> Annual Livingston Roundup Parade 2023

I would like to formally request the City of Livingston and the City Commission at a scheduled commission meeting so that we adhere to the city policies, to reduce the fees for the garbage, staff fees and event location closure cost, to be reduced as in years past.

This is a terrific community, county and Statewide event that has the potential to give great economic opportunity as proven in the past 98 years of the production. The parade is 100% put on by volunteers from around the community, including City staffing. I have some of the figures from last year crowds during the Parade as we used the old-fashioned method of clicker counting per block on the route and it fell between 5000 and 7,000, we believe due to Parade route issues. We are also reduced by removing 3 city blocks with the new route. A large amount of the folks that come are from Livingston and Park County, but we estimated approximately 40% were from nonresidents, we gathered this information from our volunteers counting and asking directly. Of the dining and entertainment establishments, with only the fewer locations to visit on route, the dollar spent was at a decline last year by thousands of missed dollars with the additional changes made by the city, we hope to not have this occur again. Shops and art galleries had early visitors while waiting, the bars had plenty after and during the parade except the 100 blocks. Eventually 5000 people headed to the 8pm rodeo to grab a seat that evening. The hotels and vacation homes were full as well as the campgrounds with shuttles moving people efficiently.

This event has a long list of sponsors and also a proven record of working with the City and local committees in a collaborative manner as well to

Dangling DooDads  
130 N 2<sup>nd</sup> St. Unit 4  
Livingston, MT. 59047  
(406) 333-2110  
[danglingdd@gmail.com](mailto:danglingdd@gmail.com)

03/23/2022

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

City Commissioners,

I am writing you this request as a new business owner at the above address in downtown Livingston. It has been brought to my attention that the parade route for the celebration of the 4<sup>th</sup> of July has been changed a couple of years ago. I was not yet a business owner at the time of the 2021 parade, but I enjoyed watching everyone whom participated. At that time I did not realize the impact the rerouting had made on local small businesses. I do now. I am hoping you will reconsider and go back to the original successful route that had existed for many years. Small businesses have struggled enough financially over the past couple of years. Thank you for my consideration.

Sincerely,  
Annette Caviola  
Owner  
Dangling DooDads

*Downtown Bus from last year plea.*

# July 2 Street Closure

All vehicles must be removed from the parade route by 12 pm on parade day. 2nd Street - River Road to Park, Park Street - Second to Main, Main Street - Park to View Vista. Streets reopen after parade ends. Thanks for your help.

# PARADE Legal Notice

Waiver of Liability:

Entrants & Spectators participate at their own risk.

The Livingston Area Chamber of Commerce, the City of Livingston, the County of Park, the State of Montana and all their representatives, departments and agencies will not be held liable or responsible for any property damage, personal/business loss or injury prior to, during or after the Livingston Roundup Parade on July 2, 2023.

Information  
Doe to  
post in  
paper &  
online as  
well as  
handout

# PARADE Safety Rules

For Entrants & Spectators

During the Livingston Roundup Parade on July 2, 2023

- #1 Throwing items from center of Parade route or from floats is *Is dangerous and a Liability. No throwing of anything from vehicles or Floats. All entries must have additional walkers to toss from the chalk lines on sides of the parade route. If you do not comply you will not be able to return as a participant the following year and will be removed immediately from the route.*
- #2 Motorized vehicles will not rev engines or spin wheels.
- #3 Children must be supervised and kept out of the streets during the parade. They must stay behind the chalked lines. Pets must be leashed. Please remove all barking dogs from the parade route.
- #4 Please keep our streets clean. All trash must be put into receptacles.

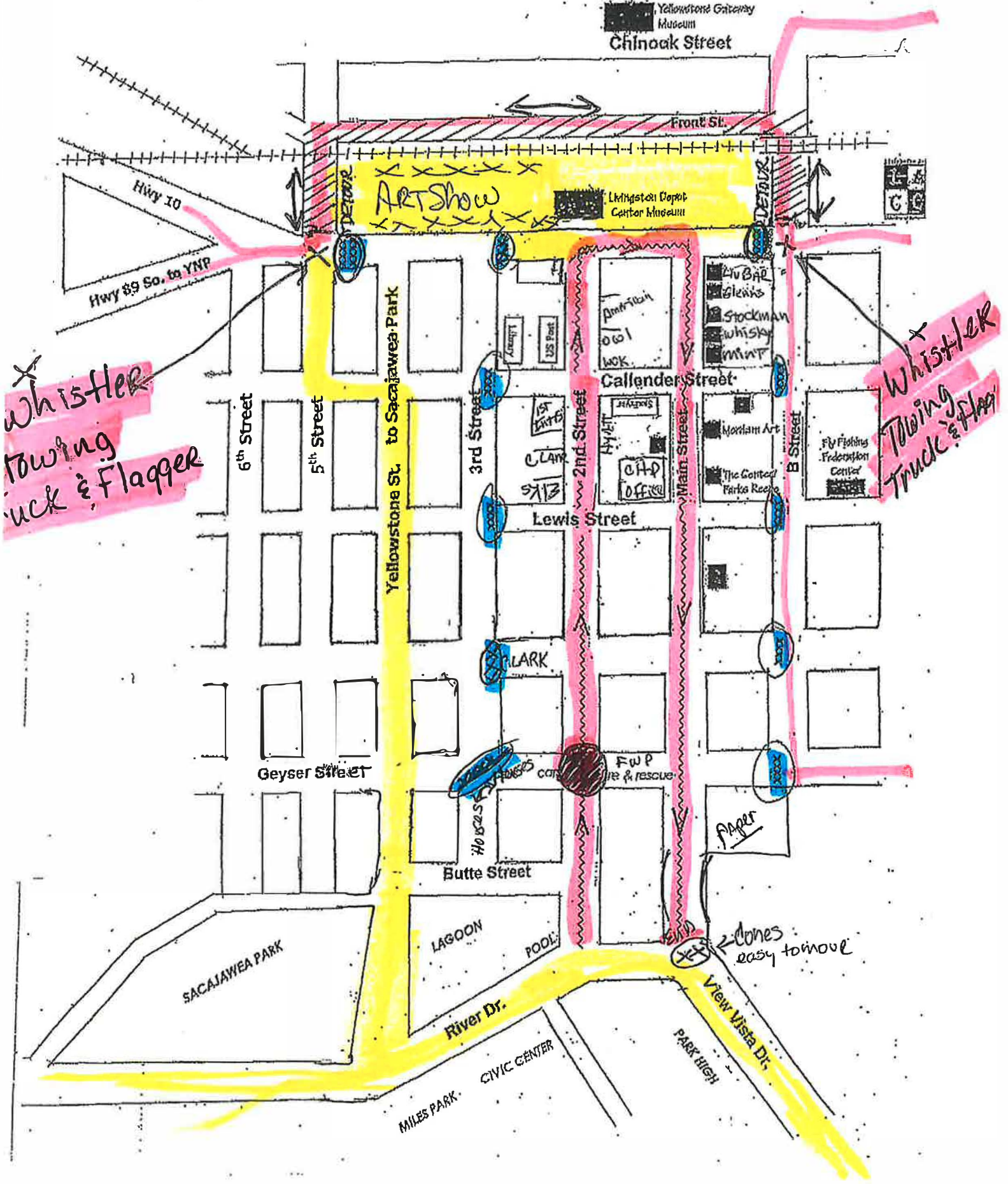
# PARADE FLOATS

#1 All floats will be inspected by the Parade ethics committee and must be located in the High School Parking Lot for inspection prior to start of the parade. No float will be allowed through the route without inspection.

#2 All floats will receive the rules upon sign ups. **Family Friendly Event Floats ONLY.**

THANK YOU from the Livingston Area Chamber





Whistler  
Towing  
Truck & Flagger

Whistler  
Towing  
Truck & Flagger

Cone  
easy to move

Yellowstone Gateway  
Museum  
Chinook Street

ART Show  
Callender Depot  
Callender Museum

2nd Bar  
Glenns  
Stockman  
Whisky  
MINT

American  
Owl  
WOK.  
Callender Street  
Main Street  
CHP  
OFFICE

Mountain Art  
The Geyser  
Parks Rec

Fly Fishing  
Federation  
Center

Lewis Street

FWP  
Fire & rescue

Butte Street

SACAJAWEA PARK

LAGOON POOL

River Dr.

View Vista Dr.

CIVIC CENTER

MILES PARK

Hwy 10  
Hwy 89 So. to YNP

Yellowstone St. to Sacajawea Park

6th Street

5th Street

3rd Street

2nd Street

B Street

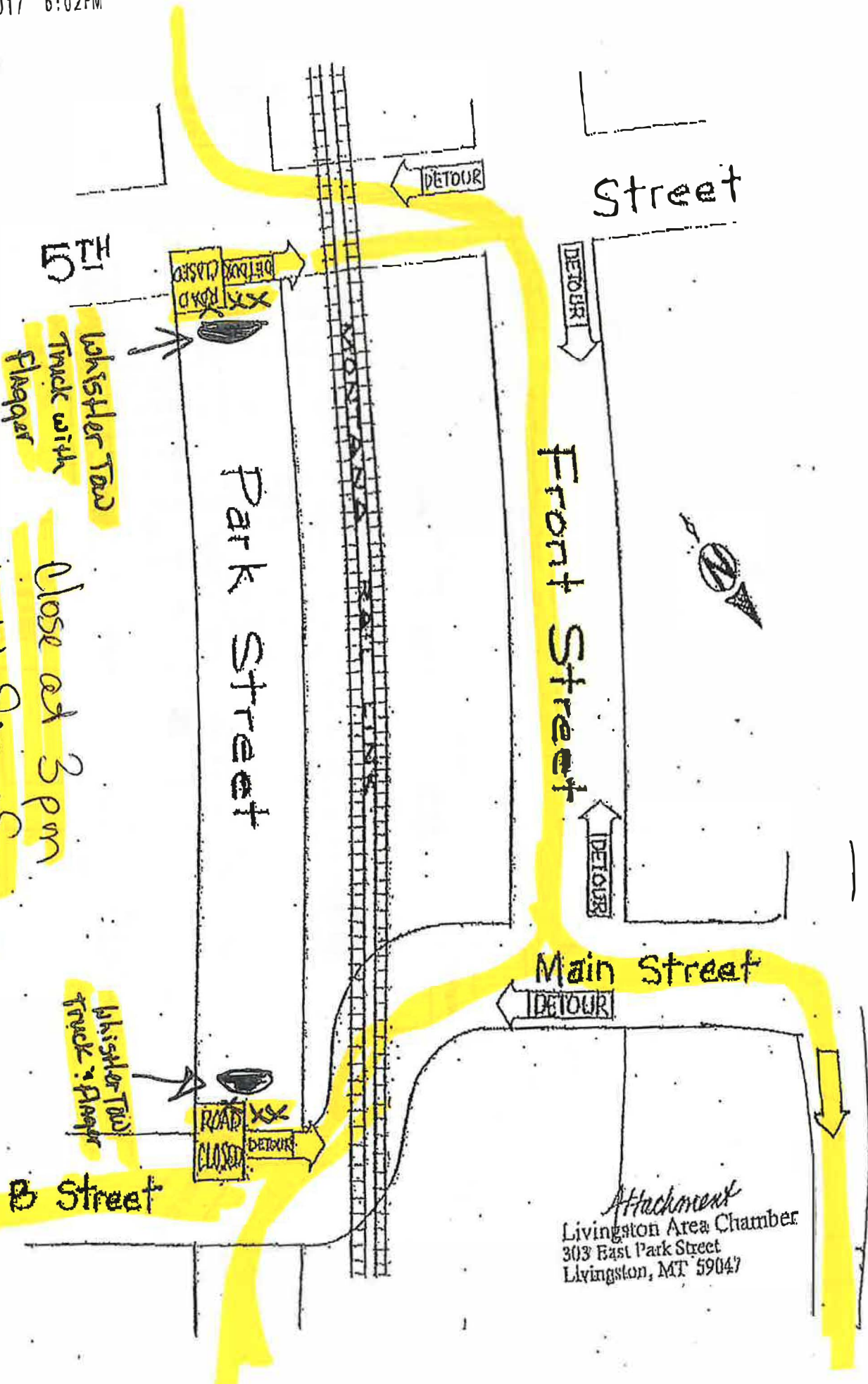
Geyser Street

HOUSERS

PAPER

PARK HIGH

Jun. 3. 2017 6:02PM



Whistler Tow Truck with Flagger

Close at 3pm

until Street Sweeper

goes past this &

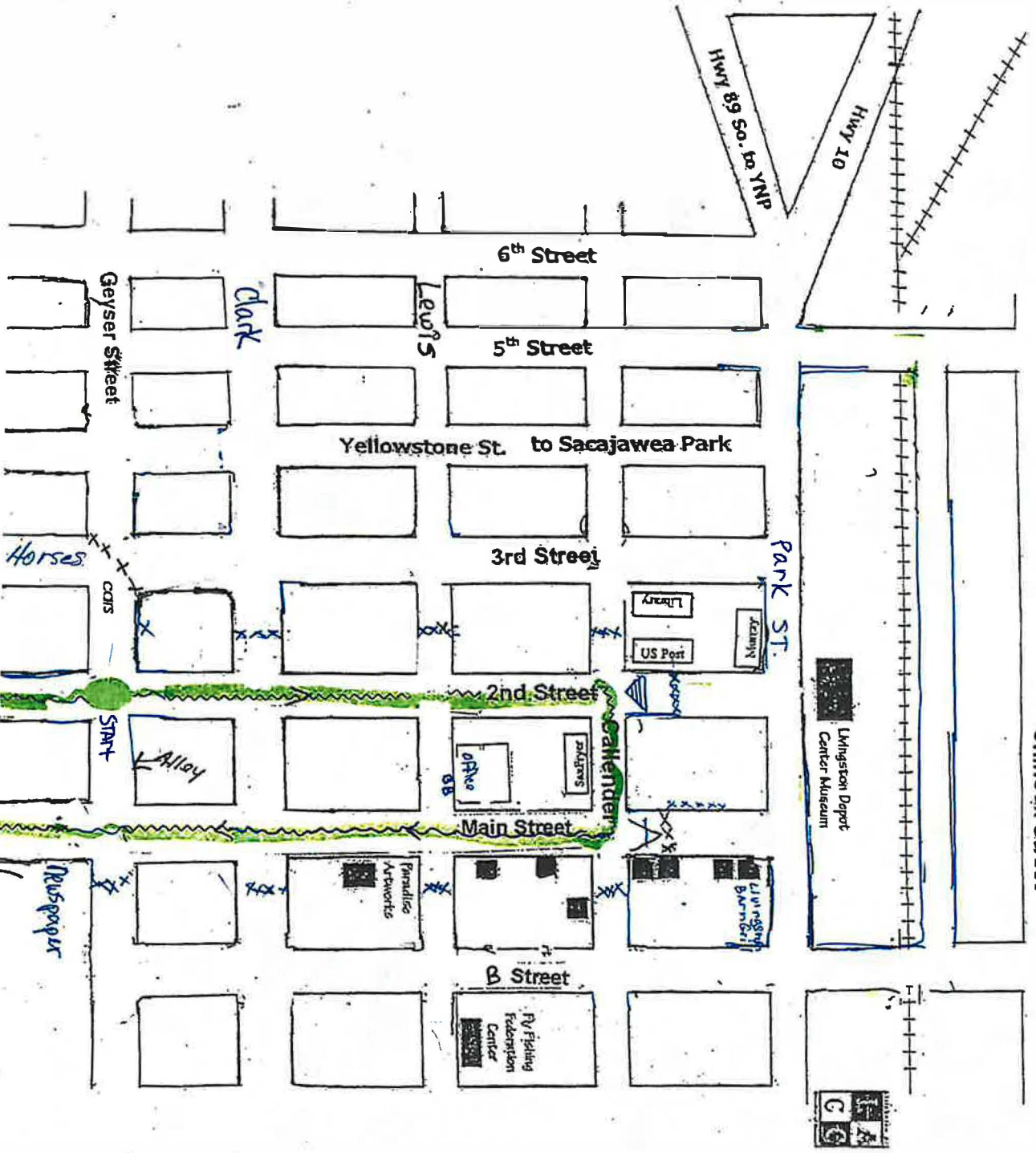
Intersections - N.M. 115

Attachment  
Livingston Area Chamber  
303 East Park Street  
Livingston, MT 59047

← Missed 31 Businesses  
2022 Route -



# Old Short Route



**From:** [Dale Johnson](#)  
**To:** [Faith Kinnick](#); [Grant Gager](#); [Jennifer Severson](#); [Jim Woodhull](#); [Josh Chabalowski](#); [Lisa Lowy](#); [Paige Fetterhoff](#); [Shannon Holmes](#)  
**Subject:** RE: Special Event Notice: 99th Annual Livingston Roundup Rodeo Parade  
**Date:** Wednesday, May 31, 2023 9:57:49 AM

---

With the map proposing the parade using Park Street and detouring all other traffic to Front St. I cannot support this and oppose any effort to close Park St.

The parade has become much too popular to try and divert traffic to Front. It causes massive congestion at both the 5<sup>th</sup> St. intersection and the underpass/ B St. intersection and completely blocks any type of emergency response both East-to-West as well as North-to-South. Trying to divert traffic to Bennet St. instead of the underpass does nothing to rectify the problem either.

As a reminder, unless the commission is willing to change city ordinance 9-16, the code clearly states “The Chief of Police is empowered to designate routes for parades on the streets of the City...”

The other map shown designated as the “old short route” or the route used last year is perfectly acceptable.

Dale Johnson  
 Chief of Police, Livingston Police Dept.  
 414 East Callender Street  
 Livingston, Montana 59047  
 406-222-2050  
[djohnson@livingstonmontana.org](mailto:djohnson@livingstonmontana.org)

CONFIDENTIAL: The information in this email (including any attachments) is confidential and may be privileged. If you are not the intended recipient, you may not and must not read, print, forward, use or disseminate the information contained herein. If you are not the intended recipient of this message, please reply to the sender and include this message, and then delete this message from your inbox and your archive and/or discarded message files. Any unintended disclosure of legally privileged and/or confidential information that may have occurred is inadvertent and does not constitute a waiver of any such privilege or confidentiality. Thank you.

-----Original Appointment-----

**From:** Faith Kinnick <fkinnick@livingstonmontana.org>  
**Sent:** Tuesday, May 30, 2023 5:14 PM  
**To:** Dale Johnson; Grant Gager; Jennifer Severson; Jim Woodhull; Josh Chabalowski; Lisa Lowy; Paige Fetterhoff; Shannon Holmes  
**Subject:** Special Event Notice: 99th Annual Livingston Roundup Rodeo Parade  
**When:** Sunday, July 2, 2023 12:00 PM-5:30 PM (UTC-07:00) Mountain Time (US & Canada).  
**Where:** Downtown Livingston

**PUBLIC WORKS – ROAD CLOSURES – see attached MAP + 14 Additional Blue Cans**

- Cones to close Alley's between 2<sup>nd</sup> & Main

**Event:** 99<sup>th</sup> Annual Livingston Roundup Parade

**Organizer:** Leslie Feigel, Livingston Area Chamber of Commerce  
[info@livingston-chamber.com](mailto:info@livingston-chamber.com)  
 406-223-6603 (cell)

**When:** Sunday, July 2<sup>nd</sup>, 2023

Time(s)

SET UP ALL DAY

**ROADS CLOSED at 12:00pm**

Parade: 3:00pm – 5:00pm

**ROADS RE-OPENED 5:30pm** – UNLESS Band/Booths are obtained for Park – Callendar on Main – Maggie will update if this works out.

**Event Description/Location:**

This is the 99<sup>th</sup> year of our Livingston Roundup parade. We have a downtown route to support the local economy and kick off the 3 day rodeo. Residents and travelers also enjoy the 3-day art festival. We chalk the streets for safety and limit how to distribute candy. We will focus on a hometown parade this year.

**Safety/Risk:** Chalk lines for crowd encroachment; parade floats required to drop/hand out goodies, no throwing from floats & vehicles

**Trash:** 14 BLUE CANS REQUESTED – dropped along route (see map)

**Road Closure:** YES – see MAP 2<sup>nd</sup> Street to Park Street to Main Street

**On-site Housing:** No

**Toilets:** Provided by Crazy Mountain Industries in support of downtown business owners to reduce crowding in businesses will order 8

**Food and Alcohol:** no, not served – Available from local bars, Special Exception Request to Open Container Enforcement

**Animal Policy** – Preferred Pets do not attend

**Tenting:** No

**Insurance policy** – Received updated policy

**INVOICE –**

Estimate attached, **PW, LPD & LFR please confirm your rates.**

# INVOICE

## City of Livingston

220 E Park Street  
Livingston, MT 59047

INVOICE # 102  
DATE: MAY, 31 2023

**TO:**

Livingston Area Chamber of Commerce  
303 E Park Street  
Livingston, MT 59047

**COMMENTS OR SPECIAL INSTRUCTIONS:**

2023 Parade on a Sunday – Public Work Staff incurs 2x OT to work.

DATE(S)		RATE	TOTAL
3/30/23	SPECIAL EVENT APPLICATION FEE	\$50.00	\$50.00
Sunday July 2, 2023	Road Closure (12:00 pm – 6:00 pm) (2) Blocks at \$200.00; (11) Blocks at \$100.00	\$1500.00	\$1500.00
	Solid Waste: Blue Cans 14	\$15.00	\$210.00
	2x OT Public Works Staff: <u>X</u> Staff x <u>X</u> Hours		
	Police Presence – 4 hours	\$150.00	\$600.00
	Fire & Rescue EMS Standby	\$150.00	\$600.00
	Street Sweeper	\$250.00	\$250.00
<b>TOTAL RECEIVED</b>			<b>\$50.00</b>
<b>TOTAL DUE</b>			<b>\$3,160.00</b>

Make all checks payable to **0B**City of Livingston

**THANK YOU FOR YOUR BUSINESS!**



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD) **03/30/2** 48

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

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

PRODUCER Lightfoot & Associates LLC 8354 Northfield Blvd Suite 3700 San Antonio, Tx 78257	720-261-2249	877-546-8204	CONTACT NAME: Lightfoot & Associates LLC
			PHONE (A/C, No, Ext): 720-261-2249
			FAX (A/C, No): 877-546-8204
E-MAIL ADDRESS: harperwest@yahoo.com			
			INSURER(S) AFFORDING COVERAGE
			NAIC #
			INSURER A : The Hartford
			INSURER B :
			INSURER C :
			INSURER D :
			INSURER E :
			INSURER F :

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

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

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY Exp (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY	<input checked="" type="checkbox"/>		34SBAPP9189	04/30/2023	04/30/2024	EACH OCCURRENCE \$ 2,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person) \$ 10,000
GEN'L AGGREGATE LIMIT APPLIES PER:							PERSONAL & ADV INJURY \$ 2,000,000
<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC							GENERAL AGGREGATE \$ 4,000,000
							PRODUCTS - COMP/OP AGG \$ 4,000,000
							\$
AUTOMOBILE LIABILITY							COMBINED SINGLE LIMIT (Per accident) \$
<input type="checkbox"/> ANY AUTO							BODILY INJURY (Per person) \$
<input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS							BODILY INJURY (Per accident) \$
<input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS							PROPERTY DAMAGE (Per accident) \$
							\$
UMBRELLA LIAB <input type="checkbox"/> OCCUR							EACH OCCURRENCE \$
EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE							AGGREGATE \$
<input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$							\$
WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below							WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/>
<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A							E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
**Certificate holder is listed as additional insured**

<b>CERTIFICATE HOLDER</b>  City of Livingston Montana 414 E. Callender Street Livingston, MT 59047	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 



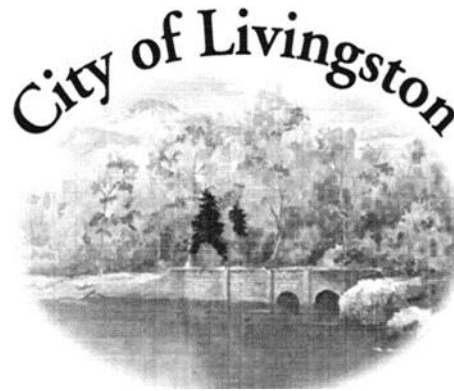
**File Attachments for Item:**

**E. 2023 SUMMERFEST OPEN CONTAINER EXCEPTION REQUEST FOR EVENT ON JULY 15, 2023.**

**City Manager**  
Grant Gager

220 E Park Street  
(406) 823-6000 phone

citymanager@livingstonmontana.org  
www.livingstonmontana.org



*Incorporated 1889*

**Chairperson**  
Melissa Nootz

**Vice Chair**  
Karrie Kahle

**Commissioners**  
Mel Friedman  
Quentin Schwarz  
Torrey Lyons

Date: 06/06/2023  
To: Chair Nootz and City Commissioners  
From: Grant Gager, City Manager

**Staff Report for Consideration of Request for a Special Event Exception To City of Livingston Alcohol Consumption Restrictions for the Annual Summerfest Event on Main Street July 15<sup>th</sup>, 2023**

**Recommendation and Summary**

Staff is recommending the Commission approve the exception to the enforcement of restrictions on consumption of beer or liquor during the 2023 Summerfest event on July 15, 2023, by adopting the following motion:

**“I move to approve the request to create an exception to the enforcement of the Open Container Statute during the 2023 Summerfest event.”**

The reasons for the recommendation are as follows:

- The Livingston Municipal Code allows the City Commission to provide exceptions for special events to allow public consumption of beer or liquor.
- The City has received a request from a special event operator for such an exception.

**Introduction and History**

The applicant, Lean on Me Foundation has submitted a Special Event Permit requesting a road closure in the downtown area to host a special event. This has been around since 2005 originally an event produced by the expansion of the City Recreation Department and along the banks of the Yellowstone river in Miles Park. The city could no longer host such a large event due to expenses incurred and limited staff, private entities have since hosted the event.

**Analysis**

The applicant has additionally requested an exception pursuant to Section 10-8.B. that would allow for the consumption of beer or liquor during the event. The Police Chief and Fire Chief have conditionally approved the closure with no additional staff recommendations.

**Fiscal Impact**

Application fees will offset costs associated with the event for additional emergency service coverage as well as associated trash and road closure costs.

**Attachments**

- Attachment A: 2023 Summerfest Application and request from Lean on Me Foundation
- Attachment B: Map
- Attachment C: Liability Insurance Certificate
- Attachment D: Special Event Receipt:



501(c) 3: 83-264492

To whom it may concern:

The Lean on Me Foundation is seeking a special event exception to enforcement during Summerfest on July 15th from Noon to 4 p.m. inside the barricades. We are asking The City Commission by motion to designate an area not greater than two (2) blocks in length and for no longer than a two (2)-day period as a special event exception at which time and place the restriction on drinking beer or liquor will not apply.

Thank you,

Teresa Soule, President, Lean on Me Foundation

406-579-0249



Summerfest planning is underway! The Lean on Me Foundation is busy working on the details for Summerfest 2023. This is our primary fundraising event. It is a free-to-the-public outdoor community festival that includes live music, food and beverages, & enrichment activities for children and adults.

This year we are making some changes by taking the festival to Main Street. Our mission is to champion and foster community so bringing the downtown small businesses together may be a step in the right direction.

The Park County Community Foundation shares our commitment to a thriving community and has agreed to be one of the lead sponsors for Summerfest 2023.

A message from PCCF: We believe that Park County's challenges can be solved through mutual understanding, collaboration and a robust culture of philanthropy – and we are grateful to have community partners such as the Lean On Me Foundation, which provides crucial resources for those in need. We are excited to have a front-row seat to Summerfest 2023 from our office on 104 S Main Street!

The details:

**Saturday, July 15<sup>th</sup>, 2023, Noon to 4 p.m. Live music by The Teccas & Friends**

Main Street will be closed to traffic for 2 blocks, side streets will remain open.

Portable bathrooms will be strategically placed.

Funding will come from grants, sponsorships, and other donations.

We will promote participating businesses through advertising and stage announcements.

We encourage your business to participate by offering a sale, special food, or beverage deal, or offering an activity (we have a list of popular activities like face painting, sidewalk chalk art, cornhole tournament, or lemonade stand). We will not ask any outside vendors to participate.

How you can get involved:

- Join the planning committee by filling out this form <https://leanonmelivingston.org/join-us/>
- Offer an activity or special at your business.
- Volunteer to have a donation jar in your business for us the day of Summerfest.

This is the first year of this format. Please feel free to contact me directly. 406-579-0249 or [info@leanonmelivingston.org](mailto:info@leanonmelivingston.org)

Sincerely,

Teresa Soule, President, Lean on Me Foundation

# City of Livingston Special Event Permit Application

54

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

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

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

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

Renter/Contact Name: **Teresa Soule**

Organization: **Lean on Me Foundation**

Email Address: **info@leanonmelivingston.org**

Tax ID Number: **83-264492**

Address: **P.O. Box 2082**

City, State, Zip: **Livingston, MT 59047**

Mobile Phone: **406-579-0249**

Work Phone: **na**

Group insuring event: **Lean on Me Foundation**

Insurance Company: **Leavitt Insurance Group**

Policy Number: **TBD**

Insurance Agent: **Abbie Steigler, PCIA**

Insurance Phone: **406-222-2807**

Insurance Address: **417 W Park ST Livingston, MT 59047**

## Event Information

Name of Event: **Summerfest**

Date of Event: **7/15/2023**

Event Type: **Music Festival & Family Event**

Approx # of Attendees: **300**

Proposed Route(s) and/or Map(s) Attached: **YES**

Time(s) of event: **noon to 5 p.m.**

Set up  
Begins: **11 a.m.**

Event  
Begins: **noon**

Event  
ends: **5 p.m.**

Cleanup  
Complete: **6 p.m.**

Please provide a brief description of your event: *(use additional sheet if you need more space)*

Event on Main from Park to Lewis. Map provided to Maggie by hand. Live music, outside stage to be brought in as well as lights and sound. Non profit booths along sidewalks. Restaurants and bars to provide food and beverages.

Please identify any safety / security issues:

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

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

**Accumulate waste:** Yes If yes, please notate your disposal plan (We recommend 1 – 96 Gallon can per 200 people):

Additional trash cans will be retued through the city

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

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

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

**Need restrooms:** If yes, how do you plan to accommodate? (We recommend one toilet per 250 people)

Renting from Crazy Mountain Industries

**Need electricity:** If yes, what for and what source do you plan to use?

Possibly, Main St light poles

**Utilize parking:** NO If yes, how do you plan to accommodate?

**Utilize City park/facility/space:** NO If yes, please name the space and provide record of reservation. Contact the Recreation Department at 406-223-2233 to reserve.

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

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

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

Candlestick Cones: 2 @ \$3 each A-Frames: 2 @ \$7 each Barricades: 2 @ \$12 each

Construction Fencing: 2 @ \$15 / 100 feet

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

**Street Closure:** Yes If yes, please notate number of streets\* in accurate space provided as well as on the route map

2 Mon – Fri, 7am – 4pm: \$110 each (up to 2 streets) \$50 per street over 2

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

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

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

Alcohol will be served by Main ST bars and restaurants with the proper licensing. Open container permit requested.

Liquor Liability Attached as described in Section 7

Proof of Alcohol Server Training as described in Section 7

**Requests for special animal policy considerations as described in Section 7:** NO

If yes, please describe:

**Will the event require camping or temporary housing:**

If yes, have you the Park County Sanitarian at

406-222-4145 to set up a temporary housing plan and answer the following questions:

\_\_\_\_\_ Date(s) Camping will occur \_\_\_\_\_ Location of camp site(s) \_\_\_\_\_ Number of campers

\_\_\_\_\_ Number of tents \_\_\_\_\_ Location of tent(s) \_\_\_\_\_ Fire Ring(s) needed? *(must be authorized by Fire Dept)*

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

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

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

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

*Teresa Soupe*

*2/28/2023*

**Responsible Party (must have authority to sign)**

**Date**

**City of Livingston Parks & Recreation**

**Date**



Murray  
Post Office

Fiesta en Jalisco  
Sacred Mysteries  
Katabatic  
Camino Spice  
Boehme apothecia  
Montana Cup  
\*\*\*  
Pura Vida  
Raised by Wolves  
Calamity's

**Alchemy Exchange**

American Bank  
The Owl  
Obsidian  
Theater  
Coffee Crossing  
The Wok  
Payoli Law

Ryker's Studio  
Bitterroot Records  
The Soup Bar  
Campione's

Livingston Bar & Grille  
MT Watch  
Wheatgrass books & Gifts  
The Stockman  
Firefly Studios  
Bobs Outdoors  
Whiskey Creek  
Iusty Prints  
Danforth  
Tru North  
The Mint

The Fainting Goat  
Sky Federal Bank

Blue Sli  
Interval Art  
Stay Golden  
Cloud 9 massg  
Dang Doods  
**Calendar Apt**  
Dawn Joseph  
St Johns

1st Interstate Bank  
Elk River  
Cath Lane  
K Blurock  
Cat  
Moody  
Val Hill  
Elks

Haitt  
Saddle mtn HC  
The Lost Relic  
Edward Jones  
Kite Store  
Cactus Blossom

406 Accong  
**Miles Apts**  
Silver Jewelry  
BBBS  
Liv Bakery  
HRDC  
Root 66  
Sarah Scofield  
Livingston Lladly

Rooted in MT  
Sax & Fryer  
PCCF

Wolf's Merch  
Visions West Gallery  
Robert Osborn Gallery  
Sheila Hariska Gallery  
Elemental Kitch  
Coldwell Bank  
L'Espirt  
**Empire of Serenity**  
Livingston Home Outfitters  
CHP  
CHP  
The Office Lounge  
Insurance  
Toms

The Frame Garden  
Medicine Bird Gallery  
Kitchen Store  
Riverside Hardware  
Modam Art  
Pinky's  
High Trash Boutique  
Park Photo  
Curated Closet  
Parks Reese  
Livingston Center for Art & Culture  
Fly Squirrel Gallery  
Opportunity Bank  
Educatio School  
Pickle Barrel

**Voyich Law**  
**Elaine Well Salon**  
**Legends Hair studio**

Blue Rider Tattoo  
FireHall Fitness  
Happy Hands &

Food resource ctr

Los Pinos

Rainbow Entr  
SageBrush ctr

Park County Senior Center  
O'Reily's

UnWined Wine Bar/Casino  
Rental apts  
Neptune's Taphouse

M Design  
Art Gallery  
Collaborative Health  
MT Title  
Action Pawn  
Out of the Blue  
ERA  
Lyons Mane  
Callie's Second Hand  
10 Gallery  
Avery's  
Edward Jones  
H&R Block  
Nevins Glass

Hair Nails Linda  
**MT block flats**  
Rhythm Estetics  
Go Astray  
Parlour Living



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YY)	58
5/26/20	

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

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

<b>PRODUCER</b> Leavitt Great West Insurance Services, LLC 417 W. Park Street PO Box 2410 Livingston MT 59047	<b>CONTACT NAME:</b> Bobbie Patterson <b>PHONE (A/C No. Ext):</b> (877)229-4553 <b>E-MAIL ADDRESS:</b> bobbie-patterson@leavitt.com	<b>FAX (A/C, No):</b> (866)751-8096
	<b>INSURER(S) AFFORDING COVERAGE</b>	
<b>INSURED</b> Lean On Me Foundation PO Box 2082 Livingston MT 59047	<b>INSURER A:</b> Philadelphia Insurance Group	
	<b>INSURER B:</b>	
	<b>INSURER C:</b>	
	<b>INSURER D:</b>	
	<b>INSURER E:</b>	
	<b>INSURER F:</b>	

**COVERAGES** **CERTIFICATE NUMBER: 2-24 Event** **REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		EV115174	7/15/2023	7/16/2023	EACH OCCURRENCE	\$ 1,000,000
	DAMAGE TO RENTED PREMISES (Ea occurrence)						\$ 300,000	
	<input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$	
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB DED RETENTION \$						<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE	EACH OCCURRENCE \$ AGGREGATE \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A	<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
 Certificate holder is additiona insured per PIAS010

### CERTIFICATE HOLDER

### CANCELLATION

City of Livingston 414 E Callender St Livingston, MT 59047	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE  B Patterson/BOPATT
--	---

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# Receipt for Payment

**05/26/2023**

Lean On Me Foundation  
 PO Box 2082  
 Livingston, MT 59047

**Policy Number:** EV115174  
**Policy Term:** 07/15/2023 to 07/16/2023

This receipt is to verify that the below payment was received on 05/26/2023.

Description	Amount
<b>Special Event Insurance</b>	<b>\$ 176.00</b>
Taxes	<b>\$ 0.00</b>
<b>Total:</b>	<b>\$ 176.00</b>

**Thank you for thinking of Philadelphia Insurance Companies for your Special Event needs!**

Please be advised that the charge will appear on your bank or credit card statement as **CPH Insurance 800-875-1911.**



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

## Registration/Payment Receipt 53601067

05/26/2023 03:22 PM

### Account Information

Lean on Me Foundation  
 Teresa Soule  
 PO Box 2082  
 Livingston, MT 59047

### Payment

Credit/Debit \$1,020.00  
 Ending in 6917  
 Merchant Code  
 85gef1d

### Received By

Suzie Butterfield at Civic Center

Item	Amount Paid
Special Event Administration Fee - Resident	\$50.00
<b>FOR BALANCE DUE BY: 07/07/2023</b>	
Road Closure Evening/Wkend/Holiday	\$200.00
<b>FOR BALANCE DUE BY: 07/07/2023</b>	
Addtl. Road Closure Evening/Wkend/Holiday	\$200.00
<b>FOR BALANCE DUE BY: 07/07/2023</b>	
1st Garbage Can Evening/Wkend	\$30.00
<b>FOR BALANCE DUE BY: 07/07/2023</b>	
Addtl Garbage Can Evening/Wkend	\$135.00
<b>FOR BALANCE DUE BY: 07/07/2023</b>	
Barricade	\$96.00
<b>FOR BALANCE DUE BY: 07/07/2023</b>	
Candlestick Cone	\$75.00
<b>FOR BALANCE DUE BY: 07/07/2023</b>	
Diamond Closure	\$84.00
<b>FOR BALANCE DUE BY: 07/07/2023</b>	
OT Public Works Staff	\$150.00
<b>FOR BALANCE DUE BY: 07/07/2023</b>	
<b>Subtotal</b>	\$1,020.00
<b>Total Payment</b>	\$1,020.00
<b>Change in Balance</b>	(\$1,020.00)
<b>Account Balance</b>	\$0.00
<i>(As of 05/26/2023 03:22 PM)</i>	

Thank you for reserving a facility with the City of Livingston

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

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

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

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

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

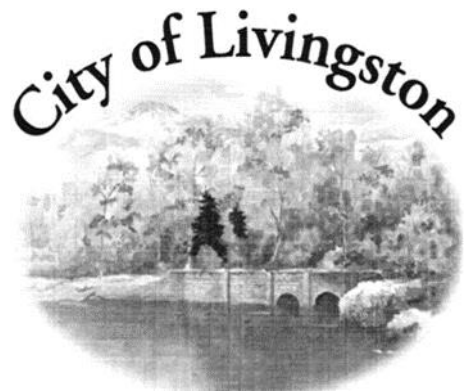
**File Attachments for Item:**

**F. NORTHWESTERN ENERGY UTILITY BORE/ REPLACEMENT UNDER FLESHMAN CREEK.**

**City Manager**  
Grant Gager

220 E Park Street  
(406) 823-6000 phone

citymanager@livingstonmontana.org  
www.livingstonmontana.org



*Incorporated 1889*

**Chairperson**  
Melissa Nootz

**Vice Chair**  
Karrie Kahle

**Commissioners**  
Mel Friedman  
Quentin Schwarz  
Torrey Lyons

Date: June 6, 2023  
To: Chair Nootz and City Commissioners  
From: Grant Gager, City Manager

**Staff Report to Authorize a 310 Permit to Northwest Energy for Utility Work Under Fleshman Creek**

**Recommendation and Summary**

Staff recommends the Commission authorize the issuance of a 310 Permit by adopting the following motion:

“I move to authorize a 310 Permit to Northwest Energy for utility work under Fleshman Creek within the City of Livingston as required by the Natural Streambed and Land Preservation Act.”

The reasons for the recommendation are as follows:

- Northwest Energy will bore four feet below the streambed of Fleshman Creek to replace an exposed gas pipe; this section of stream is within the City of Livingston.
- The Park Conservation District typically approves the issuance of 310 Permits; however, because the work will be within City limits, it falls outside the jurisdiction of the Conservation District.
- The City Commission is responsible for the authorization of 310 Permits for work located within City limits

**Introduction**

The 310 Law, also known as the Natural Streambed and Land Preservation Act, is administered by Conservation Districts across the state. It requires that any person or persons desiring to construct in or near a perennial stream must first submit a 310 Permit application describing the activity to their local Conservation District. The purpose of the 310 Law is to keep rivers and streams in as natural or existing condition as possible, to minimize sedimentation and to recognize beneficial uses.

**Analysis**

The Park Conservation District administers the 310 Law in the Upper Yellowstone Watershed, which includes portions of Fleshman Creek. However, because the proposed work will take place inside City limits, it falls outside the Park Conservation District boundaries. Therefore, the City Commission is responsible for the final authorization of a 310 Permit for the utility work in Fleshman Creek proposed by Northwest Energy. Although the City is tasked with the final authorization of this 310 Permit, as noted in the attached email from DeWitt Dominick of the Park Conservation District dated May 9, 2023, the Conservation District has recommended approval of the 310 Permit by the City.

**Fiscal Impact**

Staff does not anticipate the proposed bore replacement in Flesman Creek by Northwest Energy will result in financial impacts to the City.

**Strategic Alignment**

Authorization of this 310 Permit supports the 2021 Growth Policy Objective 4.2.1 to *Identify, conserve, and protect the quality and health of water resources and ecosystems to meet local standards for public use and recreation.*

**Attachments**

- A. Letter of Support from Park Conservation District, 310 Permit Application, and 318 Permit Authorization by MT DEQ.



**Jennifer Severson**

---

**To:** Grant Gager  
**Cc:** Faith Kinnick  
**Subject:** RE: PK-17-23- NWE utility bore /replacement under Fleshman Creek

---

**From:** [dewdom@gmail.com](mailto:dewdom@gmail.com) [<mailto:dewdom@gmail.com>]  
**Sent:** Tuesday, May 9, 2023 10:35 AM  
**To:** Grant Gager <[ggager@livingstonmontana.org](mailto:ggager@livingstonmontana.org)>  
**Cc:** [sady.babcock@northwestern.com](mailto:sady.babcock@northwestern.com); [Ashley.Lowrey@mt.nacdn.net](mailto:Ashley.Lowrey@mt.nacdn.net); 'Opitz, Scott' <[sopitz@mt.gov](mailto:sopitz@mt.gov)>; [1908bdrake@gmail.com](mailto:1908bdrake@gmail.com)  
**Subject:** PK-17-23- NWE utility bore /replacement under Fleshman Creek

Mr. Gager:  
Please see below from PCD draft minutes: May 2, 2023 monthlymeeting. As we discussed last month, because this site falls outside the PCD boundaries, the city commission is tasked with final authorization on a 310 permit application.  
Thank you. DeWitt

PK-17-23:  
Fleshman Creek, Northwestern Energy, Alleyway of S 10 St. replacing an exposed 2” gas line with a new plastic 4” line boring under channel at depth of 4 ft.  
Needs to go to City Commission instead of CD for final decision – CD will make recommendation to approve.  
\*Dustin made motion to recommend to commission, Dave 2<sup>nd</sup>, motion passed 6-1.

**DeWitt Dominick**  
*PCD Board of Supervisors- 310 Administrator*  
*Park Conservation District- USDA Building*  
*5242 US HWY 89 S. Livingston, MT 59047*

**406-223-1048**

STATE OF MONTANA  
NATURAL STREAMBED AND LAND PRESERVATION ACT (310 Law)  
Form 272 (Rev. 07/01/99) (file name 272.97)

Application Number: **PK-17-23**  
Date Submitted to District: **3-27-23**

TEAM MEMBER REPORT

1. Applicant/Agent: **NWE** For: **Fleshman CK. power/utility boring**

2. Perennial Stream: **Fleshman CK.** County: **PARK** Township: Range: Section:

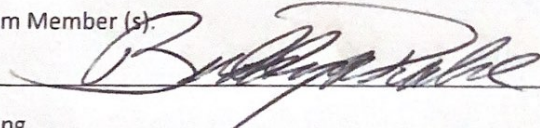
3. Onsite inspection on: Project Site Latitude: Project Site Longitude: River bank:  Right  Left  Both

4. Review considerations:	Insignificant	Moderate	Significant	N/A
(a) effects of soil erosion and sedimentation:	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(b) risk of flooding or erosion problems upstream or down:	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(c) effects of stream channel alterations:	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(d) effects on stream flow, turbidity, or water quality caused by materials used or by removal of ground cover:	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(e) effects on fish and aquatic habitat:	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(f) noxious weeds in project area:	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

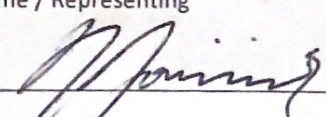
Are there reasonable alternatives to reduce disturbance to stream or better accomplish the purpose of the project?  Yes, comment below  No

5. Recommendation:  Approval as proposed  Approval with modifications  Denial  On Hold  Withdraw

6. Modifications/Comments: ( attachment if more room is necessary)  
**PIPE IS EXPOSED. BORE WILL BE 4' BELOW PRESENT BED WHICH WILL BE BELOW SOIL DEPTH**

7. Signature of Team Member (s): 

Name / Representing **Gady Babcock NWE**

Name / Representing  **PCD**

Name / Representing

Date: **4/27/23**

Waive 15-day waiting period after board's decision

Date: **4-27-23**

Waive 15-day waiting period after board's decision

Date: **4-27-23**

Waive 15-day waiting period after board's decision



Montana Department of ENVIRONMENTAL QUALITY

SHORT-TERM WATER QUALITY STANDARD FOR TURBIDITY RELATED TO CONSTRUCTION ACTIVITY (318 Authorization)

Greg Gianforte, Governor

Dear Applicant: P.O. Box 290901 • Helena, MT 59620-0901 • (406) 444-2544 • www.deq.mt.gov

This 318 authorization is the result of your recent application for a 310 permit from your local Conservation District or a 124 permit from Montana Fish, Wildlife and Parks. This authorization is valid for the time frame noted on your permit.

This is not your 310 or 124 permit and no construction activity should occur until you have received a valid 310 or 124 permit as well as any other permits that apply to this proposed construction activity.

This authorization is the result of an Operating Agreement between the Montana Department of Environmental Quality (DEQ), and Montana Fish, Wildlife and Parks (FWP).

The applicant agrees to the comply with the conditions stated below, as well as other conditions listed in the 310 or 124 permit issued for this project. Signatures of the applicant and FWP are required to validate this authorization.

- 1. Construction activity in or near the watercourse are to be limited to the minimum area necessary, and conducted so as to minimize increases in suspended solids and turbidity that could degrade water quality and adversely affect aquatic life outside the immediate area of operation.
2. The use of machinery in the watercourse shall be avoided unless absolutely necessary.
3. All disturbed stream banks and adjacent areas created by the construction activity shall be protected with erosion control measures during construction. These areas shall be reclaimed with appropriate erosion control measures and revegetated to provide long-term erosion control.
4. Any excess material generated from this project must be disposed of above the ordinary high water mark, in an area not classified as a wetland, and in a position not to cause pollution of State waters.
5. Clearing of vegetation will be limited to that which is absolutely necessary for construction of the project.
6. This authorization does not authorize a point source surface water discharge. MPDES permit is required for said discharge.
7. Open cut creek crossings will not be allowed in flowing water. Stream water must be diverted around the open cut area (pump, flume etc.)
8. The applicant must conduct all activities in full and complete compliance with all terms and conditions of all permits required for this activity issued pursuant to the Montana Natural Streambed and Land Preservation Act (310 permit), the Stream Protection Act (124 permit) the Federal Clean Water Act (404 Permit), any MPDES permits for dewatering or storm water control in the construction area and any valid Memorandum of Agreement and Authorization (MAA) negotiated for this activity.

The FWP representative has determined that this project is within the scope of the programmatic Environmental Assessment prepared by DEQ and FWP for the issuance of narrative turbidity standards.

[Signature] FWP Representative's Signature

Date: 4/27/23

[Signature] Applicant's Signature

Date: 4/27/23

Name and location of project: PK-17-23 Fleshman Creek

**318 AUTHORIZATION REVIEW**

**I have reviewed the above project on behalf of the Montana Department of Environmental Quality (DEQ) pursuant to the Montana Water Quality Short-term Water Quality Standards for Turbidity 75-5-318 MCA:**

- This project **will not** increase turbidity if completed according to the conditions listed in the 310 or 124 permit. Therefore, application to DEQ for a 318 authorization **is not** required.
- Impacts to the physical and biological environment from turbidity generated as a result of this project are uncertain. Therefore, the applicant must contact the Montana Department of Environmental Quality, 1520 East Sixth Avenue, Box 200901, Helena, MT 59620-0901, (406 444-3080) to determine project specific narrative conditions required to meet short-term water quality standards and protect aquatic biota.
- Turbidity generated from this project is expected to be short-term and have only temporary and minor impacts on the physical and biological environment. Therefore, compliance with the conditions stated in *DEQ's Short Term Water Quality Standard for Turbidity Related to Construction Activity*, as well as other conditions listed in the 310 or 124 permit, are appropriate for this project.

DFWP Representative's Signature  Date 4/27/23

STATE OF MONTANA  
NATURAL STREAMBED AND LAND PRESERVATION ACT (310 Law)  
Form 272 (Rev. 07/01/99) (file name 272.97)

Application Number: **PK-17-23**  
Date Submitted to District: **3-27-23**

TEAM MEMBER REPORT

1. Applicant/Agent: **NWE** For: **Freshman CK. power/utility boring**

2. Perennial Stream: **Freshman CK.** County: **PARK** Township: Range: Section:

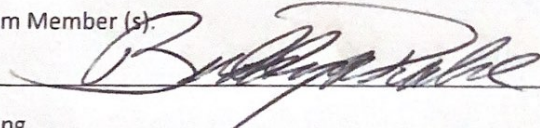
3. Onsite inspection on: Project Site Latitude: Project Site Longitude: River bank:  Right  Left  Both

4. Review considerations:	Insignificant	Moderate	Significant	N/A
(a) effects of soil erosion and sedimentation:	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(b) risk of flooding or erosion problems upstream or down:	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(c) effects of stream channel alterations:	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(d) effects on stream flow, turbidity, or water quality caused by materials used or by removal of ground cover:	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(e) effects on fish and aquatic habitat:	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
(f) noxious weeds in project area:	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

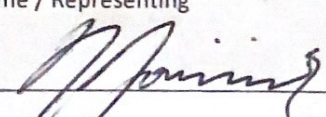
Are there reasonable alternatives to reduce disturbance to stream or better accomplish the purpose of the project?  Yes, comment below  No

5. Recommendation:  Approval as proposed  Approval with modifications  Denial  On Hold  Withdraw

6. Modifications/Comments: ( attachment if more room is necessary)  
**PIPE IS EXPOSED. BORE WILL BE 4' BELOW PRESENT BED WHICH WILL BE BELOW SOIL DEPTH**

7. Signature of Team Member (s): 

Name / Representing **Gady Babcock NWE**

Name / Representing  **PCO**

Name / Representing

Date: **4/27/23**

Waive 15-day waiting period after board's decision

Date: **4-27-23**

Waive 15-day waiting period after board's decision

Date: **4-27-23**

Waive 15-day waiting period after board's decision

**318 AUTHORIZATION REVIEW**

**I have reviewed the above project on behalf of the Montana Department of Environmental Quality (DEQ) pursuant to the Montana Water Quality Short-term Water Quality Standards for Turbidity 75-5-318 MCA:**

- This project **will not** increase turbidity if completed according to the conditions listed in the 310 or 124 permit. Therefore, application to DEQ for a 318 authorization **is not** required.
- Impacts to the physical and biological environment from turbidity generated as a result of this project are uncertain. Therefore, the applicant must contact the Montana Department of Environmental Quality, 1520 East Sixth Avenue, Box 200901, Helena, MT 59620-0901, (406 444-3080) to determine project specific narrative conditions required to meet short-term water quality standards and protect aquatic biota.
- Turbidity generated from this project is expected to be short-term and have only temporary and minor impacts on the physical and biological environment. Therefore, compliance with the conditions stated in *DEQ's Short Term Water Quality Standard for Turbidity Related to Construction Activity*, as well as other conditions listed in the 310 or 124 permit, are appropriate for this project.

DFWP Representative's Signature  Date 4/27/23



Montana Department of ENVIRONMENTAL QUALITY

SHORT-TERM WATER QUALITY STANDARD FOR TURBIDITY RELATED TO CONSTRUCTION ACTIVITY (318 Authorization)

Greg Gianforte, Governor

Dear Applicant: P.O. Box 290901 • Helena, MT 59620-0901 • (406) 444-2544 • www.deq.mt.gov

This 318 authorization is the result of your recent application for a 310 permit from your local Conservation District or a 124 permit from Montana Fish, Wildlife and Parks. This authorization is valid for the time frame noted on your permit.

This is not your 310 or 124 permit and no construction activity should occur until you have received a valid 310 or 124 permit as well as any other permits that apply to this proposed construction activity.

This authorization is the result of an Operating Agreement between the Montana Department of Environmental Quality (DEQ), and Montana Fish, Wildlife and Parks (FWP).

The applicant agrees to the comply with the conditions stated below, as well as other conditions listed in the 310 or 124 permit issued for this project. Signatures of the applicant and FWP are required to validate this authorization.

- 1. Construction activity in or near the watercourse are to be limited to the minimum area necessary, and conducted so as to minimize increases in suspended solids and turbidity that could degrade water quality and adversely affect aquatic life outside the immediate area of operation.
2. The use of machinery in the watercourse shall be avoided unless absolutely necessary.
3. All disturbed stream banks and adjacent areas created by the construction activity shall be protected with erosion control measures during construction. These areas shall be reclaimed with appropriate erosion control measures and revegetated to provide long-term erosion control.
4. Any excess material generated from this project must be disposed of above the ordinary high water mark, in an area not classified as a wetland, and in a position not to cause pollution of State waters.
5. Clearing of vegetation will be limited to that which is absolutely necessary for construction of the project.
6. This authorization does not authorize a point source surface water discharge. MPDES permit is required for said discharge.
7. Open cut creek crossings will not be allowed in flowing water. Stream water must be diverted around the open cut area (pump, flume etc.)
8. The applicant must conduct all activities in full and complete compliance with all terms and conditions of all permits required for this activity issued pursuant to the Montana Natural Streambed and Land Preservation Act (310 permit), the Stream Protection Act (124 permit) the Federal Clean Water Act (404 Permit), any MPDES permits for dewatering or storm water control in the construction area and any valid Memorandum of Agreement and Authorization (MAA) negotiated for this activity.

The FWP representative has determined that this project is within the scope of the programmatic Environmental Assessment prepared by DEQ and FWP for the issuance of narrative turbidity standards.

[Signature] FWP Representative's Signature

Date: 4/27/23

[Signature] Applicant's Signature

Date: 4/27/23

Name and location of project: PK-17-23 Fleshman Creek

**File Attachments for Item:**

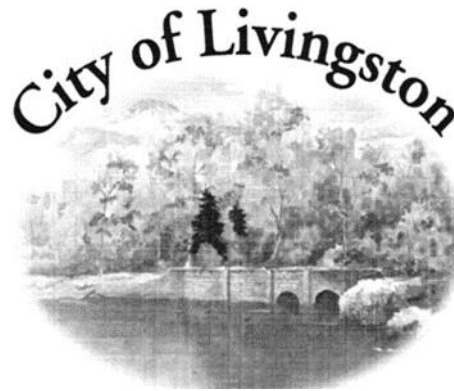
**G. ACCEPT RECOMMENDATION FROM LIVINGSTON DESTINATION MANAGEMENT ORGANIZATION (FORMERLY CVB) BOARD TO FILL VACANCIES.**



**City Manager**  
Grant Gager

220 E Park Street  
(406) 823-6000 phone

citymanager@livingstonmontana.org  
www.livingstonmontana.org



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**Chairperson**  
Melissa Nootz

**Vice Chair**  
Karrie Kahle

**Commissioners**  
Mel Friedman  
Quentin Schwarz  
Torrey Lyons

Date: 6/6/2022  
To: Chair Nootz and City Commissioners  
From: Grant Gager, City Manager

**Staff Report for Approving the appointment of Lauren Silano and Susan Byerly to the Livingston Destination Management Organization (), formerly known as the Convention and Visitors Bureau (CVB)**

**Recommendation and Summary**

The City Manager is recommending the Commission approve the appointment of Lauren Silano and Byerly to serve on the Livingston Destination Management Organization by adopting the following motion:

“I move to approve the City Manager’s request to appoint the Lauren Silano and Susan Byerly to the the Livingston Destination Management Organization (formerly the CVB), as recommended by the LDMO board.”

The reasons for the recommendation are as follows:

- The CVB operates under the nonprofit status and bylaws of the LBID, with a tourism aspect added to amended bylaws in 2020 prior to taking over the CVB. The LBID by-laws dictate the board of directors shall nominate candidates for appointment to the board with consent of the City Commission in accordance with state code.

**Introduction and History**

In April of 2020, Resolution No. 4894 designated the Livingston Business Improvement District as the Local Convention and Visitors Bureau in Livingston. In early 2023, the State of Montana renamed all CVBs to Destination Management Organizations. The Livingston DMO/CVB is a division of the Livingston Business Improvement District and is part of the Yellowstone Country Tourism Region. It is funded through a percentage of Lodging Facility Use Tax to support the promotion of Montana's tourism and recreation industry.

Explore Livingston is governed by a 7-member Board of Directors and the Montana Tourism Advisory Council which approves the allocation of the bed tax funds.

**Analysis**

Pending City Commission final approval, the full board would allow the board to full fill its mission informing and inspire visitors and market the Livingston area as the preferred year-round

travel destination, especially in the cooler months, in order to strengthen the year-round economy and Livingstons cultural assets.

**Fiscal Impact**

The LDMO is an uncompensated Board of volunteers so there is no fiscal impact from filling the vacancy.

**Attachments**

- Attachment A: LDMO Applications received



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5/23/2023

Livingston Destination Management Organization (formerly Convention Visitors Bureau)  
124 South Main Street, Suite 210  
Livingston, MT 59047

Re: Board Membership

To Whom It May Concern:

At the May 23<sup>rd</sup> Livingston Destination Management Organization (DMO) Board Meeting, the Board voted unanimously to approve the board applications of both Lauren Silano and Susan Byerly to fill the two open seats.

Present: Megan Eubank, Kathleen Kaul, Brian Menges, Dale Sexton  
Absent: Tyler Erickson

Dale Hopkins nominated both Lauren Silano and Susan Byerly to fill the two open board seats/Kathleen Kaul seconded the nominations/All in Favor, unanimously approved.

Let us know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Kris King". The signature is fluid and cursive.

Kris King, Executive Director

Attachments: Lauren Silano and Susan Byerly CVB Board applications.

---

**Dale Sexton – Interim Chair**  
**Kathleen Kaul Megan Eubank Tyler Erickson Brian Menges**



**CVB Board Application**

**Date of Application:** 04/13/23

Name: Susan Byerly

Signed: Susan Byerly

Address: 605 N 2nd St

Telephone: work (406)580-5979

after 5:00 p.m.: (254) 716-6274

Cellphone: (254)716-6274

e-mail address: yellowstonehatco@gmail.com

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

2. Are you a registered voter? Yes

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

4. Describe the reasons you are interested in this appointment: Please see Page 2

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

A. Occupation: Business owner: hat company and furniture company

B. Education: Baylor University-Undergrad-Marketing

C. Experience: Please see Page 2

(please attach a detailed resume if desired)

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

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

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

8. Current Employer? Self

9. Are you available for night meetings? Yes

10. Are you available for daytime meetings? Yes

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

12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? Please see Page 2

**Return completed applications to CVB Executive Director Kris King at info@explorelivingstonmt.com or mail to: PO Box 284, Livingston, MT 59047**

4. A lot of my close friends are business owners downtown. Generating ideas and problem solving are some of my strengths and I have been looking for more ways to be involved in the community. As downtown building owners and also multi-business owners, we understand the value in maintaining, evolving, and creatively pushing enthusiasm into our downtown. We want this town and its people to thrive while maintaining its integrity and culture.

Building: 112 1/2 east callender st.

Business 1: Fry Furniture

Business 2: Yellowstone Hat Company (store front 115 east callender)

5c. I have done fundraising/ volunteer work for Haven (abuse shelter), I very much regard myself as a people person and am also resourceful. I am good at sourcing materials and do a lot of up-cycling as well as recycling to conquer tasks. This is great for keeping cost down while also good for the environment.

12. Remove myself from the situation, notify the board and then follow protocol.



**LBID Board Application**

**Date of Application:** 4/9/23

Name: Lauren Silano

Signed:

Address: 310 S. L St.

City & Zip Code: Liv 59047

e-mail address: neptuneslauren@gmail.com

Cellphone: 406-224-7843

Other phone: \_\_\_\_\_

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

2. Are you a registered voter? Yes

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

4. What business or building do you own in the District and why are you interested in this appointment? Neptune's Taphouse and Eatery.

Would like to contribute to community/downtown development.

