



Livingston City Commission Agenda

November 07, 2023

5:30 PM

City – County Complex, Community Room

<https://us02web.zoom.us/j/85998559835?pwd=T29lOWZxR05pcURoazVWZHZDOUZZdz09>

Meeting ID: 859 9855 9835

Passcode: 040617

1. Call to Order

2. Roll Call

3. Public Comment

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

4. Consent Items

A. APPROVAL OF MINUTES FROM OCTOBER 17, 2023, REGULAR CITY COMMISSION MEETING **PG.4**

B. APPROVAL OF CLAIMS PAID FOR 10.12.2023 TO 10.31.2023 **PG.12**

C. CONSIDERATION OF CONTRACT 20041 WITH HUMAN RESOURCES DEVELOPMENT COUNCIL REGION IX **PG.37**

D. CONSIDERATION OF AGREEMENT 20042 WITH NORTHWESTERN ENERGY **PG.54**

E. APPROVAL OF MEETING MINUTES FROM CLOSED SESSIONS ON 12.6.22, 1.17.23, 2.21.23, 4.18.23, 5.2.23, 5.16.23 and 9.5.23.

5. Proclamations

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

A. ORDINANCE 3043, AN ORDINANCE OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 30 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED ZONING BY ADDING NEW SECTION 30.47 ENTITLED PLANNED UNIT DEVELOPMENTS AND PROVIDING A REPEALER, SAVINGS, SEVERABILITY AND EFFECTIVE DATE. **PG.60**

B. ORDINANCE 3047: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 23 OF THE LIVINGSTON MUNICIPAL CODE, ENTITLED TREES, BY ELIMINATING THE TREE BOARD. **PG.77**

9. Resolutions

- A. RESOLUTION 5114: A RESOLUTION OF THE CITY OF LIVINGSTON, MONTANA, DECLARING CERTAIN ITEMS AS SURPLUS AND AUTHORIZING THEIR DISPOSAL PG.107**
- B. RESOLUTION 5115: A RESOLUTION OF THE CITY OF LIVINGSTON, MONTANA, IDENTIFYING AFFORDABLE HOUSING INCENTIVES. PG.111**
- C. RESOLUTION 5116: A RESOLUTION OF THE CITY OF LIVINGSTON, MONTANA, ELIMINATING THE PARKS AND TRAILS COMMITTEE PG.115**
- D. RESOLUTION 5117: A RESOLUTION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN EASEMENTS PG.121**
- E. RESOLUTION 5118: A RESOLUTION OF THE CITY OF LIVINGSTON, MONTANA, ANNEXING CERTAIN LAND KNOWN AS RY TIMBER PG.133**
- F. RESOLUTION 5119: A RESOLUTION OF THE CITY OF LIVINGSTON, MONTANA, ANNEXING CERTAIN PARCELS OF LAND KNOWN AS VIEW VISTA COMMUNITY PG.151**

10. Action Items

- A. DRAFT PUD APPLICATION PG.161**
- B. DISCUSSION AND DIRECTION REGARDING PLANNING BOARD AND ZONING COMMISSION PG.166**
- C. CLOSED SESSION PURSUANT TO MCA 2-3-203 TO DISCUSS A MATTER OF INDIVIDUAL PRIVACY.**

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. APPROVAL OF MINUTES FROM OCTOBER 17, 2023, REGULAR CITY COMMISSION MEETING



Livingston City Commission Minutes

October 17, 2023

5:30 PM

City – County Complex, Community Room

<https://us02web.zoom.us/j/83413997453?pwd=UkFDbWlwb3U0STQrY3E1d3o3RjJjZz09>

Meeting ID: 834 1399 7453

Passcode: 964887

1. Call to Order

Chair Nootz called the meeting to order at 5:30pm

2. Roll Call

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

Staff in attendance: City Manager Grant Gager, City Clerk Emily Hutchinson, Policy Analyst Greg Anthony, Asst. Chief of Police Wayne Hard

3. Public Comment

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

Public Comment was offered by:

- Lindie Gibson has noticed that one of the signs located by the Lagoon is not correct and would really like to see the sign corrected. Lindie also stated she would like the City to keep the current logo as its best she has ever seen.
 - Brian Monahan stated he is working to get people out of the cold for the winter.
 - Patricia Grabow expressed concern about a sign located by the band shell that is no longer there and wants to know why. Patricia expressed thoughts about painting the Civic Center .
- Leslie Feigel announced National Chamber of Commerce Day is October 18, 2023. Urban camping was brought up as a concern and would like to see the City Commission create an Ordinance about urban camping.