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

A. Occupation: Business Owner (Restaurant)

B. Education: Undergrad - BA Psychology, Masters In Business Administration

5. Experience:-  
I've owned a business that requires interacting with the public on a daily basis, experience managing employees, public relations, advertising, bookkeeping, SEO/website/online marketing, and graphic design.

6. Have you previously served on any boards or governmental positions? \_\_\_\_\_

I served on the URA years ago, 2012 maybe?

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

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

8. Current Employer? Self

9. Are you available for night meetings? Yes

10. Are you available for daytime meetings? Yes

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

12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? Speak to the chair of the board to alert them of the conflict, and recuse myself from any decision making and discussion of the matter.

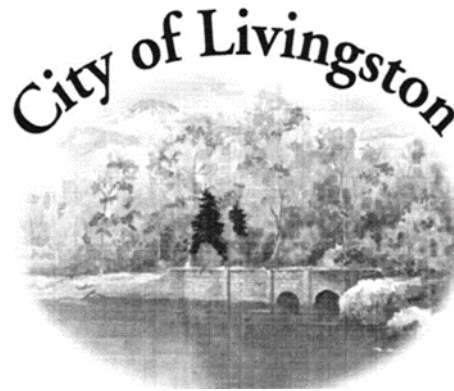
**File Attachments for Item:**

**H. LBID BOARD MEMBER RECOMMENDATION.**

**City Manager**  
Grant Gager

220 E Park Street  
(406) 823-6000 phone

citymanager@livingstonmontana.org  
www.livingstonmontana.org



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**Chairperson**  
Melissa Nootz

**Vice Chair**  
Karrie Kahle

**Commissioners**  
Mel Friedman  
Quentin Schwarz  
Torrey Lyons

Date: 6/6/2022  
To: Chair Nootz and City Commissioners  
From: Grant Gager, City Manager

**Staff Report for Approving the appointment of Lauren Silano to the Livingston Business Improvement District.**

**Recommendation and Summary**

The City Manager is recommending the Commission approve the appointment of Lauren Silano to serve on the Livingston Business Improvement District Board by adopting the following motion:

“I move to approve the City Manager’s request to appoint the Lauren Silano to the Livingston Business Improvement District, as recommended by the LBID board.”

The reasons for the recommendation are as follows:

- Section 2 of the LBID By-laws dictate the board of directors shall nominate candidates for appointment to the board with consent of the City Commission in accordance with state code.

**Introduction and History**

The LBID was established in 2011, and the district formation was extended until March of 2031. The board brought updated by-laws before the City Commission in 2020, which were unanimously approved. Per the by-laws the names of any nominee(s) for vacancy shall be brought to the City Commission for final approval.

**Analysis**

Pending City Commission approval, the full board would allow the board to carry out their mission in aid in the facilitation and strengthening of commerce, provide maintenance assistance, beautify and enhance streetscapes, improve security and safety, and stimulate development and vitality in Livingston's historic downtown district.

**Fiscal Impact**

The LBID is an uncompensated Board of volunteers so there is no fiscal impact from filling the vacancy.

**Attachments**

- Attachment A: LBID Applications received





5/23/2023

Livingston Business Improvement District  
124 South Main Street, Suite 210  
Livingston, MT 59047

Re: Board Membership

To Whom It May Concern:

At the May 23<sup>rd</sup> Livingston Business Improvement District (LBID) Board Meeting, the Board voted unanimously to approve the board application of Lauren Silano to fill the open seat vacated by Kristen Galbraith. The Candidate owns a building and business within the LBID district, as required by LBID bylaws.

Present: Megan Eubank, Dale Hopkins, Brian Menges, James Langteaux, Dale Sexton  
Absent: Tyler Erickson

Dale Hopkins nominated Lauren Silano to fill the open board seat/ James Langteaux seconded the nomination/All in Favor, unanimously approved.

Let us know if you have any questions.

Sincerely,

Kris King, Executive Director

Attachment: Lauren Silano LBID Board application.

**Board of Directors**

Tyler Erickson, Megan Eubank, Dale Hopkins, Brian Menges, James Langteaux, Dale Sexton



**LBID Board Application**

**Date of Application:** 4/9/23

Name: Lauren Silano

Signed:

Address: 310 S. L St.

City & Zip Code: Liv 59047

e-mail address: neptuneslauren@gmail.com

Cellphone: 406-224-7843

Other phone: \_\_\_\_\_

- 1. Are you a resident of the City of Livingston? Yes
- 2. Are you a registered voter? Yes
- 3. Will you be at least 18 years of age at the time of the appointment? Yes
- 4. What business or building do you own in the District and why are you interested in this appointment? Neptune's Taphouse and Eatery.

Would like to contribute to community/downtown development.

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

A. Occupation: Business Owner (Restaurant)

B. Education: Undergrad - BA Psychology, Masters In Business Administration

5. Experience:-  
I've owned a business that requires interacting with the public on a daily basis, experience managing employees, public relations, advertising, bookkeeping, SEO/website/online marketing, and graphic design.

6. Have you previously served on any boards or governmental positions? \_\_\_\_\_

I served on the URA years ago, 2012 maybe?

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

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

8. Current Employer? Self

9. Are you available for night meetings? Yes

10. Are you available for daytime meetings? Yes

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

12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? Speak to the chair of the board to alert them of the conflict, and recuse myself from any decision making and discussion of the matter.

**File Attachments for Item:**

**A. A PROCLAMATION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, DECLARING JUNE 30-JULY 4, 2023, AS RODEO DAYS IN LIVINGSTON, MONTANA.**



**A PROCLAMATION OF THE CITY  
COMMISSION DECLARING  
JUNE 30-JULY 4, 2023, AS  
RODEO DAYS IN LIVINGSTON, MONTANA**

**WHEREAS**, in October of 1923, Livingston’s Charlie Murphy was the first to host a rodeo in Madison Square Garden, brought his rough stock to Livingston for the very first Livingston Roundup Rodeo; and

**WHEREAS**, in 1926, the Livingston Roundup Association was officially established to promote rodeos, roundups, riding and roping contests to promote Park County.

**WHEREAS**, The Livingston Roundup is Montana’s largest PRCA rodeo and the annual 3 day festivities have become an important tradition to many and drawing audiences from all over the world to our community; and

**WHEREAS**, the Livingston Area Chamber will host its annual parade on July 2<sup>nd</sup>. This year’s theme is **LIVINGSTON TO THE MOON AND BACK**, celebrates Christina Hammock Koch’s 21-day trip around the moon. The annual parade and rodeo 3-day events are made possible with the assistance of hundreds of volunteers and thousands of fans and spectators who enjoy every minute along with the exciting variety of area rodeo events and entertainment in our community; and

**NOW, THEREFORE, I MELISSA NOOTZ**, Chair of the City Commission in the City of Livingston, Montana, do hereby thank the hundreds of volunteers that make this annual event possible and do hereby proclaim June 30<sup>th</sup> - July 4<sup>th</sup>, 2023, as

**“RODEO DAYS IN LIVINGSTON”**

**DATED:** this \_\_\_\_\_ day of June, 2023.

**SIGNED:**

**ATTEST:**

\_\_\_\_\_  
**MELISSA NOOTZ,**  
Chair

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

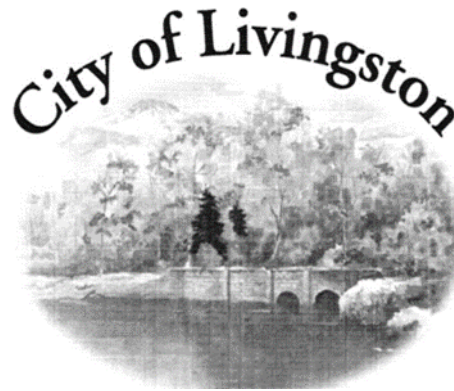
**File Attachments for Item:**

**A. DISCUSS/APPROVE/DENY: SPECIAL EXCEPTION PERMIT REQUEST FROM SHANE LELANI CENTER. (Continued from May 16th Meeting)**

**City Manager**  
Grant Gager

220 E Park Street  
(406) 823-6000 phone

citymanager@livingstonmontana.org  
www.livingstonmontana.org



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**Chairperson**  
Melissa Nootz

**Vice Chair**  
Karrie Kahle

**Commissioners**  
Mel Friedman  
Quentin Schwarz  
Torrey Lyons

Date: June 6, 2023  
To: Chair Nootz and City Commissioners  
From: Jennifer Severson, Planning Director

**REVISED: Staff Report for Approving a Special Exception Permit for a Proposed Pavilion to be Used as an Outdoor Event Venue at the Shane Lalani Center for the Arts**

**Recommendation and Summary**

Staff recommends the Commission approve a Special Exception Permit for the proposed Pavilion as an Outdoor Event Venue as allowed under Section 30.75 in the Livingston Zoning Code by adopting the following motion:

**“I move to approve a Special Exception Permit for the proposed Pavilion to be used by the Shane Lalani Center for the Arts as an Outdoor Event Venue.”**

The reasons for the recommendation are as follows:

- The Shane Lalani Center for the Arts (the Shane Center) currently operates as a Community Arts and Cultural Center in the Central Business District.
- The Shane Center currently hosts several outdoor events in an area located on the western side of the property.
- The proposed Pavilion will allow the Shane Center to continue to host outdoor events in a more sheltered and formalized setting.
- The proposed Pavilion will enable the Shane Center to expand its scope and scale as a Community Arts and Cultural Center and to better accomplish its mission to Strengthen Community Participation in the Arts.

**Introduction and History**

In 2009, Ordinance 2015 rezoned the property at 415 E. Lewis Street, formerly occupied by the East Side School and currently occupied by the Shane Lalani Center for the Arts, from Neighborhood Commercial (NC) to Central Business District (CBD). As stated in the Ordinance, the purpose of the rezoning was to “allow development of the performing arts in close proximity to the downtown business area thereby enhancing the downtown business environment by creating a ‘walkable’ area in which the patrons of the performing arts may enjoy the culinary delights of restaurants and other attributes offered by downtown business, such as... ‘art walks’ “. The rezoning of the property and its use to promote performing arts supported the mission of the Shane Center to “strengthen the community through participation in the performing arts” through creation of “a performing arts center at the location of the Old East Side School.” The former school building was repurposed as the Dulcie Theater, which officially opened its doors to the community in October 2010.

The current proposal is for a portion of the parking lot to the west of the existing brick building to be covered by an un-sprinklered, non-combustible structure (the Pavilion) which will be open on two sides with a roof to provide weather protection for seasonal assembly purposes. The Shane Center intends to use the flexible outdoor space of the Pavilion to facilitate community gatherings, ticketed events, and educational programming. Because the Pavilion will remain open on two sides during outdoor events, all events will take place during the warmer months. In colder months, and in warmer months when not being used for outdoor events, the Pavilion will be opened to vehicular access and can be used for covered parking. The existing courtyard located between the main building and the proposed Pavilion will be covered with a new roof which will provide additional shelter from the elements to patrons of the Shane Center. A new covered loading dock and storage area will be located next to rear of the Pavilion near the stage and platform area (see Plan Sheet C-1).

**Analysis**

Although ‘Community Arts Center’ is not a use specifically identified in Table 30.40 in the City’s zoning code, the rezoning of the subject property to CBD under Ordinance 2015 for the specific purpose to “allow development of the performing arts in close proximity to the downtown business area” demonstrates the City’s intent to foster the performing arts at this location. Consequently, the current use of the subject property as a Community Arts Center is allowed and is not included in this Special Exception Permit review. However, because the proposed Pavilion will expand the scope and scale of the existing use of the property, it is being evaluated through this Special Exception Permit review for potential impacts to nearby properties and to ensure the expanded use of the property is in harmony with the general purposes and intent of the zoning code.

**Criteria and Guidelines for Special Exception Permits (Zoning Code Sec 30.75)**

Special Exceptions for uses other than those specifically permitted in each district, are intended to provide, in appropriate cases, and subject to appropriate conditions and safeguards, to be Special Exceptions to the terms of the Zoning Ordinance of the City of Livingston, when granted in harmony with its general purposes and intent of the ordinance.

***No Special Exception shall be granted by the City Commission unless they find:***

- 1. The use will not place a substantial adverse effect upon nearby properties or their occupants.***

With the recommended conditions of approval stated below, Staff does not anticipate the proposed use of the Pavilion as an outdoor event venue will adversely impact the surrounding neighborhood or its residents. Potential impacts from outdoor events in the Pavilion on the surrounding neighborhood include Parking, Traffic and Noise.

As stated in the application materials, because the Pavilion is an open-air structure that will not be heated, it will only be used for outdoor events during the warmer months of the year (typically May- October); thus, any impacts related to outdoor events will be limited to these months.

The use of the space as a seasonal outdoor event venue has been ‘live tested’ since 2021 due to the COVID-19 pandemic, when the Shane Center began using a portable outdoor stage in the location where the Pavilion is currently proposed. These outdoor events have provided nearby neighbors and the community at-large with family-friendly gatherings, socialization, and engagement with the arts. This usage has been praised by neighbors and other attendees as a positive addition to the neighborhood and the downtown environment. The proposed Pavilion will offer protection from the weather during outdoor events. In addition, the Pavilion will provide a well-defined entrance for outdoor events, allowing the Shane Center to more effectively

manage crowds and minimize ‘spillover’ onto neighboring properties during these events. Although the Pavilion will be open to the outside on the east and south sides, the west and north sides will have walls of window panels that can be opened to allow airflow but also closed to minimize noise impacts to nearby properties for larger gatherings. Half walls at the bottom of the window panels will mitigate noise impacts to properties on the north and west sides of the Pavilion (see Plan Sheet A2.1)

When not in use for outdoor events, swinging ‘security panels’ on the east and west side of the Pavilion will be opened to allow traffic to pass through the northern parking lot (see Plan Sheet A1.1), entering from the E Street access point and exiting via the D Street access. The existing D Street access point will be shifted slightly north to align the vehicular travel aisle through the Pavilion when it’s used for parking. The D Street access will also be used as an exit by vehicles parked in the Pavilion. The resulting traffic circulation will be a one-way flow with all traffic entering the property from the E Street access points and all traffic exiting from the D Street access points (see Plan Sheet G-4).

The applicant’s engineer prepared an estimate of the traffic that may be generated during one of the large events in the proposed pavilion (see Trip Generation Letter dated May 8, 2023 in Appendix J of the application). All areas of the Pavilion that would be used during events was considered, including the main assembly area, stage/ platform area, loading/ storage area and concessions/ ticketing area. Using estimates from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11<sup>th</sup> edition, a possible 354 trips (177 entering/ 177 exiting) may be generated during an event that maximizes capacity of the pavilion. However, due to the proximity of the Pavilion to the downtown area and its easy accessibility by pedestrians and cyclists, staff believes the actual number of vehicular trips that are likely to be generated by events in the Pavilion may be significantly lower. The applicant also verbally confirmed to staff that there are typically a significant number of bicycles parked on site during outdoor events and past observations by the applicant during larger outdoor events indicate that a large number of attendees also arrive at the Shane Center by walking.

The parking plan included in the application identifies areas near the front of the existing building that can accommodate parking for 6 bicycles plus 2 bicycles with carriages (a total of 8 bicycle parking spaces). Staff recommends the applicant consider having a bike corral or bike valet on site for larger outdoor events and encourage biking and walking to the Shane Center when promoting outdoor events in the Pavilion.

Additionally, the applicant has proposed the following measures to minimize adverse impacts to the surrounding neighborhood when the Pavilion is used for outdoor events:

- The Pavilion will not be used to host an event that overlaps with any events taking place at the Dulcie Theater (within the Shane Center). Alternately, the Dulcie Theater will not be used to host an event that overlaps with any event in the Pavilion. By not hosting concurrent events, the Shane Center will not unduly increase traffic beyond what may currently be expected during an event at the Center.
- A total of 50 vehicular parking spaces is proposed, which exceeds the minimum 40 spaces required under Section 30.51. To further minimize parking impacts on the surrounding neighborhood, the applicant is exploring shared parking agreements with three nearby entities within walking distance of the subject property.
- The Shane Center will host a maximum of 10 events per year that will end between the hours of 8 – 10pm. This means that there will be approximately 2-3 outdoor events in the



Pavilion per month during the 5-month ‘warm season’ that will go past 8pm. The Shane Center will strictly adhere to the Municipal Code Section 10.5 regarding prohibited noises between the hours of 10pm and 7am.

With these conditions, staff anticipates the use will not place a substantial adverse effect upon nearby properties or their occupants.

**2. *That the proposed use is in harmony with the general purposes and intent of the zoning ordinance.***

Section 30.30 in the zoning code defines the CBD as “intended to accommodate stores, hotels, government and cultural centers, professional offices, service establishments and all manner of housing with an emphasis on high density apartment housing”. The code also emphasizes large scale, dense buildings in the CBD. The proposed Pavilion will allow the Shane Center to continue to serve the community as a cultural center by providing additional access to the arts in an outdoor setting. The Pavilion will function as an extension of the Shane Center and it will help expand the community’s access to the performing arts, which is consistent the intent of the rezoning of the subject property to CBD in 2009.

Therefore, staff finds the proposed use of the Pavilion is in harmony with the purpose and intent of the zoning ordinance with respect to the subject property.

**3. *If desired, the City Commission may add such requirements as it deems necessary to protect the surrounding neighborhood from the effects of the granted Special Exception.***

See below.

[At the May 16, 2023 City Commission meeting, Commissioners expressed concerns about external impacts to the residential neighborhood surrounding the Shane Center that may result from the proposed events in the Pavilion. Commissioners requested the applicant provide details for how traffic, noise, parking, trash pickup, Emergency Medical Services \(EMS\) and Law Enforcement presence during and after events would be handled to minimize negative impacts from events held in the outdoor Pavilion.](#)

[As stated in the application materials, the Pavilion is an open-air structure that will not be heated and will only be used for outdoor events during the warmer months of the year; the revised application materials dated May 29, 2023 identify the primary months of operation as being May-September. Consequently, it is anticipated that impacts related to events in the Pavilion will be limited to 5 months of the year, or roughly 20 weeks/ year. To address the Commission’s concerns, the applicant proposes the following operation procedures for Pavilion events.](#)

[Crowd Size- Assembly area capacities will be limited as follows to reflect the practicalities of providing sufficient egress within the assembly area:](#)

[Limit assembly area occupancy to a maximum of 768 for standing events.](#)

[Limit assembly area occupancy to a maximum of 492 for seated events.](#)

[Limit assembly area occupancy to a maximum of 294 for tables and chairs events.](#)

[Noise- as previously stated, the applicant proposes to limit the number of events annually that utilize sound amplification after 8 pm to a maximum of 10. In addition, the number of events annually that](#)

utilize sound amplification after 5pm will be limited to a maximum of 50. The applicant has engaged Big Sky Acoustical Design and Noise Control Services to engineer sound quality within the Pavilion and mitigate sound negatively impacting the neighborhood. See the attached contract signed by the Shane Center on February 3, 2023 for details. The applicant also agrees to strictly adhere to all noise ordinances enacted by the City of Livingston.

**Frequency of Outdoor Events-** the applicant anticipates events in the Pavilion will occur 2-3 times/week during the months of operation (May-September). The applicant has provided typical Operation Plans for a variety of event types and sizes to show how impacts to the surrounding neighborhood and transportation system will be mitigated, particularly with regards to traffic, trash, and public safety.

Below is a Pavilion Use Table provided by the applicant that outlines details about assembly space layout, security and emergency personnel, parking and restroom facilities for the following event capacities: Small (< 165 people), Medium (166-299), Large (300-499) and Max (500-768).

Category	Assembly Space Capacity	CONFIGURATION				PERSONNEL					Parking Agreement	Additional Plumbing Fixtures	Example
		Standing	Seated	Tables & Chairs	Hybrid	Shane Center	Security	EMS	Police	Safety Liaison			
Small	< 165	Y	Y	Y	Y	Y	N	N	N	N	N	N	YAW Rehearsals, Yellowstone Ballet Co
Medium	166 < 299	Y	Y	Y	Y	Y	N	N	N	N	N	N	MT Shakespeare, Gala
Large	300 < 499	Y	Y	N	Y	Y	Y	N	N	N	Y	N	Dueling Pianos, Summer Outdoor Concerts
Capacity	500 < 768	Y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	-

**The applicant proposes the following additional measures to address the Commission’s concerns:**

Shane Center personnel will be in attendance at a ratio of 1:100 attendees for all events where alcohol is being served, and will maintain a security personnel presence of at least 1 to 100 for all events over 300 where alcohol is being served. Qualified personnel will be located at areas 1 & 2 as shown on the attached Schematic Operating Plans to check IDs and issue wristbands. A Safety Liaison will be in attendance at events with 500 or more attendees. As explained by the applicant in an email to staff dated May 30, 2023 (attached), a Safety Liaison is an OSHA 10-certified employee of the Shane Center responsible for the following tasks: contacting local emergency responders prior to the event; working with local emergency responders in developing risk assessment/EAP if necessary; instructing employees, volunteers, and participants in the event of an emergency; writing timely and accurate incident/accident reports including injury, property damage, theft, presence of intoxicated or underage persons, and unusual occurrences; and communicating with attendees, press, etc. as necessary.

Temporary perimeter barriers will be placed at areas 3 & 5 as shown on the Schematic Operating Plans to clearly define the boundary of the premises. Servers of alcohol will have completed the Responsible Beverage Service Training and provide current certification.

A revised parking plan was provided (see attached Parking Lot Study dated May 29, 2023) that shows a total of 46 vehicular spaces are be available on-site, which exceeds the minimum 40 spaces required under Section 30.51. The applicant has also executed a Shared Parking Agreement with the Lincoln School, located at 215 E. Lewis Street, for overflow parking during events with 300 or more attendees (see attached letter signed by the Chair of the Lincoln School Foundation, undated). An additional 46 vehicular parking spaces is available at the Lincoln School site, which is 1 block away (less than 500 feet) from the Shane Center property. Bicycle transportation will be incentivized by investing in new parking infrastructure, signage & marketing.

Trash and recycling receptables will be placed within the pavilion and at areas 1, 2, 3, 4, & 5 as shown on the Schematic Operating Plans. Trash and debris will be picked up from the site and surrounding areas within 2 hours after the end of events.

The applicant provided a copy of the staff-recommended conditions of approval from the May 16 Commission meeting, with modifications to those conditions suggested by the Shane Center included. The Livingston Public Works and Police Departments, and Livingston Fire and Rescue reviewed and provided comments on the additional material submitted by the applicant (see Attachment D).

The applicant is requesting to only require EMS/ Law Enforcement on site during events of 500 or more attendees. However, the Fire Department is recommending the mandatory presence of a firefighter with a quick response truck for fire watch, and EMS standby for events with 300 or more attendees, and an ambulance and two personnel for fire watch and EMS with an ambulance for 500 or more attendees. The Police Chief confirmed verbally with staff that for events where 300 or more attendees are expected, the applicant should consult with the Police Department to determine the need for Law Enforcement presence at individual events based on various factors such as alcohol availability, type of event and time of day the event is scheduled.

Additionally, the Public Works Department recommends the applicant reserve vehicular parking spaces 37, 38 and 39 (see attached Parking Lot Study dated May 29, 2023) for compact cars only to ensure a minimum 16’ foot clearance aisle is maintained for emergency access. Public Works also requests the Shane Center have their trash bins emptied before large events or request additional tubs to ensure trash generated by event attendees is contained. Because the applicant proposes to remove one of only two street trees along D Street for a new access point, staff suggests the applicant consider planting additional trees along D Street to enhance the pedestrian environment on that side of the property (see Attachment E for City-recommended trees).

**Conditions of Approval**

With consideration of the additional information provided by the applicant and comments from the Public Works, Police and Fire Departments, staff recommends the following updated conditions of approval (in addition to the conditions proposed by the applicant under criterion #3 above) to ensure the proposed use of the Pavilion as an outdoor event venue does not place a substantial adverse effect upon on the surrounding neighborhood and transportation system:

1. Plans submitted for building permit must demonstrate a minimum 20-foot-wide passable fire lane through the southern parking area used during outdoor events; it is the applicant’s responsibility to ensure the fire lane remains passable to emergency vehicles at all times.
2. Police and Fire/ EMS coordination:
  - a. For events where 300 or more people are anticipated to attend, mandatory presence of a firefighter with a quick response truck for fire watch, and EMS standby is required. For events with 500 or more attendees, an ambulance and two personnel for fire watch and EMS with an ambulance is required.
  - b. For events where 300 or more attendees are expected, the applicant should consult with the Police Department to determine the need for Law Enforcement presence at individual events based on various factors such as alcohol availability, type of event and time of day the event is scheduled.

- c. The applicant must work with Livingston Fire and Rescue and the City Police Department to secure the necessary emergency services at least 2 weeks prior to the event.
3. Existing utilities (water, sewer, storm, gas, electric) and must be shown on the plans submitted for building permit.
4. Additional bike parking, such as bike valets or bike corrals, must be made available for events where more than 100 people are anticipated; the location of additional bike parking must be identified on promotional material for each event and clearly signed during the event. Possible location(s) for additional bike parking must be shown on the revised Parking Plan; bike parking must not restrict or reduce the number of available vehicular parking spaces.
5. At time of building permit application, a Traffic Circulation Plan, prepared by a qualified transportation professional, must be submitted that shows pedestrian and vehicular circulation to/ from and within the interior of the property. Circulation patterns should be shown for when the outdoor pavilion is in use for events, and when it will be used for parking only (i.e., no events). The plan must include the following information:
  - a. Widths for pedestrian accessways must be identified to demonstrate compliance with ADA accessibility requirements. Widths and turning radii for vehicular access aisles must also be identified. A minimum 4-foot width ADA accessible aisle between the southern parking lot and the ADA ramp located north of the concession area, as well as the ADA ramp itself, must remain passable at all times. No chairs, tables, or standing by event attendees is allowed. The applicant must include details for how this will be accomplished on the traffic circulation plan.
  - b. Arrows must be used to show circulation patterns during outdoor pavilion events when the pavilion is closed to parking and thru traffic, and also on non-outdoor event days when the pavilion can be accessed for parking and thru traffic.
  - c. All necessary signage (1-way, Do Not Enter, etc.) and pavement markings to facilitate pedestrian and vehicular safety.
  - d. The proposed southern access (exit) to D Street must be signed as RIGHT TURN ONLY; a left turn exit to D Street is not allowed from this access.
  - e. There must be adequate access and/or turnaround area for garbage trucks to access the trash collection bins (shown on sheet C-1). The dimensions of the area designated for trash collection must be shown on the plan. Parked vehicles must not restrict access to trash bins by City garbage trucks.
  - f. Removable bollards or other traffic control measures must be used during outdoor events to restrict vehicular access through the Pavilion. Traffic control details will be approved by the Public Works Department and Livingston Fire & Rescue during building permit review.

- g. Snow storage areas must be identified.
  - h. All new and relocated points of access to the property must meet current City of Livingston standards. Driveway approach permits must be issued by the Public Works Departments for these points of access prior to construction of the access improvements.
  - i. The existing northern approach to the E Street access must be improved to current City Standards to be consistent with the other access points.
6. Prior to issuance of a building permit, a Drainage Plan must be submitted that shows how the runoff from the proposed pavilion roof will be handled, where it will be directed, and demonstrate that the proposed redevelopment will not increase the net amount of runoff leaving the property. Impacts from runoff related to the proposed pavilion must be mitigated onsite. The drainage plan and runoff analysis must be stamped and signed by a Professional Engineer licensed in the State of Montana. Staff recommends the applicant consider utilizing the existing landscaped areas on the south end of the parking lot to mitigate stormwater runoff.
  7. The Pavilion must be reopened to parking and pass-thru traffic within 24 hours of any event, unless another event is scheduled.
  8. The subject property, including adjacent sidewalks on the west, south and east sides, must be cleared of trash and debris within 2 hours after the end of events in the Pavilion.
  9. Trees removed during construction of the Pavilion must be replaced elsewhere on the property.
  10. The current Memorandum of Understanding (MOU) between the Shane Lalani Center and the City of Livingston is expired. Prior to issuance of a building permit, a new MOU must be executed.
  11. The applicant is subject to the terms, conditions and commitments of record for this Special Exception Permit review and as approved by the City Commission.

**Fiscal Impact**

Staff does not anticipate the proposed use of the Pavilion as an outdoor event venue will result in financial impacts to the City.

**Strategic Alignment**

The proposed zoning code amendment supports the 2021 Growth Policy Objective 2.2.1 to support and enhance arts and cultural facilities, neighborhoods, and districts and Strategy 9.2.2.2 to continue to provide public space and venues for community events and festivals. Staff finds the proposed outdoor use of the Pavilion aligns with and supports the Growth Policy.

**Attachments**

- A. Shane Lalani Center Outdoor Pavilion Special Exception Permit Application
- B. Referral Responses
- C. [Additional Application Materials dated May 29, 2023](#)
- D. [Additional Comments from City Public Works, Police and Fire Departments](#)
- E. [City-recommended trees](#)



April 14, 2023

City of Livingston  
Department of Planning  
220 E. Park St.  
Livingston, MT 59047

Dear Jennifer,

The Shane Lalani Center for the Arts is submitting this Special Exception Permit for the proposed Pavilion as an expansion to the scope and scale of our existing use as a nonprofit community arts and cultural center. The Shane Center’s mission is to *Strengthen Community through Participation in the Arts*. The proposal is for a portion of the parking lot area to the west of the main building to be covered by an un-sprinklered, non-combustible structure that is open on two sides with a roof to provide weather protection for seasonal assembly purposes.

In Spring 2020, the Shane Center closed its doors due to Covid-19, prioritizing the health and safety of our community. One of the many challenges the pandemic introduced was the restriction on the number of people who could gather at one time and other social distancing protocols. In Summer 2021, the Shane Center pivoted our programming and created a place for our community to safely gather and connect outside. We hosted a free summer concert series, provided education opportunities with our Summer Young Actors’ Workshop, produced live theatre, and allowed other organizations, like the Yellowstone Ballet Company to showcase their dance recital, on the outdoor temporary stage.

Public participation was integral for the outdoor event venue’s success and it is from the community’s participation, the demand, and support that the construction of a permanent pavilion was inspired. The Shane Center exists to serve our community and it is their participation that has informed our organization’s programming and improvements. The Pavilion will serve our community by enhancing quality-of-life opportunities and provide for future growth, in line with the City’s Strategic Plan and Goals. The pavilion will serve as a public cultural amenity that will further foster a healthy community by providing a place for connectivity.

This application packet will demonstrate that this project will meet and exceed the criteria listed through the supporting documentation provided. We look forward to presenting this application at the City Commission’s earliest convience. Thank you for your time and consideration and don’t hesitate to reach out to me directly with any questions or concerns.

Sincerely,

Erika J. Adams  
Executive Director  
(406) 403-8986  
erika@theshanecenter.org



PO Box 58 Livingston, MT 59047



(406) 222-1420



www.theshanecenter.org

*"Strengthening community through participation in the arts"*

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

**PAID**  
APR 14 2023  
Livingston Finance  
\$500



### City of Livingston Special Exception Permit Instructions

A Special Exception Permit (SEP) is required for the use of any property within the City of Livingston that is shown as "S" in the List of Uses table found in Section 30.40 of the City of Livingston Zoning Ordinance for the Zoning District in which the property is located.

Special Exception Permits require a public hearing, and are approved or denied by the City Commission. All SEPs are evaluated by the Commission based upon three (3) criteria:

1. The use will not place a substantial adverse effect upon nearby properties or their occupants.
2. That the proposed use is in harmony with the general purposes and intent of the zoning ordinance.
3. If desired, the City Commission may add such requirements as it deems necessary to protect the surrounding neighborhood from the effects of the granted Special Exception.

The City Commission may impose conditions of approval on all Special Exemption Permit applications to ensure that the above criteria are met. **It is highly recommended that you meet with planning staff prior to applying for a SEP.**

#### Submittal Requirements:

- Completed Application Form.
- Cover letter with a description of the project and how the project meets the criteria listed in Section 30.75.A of the Zoning Ordinance and included in these instructions.
- Site Plan showing locations of all structures on the property with the distances from the structures to all property lines clearly labeled and area of the lot.
- Building Elevations for all new structures with building heights and ingress and egress clearly labeled.
- Site Plan showing locations and dimensions of vehicular parking, loading areas, and bike parking dimensions and design, and locations of any refuse areas.
- Landscaping Plans with plant types and size (if required).
- Lighting plans showing compliance with the Night Sky Ordinance if outdoor lighting is proposed. - N/A
- Any other documents needed to show compliance with the City of Livingston Zoning Ordinance. - many attached
- A development schedule.
- The Special Exception Permit review fee.

All documents shall be submitted on either 8 1/2" x 11" or 11" x 17" paper. Additionally, digital copies of the submittal in PDF file format are required.



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



**City of Livingston Special Exception Permit Application**

**1. Property Owner Name:** The Shane Lalani Center for the Arts

**2. Location of Property**

General Location: Old East Side School Location, 400 Block of East Lewis Str

Address: 415 E. Lewis Street

Subdivision: Tract A-1 and Tract B-1 of Plat 410 Lot: 24/25 Block: 75

Zoning District: CBD

**3. Contact Information**

*Property Owner*

Home Address: 415 East Lewis Street

Livingston, MT 59047

Phone Number: 406-222-1420

Email Address: info@theshanecenter.org

*Primary Contact/ Applicant*

Name: Erika Adams, Executive Director for the Shane Center

Address: PO Box 58

Livingston, MT 59047

Phone Number: 406-403-8986

Email Address: erika@theshanecenter.org

*Secondary Contact*

Name: Lucas Schad, Licensed Architect

Address: 215 E. Lewis Room 102

Livingston, MT 59047

Phone Number: 406-579-8883

Email Address: lucas@ltsaia.com

**4. Zoning Information**

Existing Structures on Property and Year Constructed: Original structure 1902 with 1949 addition constructed immediately to the east. 2021 addition includes elevator, restrooms, lobby, concessions, veranda, PV Solar Array

Proposed Use: Outdoor event venue an extension of use of existing facility

Building Height: 28' - 6"

Building Setback from Property Line: see site plan

Front Street:      Side:      Rear:      Side Street (if corner lot):     

Number of Vehicular Parking Spaces: 51 Number of Bicycle Parking Spaces: 6

Exterior Lighting?  Yes  No

Within Historic District or Design Overlay District?  Yes  No

Landscaping Required?  Yes  No as part of parking calc

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

*Erita J. Adams*  
Applicant's Signature

4/14/2023  
Date

# THE SHANE LALANI CENTER FOR THE ARTS SPECIAL EXCEPTION APPLICATION for the PAVILION

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- Completed Special Exception Permit Application

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### **APPENDICES**

- A. Property Survey from IMEG Engineering
- B. Resolution No. 4073 passed and adopted May 14, 2009
- C. Crazy Mountain Productions Project Proposal
- D. 4 Images of the proposed Pavilion
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- I. Public Comments Regarding the Shane Center
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- K. 23 Neighborhood Letters of Support/31 Community Letters of Support

**1. PROJECT DESCRIPTION**

The Shane Lalani Center for the Arts is submitting this Special Exception Permit for the proposed Pavilion structure as an expansion to the scope and scale of the existing use as a nonprofit community arts and cultural center. The proposal is for a portion of the parking lot to the west of the existing brick building to be covered by an un-sprinklered, non-combustible structure, which will be referred to as the “Pavilion” and is open on two sides with a roof to provide weather protection for seasonal assembly purposes.

**2. PROJECT LOCATION – LEGAL DESCRIPTION**

The Shane Center and proposed site for the Pavilion are located at 415 East Lewis Street on Tract A-1 and Tract B-1 of Subdivision Plat No.410 formerly referred to as the Old Eastside School Property and are located in Block 75 of the Original Townsite to the City of Livingston, Montana, all of which are on file and public record in the office of the Clerk and Recorder for Park County, Montana and zoned as Central Business District.

The legal description is: LIVINGSTON ORIGINAL TOWNSITE, S13, T02 S, R09 E, BLOCK 75, 61420 SQUARE FEET, TRACT A-1 & B-1 OF SD 410.

The geocode for the property is 49-0802-13-1-03-14-0000.

*The latest survey is attached as Appendix A.*

**3. ZONING & LAND USE**

Central Business District

Since 2009, the Shane Lalani Center for the Arts has been zoned CDB Central Business District. Therefore, the proposed Pavilion project is subject to the CBD zoning designation. Central Business District is defined by the City of Livingston in City Code 30.30 as:

“a district intended to accommodate stores, hotels, government and cultural centers, professional offices, service establishments and all manner of housing with an emphasis on high density apartment housing. In order to protect the public interest and welfare and to facilitate an attractive, efficient, and prosperous C.B.D., the emphasis is on large scale, dense buildings.”

For the past 14 years the land use of the property has indeed been for the purpose of operating a center for the arts.

#### 4. HISTORY & BACKGROUND

The historic Eastside School building was completed in 1902 and was used as a school until 1984 when a new school was built. In January 1993, the City of Livingston purchased the Eastside school, and the building lay vacant for years. On May 14, 2009 the City of Livingston passed Resolution No. 4029 of its intent to sell the Eastside School. On June 10, 2009 after advertising for Requests for Proposals to sell, the Shane Center (at that time known as Crazy Mountain Productions dba the Firehouse 5) approached the city with a Project Proposal to purchase the former Eastside School. Resolution No. 4073 authorized the agreement for sale as it was decided that the bid from the Shane Center was in the best interests of the city.

As part of the greater transaction between the City of Livingston and the Shane Center, in Resolution No. 4073, Condition 2, the purchase price balance was to be paid through investments made into the real property totaling (\$420,000.00) Four Hundred and Twenty Thousand dollars. **The amount of required investment has been more than fulfilled by the Shane Center as the investment into the property has totaled approximately 10 times that amount or (\$4,000,000.00) Four Million Dollars to date.** This overwhelming monetary support from the community is evidence that this property will be well funded in the future.

*Resolution No. 4073 is attached as Appendix B.*

In the proposal that was presented to the City Commission in 2009, the Shane Center cited a list of direct beneficiaries of this project, including:

- a.) The Community at Large.  
Our community will be strengthened by the existence of a centrally located public gathering place and will enjoy an increased reputation as a focal point for cultural activity in south-central Montana.
- b.) Our Kids.  
Located within walking distance of the schools, the Center will provide an easily accessible and safe venue for after school programming and youth activities. We will be able to keep our young people engaged in a positive social environment, through which they learn self-confidence, teamwork, and commitment.
- c.) Area Residents.  
Residents of the East Side will benefit from the renovation and reinvigoration of the former Eastside School. As the facility is improved, property values in the vicinity should increase.

*Full Project Proposal Listed in Appendix C.*

The Dulcie Theatre officially opened its doors in October 2010 and final renovations were completed to the building at large in 2013. Over the past 14 years, the Shane Center organization has served

315,000+ visitors, provided a space for more than 1,800+ community events, inspired 27,500+ education participants and invested more than \$4M back into the property.

*See Appendix D for Images of Proposed Pavilion.*

**5. DESIGN INTENT**

Inspiration for the form and detailing of this structure was taken from the historic brick school building and its existing additions on site, as well as the historic nature of downtown Livingston as a train town. Research was done on the interaction of brick, steel, and glass in railroad structures; that inspired the combination of those elements in the Pavilion. Brick, concrete, and the stucco wall behind the raised platform serve to tie the new structure in with existing historic building. The arched roof is a classic rail station form that helps to decrease the profile of the structure from the street. Inspired by the Shane Center’s focus on community theater, the structure, windows, and curtains were layered to control physical and visual access to the space from the street in a pleasing manner that maintains a human scale. The low brick walls and the movable glass panels on the D Street side were also intended to help control wind in the Pavilion.

*See Appendix D for Images of Proposed Pavilion.*

**6. PROJECT IMPACT**

There are two potential impacts the Pavilion might have on the neighborhood. The first is the impact on parking requirements and the second is on the noise level surrounding the new venue. Due to the existing use of the space, planned use of the space, and scheduling, the Pavilion will not have a substantial adverse effect on nearby properties.

In addition, the Shane Center has identified a list of adjacent properties and will be extending an invitation to the neighborhood for a Q&A/Informal Information Session on Wednesday, April 26, 2023. Any concerns or questions from the residents may be voiced and addressed at that time.

*See Appendix E for List of Adjacent Properties and Appendix F for Neighborhood Invitation.*

**THE PAVILION WILL NOT CAUSE A SUBSTANTIAL ADVERSE EFFECT ON NEARBY PROPERTIES OR THEIR OCCUPANTS**

- a. The use of the space as a seasonal outdoor event venue has been ‘live tested’ since 2021 when the Shane Center began using a portable stage in the parking lot due to the Covid19 pandemic. No public complaints have been lodged against this use of the space.

- b. The outdoor events that occur in this space provide neighbors and the wider community with family-friendly gatherings, socialization, and engagement with the arts. This usage has been praised by neighbors and other attendees as a positive addition to the neighborhood and the downtown environment.
- c. The construction of a permanent Pavilion is inspired by the success of and demand for its current usage. Public participation has supported the Shane Center's programming for 14 years and has enabled the success of the current venue.
- d. The Pavilion will be used as a covered parking lot for increased accessibility. The Pavilion will provide protection from the weather for a large section of the parking lot, as well as provide cover over the ADA compliant ramp that currently provides access to the historic brick building from the west. This covering will ensure that people have safer access to the building during the months in which ice and snow are more prevalent.
- e. The structure will provide better protection from the weather and a better-defined entrance to the venue; this will enable the Shane Center to manage crowds and minimize 'spillover' onto neighboring properties. Simply having a wall on the west side and north side of the Pavilion will mitigate noise in those directions.
- f. The Pavilion will only be used as an 'event venue' for approximately 5 months out of the year. As the Pavilion is an open-air structure that will not be heated, it will only be used for events during the warmer months. During this time, the Shane Center will adhere to the following conditions so as not to adversely affect the neighboring properties.
- g. The Pavilion will not be used to host an event that overlaps with any events taking place at the Dulcie Theater (within the Shane Center). This also means that the Dulcie Theater will not be used to host an event that overlaps with any event taking place at the Pavilion. In this way, the Shane Center commits to not unduly increasing traffic requirements beyond the current requirements.
- h. The Shane Center meets and exceeds parking requirements by approximately 20% of the required spaces. In addition, the Shane Center is exploring shared parking agreements with three nearby entities within walking distance to ensure that any parking concerns are mitigated.
- i. The Shane Center will host a maximum of 10 events per year that will end between the hours of 8 – 10pm. This means that there will be approximately 2-3 events per month during the 5-month warm season that will go past 8pm. The Shane Center will strictly adhere to the Municipal Code Section 10.5 regarding prohibited noises between the hours of 10pm and 7am. This will not cause substantial adverse effects upon nearby occupants. It is believed that the

increase of local events will enhance the character of the neighborhood and serve the community in ways articulated in the Zoning Ordinance and Community Plan.

## 7. ZONING COMPLIANCE

The proposed use is in harmony with the general purpose and intent of the zoning ordinance. Cultural centers are listed as intended use for the Central Business District (CBD) in the narrative description of Section 30.30 of the Municipal Code. The Shane Lalani Center for the Arts serves the community as a cultural center by providing access to the arts. The Pavilion is an extension of the current usage as a cultural center. As an extension of the Shane Center, the Pavilion will expand and continue access to the performing arts, which is consistent with the Shane Center’s mission statement to strengthen community through participation in the arts.

In 2009, the property currently occupied by the Shane Lalani Center for the Arts was rezoned from Neighborhood Commercial (NC) to the Central Business District (CBD) in Ordinance No. 2015. This specifically stated that the purpose was done to:

“develop, in accordance with its mission statement to strengthen the community through participation in the performing arts, a performing arts center at the location of the Old East Side School.”

Ordinance No. 2015 expressly rezoned the premises with the intent was to:

“Allow development of the performing arts in close proximity to the downtown business area thereby enhancing the downtown business environment by creating a ‘walkable’ area in which the patrons of the performing arts may enjoy the culinary delights of restaurants and other attributes offered by downtown business, such as the “art walks’[.]”

*See Appendix G for Ordinance No. 2015.*

- a. The Shane Lalani Center for the Arts strengthens the community through its dedication to the arts. It fosters creativity and builds community through its arts programming, classes, and events.
- b. The Pavilion complies with the intent of the zoning district. Although ‘Pavilion for use as an outdoor event venue’ is not a use specifically listed in the table of allowable uses for the CBD, it is clearly the type of use intended for the site, per Chapter 30 of the Livingston Municipal Code and Ordinance No. 2015, designating is as part of the CBD.



- c. City Officials have determined that the expansion of the Shane Center through the construction of a Pavilion requires a Special Exception Permit due to the scope and scale of the impact of such a structure.

**8. INTENDED USE**

The Shane Lalani Center for the Arts intends to use the flexible outdoor space of the Pavilion to facilitate community gatherings, ticketed events, education programming, and covered parking. The events will take place seasonally during the warmer months, and during the colder months, the Pavilion will offer covered parking with protection from the elements. The proposed Pavilion roof will cover the existing handicapped accessible ramp on the west side of the historic brick building. Even during the warmer months, when not in use for the set-up, duration, and clean-up of an event, the Pavilion will function as a covered parking area, providing a weather shelter to ADA parking spaces and the ADA ramp.

The following are examples of events intended to take place under the Pavilion:

*Summer Outdoor Concert Series*

*Thursdays in June & July, 4-7pm*

Since 2021, the Shane Center has offered free, local, and regional music for the community in an open-air environment. In 2022, there was an average of 325 attendees during the 3-hour event.

*Youth Day Camps*

*1-week sessions in June/July, Monday – Friday, 9am-4pm*

Students in grades K-8th participate in arts education classes to educate the youth about the arts and develop skills in self-expression and empathy.

*Summer Young Actors’ Workshop*

*1st 2-weeks in August, Monday – Friday, 9am-4pm*

Students in grades K-12<sup>th</sup> are offered a two-week program in the performing arts while working towards putting on a musical production. The workshop includes rehearsals and afternoon break-out sessions with smaller, same-age groups of students in a variety of classes. Participation is limited by current space availability. Additional outdoor space would provide capacity for the growing demand and not limit access to arts education for the young people in the Livingston community. On average there have been approximately 125 student participants.

*The Shane Center’s Annual Spotlight Gala*

*3rd Saturday in August, 5:30pm – 9:00pm*

The Spotlight Gala is the Shane Center’s one annual fundraiser. Tickets are \$100 per person and include a catered dinner, beer & wine, a performance showcase, live music, and dancing. The pavilion will replace the large tent typically erected to host this event. The maximum past attendance was 150 guests with 15 volunteers, caterers, staff and musicians.

Montana Shakespeare in the Parks

*Friday or Saturday around Labor Day, 6-9pm*

The Shane Center has partnered with Montana Shakespeare in the Parks since 2013 to provide a local presentation to the Livingston community. In 2022, there was approximately 250 attendees.

Possible additional uses for the community:

Incident Command Center

The Pavilion’s central location and proximity to the City & County building make it a good staging ground for regional emergency response gatherings to aid in relief for flooding or wildfires.

Back Up Location for 4th of July Arts Show

The 4th of July Arts Show has been cancelled in the past due to weather. The Pavilion could be a backup space to move the event if necessary to a protected area.

Future Open-Air Events

The recent pandemic has highlighted the value of a protected, open-air space for events which may require social distancing and good ventilation.

Community Resource

The Pavilion could serve as a space for other nonprofits and community organizations to utilize for their programming needs. In 2022, the Yellowstone Ballet Company showcased their Annual Dance Recital on the outdoor portable stage.

**9. SITE PLAN & BUILDING ELEVATIONS – SEE THE FOLLOWING (8) 11X17 SHEETS: G-1, G-2, G-3, G-4, C-1, A1.1, A2.1, S2.1**

# SHANE CENTER PAVILION

## STANDARD ABBREVIATIONS:

A.B.	ANCHOR BOLT	K.D.	KNOCKED DOWN
A/C	AIR CONDITIONING	KSI	KIPS PER SQUARE INCH
A.D.A.	AMERICANS WITH DISABILITIES ACT		
ADJ.	ADJUSTABLE, ADJACENT	LPG	LIQUID PROPANE GAS
ALT.	ALTERNATE		
ALUM.	ALUMINUM	MAG	MAGNETIC
APPROX.	APPROXIMATE	MAS	MASONRY
ARCH.	ARCHITECTURAL/ARCHITECT	MAT	MATERIAL
&	AND	MAX	MAXIMUM
@	AT	MECH	MECHANICAL
BKT	BRACKET	MFR/MFG	MANUFACTURER
BLDG	BUILDING	MIN	MINIMUM
BLK	BLOCK	MISC	MISCELLANEOUS
BLKG	BLOCKING	MM	MILLIMETER
BM	BEAM	MR	MOISTURE RESISTANT
B.M.	BENCH MARK	MTL	METAL
B.O.F.	BOTTOM OF FOOTING		
		N	NORTH
B5MNT	BASEMENT	N.I.C.	NOT IN CONTRACT
BTR	BETTER	NOM	NOMINAL
BU.	BUILT-UP	N.T.S.	NOT TO SCALE
		O.C.	ON CENTER
CAB.	CABINET	O.D.	OUTSIDE DIAMETER
CGSPF	CLOSED CELL SPRAY FOAM INSUL.	O.H.	OVERHEAD
C.I.	CAST IRON	OHD	OVERHEAD DOOR
C.J.	CONTROL/CONSTRUCTION JOINT	OPG	OPENING
CLG	CEILING	OPF	OPPOSITE
CLO.	CLOSET	ORIG	ORIGINAL
CLR	CLEAR		
CM	CONSTRUCTION MANAGER		
C.M.U.	CONCRETE MASONRY UNIT		
C.O.	CLEANOUT	+	PLUS OR MINUS
COL	COLUMN	PENET	PENETRATION
CONC	CONCRETE	FL	PLATE
CONST	CONSTRUCTION	FLAM.	PLASTIC LAMINATE
CONT.	CONTINUOUS	PART	PARTITION
CONTR	CONTRACTOR	POLY	POLYURETHANE
COORD	COORDINATE	PREFAB	PREFABRICATED
COORR	CORRUGATED	PSF	POUNDS/SQUARE FOOT
CPT	CARPET	PSI	POUNDS/SQUARE INCH
CTR	CENTER	PVC	POLY VINYL CHLORIDE
C.W.	COLD WATER	QT	QUARRY TILE
d	FENNY		
DBL	DOUBLE	R	RADIUS
DET.	DETAIL	R.D.	ROOF DRAIN
DF	DRINKING FOUNTAIN	REF	REFERENCE
DIA	DIAMETER	REINF	REINFORCE/REINFORCING
DIM	DIMENSION	REQ.	REQUIRED
DISP	DISPENSER/DISPOSAL	RET	RETAIN/RETAINED
DN	DOWN	REV	REVISION
D.P.	DAMP-PROOFING	RM	ROOM
DR	DOOR	RND	ROUND
D.S.	DOWNSPOUT	R.O.	ROUGH OPENING
DWG	DRAWING	φ	ROUND
E	EAST	S4P	SAND & POLYURETHANE
EA	EACH	S4V	STAIN & VARNISH
EB	EXPANSION BOLT	S.C.	SOLID CORE
E.I.F.S.	EXTERIOR INSULATION AND FINISH SYSTEM	SCHED	SCHEDULE
		SECT	SECTION
E.J.	EXPANSION JOINT	S.F.	SQUARE FEET
EL	ELEVATION	S6	SEMI GLOSS
ELEC	ELECTRICAL/ELECTRIC	SHT	SHEET
ELEV	ELEVATOR/ELEVATION	SHTG	SHEATHING
E.P.D.M.	ETHYLENE PROPYLENE DIENE MONOMER	SIM	SIMILAR
		SPEC	SPECIFICATIONS
EQ	EQUAL	SQ	SQUARE
EQUIP	EQUIPMENT	SS	STAINLESS STEEL
EXIST	EXISTING	STAG	STAGGERED
EXP	EXPANSION/EXPOSURE	STD	STANDARD
EXT	EXTERIOR	STL	STEEL
F	FLAT	STOR	STORAGE
F.D.	FLOOR DRAIN	STRUCT	STRUCTURAL
FDN	FOUNDATION	SUSP	SUSPENDED
		TEL	TELEPHONE
FIN.	FINISH	TEMP	TEMPERED
FL/FLR	FLOOR	T.O.B.	TOP OF BEAM
F.O.B.	FACE OF BRICK OR BEAM	T.O.F.	TOP OF FOOTING
FRMG	FRAMING	T.O.L	TOILET
FRP	FIBER REINFORCED PANEL	T.O.J	TOP OF JOIST
FT	FEET/FOOT	T.O.W	TOP OF WALL
FTG	FOOTING		
FURR	FURRING	TRTD	TREATED TYPICAL
G	GLOSS	URE	URETHANE
GA/g	GAUGE		
GALV	GALVANIZED	UBC	UNIFORM BUILDING CODE
GEN.	GENERAL	UG.	UNDERGROUND
		UL.	UNDER WRITER'S LAB.
GL	GLASS	UNFIN	UNFINISHED
G.W.B.	GYP-SUM WALLBOARD	URE	URETHANE
H.B.	HOSE BIB		
HDCP	HANDICAPPED	V.B.	VAPOR BARRIER
H.C.	HOLLOW CORE	V.C.T.	VINYL COMPOSITE TILE
HDN	HARDWARE	VENT	VENTILATION/VENTILATOR
HDND	HARDWOOD	VERT	VERTICAL
H.M.	HOLLOW METAL		
HT	HEIGHT	N	WEST
H.W.	HOT WATER	N/	WITH
I.D.	INSIDE DIAMETER	N.C.	WATER CLOSET
IN	INCH/INCHES	ND	WOOD
INFO	INFORMATION	NDW/NDO	WINDOW
INSUL	INSULATION	N/O	WITHOUT
INT	INTERIOR	N.P.	WATERPROOF
JAN	JANITOR	N.R.	WATER RESISTANT
JT	JOINT	N.W.F.	WELDED WIRE FABRIC

The Shane Center Pavilion - Special Exemption Permit Documentation



## LEGEND:

SYMBOLS	
□	ROOM NUMBER
○	DOOR / OPENING NUMBER
⬡	WINDOW / RELITE TYPE
△	DEMOLITION NOTE
○	CABINET TYPE
◇	ACCESSORY TYPE
← DN	SLOPE DOWN
1 33.9	INTERIOR VIEWS / PAGE NUMBER
1 A3.1	BUILDING SECTION / PAGE NUMBER
6 S3.2	WALL SECTION / PAGE NUMBER
1 A4.1	DETAIL NUMBER / PAGE NUMBER
↑	ELEVATION MARKER
↑ TO WALL	ELEVATION MARKER
---	INDICATES CENTER LINE

HATCHES	
▨	EARTH - IN SECTION
▩	GRAVEL - IN SECTION
▧	CONCRETE - IN SECTION
▦	BRICK - IN SECTION
▤	METAL - IN SECTION
▣	PLYWOOD - IN SECTION
▢	FINISHED WOOD - IN SECTION
□	GYP-SUM BOARD - IN SECTION
▨	FRAMING OR CONTINUOUS WOOD
▩	BLOCKING - IN SECTION
▧	BATT INSULATION - IN SECTION
▦	POLYURETHANE SPRAY FOAM INSULATION - IN SECTION

## PROJECT INFORMATION:

<b>OWNER:</b>	SHANE LALANI CENTER FOR THE ARTS
<b>ARCHITECT:</b>	LTS ARCHITECTS 215 E. LEWIS ST. ROOM 102 LIVINGSTON, MT 59047 OFFICE: 406.333.0533

## NOTES:

- VERIFY ALL LOCAL CODES, ENERGY TYPES, AND SITE CONDITIONS PRIOR TO CONSTRUCTION.
- SEE STRUCTURAL DRAWINGS FOR ADDITIONAL INFORMATION.
- SECURE THE WATER HEATER WITH RIGID METAL PIPE OR APPROVED STRAPPING.
- THE MINIMUM WIDTH OF A HALLWAY SHALL BE NOT LESS THAN 3'-0".
- THE SUPPORTING STRUCTURE SHALL BE PROTECTED BY NOT LESS THAN 1/2" GYP WALLBOARD OR EQUIVALENT.
- ALL GUARDRAILS TO BE 36" ABOVE WALKING SURFACE. INTERMEDIATE RAILS SHALL NOT ALLOW PASSAGE OF AN OBJECT 4" OR GREATER.
- RAILINGS MUST TERMINATE INTO A WALL OR RENEW POST.
- INSULATE ALL INTERIOR WALLS.
- CONTRACTOR TO PROVIDE WOOD BLOCKING FOR ALL BATHROOM ACCESSORIES, HAND RAILS, PANELS AND CASEWORK INSTALLATION.
- WINDOW OPENINGS SHALL HAVE A MINIMUM NET CLEAR OPENING FOR EMERGENCY ESCAPE AND RESCUE OF 5.7 SQ. FT. (MIN. CLEAR HEIGHT OF 24"; MIN. CLEAR WIDTH OF 20").
- G.C. TO DETERMINE PROPER SWING AND HINGE FOR EACH DOOR PRIOR TO ORDERING. DOOR SIZES ARE GIVEN AS A GUIDE. ACTUAL ROUGH OPENINGS MUST BE DETERMINED IN RESPECT TO MANUFACTURER OF CHOICE. DIMENSIONS ARE SHOWN TO CENTER LINE OF ROUGH OPENINGS. ADJUSTMENTS BY CONTRACTOR DURING CONSTRUCTION MAY BE NECESSARY FOR HOLD DOWN ALIGNMENT.
- WINDOW SIZES ARE GIVEN AS A GUIDE. ACTUAL ROUGH OPENINGS MUST BE DETERMINED IN RESPECT TO MANUFACTURER OF CHOICE. DIMENSIONS ARE SHOWN TO CENTER LINE OF ROUGH OPENINGS. ADJUSTMENTS BY CONTRACTOR DURING CONSTRUCTION MAY BE NECESSARY FOR HOLD DOWN ALIGNMENT. G.C. TO VERIFY MULLED WINDOW ASSEMBLIES, OPERATION, AND GRID PATTERNS FROM ELEVATION DRAWINGS.  
T = TEMPERED      E = EGRESSABLE
- UNAUTHORIZED USE OF THESE DRAWINGS IS PROHIBITED. AUTHORIZED USE OF THESE DRAWINGS IS FOR THE CONVENIENCE OF THE USER. FIELD VERIFY ALL CONDITIONS AND DIMENSIONS.

## SHEET INDEX:

NAME	SHEET DESCRIPTION
G-1	COVER SHEET
G-2	CODE SHEET
G-3	EGRESS & PLUMBING FIXTURE COUNT
G-4	PARKING PLAN
C-1	SITE PLAN
A 1.1	PAVILION PLAN
A 2.1	ELEVATIONS & SECTION
S2.1	ROOF FRAMING PLAN

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LIVINGSTON, MT 59047

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AIA

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lucas@LTSAIA.com

RELEASE SET	DATE
REVIEW SET	03/04/23
REVIEW SET	04/06/23
SEP SET	04/14/23

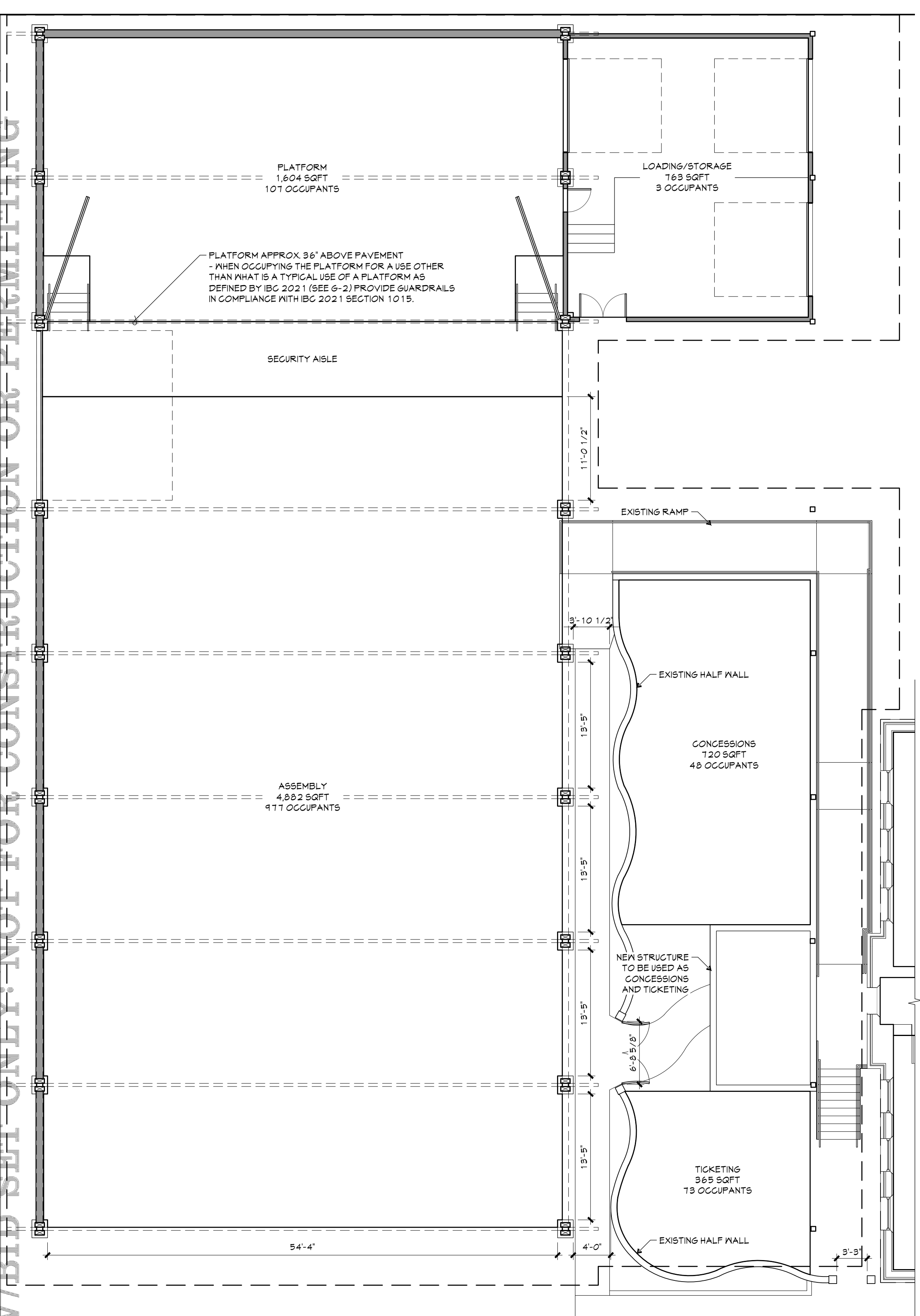
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COVER SHEET

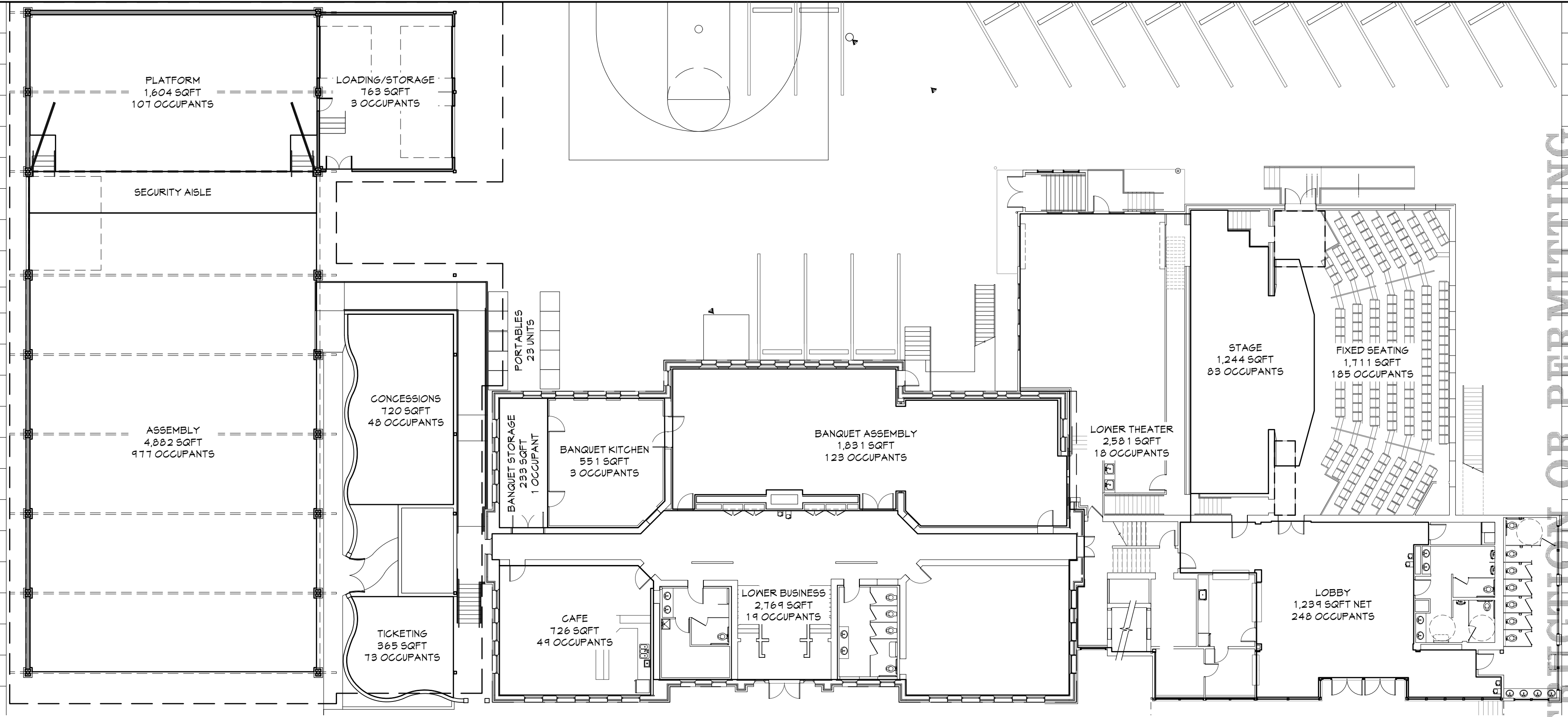
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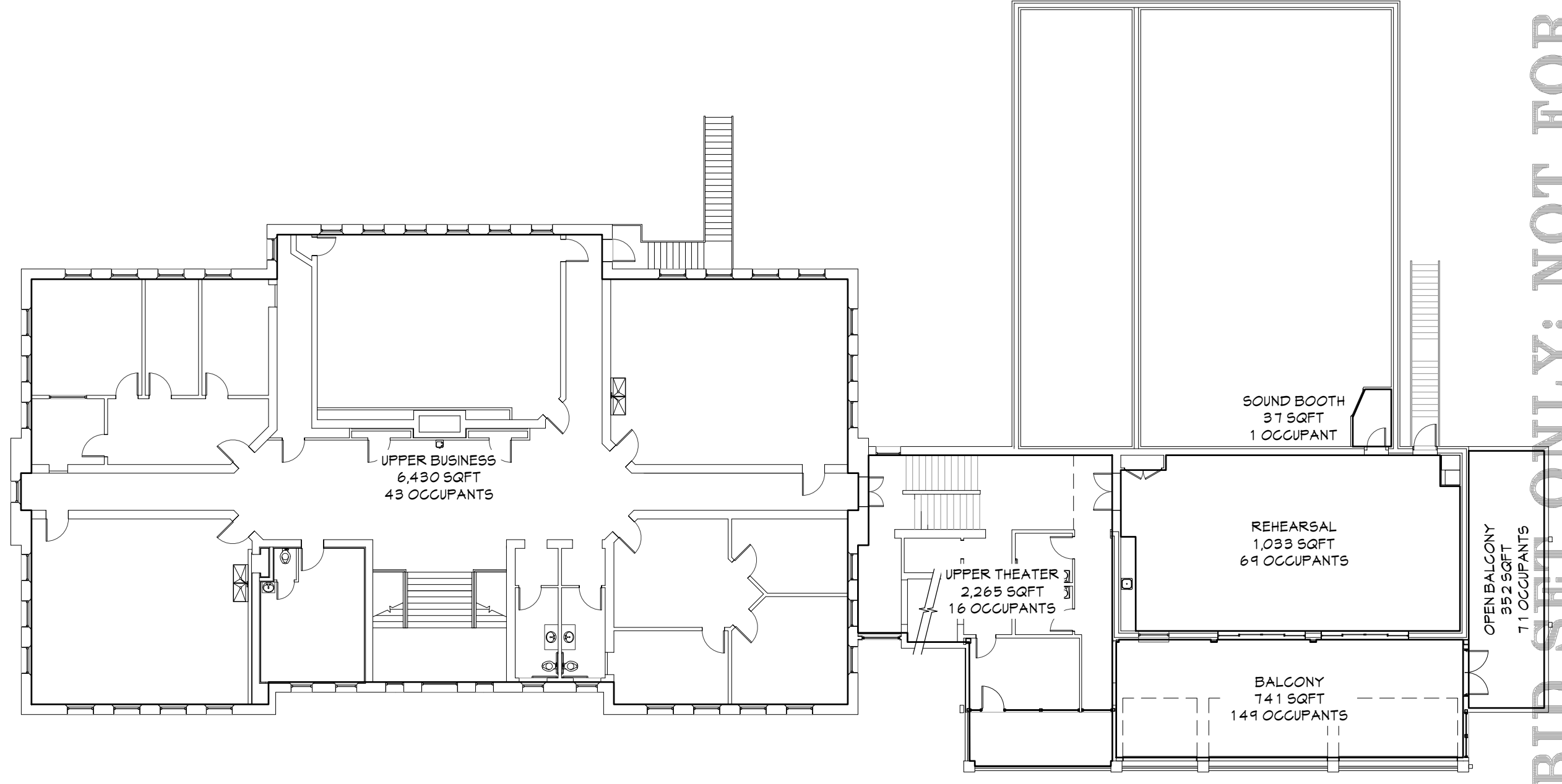


1 EGRESS AREAS  
SCALE: 1/8" = 1'-0"



2 LOWER PLUMBING CALCS.  
SCALE: 1/16" = 1'-0"

NOTE  
OCCUPANCY, PLUMBING, & EGRESS BASED ON IBC 2021



3 UPPER PLUMBING CALCS.  
SCALE: 1/16" = 1'-0"

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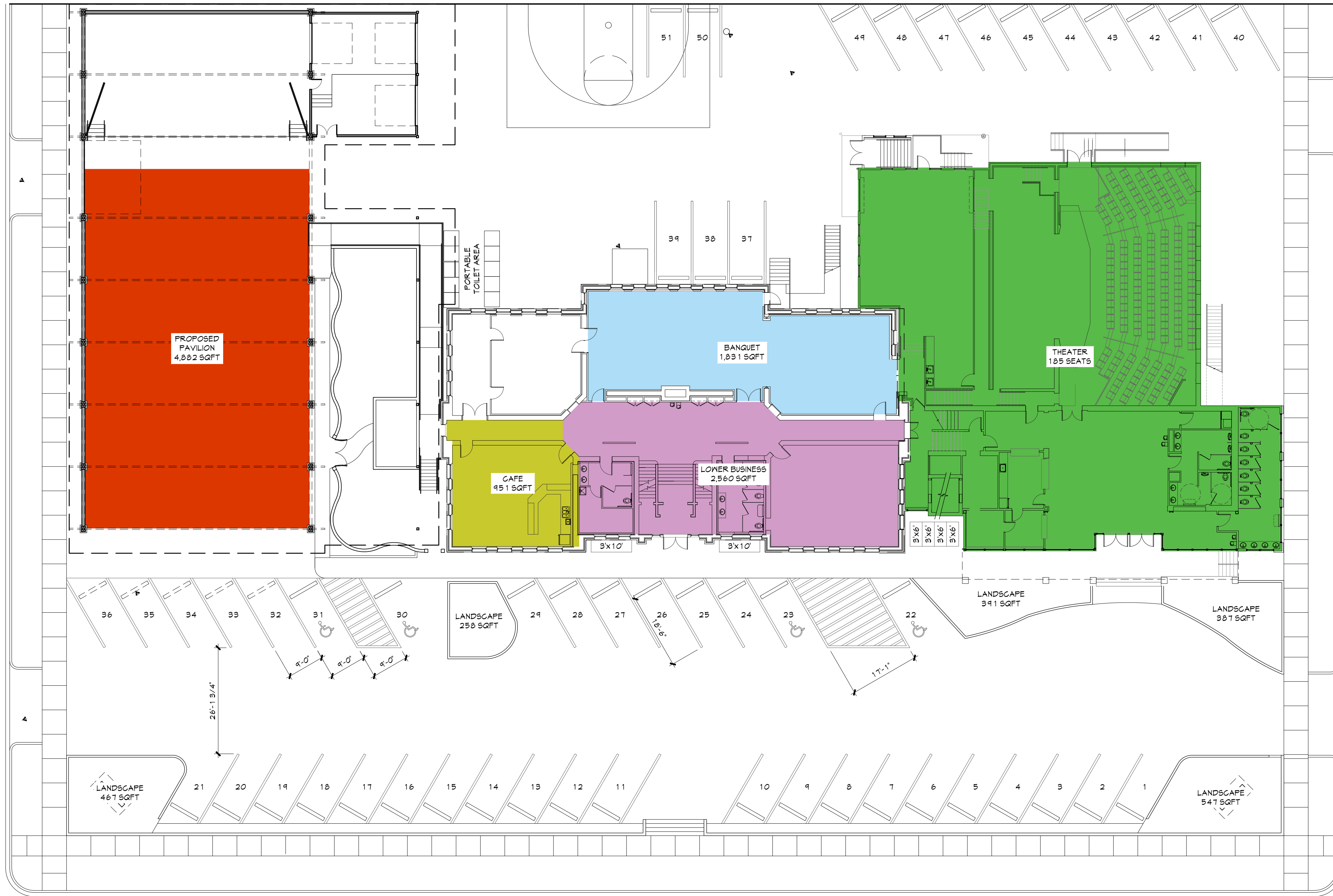
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EGRESS & PLUMBING  
FIXTURE COUNT

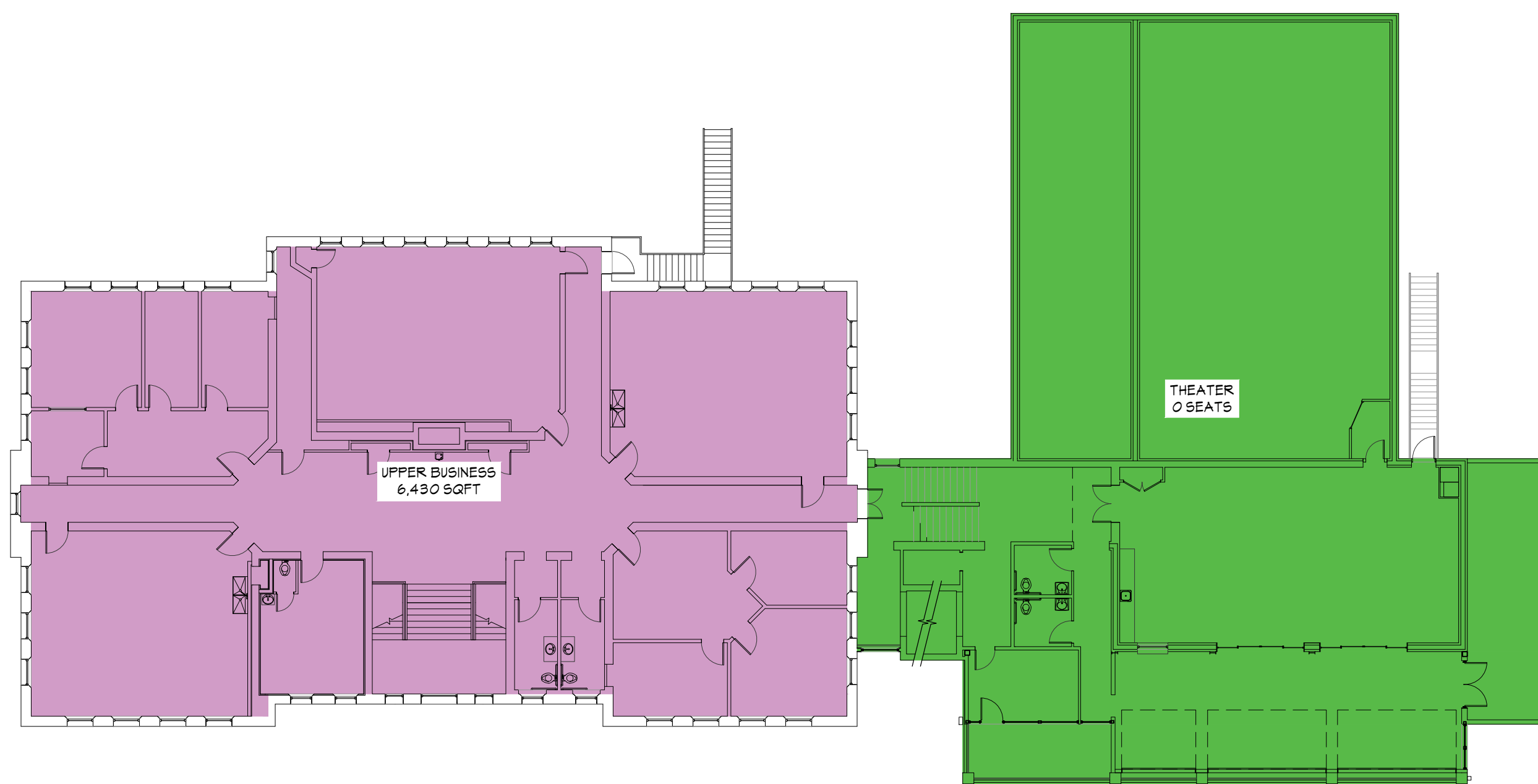
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**1 PROPOSED PARKING PLAN**  
SCALE: 1/16" = 1'-0"

**PARKING CALCULATIONS**

COLOR	USE
<span style="display:inline-block; width:15px; height:15px; background-color:orange;"></span>	PAVILION
<span style="display:inline-block; width:15px; height:15px; background-color:yellow;"></span>	CAFE
<span style="display:inline-block; width:15px; height:15px; background-color:purple;"></span>	BUSINESS
<span style="display:inline-block; width:15px; height:15px; background-color:lightblue;"></span>	BANQUET
<span style="display:inline-block; width:15px; height:15px; background-color:green;"></span>	THEATER



**2 UPPER PARKING CALCS.**  
SCALE: 1/16" = 1'-0"

**NOTE**  
PARKING BASED ON LIVINGSTON MUNICIPAL CODE 2023.

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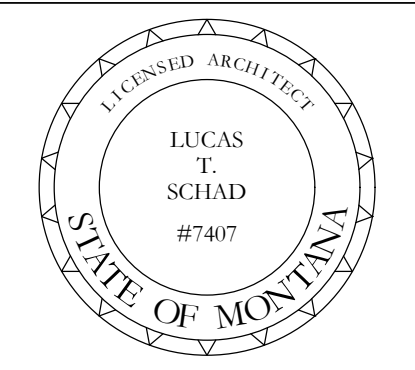
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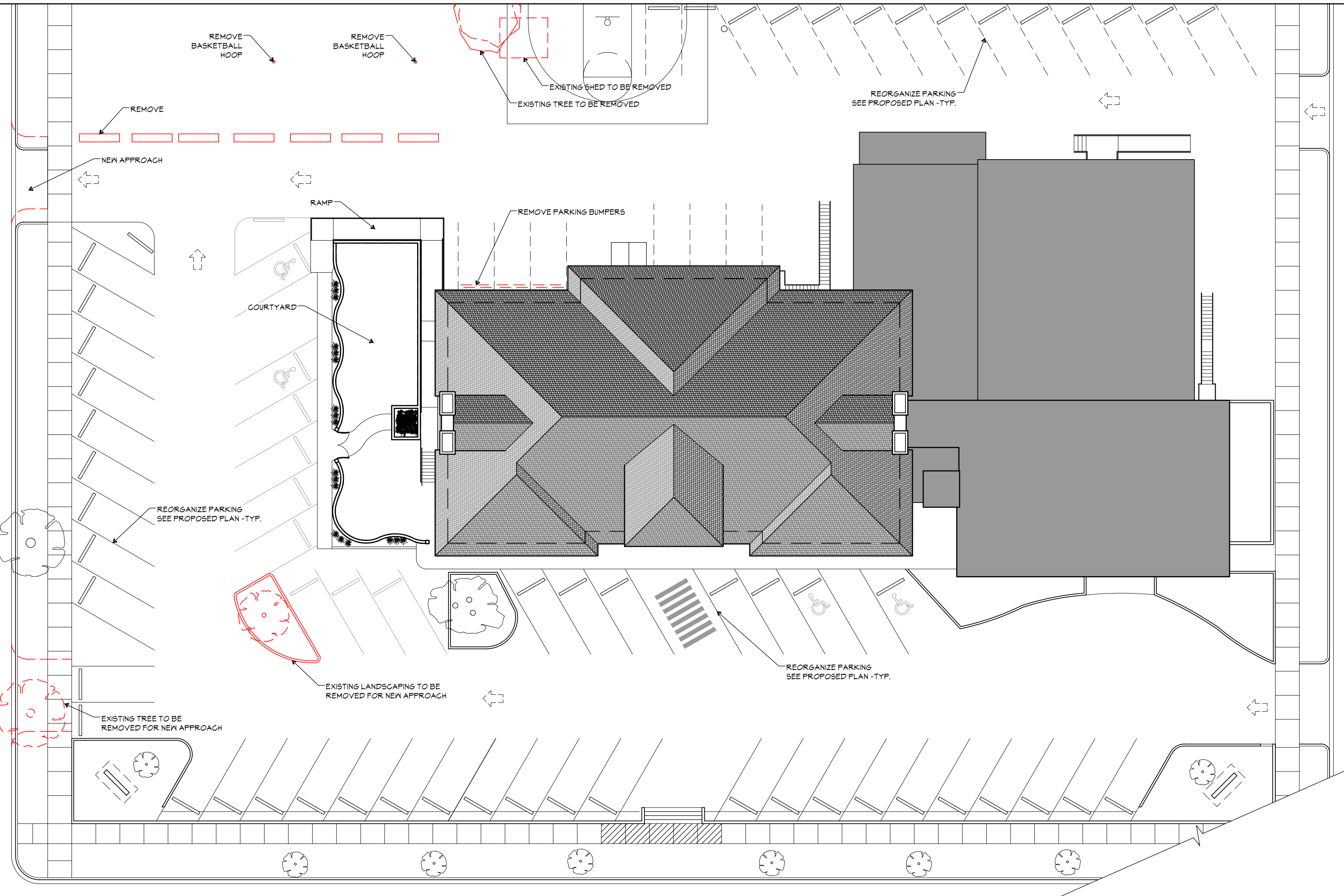
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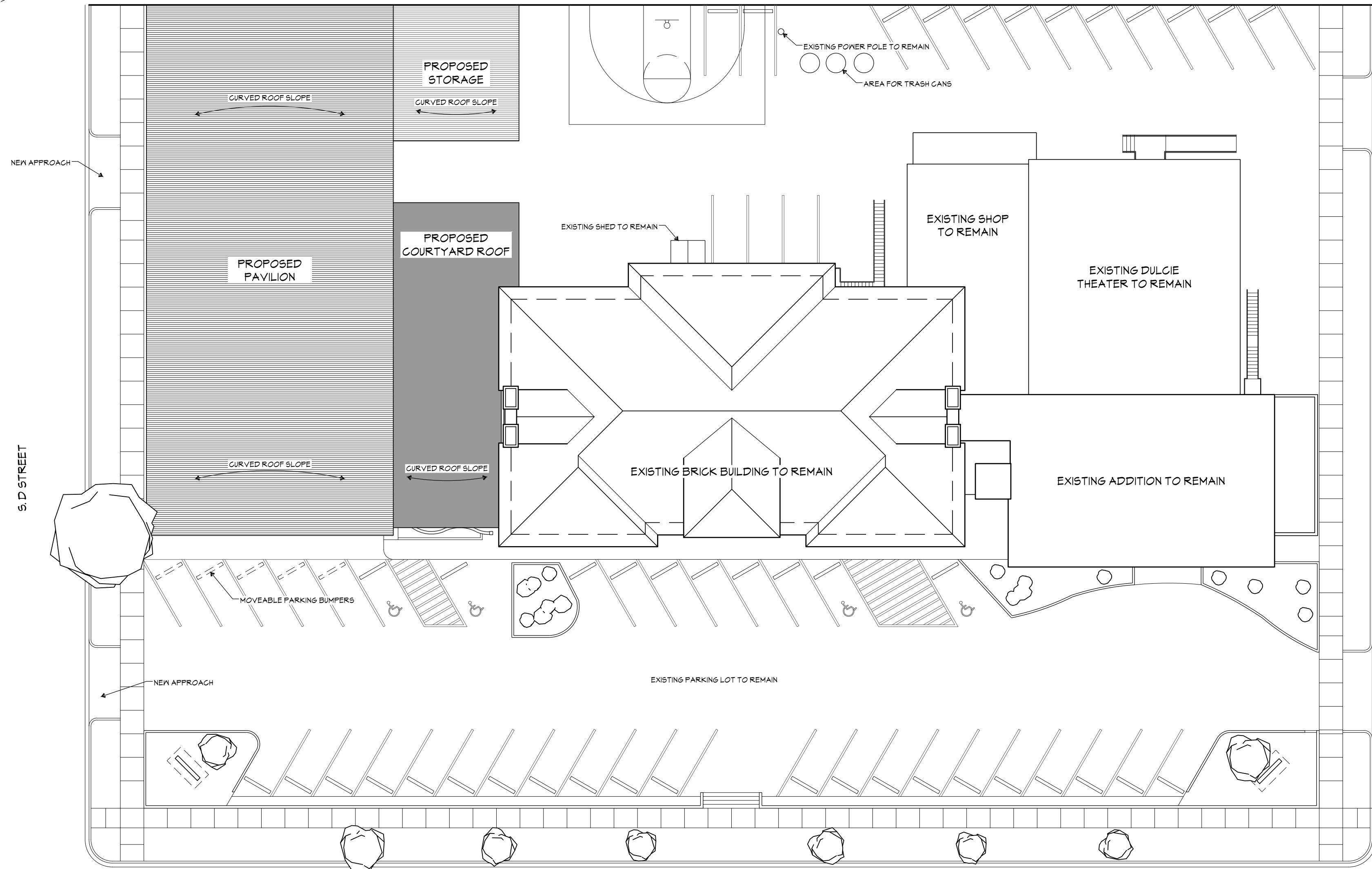
PARKING PLAN

**G-4**

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1  
C-1  
**EXISTING SITE PLAN W/ DEMO NOTES**  
SCALE: 1" = 20'-0"



2  
C-1  
**PROPOSED SITE PLAN**  
SCALE: 1" = 20'-0"

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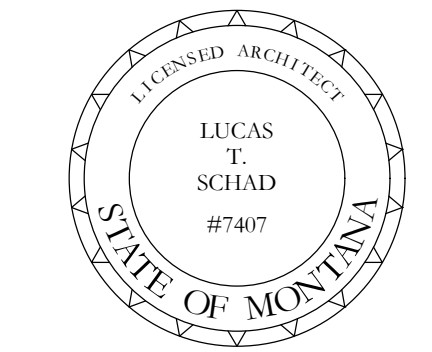
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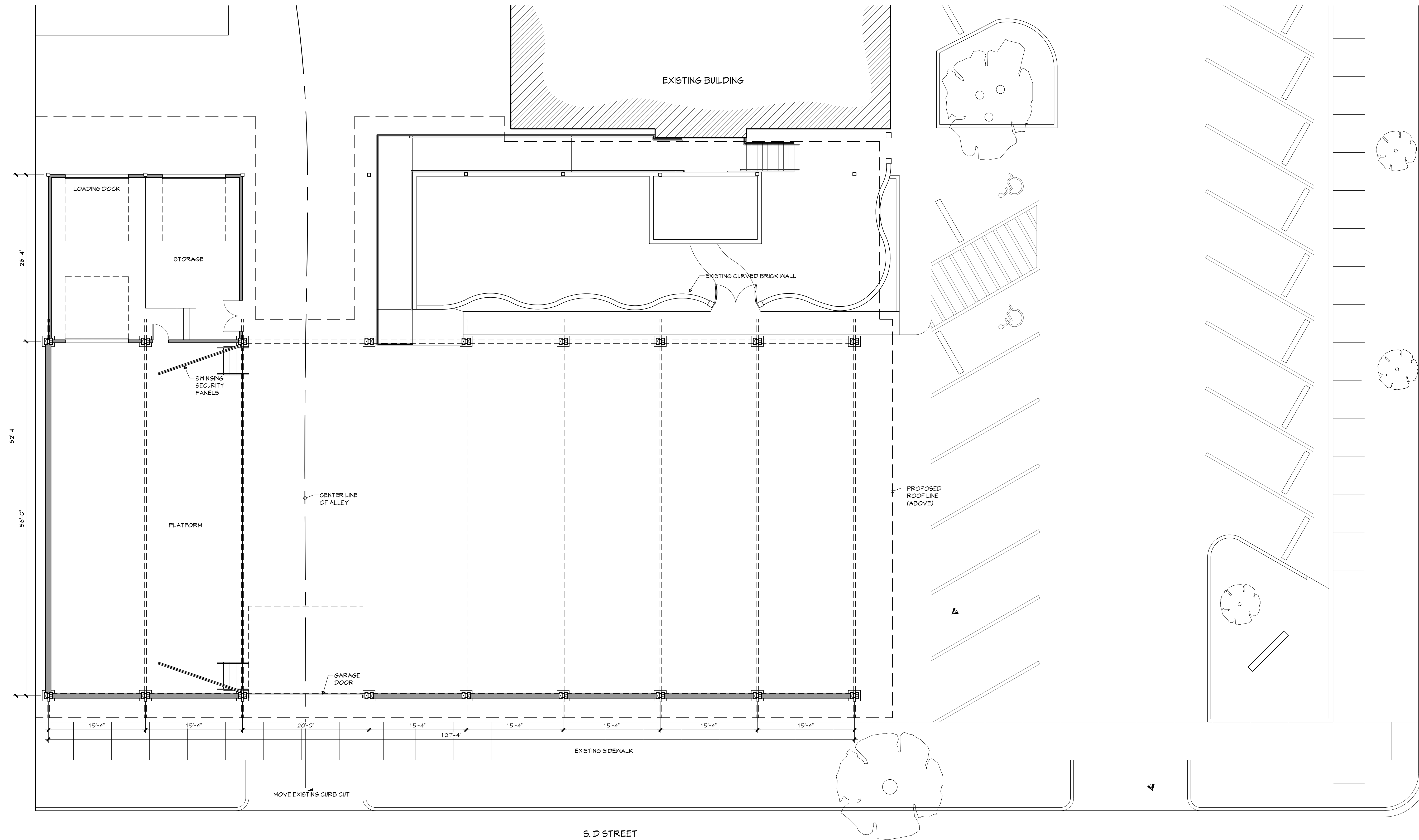
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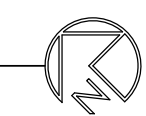
SITE PLAN

C-1

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1 PAVILION PLAN  
 A1.1 SCALE: 1/8" = 1'-0"



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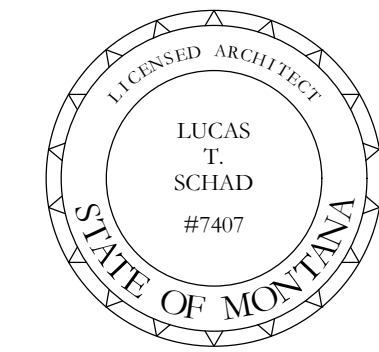
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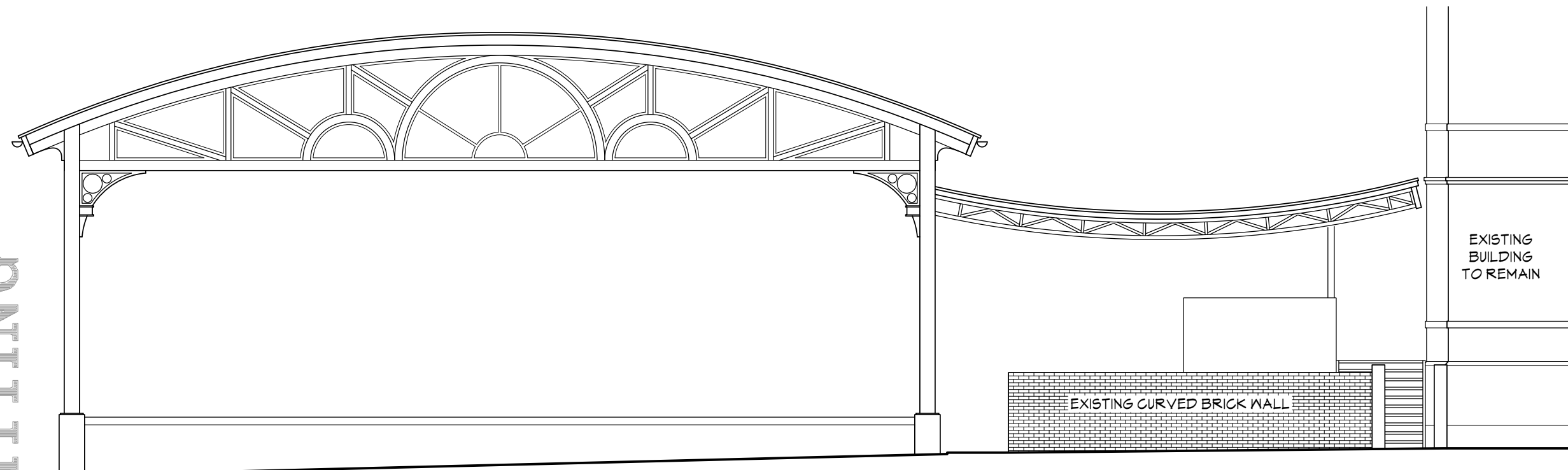
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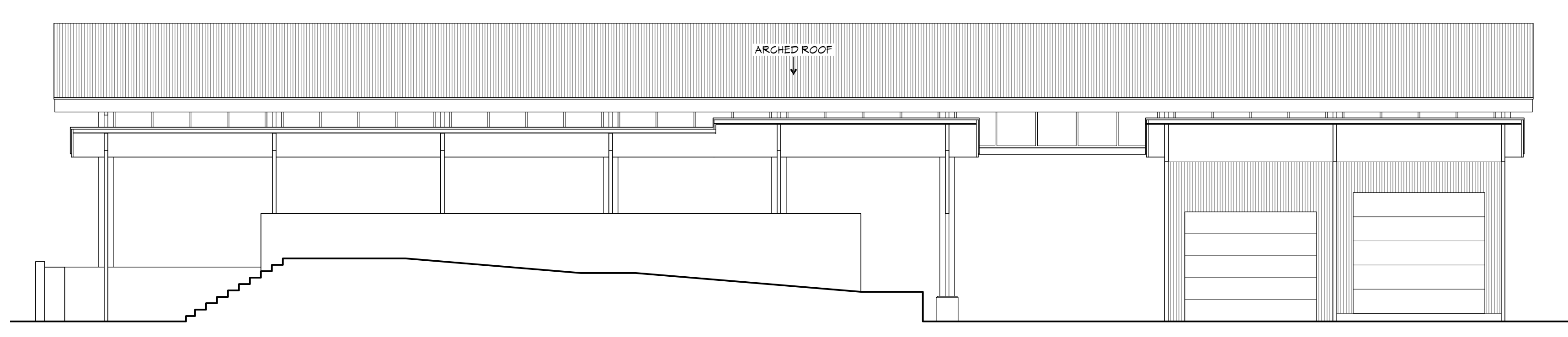
PAVILION PLAN



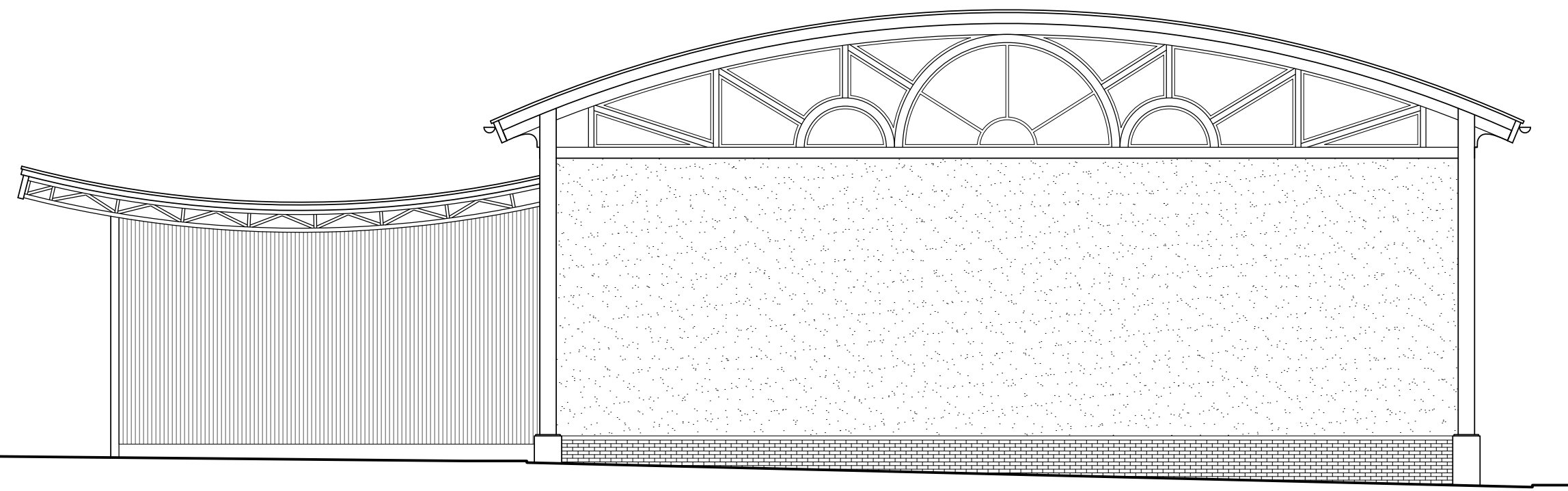
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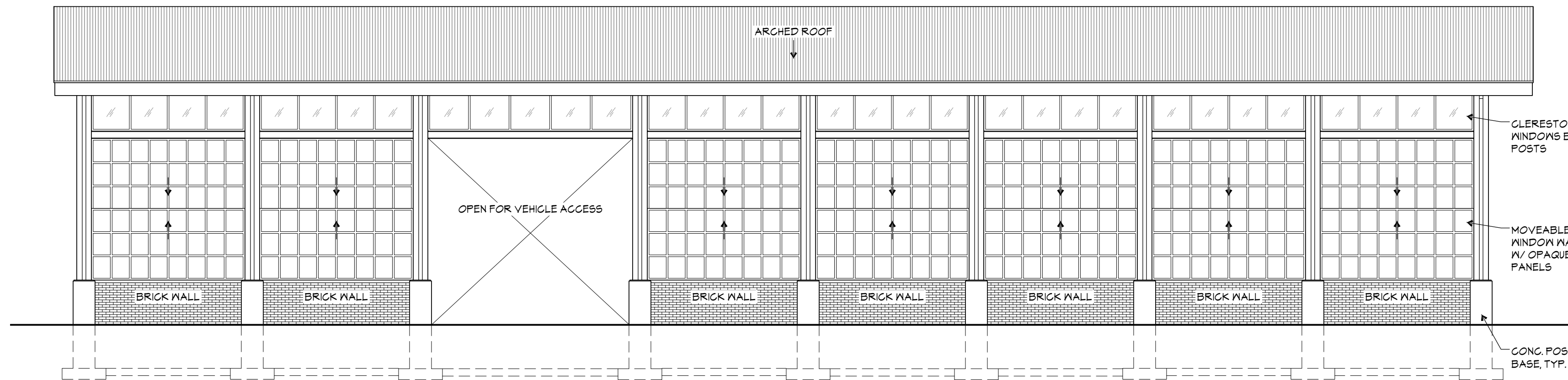
1 SOUTH ELEVATION  
A2.1 SCALE: 1/8" = 1'-0"



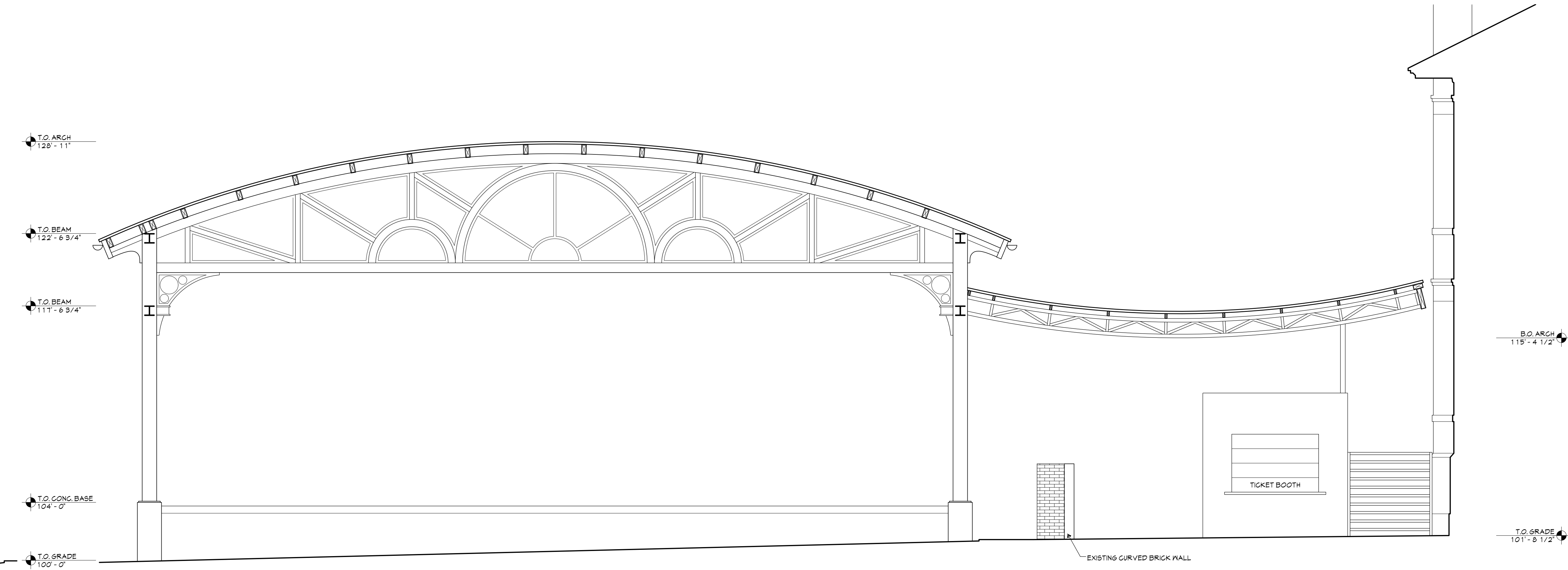
2 EAST ELEVATION  
A2.1 SCALE: 1/8" = 1'-0"



3 NORTH ELEVATION  
A2.1 SCALE: 1/8" = 1'-0"



4 WEST ELEVATION  
A2.1 SCALE: 1/8" = 1'-0"



5 PAVILION SECTION  
A2.1 SCALE: 1/4" = 1'-0"

The Shane Center Pavilion - Special Exemption Permit Documentation

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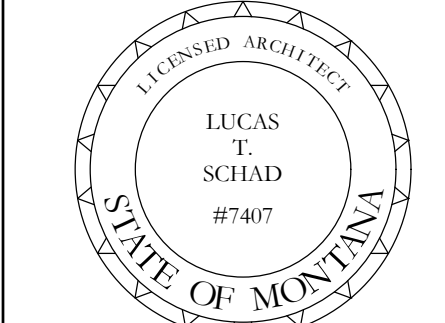
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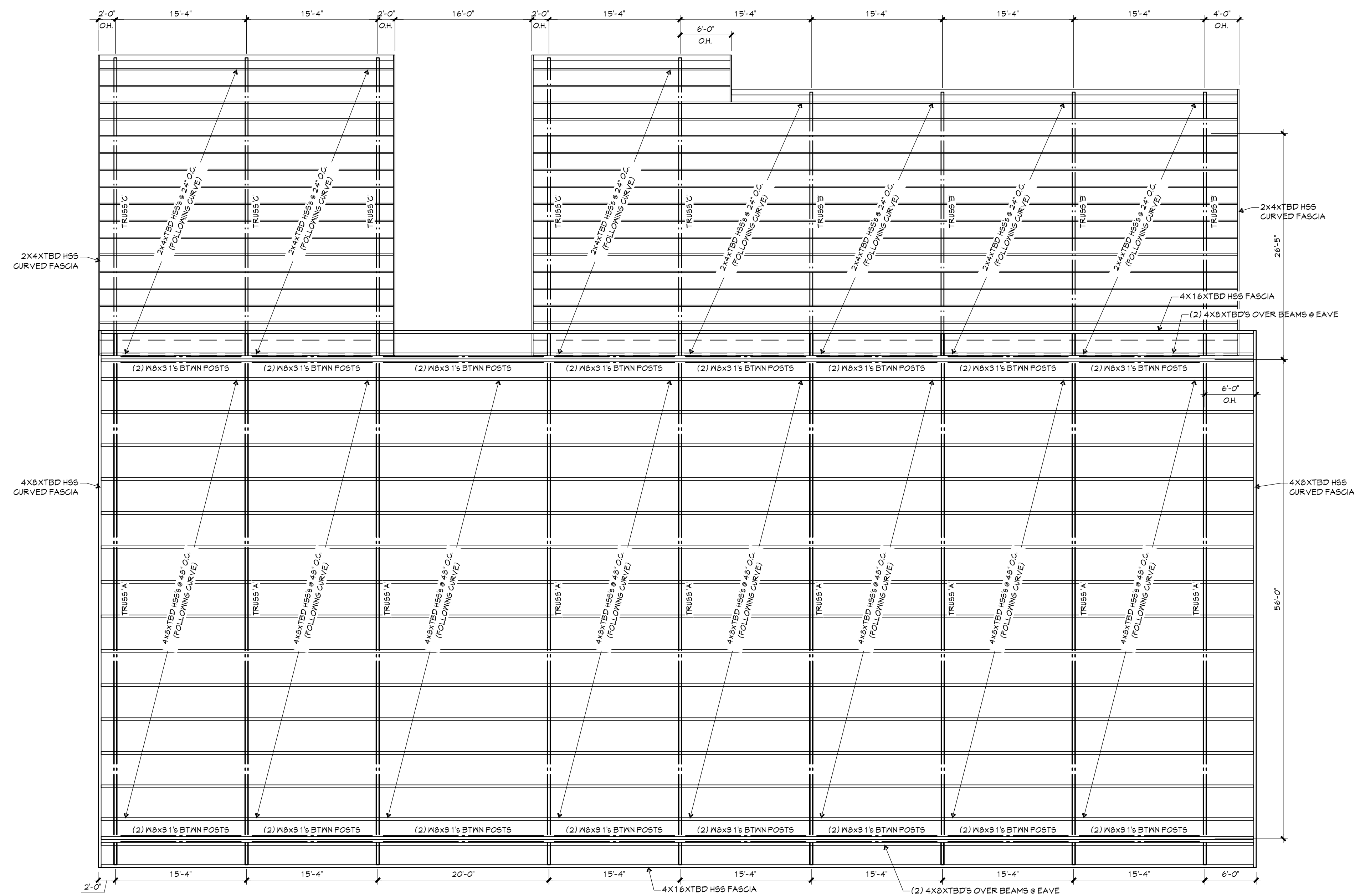
ELEVATIONS & SECTION

A2.1

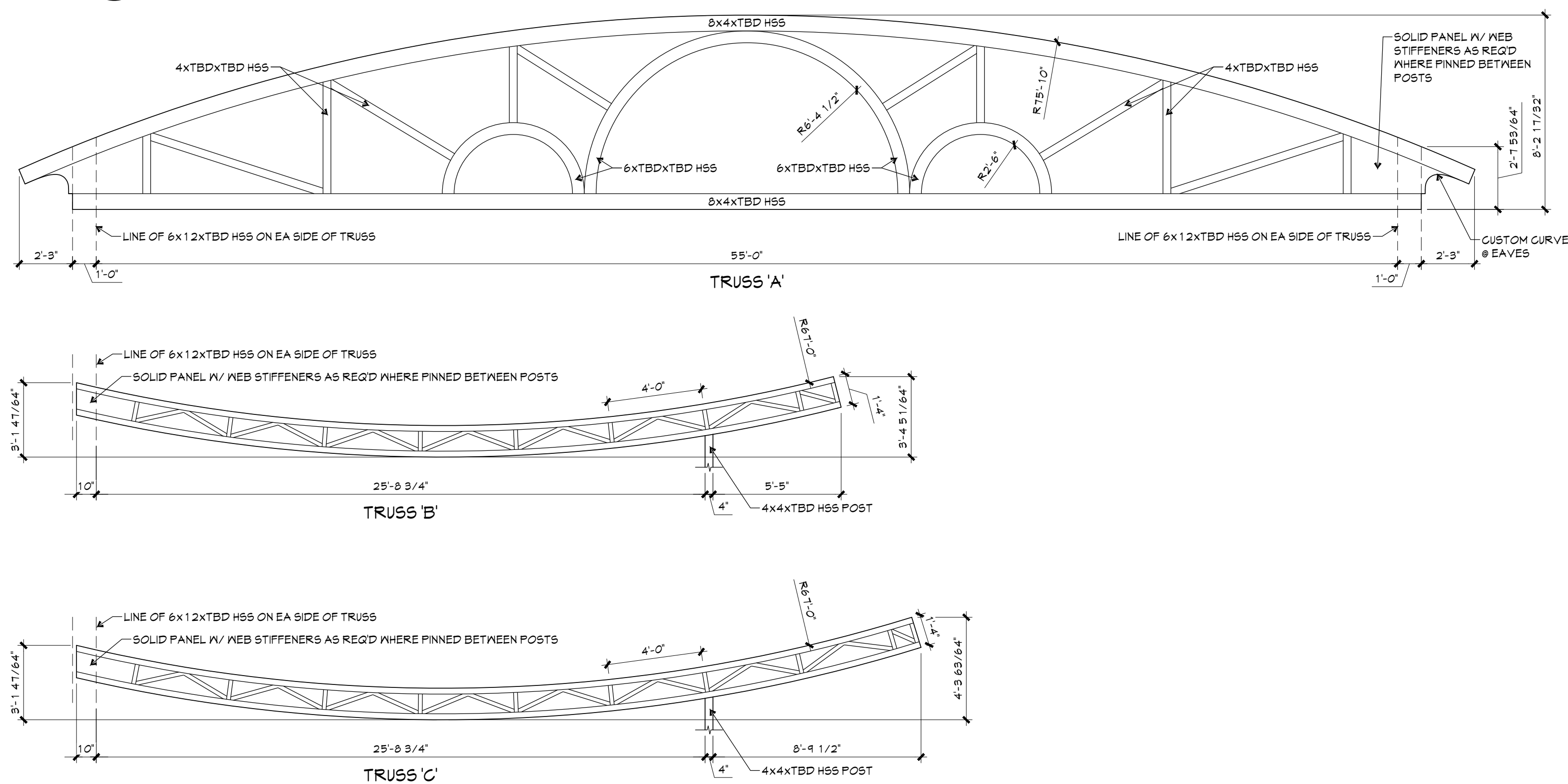
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1  
52.1  
**ROOF FRAMING PLAN**  
SCALE: 1/8" = 1'-0"

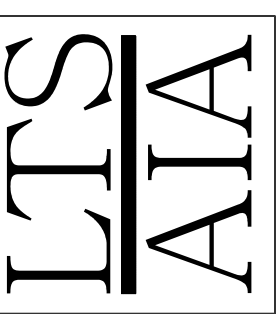


2  
52.1  
**TRUSS DIAGRAMS**  
SCALE: 1/8" = 1'-0"

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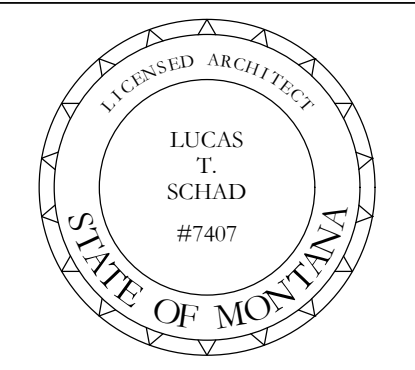


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ROOF FRAMING PLAN

52.1

## 10. CODE REVIEW TEXT

### International Building Code 2021

#### Occupancy Classification

The Pavilion, being an outdoor assembly in nature, is classified as an A-5 occupancy per 303.6.

##### **303.6 Assembly Group A-5**

Group A-5 occupancy includes assembly uses intended for participation in or viewing outdoor activities including, but not limited to:

- Amusement Park structures
- Bleachers
- Grandstands
- Stadiums

The attached Loading/Storage adjacent to the Platform will be classified as an A-5 occupancy per 311.1.1.

##### **311.1.1 Accessory Storage Spaces**

A room or space used for storage purposes that is accessory to another occupancy shall be classified as part of that occupancy.

The Pavilion only having A-5 occupancies is classified as a single-occupancy A-5 building.

#### Construction Classification

The Pavilion will be constructed as Type VB Construction in accordance with 602.3 and Table 601.

##### **602.5 Type V**

Type V construction is that type of construction in which the structural elements, exterior walls and interior walls are of any materials permitted by this code.

Table 601 does not require any building elements to have a Fire-Resistance Rating in Type VB Construction.

**TABLE 601  
FIRE-RESISTANCE RATING REQUIREMENTS FOR BUILDING ELEMENTS (HOURS)**

BUILDING ELEMENT	TYPE I		TYPE II		TYPE III		TYPE IV				TYPE V	
	A	B	A	B	A	B	A	B	C	HT	A	B
Primary structural frame <sup>f</sup> (see Section 202)	3 <sup>a, b</sup>	2 <sup>a, b, c</sup>	1 <sup>b, c</sup>	0 <sup>c</sup>	1 <sup>b, c</sup>	0	3 <sup>a</sup>	2 <sup>a</sup>	2 <sup>a</sup>	HT	1 <sup>b, c</sup>	0
Bearing walls	See Table 705.5											
Exterior <sup>e, f</sup>	3	2	1	0	2	2	3	2	2	2	1	0
Interior	3 <sup>a</sup>	2 <sup>a</sup>	1	0	1	0	3	2	2	1/HT <sup>g</sup>	1	0
Nonbearing walls and partitions Exterior	See Table 705.5											
Nonbearing walls and partitions Interior <sup>d</sup>	0	0	0	0	0	0	0	0	0	See Section 2304.11.2	0	0
Floor construction and associated secondary structural members (see Section 202)	2	2	1	0	1	0	2	2	2	HT	1	0
Roof construction and associated secondary structural members (see Section 202)	1 1/2 <sup>b</sup>	1 <sup>b, c</sup>	1 <sup>b, c</sup>	0 <sup>c</sup>	1 <sup>b, c</sup>	0	1 1/2	1	1	HT	1 <sup>b, c</sup>	0

- a. Roof supports: Fire-resistance ratings of primary structural frame and bearing walls are permitted to be reduced by 1 hour where supporting a roof only.
- b. Except in Group F-1, H, M and S-1 occupancies, fire protection of structural members in roof construction shall not be required, including protection of primary structural frame members, roof framing and decking where every part of the roof construction is 20 feet or more above any floor immediately below. Fire-retardant-treated wood members shall be allowed to be used for such unprotected members.
- c. In all occupancies, heavy timber complying with Section 2304.11 shall be allowed for roof construction, including primary structural frame members, where a 1-hour or less *fire-resistance rating is required*.
- d. Not less than the fire-resistance rating required by other sections of this code.
- e. Not less than the fire-resistance rating based on fire separation distance (see Table 705.5).
- f. Not less than the fire-resistance rating as referenced in Section 704.10.
- g. Heavy timber bearing walls supporting more than two floors or more than a floor and a roof shall have a *fire resistance rating* of not less than 1 hour.

The Pavilion will not be equipped throughout with an automatic sprinkler system and will be constructed to preserve life safety accordingly.

**Allowable Building Height and Area**

A-5 Occupancies constructed using Type VB Construction and not equipped throughout with an automatic sprinkler system will have a maximum allowable building height above the grade plane of 40'-0" per Table 504.3. *The proposed structure is 28'-6" in height.*

**TABLE 504.3**  
**ALLOWABLE BUILDING HEIGHT IN FEET ABOVE GRADE PLANE<sup>a</sup>**

OCCUPANCY CLASSIFICATION	TYPE OF CONSTRUCTION												
	See Footnotes	Type I		Type II		Type III		Type IV				Type V	
		A	B	A	B	A	B	A	B	C	HT	A	B
A, B, E, F, M, S, U	NS <sup>b</sup>	UL	160	65	55	65	55	65	65	65	65	50	40
	S	UL	180	85	75	85	75	270	180	85	85	70	60
H-1, H-2, H-3, H-5	NS <sup>c, d</sup>	UL	160	65	55	65	55	120	90	65	65	50	40
	S		180	85	75	85	75	140	100	85	85	70	60
H-4	NS <sup>c, d</sup>	UL	160	65	55	65	55	65	65	65	65	50	40
	S	UL	180	85	75	85	75	140	100	85	85	70	60
I-1 Condition 1, I-3	NS <sup>d, e</sup>	UL	160	65	55	65	55	65	65	65	65	50	40
	S	UL	180	85	75	85	75	180	120	85	85	70	60
I-1 Condition 2, I-2	NS <sup>d, e, f</sup>	UL	160	65	55	65	55	65	65	65	65	50	40
	S	UL	180	85									
I-4	NS <sup>d, g</sup>	UL	160	65	55	65	55	65	65	65	65	50	40
	S	UL	180	85	75	85	75	180	120	85	85	70	60
R <sup>h</sup>	NS <sup>d</sup>	UL	160	65	55	65	55	65	65	65	65	50	40
	S13D	60	60	60	60	60	60	60	60	60	60	50	40
	S13R	60	60	60	60	60	60	60	60	60	60	60	60
	S	UL	180	85	75	85	75	270	180	85	85	70	60

UL = Unlimited; NP = Not Permitted; NS = Buildings not equipped throughout with an automatic sprinkler system; S = Buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1; S13R = Buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.2; S13D = Buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.3.

- a. See Chapters 4 and 5 for specific exceptions to the allowable height in this chapter.
- b. See Section 903.2 for the minimum thresholds for protection by an automatic sprinkler system for specific occupancies.

A-5 Occupancies constructed using Type VB Construction and not equipped throughout with an automatic sprinkler system are allowed an unlimited number of stories above the grade plane per Table 504.4. *The proposed building is at grade with no additional stories.*

**TABLE 504.4**  
**ALLOWABLE NUMBER OF STORIES ABOVE GRADE PLANE<sup>a, b</sup>**

OCCUPANCY CLASSIFICATION	TYPE OF CONSTRUCTION												
	See Footnotes	Type I		Type II		Type III		Type IV				Type V	
		A	B	A	B	A	B	A	B	C	HT	A	B
A-1	NS	UL	5	3	2	3	2	3	3	3	3	2	1
	S	UL	6	4	3	4	3	9	6	4	4	3	2
A-2	NS	UL	11	3	2	3	2	3	3	3	3	2	1
	S	UL	12	4	3	4	3	18	12	6	4	3	2
A-3	NS	UL	11	3	2	3	2	3	3	3	3	2	1
	S	UL	12	4	3	4	3	18	12	6	4	3	2
A-4	NS	UL	11	3	2	3	2	3	3	3	3	2	1
	S	UL	12	4	3	4	3	18	12	6	4	3	2
A-5	NS	UL	UL	UL	UL	UL	UL	1	1	1	UL	UL	UL
	S	UL	UL	UL	UL	UL	UL	UL	UL	UL	UL	UL	UL
B	NS	UL	11	5	3	5	3	5	5	5	5	3	2
	S	UL	12	6	4	6	4	18	12	9	6	4	3

A-5 Occupancies constructed using Type VB Construction and not equipped throughout with an automatic sprinkler system are allowed an unlimited building area per Table 506.2.

*The proposed building is 8,315 square feet.*

**TABLE 506.2**  
ALLOWABLE AREA FACTOR ( $A_T = NS, S1, S13R, S13D$  or  $SM$ , as applicable) IN SQUARE FEET<sup>a, b</sup>

OCCUPANCY CLASSIFICATION	SEE FOOTNOTES	TYPE OF CONSTRUCTION											
		Type I		Type II		Type III		Type IV				Type V	
		A	B	A	B	A	B	A	B	C	HT	A	B
A-1	NS	UL	UL	15,500	8,500	14,000	8,500	45,000	30,000	18,750	15,000	11,500	5,500
	S1	UL	UL	62,000	34,000	56,000	34,000	180,000	120,000	75,000	60,000	46,000	22,000
	SM	UL	UL	46,500	25,500	42,000	25,500	135,000	90,000	56,250	45,000	34,500	16,500
A-2	NS	UL	UL	15,500	9,500	14,000	9,500	45,000	30,000	18,750	15,000	11,500	6,000
	S1	UL	UL	62,000	38,000	56,000	38,000	180,000	120,000	75,000	60,000	46,000	24,000
	SM	UL	UL	46,500	28,500	42,000	28,500	135,000	90,000	56,250	45,000	34,500	18,000
A-3	NS	UL	UL	15,500	9,500	14,000	9,500	45,000	30,000	18,750	15,000	11,500	6,000
	S1	UL	UL	62,000	38,000	56,000	38,000	180,000	120,000	75,000	60,000	46,000	24,000
	SM	UL	UL	46,500	28,500	42,000	28,500	135,000	90,000	56,250	45,000	34,500	18,000
A-4	NS	UL	UL	15,500	9,500	14,000	9,500	45,000	30,000	18,750	15,000	11,500	6,000
	S1	UL	UL	62,000	38,000	56,000	38,000	180,000	120,000	75,000	60,000	46,000	24,000
	SM	UL	UL	46,500	28,500	42,000	28,500	135,000	90,000	56,250	45,000	34,500	18,000
A-5	NS												
	S1	UL	UL	UL	UL	UL	UL	UL	UL	UL	UL	UL	UL
	SM												
B	NS	UL	UL	37,500	23,000	28,500	19,000	108,000	72,000	45,000	36,000	18,000	9,000
	S1	UL	UL	150,000	92,000	114,000	76,000	432,000	288,000	180,000	144,000	72,000	36,000
	SM	UL	UL	112,500	69,000	85,500	57,000	324,000	216,000	135,000	108,000	54,000	27,000

*The Pavilion is 28'-6" in height, 1 story, and has an area of 8,315 square feet; all these values are allowed by Table 504.3, Table 504.4, and Table 506.2 respectively.*

**Fire Protection and Life Safety Systems**

Section 903.2 provides the minimum thresholds for protection by an automatic sprinkler system for specific occupancies.

*Since the enclosed Loading/Storage area is only 763 square feet, there are no automatic sprinkler system requirements for the Pavilion per 903.2.1.5.*

**903.2.1.5 Group A-5**

An automatic sprinkler system shall be provided for all enclosed Group A-5 accessory use areas in excess of 1,000 square feet.

*In summary, the storage being less than 1,000 sf does not require a sprinkler system.*

Section 903.2.11 lists requirements for specific areas and hazards. Section 410 must be reviewed per Table 903.2.11.6.

**410.6 Automatic Sprinkler System**

[F] TABLE 903.2.11.6	
ADDITIONAL REQUIRED PROTECTION SYSTEMS	
SECTION	SUBJECT
402.5, 402.6.2	Covered and open mall buildings
403.3	High-rise buildings
404.3	Atriums
405.3	Underground structures
407.7	Group i-2
410.6	Stages
411.3	Special amusement buildings
412.2.4	Airport traffic control towers
412.3.6, 412.3.6.1, 412.5.6	Aircraft hangars
415.11.11	Group H-5 HPM exhaust ducts
416.5	Flammable finishes
417.4	Drying rooms
424.3	Play structures
428	Buildings containing laboratory suites
507	Unlimited area buildings
508.5.7	Live/work units
509.4	Incidental uses
1030.6.2.3	Smoke-protected assembly seating
IFC	Sprinkler system requirements as set forth in Section 903.2.11.6 of the <i>International Fire Code</i>



Stages shall be equipped with an automatic sprinkler system in accordance with Section 903.3.1.1. Sprinklers shall be installed under the roof and gridiron and under all catwalks and galleries over the stage. Sprinklers shall be installed in dressing rooms, performer lounges, shops and storerooms accessory to such stages.

***Section 410.6 is not applicable to the Pavilion since it requires stages to be equipped with an automatic sprinkler system. The Pavilion has a horizontal sliding curtain and no overhead hanging curtains, drops, scenery or stage effects other than lighting and sound; thus is a platform as defined by Chapter 2.***

**Stage**

A space within a building utilized for entertainment or presentations, which includes overhead hanging curtains, drops, scenery or stage effects other than lighting and sound.

**Platform**

A raised area within a building used for worship, the presentation of music, plays or other entertainment; the head table for special guests; the raised area for lecturers and speakers; boxing and wrestling rings; theater-in-the-round stages; and similar purposes wherein, other than horizontal sliding curtains, there are no overhead hanging curtains, drops, scenery or stage effects other than lighting and sound. A temporary platform is one installed for not more than 30 days.

***The platform will be constructed with materials approved for Type V construction. The platform is constructed of a concrete slab with no space underneath the platform. The platform is not required to have a Fire-Resistance Rating per 410.3.***

**410.3 Platform Construction**

Permanent platforms shall be constructed of materials as required for the type of construction of the building in which the permanent platform is located. Permanent platforms are permitted to be constructed of fire-retardant-treated wood for Types I, II and IV construction where the platforms are not more than 30 inches above the main floor, and not more than one-third of the room floor area and not more than 3,000 square feet in area. Where the space beneath the permanent platform is used for storage or any purpose other than equipment, wiring or plumbing, the floor assembly shall be not less than 1-hour fire-resistance-rated construction. Where the space beneath the permanent platform is used only for equipment, wiring or plumbing, the underside of the permanent platform need not be protected.

Standpipes are determined per 410.7.

**410.7 Standpipes**

Standpipe systems shall be provided in accordance with Section 905.

***We are requesting a design occupancy of a total of 999 persons.***

**905.3.2 Group A**

Class I automatic wet standpipes shall be provided in nonsprinklered Group A buildings having an occupant load exceeding 1,000 persons.

**Exceptions:**

1. Open-air-seating spaces without enclosed spaces.
2. Class I automatic dry and semiautomatic dry standpipes or manual wet standpipes are allowed in buildings that are not high-rise buildings.

*Since we are requesting a design occupancy of 999 occupants, which is less than 1,000 occupants, we do not need a wet standpipe.*

Portable fire extinguishers will be provided in accordance with section 906.

**906.2 General Requirements**

Portable fire extinguishers shall be selected and installed in accordance with this section and NFPA 10.

**Exception:**

1. The distance of travel to reach an extinguisher shall not apply to the spectator seating portions of Group A-5 occupancies.

*Fire Alarm and Detection Systems will be provided in accordance with section 907. We are requesting a design occupancy of a total of 999 persons.*

**907.2.1. Group A**

A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies where the occupant load due to the assembly occupancy is 300 or more, or where the Group A occupant load is more than 100 persons above or below the lowest level of exit discharge. Group A occupancies not separated from one another in accordance with Section 707.3.10 shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

**907.2.1.1 System Initiation in Group A Occupancies with an Occupant Load of 1,000 or More**

Activation of the fire alarm in Group A occupancies with an occupant load of 1,000 or more shall initiate a signal using an emergency voice/alarm communications system in accordance with Section 907.5.2.2.

**Exception:**

Where approved, the prerecorded announcement is allowed to be manually deactivated for a period of time, not to exceed 3 minutes, for the sole purpose of allowing a live voice announcement from an approved, constantly attended location.

*Since we are requesting a design occupancy of 999, we do not need to provide a fire alarm system.*

**Means of Egress**

The occupant load of each area is calculated using Table 1004.5.

**TABLE 1004.5**

**MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT**

FUNCTION OF SPACE	OCCUPANT LOAD FACTOR <sup>a</sup>
Accessory storage areas, mechanical equipment room	300 gross
Assembly	
Gaming floors (keno, slots, etc.)	11 gross
Exhibit gallery and museum	30 net
Assembly with fixed seats	See Section 1004.6
Assembly without fixed seats	
Concentrated (chairs only—not fixed)	7 net
Standing space	5 net
Unconcentrated (tables and chairs)	15 net
Bowling centers, allow 5 persons for each lane including 15 feet of runway, and for additional areas	7 net
Business areas	150 gross
Concentrated business use areas	See Section 1004.8
Kitchens, commercial	200 gross
Stages and platforms	15 net
Warehouses	500 gross

See drawing 1/G-3 for defined egress areas. The Assembly area will use “Standing Space” as the most concentrated occupancy of the area.

Assembly: 4,822sqft @ 5 net = 977 occupants

The Platform will use “Stages and Platforms”.

Platform: 1,604sqft @ 15 net = 107 occupants

The Loading/Storage area will use “Accessory Storage”.

Storage: 763sqft @ 300 gross = 3 occupants

The Concession area will use “Unconcentrated (Tables and Chairs)”.

Concessions: 699sqft @ 15 net = 47 occupants

The Ticketing area will use “Standing Space”.

Ticketing: 367sqft @ 5 net = 74 occupants

The number of exits required from each area will be provided in accordance with Table 1006.3.3.

**TABLE 1006.3.3**

**MINIMUM NUMBER OF EXITS OR ACCESS TO EXITS PER STORY**

OCCUPANT LOAD PER STORY	MINIMUM NUMBER OF EXITS OR ACCESS TO EXITS FROM STORY
1-500	2
501-1,000	3
More than 1,000	4

Assembly: 977 occupants = 3 exits

Platform: 107 occupants = 2 exits

Storage: 3 occupants = 1 exit

Concessions: 47 occupants = 1 exit

Ticketing: 74 occupants = 2 exits

**1005.3.2 Other Egress Components**

The capacity, in inches, of means of egress components other than stairways shall be calculated by multiplying the occupant load served by such component by a means of egress capacity factor of 0.2 inch per occupant.

<b>Assembly:</b>	<b>977 occupants</b>	<b>x 0.2</b>	<b>=</b>	<b>195.4”</b>	<b>Provided: 1,513”</b>
<b>Platform:</b>	<b>107 occupants</b>	<b>x 0.2</b>	<b>=</b>	<b>21.4”</b>	<b>Provided: 96”</b>
<b>Storage:</b>	<b>3 occupants</b>	<b>x 0.2</b>	<b>=</b>	<b>0.6”</b>	<b>Provided: 60”</b>
<b>Concessions:</b>	<b>47 occupants</b>	<b>x 0.2</b>	<b>=</b>	<b>9.4”</b>	<b>Provided: 72”</b>
<b>Ticketing:</b>	<b>74 occupants</b>	<b>x 0.2</b>	<b>=</b>	<b>14.8”</b>	<b>Provided: 110”</b>

## Plumbing

The occupant load of each area is calculated using Table 1004.5. See drawings 2/G-3 and 3/G-3 for defined plumbing areas. The plumbing calculations are divided by uses of the site, the Pavilion, Everyday Business, the Theater, and the Banquet Hall. The minimum number of required plumbing fixtures will be calculated by the sum of the greatest number of required fixtures between uses that will be occupied simultaneously.

### The Pavilion

The Assembly area will use “Standing Space” as the most concentrated occupancy of the area.

Assembly: 4,822sqft @ 5 net = 977 occupants

The Platform will use “Stages and Platforms”.

Platform: 1,604sqft @ 15 net = 107 occupants

The Loading/Storage area will use “Accessory Storage”.

Storage: 763sqft @ 300 gross = 3 occupants

The Concession area will use “Unconcentrated (Tables and Chairs)”.

Concessions: 699sqft @ 15 net = 47 occupants

The Ticketing area will use “Standing Space”.

Ticketing: 367sqft @ 5 net = 74 occupants

Total Pavilion Occupants: 1,208 Design Occupancy: 999

### Everyday Business

The Cafe area will use “Unconcentrated (Tables and Chairs)”.

Café: 726sqft @ 15 net = 49 occupants

The Lower Business area will use “Business Areas”.

Lower Business: 2,769sqft @ 150 gross = 19 occupants

The Upper Business area will use “Business Areas”.

Upper Business: 6,430sqft @ 150 gross = 43 occupants

Total Everyday Business Occupants: 111

The Theater

The Lower Theater area will use "Business Areas".

Lower Theater: 2,581sqft @ 150 gross = 18 occupants

The Stage area will use "Stages and Platforms".

Stage: 1,244sqft @ 15 net = 83 occupants

The Fixed seating will use 1004.6.

Fixed Seating: 185 seats = 185 occupants

The Lobby area will use "Standing Space".

Lobby: 1,239sqft @ 5 net = 248 occupants

The Upper Theater area will use "Business Areas".

Upper Theater: 2,265sqft @ 150 gross = 16 occupants

The Sound Booth area will use "Business Areas".

Sound Booth: 37sqft @ 150 gross = 1 occupant

The Rehearsal area will use "Stages and Platforms".

Rehearsal: 1,033sqft @ 15 net = 69 occupants

The Balcony area will use "Standing Space".

Balcony: 741sqft @ 5 net = 149 occupants

The Open Balcony area will use "Standing Space".

Open Balcony: 352sqft @ 5 net = 71 occupants

Total Theater Occupants: 840

The Banquet Hall

The Banquet Storage area will use "Accessory Storage".

Banquet Storage: 233sqft @ 300 gross = 1 occupant

The Banquet Kitchen area will use "Kitchens, Commercial".

Banquet Kitchen: 551sqft @ 200 gross = 3 occupants

The Banquet Assembly area will use "Unconcentrated (Tables and Chairs)".

Banquet Assembly: 1,831sqft @ 15 net = 123 occupants

Total Banquet Hall Occupants: 127

The minimum number of required of plumbing fixtures are determined by the Minimum Number of Required Plumbing Fixtures Table in the Administrative Rules for Montana 24.301.351.

Minimum Number of Required Plumbing Fixtures <sup>b, l, j, l, m, n, o, p, q, r</sup>								
Classification	Description	Water Closets (Urinals - see footnotes f, g & o)		Lavatories		Bathtubs/Showers	Drinking Fountains <sup>s</sup>	Other
		Male	Female	Male	Female			
Assembly	Theaters and other buildings for the performing arts and motion pictures <sup>l</sup>	1 per 125	1 per 65	1 per 200		-	1 per 500	1 service sink
	Nightclubs, bars, taverns, dance halls and buildings for similar purposes <sup>d, g, h, j</sup>	1 per 40	1 per 40	1 per 75		-	1 per 500	1 service sink
	Restaurants, banquet halls and food courts <sup>d, g, h, j</sup>	1 per 75	1 per 75	1 per 200		-	1 per 500	1 service sink
	Casino gaming areas	1 per 100 for the first 400 and 1 per 250 for the remainder exceeding 400	1 per 50 for the first 400 and 1 per 150 for the remainder exceeding 400	1 per 250 for the first 750 and 1 per 500 for the remainder exceeding 750		-	1 per 1000	1 service sink
	Auditoriums without permanent seating, art galleries, exhibition halls, museums, lecture halls, libraries, arcades and gymnasiums <sup>l</sup>	1 per 125	1 per 65	1 per 200		-	1 per 500	1 service sink
	Passenger terminals and transportation facilities <sup>l</sup>	1 per 500	1 per 500	1 per 750		-	1 per 1000	1 service sink
	Places of worship and other religious services <sup>h, j</sup>	1 per 150	1 per 75	1 per 200		-	1 per 1000	1 service sink
	Coliseums, arenas, skating rinks, pools and tennis courts for indoor sporting events and activities <sup>l</sup>	1 per 75 for the first 1500 and 1 per 120 for the remainder exceeding 1500	1 per 40 for the first 1520 and 1 per 60 for the remainder exceeding 1520	1 per 200	1 per 150	-	1 per 1000	1 service sink
	Stadiums, amusement parks, bleachers and grandstands for outdoor sporting events and activities <sup>l</sup>	1 per 75 for the first 1500 and 1 per 120 for the remainder exceeding 1500	1 per 40 for the first 1520 and 1 per 60 for the remainder exceeding 1520	1 per 200	1 per 150	-	1 per 1000	1 service sink
Business	Buildings for the transaction of business, professional services, other services involving merchandise, office buildings, banks, light industrial, ambulatory care and similar uses <sup>k, m, n, q</sup>	1 per 25 for the first 50 and 1 per 50 for the remainder exceeding 50		1 per 40 for the first 80 and 1 per 80 for the remainder exceeding 80		-	1 per 100	1 service sink <sup>k</sup>
Educational	Educational Facilities	1 per 50		1 per 50		-	1 per 100	1 service sink
Factory and Industrial	Structures in which occupants are engaged in work fabricating, assembly or processing of products or materials <sup>l</sup>	1 per 100		1 per 100		-	1 per 400	1 service sink
Institutional	Custodial care facilities	1 per 10		1 per 10		1 per 8	1 per 100	1 service sink
	Medical care recipients in hospitals and nursing homes <sup>c</sup>	1 per room <sup>d</sup>		1 per room <sup>d</sup>		1 per 15	1 per 100	1 service sink
	Employees in hospitals and nursing homes <sup>c</sup>	1 per 25		1 per 35		-	1 per 100	-
	Visitors in hospitals and nursing homes	1 per 75		1 per 100		-	1 per 500	-
	Prisons <sup>c</sup>	1 per cell		1 per cell		1 per 15	1 per 100	1 service sink
	Reformatories, detention centers and correctional centers <sup>c</sup>	1 per 15		1 per 15		1 per 15	1 per 100	1 service sink
	Employees in reformatories, detention centers and correctional centers <sup>c</sup> Adult day care and child day care	1 per 25 1 per 15		1 per 35 1 per 15		- 1 per 15 <sup>d</sup>	1 per 100	- 1 service sink
Mercantile	Retail stores, service stations, shops, salesrooms, markets and shopping centers <sup>k, m, n, q</sup>	1 per 500		1 per 750		-	1 per 1000	1 service sink <sup>k</sup>
Residential	Hotels, motels, boarding houses (transient)	1 per sleeping unit		1 per sleeping unit		1 per sleeping unit	-	1 service sink
	Dormitories, fraternities, sororities and boarding houses (not transient)	1 per 10		1 per 10		1 per 8	1 per 100	1 service sink
	Apartment house	1 per dwelling unit		1 per dwelling unit		1 per dwelling unit	-	1 kitchen sink per dwelling unit; 1 automatic clothes washer connection per 20 dwelling units
	One- and two-family dwellings and lodging houses with five or fewer guestrooms	1 per dwelling unit		1 per 10		1 per dwelling unit	-	1 kitchen sink per dwelling unit; 1 automatic clothes washer connection per dwelling unit
	Congregate living facilities with 16 or fewer persons	1 per 10		1 per 10		1 per 8	1 per 100	1 service sink

The Pavilion

Classification: Assembly Description: Outdoor Activities

Total Occupants: 999 (500 Male/ 500 Female)

Male Water Closets:	500occ. @ 1 per 75	=	6.66
Male Lavatories:	500occ. @ 1 per 200	=	2.50
Female Water Closets:	500occ. @ 1 per 40	=	12.5
Female Lavatories:	500occ. @ 1 per 150	=	3.33
Drinking Fountains:	999 occ. @ 1 per 1,000	=	1.00
Service Sinks:	1 sink	=	1.00

Everyday Business

Classification: Assembly Description: Cafe

Total Occupants: 49 (25 Male/ 25 Female)

Male Water Closets:	25occ. @ 1 per 75	=	0.33
Male Lavatories:	25occ. @ 1 per 200	=	0.13
Female Water Closets:	25occ. @ 1 per 75	=	0.33
Female Lavatories:	25occ. @ 1 per 200	=	0.13
Drinking Fountains:	49occ. @ 1 per 500	=	0.01
Service Sinks:	1 sink	=	1.00

Classification: Business Description: Offices

Total Occupants: 62 (31 Male/ 31 Female)

Male Water Closets:	31occ. @ 1 per 25	=	1.24
Male Lavatories:	31occ. @ 1 per 40	=	0.78
Female Water Closets:	31occ. @ 1 per 25	=	1.24
Female Lavatories:	31occ. @ 1 per 40	=	0.78
Drinking Fountains:	62occ. @ 1 per 100	=	0.62
Service Sinks:	1 sink	=	1.00

Theater

Classification: Assembly Description: Theater

Total Occupants: 840 (420 Male/ 420 Female)

Male Water Closets:	420occ. @ 1 per 125	=	3.36
Male Lavatories:	420occ. @ 1 per 200	=	2.10
Female Water Closets:	420occ. @ 1 per 65	=	6.46
Female Lavatories:	420occ. @ 1 per 200	=	2.10
Drinking Fountains:	840occ. @ 1 per 500	=	1.68
Service Sinks:	1 sink	=	1.00

Banquet Hall

Classification: Assembly Description: Banquet Hall

Total Occupants: 127 (64 Male/ 64 Female)

Male Water Closets:	64occ. @ 1 per 75	=	0.85
Male Lavatories:	64occ. @ 1 per 200	=	0.32
Female Water Closets:	64occ. @ 1 per 75	=	0.85
Female Lavatories:	64occ. @ 1 per 200	=	0.32
Drinking Fountains:	127occ. @ 1 per 500	=	0.25
Service Sinks:	1 sink	=	1.00



The Pavilion and the Theater will not be operating at the same time. The Pavilion has a greater requirement of Male Water Closets, Male Lavatories, Female Water Closets, and Female Lavatories. The Theater has a greater requirement of Drinking Fountains.

**Total Plumbing Fixtures Required:**

Male Water Closets:	$6.66+0.33+1.24+0.85$	=	9.08
Male Lavatories:	$2.50+0.13+0.78+0.32$	=	3.73
Female Water Closets:	$12.5+0.33+1.24+0.85$	=	14.92
Female Lavatories:	$3.33+0.13+0.78+0.32$	=	4.56
Drinking Fountains:	$0.01+0.62+1.68+0.25$	=	2.56
Service Sinks:	1 sink	=	1.00

**Plumbing Fixtures Required:**

<b>Male Water Closets:</b>	<b>10</b>
<b>Male Lavatories:</b>	<b>4</b>
<b>Female Water Closets:</b>	<b>15</b>
<b>Female Lavatories:</b>	<b>5</b>
<b>Drinking Fountains:</b>	<b>3</b>
<b>Service Sinks:</b>	<b>1</b>

**Current Plumbing Fixtures Provided:**

<b>Male Water Closets:</b>	<b>9</b>
<b>Male Lavatories:</b>	<b>8</b>
<b>Female Water Closets:</b>	<b>13</b>
<b>Female Lavatories:</b>	<b>8</b>
<b>Drinking Fountains:</b>	<b>7</b>
<b>Service Sinks:</b>	<b>1</b>

*When at maximum design occupancy of 999, the Pavilion will be provided with portable toilets to meet the number of plumbing fixtures required.*

**Parking**

The minimum number of parking spaces required is determined by the Livingston Municipal Code 30.51.J.

USE	SPACE REQUIRED
Bowling alleys.	Five per alley.
Medical and dental clinic.	One per 200 square feet of gross floor area.
Banks, business and professional offices with on-site customer service.	One per 400 square feet of gross floor area.
Offices not providing on-site customer services.	One per 4 employees or one per 800 sq. ft. of gross floor area, whichever is greater.
Eating and drinking establishments.	One per 100 sq. ft. of gross floor area for the first 4,000 sq. ft. with 10 spaces minimum requirement and one space for each additional 300 square feet.
Theaters.	One per 10 seats.
Health and exercise establishment	One per 200 square feet of gross floor area plus 3 per court
Churches, auditoriums and similar open assemblies.	One per 5 seats or one per 100 linear inches of pew or one per 65 sq. ft. of gross floor area used for assembly purposes, whichever is greater.
Stadiums, sport arenas and similar open assemblies.	One per 8 fixed seats plus one per 100 sq. ft. of assembly space without fixed seats.
* In calculating minimum required parking, gross floor area shall not include car ports and garage areas.	

*See drawings 1/G-4 and 2/G-4 for defined parking areas. The parking calculations are divided by uses of the site, the Pavilion, the Cafe, Business, Banquet, and the Theater. The minimum number of required parking spaces will be calculated by the sum of the greatest number of required parking spaces between uses that will be occupied simultaneously.*

The Pavilion area will use “Stadiums, sport arenas and similar open assemblies”.

Pavilion: 4,882sqft @ 1 per 100sqft = 48.84 spaces

The Cafe area will use “Eating and drinking establishments”.

Cafe: 951sqft @ 1 per 100sqft = 9.51 (10) spaces

The Business area will use “Offices not providing on-site customer services”.

Business: 8,990sqft @ 1 per 800sqft = 11.24 spaces

The Banquet area will use “Churches, auditoriums and similar open assemblies”.

Banquet: 1,831sqft @ 1 per 65sqft = 28.17 spaces

The Theater area will use “Theaters”.

Theater: 185 seats @ 1 per 10 seats = 18.5 spaces

***The Pavilion and the Theater will not be operating at the same time. The Pavilion has a greater requirement of parking spaces.***

Total parking spaces required:

48.84+10+11.24+28.17 = 98.25 (99) spaces

***The Pavilion, being in the Central Business District Zone, may meet 50% of the parking spaces required by the Table of Minimum Standards per Livingston Municipal Code 30.51.I.***

**30.51.I Central Business District**

Central Business District. In the Central Business District Zone any commercial enterprise that is required to meet the minimum standards for off-street parking, shall be required to have only fifty percent of the parking space requirements in the Table of Minimum Standards. Apartment units in the Central Business District shall meet the full parking space requirements.

99 spaces x 50% = 49.5 (50) spaces

***20% of required parking may be replaced with equal size landscaping per Livingston Municipal Code 30.51.K.***

**30.51.K**

Up to twenty percent of the parking spaces required in the Table of Minimum Standards may be replaced by enlarged landscaped areas, stormwater swales, or social areas. Enlarged landscaped, stormwater, or social areas must be equivalent or greater in total square footage to the parking spaces being replaced.

***50 spaces x 20% = 10 spaces max reduction***

**One parking spot may be replaced for each 166.5sqft of landscaping per Livingston Municipal Code 30.51.K and Table 30.51. The Pavilion provides enough landscaping to reduce required parking by a maximum of 10 spaces.**

Table 30.51. Commercial and Industrial Parking stall and drive aisle dimension requirements.			
Parking Angle	Parking Stall Length	Parking Stall Width	Drive Aisle Width One-Way/Two-Way
30°	18'6"	9'	13'/21'
45°	18'6"	9'	13'/21'
60°	18'6"	9'	16'/21'
75°	18'6"	9'	16'/21'
90°	18'6"	9'	—/24'

$$\begin{aligned}
 18.5\text{ft} \times 9\text{ft} &= 166.5\text{sqft} \\
 166.5\text{sqft} \times 10 &= 1,665\text{sqft of landscaping} \\
 &= 2,076\text{sqft of provided landscaping} \\
 40 \text{ spaces} - 10 \text{ spaces} &= 40 \text{ minimum spaces required} \\
 &= \mathbf{51 \text{ spaces provided}}
 \end{aligned}$$

The Pavilion is required to provide bicycle parking. The bicycle parking must be equal to or greater than 10% of the required automobile parking per Livingston Municipal Code 30.51.R.1.a.

**30.51.R.1.a.**

In all multi-family residential, commercial, industrial and mixed-use development, the amount of provided bicycle parking shall be no less than ten percent of the required automobile parking spaces. In buildings with less than twenty parking spaces, two bicycle parking spaces shall be required. Buildings with existing bicycle parking in the adjacent right-of-way may waive the required bicycle parking spaces if the number of bicycle parking spaces provided within the adjacent right-of-way is equal to or greater than the number of spaces required by this regulation. Where there are five or more bicycle spaces required, twenty percent of those spaces shall be for bicycles with trailers.

$$\begin{aligned}
 40 \text{ spaces} \times 10\% &= 4 \text{ bicycle parking spaces required} \\
 &= \mathbf{6 \text{ bicycle parking spaces provided}}
 \end{aligned}$$

Parking stalls will be at 60 degrees and 90 degrees and will follow the dimensions in Livingston Municipal Code Table 30.51. The number of accessible parking spaces will be provided in accordance with Table 1106.2 of the International Building Code.

**TABLE 1106.2  
ACCESSIBLE PARKING SPACES**

TOTAL PARKING SPACES PROVIDED IN PARKING FACILITIES	REQUIRED MINIMUM NUMBER OF ACCESSIBLE SPACES
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
1,001 and over	20, plus one for each 100, or fraction thereof, over 1,000

**Required Accessible Parking:**

**Spaces Required: 3**

**Spaces Provided: 4**

Accessible parking stalls will follow the dimensions in the Montana Accessibility Code 2017, 502.2.

### 502.2 Vehicle Space Size

Car parking spaces shall be 96 inches (2440 mm) minimum in width. Van parking spaces shall be 132 inches (3355 mm) minimum in width.

**Exception:** Where the adjacent access aisle is 96 inches (2440 mm) minimum in width, van parking spaces shall be 96 inches (2440 mm) minimum in width.

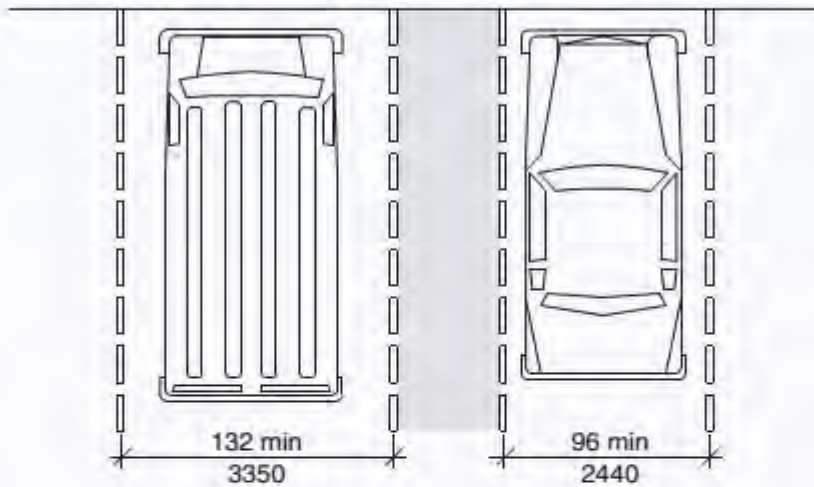


FIGURE 502.2(A)  
VEHICLE PARKING SPACE SIZE

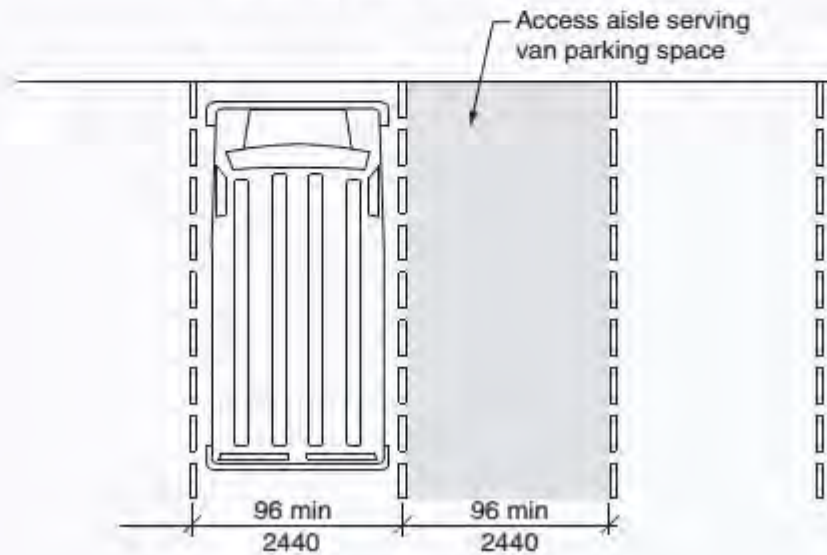


FIGURE 502.2(B)  
VAN PARKING SPACE SIZE EXCEPTION

Bicycle parking spaces will follow the dimensions in Livingston Municipal Code 30.51.R.1.b.

**30.51.R.1.b.**

A bicycle parking space shall be no less than three feet wide by six feet long. Bicycle with trailer spaces shall be no less than three feet wide by ten feet long.

**Required Bicycle Parking:**

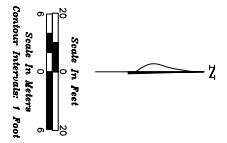
<b>Required Standard Bicycle Parking:</b>	<b>4</b>	<b>Provided Standard Bicycle Parking:</b>	<b>4</b>
<b>Required Trailer Bicycle Parking:</b>	<b>0</b>	<b>Provided Trailer Bicycle Parking:</b>	<b>2</b>

**11. DEVELOPMENT SCHEDULE**

We have engaged Basecamp Supply & Construction to put forth a development schedule with the major milestones listed below:

Excavation, Backfill, & Compaction	October 2023 – December 2023
Anticipated Project Completed	June 2024

*Detailed Development Schedule Listed in Appendix I.*



**LEGEND**

- (R) RECORD DISTANCE OR AZIMUTH
- FOUND 5/8 INCH REBAR WITH 1 1/4 INCH PLASTIC CAP (COURT FLOOR) OR AS NOTED
- BENCHMARK / CONTROL POINT
- EXISTING SPOT ELEVATION
- EXISTING CONCRETE SURFACE
- EXISTING WATER VALVE
- EXISTING CURB STOP
- EXISTING POWER POLE
- EXISTING LIGHT POLE
- EXISTING TREE
- PROPERTY BOUNDARY LINE
- SURROUNDING PROPERTY LINE
- EXISTING FENCE
- EXISTING OVERHEAD ELECTRIC LINE
- EXISTING SWANING SPAN WALK
- OBSERVATIONS ON A MODIFIED STATE PLANE GRID, ROUTE ADJUSTED SHOWN 0734427 CCW TO SURVEY RELATED ADJUSTMENTS
- (NORTH) NORTH BEARING COMPUTED FROM ADJUTIN SURVEY

**LEGAL DESCRIPTION**

Tract A-1 & B-1 of SD 410  
 Block 75, Livingston Original Townsite  
 NE 1/4 and SE 1/4 of Section 18,  
 T. 2 S., R. 9 E. of P.M.M.,  
 Park County, Montana

**BENCHMARK**

Top of set magnet (CP#1)  
 Elevation: 4483.77 Feet  
 Datum: (NAD83)

**DATE OF FIELD SURVEY**

March 21, 2023

**FIELD NOTES**

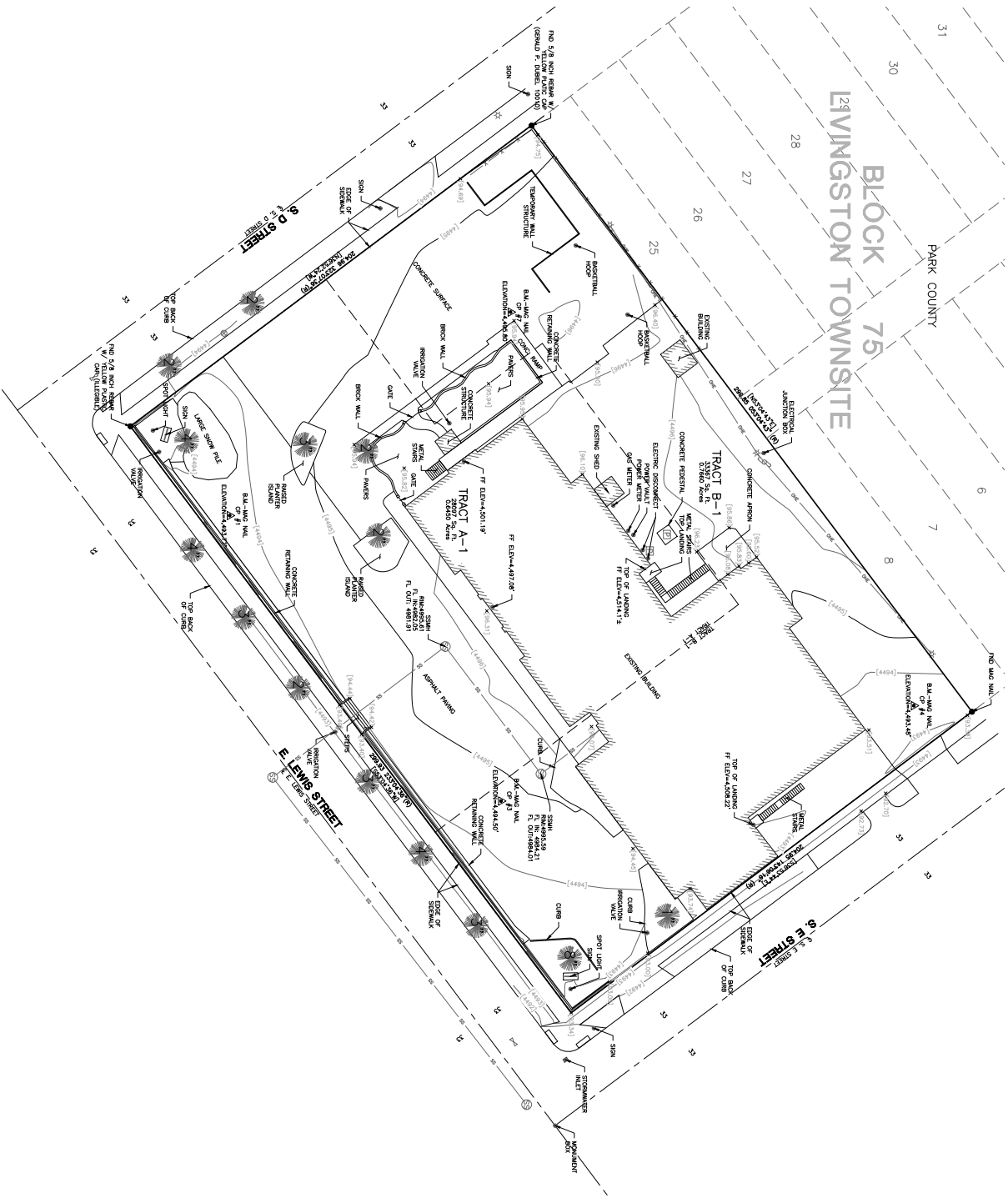
BOOK 318, PAGE 62  
 BOOK 318, PAGE 63



Mark A. Chandler, License No. 95785  
 Date: \_\_\_\_\_ Day of \_\_\_\_\_, 2023.

**NOTES**

Contractor to verify utilities prior to construction.  
 At the time in which this survey was performed, the subject property was vacant. The survey was performed by the undersigned and the surveyor's order was recorded in the public records of Park County, Montana.  
 A property boundary survey was not done at this time. Additional field work would be required to show property boundary location.



**1** TOPOGRAPHIC MAP  
 SCALE: 1"=50'



**SHANE LALANI CENTER FOR THE ARTS**  
 TRACTS A-1 & B-1 OF SD 410,  
 LIVINGSTON ORIGINAL TOWNSITE  
 406 E LEWIS ST, LIVINGSTON  
 PARK COUNTY, MONTANA

**TOPOGRAPHIC MAP**  
 FOR  
**LTS ARCHITECTS**



#23001316

**RESOLUTION NO. 4073**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO ENTER INTO AGREEMENT WITH CRAZY MOUNTAIN PRODUCTIONS FOR SALE OF EASTSIDE SCHOOL.**

**WHEREAS**, on May 14, 2009, the City of Livingston passed Resolution No. 4029 of its intent to sell Eastside School: and

**WHEREAS**, on May 18, 2009, the City Commission, following a legally noticed public hearing passed Resolution No. 4030 to sell Eastside School; and

**WHEREAS**, on June 10, 2009, after advertising for Requests for Proposal to sell Eastside School, the City commission received two bids and decided that the bid from Crazy Mountain Productions was in the best interests of the City; and

**WHEREAS**, the City and Crazy Mountain Productions after negotiations have prepared an Agreement for the Purchase and Sale of Real Property of the Eastside School which is attached hereto as Exhibit A and incorporated by this reference as though fully set forth herein.

**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 Agreement for Purchase and Sale of Real Property for the Eastside School attached hereto as Exhibit A with Crazy Mountain Productions.

**PASSED AND ADOPTED** by the City Commission of the City of Livingston, Montana, this 21<sup>st</sup> day of September, 2009.

**STEVE CALDWELL - Chairman**

**ATTEST:**

**ROBYN KEYES  
Recording Secretary**

**APPROVED AS TO FORM:**

**BRUCE E. BECKER  
City Attorney**

**Resolution No. 4073**

**Approving Agreement for Sale of Eastside School to Crazy Mountain Productions**

**Page 1**

STATE OF MONTANA  
City of Livingston  
I hereby certify that this instrument is a full, true and correct copy of the original now on file and of record in my office.  
Witness my hand and Official Seal this 21<sup>st</sup> day of October 20 09.  
Tam Payovich, Recording Secretary  
By: Tam Payovich  
Recording Secretary



**AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY**

*September 21, 2009*

RECEIVED FROM CRAZY MOUNTAIN PRODUCTIONS, herein called "Buyer," the sum of One Dollar (\$1.00) to be deposited into the Trust Account of Karl Knuchel as earnest money within three (3) days of the Seller's acceptance of this agreement. This earnest money is to be considered as a deposit on account of the purchase price of Four Hundred Twenty Thousand Dollars (\$420,000) for the purchase of property situated in Park County, Montana, and generally described as follows:

Tract A-1 and B-1 of Amended Subdivision Plat #410, Park County, Montana, according to the official plat on file and of record in the office of the County Clerk and Recorder of Park County, Montana.

The Buyer offers to purchase the described property from THE CITY OF LIVINGSTON, on the following terms and conditions:

1. Purchase Price: Four Hundred Twenty Thousand Dollars (\$420,000).
2. Balance. Shall be paid by investments made by Crazy Mountain Productions into the real property totaling Four Hundred Twenty Thousand Dollars (\$420,000). The payments will be tracked by a certified public accountant with annual certified reports made to the City for three (3) years or until the Four Hundred Twenty Thousand Dollar (\$420,000) investment has been fulfilled.

**CONTINGENCIES:**

1. The City of Livingston shall be given a first right of refusal to buy the property back should Crazy Mountain Productions decide to sell the property after purchasing it.
2. All renovations on the exterior of the property will be subject to the standards of historic restoration set forth by the Secretary of the Interior.
3. Crazy Mountain Productions will grant a thirty (30) year lease agreement to The City of Livingston leasing the southwest classroom in the basement of the old school and the property defined as the South five feet (5') of the Original Lot 25 and all of Original Lot 24 for a one-time fee of One Dollar (\$1.00).
4. Crazy Mountain Productions will grant The City of Livingston free access to the Center's eventual conference room. The City's use of the conference room is subject to availability and at the discretion of the City Manager and the Executive Director of Crazy Mountain

Productions.

5. Crazy Mountain Productions will rent all areas of the Center available for daily rental, including, but not limited to the ballroom, catering kitchen, and auditorium to the City at the public/non-profit rate as established by Crazy Mountain Productions.
6. Crazy Mountain Productions will operate the Center in accordance with its current stated mission: to strengthen community through participation in the performing arts.
7. The legal agreement between The City of Livingston and Crazy Mountain Productions will be structured as a Special Deed supported by a Trust Indenture outlining the conditions of the transfer of the property to Crazy Mountain Productions.
8. The City will be obliged to rezone the property to "Center Business District" prior to closing with Crazy Mountain Productions.
9. Crazy Mountain Productions agrees to invest the minimum of Four Hundred Twenty Thousand Dollars (\$420,000) in the property within the first three (3) years of ownership. In the event of non-compliance with this condition, The City may declare a default and upon Crazy Mountain Productions' failure to correct the default, property ownership will revert to The City.
10. The property will be subject to the conditions set forth in MCA §7-8-4201(3) which provides as follows:

(3) If a city or town owns property containing a historically significant building or monument, the city or town may sell or give the property to nonprofit organizations or groups that agree to restore or preserve the property. The contract for the transfer of the property must contain a provision that:

(a) requires the property to be preserved in its present or restored state upon any subsequent transfer; and

(b) provides for the reversion of the property to the city or town for noncompliance with conditions attached to the transfer.

The Warranty Deed transferring the property will set forth these conditions.

CLOSING:

The parties agree to close this transaction on November 19, 2009

PERSONAL PROPERTY/BUILDINGS:

The parties agree that all buildings currently on the property in question shall transfer with the property and shall include, but not be limited to all buildings currently on the premises.

TAXES AND INSURANCE:

Crazy Mountain Productions shall be responsible for all taxes following the date of closing. Crazy Mountain Productions will be responsible for insuring the property at a minimum of Four Hundred Twenty Thousand Dollars (\$420,000) with The City name as an "also insured".

POSSESSION:

Possession of this property shall be delivered to Buyer upon the closing of this transaction.

THE UNDERSIGNED BUYER OFFERS AND AGREES TO BUY THE ABOVE-DESCRIBED PROPERTY ON THE TERMS AND CONDITIONS ABOVE STATED AND ACKNOWLEDGES RECEIPT OF A COPY HEREOF.

BUYER:

CRAZY MOUNTAIN PRODUCTIONS

By W. J. L.  
Its Executive Director

**ACCEPTANCE**

The undersigned accepts the offer and agrees to sell the property described on the terms and conditions therein set forth.

The undersigned acknowledges receipt of a copy hereof.

DATED this 21<sup>st</sup> day of October, 2009.

THE CITY OF LIVINGSTON

By   
ED MEECE, City Manager

10/19/2009

**A resolution of the Board of Directors of Crazy Mountain Productions, Authorizing Executive Director to enter into Agreement for Purchase and Sale of Real Property with the City of Livingston.**

Whereas, on June 1, 2009 the Board of Directors of Crazy Mountain Productions passed a resolution authorizing Board President Storrs Bishop and Executive Director Walter Russell Lewis to sign and submit a proposal in response to an Invitation for Bid issued by The City of Livingston regarding the lease/purchase of the former East Side School.

Whereas, on July 6, 2009 the Board of Directors of Crazy Mountain Productions passed a resolution authorizing Board President Storrs Bishop and Executive Director Walter Russell Lewis to enter into negotiations on behalf of Crazy Mountain Productions with the City of Livingston regarding details of the purchase of the former East Side School.

Now, therefore, be it resolved, by the Board of Directors of Crazy Mountain Productions as follows:

The Executive Director of Crazy Mountain Productions is hereby authorized to enter into the Agreement for Purchase and Sale of Real Property attached hereto as Exhibit A with the City of Livingston.

Passed and adopted by the Board of Directors of Crazy Mountain Productions this 19<sup>th</sup> day of October, 2009.

\_\_\_\_\_  
Storrs Bishop, CMP Board President

Attest:

\_\_\_\_\_  
Gary Fish, CMP Vice President

\_\_\_\_\_  
Walter Russell Lewis, Executive Director



PO Box 58 - Livingston, MT 59047  
crazymountainproductions.org  
406.222.1420  
FEIN: 45-0490660

*Strengthening community through participation in the performing arts.*

June 10, 2009

**Crazy Mountain Productions  
(Former) East Side School  
Project Proposal**

**Table of Contents**

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- Attachment 1 - Purchase of the Former East Side School
- Attachment 2 - Long-Term Lease of the former East Side School
- Attachment 3 - MCA Section 7-8-4201 and House Bill No. 623

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- 1. Contact Information**
- 2. Property Re-Development Description**
  - a. CMP Mission, Vision, and History**
  - b. Project Summary**
  - c. Facility Description and Composition**  
Attachment 4 – Schematic Design
  - d. Programming**
  - e. Project Timeline**

**Section B – Financial**

- 1. Two Phase Approach**
- 2. Estimated Project Costs**
  - Attachment 5 – Estimated Phase 1 Project Budgets
  - Attachment 6 – Estimated Phase 2 Project Budget
- 3. Financial Plan**
  - Attachment 7 – CMP 2008-2009 Annual Budget
  - Attachment 8 - CMP Phase 1 Annual Budget (Projected)
- 4. Statement of Intention for Utilizing Local Businesses**

**Section C – Personnel**

- 1. CMP Board of Directors and Staff**
- 2. Professional Assistance**
- 3. Professional References**

**Section D – Summary**



*A 501 (c) (3) Non-profit Organization*  
PO Box 58  
Livingston, MT 59047  
[www.crazymountainproductions.org](http://www.crazymountainproductions.org)  
406.222.1420

*"Strengthening community through participation in the performing arts."*

**Bid Form:**  
**Sale/Long-Term Lease of**  
**(former) East Side School**

**OPTION ONE: Purchase of the former East Side School**

- a) Bidder's Purchase Offer = \$0.00
- b) Additional Conditions (Bidder) of Sale: (attach additional sheets if needed)

**\*Please see Attachment 1 - Purchase of the Former East Side School.**

**OPTION TWO: Long-Term Lease of the former East Side School**

- a) Per-Month Lease Amount = \$3,500.00 (in lease-holder improvements)
- b) Annual Lease Amount Increase = \$0.00
- c) Addition Conditions (Bidder) of Long-Term Lease: (attach additional sheets if needed)

**\*Please see Attachment 2 – Long-Term Lease of the Former East Side School.**

Submitted by: Crazy Mountain Productions  
Name of Bidder

Storrs Bishop, CMP Board President  
Authorized Agent

\_\_\_\_\_  
Date

Walter Russell Lewis, Executive Director  
Authorized Agent

\_\_\_\_\_  
Date

**ALL OTHER REQUIRED BID INFORMATION SHOULD BE ATTACHED TO THE**  
**REAR OF THIS PAGE, WITH TABLE OF CONTENTS.**

## **Attachment 1 - Purchase of the Former East Side School**

### **Section I – Bidder’s Purchase Offer = \$0.00**

Given that CMP’s project of renovating the former East Side School into a non-profit community center for the performing arts will cost, even with CMP staff and volunteers providing most of the labor, a minimum of \$800,000 (please see Attachment 6 – Estimated Phase 1 Project Budgets), and that the majority of these finances will need to be raised by CMP through a capital campaign drawing directly from this community, we ask the City of Livingston to consider donating this property to our organization for this project. We realize the donation of the former East Side School to a non-profit organization is outside the scope of this IFB and the City’s current Resolution of Intent to Sell, but we hope to outline in this proposal some of the most significant reasons why CMP believes the City would be serving the public good by making such a donation. The following section of this attachment outlines some of the most compelling reasons why the City of Livingston should consider donating this property to CMP for this project of establishing a non-profit community center for the performing arts at the former East Side School.

#### **1. Legal Empowerment**

As it is one of the major intentions of this project to preserve the former East Side School property from further deterioration and eventually restore the exterior of the Old School Building (1902) to its historic facade, we believe that the City’s donation or sale of this property to CMP is governed by Montana State Code section 7-8-4201, sub-section 3 which states, “If a city or town owns property containing a historically significant building or monument, the city or town may sell or give the property to non-profit organizations or groups that agree to restore or preserve the property. The contract for the transfer of the property must contain a provision that: a) requires the property to be preserved in its present or restored state upon any subsequent transfer; and b) provides for the reversion of the property to the city or town for non-compliance with conditions attached to the transfer.” Please see Attachment 3 - MCA Section 7-8-4201 and House Bill No. 623 for relevant details.

#### **2. Precedent**

There is precedent in Montana for substantial support from municipalities for similar projects. In 1990, The City of Missoula contributed \$350,000 to the Missoula Children’s Theatre (MCT) for purchase of the Central School from the Missoula School District; with a stipulation that MCT invest an additional \$350,000 in the property over time. Over the past 20 years, MCT has far surpassed this condition by raising \$3,500,000 through a capital campaign and investing this sum in the Central School, transforming this historic building into a state of the art performing arts center. MCT, which began as an organization similar in size to CMP, has become a nationally recognized theatre and



considerable economic engine in their community. They have created dozens of new jobs in Missoula, and brought national funds to Montana in the form of grants, donations, program tuitions, fees for service, and tourism. If CMP were to have the opportunity to move forward with this project, it would be our sincere hope to achieve similar goals.

**3. Investment in a Historic Property**

As stated above, CMP’s Phase 1 goal of renovating the former East Side School and transforming it into a non-profit community center for the performing arts will cost a minimum of \$800,000, and our Phase 2 goal of building a new addition housing a state of the art stage and renovating the auditorium to seat approximately 350 people, will cost upwards of an additional \$1,000,000. The achievement of these goals will become significantly more possible if CMP is able to apply the vast majority of the up-front resources we are able to borrow and raise directly to renovations. In essence, CMP hopes to serve as the conduit through which plans will be made and funds gathered to renovate and reinvigorate this historic property, which is truly one of Montana’s architectural treasures, having been designed by C.E. Bell, the architect who designed the Capitol Building in Helena.

**4. Affordability to Renters, Sub-Leasers, and Program Participants**

By donating the former East Side School to CMP for the purposes of this project, the City will enable us to provide inexpensive access to space in the intended Arts Center. Our renters and sub-lesers, anticipated to be largely non-profit organizations and area artists, will benefit from below market value access to square footage, helping their businesses prosper. Those wishing to host an event, teach a class, or stage a production will be able to do so with less expense. They will in turn be able to pass this savings onto the individual community members taking advantage of their programming. In addition, CMP will be able to continue to offer inexpensive access to all of our productions and educational programs so that cost, in Livingston, will never be a barrier to participation in the performing arts.

**5. Project Beneficiaries**

Some of the direct beneficiaries of this project will be:

- a. Our Community at Large.

Our community will be strengthened by the existence of a centrally located public gathering place and will enjoy an increased reputation as a focal point for cultural activity in south-central Montana.

b. Our Kids.

Located within walking distance of the schools, the Center will provide an easily accessible and safe venue for after school theatre-arts programming and other youth activities. We will be able to keep our young people engaged in a positive social environment, through which they learn self-confidence, teamwork, and commitment, not to mention gaining a life-long appreciation of the arts.

c. Area Residents.

Residents of Livingston's East Side will benefit from the renovation and reinvigoration of the former East Side School. As the facility is improved, property values in the vicinity should increase, and the establishment of up to 80 off-street parking spaces will alleviate any parking concerns neighbors might have.

d. Area Businesses.

Through our productions and programs, CMP currently hosts approximately 20,000 visits per year at The Firehouse 5 Theatre. By establishing The East Side Arts Center, these visits will transfer from the edge of our community to downtown Livingston, which will generate a substantial economic impact. Numerous local businesses already report increased patronage during our productions; by relocating operations downtown, our ability to contribute to Livingston's economy will grow. Please see Section 6 of this attachment, Increased Economic Impact, for additional information on this subject.

e. The City of Livingston.

By collaborating with Crazy Mountain Productions to establish The East Side Arts Center, the City of Livingston will benefit considerably. The financial burden of maintaining such a large structure will pass onto CMP, freeing up City resources to fund other projects and services. The City will enjoy increased tax revenue due to the economic impact of The Center on the business community and an enhanced reputation among its constituents as progressive and community-oriented. In addition, the City will enjoy access to an improved parking lot, storage space, as well as a conference room, ballroom, commercial kitchen, and auditorium. Please see Section 7 of this attachment, Favorable Memoranda of Understanding, for further information on this subject.

f. Crazy Mountain Productions.

Over the course of a season, CMP channels the creative efforts of more than 200 community volunteers. Hundreds of people participate in our workshops and classes and thousands of theatre patrons attend our shows. The whole CMP family can only benefit from the establishment of The East Side Arts Center, a facility in which we can work to achieve our mission of strengthening this community through participation in the performing arts.

**6. Increased Economic Activity**

Numerous studies have been conducted to determine the economic impact of the arts on local economies; perhaps the most comprehensive of which was The Arts and Economic Prosperity III. This study, conducted in 2007 with the participation of 156 rural and urban communities, ranging in size from 4,000 to 3,000,000 residents, resulted in the creation of a calculator used to determine the economic impact of an individual arts organization based on: the population of the community in which the organization is active, the organization’s annual expenditures, and the total annual attendance to the organization’s arts events.

According to this calculator, based on our current operating model, CMP generates approximately \$476,000 in direct and ancillary economic activity for Livingston annually. Our annual activities generate 12.9 FTE (Full Time Equivalent) jobs, contribute \$234,000 in household income to area residents, and a total of \$36,000 in local and state government revenue. Based on this evidence it can be stated that CMP is already a significant economic force in this community. When we adjust our input into this calculator to our projected operational model for the East Side Arts Center, our economic impact increases substantially. In this projected scenario, our annual activities would generate \$739,000 in direct and ancillary economic activity, 20.1 FTE jobs, \$365,000 in household income, and a total of \$56,000 in government revenue. These figures are based solely on CMP’s projected annual operating model. The economic activity of our potential renters and sub-lesers would be in addition to these figures. It is for these reasons that we believe the establishment of the East Side Arts Center would have a beneficial economic impact on our community.

**7. Favorable Memoranda of Understanding**

If the City chooses to donate the former East Side School Property to CMP for the purposes of this project, CMP is willing, if desired, to adopt several favorable Memoranda of Understanding in addition to the Conditions of Sale stipulated in the IFB. These include, but are not necessarily limited to, the following:

- a. CMP will operate the facility in accordance with our stated mission: to strengthen community through participation in the performing arts.
- b. CMP will grant the City free access to a predetermined amount of storage and parking space. (The exact quantity of storage and parking space would need to be determined in negotiations.)
- c. CMP will grant the City a predetermined amount of free access to those areas of the facility available for daily rental. (The exact quantity of access would also need to be determined in negotiations.)
- d. CMP will invest a minimum of \$420,000 in the facility over the next ten years.

**Section II – Additional Conditions (Bidder) of Sale**

**1. Zoning**

It is CMP's understanding that the property is currently zoned Neighborhood Commercial. To the best of our knowledge this zoning district does not allow for a live-theatre, or Public Recreation Facility, to operate. In order for CMP to legally operate out of the former East Side School, it would need to be rezoned to a district that allows for a live-theatre and performing arts center. If we are incorrect in any of these assumptions, we are certainly willing to defer to the City's better knowledge of such matters and will do whatever is required to legally operate in the proposed facility.

**2. Satisfactory Code Analysis, Certified Structural Engineer's Report, Certified Asbestos Inspection, and Bid for Abatement**

If CMP is chosen to enter negotiations with the City for purchase or lease of the former East Side School, we will require a satisfactory Code Analysis, Certified Structural Engineer's Report, Certified Asbestos Inspection, and Bid for Abatement before we will be able to close any agreement or in any way assume responsibility for this property. We agree to fund any required analysis and reports and agree to share any information garnered with the City.

**Attachment 2 - Long-Term Lease of the former East Side School**

**Section I – Per-Month Lease Amount = \$3,500 (in lease-holder improvements)**

If the City deems it unfeasible to donate the former East Side School property to CMP for the purposes of this project, and our organizations cannot arrive at a compromise for an up-front purchase price, we hope the City will agree to sign a ten-year lease agreement with CMP, wherein, over the term of the lease, we fund and execute a minimum of \$420,000 (an average of \$3,500/month) in lease-holder improvements in lieu of rent. These improvements would need to be agreed upon by CMP and City representatives in advance of signing. In addition, we hope the City will agree to sign a buy/sell agreement to take effect at the end of the lease (2020), wherein the City agrees to sell CMP the property for a figure to be determined at the end of the lease and not to exceed \$423,000, the property’s 2009 fair market value as established through the City’s recent appraisal of the property conducted by Kirk Holm. This arrangement would protect CMP supporters from “re-paying” for any improvements made on the facility over the term of the lease, enable CMP to apply its immediate resources directly to renovations, allow us to begin programming in the facility in a timely fashion, and give us a window of time to raise the funds required for eventual purchase of the property.

CMP is willing to enter into a lease agreement with the City, wherein CMP assumes all management of and financial and legal responsibility for the former East Side School. This agreement will remove the burden of maintaining and restoring this substantial property from the City while providing our community access to a new public facility. In essence, in the case of a lease agreement, our wish is to serve as the management organization for what would remain, until the end of the lease, a City-owned facility and the conduit through which funds will be raised and invested in this historic property.

We realize our proposed lease agreement asks for generous terms from the City, but we feel obliged to our supporters to seek the best terms possible for access to this property. The reasons stated in Attachment 1, why the City of Livingston should consider donating this property to CMP, also pertain to a lease agreement and all of the favorable Memoranda of Understanding CMP offered in Attachment 1 would also apply to this proposed lease.

**Section II – Annual Lease Amount Increase = \$0.00**

Although the lease agreement sought by CMP calls for \$3,500.00/month to be invested in the property, in actuality, this figure would be an average of CMP’s investment over the term of the lease, as a minimum of \$420,000 will need to be invested up-front in the facility to fund Phase 1a of our plan, and make possible our occupancy and programming. CMP would then spend the term of the lease servicing the debt accrued in funding Phase 1a. Please see Attachment 6 – Estimated Phase 1 Project Budget for further information on this subject.

**Section III – Additional Conditions (Bidder) of Long-Term Lease**

**1. Zoning**

Please see the Additional Conditions of Sale section of Attachment 1 for details on this subject, as this condition of sale also applies to CMP's offer to lease the former East Side School.

**2. Satisfactory Code Analysis, Certified Structural Engineer's Report, Certified Asbestos Inspection, and Bid for Abatement**

Please see the Additional Conditions of Sale section of Attachment 1 for details on this subject, as this condition of sale also applies to CMP's offer to lease the former East Side School.

**3. Ability to Secure a Loan for Leaseholder Improvements**

CMP intends to fund a portion of the initial renovations on the former East Side School (Phase 1a) with financed (borrowed) money. In the case of a lease agreement however, CMP would not be able to offer the property as collateral to secure a loan from a standard commercial lender. In this event, CMP would seek to borrow funds from the Livingston Revolving Loan Fund for this project, as a loan from this City-fund would be secured by City-owned property. If CMP were not able to secure a loan through the Livingston Revolving Loan Fund, we would have to retract our offer to lease this facility and evaluate our ability to fund the necessary renovations through another source.

## Section A – Project Overview and Proposal

### 1. Contact Information

Organization Name: Crazy Mountain Productions

Mailing Address: PO Box 58  
Livingston, MT 59047

Web Address: [www.crazymountainproductions.org](http://www.crazymountainproductions.org)  
E-mail: [info@crazymountainproductions.org](mailto:info@crazymountainproductions.org)

Telephone: 406.222.1420

### 2. Property Re-Development Description

#### a. CMP Mission, Vision, and History

##### Mission

The mission of Crazy Mountain Productions is to strengthen community through participation in the performing arts.

##### Vision

In a world inundated with media, where we increasingly interact with one another through remote, electronic means, it is crucial that we preserve and foster our traditional gathering places. At a theatre, the community comes together to participate in some of mankind’s oldest and most fundamental activities: storytelling, music making and dance. A shared collection of memories is thereby created and the community becomes stronger, closer knit, and more aware of itself and its history.

At Crazy Mountain Productions, we believe the establishment of a community center for the arts near downtown Livingston would better enable us to achieve our mission and strengthen the ties that keep us connected, not only to one another, but to the strong cultural traditions represented in the American theatre.

##### History

Crazy Mountain Productions (CMP) is the non-profit arts organization (FEIN# 45-0490660) that manages and operates The Firehouse 5 Theatre, a 200-seat live-theatre auditorium located in The Sleeping Giant Trade Center on US HWY 89 South. CMP incorporated and gained its non-

profit status in 2003, but has grown out of the various organizations that have operated The Firehouse since its inception in 1992. CMP utilizes a unique combination of professional and volunteer talent to produce regular seasons of high quality musical theatre, Young Actors' Workshops, and theatre education classes. The Firehouse 5 has a long history of service to Livingston and south-central Montana, and CMP has become a flagship of the distinct culture of our community.

**b. Project Summary**

CMP proposes to enter into either a lease or purchase agreement with the City of Livingston regarding the former East Side School. In either agreement CMP would assume management of and the financial responsibility to renovate the property and transform it into a non-profit community center for the arts.

**c. Facility Description and Composition**

The East Side Arts Center will be located at 415 E. Lewis Street. The existing former East Side School, built in 1902 with an addition made in 1949, will be brought up to code for a projected occupancy of 700, renovated and added on to for CMP's operational purposes, and restored in a historically appropriate manner, transforming a currently underused structure into a vibrant facility designated for productive public use.

The Center will be comprised of three types of spaces:

i. Those designed for CMP's theatrical programming:

The stage, auditorium and lobby, dressing rooms, scenery and costume shops, rehearsal hall, storage, and a suite of offices.

ii. Those available for short-term rental:

The stage, auditorium and related areas, as well as a ballroom, conference room, commercial kitchen, music room, and art room.

iii. Those available for long-term lease:

Possibilities include small music studios, offices for non-profit organizations, art studios or galleries, and a café.

**Attachment 4 – Schematic Design**

Please see the attached prints prepared by KMA.



**d. Programming**

A year’s programming in this facility would be comprised of Crazy Mountain Productions’ main-stage community theatre productions, Young Actors’ Workshops, and theatre education classes. In addition, the facility could host live music and performances by guest artists, catered ballroom events, conferences, political forums, movie viewings, comedy nights, art shows, music and dance lessons, celebrations, and numerous other community oriented events.

**e. Project Timeline**

CMP hopes to negotiate with the City, have the necessary analysis and reports conducted, and sign an agreement regarding the former East Side School by mid-summer. In the meantime we will continue to refine our plans and work to secure funding for this project so that we may, all parties willing, begin renovations on the property as soon as possible. Initially, we stated we would like to start work on the facility later this summer, and open the first production of our 2009-2010 season (October ’09) in the new venue, and this remains our ultimate goal. We are prepared however, to alter this timeline somewhat if it proves necessary, and begin renovations next winter, with hopes opening our first production in the East Side Arts Center in July of 2010. Once CMP is programming in the new facility, we will begin to raise funds for the completion of Phase 1 and work toward our Phase 2 goals.

**Section B – Financial**

**1. Two Phase Approach**

In order for CMP to be successful in this endeavor, it is imperative that we proceed in two distinct phases.

In Phase 1a, CMP will bring the east half of the facility up to code for public use and convert the annex into a 200-seat theatre. CMP will then close one chapter in Livingston’s theatre history and open another, as it relocates from The Firehouse 5 Theatre to The East Side Arts Center. There we will begin producing regular seasons of our programming. In Phase 1b CMP intends to build a new addition housing a scenery shop and greenroom for actors. In Phase 1c we will renovate the west half of the old school and collaborate with area artists and non-profit organizations interested in populating the Center. Please see Attachment 4 – Schematic Design for detailed information on Phase 1a, 1b, and 1c.

In Phase 2, CMP will build a second new addition housing a state of the art stage, renovate the auditorium to fixed/tiered seating for approximately 350, and restore the exterior of the old school building to historic standards. Please see Attachment 4 – Schematic Design for detailed information on Phase 2.

**2. Estimated Project Costs**

**Attachment 5 – Estimated Phase 1 Project Budgets**

**Attachment 6 – Estimated Phase 2 Project Budget**

**3. Financial Plan**

**Attachment 7 – CMP 2008-2009 Annual Budget**

**Attachment 8 – CMP Phase 1 Annual Budget (Projected)**

**4. Statement of Intention for Utilizing Local Businesses**

Crazy Mountain Productions is proud to be an active part of Livingston’s community and economy. Roughly 80% of our current annual operating expenses are accrued doing business with organizations and individuals based in Livingston. If we were given the opportunity to move our operations into the former East Side School we would look forward to continuing this tradition of participation in our local economy and whenever possible, utilize local contractors, service providers, and talent for the renovation and operation of this property.

**Section C – Personnel**

**1. CMP Board of Directors and Staff**

**CMP Board of Directors**

- Storrs Bishop, President
- Gary Fish, Vice President
- Jim Walter, Treasurer
- Jeneva Plumb, Secretary
- Hilary Wheeler-Smith
- Larissa Holdorf
- Catherine Savery
- Debbie Jamieson
- Bruce Rich

**CMP Staff**

Russell Lewis, Executive & Artistic Director  
Duane Kemp, Director of Operations  
Robyn Albright, Accounts Manager  
\*Justin Brown, Music Director  
\*Tim Williams, Facility Manager  
  
\*Proposed Phase 1 staff addition

**2. Professional Assistance**

Kirk Michels - KMA  
Karl Knuchel - Attorney

**3. Professional References**

Please see the attached letters from:

Mike Art  
Joshua Reynolds  
Don H. Murdock  
James and Nanette Conley  
Paul and Diana Ausick

**Section E – Summary**

After five months of careful consideration, CMP believes that completion of this project, defined as establishing at the former East Side School a non-profit theatre and community center for the arts, is not only feasible, but would be an optimal use of resources. A beautiful historic building will be given new life and the residents of Livingston will enjoy increased access to their community and the arts through a facility established for significantly less than the cost of building new. If the City deems this project in the public’s best interest for use of the former East Side School, and wishes to see CMP succeed in this endeavor, the most sure means by which the City can ensure its success is to donate the former East Side School property to CMP and this project. Such a donation would benefit the City of Livingston for the reasons listed in Attachment 1 and Crazy Mountain Productions. By having the City as one of our earliest and most significant supporters this project would have its bona fides in the form of the City’s endorsement and the necessary catalyst to gather momentum and get underway.

Thank you for your consideration of this proposal, and we look forward to the negotiation process, should the City choose to negotiate with us. We believe an open dialogue regarding this project between City and CMP officials is the best way to come to mutually agreeable terms and ensure a positive outcome for all involved.

**APPENDIX D : IMAGE 01**



**APPENDIX D : IMAGE 02**



**APPENDIX D : IMAGE 03**



**APPENDIX D : IMAGE 04**



APPENDIX E - LIST OF ADJACENT PROPERTIES



Callender	Clark	Lewis	C	D	E	F
302 E CALLENDER ST	311 E CLARK ST	305 E LEWIS ST	102 N C ST	203 1/2 S D ST	101 N E ST	101 N F ST
308 E CALLENDER ST	317 E CLARK ST	309 E LEWIS ST	105 S C ST	205 S D ST	104 N E ST	102 S F ST
309 E CALLENDER ST	413 E CLARK ST	311 E LEWIS ST	107 S C ST	207 S D ST	123 S E ST	108 S F ST
311 E CALLENDER ST	421 E CLARK ST	312 E LEWIS ST	109 S C ST	209 S D ST	121 S E ST	110 S F ST
312 E CALLENDER ST	511 E CLARK ST	315 E LEWIS ST	113 S C ST	215 S D ST	119 S E ST	114 S F ST
315 E CALLENDER ST	515 E CLARK ST	316 E LEWIS ST	117 S C ST	217 S D ST	115 S E ST	118 S F ST
323 E CALLENDER ST		320 E LEWIS ST	119 S C ST	221 S D ST	109 S E ST	126 S F ST
324 E CALLENDER ST		402 E LEWIS ST	121 S C ST	227 S D ST	207 S E ST	120 S F ST
409 E CALLENDER ST		412 E LEWIS ST	123 S C ST	231 S D ST	209 S E ST	128 S F ST
411 E CALLENDER ST		414 E LEWIS ST	127 S C ST	230 S D ST	211 S E ST	208 S F ST
504 E CALLENDER ST		420 E LEWIS ST	205 S C ST	222 S D ST	215 S E ST	214 S F ST
505 E CALLENDER ST		501 E LEWIS ST	207 S C ST	218 S D ST	217 S E ST	218 S F ST
506 E CALLENDER ST		504 E LEWIS ST	209 S C ST	216 S D ST	225 S E ST	222 S F ST
508 E CALLENDER ST		506 E LEWIS ST	211 S C ST	214 S D ST	227 S E ST	226 S F ST
515 E CALLENDER ST		508 E LEWIS ST	215 S C ST	210 S D ST	229 S E ST	232 S F ST
516 E CALLENDER ST		511 E LEWIS ST	219 S C ST	208 S D ST	226 S E ST	
		515 E LEWIS ST	221 S C ST	130 S D ST	220 S E ST	
			225 S C ST	124 S D ST	216 S E ST	
			231 S C ST	120 S D ST	214 S E ST	
				116 S D ST	210 S E ST	
				112 S D ST	206 S E ST	
				108 S D ST		
				106 S D ST		





{ JUST A NOTE } ♪

Hi there,  
 Reaching out to the neighbors of the Shane Center,  
 we have an exciting opportunity for growth &  
 we'd like to tell you about it first!  
 Please join us for an informal info/Q&A Session  
 Wednesday, April 26th at 7pm  
 The Shane Center Ballroom  
 Light apps, beer & wine will be served.  
 I look forward to seeing you there.  
 ~Erika

P.S. If you aren't able to attend, please send me  
 an email at [erika@theshanecenter.org](mailto:erika@theshanecenter.org) & we'll  
 follow up with notes from the meeting.

**ERIKA ADAMS**

Executive Director (406) 222-1420  
 (406) 403-8986  
[erika@theshanecenter.org](mailto:erika@theshanecenter.org)

The Shane Lalani Center for the Arts  
[www.theshanecenter.org](http://www.theshanecenter.org)  
 PO Box 58 415 E. Lewis St.  
 Livingston, MT 59047



**ORDINANCE NO. 2015**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING SECTION 30.13 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED THE OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY REZONING TRACT A-1 AND TRACT B-1 OF SUBDIVISION PLAT NO. 410 LOCATED IN BLOCK 75 OF THE ORIGINAL TOWNSITE PLAT, COMMONLY REFERRED TO AS THE OLD EASTSIDE SCHOOL, FROM NEIGHBORHOOD COMMERCIAL (NC) TO CENTRAL BUSINESS DISTRICT (CBD).**

---

**Purpose**

The purpose of this Ordinance is to promote public health, safety and general welfare of the City by the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures, and land for trade, industry, residence or other purposes.

---

**WHEREAS**, the City of Livingston (City) owns certain property which is described as Tract A-1 and Tract B-1 of Subdivision Plat No. 410 which is commonly referred to as the Old Eastside School Property and is located in Block 75 of the Original Townsite to the City of Livingston, Montana, all of which are on file and of public record in the office of the Clerk and Recorder for Park County, Montana; and

**WHEREAS**, the above-described property is currently zoned as Neighborhood Commercial; and

**WHEREAS**, the City and Crazy Mountain Productions, d/b/a Firehouse Five, following a request for proposals to sell or lease said property, have entered into negotiations whereby Crazy Mountain Productions, a non-profit corporation, is seeking to

**Ordinance No. 2015  
Rezoning Tract A-1 and B-1 of Subdivision Plat No. 410 located in Block 75 of the Original Townsite to the City of Livingston, the Old Eastside School, from Neighborhood Commercial to Central Business District.**

purchase the above-described property to develop, in accordance with its mission statement to strengthen the community through participation in the performing arts, a performing arts center at the location of the Old East Side School; and

**WHEREAS**, the Central Business District abuts the Old Eastside School property, i.e. the southerly portion of Block 75, on its westerly side; and

**WHEREAS**, the expansion of the Central Business District to include Tract A-1 and Tract B-1 of Plat No. 410 (i.e. the southerly portion of Block 75), will allow the development of the performing arts in close proximity to the downtown business area thereby enhancing the downtown business environment by creating a “walkable” area in which the patrons of the performing arts may enjoy the culinary delights of restaurants and other attributes offered by downtown businesses, such as the “art walks”; and

**WHEREAS**, the City is desirous of preserving the historic integrity and standards of the Old Eastside School building in accordance with regulations established by the U.S. Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings; and

**WHEREAS**, as part of the negotiations the parties have reviewed and agreed to abide by the provisions of 7-8-4201(3) of the Montana Code Annotated (MCA) concerning the disposal of City property which provides as follows:

“(3) If a city or town owns property containing a historically significant building or monument, the city or town may sell or give the property to nonprofit organizations or groups that agree to restore or preserve the property. The contract for the transfer of the property must contain a provision that:

(a) requires the property to be preserved in its present or restored state upon any subsequent

**Ordinance No. 2015  
Rezoning Tract A-1 and B-1 of Subdivision Plat No. 410 located in Block 75 of the Original Townsite to the City of Livingston, the Old Eastside School, from Neighborhood Commercial to Central Business District.**

**Page 2**

transfer; and

(b) provides for the reversion of the property to the city or town for noncompliance with conditions attached to the transfer.”

**WHEREAS**, the proposed use of the property by Crazy Mountain Productions is contrary to the uses allowed in the Neighborhood Commercial Zone; and

**WHEREAS**, the City has requested a zone change from Neighborhood Commercial to Central Business District which will allow the proposed use proposed by Crazy Mountain Productions; and

**WHEREAS**, Section 30.30 Zoning Districts provides that the Central Business District (CBD) is intended to accommodate stores, hotels, government and cultural centers, professional offices, service establishments and all manner of housing with an emphasis on high density apartment housing;

**WHEREAS**, to protect the public interests and welfare and to facilitate an attractive, efficient and prosperous CBD, the emphasis is on large scale, dense buildings; and

**WHEREAS**, the Livingston Zoning Commission has reviewed the proposed zone change for compliance with the Twelve Point Lowe Test for Rezoning of property and following a public hearing wherein one person spoke against the zone change and five people spoke in favor of the zone change; and

**Ordinance No. 2015  
Rezoning Tract A-1 and B-1 of Subdivision Plat No. 410 located in Block 75 of the Original Townsite to the City of Livingston, the Old Eastside School, from Neighborhood Commercial to Central Business District.  
Page 3**

**WHEREAS**, the Zoning Commission, after the public hearing, has recommended to the City Commission that the zone change from Neighborhood Commercial to Central Business District be approved.

**NOW, THEREFORE, BE IT ORDAINED** by the Livingston City Commission that Section 30.13 entitled Official Zoning Map of Chapter 30 Zoning of the Livingston Municipal Code, be and the same is hereby amended as follows:

**SECTION 1**

**Rezoning of Tract A-1 and Tract B-1 of Subdivision Plat No. 410 from Neighborhood Commercial (NC) to Central Business District (CBD):**

That Tract A-1 and Tract B-1 of Subdivision Plat No. 410 located in Block 75 of the Original Townsite to the City of Livingston, Montana, on file and or record in the office of the Clerk and Recorder of Park County Montana, commonly referred to as the Old Eastside School, is rezoned from Neighborhood Commercial (NC) to Central Business District (CBD).

**SECTION 2**

**Statutory Interpretation and Repealer:**

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

**SECTION 3**

**Severability:**

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

**Ordinance No. 2015  
Rezoning Tract A-1 and B-1 of Subdivision Plat No. 410 located in Block 75 of the Original Townsite to the City of Livingston, the Old Eastside School, from Neighborhood Commercial to Central Business District.**

**Page 4**

the invalid provisions or application, and to this end, the provisions of this ordinance are declared to be severable.

**SECTION 4**

**Savings provision:**

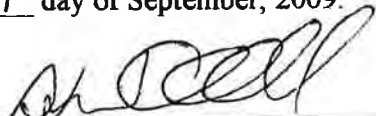
This ordinance does not affect the rights or duties that mature, penalties and assessments that were incurred or proceedings that begun before the effective date of this ordinance.

**SECTION 5**

**Effective date:**

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

**PASSED** by the City Commission of the City of Livingston, Montana, on first reading at a regular session thereof held on the 21<sup>st</sup> day of September, 2009.

  
\_\_\_\_\_  
**STEVE CALDWELL - Chairman**

**ATTEST:**


  
\_\_\_\_\_  
**ROBYN KEYES**  
**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 19<sup>th</sup> day of October, 2009.


  
\_\_\_\_\_  
**STEVE CALDWELL - Chairman**

**Ordinance No. 2015**  
**Rezoning Tract A-1 and B-1 of Subdivision Plat No. 410 located in Block 75 of the Original Townsite to the City of Livingston, the Old Eastside School, from Neighborhood Commercial to Central Business District.**  
**Page 5**

**ATTEST:**

  
\_\_\_\_\_  
**ROBYN KEYES**  
Recording Secretary

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
**BRUCE E. BECKER**  
Livingston City Attorney

**Ordinance No. 2015**  
**Rezoning Tract A-1 and B-1 of Subdivision Plat No. 410 located in Block 75 of the Original Townsite**  
**to the City of Livingston, the Old Eastside School, from Neighborhood Commercial to Central**  
**Business District.**  
**Page 6**

**NOTICE**

The public is invited to attend and comment at a public hearing to be held on October 19, 2009, at 7:00 p.m. in the Community Room of the City County Complex, 414 East Callender Street, Livingston, Montana, on the second reading of **ORDINANCE NO. 2015** entitled **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING SECTION 30.13 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED THE OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY REZONING TRACT A-1 AND TRACT B-1 OF SUBDIVISION PLAT NO. 410 LOCATED IN BLOCK 75 OF THE ORIGINAL TOWNSITE PLAT, COMMONLY REFERRED TO AS THE OLD EASTSIDE SCHOOL, FROM NEIGHBORHOOD COMMERCIAL (NC) TO CENTRAL BUSINESS DISTRICT (CBD)**. 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.

(Notice must be published twice at least 6 days apart. (7-1-4127(6) and posted on the City Bulletin Board, and copies available for the public (7-5-103 MCA). The law further requires at least 15 days notice prior to hearing in zoning matters (76-2-303(2) MCA

**Ordinance No. 2015**  
**Rezoning Tract A-1 and B-1 of Subdivision Plat No. 410 located in Block 75 of the Original Townsite to the City of Livingston, the Old Eastside School, from Neighborhood Commercial to Central Business District.**  
**Page 7**



**MEMO**

**Date: 9/15/09**

**To: City Commission/City Manager**

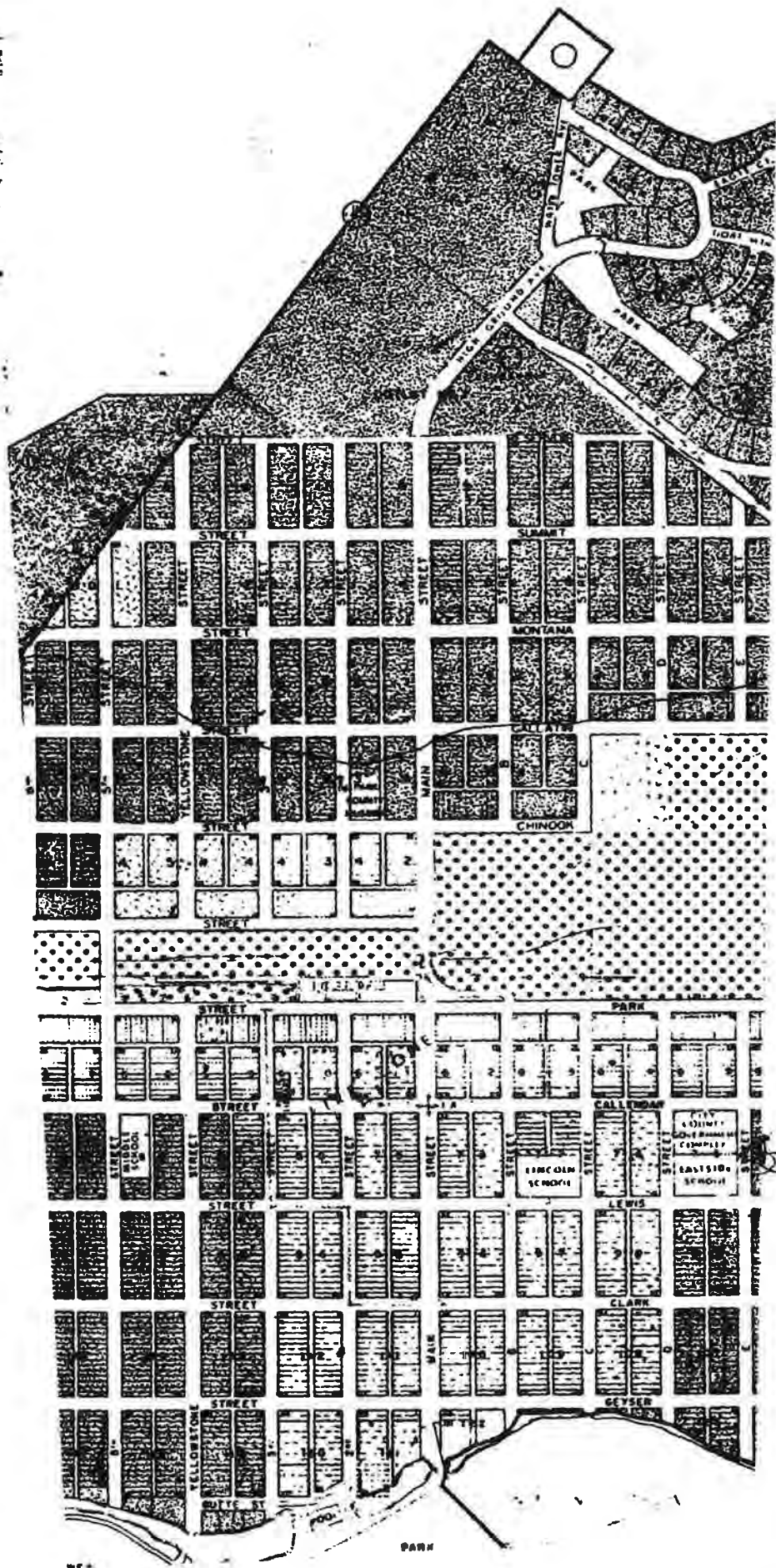
**From: City Attorney**

**Re: FYI supporting documents for zone Eastside School Zone Change I anticipation of questions**

---

Attached are copies of the zoning map showing the location of block 75 in conjunction with the Central Business District.

Also the list of uses for the various zones.



*East side*

Sec. 30.40

<b>A = Acceptable S = Special Exception Permit Required N = Not Accepted</b>											
	<b>R-I</b>	<b>R-II</b>	<b>R-III</b>	<b>CBD<sup>1</sup></b>	<b>I</b>	<b>LI</b>	<b>NC<sup>2</sup></b>	<b>HC</b>	<b>RMO</b>	<b>P</b>	<b>RII (MH)</b>
Hospitals	N	N	A	N	N	A	A	N	N	N	N
Churches	S	S	A	N	N	N	A	S	N	N	S
Business and Professional Offices	N	N	S	A	N	A	A	A	N	S	N
Restaurants	N	N	N	A	S	A	A	A	N	N	N
Mobile Homes	N	N	N	N	N	N	N	N	A	N	A
Schools, Public and Commercial	A	A	A	N	N	N	A	N	A	A	A
Utility Substations	S	S	S	S	S	N	S	S	S	S	S
Light Manufacturing	N	N	N	A	A	A	A	A	N	N	N
Clinics	N	N	S	A	A	A	A	N	N	N	N
Schools, Trade	N	N	N	A	A	A	S	A	N	N	N
Gasoline Service Stations	N	N	N	N	A	N	N	A	N	N	N
Bars	N	N	N	A	A	N	S	A	N	N	N
Banks	N	N	N	A	N	N	A	N	N	N	N
Fire Station	S	S	S	N	A	N	A	A	N	S	S
Self-Service Laundry	N	N	N	A	N	N	A	A	S	N	N
Drive-In Restaurants	N	N	N	N	N	N	S	A	N	N	N
Veterinarian Clinics	N	N	N	N	N	N	N	A	N	N	N
Adult Foster Care Center <sup>4</sup>	N	A	A	N	N	A	N	N	N	N	A
Nursing Homes	N	A	A	N	N	N	A	N	N	N	A
Personal Care Centers	N	A	A	A	N	N	N	N	N	N	A
Warehouse and Enclosed Storage	N	N	N	S	A	A	S	A	N	S	N
Automobile Dealerships	N	N	N	A	N	N	N	A	N	N	N
Auto Repair Garage	N	N	N	S	A	N	N	A	N	N	N
Auto Salvage and Storage	N	N	N	N	A	N	N	S	N	N	N
Barber Shop and Beauty Parlors	N	N	N	A	S	A	A	A	N	N	N
Wholesale Businesses	N	N	N	A	A	A	S	A	N	N	N
Mortuary	N	N	N	A	N	N	S	A	N	N	N
Commercial Greenhouses	N	S	S	N	N	A	A	A	N	N	S
Boarding and Lodging Houses	N	N	N	A	N	N	S	A	N	N	N
Transportation Terminals	N	N	N	A	N	N	N	A	N	N	N
Machine Shop	N	N	N	N	A	N	S	A	N	N	N
Kennels and Catterys	N	N	N	N	A	N	N	A	N	N	N

Sec. 30.40

A = Acceptable S = Special Exception Permit Required N = Not Accepted											
	R-I	R-II	R-III	CBD <sup>1</sup>	I	LI	NC <sup>2</sup>	HC	RMO	P	RII(MH)
Travel Trailer Parks	N	N	N	N	N	N	N	A	N	N	N
Armory	N	N	N	N	N	N	N	N	N	A	N
Public Recreation Facility	A	A	A	N	N	N	N	N	N	A	A
Government Offices	N	N	N	A	N	N	A	A	N	A	N
Cemetery	N	N	N	N	N	N	N	N	N	A	N
Heavy Manufacturing	N	N	N	N	A	N	N	N	N	N	N
Child Care Center	A	A	A	A	N	A	A	A	A	N	A
Lumberyards	N	N	N	N	N	A	N	A	N	N	N

- <sup>1</sup> C.B.D.—Any number of apartment units may be established in an existing commercial building. No new residential structures may be built unless they meet the definition of "High Density Residential."
- <sup>2</sup> NC-A single residential unit may be established within a commercial building to allow living space for a business owner.
- <sup>3</sup> Bed and breakfasts are allowed as a special exception only where the following conditions are met:
  - a. Off-street parking (two (2) places, plus one (1) for each bedroom);
  - b. Signage to be limited to that allowed for home occupations (twelve (12) inch by twenty-four (24) inch nonilluminated, flush-mounted);
  - c. Limited to those structures being developed as a historic restoration certified by the National Park Service.
- <sup>4</sup> Adult Foster Care Center.
  - a. No more than four (4) residents;
  - b. Staff member must be on board twenty-four (24) hours a day.

(Ord. 1506, 11/16/82; Ord. 1516, 8/2/83; Ord. 1517, 10/18/83; Ord. 1529, 7/16/84; Ord. 1538, 11/20/85; Ord. 1544, 2/4/86; Ord. 1556, 9/16/86; Ord. 1799, 12/19/94; Ord. 1810, 7/3/95; Ord. 1813, 8/21/95; Ord. 1891, 9/7/99; Ord. 1949, 10/18/04; Ord. 1977, 9/18/06; Ord. 2000, 4/7/08)



# SHANE CENTER FOR THE ARTS PAVILION DEVELOPMENT SCHEDULE

**OVERVIEW:**

Project Name : Shane Center Pavilion  
 Prepared Date: March, 15<sup>th</sup> 2023  
 Reviewed By: Wyeth R. Windham, CEO  
 Project Manager: Dayydd Rees  
 Architect: LTS Architects



**MAJOR MILESTONE SCHEDULE:**

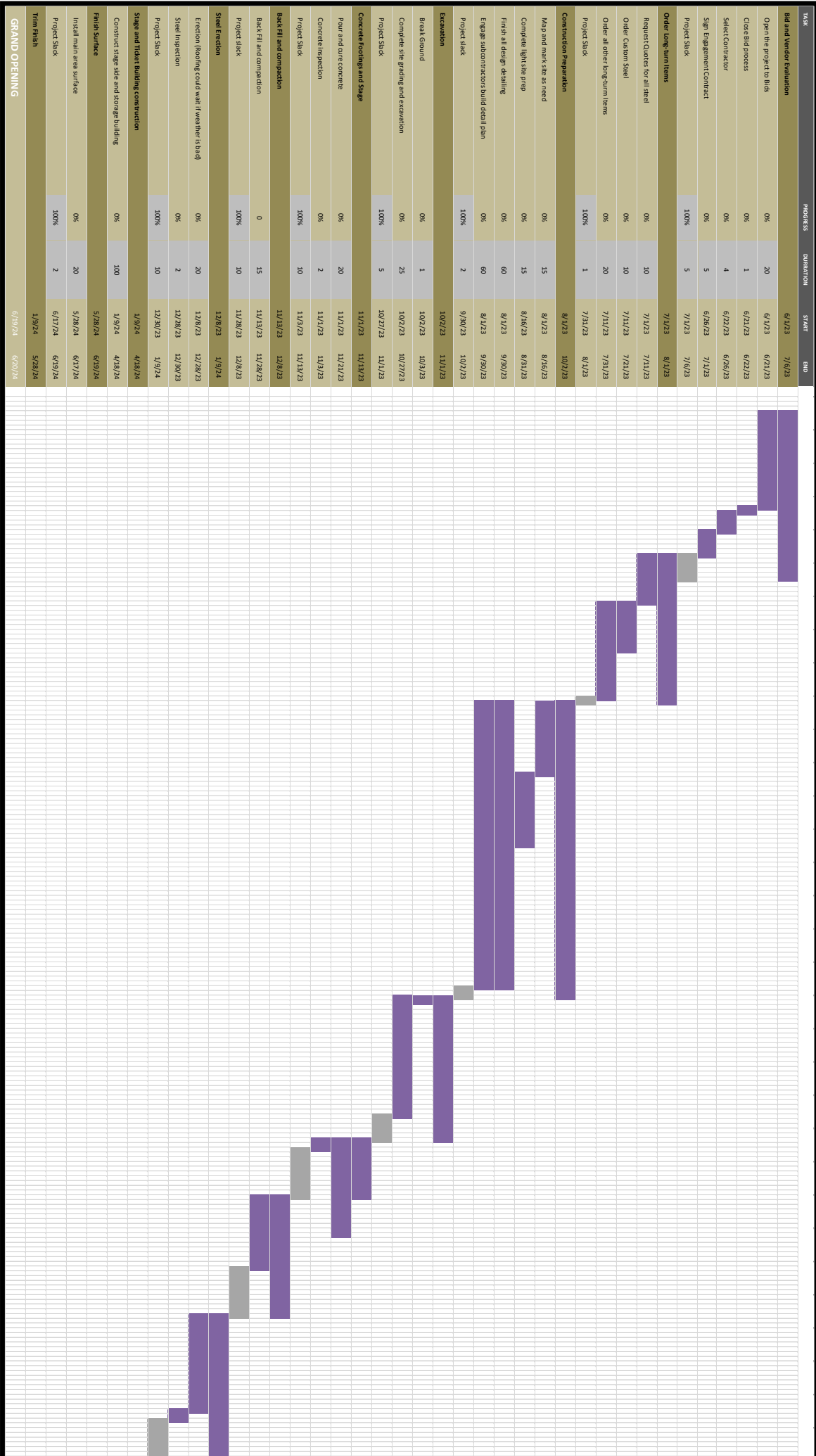
<b>Bid and Vendor Evaluation</b>	6/1/23	7/6/23
<b>Order Long-turn Items</b>	7/1/23	8/1/23
<b>Construction Preparation</b>	8/1/23	10/2/23
<b>Excavation</b>	10/2/23	11/1/23
<b>Concrete Footings and Stage</b>	11/1/23	11/13/23
<b>Back Fill and compaction</b>	11/13/23	12/8/23
<b>Steel Erection</b>	12/8/23	1/9/24
<b>Stage and Ticket Building construction</b>	1/9/24	4/18/24
<b>Finish Surface</b>	5/28/24	6/19/24
<b>Trim Finish</b>	1/9/24	5/28/24
<b>GRAND OPENING</b>	6/19/24	6/20/24

**DETAIL SCHEDULE:**

TASK	PROGRESS	DURATION	START	END
<b>Bid and Vendor Evaluation</b>			6/1/23	7/6/23
Open the project to Bids	0%	20	6/1/23	6/21/23
Close Bid process	0%	1	6/21/23	6/22/23
Select Contractor	0%	4	6/22/23	6/26/23
Sign Engagement Contract	0%	5	6/26/23	7/1/23
Project Slack	100%	5	7/1/23	7/6/23
<b>Order Long-turn Items</b>			7/1/23	8/1/23
Request Quotes for all steel	0%	10	7/1/23	7/11/23
Order Custom Steel	0%	10	7/11/23	7/21/23
Order all other long-turm Items	0%	20	7/11/23	7/31/23
Project Slack	100%	1	7/31/23	8/1/23
<b>Construction Preparation</b>			8/1/23	10/2/23
Map and mark site as need	0%	15	8/1/23	8/16/23
Complete light site prep	0%	15	8/16/23	8/31/23
Finish all design detailing	0%	60	8/1/23	9/30/23
Engage subcontractors build detail plan	0%	60	8/1/23	9/30/23
Project slack	100%	2	9/30/23	10/2/23
<b>Excavation</b>			10/2/23	11/1/23
Break Ground	0%	1	10/2/23	10/3/23
Complete site grading and excavation	0%	25	10/2/23	10/27/23

Project Slack	100%	5	10/27/23	11/1/23
<b>Concrete Footings and Stage</b>			11/1/23	11/13/23
Pour and cure concrete	0%	20	11/1/23	11/21/23
Concrete inspection	0%	2	11/1/23	11/3/23
Project Slack	100%	10	11/3/23	11/13/23
<b>Back Fill and compaction</b>			11/13/23	12/8/23
Back Fill and compaction	0	15	11/13/23	11/28/23
Project slack	100%	10	11/28/23	12/8/23
<b>Steel Erection</b>			12/8/23	1/9/24
Erection (Roofing could wait if weather is bad)	0%	20	12/8/23	12/28/23
Steel Inspection	0%	2	12/28/23	12/30/23
Project Slack	100%	10	12/30/23	1/9/24
<b>Stage and Ticket Building construction</b>			1/9/24	4/18/24
Construct stage side and storage building	0%	100	1/9/24	4/18/24
<b>Finish Surface</b>			5/28/24	6/19/24
Install main area surface	0%	20	5/28/24	6/17/24
Project Slack	100%	2	6/17/24	6/19/24
<b>Trim Finish</b>			1/9/24	5/28/24
Complete all trim out elements	0%	130	1/9/24	5/18/24
Project Slack	100%	10	5/18/24	5/28/24
<b>GRAND OPENING</b>			6/19/24	6/20/24

VISUALIZED DEPENDENCIES GANTT CHART:





**APPENDIX I  
ADDITIONAL INFORMATION – PUBLIC COMMENTS REGARDING THE SHANE  
CENTER**

Hi everyone, my name is Aila Harting. I'm really excited to tell you what the Shane Center means to me. I live in Bozeman, Montana with my mom, dad, and brother. We also have a dog named Ripley. When I first auditioned for Matilda, I thought that I would never make it. When I found out I had gotten the role, I honestly thought it was a mistake. The way that the Shane Center helped me was just amazing. They were so kind to me the minute I stepped in, and were just so welcoming to everyone. I feel like the Shane is kind of like another family to me. I just feel so comfortable acting and just being there. It made me really think about a career in acting, and helped me push past my limits. Thank you so much to the Shane and to everyone here who has helped me be able to do this. A piece of my life would be missing without this.



**Daniella Crawford**

1 review

★★★★★ 4 years ago

A place for every one to enjoy !



**Mechanical Mike**

Local Guide · 12 reviews · 23 photos

★★★★★ 5 years ago

No place is more beneficial to the kids in our community





**Linda Jarzynka**

132 reviews

★★★★★ 8 months ago

Have only attended outdoor events here....concerts and a ballet. Great location, plenty of space to sit but NOT MUCH SHADE...can get pretty uncomfortable in the sun. The quality of the performances was top notch! Loved it! Hope they have it again next summer.



**P Marantz**

Local Guide · 51 reviews · 24 photos

★★★★★ 3 years ago

A gem for the community, an artistic hub youth and adult classes, community theater and resources housed in what once was school, come check it out.



**Marina "Mari" Bradley**

Local Guide · 99 reviews · 74 photos

★★★★★ 4 years ago

The Shane Center is the best community theater I've even been to, and everything here is AMAZING!! The community here is wonderful, the shows are great, I love it here!!!



**Tiffani Zimmerman**

Local Guide · 56 reviews · 67 photos

★★★★★ 5 years ago

The Shane theater is a wonderful renovated school that feature plays by extremely talented locals,voluntarily, feature films and much, much more. I have never been disappointed but rather the opposite extremely impressed and verge well entertained. Exceptional place to experience wonderful entertainment! Donations are appreciated.





**Carol Roche**

2 reviews

★★★★★ a year ago

Wonderful venue in Livingston - we are so fortunate to have this great artistic resource - especially in the summer when we all have so many guests.



**Christopher Olson**

Local Guide · 14 reviews · 25 photos

★★★★★ 3 years ago

A center for cultural excellence. Food, music, yoga, entertainment and more! My Fiancee and I regularly eat at Fayes Cafe and have attended numerous play. A definite benefit to the community.



**Michael Anczak**

Local Guide · 94 reviews · 516 photos

★★★★★ 3 years ago

Love this place so much! Everything I have attended here has been so amazing. Most recently saw Alex Honold movie free solo on the big screen was amazing.



**Benjamin Jackson**

28 reviews · 22 photos


★★★★★ 4 years ago

A very cool little theater. Have watch a hand full of plays and have loved them all!!! The last 3 we have driven 7 hours one direction to see them. Definitely plan on going to more plays as well!!!



 **Dale Hopkins**   
dale@thekitchenshoponmain.com | The S...

Jun 10, 2022 via Email

 **Positive feedback**  
\$17.50 sale on Jun 10, 2022


Other, Environment  
The PEOPLE! The Shane Center staff are gracious, kind and fun. Thank you for making our community better!

[View transaction](#)

DH

 **crazymountians@gm...**   
The Shane Lalani Center for the Arts

4 days ago via Email

 **Positive feedback**  
\$30.00 sale on Apr 3

Environment, Other  
Always an enjoyable, uplifting experience. Staff and performances are always top notch. We are extremely blessed to have the Shane Center in Livingston!

[View transaction](#)

C



**Ashly Holland Fry** recommends **Shane Lalani Center for the Arts.**  
September 22, 2015 · 🌐



The Shane Lalani is a true asset to our community!



**Heidi Feldtman** recommends **Shane Lalani Center for the Arts.**  
June 5, 2015 · 🌐



Wonderful place! And community driven to please everyone!

5 stars



**Rebecca McAninch** recommends **Shane Lalani Center for the Arts.**  
April 9, 2019 · 🌐



Love the events they host at this venue.  
Also enjoy the fact that we don't have to travel far for the amazing events and entertainment.



**Barbara Woodbury** recommends **Shane Lalani Center for the Arts.**  
October 4, 2019 · 🌐



TheShane is a wonderful community event center!



**Annie Hondorf** recommends **Shane Lalani Center for the Arts.**  
August 16, 2019 · 🌐



Fantastic asset to our community!



**Dawn Davaz** recommends **Shane Lalani Center for the Arts.**  
April 1, 2015 · 🌐



A vital part of the community that welcomes all walks of life. Everyone is accepted and supported.



**Alana John** recommends **Shane Lalani Center for the Arts.**  
December 23, 2017 · 🌐



This place brings so much joy to the community.

# THE SHANE LALANI CENTER FOR THE ARTS SPECIAL EXCEPTION APPLICATION for the PAVILION

## TABLE OF CONTENTS

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- Cover Letter
- Completed Special Exception Permit Application

1. **PROJECT DESCRIPTION**
2. **PROJECT LOCATION – LEGAL DESCRIPTION**
3. **ZONING & LAND USE**
4. **HISTORY & BACKGROUND**
5. **DESIGN INTENT**
6. **PROJECT IMPACT**
7. **ZONING COMPLIANCE**
8. **INTENDED USES**
9. **SITE PLAN & BUILDING ELEVATIONS**
10. **CODE REVIEW TEXT**
11. **DEVELOPMENT SCHEDULE**

### **APPENDICES**

- A. Property Survey from IMEG Engineering
- B. Resolution No. 4073 passed and adopted May 14, 2009
- C. Crazy Mountain Productions Project Proposal
- D. 4 Images of the proposed Pavilion
- E. List of Adjacent Properties
- F. Handwritten Invitation to Neighbors
- G. Ordinance No. 2015 passed on October 19, 2019
- H. Basecamp Construction Pavilion Development Schedule
- I. Public Comments Regarding the Shane Center
- J. Sanderson Stewart Trip Generation Analysis – Sr. Transportation Engineer
- K. 23 Neighborhood Letters of Support/31 Community Letters of Support

May 8, 2023

Jennifer Severson  
City of Livingston - Planning Director  
220 East Park Street  
Livingston, MT 59047

Reference: Shane Center Pavilion – Trip Generation Letter

Ms. Severson:

The purpose of this letter is to provide trip generation estimates for the Pavilion expansion at the Shane Lalani Center for the Arts facility in Livingston, Montana. The Shane Center Pavilion project proposes construction of a 4882-square-foot outdoor assembly area, a 1604-square-foot platform area, a 763-square-foot loading/storage area, and a 1066-square-foot area for concessions/ticketing. In total, 8315 gross floor area will be used for trip generation estimates.

This letter utilized Trip Generation, 11th Edition, published by the Institute of Transportation Engineers (ITE), which is the most widely accepted source for determining trip generation projections. Recreational Community Center (Land Use Code 495) was used to estimate trip generation for the Shane Center Pavilion area. An outdoor venue or meeting area is not specifically outlined in the ITE Trip Generation Manual, and Recreational Community Center most closely matches the anticipated uses of the site. The Pavilion is projected to generate a total of 240 additional gross average weekday trips with 16 trips (11 entering/5 exiting) generated during the AM peak hour and 21 trips (10 entering/11 exiting) generated during the PM peak hour. Additionally, 113 additional Saturday daily trips would be generated. A portion of the external trips generated by Shane Center Pavilion will likely made by alternate modes (walking, biking, transit), thereby reducing vehicular trips generated.

Land Use	Independent Variable		Average Weekday			AM Peak Hour			PM Peak Hour			Saturday		
	Intensity	Units	total	enter	exit	total	enter	exit	total	enter	exit	total	enter	exit
Shane Center Pavilion	8.315	1,000 SF GFA	240	120	120	16	11	5	21	10	11	113	56	57
<b>Total External Trips</b>			<b>240</b>	<b>120</b>	<b>120</b>	<b>16</b>	<b>11</b>	<b>5</b>	<b>21</b>	<b>10</b>	<b>11</b>	<b>113</b>	<b>56</b>	<b>57</b>

- (1) Recreational Community Center - Land Use Code 495\*
  - Average Weekday: Units = 1000 SF GFA, Average Rate = 28.82 (50% entering, 50% exiting)
  - Peak Hour of the Adjacent Street, One Hour between 7 and 9 AM: Average Rate = 1.91 (66% entering, 34% exiting)
  - Peak Hour of the Adjacent Street, One Hour between 4 and 6 PM: Average Rate = 2.50 (47% entering, 53% exiting)
  - Saturday: Average Rate = 13.60 (50% entering, 50% exiting)

If you have any questions or concerns, please feel free to contact me at 406-922-4306 or [jstaszczuk@sandersonstewart.com](mailto:jstaszczuk@sandersonstewart.com).

Sincerely,

Joe Staszczuk, PE, PTOE, RSPI  
Associate | Community Transportation Studio Manager



## Land Use: 495

# Recreational Community Center

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### Description

A recreational community center is a stand-alone public facility similar to and including YMCAs. These facilities often include classes and clubs for adults and children, a day care or nursery school, meeting rooms and other social facilities, swimming pools and whirlpools, saunas, tennis, racquetball, handball, pickle ball, basketball and volleyball courts; outdoor athletic fields/courts, exercise classes, weightlifting and gymnastics equipment, locker rooms, and a restaurant or snack bar. Public access is typically allowed and a membership fee may be charged. Racquet/tennis club (Land Use 491), health/fitness club (Land Use 492), and athletic club (Land Use 493) are related land uses.

### Additional Data

The technical appendices provide supporting information on time-of-day distributions for this land use. The appendices can be accessed through either the ITETripGen web app or the trip generation resource page on the ITE website (<https://www.ite.org/technical-resources/topics/trip-and-parking-generation/>).

The sites were surveyed in the 1980s, the 1990s, the 2000s, the 2010s, and the 2020s in Alberta (CAN), Arizona, Indiana, Minnesota, New Hampshire, New York, Oregon, Pennsylvania, Tennessee, and Utah.

### Source Numbers

281, 410, 443, 571, 618, 705, 719, 850, 866, 971, 1055



# Recreational Community Center (495)

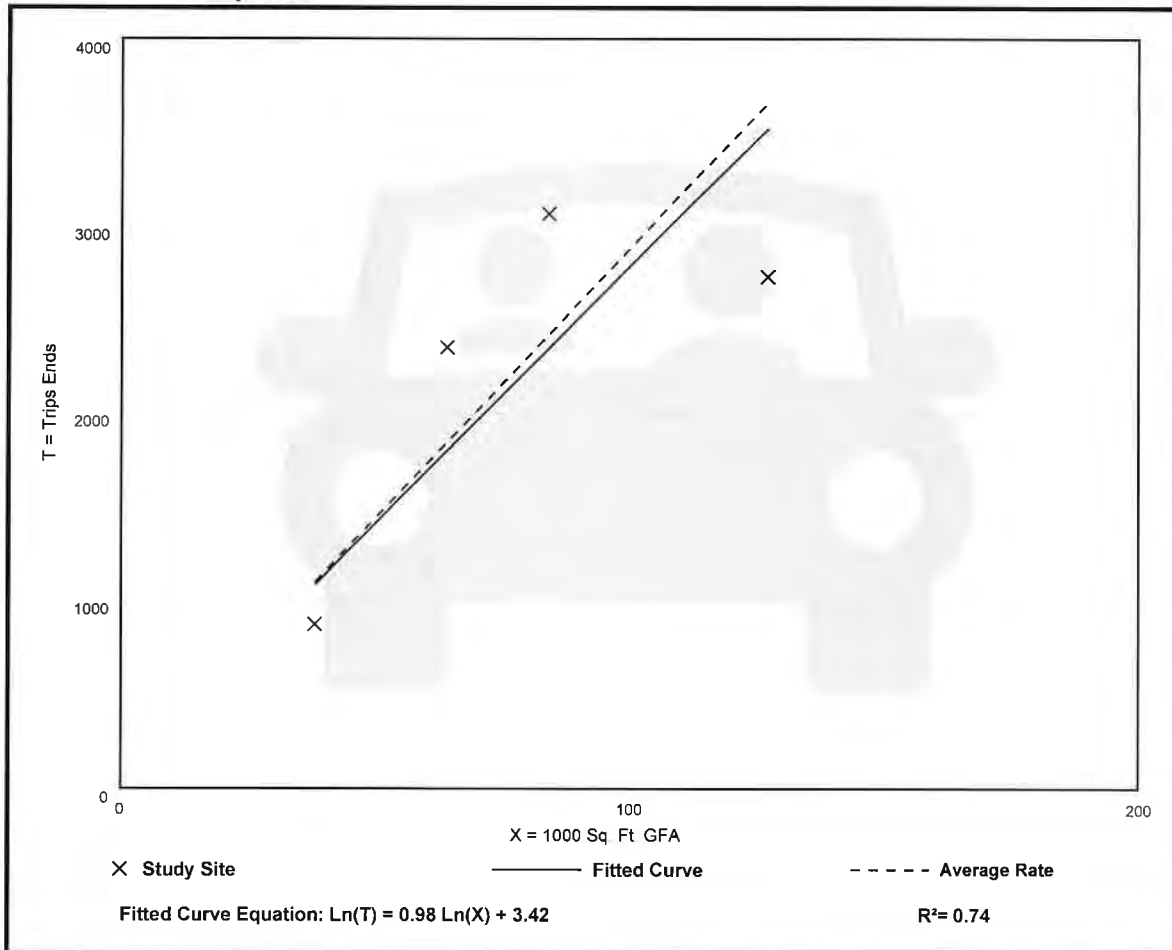
**Vehicle Trip Ends vs: 1000 Sq. Ft. GFA**  
**On a: Weekday**

**Setting/Location: General Urban/Suburban**  
Number of Studies: 4  
Avg. 1000 Sq. Ft. GFA: 78  
Directional Distribution: 50% entering, 50% exiting

### Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
28.82	21.49 - 36.71	8.56

### Data Plot and Equation



# Recreational Community Center (495)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 12

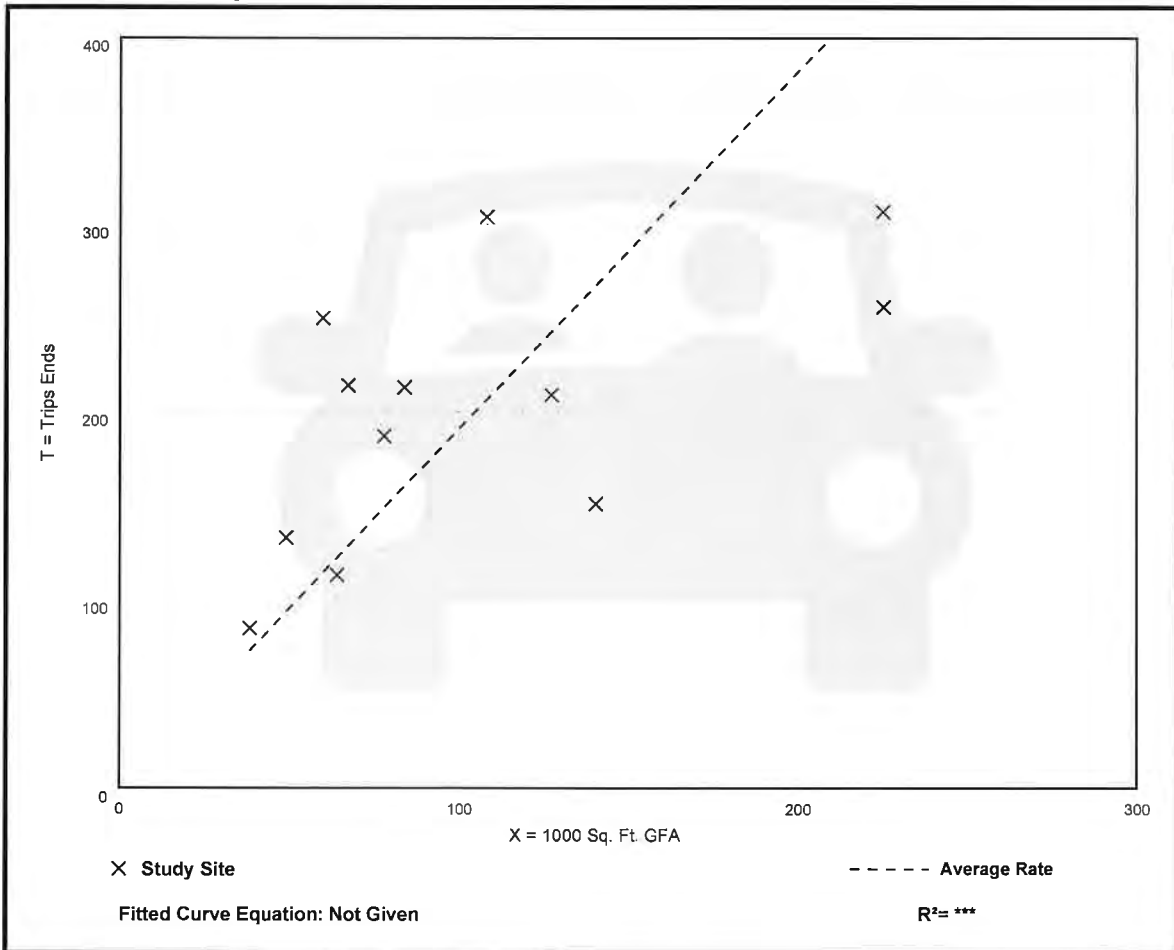
Avg. 1000 Sq. Ft. GFA: 105

Directional Distribution: 66% entering, 34% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.91	1.08 - 4.18	0.88

## Data Plot and Equation



# Recreational Community Center (495)

**Vehicle Trip Ends vs: 1000 Sq. Ft. GFA**

On a: **Weekday,**

**Peak Hour of Adjacent Street Traffic,**

**One Hour Between 4 and 6 p.m.**

**Setting/Location: General Urban/Suburban**

Number of Studies: 15

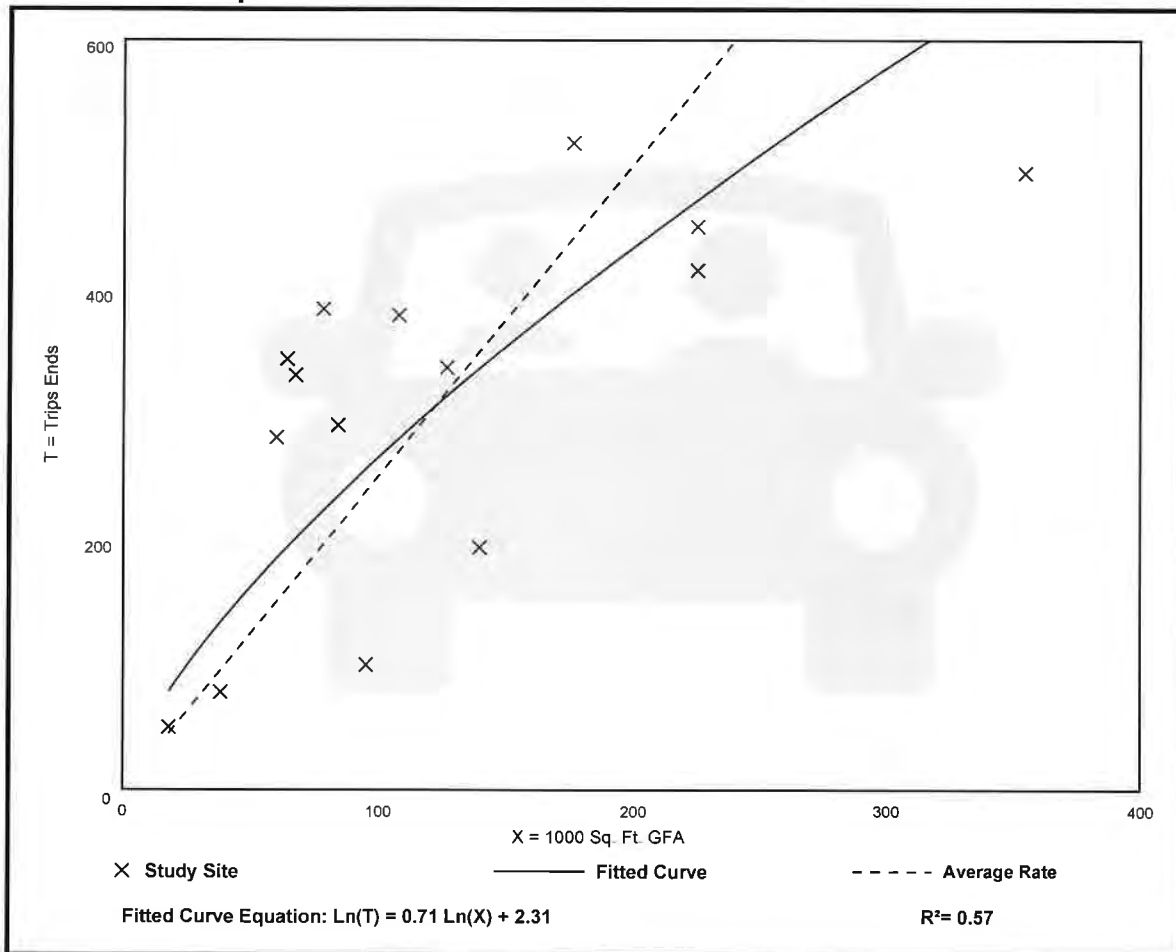
Avg. 1000 Sq. Ft. GFA: 124

Directional Distribution: 47% entering, 53% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
2.50	1.05 - 5.37	1.28

## Data Plot and Equation



# Recreational Community Center (495)

**Vehicle Trip Ends vs: 1000 Sq. Ft. GFA**

**On a: Weekday,**

**AM Peak Hour of Generator**

**Setting/Location: General Urban/Suburban**

Number of Studies: 11

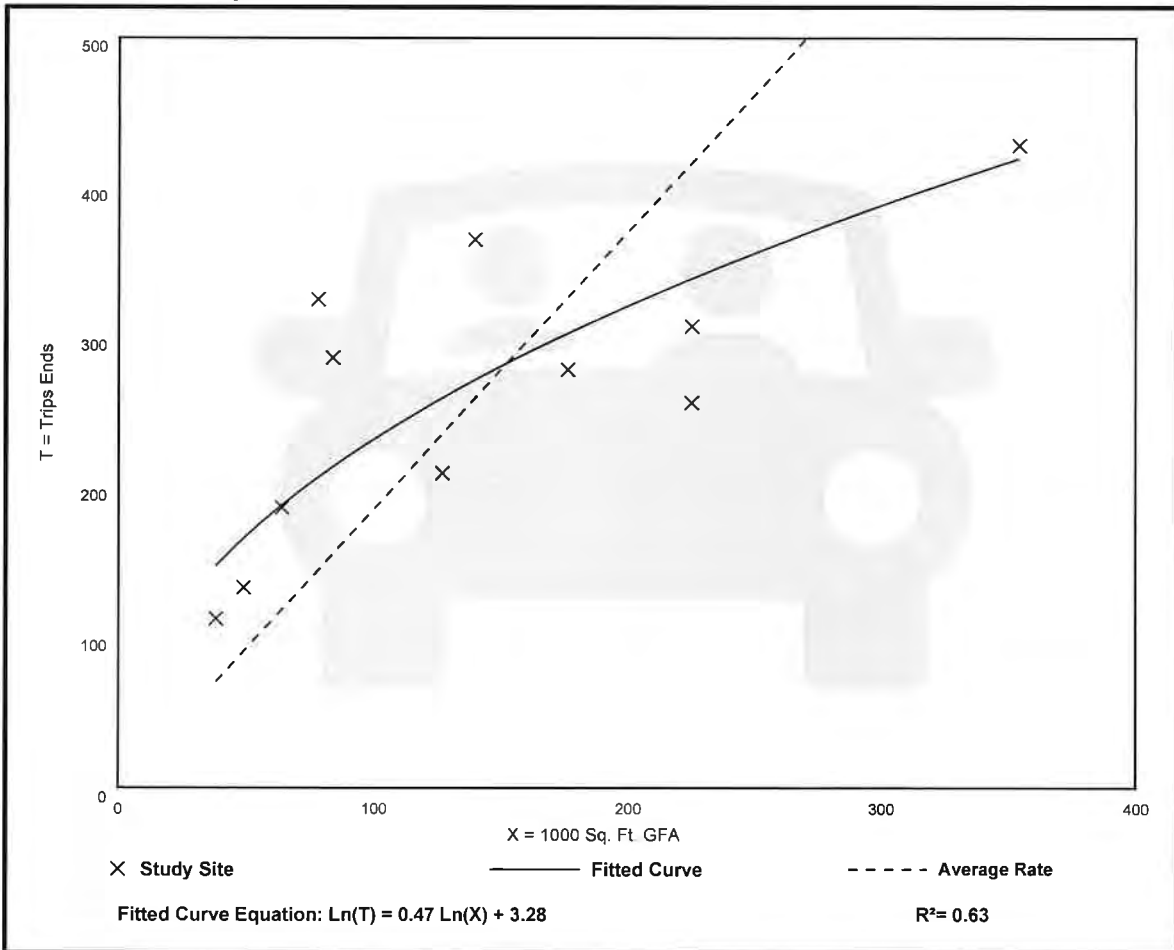
Avg. 1000 Sq. Ft. GFA: 142

Directional Distribution: 63% entering, 37% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.85	1.14 - 4.17	0.91

## Data Plot and Equation



# Recreational Community Center (495)

**Vehicle Trip Ends vs: 1000 Sq. Ft. GFA**

**On a: Weekday,**

**PM Peak Hour of Generator**

**Setting/Location: General Urban/Suburban**

Number of Studies: 11

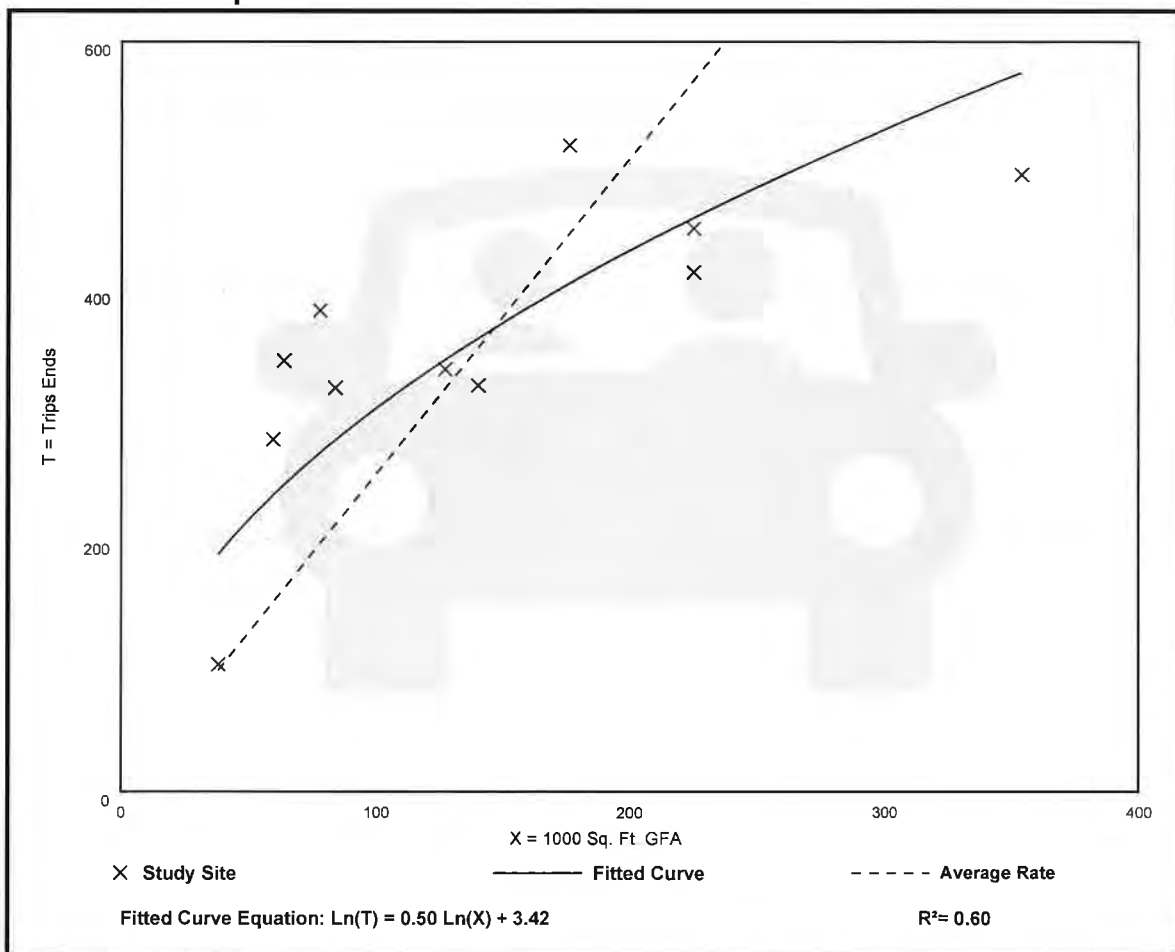
Avg. 1000 Sq. Ft. GFA: 143

Directional Distribution: 47% entering, 53% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
2.53	1.39 - 5.37	1.20

## Data Plot and Equation



# Recreational Community Center (495)

**Vehicle Trip Ends vs: 1000 Sq. Ft. GFA**  
On a: **Saturday**

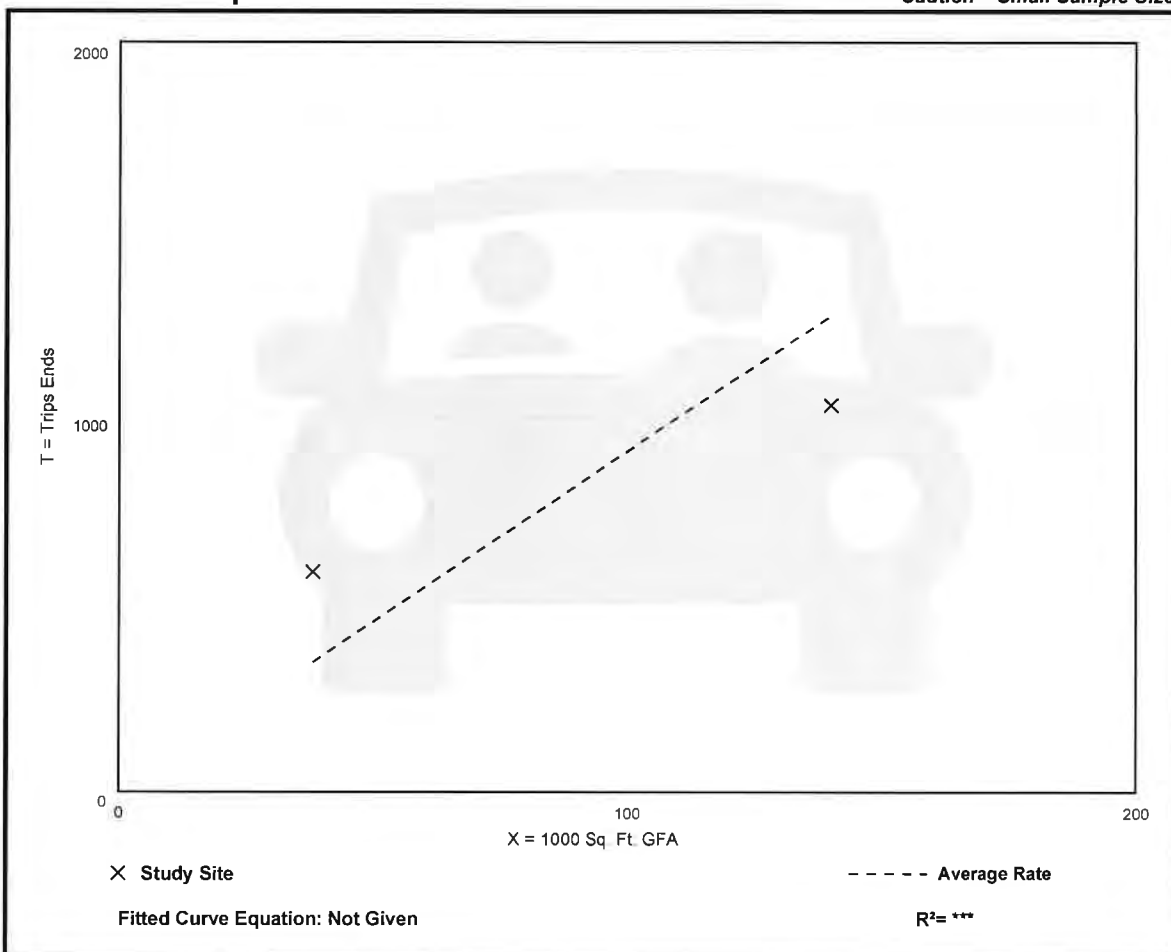
**Setting/Location: General Urban/Suburban**  
Number of Studies: 2  
Avg. 1000 Sq. Ft. GFA: 89  
Directional Distribution: 50% entering, 50% exiting

### Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
9.10	7.39 - 15.40	***

### Data Plot and Equation

*Caution – Small Sample Size*



# Recreational Community Center (495)

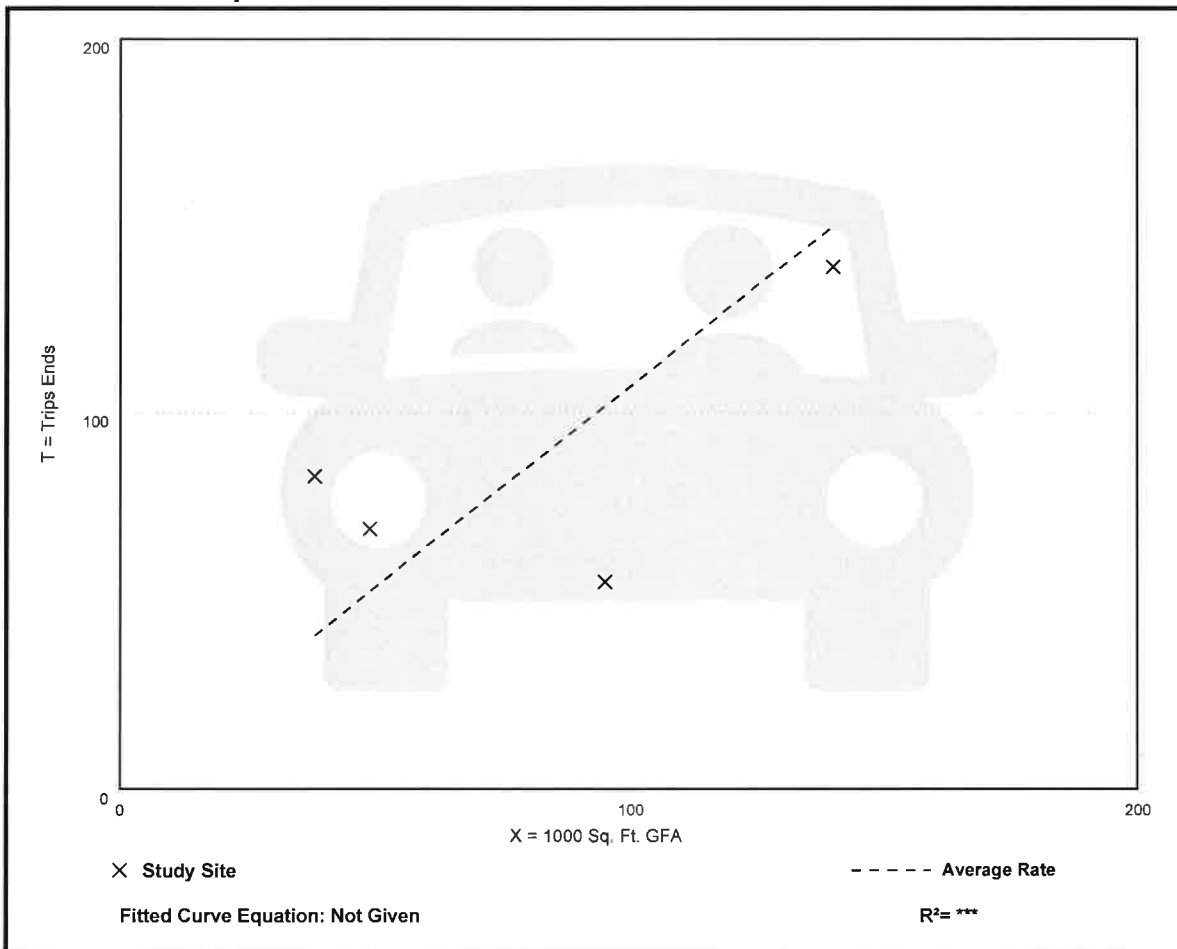
**Vehicle Trip Ends vs: 1000 Sq. Ft. GFA**  
**On a: Saturday, Peak Hour of Generator**

**Setting/Location: General Urban/Suburban**  
 Number of Studies: 4  
 Avg. 1000 Sq. Ft. GFA: 81  
 Directional Distribution: 54% entering, 46% exiting

### Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.07	0.58 - 2.18	0.56

### Data Plot and Equation



# Recreational Community Center (495)

**Vehicle Trip Ends vs: 1000 Sq. Ft. GFA**  
**On a: Sunday**

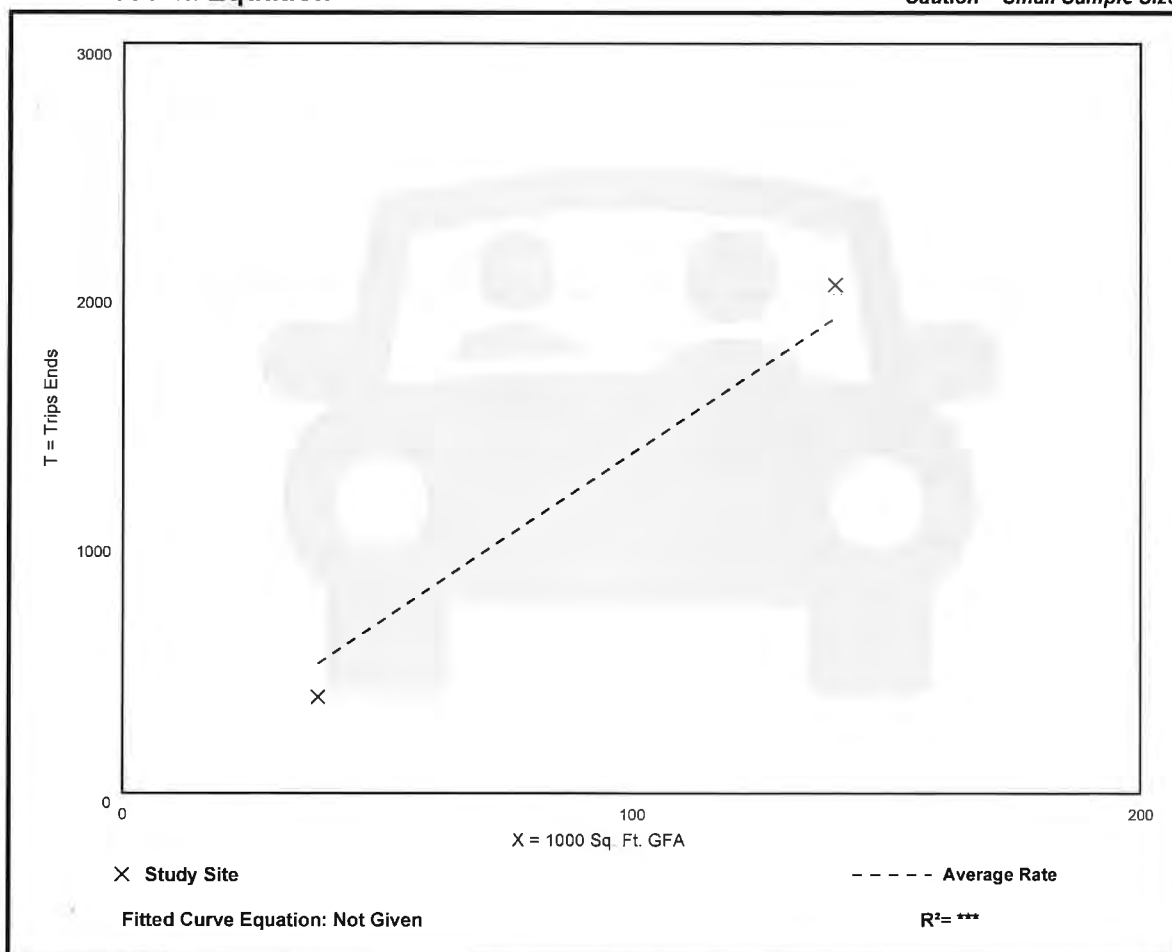
**Setting/Location: General Urban/Suburban**  
Number of Studies: 2  
Avg. 1000 Sq. Ft. GFA: 89  
Directional Distribution: 50% entering, 50% exiting

### Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
13.60	10.10 - 14.55	***

### Data Plot and Equation

*Caution – Small Sample Size*





# Recreational Community Center (495)

**Vehicle Trip Ends vs: 1000 Sq. Ft. GFA**  
**On a: Sunday, Peak Hour of Generator**

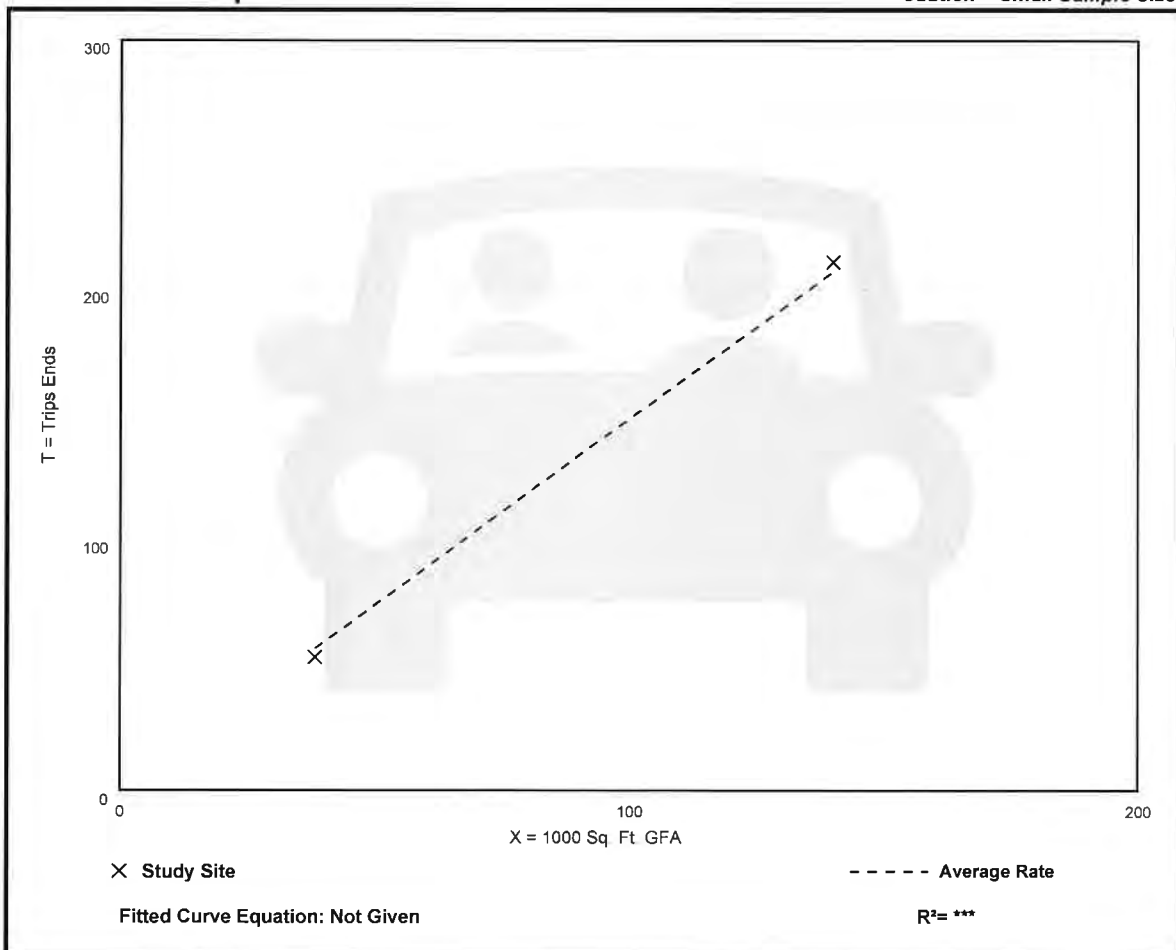
**Setting/Location: General Urban/Suburban**  
 Number of Studies: 2  
 Avg. 1000 Sq. Ft. GFA: 89  
 Directional Distribution: 56% entering, 44% exiting

### Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
1.48	1.39 - 1.51	***

### Data Plot and Equation

*Caution – Small Sample Size*



# Recreational Community Center (495)

Vehicle Trip Ends vs: Employees  
On a: Weekday

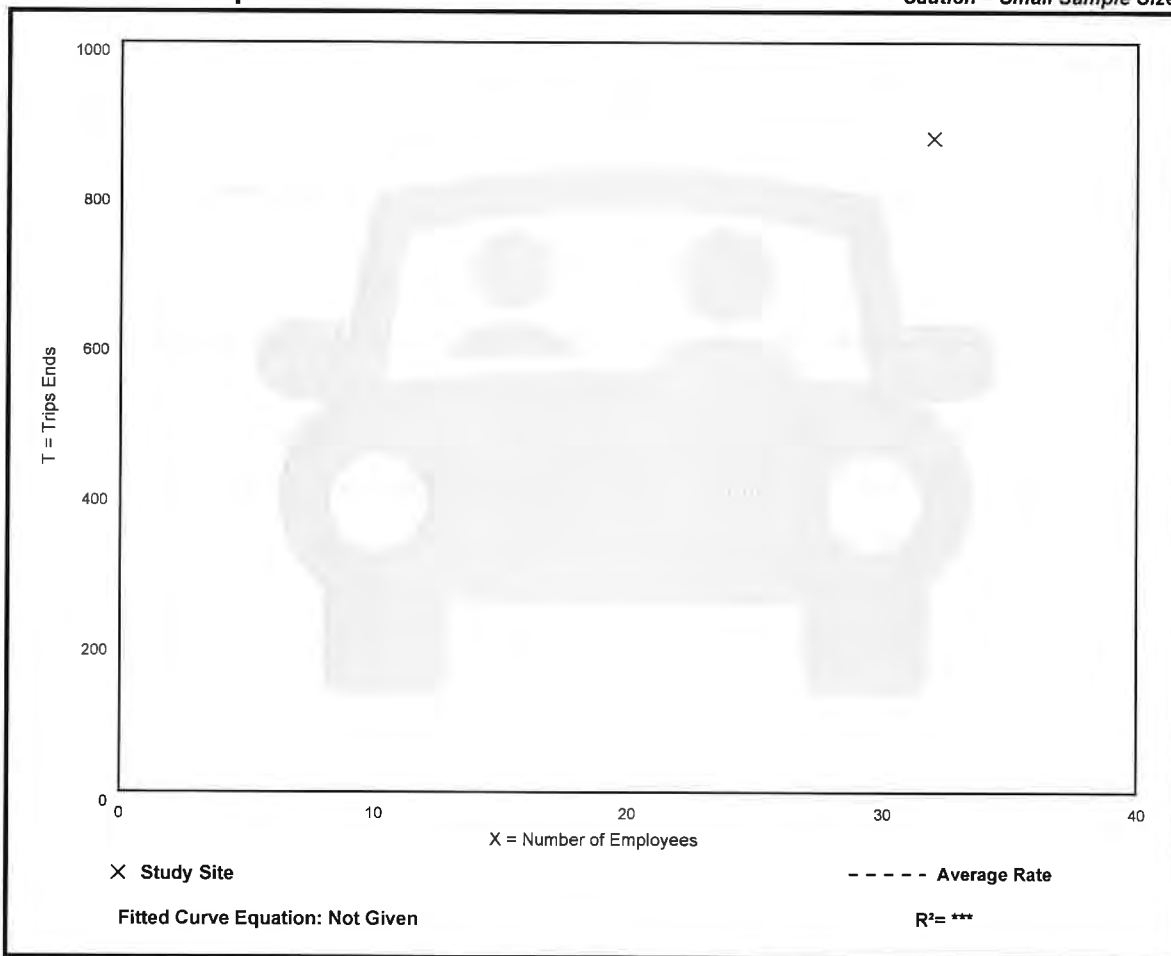
Setting/Location: General Urban/Suburban  
Number of Studies: 1  
Avg. Num. of Employees: 32  
Directional Distribution: 50% entering, 50% exiting

## Vehicle Trip Generation per Employee

Average Rate	Range of Rates	Standard Deviation
27.25	27.25 - 27.25	***

## Data Plot and Equation

Caution – Small Sample Size



# Recreational Community Center (495)

**Vehicle Trip Ends vs: Employees**

On a: **Weekday,**

**Peak Hour of Adjacent Street Traffic,  
One Hour Between 7 and 9 a.m.**

**Setting/Location: General Urban/Suburban**

Number of Studies: 4

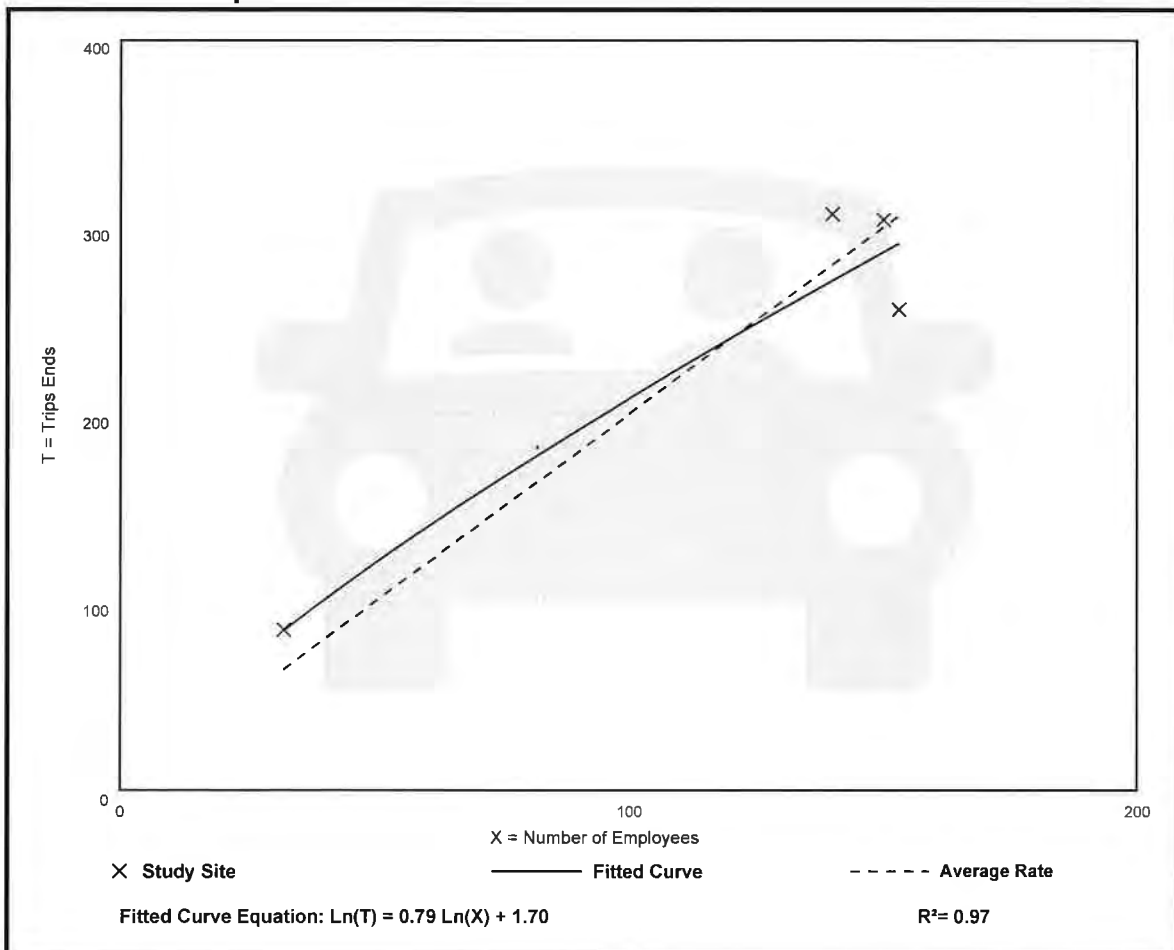
Avg. Num. of Employees: 119

Directional Distribution: 67% entering, 33% exiting

## Vehicle Trip Generation per Employee

Average Rate	Range of Rates	Standard Deviation
2.00	1.67 - 2.66	0.32

## Data Plot and Equation



# Recreational Community Center (495)

**Vehicle Trip Ends vs: Employees**

On a: **Weekday,**

**Peak Hour of Adjacent Street Traffic,**

**One Hour Between 4 and 6 p.m.**

**Setting/Location: General Urban/Suburban**

Number of Studies: 6

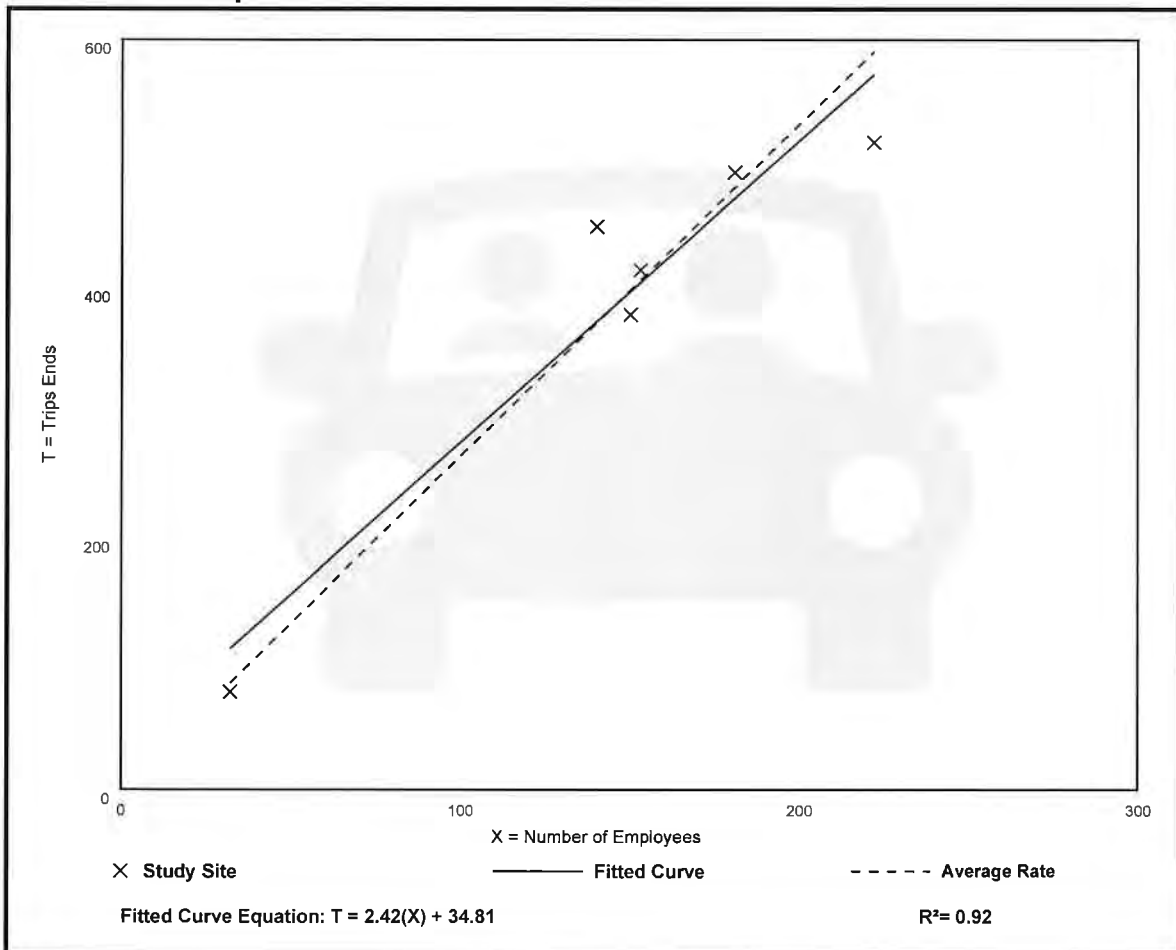
Avg. Num. of Employees: 146

Directional Distribution: 44% entering, 56% exiting

## Vehicle Trip Generation per Employee

Average Rate	Range of Rates	Standard Deviation
2.66	2.33 - 3.21	0.32

## Data Plot and Equation



# Recreational Community Center (495)

**Vehicle Trip Ends vs: Employees**

On a: **Weekday,**

**AM Peak Hour of Generator**

**Setting/Location: General Urban/Suburban**

Number of Studies: 5

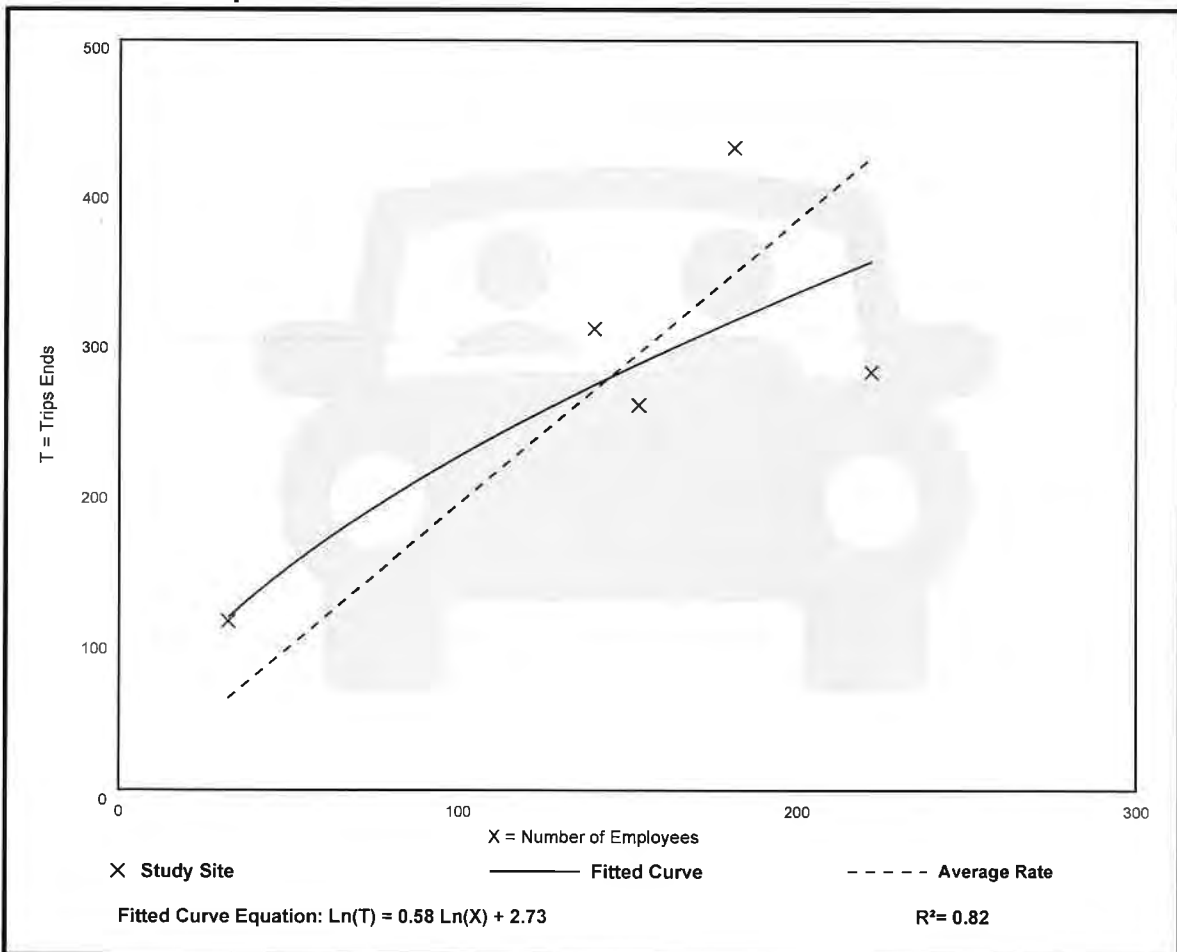
Avg. Num. of Employees: 146

Directional Distribution: 65% entering, 35% exiting

## Vehicle Trip Generation per Employee

Average Rate	Range of Rates	Standard Deviation
1.90	1.25 - 3.50	0.63

## Data Plot and Equation



# Recreational Community Center (495)

**Vehicle Trip Ends vs: Employees**

On a: **Weekday,**

**PM Peak Hour of Generator**

**Setting/Location: General Urban/Suburban**

Number of Studies: 5

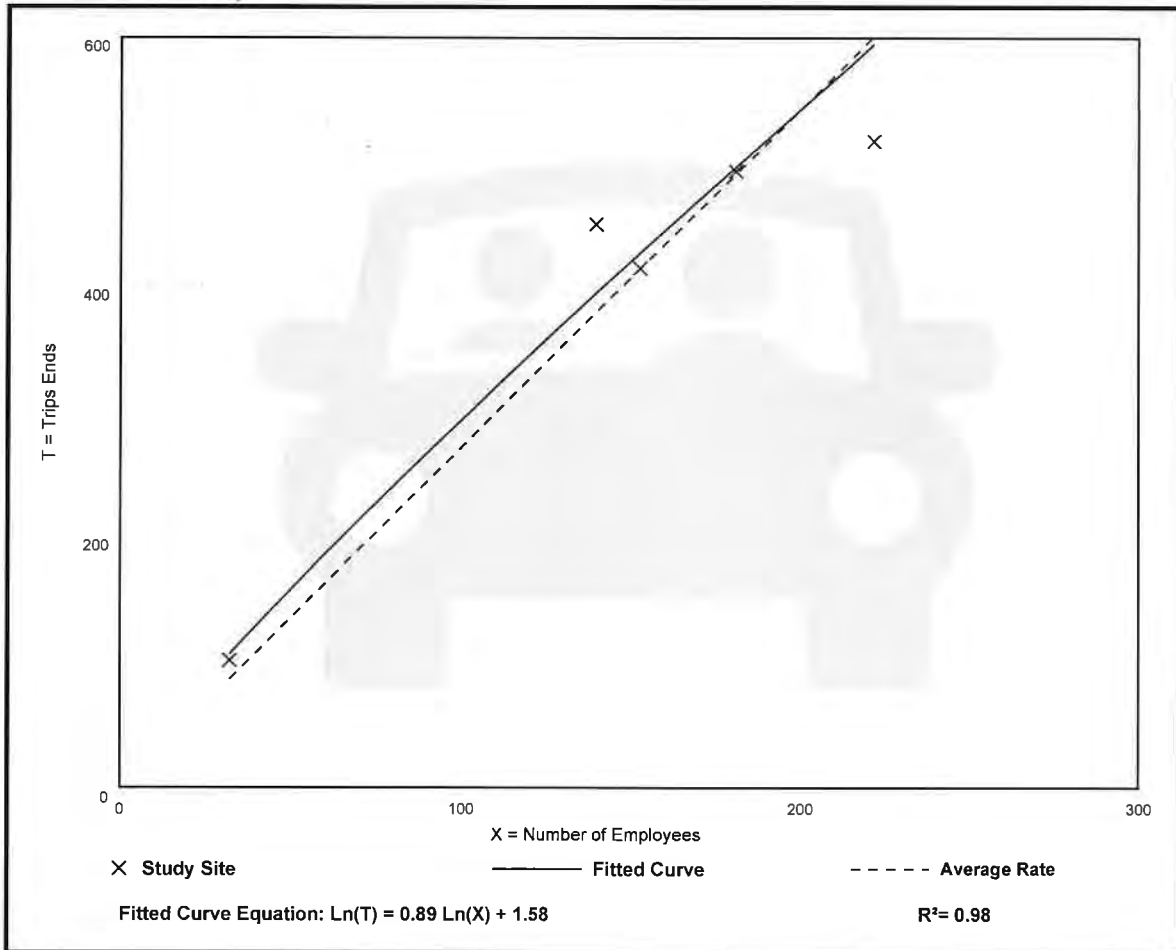
Avg. Num. of Employees: 146

Directional Distribution: 43% entering, 57% exiting

## Vehicle Trip Generation per Employee

Average Rate	Range of Rates	Standard Deviation
2.71	2.33 - 3.21	0.36

## Data Plot and Equation



# Recreational Community Center (495)

Vehicle Trip Ends vs: Employees  
On a: Saturday

Setting/Location: General Urban/Suburban

Number of Studies: 1

Avg. Num. of Employees: 32

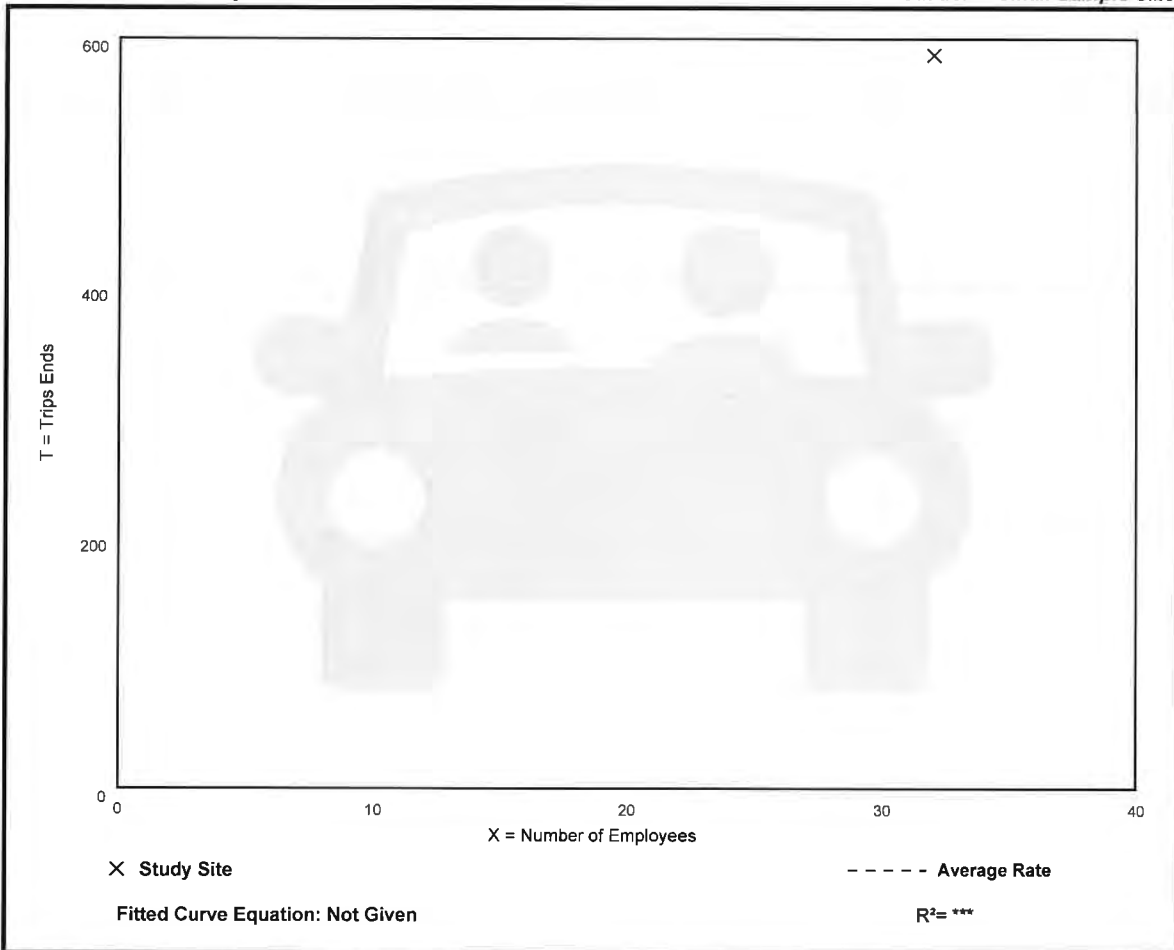
Directional Distribution: 50% entering, 50% exiting

## Vehicle Trip Generation per Employee

Average Rate	Range of Rates	Standard Deviation
18.34	18.34 - 18.34	***

## Data Plot and Equation

Caution – Small Sample Size







# Recreational Community Center (495)

Vehicle Trip Ends vs: Employees

On a: Sunday

Setting/Location: General Urban/Suburban

Number of Studies: 1

Avg. Num. of Employees: 32

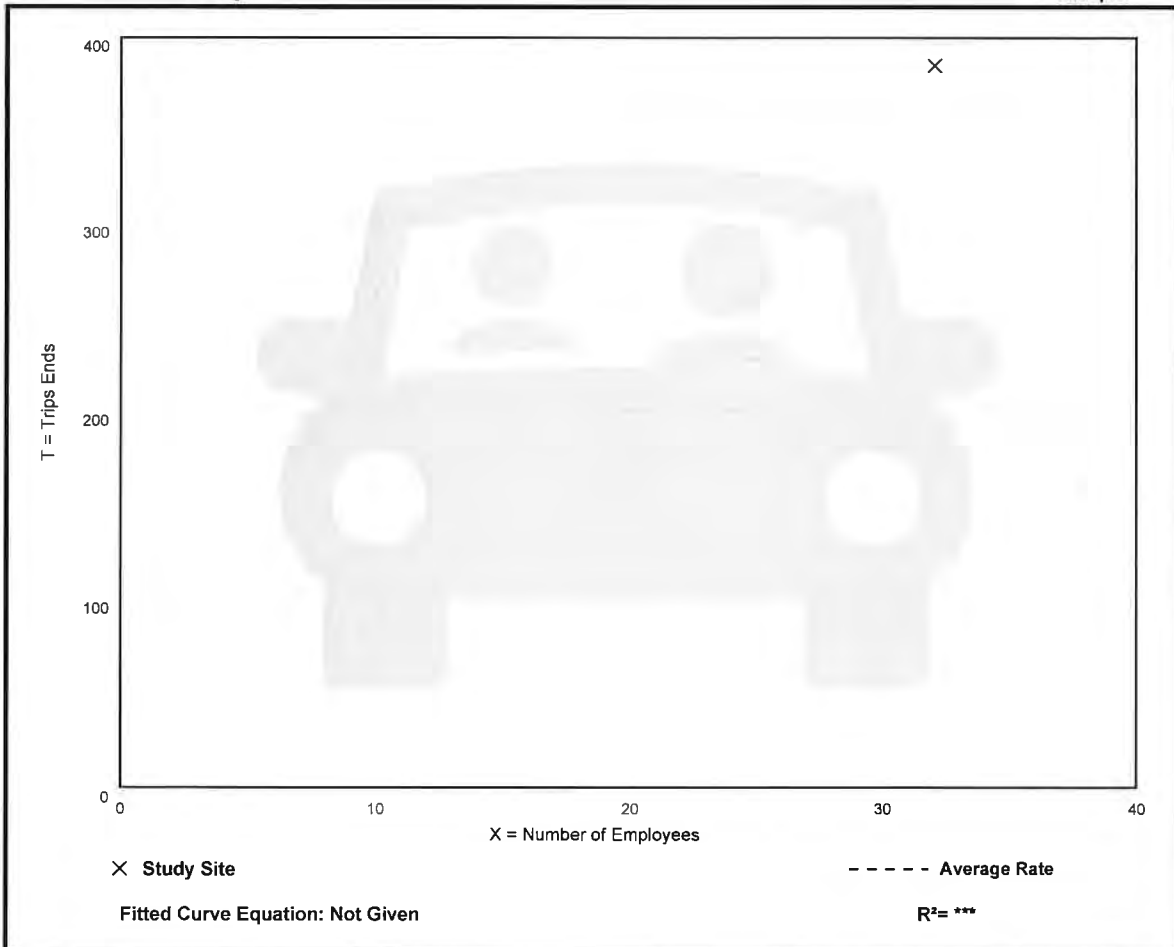
Directional Distribution: 50% entering, 50% exiting

## Vehicle Trip Generation per Employee

Average Rate	Range of Rates	Standard Deviation
12.03	12.03 - 12.03	***

## Data Plot and Equation

Caution – Small Sample Size



# Recreational Community Center (495)

**Vehicle Trip Ends vs: Employees**

**On a: Sunday, Peak Hour of Generator**

**Setting/Location: General Urban/Suburban**

Number of Studies: 1

Avg. Num. of Employees: 32

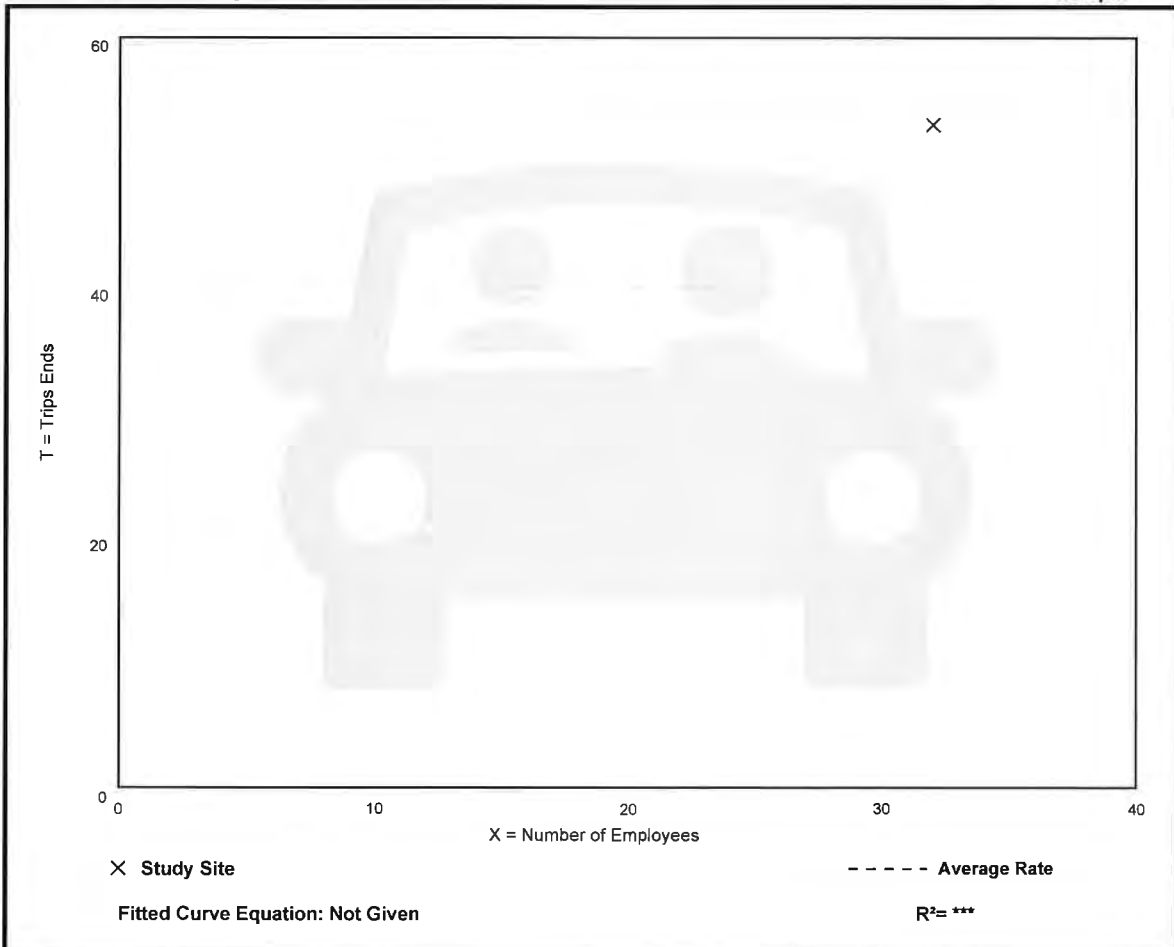
Directional Distribution: 43% entering, 57% exiting

### Vehicle Trip Generation per Employee

Average Rate	Range of Rates	Standard Deviation
1.66	1.66 - 1.66	***

### Data Plot and Equation

*Caution – Small Sample Size*



# Recreational Community Center (495)

**Vehicle Trip Ends vs: Members (1000s)**

On a: **Weekday,**

**Peak Hour of Adjacent Street Traffic,**

**One Hour Between 7 and 9 a.m.**

**Setting/Location: General Urban/Suburban**

Number of Studies: 2

Avg. Num. of Members (1000s): 12

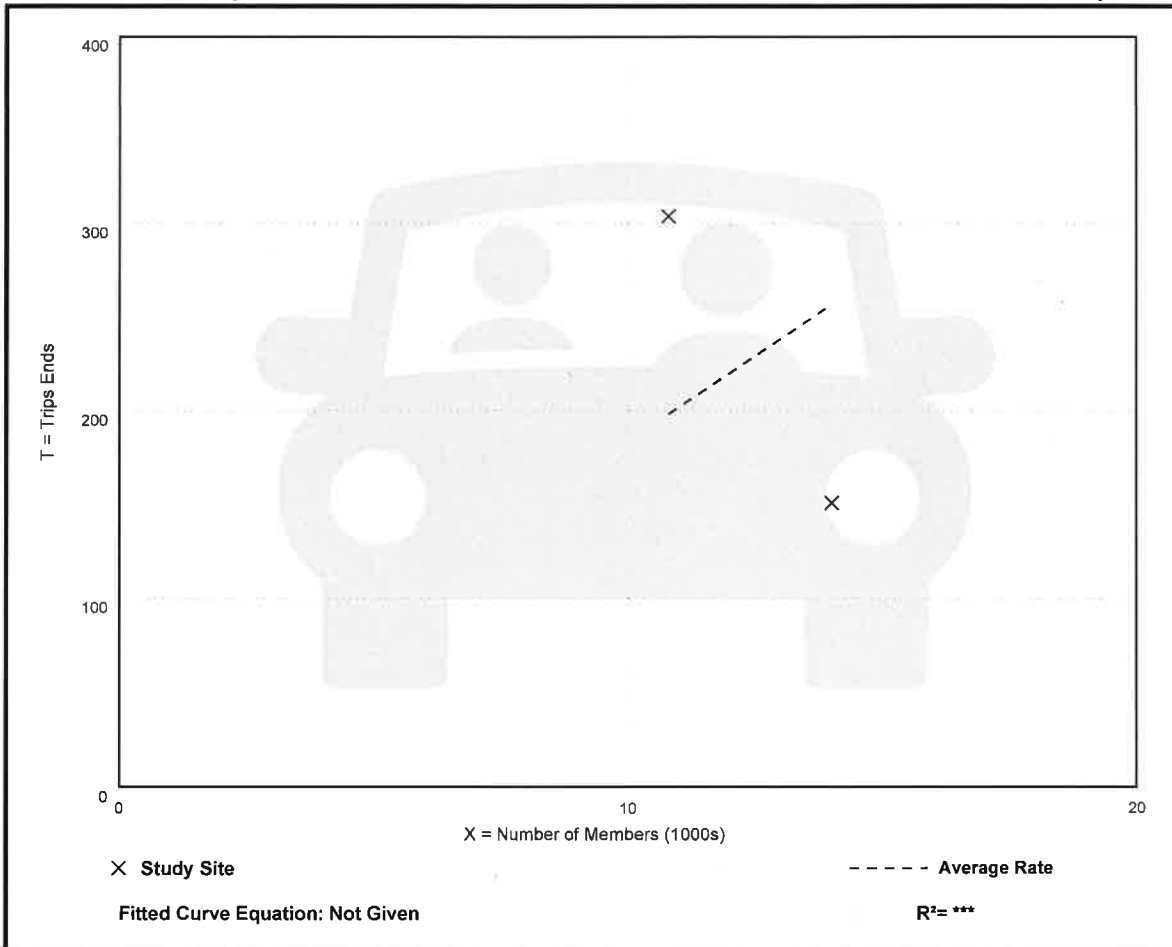
Directional Distribution: 55% entering, 45% exiting

## Vehicle Trip Generation per Member (1000s)

Average Rate	Range of Rates	Standard Deviation
18.35	10.79 - 28.15	***

## Data Plot and Equation

*Caution – Small Sample Size*



# Recreational Community Center (495)

**Vehicle Trip Ends vs: Members (1000s)**

On a: **Weekday,**

**Peak Hour of Adjacent Street Traffic,**

**One Hour Between 4 and 6 p.m.**

**Setting/Location: General Urban/Suburban**

Number of Studies: 2

Avg. Num. of Members (1000s): 12

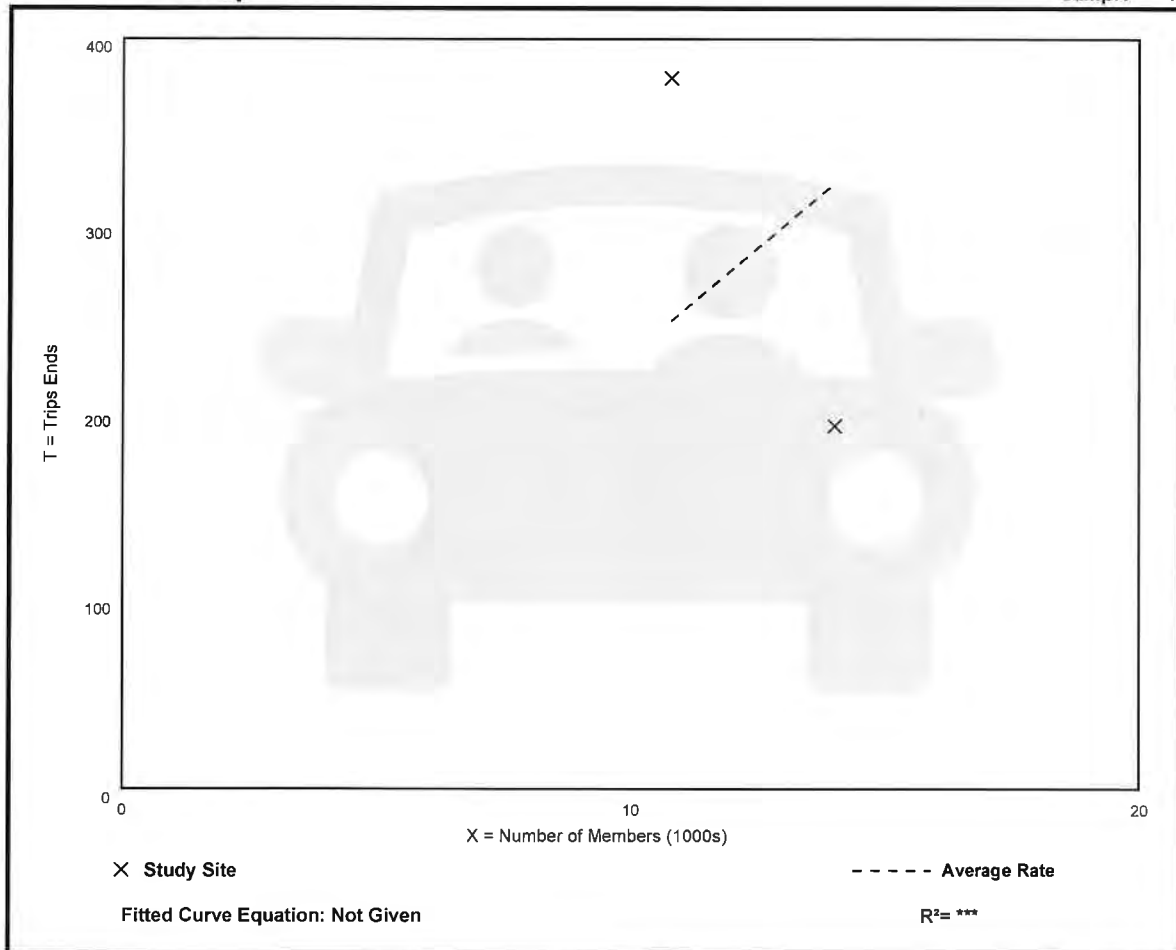
Directional Distribution: 44% entering, 56% exiting

## Vehicle Trip Generation per Member (1000s)

Average Rate	Range of Rates	Standard Deviation
23.06	13.79 - 35.09	***

## Data Plot and Equation

*Caution – Small Sample Size*







# Recreational Community Center (495)

**Vehicle Trip Ends vs: Members (1000s)**  
On a: **Saturday**

**Setting/Location: General Urban/Suburban**

Number of Studies: 1

Avg. Num. of Members (1000s): 14

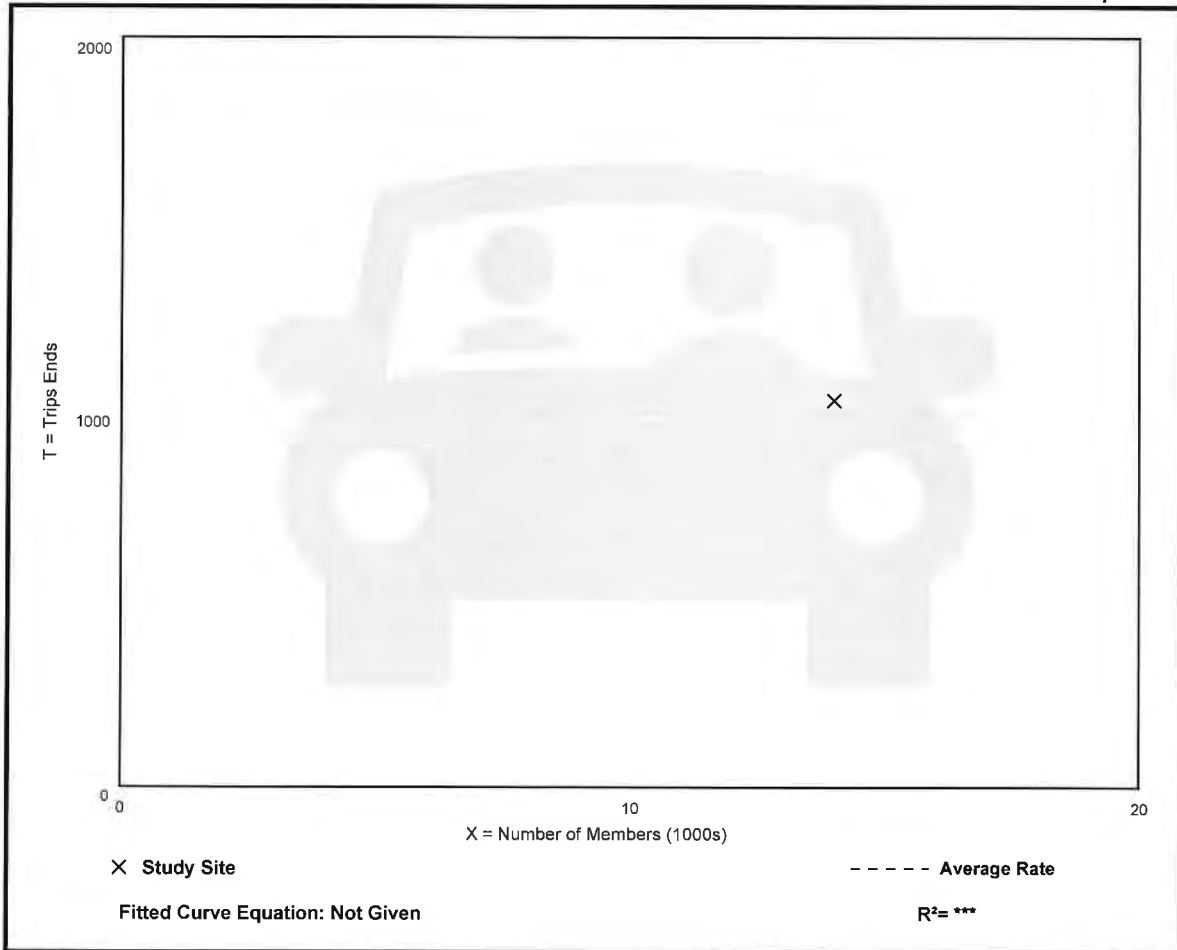
Directional Distribution: 50% entering, 50% exiting

### Vehicle Trip Generation per Member (1000s)

Average Rate	Range of Rates	Standard Deviation
73.86	73.86 - 73.86	***

### Data Plot and Equation

*Caution – Small Sample Size*



# Recreational Community Center (495)

**Vehicle Trip Ends vs: Members (1000s)**  
On a: **Sunday**

**Setting/Location: General Urban/Suburban**

Number of Studies: 1

Avg. Num. of Members (1000s): 14

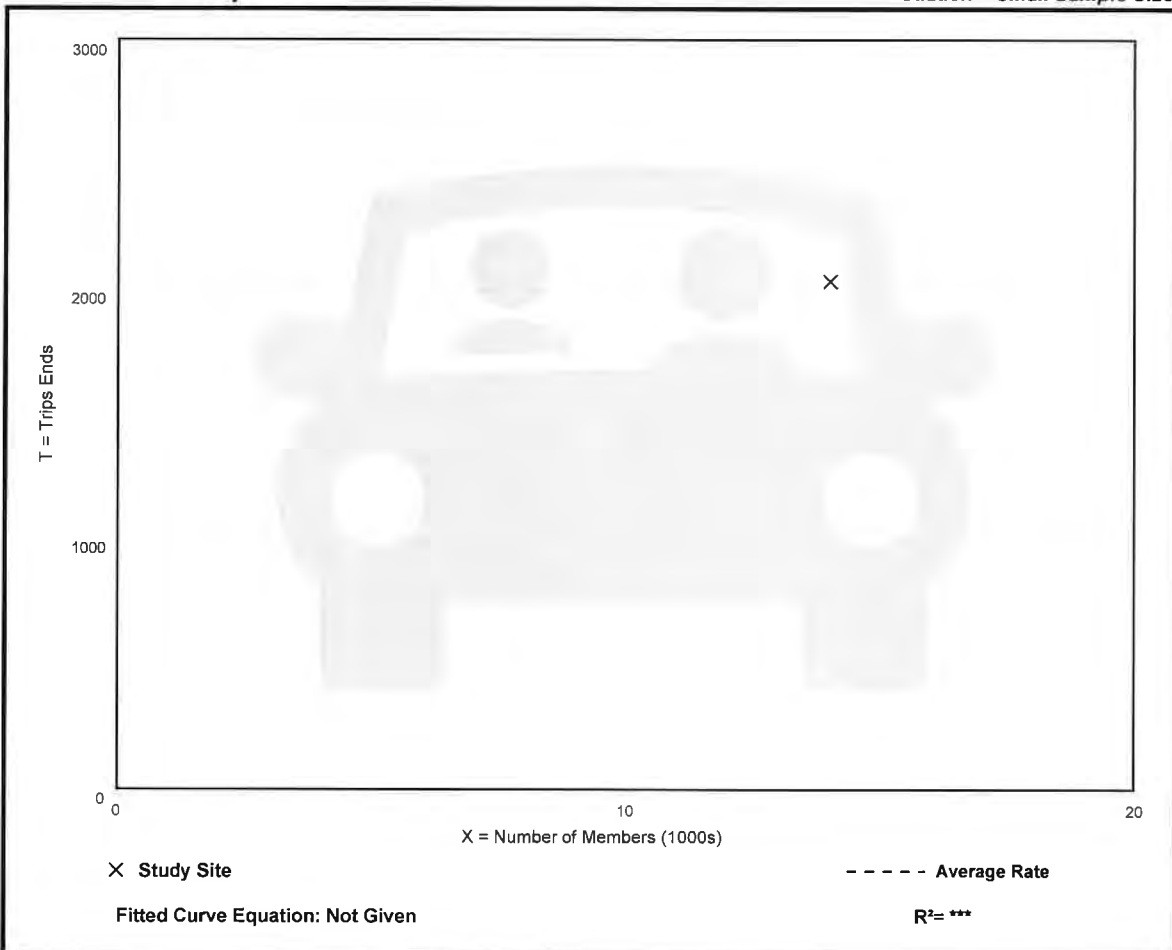
Directional Distribution: 50% entering, 50% exiting

### Vehicle Trip Generation per Member (1000s)

Average Rate	Range of Rates	Standard Deviation
145.50	145.50 - 145.50	***

### Data Plot and Equation

*Caution – Small Sample Size*





# Recreational Community Center (495)

Vehicle Trip Ends vs: Members (1000s)  
On a: Sunday, Peak Hour of Generator

Setting/Location: General Urban/Suburban

Number of Studies: 1

Avg. Num. of Members (1000s): 14

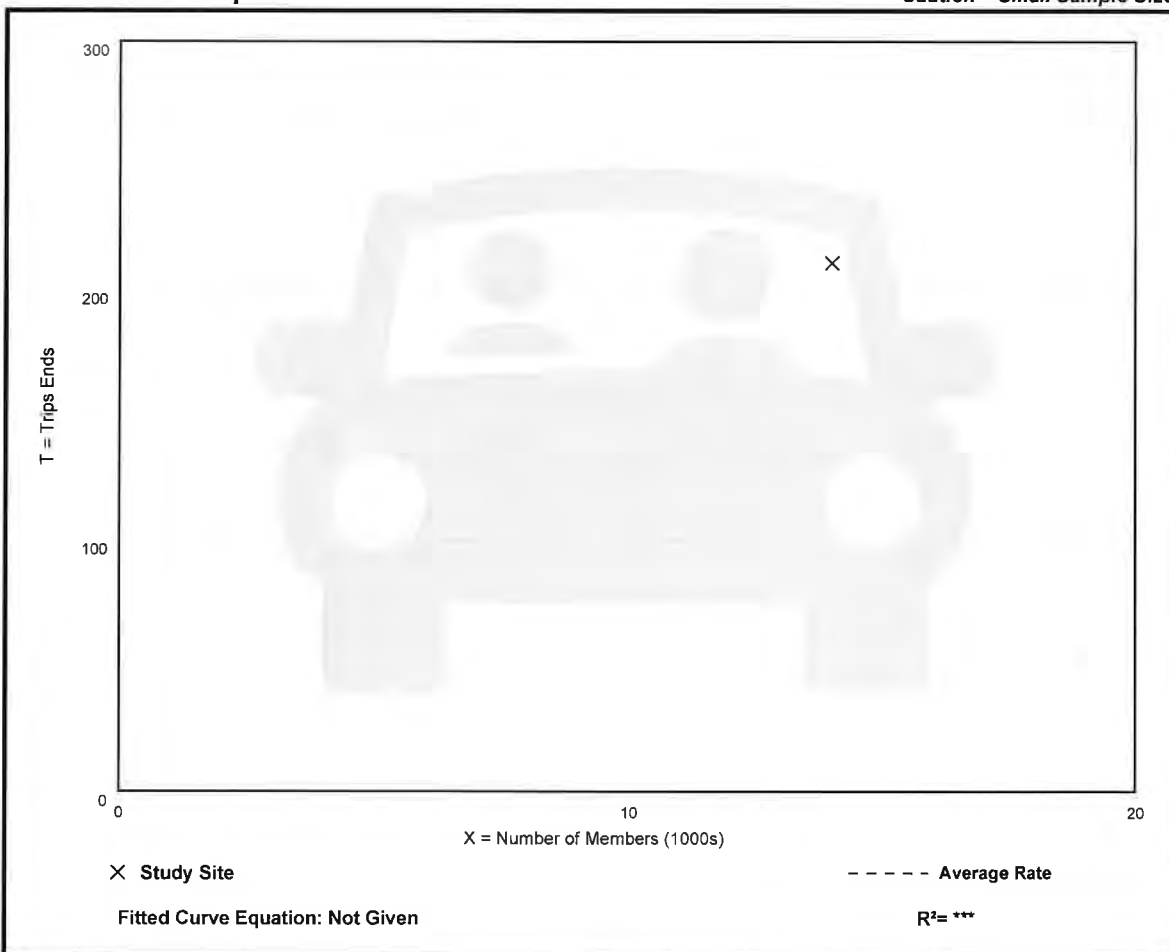
Directional Distribution: 60% entering, 40% exiting

## Vehicle Trip Generation per Member (1000s)

Average Rate	Range of Rates	Standard Deviation
15.07	15.07 - 15.07	***

## Data Plot and Equation

Caution – Small Sample Size



# Recreational Community Center (495)

**Walk+Bike+Transit Trip Ends vs: 1000 Sq. Ft. GFA**

On a: **Weekday,**

**Peak Hour of Adjacent Street Traffic,**

**One Hour Between 7 and 9 a.m.**

**Setting/Location: General Urban/Suburban**

Number of Studies: 2

Avg. 1000 Sq. Ft. GFA: 225

Directional Distribution: Not Available

## Walk+Bike+Transit Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.05	0.03 - 0.06	***

### Data Plot and Equation

*Caution – Small Sample Size*



# Recreational Community Center (495)

**Walk+Bike+Transit Trip Ends vs: 1000 Sq. Ft. GFA**

On a: **Weekday,**

**Peak Hour of Adjacent Street Traffic,**

**One Hour Between 4 and 6 p.m.**

**Setting/Location: General Urban/Suburban**

Number of Studies: 4

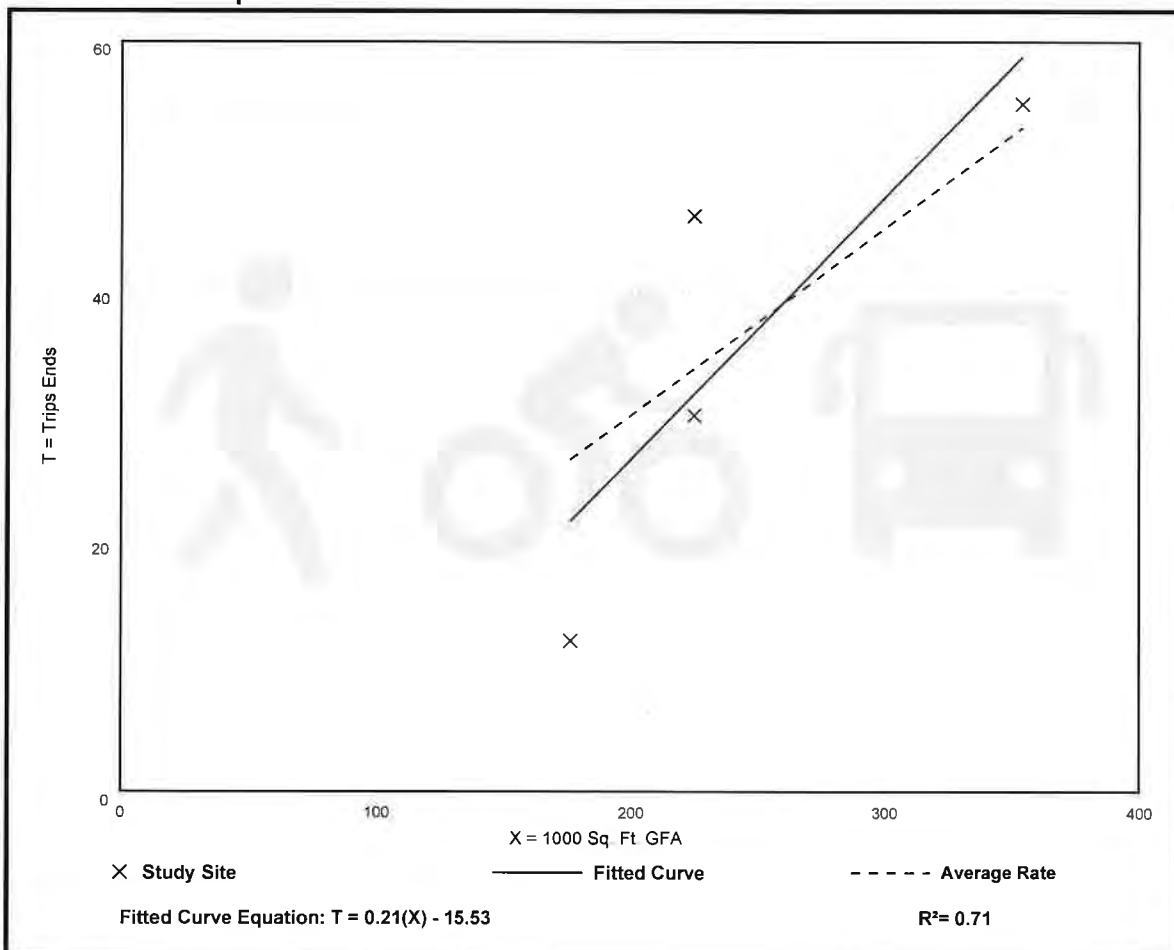
Avg. 1000 Sq. Ft. GFA: 245

Directional Distribution: Not Available

## Walk+Bike+Transit Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.15	0.07 - 0.20	0.05

### Data Plot and Equation



# Recreational Community Center (495)

**Walk+Bike+Transit Trip Ends vs: 1000 Sq. Ft. GFA**

On a: **Weekday,**

**AM Peak Hour of Generator**

**Setting/Location: General Urban/Suburban**

Number of Studies: 2

Avg. 1000 Sq. Ft. GFA: 265

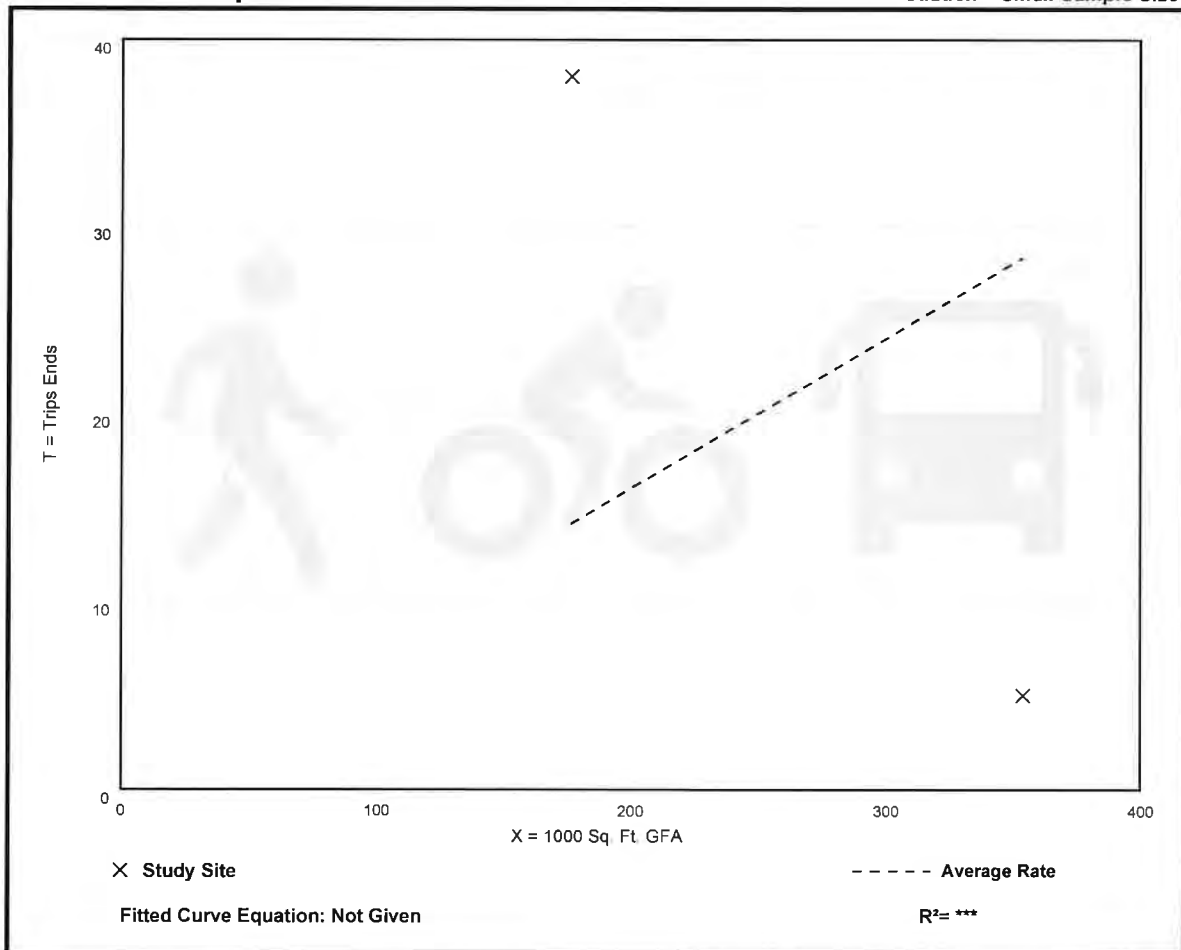
Directional Distribution: Not Available

## Walk+Bike+Transit Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.08	0.01 - 0.22	***

### Data Plot and Equation

*Caution – Small Sample Size*



# Recreational Community Center (495)

**Walk+Bike+Transit Trip Ends vs: 1000 Sq. Ft. GFA**

On a: **Weekday,**

**PM Peak Hour of Generator**

**Setting/Location: General Urban/Suburban**

Number of Studies: 4

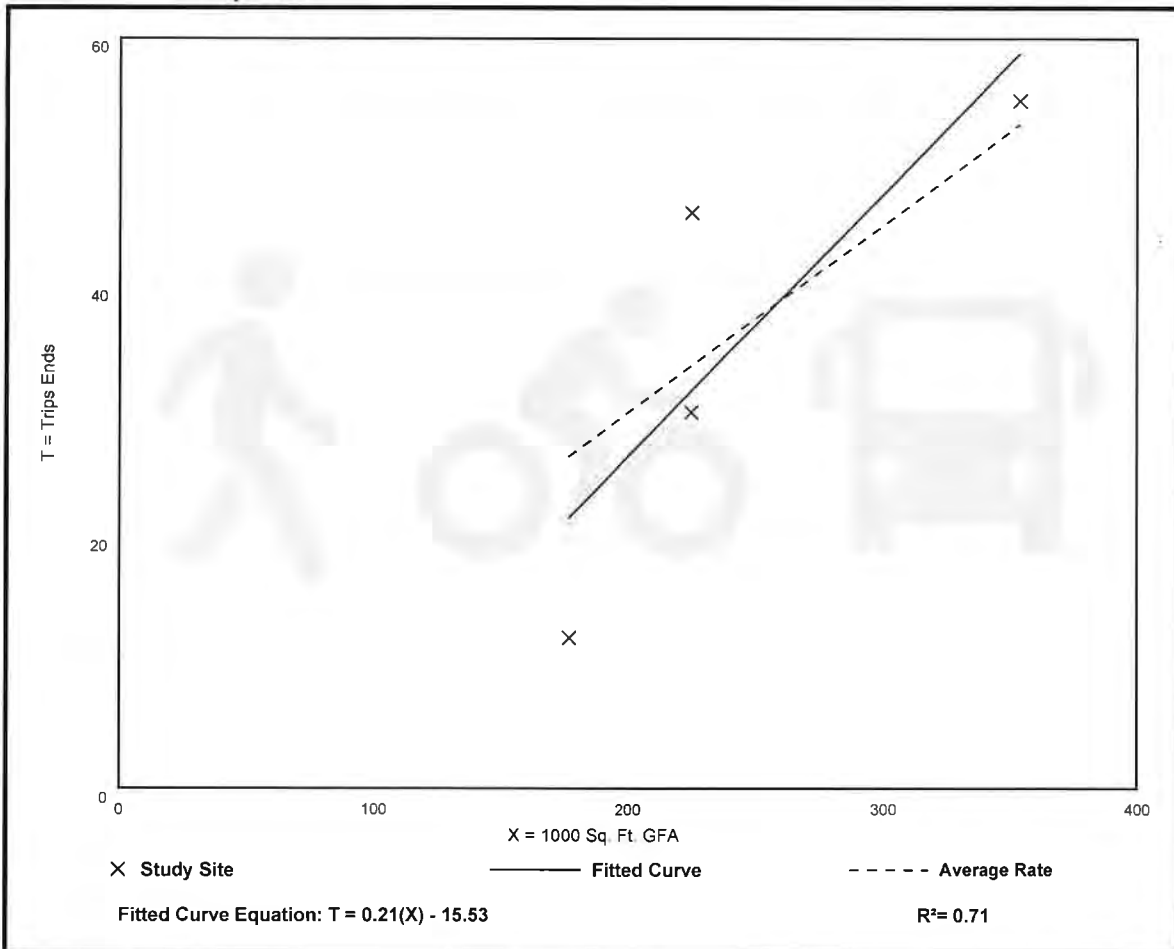
Avg. 1000 Sq. Ft. GFA: 245

Directional Distribution: Not Available

## Walk+Bike+Transit Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.15	0.07 - 0.20	0.05

### Data Plot and Equation



# Recreational Community Center (495)

**Walk+Bike+Transit Trip Ends vs: Employees**

On a: **Weekday,**

**Peak Hour of Adjacent Street Traffic,**

**One Hour Between 7 and 9 a.m.**

**Setting/Location: General Urban/Suburban**

Number of Studies: 2

Avg. Num. of Employees: 147

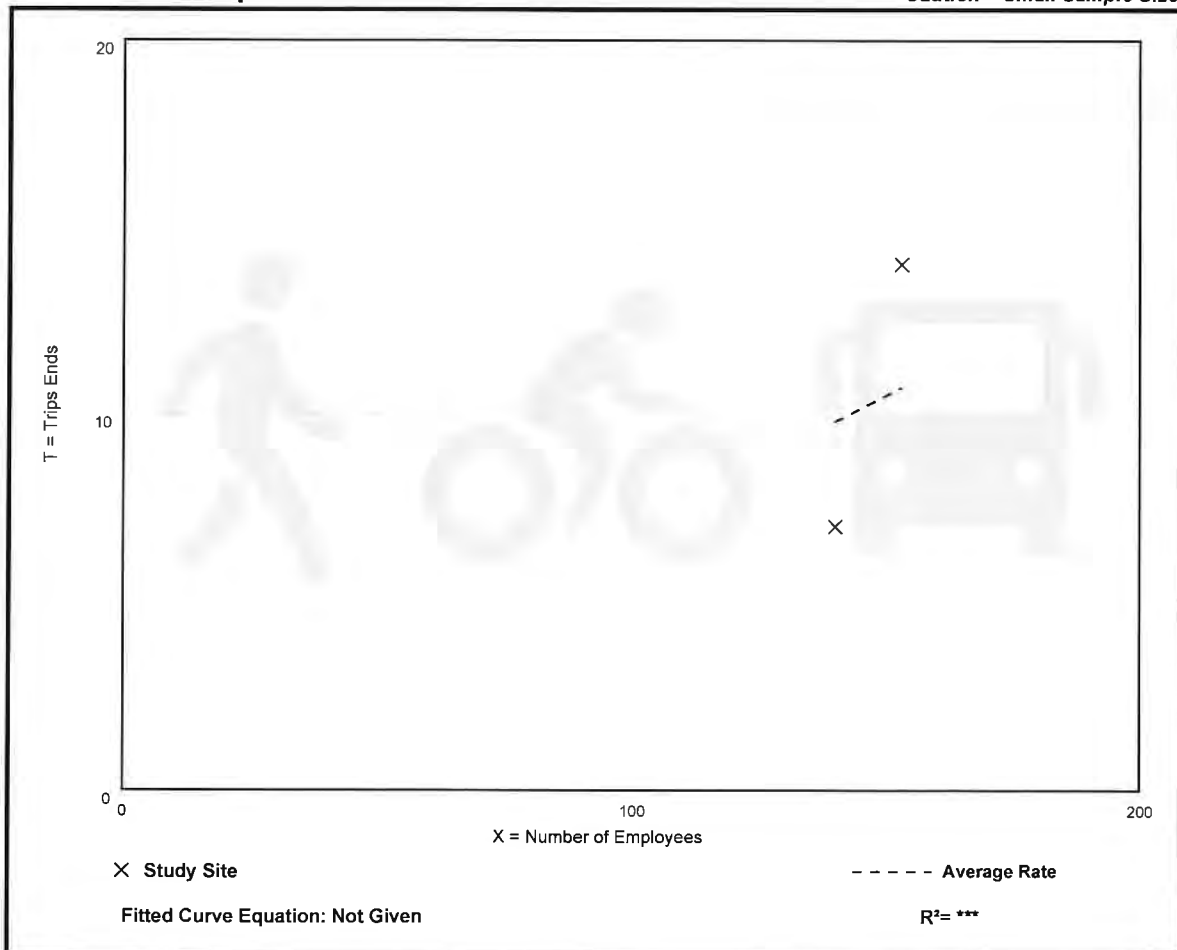
Directional Distribution: Not Available

## Walk+Bike+Transit Trip Generation per Employee

Average Rate	Range of Rates	Standard Deviation
0.07	0.05 - 0.09	***

## Data Plot and Equation

*Caution – Small Sample Size*



# Recreational Community Center (495)

**Walk+Bike+Transit Trip Ends vs: Employees**

On a: **Weekday,**

**Peak Hour of Adjacent Street Traffic,**

**One Hour Between 4 and 6 p.m.**

**Setting/Location: General Urban/Suburban**

Number of Studies: 4

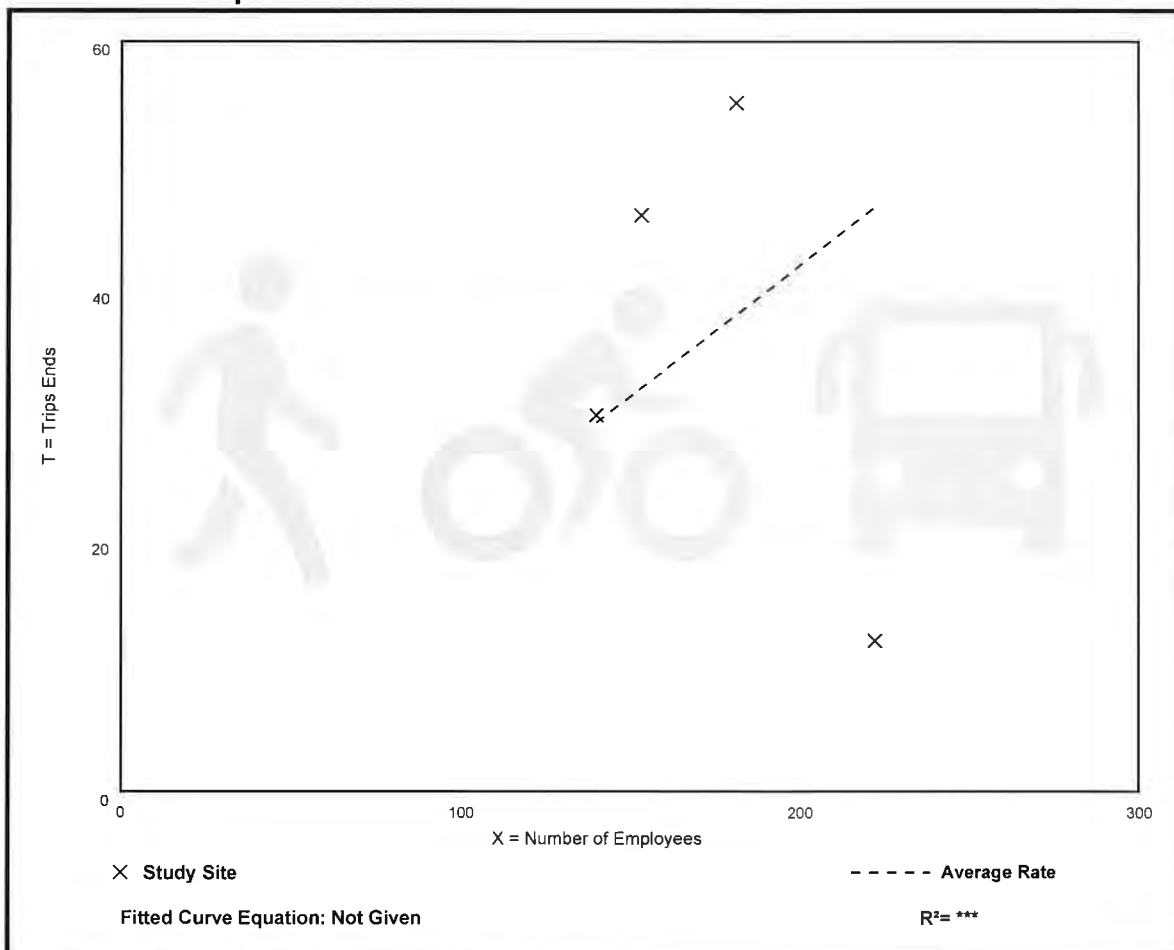
Avg. Num. of Employees: 174

Directional Distribution: Not Available

## Walk+Bike+Transit Trip Generation per Employee

Average Rate	Range of Rates	Standard Deviation
0.21	0.05 - 0.30	0.13

## Data Plot and Equation



# Recreational Community Center (495)

**Walk+Bike+Transit Trip Ends vs: Employees**

On a: **Weekday,**

**AM Peak Hour of Generator**

**Setting/Location: General Urban/Suburban**

Number of Studies: 2

Avg. Num. of Employees: 202

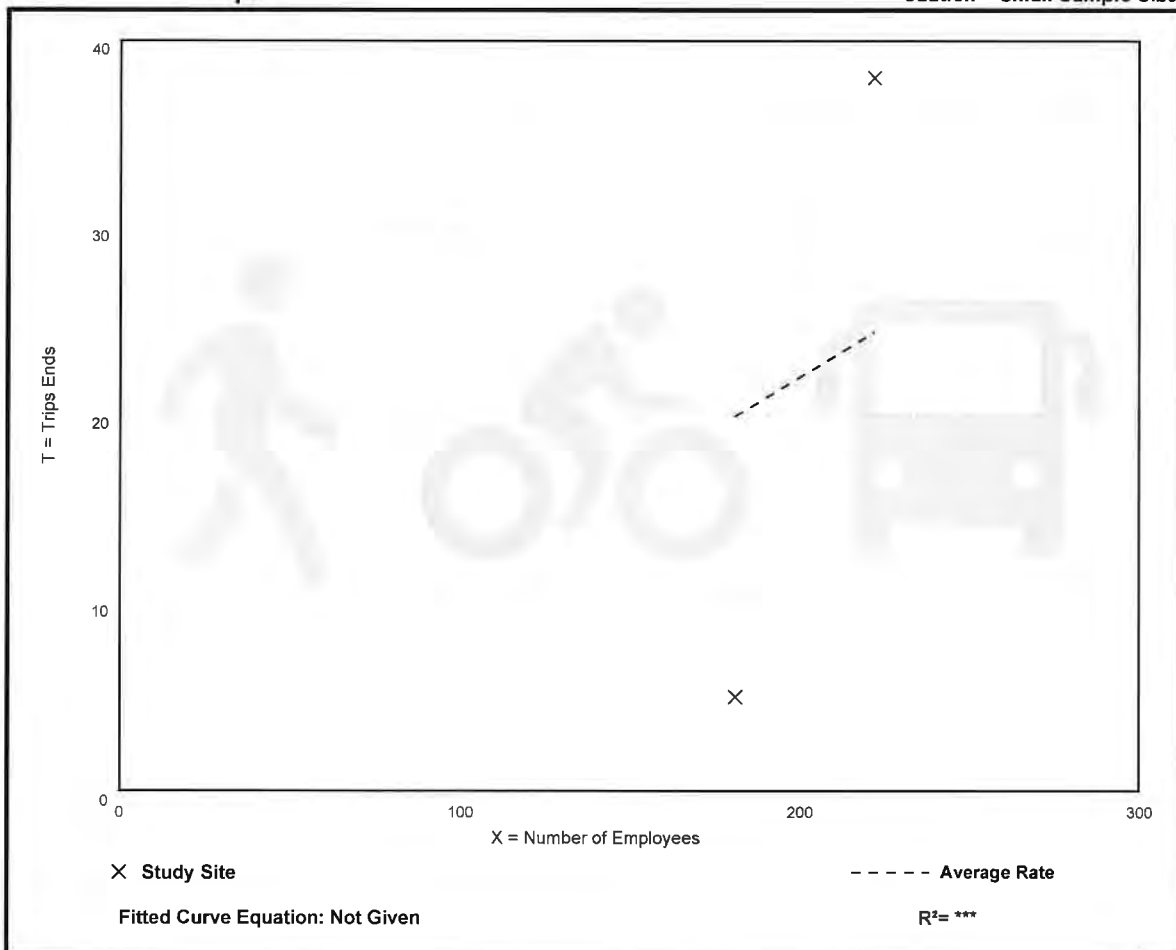
Directional Distribution: Not Available

## Walk+Bike+Transit Trip Generation per Employee

Average Rate	Range of Rates	Standard Deviation
0.11	0.03 - 0.17	***

## Data Plot and Equation

*Caution – Small Sample Size*





# Recreational Community Center (495)

**Walk+Bike+Transit Trip Ends vs: Employees**

On a: **Weekday,**

**PM Peak Hour of Generator**

**Setting/Location: General Urban/Suburban**

Number of Studies: 4

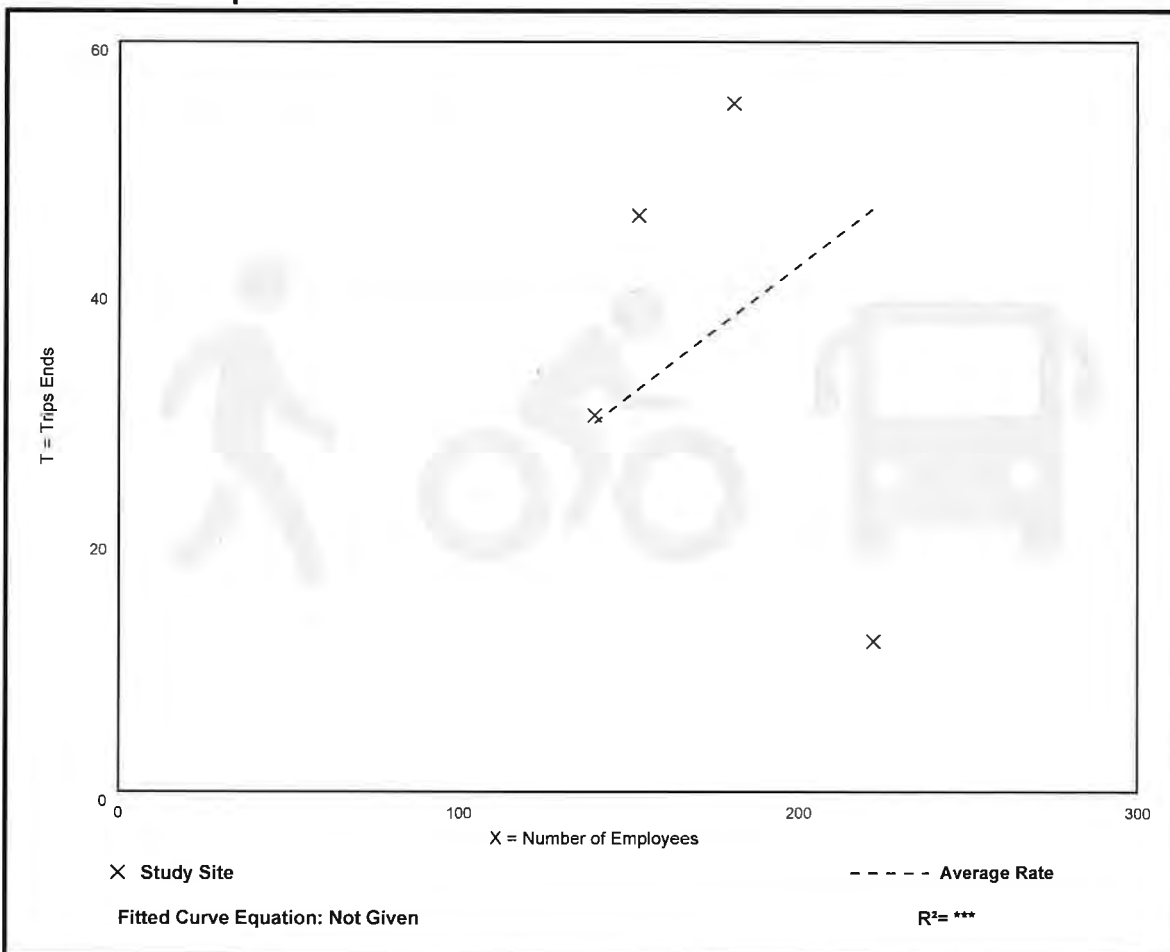
Avg. Num. of Employees: 174

Directional Distribution: Not Available

## Walk+Bike+Transit Trip Generation per Employee

Average Rate	Range of Rates	Standard Deviation
0.21	0.05 - 0.30	0.13

## Data Plot and Equation



**From:** Gavin Clark gavin.clark@pccf-montana.org  
**Subject:** Re: Follow Up Notes from the Neighborhood Meeting  
**Date:** May 3, 2023 at 5:07 PM  
**To:** Erika Adams erika@theshanecenter.org, Dain Rodwell dainrodwell@gmail.com

Thanks, Erika--

Nice work. I am very grateful and impressed with your outreach to neighbors. It will pay dividends on the backend.

Dain-- I got your message last week about presenting to PCCF's board. As you can imagine, we get a lot of these requests from folks/organizations across the county. Rather than schedule a presentation for our board, I would offer these two options:

- Feel free to personally invite individual members of our board to any presentations you have scheduled in the future.
- I would be happy to share the attached presentation via email with our board. It is a great summary of both the history of the Shane and future plans for the pavilion.

I was excited about the plans for the pavilion before, but even more excited about it after watching this presentation. The scope, scale, and vision of this project is amazing. As a neighbor, community member, and nonprofit professional, I applaud you and your team. Thank you!

You can count on me to submit a letter to the City Commission in support of this project as a neighbor of the Shane.

Cheers to you all.

Gavin

--

Gavin Clark, Executive Director  
Park County Community Foundation  
104 S. Main St.  
PO Box 2199  
Livingston, MT 59047  
Office: (406) 224-3920 // mobile: (406) 599-5281  
[Gavin.Clark@PCCF-Montana.org](mailto:Gavin.Clark@PCCF-Montana.org)  
[www.PCCF-Montana.org](http://www.PCCF-Montana.org)

---

**From:** Erika Adams <erika@theshanecenter.org>  
**Sent:** Monday, May 1, 2023 3:49 PM  
**To:** info@theshanecenter.org <info@theshanecenter.org>  
**Subject:** Follow Up Notes from the Neighborhood Meeting

Hi there,

Thank you for providing your email to learn about what we discussed at the Neighborhood Meeting last Wednesday!

Thank you for providing your email to learn about what we discussed at the neighborhood meeting last wednesday!  
We appreciate your interest and are excited to share our exciting opportunity for growth with you.  
We had over 35 of our neighbors attend the meeting and received very positive feedback, had a great Q&A Session but most of all really enjoyed getting the opportunity to connect with everyone!

We've put together a short video including the presentation and questions/comments that came up. I would be happy to meet with you to discuss any questions, feedback, or concerns you may have.  
Thank you once again for being a part of the neighborhood and involved in our community!

Watch Neighborhood Presentation [HERE!](#)

Yours Truly,

~Erika

ERIKA ADAMS | EXECUTIVE DIRECTOR  
THE SHANE LALANI CENTER FOR THE ARTS  
[WEBSITE](#) | [FACEBOOK](#) | [OUR FACILITY](#)  
MIDDLE 406.403.8986 | OFFICE 406.222.1420  
PO BOX 58 | 415 E. LEWIS ST. | LIVINGSTON, MT 59047

Hope to see you at one of our upcoming events:

Park High School Students in **Band Geeks** - May 5 - 21st  
Livingston Film Series: May 11th  
Summer Outdoor Concert Series: Starting June 1 - July 13th, Thursdays

**From:** Gavin Clark gavin.clark@pccf-montana.org  
**Subject:** Thanks for coming by!  
**Date:** April 19, 2023 at 6:18 PM  
**To:** Erika Adams erika@theshanecenter.org, Sarah Skofield sarah.skofield.pyhw@statefarm.com

GC

Hi all,

Quick note to thank you for stopping by the house the other day. I love that you are doing that in the neighborhood. It is very meaningful. I hope you were well received. You might know I spent 10+ years going door-to-door-- I even started a company in Denver specializing in door-to-door outreach-- fundraising and elections. You all rock!

Anyhow-- Amy mentioned some meetings that would benefit from public comment. I am happy to show up when you need me to give a glowing recommendation on your work in our community and my excitement, as a neighbor, for your plans for the future. Just let me know what you need.

Thanks for being a great neighbor,

Gavin

--  
Gavin Clark, Executive Director  
Park County Community Foundation  
104 S. Main St.  
PO Box 2199  
Livingston, MT 59047  
Office: (406) 224-3920 // mobile: (406) 599-5281  
[Gavin.Clark@PCCF-Montana.org](mailto:Gavin.Clark@PCCF-Montana.org)  
[www.PCCF-Montana.org](http://www.PCCF-Montana.org)

Dear Commissioner,

As a member of the Livingston community, I am writing to express my wholehearted support for the Shane Center's proposal to construct an outdoor pavilion for hosting special events during the summer season, including the Summer Concert Series and Young Actors' Workshops.

The Shane Center's mission of *Strengthening Community through Participation in the Arts* is commendable, and the addition of an outdoor pavilion would not only further this mission but also bring many benefits to our community. By creating a shared experience for all, this project will strengthen the bonds between community members and build a stronger sense of community.

Furthermore, the outdoor pavilion will bring new music, arts, and culture to the local area, contributing to the vitality of our community. It will provide new and better opportunities for youth educational programming and support local artists' networks and livelihoods.

Additionally, the project will have a positive impact on the local economy, helping to create new jobs and contributing to the economic growth of the area.

In light of these benefits, I urge the Livingston City Commissioner's Office to approve the Shane Center's Special Exception Permit allowing them to construct the outdoor pavilion. It is important for us as a community to support initiatives that enhance our local arts and cultural scene, promote economic growth, and provide opportunities for our youth.

Thank you for considering my request.

Sincerely,

100% on board

Printed Name: Caleb Platt

Address: 214 S. E  
Livingston, MT 59047

Dear Commissioner,

As a member of the Livingston community, I am writing to express my wholehearted support for the Shane Center's proposal to construct an outdoor pavilion for hosting special events during the summer season, including the Summer Concert Series and Young Actors' Workshops.

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Thank you for considering my request.

Sincerely,

Signature: Nanette Conley

Printed Name: Nanette Conley

Address: 415 E. Lewis St Livingston  
Livingston, MT 59047

Dear Commissioner,

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Thank you for considering my request.

Sincerely,

Printed Name: Dale Hobbs

Address: 208 SD Street  
Livingston, MT 59047

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Thank you for considering my request.

Sincerely,

Printed Name: Julimarie S. Wistey

Address: 210 S D Street Liv.  
Livingston, MT 59047



Dear Commissioner,

As a member of the Livingston community, I am writing to express my wholehearted support for the Shane Center's proposal to construct an outdoor pavilion for hosting special events during the summer season, including the Summer Concert Series and Young Actors' Workshops.

The Shane Center's mission of *Strengthening Community through Participation in the Arts* is commendable, and the addition of an outdoor pavilion would not only further this mission but also bring many benefits to our community. By creating a shared experience for all, this project will strengthen the bonds between community members and build a stronger sense of community.

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Thank you for considering my request.

Sincerely,



Printed Name: WYETH WINDHAM

Address: 128 S F  
Livingston, MT 59047

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Thank you for considering my request.

Sincerely,

Printed Name: JAMES NAUKE

Address: 116 So. D. Street  
 Livingston, MT 59047

Dear Commissioner,

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Thank you for considering my request.

Sincerely,

Printed Name: Erika J. Adams

Address: 105 S. C St.  
Livingston, MT 59047

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Thank you for considering my request.

Sincerely,

Printed Name: Cindy Murray

Address: 206 S E  
Livingston, MT 59047

Dear Commissioner,

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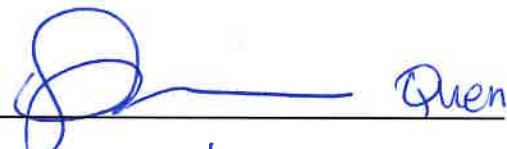
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Thank you for considering my request.

Sincerely,

Printed Name:  Quenby Iandiorio

Address: 105 N. E St.  
Livingston, MT 59047

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Thank you for considering my request.

Sincerely,

  
320 E. Lewis street

Dear Commissioner,

As a member of the Livingston community, I am writing to express my wholehearted support for the Shane Center's proposal to construct an outdoor pavilion for hosting special events during the summer season, including the Summer Concert Series and Young Actors' Workshops.

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Thank you for considering my request.

Sincerely,  


Printed Name: Max Hjortsberg

Address: 515 E Lewis St.  
Livingston, MT 59047

Dear Commissioner,

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Thank you for considering my request.

Sincerely, 

Printed Name: Diana Wingham

Address:   
Livingston, MT 59047

128 South F Street



Dear Commissioner,

As a member of the Livingston community, I am writing to express my wholehearted support for the Shane Center's proposal to construct an outdoor pavilion for hosting special events during the summer season, including the Summer Concert Series and Young Actors' Workshops.

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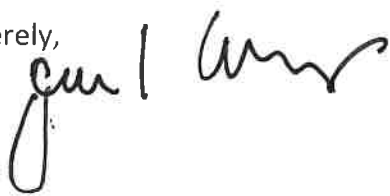
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Sincerely,



311 E LEWIS

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Thank you for considering my request.

Sincerely,



Printed Name: Matthew Rogers

Address: 105 S. C. St  
Livingston, MT 59047

Dear Commissioner,

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Thank you for considering my request.

Sincerely,

Printed Name: Henry Harrison

Address: 215 S. E Street  
Livingston, MT 59047

Dear Commissioner,

As a member of the Livingston community, I am writing to express my wholehearted support for the Shane Center's proposal to construct an outdoor pavilion for hosting special events during the summer season, including the Summer Concert Series and Young Actors' Workshops.

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Thank you for considering my request.

Sincerely,

Printed Name: Chad Wistey

Address: 210 S. D Street  
Livingston, MT 59047

Dear Commissioner,

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Thank you for considering my request.

Sincerely,



Printed Name: Karin Hobbs

Address: 208 S D Street  
Livingston, MT 59047

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Sincerely, 

Printed Name: Chris Billingsley

Address: 324 E Collender  
Livingston, MT 59047

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Thank you for considering my request.

Sincerely,



Printed Name: Rachel Agnew

Address: 516 E Callander St.  
Livingston, MT 59047

Dear Commissioner,

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Thank you for considering my request.

Sincerely,



Printed Name: SPENCER PUCKETT

Address: 214 S E  
Livingston, MT 59047



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Thank you for considering my request.

Sincerely,

Signature: Joseph L Elpel Jr

Printed Name: Joseph L Elpel Jr

Address: 109 W Lewis Apt 2.5  
Livingston, MT 59047

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Thank you for considering my request.

Sincerely,

Printed Name: Averie Brown

Address: 610 S 8th St

Livingston, MT 59047

**From:** binmyparadise binmyparadise@gmail.com  
**Subject:** RE: Follow Up Notes from the Neighborhood Meeting  
**Date:** May 1, 2023 at 5:43 PM  
**To:** Erika Adams erika@theshanecenter.org

Thanks Erika! One question with the design i wonder if the open end facing Lewis if sound will be tunneled directly at the houses on the other side of the street? I dont live there, i am on Clark St and I can hear the music there. Have you considered sound minimizing movable panels so that the residents directly across arent impacted too heavily? Sometimes folks just want a quiet night at home for whatever reason and I dont want this great project to garner resentment from those close by.

Kind regards  
Barb.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

**From:** Erika Adams <erika@theshanecenter.org>  
**Date:** 5/1/23 3:49 PM (GMT-07:00)  
**To:** info@theshanecenter.org  
**Subject:** Follow Up Notes from the Neighborhood Meeting

Hi there,

Thank you for providing your email to learn about what we discussed at the Neighborhood Meeting last Wednesday!

We appreciate your interest and are excited to share our exciting opportunity for growth with you.

We had over 35 of our neighbors attend the meeting and received very positive feedback, had a great Q&A Session but most of all really enjoyed getting the opportunity to connect with everyone!

We've put together a short video including the presentation and questions/comments that came up. I would be happy to meet with you to discuss any questions, feedback, or concerns you may have.

Thank you once again for being a part of the neighborhood and involved in our community!

Watch Neighborhood Presentation [HERE!](#)

Yours Truly,

~Erika

**ERIKA ADAMS** | EXECUTIVE DIRECTOR  
THE SHANE LALANI CENTER FOR THE ARTS  
[WEBSITE](#) | [FACEBOOK](#) | [OUR FACILITY](#)  
MOBILE 406.403.8986 | OFFICE 406.222.1420  
PO BOX 58 | 415 E. LEWIS ST. | LIVINGSTON, MT 59047

Hope to see you at one of our upcoming events:

Park High School Students in **Band Geeks** - May 5 - 21st  
Livingston Film Series: May 11th  
Summer Outdoor Concert Series: Starting June 1 - July 13th, Thursdays

Dear Commissioner,

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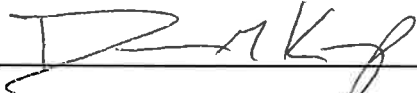
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Thank you for considering my request.

Sincerely,

Signature: 

Printed Name: DUANE M KEMP

Address: 424 1/2 S. #3  
Livingston, MT 59047

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Thank you for considering my request.

Sincerely,

Signature: 

Printed Name: ROBERT H. BANKSTON

Address: 1413 E. GANATION #29  
Livingston, MT 59047

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Thank you for considering my request.

Sincerely,

Signature: Valerie Kinley

Printed Name: Valerie Kinley

Address: 421 S G St  
Livingston, MT 59047

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Thank you for considering my request.

Sincerely,



Printed Name: Joel Livingston

Address: 422 N. Main St.  
Livingston, MT 59047

Dear Commissioner,

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In light of these benefits, I urge the Livingston City Commissioner's Office to approve the Shane Center's Special Exception Permit allowing them to construct the outdoor pavilion. It is important for us as a community to support initiatives that enhance our local arts and cultural scene, promote economic growth, and provide opportunities for our youth.

Thank you for considering my request.

Sincerely,

Signature: 

Printed Name: Kevin Brown

Address: 610 S. 8<sup>th</sup> St., Livingston, MT  
Livingston, MT 59047



Dear Commissioner,

As a member of the Livingston community, I am writing to express my wholehearted support for the Shane Center's proposal to construct an outdoor pavilion for hosting special events during the summer season, including the Summer Concert Series and Young Actors' Workshops.

The Shane Center's mission of *Strengthening Community through Participation in the Arts* is commendable, and the addition of an outdoor pavilion would not only further this mission but also bring many benefits to our community. By creating a shared experience for all, this project will strengthen the bonds between community members and build a stronger sense of community.

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Thank you for considering my request.

Sincerely,

Signature: 

Printed Name: Erin Harris

Address: 610 S. 8<sup>th</sup> St., Livingston, MT  
Livingston, MT 59047

Dear Commissioner,

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Thank you for considering my request.

Sincerely,

Signature: 

Printed Name: Chelsay Murphy

Address: 424 S. H Street Livingston  
Livingston, MT 59047

Dear Commissioner,

As a member of the Livingston community, I am writing to express my wholehearted support for the Shane Center's proposal to construct an outdoor pavilion for hosting special events during the summer season, including the Summer Concert Series and Young Actors' Workshops.

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Thank you for considering my request.

Sincerely,

Signature:  \_\_\_\_\_

Printed Name: THOMAS MURPHY

Address: 424 S. H. LIVINGSTON MT  
Livingston, MT 59047

Dear Commissioner,

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Thank you for considering my request.

Sincerely,

Signature: Katie Mangett

Printed Name: Katie MANGETT

Address: 822 N. 13 St Unit B  
Livingston, MT 59047

Dear Commissioner,

As a member of the Livingston community, I am writing to express my wholehearted support for the Shane Center's proposal to construct an outdoor pavilion for hosting special events during the summer season, including the Summer Concert Series and Young Actors' Workshops.

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Thank you for considering my request.

Sincerely,

Signature: 

Printed Name: DAIN RODWELL

Address: 16 Rocky Hollow TRAIL  
Livingston, MT 59047

Dear Commissioner,

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Thank you for considering my request.

Sincerely,

Signature: Joel Mowrey

Printed Name: JOEL MOWREY

Address: 2304 Constellation Dr  
Livingston, MT 59047

Dear Commissioner,

As a member of the Livingston community, I am writing to express my wholehearted support for the Shane Center's proposal to construct an outdoor pavilion for hosting special events during the summer season, including the Summer Concert Series and Young Actors' Workshops.

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Thank you for considering my request.

Sincerely,

Signature: Lori Chapman

Printed Name: LORI CHAPMAN

Address: 667 Lower Cottonwood Rd  
Livingston, MT 59047 Wilsall MT 59086

Dear Commissioner,

As a member of the Livingston community, I am writing to express my wholehearted support for the Shane Center's proposal to construct an outdoor pavilion for hosting special events during the summer season, including the Summer Concert Series and Young Actors' Workshops.

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Thank you for considering my request.

Sincerely,

Signature: Margene Huson

Printed Name: MARGENE HUSON

Address: 71 MERRILL LANE Livingston  
Livingston, MT 59047



Dear Commissioner,

As a member of the Livingston community, I am writing to express my wholehearted support for the Shane Center's proposal to construct an outdoor pavilion for hosting special events during the summer season, including the Summer Concert Series and Young Actors' Workshops.

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Thank you for considering my request.

Sincerely,

Signature: Yvonne Brtger

Printed Name: YVONNE BRITGER

Address: 16 Rocky Hollow TR  
Livingston, MT 59047

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Thank you for considering my request.

Sincerely,

Signature: Mary Pedersen

Printed Name: MARY PEDERSEN

Address: 50 Old Clyde Park Rd  
Livingston, MT 59047

Dear Commissioner,

As a member of the Livingston community, I am writing to express my wholehearted support for the Shane Center's proposal to construct an outdoor pavilion for hosting special events during the summer season, including the Summer Concert Series and Young Actors' Workshops.

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Thank you for considering my request.

Sincerely,

Signature: 

Printed Name: JOANN STE WALDRON

Address: 414 S 8TH ST  
Livingston, MT 59047

Dear Commissioner,

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Thank you for considering my request.

Sincerely,

Signature: Chandra Willmyer

Printed Name: Chandra Willmyer

Address: 27 Buffalo Trail  
Livingston, MT 59047

Dear Commissioner,

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Thank you for considering my request.

Sincerely,

Signature: 

Printed Name: Deb Kelly

Address: 422 N. Main  
Livingston, MT 59047

Dear Commissioner,

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Thank you for considering my request.

Sincerely,

Signature: Barbara Scotieia

Printed Name: Barbara Scotieia

Address: 548 Hwy 89 North  
Livingston, MT 59047

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Thank you for considering my request.

Sincerely,

Signature: James Conley

Printed Name: James Conley

Address: 151 Cokedale Rd Livingston, MT  
Livingston, MT 59047

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Thank you for considering my request.

Sincerely,

Signature: 

Printed Name:     Skye Murphy    

Address:     424 S. 6<sup>th</sup> St.      
Livingston, MT 59047



Dear Commissioner,

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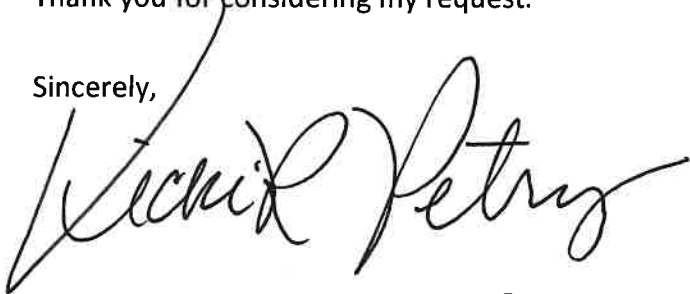
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Thank you for considering my request.

Sincerely,



Printed Name: Vicki R. Petry

Address: 102 N. 8<sup>th</sup> Street  
Livingston, MT 59047

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Thank you for considering my request.

Sincerely,

Printed Name: Jenny Arr

Address: 132 S. G St.  
Livingston, MT 59047

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Thank you for considering my request.

Sincerely,

Printed Name: Lindsey Stoue

Address: 1021 meadowlark lane  
Livingston, MT 59047

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Sincerely,

Printed Name: Sarah Skofield

Address: 125 S 2nd St + 210 S 8th St  
Livingston, MT 59047

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Sincerely,

Signature: Clayton Oberquell

Printed Name: Clayton Oberquell

Address: 311 S 6 St.  
Livingston, MT 59047

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Sincerely,



Printed Name: Ava Petry

Address: 102 n 8<sup>th</sup> st  
Livingston, MT 59047

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Sincerely,

Signature: 

Printed Name: Ethan Leuzinger

Address: 605 Nova Dr.  
Livingston, MT 59047

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Thank you for considering my request.

Sincerely,



Printed Name: Fiona Skinn

Address: 409 N. 2nd St.  
Livingston, MT 59047



Dear Commissioner,

As a member of the Livingston community, I am writing to express my wholehearted support for the Shane Center's proposal to construct an outdoor pavilion for hosting special events during the summer season, including the Summer Concert Series and Young Actors' Workshops.

The Shane Center's mission of *Strengthening Community through Participation in the Arts* is commendable, and the addition of an outdoor pavilion would not only further this mission but also bring many benefits to our community. By creating a shared experience for all, this project will strengthen the bonds between community members and build a stronger sense of community.

Furthermore, the outdoor pavilion will bring new music, arts, and culture to the local area, contributing to the vitality of our community. It will provide new and better opportunities for youth educational programming and support local artists' networks and livelihoods.

Additionally, the project will have a positive impact on the local economy, helping to create new jobs and contributing to the economic growth of the area.

In light of these benefits, I urge the Livingston City Commissioner's Office to approve the Shane Center's Special Exception Permit allowing them to construct the outdoor pavilion. It is important for us as a community to support initiatives that enhance our local arts and cultural scene, promote economic growth, and provide opportunities for our youth.

Thank you for considering my request.

Sincerely,

Signature: 

Printed Name: Devan Johnson

Address: 421 S G St  
Livingston, MT 59047

Dear Commissioner,

As a member of the Livingston community, I am writing to express my wholehearted support for the Shane Center's proposal to construct an outdoor pavilion for hosting special events during the summer season, including the Summer Concert Series and Young Actors' Workshops.

The Shane Center's mission of *Strengthening Community through Participation in the Arts* is commendable, and the addition of an outdoor pavilion would not only further this mission but also bring many benefits to our community. By creating a shared experience for all, this project will strengthen the bonds between community members and build a stronger sense of community.

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Thank you for considering my request.

Sincerely,

Signature: Matthew J. Hirsch

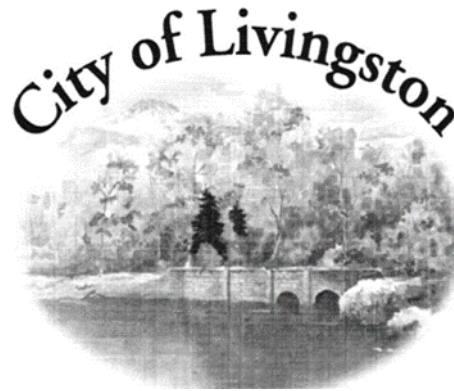
Printed Name: Matthew J. Hirsch

Address: 229 South I. St.  
Livingston, MT 59047

**City Manager**  
Grant Gager

220 E Park Street  
(406) 823-6000 phone

citymanager@livingstonmontana.org  
www.livingstonmontana.org



*Incorporated 1889*

**Chairperson**  
Melissa Nootz

**Vice Chair**  
Karrie Kahle

**Commissioners**  
Mel Friedman  
Quentin Schwarz  
Torrey Lyons

**Date:** May 1, 2023  
**RE:** Special Exception Permit - Shane Lelani Center for the Arts Outdoor Pavilion – REFERRAL COMMENTS

**Please see a summary of referral comments by agency below:**

**Livingston Fire & Rescue**

- Plans submitted for building permit must demonstrate a minimum 20-foot-wide passable fire lane through the southern parking lot; it is the applicant’s responsibility to ensure the fire lane remains passable to emergency vehicles at all times
- The plans show removable parking bumpers will be used for parking spaces to the south of the pavilion when the pavilion is used for events; the plans submitted for building permit must include design details for the bumpers that demonstrate they are impact resistant and will effectively restrict vehicular through-movements when in place.
- The access points to D and E Streets on the north side of the existing building/ proposed pavilion must be closed during events hosted in the outdoor pavilion.

**City Police Department**

- This agency cited concerns about parking impacts during events in the outdoor pavilion, both at the Justice Center (City/County) Complex north of the Shane Center and in the surrounding neighborhoods.
- The interior layout of the pavilion during events must be considered as relates to mass casualty and/or medical emergencies during outdoor events. Prior to issuance of a building permit, the applicant must coordinate with the City Police and Fire Departments to ensure stage/ seating arrangements inside the pavilion during events will not affect the ability of emergency responders to render aid during events.

**City Public Works Department**

- Existing utilities (water, sewer, storm, gas, electric) must be shown on the plans submitted for building permit.
- At time of building permit application, a traffic circulation plan must be submitted that shows pedestrian and vehicular circulation to/ from and within the interior of the property. Circulation patterns should be shown for when the outdoor pavilion is in use for events, and when it will be used for parking only (i.e., no events). The plan must include the following information:

- Widths for pedestrian accessways must be identified to demonstrate compliance with ADA accessibility requirements. Widths and turning radii for vehicular access aisles must also be identified.
- Arrows must be used to show circulation patterns during outdoor pavilion events when the pavilion is closed to parking and thru traffic, and also on non-outdoor event days when the pavilion can be accessed for parking and thru traffic.
- All necessary signage (1-way, Do Not Enter, etc.) and pavement markings to facilitate pedestrian and vehicular safety.
- There must be adequate access and/or turnaround area for garbage trucks to access the trash collection bins (shown on sheet C-1). The dimensions of the area designated for trash collection must be shown on the plan. Parked vehicles must not restrict access to trash bins by City garbage trucks.
- Removable bollards, or other traffic control measures, must be used at the northern access points to D and E Streets during outdoor events to prevent thru traffic during those events. The method by which the northern access points will be barricaded during outdoor events must be approved by the Public Works Department and Livingston Fire & Rescue during building permit review.
- Snow storage areas must be identified.
- All new and relocated points of access to the property must meet current City of Livingston standards. Driveway approach permits must be issued by the Public Works Departments for these points of access prior to construction of the access improvements.
- The existing northern approach to the E Street access must be improved to current City Standards to be consistent with the other access points.
- A copy of the parking agreement with the City/County Complex must be provided prior to issuance of a building permit.
- Prior to issuance of a building permit, a Drainage Plan must be submitted that shows how the runoff from the proposed pavilion roof will be handled, where it will be directed, and demonstrate that the proposed redevelopment will not increase the net amount of runoff leaving the property. Impacts from runoff related to the proposed pavilion must be mitigated onsite. The drainage plan and runoff analysis must be stamped and signed by a Professional Engineer licensed in the State of Montana.
- This agency recommends the applicant consider utilizing the existing landscaped areas on the south end of the parking lot to mitigate stormwater runoff.

#### **Additional Staff Comments**

- The parking plan (sheet G-4) shows two vehicular parking spaces within the area designated as the basketball court; parking is not allowed in the basketball court or in a location that inhibits use of the court by City/County Complex staff.
- Bike parking spaces must be labeled on the parking plan submitted for building permit.
- A trip generation estimate for the outdoor pavilion is required prior to a public hearing by the City Commission. The estimate should be made based on the most intensive event use anticipated in the pavilion.



May 29, 2023

Livingston City Commissioners and Administration,

The primary purpose of the Shane Lalani Center for the Arts’ Pavilion Project is to make our outdoor events more safe and comfortable for participants, and less impactful to our neighborhood. By making a significant investment in appropriate infrastructure the Shane Center will be able to better control the impact of the elements and traffic within the pavilion, thereby improving public safety, and reduce any negative externalities such as traffic, noise, and garbage.

Out of a true desire to remain a positive presence in our neighborhood, and in response to the concerns raised at the May 16 City Commission meeting regarding the potential unintended negative impacts of our project (specifically Crowd Size, Noise, and Event Frequency), the Shane Lalani Center for the Arts proposes the following additional conditions to our SEP application, above and beyond the previously staff-recommended Revised Conditions of Approval\*.

Regarding Crowd Size

The primary mechanism through which we will address concerns regarding crowd size is through adjusting our assembly area capacities to reflect the practicalities of providing sufficient egress within the assembly area. Therefore, we agree to:

Limit assembly area occupancy to a maximum of 768 for standing events.

Limit assembly area occupancy to a maximum of 492 for seated events.

Limit assembly area occupancy to a maximum of 294 for tables and chairs events.

Regarding Noise

As previously stated, we agree to limit the number of events annually that utilize sound amplification after 8pm to a maximum of 10.

In addition, we will limit the number of events annually that utilize sound amplification after 5pm to a maximum of 50.

We have engaged Big Sky Acoustical Design and Noise Control Services to engineer sound quality within the pavilion and mitigate sound negatively impacting the neighborhood. Please see the attached contract for details.

Finally, we also agree to strictly adhere to all noise ordinances enacted by the City of Livingston.

Regarding Event Frequency

We foresee events in the pavilion occurring approximately 2-3 times per week during the primary months of operation, May – September.

In addition to addressing the above concerns, City Administration have requested the Shane Center provide operating plans for a variety of event types to show how impacts on the surrounding neighborhood will be mitigated focusing on traffic, trash, and public safety. \*Please see the attached Pavilion Use Table, Schematic Operating Plans, and Staff Recommended Conditions for Approval (with Shane Center suggested modifications noted in red) for more detailed information.

Thank you again for your consideration of our SEP Application and we hope that this additional information will satisfy the concerns expressed in the Commission Meeting.

Respectfully Yours,



Erika J. Adams  
Executive Director  
Shane Lalani Center for the Arts



PO Box 58 Livingston, MT 59047

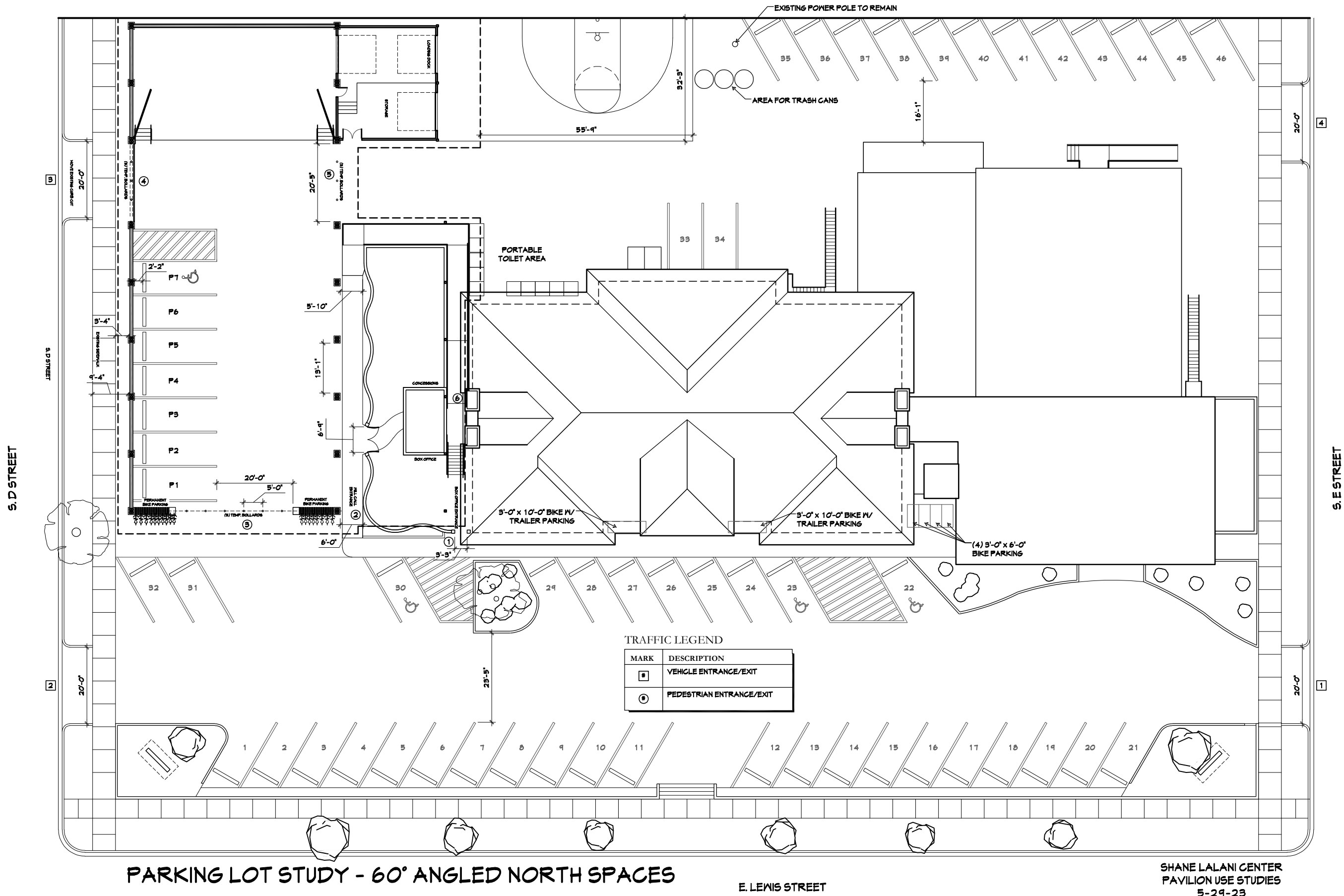


(406) 222-1420



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

*"Strengthening community through participation in the arts"*



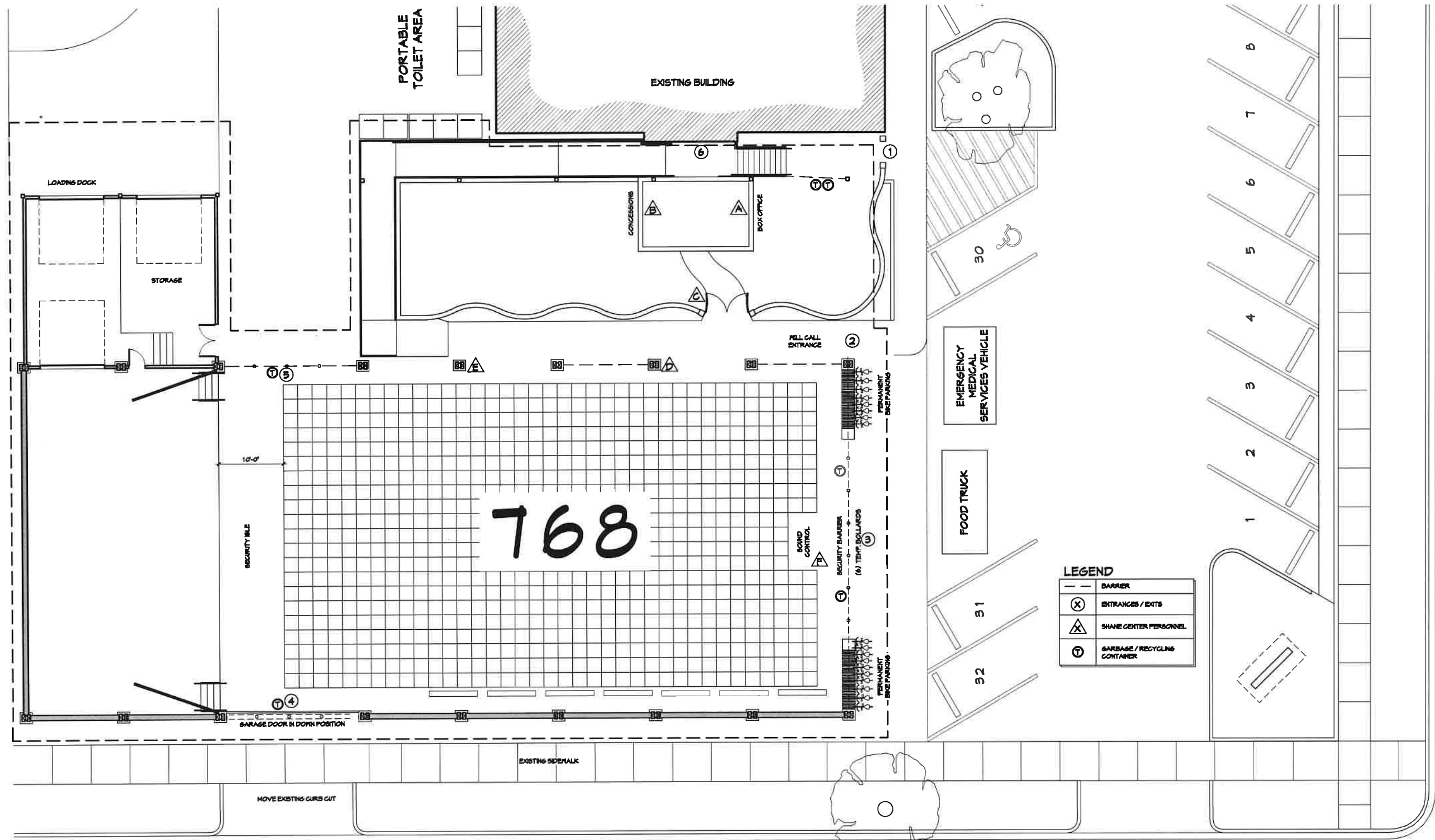
TRAFFIC LEGEND

MARK	DESCRIPTION
■	VEHICLE ENTRANCE/EXIT
⊙	PEDESTRIAN ENTRANCE/EXIT

PARKING LOT STUDY - 60° ANGLED NORTH SPACES

E. LEWIS STREET

SHANE LALANI CENTER  
 PAVILION USE STUDIES  
 5-29-23

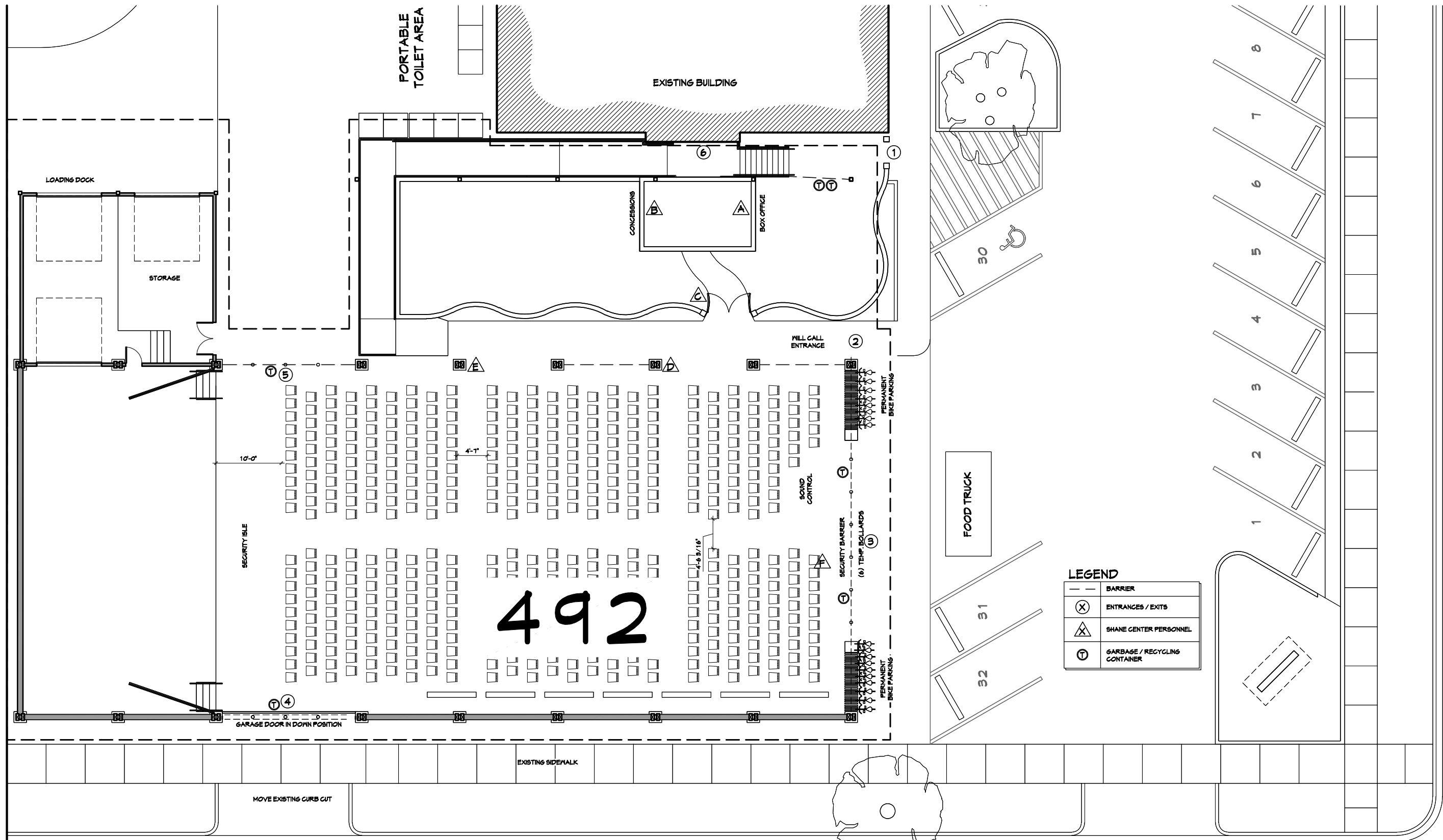


# STANDING ROOM CAPACITY STUDY

SHANE LALANI CENTER  
PAVILION USE STUDIES  
5-29-23

LEWIS STREET





492

**LEGEND**

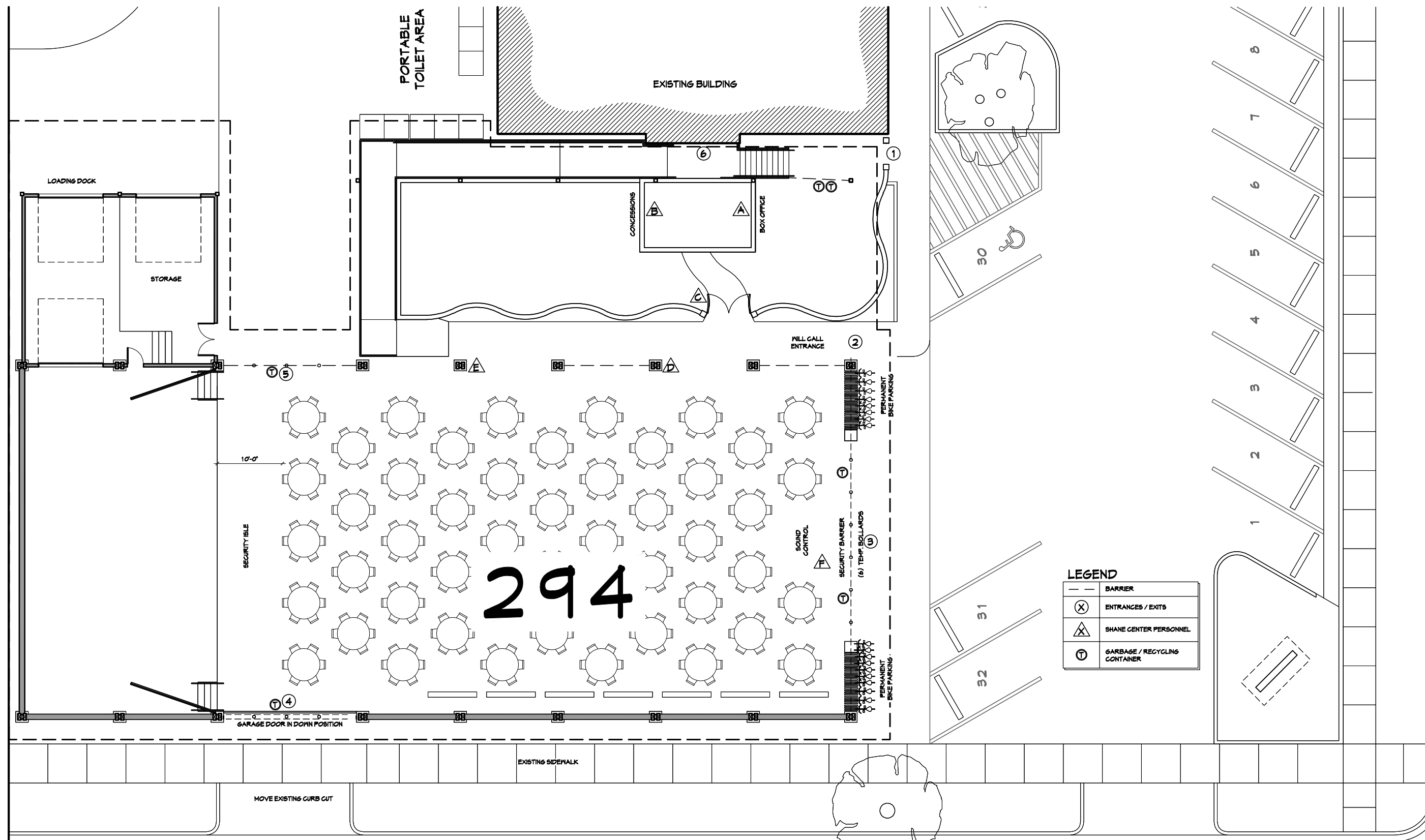
---	BARRIER
(X)	ENTRANCES / EXITS
(A)	SHANE CENTER PERSONNEL
(T)	GARBAGE / RECYCLING CONTAINER

# SEATED CAPACITY STUDY

SHANE LALANI CENTER  
PAVILION USE STUDIES  
5-29-23

LEIS STREET

SOUTH D STREET



# TABLES AND CHAIRS CAPACITY STUDY

SHANE LALANI CENTER  
PAVILION USE STUDIES  
5-29-23

LEWIS STREET

## SHANE LALANI CENTER FOR THE ARTS PAVILION USE TABLE

		CONFIGURATION				PERSONNEL							Example
Category	Assembly Space Capacity	Standing	Seated	Tables & Chairs	Hybrid	Shane Center	Security	EMS	Police	Safety Liasion	Parking Agreement	Additional Plumbing Fixtures	
<b>Small</b>	< 165	Y	Y	Y	Y	Y	N	N	N	N	N	N	YAW Rehearsals, Yellowstone Ballet Co
<b>Medium</b>	166 < 299	Y	Y	Y	Y	Y	N	N	N	N	N	N	MT Shakespeare, Gala
<b>Large</b>	300 < 499	Y	Y	N	Y	Y	Y	N	N	N	Y	N	Dueling Pianos, Summer Outdoor Concerts
<b>Capacity</b>	500 < 768	Y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	-

**NOTES:**

**Personnel** Will maintain a Shane Center personnel presence of at least 1 to 100 for all events where alcohol is being served  
 Will maintain a security personnel presence of at least 1 to 100 for all events over 300 where alcohol is being served

**Alcohol** Qualified personnel will be located at areas 1 & 2 to check IDs and issue wristbands  
 Temporary perimeter barriers will be placed at areas 3 & 5 to clearly define the boundary of the premises  
 Servers will have completed the Responsible Beverage Service Training and provide current certification

**Traffic** Shared Parking Agreement with the Lincoln School will be implemented for events over 300  
 Bicycle transportation will be incentivized by investing in parking infastructure, signage & marketing

**Garbage** Trash and recycling receptables will be placed within the pavilion and at areas 1, 2, 3, 4, & 5  
 Trash and debris will be picked up from the site and surrounding areas within 2hrs after the end of events

**SPECIAL EXCEPTION PERMIT REVIEW  
SHANE LALANI CENTER OUTDOOR PAVILION**

**REVISED CONDITIONS OF APPROVAL**

*The applicant has proposed the following measures to minimize adverse impacts to the surrounding neighborhood when the Pavilion is used for outdoor events:*

- The Pavilion will not be used to host an event that overlaps with any events taking place at the Dulcie Theater (within the Shane Center). Alternately, the Dulcie Theater will not be used to host an event that overlaps with any event in the Pavilion. By not hosting concurrent events, the Shane Center will not unduly increase traffic beyond what may currently be expected during an event at the Center.
- A total of 46 vehicular parking spaces is proposed, which exceeds the minimum 40 spaces required under Section 30.51. To further minimize parking impacts on the surrounding neighborhood, the applicant is exploring shared parking agreements with three nearby entities within walking distance of the subject property.
- The Shane Center will host a maximum of 10 events per year that will use sound amplification between the hours of 8 – 10pm. This means that there will be approximately 2-3 outdoor events in the Pavilion per month during the 5-month ‘warm season’ that will have sound amplification past 8pm. The Shane Center will strictly adhere to the Municipal Code Section 10.5 regarding prohibited noises between the hours of 10pm and 7am.

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*Staff recommends the following additional conditions of approval to ensure the proposed use of the Pavilion as an outdoor event venue does not place a substantial adverse effect upon nearby properties or their occupants:*

1. Plans submitted for building permit must demonstrate a minimum 20-foot-wide passable fire lane through the southern parking area used during outdoor events; it is the applicant’s responsibility to ensure the fire lane remains passable to emergency vehicles at all times.
2. Prior to issuance of a building permit, the applicant must coordinate with the City Police and Fire Departments to ensure possible stage and interior seating arrangements inside the pavilion will not impede the ability of emergency responders to render aid during events.
3. For events where more than 500 people are anticipated to attend, EMS/ Police must be present on site; the applicant must work with Livingston Fire and Rescue and the City Police Department to secure the necessary emergency services at least 2 weeks prior to the event.
4. Existing utilities (water, sewer, storm, gas, electric) and must be shown on the plans submitted for building permit.

Deleted: all

Deleted: areas

Deleted: 300

5. At time of building permit application, a revised Parking Plan must be submitted that addresses the following:
  - a. The parking plan (sheet G-4) shows two vehicular parking spaces within the area designated as the basketball court; parking is not allowed in the basketball court or in a location that inhibits use of the court by City/County Complex staff.
  - b. Permanent bike parking spaces (including the number of bike racks) must be clearly labeled.
  - c. Additional bike parking, such as bike valets or bike corrals, must be made available for events where more than 100 people are anticipated; the location of additional bike parking must be identified on promotional material for each event and clearly signed during the event. Possible location(s) for additional bike parking must be shown on the revised Parking Plan; bike parking must not restrict or reduce the number of available vehicular parking spaces.
  
6. At time of building permit application, a Traffic Circulation Plan, prepared by a qualified transportation professional, must be submitted that shows pedestrian and vehicular circulation to/ from and within the interior of the property. Circulation patterns should be shown for when the outdoor pavilion is in use for events, and when it will be used for parking only (i.e., no events). The plan must include the following information:
  - a. Widths for pedestrian accessways must be identified to demonstrate compliance with ADA accessibility requirements. Widths and turning radii for vehicular access aisles must also be identified. A minimum 4-foot width ADA accessible aisle between the southern parking lot and the ADA ramp located north of the concession area, as well as the ADA ramp itself, must remain passable at all times. No chairs, tables, or standing by event attendees is allowed. The applicant must include details for how this will be accomplished on the traffic circulation plan.
  - b. Arrows must be used to show circulation patterns during outdoor pavilion events when the pavilion is closed to parking and thru traffic, and also on non-outdoor event days when the pavilion can be accessed for parking and thru traffic.
  - c. All necessary signage (1-way, Do Not Enter, etc.) and pavement markings to facilitate pedestrian and vehicular safety.
  - d. The proposed southern access (exit) to D Street must be signed as RIGHT TURN ONLY; a left turn exit to D Street is not allowed from this access.
  - e. There must be adequate access and/or turnaround area for garbage trucks to access the trash collection bins (shown on sheet C-1). The dimensions of the area designated for trash collection must be shown on the plan. Parked vehicles must not restrict access to trash bins by City garbage trucks.
  - f. Removable bollards or other traffic control measures must be used during outdoor events to restrict vehicular access through the Pavilion. Traffic control details will be approved by the Public Works Department and Livingston Fire & Rescue during building permit review.
  - g. Snow storage areas must be identified.

**Deleted:** Parking bumpers must also be placed in front of the south side of the Pavilion to prevent vehicular access during events.

- h. All new and relocated points of access to the property must meet current City of Livingston standards. Driveway approach permits must be issued by the Public Works Departments for these points of access prior to construction of the access improvements.
  - i. The existing northern approach to the E Street access must be improved to current City Standards to be consistent with the other access points.
7. Prior to issuance of a building permit, a Drainage Plan must be submitted that shows how the runoff from the proposed pavilion roof will be handled, where it will be directed, and demonstrate that the proposed redevelopment will not increase the net amount of runoff leaving the property. Impacts from runoff related to the proposed pavilion must be mitigated onsite. The drainage plan and runoff analysis must be stamped and signed by a Professional Engineer licensed in the State of Montana. Staff recommends the applicant consider utilizing the existing landscaped areas on the south end of the parking lot to mitigate stormwater runoff.
  8. The Pavilion must be reopened to parking and pass-thru traffic within 24 hours of any event, unless another event is scheduled.
  9. The subject property, including adjacent sidewalks on the west, south and east sides, must be cleared of trash and debris within 2 hours after the end of events in the Pavilion.
  10. Trees removed during construction of the Pavilion must be replaced elsewhere on the property.
  11. The new basketball court to the east of the existing court must be the same size or larger as the existing court.
  12. Prior to issuance of a building permit, a new Memorandum of Understanding between the Shane Lalani Center and the City of Livingston must be issued.
  13. The applicant is subject to the terms, conditions and commitments of record for this Subdivision Exception Permit review and as approved by the City Commission.

**The following staff-recommended condition has been removed:**

A copy of the parking agreement with the City/County Complex must be provided prior to issuance of a building permit.



January 31, 2023

Ms. Erika Adams  
 The Shane Lalani Center for the Arts  
 415 E. Lewis Street  
 PO Box 58  
 Livingston, MT 59047

**Re: The Shane Lalani Center for the Arts Pavilion  
 Acoustical Services  
 REVISED Scope of Work and Cost Estimate  
 BSA Project #23120**

Dear Erika:

Thank you for requesting the acoustical consulting services of Big Sky Acoustics (BSA) for the new Shane Lalani Center for the Arts Pavilion in Livingston, Montana. It is the understanding of BSA that a partially enclosed Pavilion is being planned of a variety of uses, including mic'd and unamplified music and theater performances, private or community events, graduations, farmers markets, car shows, etc. BSA proposes the following Scope of Work to provide acoustical services if a Special Exception Permit is granted by the City for the project.

**SCOPE OF WORK**

1. Work with the Design Team to develop the acoustical design of the Pavilion roof structure and platform.
2. Provide acoustical design recommendations for the underside of the roof, and the wall, window, curtain and opening configurations, and determine the appropriate acoustical treatments to control the reverberation within the Pavilion. Provide acoustical design constructions for the platform, so that performers can hear each other, and project sound to the audience to be heard and understood. BSA's analysis will determine the type, the total area, and the location of the acoustical treatments and configurations, and various manufacturer, aesthetic and cost options will be provided.
3. Provide acoustical design recommendations for review and comment by the Architect, Contractor, and The Shane Lalani Center for the Arts.
4. Using the preliminary architectural plans and aerial photography, a develop a computer model to predict the Pavilion sound levels during various mic'd and unamplified activities in the nearby residential areas. Calculations will be made according to the International

Organization for Standardization (ISO) Standard 9613-2, *Attenuation of Sound during Propagation Outdoors, Part 2: General Method of Calculation*. The predicted sound level contours will be overlaid onto an aerial photograph and included in BSA’s report.

- 5. Compare the predicted sound levels of the Pavilion activities with the City Noise Ordinance and other applicable noise regulations and guidelines. Evaluate additional noise mitigation design options for the Pavilion, if necessary, to control sound levels at nearby residences.
- 6. Provide a written report to summarize the acoustical design, analysis, environmental sound levels and recommendations. The report will include design sketches or details, product information for the recommended acoustical design material(s), and the sound level contours. The Architect will incorporate the acoustical design recommendations onto the architectural drawings, and BSA will verify the acoustical design on the Construction Documents.

**Additional Services**

Please note, tasks that are not covered in the Scope of Work items are considered Additional Services. Such services may include in-person team meetings, site visits, baseline sound level measurements, construction administration services, post-construction sound level measurements, etc. Additional services requested by The Shane Lalani Center for the Arts may be conducted for additional fees.

**COMPENSATION**

BSA proposes to complete the Scope of Work on a time and materials not-to-exceed hourly basis. Labor will be billed at BSA’s 2023 rates of Acoustical Consultant–\$190/hour and Senior Environmental Scientist–\$152/hour.

**BSA proposes to complete the project for fees not-to-exceed: \$9,600.00**

Big Sky Acoustics, LLC shall provide detailed progress invoices once per month. A description of tasks completed shall be provided within the invoice. The Shane Lalani Center for the Arts shall pay Big Sky Acoustics, LLC for services actually performed within thirty (30) days of receipt of the invoice.

In the event of any failure of payment by The Shane Lalani Center for the Arts when due, Big Sky Acoustics, LLC shall have the right to suspend work on the project and may retain any and all work products whether prepared by Big Sky Acoustics, LLC or submitted to Big Sky Acoustics, LLC by others, until The Shane Lalani Center for the Arts makes all outstanding payments current. In such event, Big Sky Acoustics, LLC shall have no liability for any damages or losses that may result from any delay associated with the suspension of work or for the withholding of work products.

In the event that the services provided by Big Sky Acoustics, LLC under the Scope of Work and this Agreement are terminated by The Shane Lalani Center for the Arts for any reason, Big Sky Acoustics, LLC shall be paid for all services it has performed prior to receiving written notice of



termination. The Shane Lalani Center for the Arts hereby agrees to pay Big Sky Acoustics, LLC such additional termination costs and expenses necessary to close out the project.

**INDEPENDENT CONTRACTOR RELATIONSHIP**

No agent or employee of Big Sky Acoustics, LLC or The Shane Lalani Center for the Arts shall be deemed to be an employee or agent of the other. Big Sky Acoustics, LLC and The Shane Lalani Center for the Arts agree and acknowledge that their relationship is one of independent contractor and not as employee or agent of the other. No other relationship is intended or created under this Agreement, and neither party to this contract shall have authority to make any statements, representations, or commitments of any kind or to take any action that will be binding on the other party, except as may be expressly provided for in this Agreement or otherwise authorized in writing.

**INDEMNIFICATION**

Big Sky Acoustics, LLC shall indemnify and hold The Shane Lalani Center for the Arts, its officers, directors, agents and employees harmless from and against any and all claims, damages, liabilities, fines, penalties, losses, defense costs, including without limitation, reasonable attorneys' fees and other liabilities (collectively "Losses) arising out of or resulting from the negligent performance of the services of Big Sky Acoustics, LLC, provided that:

(1) Any such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property, excluding the loss of use resulting there from, to the extent caused in whole or in any part by any negligent act or omission of Big Sky Acoustics, LLC, or anyone directly employed by Big Sky Acoustics, LLC.

(2) The obligation of Big Sky Acoustics, LLC under this paragraph shall not extend to the liability of Engineers or Architects, or their agents, arising out of preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs or specifications incorporating the acoustical design recommendations and work product provided by Big Sky Acoustics, LLC to The Shane Lalani Center for the Arts

The Shane Lalani Center for the Arts, shall indemnify and hold Big Sky Acoustics, LLC, its officers, directors, agents and employees harmless from and against any and all claims, damages, liabilities, fines, penalties, losses, defense costs, including without limitation, reasonable attorneys' fees and other liabilities (collectively "Losses") arising out of or resulting from the negligent acts of The Shane Lalani Center for the Arts in connection with the Project, and the acts of its contractors, subcontractors or consultants or anyone for whom The Shane Lalani Center for the Arts is legally liable.

**CONSEQUENTIAL DAMAGES**

Neither The Shane Lalani Center for the Arts nor Big Sky Acoustics, LLC shall be liable for any economic losses to the other party including without limitation, claims of loss of profits or any other indirect, incidental, or consequential damages.

**INSTRUMENTS OF SERVICE**

The Shane Lalani Center for the Arts will not reuse the documents prepared under this Agreement for any other projects without prior written authorization of Big Sky Acoustics, LLC. The Shane Lalani Center for the Arts will hold harmless and indemnify Big Sky Acoustics, LLC from any damages, liabilities, costs or expenses arising from the unauthorized reuse of the final documents prepared under this Agreement by The Shane Lalani Center for the Arts or any person or entity that acquires the documents from or through The Shane Lalani Center for the Arts without the written authorization of Big Sky Acoustics, LLC.

**STANDARD OF CARE**

Big Sky Acoustics, LLC will perform its services under the Scope of Work and this Agreement consistent with the professional skill and care ordinarily provided by acoustical consultants practicing in similar markets and under similar project conditions. Big Sky Acoustics, LLC is fully experienced and properly qualified to perform acoustical consulting services. However, acoustical consulting services as offered and engaged in by Big Sky Acoustics, LLC does not include “engineering” or “practice of engineering” or the “practice or offer to practice engineering” as these phrases are defined under Montana law.

**ASSIGNMENT**

Neither Big Sky Acoustics, LLC nor The Shane Lalani Center for the Arts may assign this Agreement, or any payment for services due or to become due under the Scope of Work and this Agreement, without prior written consent of the other. This Agreement is binding on and shall inure to the benefits of the successors and assigns of the parties hereto.

**GOVERNING LAW**

The parties agree this Agreement was entered into in the State of Montana. This Agreement is governed by, and must be interpreted under, the laws of the State of Montana. Any suit arising from or relating to this Agreement must be brought in Lewis and Clark County, Montana. The parties hereby waive the right to bring suit elsewhere. The parties waive any defense of personal or subject matter jurisdiction.

**ENTIRE AGREEMENT**

This Agreement, including the Scope of Work is intended by Big Sky Acoustics, LLC and The Shane Lalani Center for the Arts as the final, complete, and exclusive expression of the terms and conditions of this Agreement. No prior dealings between the parties and no usage of the trade shall be relevant to supplement this Agreement. This Agreement shall supersede all prior written and/or oral agreements between the parties hereto.

**CONCLUSION**

Thank you for your interest in the services of BSA. If you have any questions regarding this agreement, please do not hesitate to call me at (406) 457-0407 or email me at [sean@bigskyacoustics.com](mailto:sean@bigskyacoustics.com). Otherwise, please sign and return a copy of this proposal to indicate your approval so the project can be scheduled.

Sincerely,

**Accepted by:** The Shane Lalani Center for the Arts



Sean Connolly, P.E.  
BIG SKY ACOUSTICS

 2/3/2023  
Signature Date

Erika J. Adams, Executive Director  
Printed Name/Title

Lincoln School Foundation  
215 East Lewis  
Livingston, Montana  
59047

Re: The Shane Center Overflow Parking for Events

Shane Lalani Center for the Arts,

The Lincoln School Foundation is writing this letter to grant permission to the Shane Center to use the parking lot located at the Lincoln School Building for future events where overflow parking is needed. The Lincoln School Building is located at 215 East Lewis, Livingston, Montana 59047 and it contains a total of 46 parking spaces. We understand that the Shane Center requires parking spaces for your upcoming events, and we are pleased to offer our facilities to support your activities.

As a community-based organization, we appreciate and admire the activities and events organized by the Shane Center for the benefit of our community. We are proud to support your efforts in enhancing the cultural and educational opportunities for the residents of Livingston, Montana.

We would like to assure you that our facilities meet all the safety and security standards required for public parking. We are confident that your attendees will find our parking lot to be a convenient and safe place to park their vehicles during your events.

We kindly request that you inform us of the dates and times when you will be using our parking lot, so that we can ensure the availability of the parking spaces for your attendees. We will make every effort to accommodate your needs and ensure that your events are successful.

Thank you for considering the Lincoln School Building as your parking solution. We look forward to continued collaboration with the Shane Center to serve the needs of our community.

Sincerely,



Max Hjortsberg  
Chairman  
Lincoln School Foundation

**From:** [Erika Adams](#)  
**To:** [Jennifer Severson](#)  
**Cc:** [Russel Lewis](#); [Lucas Schad](#); [Dain Rodwell](#)  
**Subject:** Re: Shane Center Pavilion SEP Additional Conditions  
**Date:** Wednesday, May 31, 2023 12:32:37 PM

---

Hi Jennifer,  
Yes, we deleted the language specifically related to parking bumpers. We still plan on installing temporary bollards for events.  
Thanks,

~E

ERIKA ADAMS | [EXECUTIVE DIRECTOR](#)  
THE SHANE LALANI CENTER FOR THE ARTS  
[WEBSITE](#) | [FACEBOOK](#) | [OUR FACILITY](#)  
[MOBILE](#) 406.403.8986 | [OFFICE](#) 406.222.1420  
PO BOX 58 | 415 E. LEWIS ST. | LIVINGSTON, MT 59047

On May 31, 2023, at 12:16 PM, Jennifer Severson  
<[jseverson@livingstonmontana.org](mailto:jseverson@livingstonmontana.org)> wrote:

Good Morning Erika,

One additional request for clarification- in the conditions of approval, you deleted the following language restricting access to the south side of the pavilion during events:

<image001.png>

However, the operating plans all show that temporary bollards will be used:

<image002.png>

Can you confirm the deletion is specifically related to parking bumpers and you still plan to install temp bollards for events?

Thx!

**Jennifer Severson – Planning Director**  
City of Livingston  
(406) 222-4903

---

**From:** Jennifer Severson  
**Sent:** Tuesday, May 30, 2023 4:16 PM

**To:** 'Erika Adams' <[erika@theshanecenter.org](mailto:erika@theshanecenter.org)>  
**Cc:** Russel Lewis <[russ@theshanecenter.org](mailto:russ@theshanecenter.org)>; Lucas Schad <[lucas@ltsaia.com](mailto:lucas@ltsaia.com)>; Dain Rodwell <[dainrodwell@gmail.com](mailto:dainrodwell@gmail.com)>; Grant Gager <[ggager@livingstonmontana.org](mailto:ggager@livingstonmontana.org)>; Shannon Holmes <[sholmes@livingstonmontana.org](mailto:sholmes@livingstonmontana.org)>; Josh Chabalowski <[firechief@livingstonmontana.org](mailto:firechief@livingstonmontana.org)>; Dale Johnson <[djohnson@livingstonmontana.org](mailto:djohnson@livingstonmontana.org)>  
**Subject:** RE: Shane Center Pavilion SEP Additional Conditions

thanks for the clarification Erika

**Jennifer Severson – Planning Director**

City of Livingston  
 (406) 222-4903

---

**From:** Erika Adams <[erika@theshanecenter.org](mailto:erika@theshanecenter.org)>  
**Sent:** Tuesday, May 30, 2023 4:13 PM  
**To:** Jennifer Severson <[jseverson@livingstonmontana.org](mailto:jseverson@livingstonmontana.org)>  
**Cc:** Russel Lewis <[russ@theshanecenter.org](mailto:russ@theshanecenter.org)>; Lucas Schad <[lucas@ltsaia.com](mailto:lucas@ltsaia.com)>; Dain Rodwell <[dainrodwell@gmail.com](mailto:dainrodwell@gmail.com)>; Grant Gager <[ggager@livingstonmontana.org](mailto:ggager@livingstonmontana.org)>; Shannon Holmes <[sholmes@livingstonmontana.org](mailto:sholmes@livingstonmontana.org)>; Josh Chabalowski <[firechief@livingstonmontana.org](mailto:firechief@livingstonmontana.org)>; Dale Johnson <[djohnson@livingstonmontana.org](mailto:djohnson@livingstonmontana.org)>  
**Subject:** Re: Shane Center Pavilion SEP Additional Conditions

Hi Jennifer,

Thank you for reviewing the information we provided and I hope that the below will address your questions. Don't hesitate to reach out if there's anything further.

1. You have indicated that there will be a hybrid configuration for the 500-768 capacity; however, you also indicate there will be standing but no seating or tables and chairs. If there will be no seating or tables/ chairs, should the table indicate there is NO hybrid configuration, only standing?

With the hybrid column we were just trying to depict that there **could** be a combination of standing and seating with 500-650 attendees however, for the 768 max capacity there would only be standing.

For instance, there could be a hybrid combination of two types of set ups for the lower range (180 seated and then 370 standing for 550).

I left you a voicemail and would be happy to discuss a clearer way for us to communicate this. As noted in the revised staff conditions of approval, we are happy to coordinate with the City Police and Fire Departments to ensure interior seating arrangements inside the pavilion will not impede their ability to render aid during events.

2. Under personnel, you indicate there will be a 'Safety Liaison' for the 500-768 capacity events; can you please explain what a Safety Liaison is and what their specific job duties will be during events?

A Safety Liaison is a designated employee (OSHA 10 Certified) that is responsible for the following:

- contacting local emergency responders prior to the event
- working with local emergency responders in developing risk assessment/EAP if necessary
- instructing employees, volunteers, and participants in the event of an emergency
- writing timely and accurate incident/accident reports including injury, property damage, theft, presence of intoxicated or underage persons, and unusual occurrences
- communicating with attendees, press, etc.

3. Can you please clarify the terms of the parking agreement with the Lincoln School? Below you indicate there is NO parking agreement for events less than 300 people; is that correct?

The terms of our parking agreement with the Lincoln School are that we can use their parking lot for future events where overflow parking is needed and that we inform them of the dates and times when we are interested in using the parking lot so that they can ensure the availability of their parking spaces. Please see attached for additional details. You are correct, that we would not implement the parking agreement for events less than 300 people, as historically we have hosted events with less than 300 people and have not implemented additional parking.

Thank you once again!

~Erika

ERIKA ADAMS | [EXECUTIVE DIRECTOR](#)  
THE SHANE LALANI CENTER FOR THE ARTS  
[WEBSITE](#) | [FACEBOOK](#) | [OUR FACILITY](#)  
MOBILE 406.403.8986 | OFFICE 406.222.1420  
PO BOX 58 | 415 E. LEWIS ST. | LIVINGSTON, MT 59047

On May 30, 2023, at 12:48 PM, Jennifer Severson  
<[jseverson@livingstonmontana.org](mailto:jseverson@livingstonmontana.org)> wrote:

Hi Erika,

Can you please send me a copy of the parking agreement you handed out at the May 16 Commission meeting?

Also, I just reviewed the information you provided and have a couple of questions re: the information in the pavilion use table on page 7 (screen shot below):

1. You have indicated that there will be a hybrid configuration for the

500-768 capacity; however, you also indicate there will be standing but no seating or tables and chairs. If there will be no seating or tables/ chairs, should the table indicate there is NO hybrid configuration, only standing?

- 2. Under personnel, you indicate there will be a 'Safety Liaison' for the 500-768 capacity events; can you please explain what a Safety Liaison is and what their specific job duties will be during events?
- 3. Can you please clarify the terms of the parking agreement with the Lincoln School? Below you indicate there is NO parking agreement for events less than 300 people; is that correct?

Thank you,  
Jennifer

<image003.png>

**Jennifer Severson – Planning Director**

City of Livingston  
(406) 222-4903

---

**From:** Jennifer Severson <[jseverson@livingstonmontana.org](mailto:jseverson@livingstonmontana.org)>  
**Sent:** Tuesday, May 30, 2023 8:22 AM  
**To:** Erika Adams <[erika@theshanecenter.org](mailto:erika@theshanecenter.org)>; Grant Gager <[ggager@livingstonmontana.org](mailto:ggager@livingstonmontana.org)>  
**Cc:** Russel Lewis <[russ@theshanecenter.org](mailto:russ@theshanecenter.org)>; Lucas Schad <[lucas@ltsaia.com](mailto:lucas@ltsaia.com)>; Dain Rodwell <[dainrodwell@gmail.com](mailto:dainrodwell@gmail.com)>  
**Subject:** Re: Shane Center Pavilion SEP Additional Conditions

Thanks Erika

Sent from my Verizon, Samsung Galaxy smartphone  
Get [Outlook for Android](#)

---

**From:** Erika Adams <[erika@theshanecenter.org](mailto:erika@theshanecenter.org)>  
**Sent:** Tuesday, May 30, 2023 6:35:41 AM  
**To:** Jennifer Severson <[jseverson@livingstonmontana.org](mailto:jseverson@livingstonmontana.org)>; Grant Gager <[ggager@livingstonmontana.org](mailto:ggager@livingstonmontana.org)>  
**Cc:** Russel Lewis <[russ@theshanecenter.org](mailto:russ@theshanecenter.org)>; Lucas Schad <[lucas@ltsaia.com](mailto:lucas@ltsaia.com)>; Dain Rodwell <[dainrodwell@gmail.com](mailto:dainrodwell@gmail.com)>  
**Subject:** Shane Center Pavilion SEP Additional Conditions

Hi Jennifer & Grant,  
Please see the attached applicant proposed additional conditions.  
Don't hesitate to reach out to me directly if you have any questions.



Thank you for your time and hope you had a wonderful Memorial Day Weekend!

~Erika

ERIKA ADAMS | [EXECUTIVE DIRECTOR](#)  
THE SHANE LALANI CENTER FOR THE ARTS  
[WEBSITE](#) | [FACEBOOK](#) | [OUR FACILITY](#)  
[MOBILE](#) 406.403.8986 | [OFFICE](#) 406.222.1420  
PO BOX 58 | 415 E. LEWIS ST. | LIVINGSTON, MT 59047

**Jennifer Severson**

---

**Subject:** FW: Shane Center Pavilion SEP Additional Conditions

**From:** Josh Chabalowski <firechief@livingstonmontana.org>  
**Sent:** Thursday, June 1, 2023 10:35 AM  
**To:** Jennifer Severson <jseverson@livingstonmontana.org>  
**Subject:** RE: Shane Center Pavilion SEP Additional Conditions

Hi Jen,

Let's solidify this rule. 300+ gets a mandatory (1) firefighter with a quick response truck for fire watch and EMS standby. 500+ shall have an ambulance and (2) personnel for fire watch and EMS with an ambulance.

Josh Chabalowski  
Fire Chief  
Livingston Fire Rescue  
414 East Callender Street  
Livingston, MT 59047  
(406) 223-2114 (O)  
(813) 751-6911 (C)



---

**From:** Jennifer Severson <jseverson@livingstonmontana.org>  
**Sent:** Wednesday, May 31, 2023 4:02:16 PM  
**To:** firechief@livingstonmontana.org <firechief@livingstonmontana.org>  
**Subject:** FW: Shane Center Pavilion SEP Additional Conditions

Josh,

I wanted to make sure you had seen that the applicant is requesting to change the on-site EMS requirement from what we originally recommended (more than 300 people) to 500+ people- see below screen shot

3. For events where more than 500 people are anticipated to attend, EMS/ Police must be present on site; the applicant must work with Livingston Fire and Rescue and the City Police Department to secure the necessary emergency services at least 2 weeks prior to the event.



Are you OK with this change? Or do you want to stick with our original recommendation to the Commission that requires on-site EMS for events of 300+ people?

**Jennifer Severson – Planning Director**

City of Livingston  
(406) 222-4903

---

**From:** Dale Johnson <[djohnson@livingstonmontana.org](mailto:djohnson@livingstonmontana.org)>  
**Sent:** Wednesday, May 31, 2023 11:39 AM  
**To:** Josh Chabalowski <[firechief@livingstonmontana.org](mailto:firechief@livingstonmontana.org)>; Shannon Holmes <[sholmes@livingstonmontana.org](mailto:sholmes@livingstonmontana.org)>; Jennifer Severson <[jseverson@livingstonmontana.org](mailto:jseverson@livingstonmontana.org)>  
**Cc:** Grant Gager <[ggager@livingstonmontana.org](mailto:ggager@livingstonmontana.org)>  
**Subject:** RE: Shane Center Pavilion SEP Additional Conditions

The only thing I would differ is the righthand turn lane. While it is not too many cars, the proposed exit could easily hinder any northbound traffic. I would support keeping that feature.

But am in agreement with the rest.

*Dale*

---

**From:** Josh Chabalowski <[firechief@livingstonmontana.org](mailto:firechief@livingstonmontana.org)>  
**Sent:** Wednesday, May 31, 2023 11:09 AM  
**To:** Shannon Holmes <[sholmes@livingstonmontana.org](mailto:sholmes@livingstonmontana.org)>; Jennifer Severson <[jseverson@livingstonmontana.org](mailto:jseverson@livingstonmontana.org)>; Dale Johnson <[djohnson@livingstonmontana.org](mailto:djohnson@livingstonmontana.org)>  
**Cc:** Grant Gager <[ggager@livingstonmontana.org](mailto:ggager@livingstonmontana.org)>  
**Subject:** RE: Shane Center Pavilion SEP Additional Conditions

I agree with Shannon. I would push the 16 feet for fire apparatus as well.

I like the safety liaison position as well.

Josh Chabalowski  
Fire Chief  
Livingston Fire Rescue  
414 East Callender Street  
Livingston, MT 59047  
(406) 223-2114 (O)  
(813) 751-6911 (C)



---

**From:** Shannon Holmes  
**Sent:** Wednesday, May 31, 2023 10:56 AM  
**To:** Jennifer Severson <[jseverson@livingstonmontana.org](mailto:jseverson@livingstonmontana.org)>; Dale Johnson <[djohnson@livingstonmontana.org](mailto:djohnson@livingstonmontana.org)>; Josh Chabalowski <[firechief@livingstonmontana.org](mailto:firechief@livingstonmontana.org)>  
**Cc:** Grant Gager <[ggager@livingstonmontana.org](mailto:ggager@livingstonmontana.org)>  
**Subject:** RE: Shane Center Pavilion SEP Additional Conditions

Good morning!

My only comments would be:

1. Consider making parking stalls 37,38 and 39 for compact cars only. 16 feet of clearance could be reduced with a large pickup truck.
2. The Shane Center should request to have their black tubs emptied before larger events or request additional tubs.
3. I do not think a right only turn out of the parking lot onto D street is necessary for 32 parking spaces.

On a personal note; they may want to consider planting more trees along D Street. With removing the tree for the approach, that leaves only 1 tree.

That is all.

Thanks for giving me the opportunity to comment.

**Shannon Holmes**  
Public Works Director  
(406) 222-5667



---

**From:** Jennifer Severson <[jseverson@livingstonmontana.org](mailto:jseverson@livingstonmontana.org)>  
**Sent:** Wednesday, May 31, 2023 10:28 AM  
**To:** Shannon Holmes <[sholmes@livingstonmontana.org](mailto:sholmes@livingstonmontana.org)>; Dale Johnson <[djohnson@livingstonmontana.org](mailto:djohnson@livingstonmontana.org)>; Josh Chabalowski <[firechief@livingstonmontana.org](mailto:firechief@livingstonmontana.org)>  
**Cc:** Grant Gager <[ggager@livingstonmontana.org](mailto:ggager@livingstonmontana.org)>  
**Subject:** FW: Shane Center Pavilion SEP Additional Conditions

Good Morning,

Just a nudge to please send me your comments about the additional info for the Shane Center (attached and below) ASAP today. I need your comments in order to do my own revision to the staff rec.

Thanks!

**Jennifer Severson – Planning Director**  
City of Livingston  
(406) 222-4903

---

**From:** Erika Adams <[erika@theshanecenter.org](mailto:erika@theshanecenter.org)>  
**Sent:** Tuesday, May 30, 2023 4:13 PM  
**To:** Jennifer Severson <[jseverson@livingstonmontana.org](mailto:jseverson@livingstonmontana.org)>  
**Cc:** Russel Lewis <[russ@theshanecenter.org](mailto:russ@theshanecenter.org)>; Lucas Schad <[lucas@ltsaia.com](mailto:lucas@ltsaia.com)>; Dain Rodwell <[dainrodwell@gmail.com](mailto:dainrodwell@gmail.com)>; Grant Gager <[ggager@livingstonmontana.org](mailto:ggager@livingstonmontana.org)>; Shannon Holmes <[sholmes@livingstonmontana.org](mailto:sholmes@livingstonmontana.org)>; Josh Chabalowski <[firechief@livingstonmontana.org](mailto:firechief@livingstonmontana.org)>; Dale Johnson <[djohnson@livingstonmontana.org](mailto:djohnson@livingstonmontana.org)>  
**Subject:** Re: Shane Center Pavilion SEP Additional Conditions

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Thank you once again!

~Erika

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3. Can you please clarify the terms of the parking agreement with the Lincoln School? Below you indicate there is NO parking agreement for events less than 300 people; is that correct?

Thank you,  
Jennifer

<image003.png>

**Jennifer Severson – Planning Director**  
City of Livingston  
(406) 222-4903

---

**From:** Jennifer Severson <[jseverson@livingstonmontana.org](mailto:jseverson@livingstonmontana.org)>  
**Sent:** Tuesday, May 30, 2023 8:22 AM  
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**Cc:** Russel Lewis <[russ@theshanecenter.org](mailto:russ@theshanecenter.org)>; Lucas Schad <[lucas@ltsaia.com](mailto:lucas@ltsaia.com)>; Dain Rodwell

<[dainrodwell@gmail.com](mailto:dainrodwell@gmail.com)>

**Subject:** Re: Shane Center Pavilion SEP Additional Conditions

Thanks Erika

Sent from my Verizon, Samsung Galaxy smartphone  
Get [Outlook for Android](#)

---

**From:** Erika Adams <[erika@theshanecenter.org](mailto:erika@theshanecenter.org)>

**Sent:** Tuesday, May 30, 2023 6:35:41 AM

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**Cc:** Russel Lewis <[russ@theshanecenter.org](mailto:russ@theshanecenter.org)>; Lucas Schad <[lucas@ltsaia.com](mailto:lucas@ltsaia.com)>; Dain Rodwell <[dainrodwell@gmail.com](mailto:dainrodwell@gmail.com)>

**Subject:** Shane Center Pavilion SEP Additional Conditions

Hi Jennifer & Grant,  
Please see the attached applicant proposed additional conditions.  
Don't hesitate to reach out to me directly if you have any questions.

Thank you for your time and hope you had a wonderful Memorial Day Weekend!

~Erika

ERIKA ADAMS | [EXECUTIVE DIRECTOR](#)  
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PO BOX 58 | 415 E. LEWIS ST. | LIVINGSTON, MT 59047

## City-Recommended Tree Planting List

<b>Small Under 20'</b>	<b>Growth Rate</b>	<b>Medium 20'-40'</b>	<b>Growth Rate</b>
Toba Hawthorn Crataegus X mordenensis	Medium	Sensation Maple Acer negundo	Medium
Gladiator Crabapple Malus x adstringens	Medium	Ohio Buckeye* Aesculus glabra	Slow
Red Splendor Crabapple Malus 'Red Splendor'	Medium	Dolgo Crabapple Malus 'Dolgo'	Medium
Royalty Crabapple Malus 'Royalty'	Medium	Radiant Crabapple Malus 'Radiant'	Medium
Spring Snow Crabapple * Malus 'Spring Snow' (No Fruit)	Medium	Canada Red Chokecherry* Prunus virginiana	Fast
Mountain Frost Pear Pyrus ussuriensis	Medium	European or Showy Mountain Ash Sorbus aucuparia or decora	Slow
Japanese Tree Lilac Syringa reticulata	Fast		



<b>Large over 40'</b>	<b>Growth Rate</b>
Royal Red Maple Acer platanoides	Medium
Northwood Maple Acer rubrum	Medium
Sienna Glen Maple Acer freemanii "sienna"	Medium
Common Hackberry* Celtis occidentalis	Medium
Patmore Green Ash* Fraxinus pennsylvanica 'Patmore'	Fast
Shademaster or Skycole Honeylocust Gleditsia triacanthos	Fast
Burr Oak* Quercus macrocarpa	Slow
American Linden Tilia americana	Medium
Greenspire Littleleaf Linden Tilia cordata 'Greenspire'	Medium
Prarie Expedition Elm* Ulmus Americana 'Lewis & Clark' Dutch Elm resistant	Medium-Fast

**Large Shrubs suitable for planting**

Rocky Mountain Maple  
*Acer glabrum*

Mugo Pine  
*Pinus mugo*

Tatarian Maple (can also be found as a tree)  
*Acer tataricum*

Canada Red Chokecherry\*  
*Prunus virginiana*

Amur Maple  
*Acer ginnala*

Autum Brilliance Serviceberry  
*Amelanchier x grandiflora*

Eastern Red Cedar  
*Juniperus virginiana*

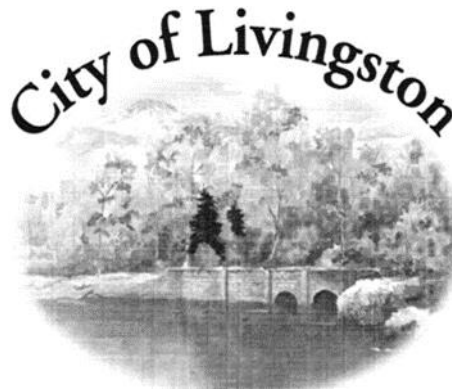
**File Attachments for Item:**

**B. TRANSMITTAL OF THE CITY MANAGERS RECOMMENDED BUDGET**

**City Manager**  
Grant Gager

220 E Park Street  
(406) 823-6000 phone

citymanager@livingstonmontana.org  
www.livingstonmontana.org



*Incorporated 1889*

**Chairperson**  
Melissa Nootz

**Vice Chair**  
Karrie Kahle

**Commissioners**  
Mel Friedman  
Quentin Schwarz  
Torrey Lyons

Date: 6/6/2023  
To: Chair Nootz and City Commissioners  
From: Grant Gager, City Manager

**Staff Report for Transmittal of City Manager’s Recommended Budget**

**Recommendation and Summary**

The City Manager is transmitting a copy of the recommended budget for fiscal year 2024 which runs from July 1, 2023, to June 30, 2024. This report is to transmit the budget which will be presented in summary form by the City Manager during the June 6, 2023, meeting of the City Commission. As such, there is no required or requested motion.

The reasons for the recommendation are as follows:

- The Montana Code Annotated provides that the City Manager shall prepare and present a budget for approval by the City Commission.
- The new fiscal year is approaching and a budget is needed to provide for operations in the new fiscal year.

**Introduction and History**

Subpart 12 of Part 3 of Chapter 3 of Title 7 of the Montana Code Annotated provides that the City Manager shall “prepare and present the budget to the commission for its approval and execute the budget adopted by the commission[.]”

**Analysis**

Enclosed with this report is a copy of the City Manager’s Recommended Budget for fiscal year 2024.

**Fiscal Impact**

When adopted, the City of Livingston budget will provide funding for City operations and projects in fiscal year 2024.

**Attachments**

- Attachment A: [Manager’s Recommended Budget](#)