4. Consent Items

- A. APPROVAL OF MINUTES FROM OCTOBER 03, 2023, REGULAR CITY COMMISSION MEETING** **PG.4**
- B. APPROVAL OF CLAIMS PAID FOR 9.28.2023 TO 10.11.2023** **PG.19**
- C. PLEDGED SECURITIES** **PG.25**

Motion to approve all consent agenda items was made by Commissioner Schwarz and seconded by Commissioner Lyons.

The motion passed unanimously by the four members present.

5. Proclamations

A. PROCLAMATION: DECLARING OCTOBER 26TH 2023 AS LIGHTS ON AFTERSCHOOL DAY

PG.29

Chair Nootz read the proclamation.

The City Manager expressed thanks to afterschool programs.

Chair Nootz would like to circle back about some items from Public Comment and give the City Manager time to respond to some concerns.

The City Manager stated that as the City works through the logo process and branding, it will lead to the sign update process which is targeted as a result of the growth policy in wayfinding and recognition of both historical, cultural, and recreational amenities and assets throughout the City. Once the logo is settled, signage around the City will be addressed. The City Manager did clarify the logo is being updated due its inability to reproduce well, having 80 different colors makes it hard to format onto clothing, City equipment and office stationary.

6. Scheduled Public Comment

A. PROSPERA BUSINESS NETWORK

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

The City Manager introduced Paul Reichert from Prospera.

Paul introduced himself as the Executive Director of Prospera Business Network and stated he is before the Commission requesting a letter of support for their application to continue serving as the Certified Regional Development Corporation. He stated Prospera has served as the CRDC for Gallatin and Park County for a number of years, and they are required to reapply for the certification formally with the Montana Department of Commerce. Prospera does a number of things for the region and for the business community:

- Provide no cost business assistance through 101 business counseling
- Offer a range of professional trainings
- Provide loan financing through the form of GAP financing
- Professional referrals
- Business development grants
- Regional economic development

Commissioner Schwarz thanked Paul and Prospera for the wonderful program.

Commissioner Friedman expressed thanks for being at the meeting and timing is perfect.

Chair Nootz asked about specifics for data in Park County. Paul clarified it could be found on the website, but he will send to the City Manager to send out to Commissioners.

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

A. RESOLUTION 5112: AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR PLANNING ACTIVITIES TO UPDATE THE CITY'S ZONING ORDINANCE **PG.31**

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

The City Manager stated this is a continuation from the Public Hearings that began in mid-August soliciting Community input on Community Development Block Grant projects. Commissioners were reminded in the last City Commission meeting there was a resolution to authorize submission of a construction grant for the View Vista Community water and sewer improvements. He clarified this is resolution is a planning grant application to help fund the overhaul of the zoning code. They are pursuing a \$50,000 grant through the Department of Commerce.

Commissioner Lyons moved to approve the resolution and Commissioner Friedman seconded the motion.

Public Comment was offered by:

- Lindie Gibson questioned if the View Vista Community was County or City. Chair Nootz quickly clarified they are working toward annexation for the View Vista Community.
- Patricia Grabow is happy to see these grants through. She then suggested to switch mobile parks to hold tiny homes and not mobile homes.
- Leslie Feigel questioned why this grant did not go through the City Zoning Board before coming to the City Commission.

Chair Nootz asked the City Manager for clarity on the process to the Zoning Commission in terms of grants vs. code. The City Manager stated the Zoning Commission is powered statutorily and throughout Livingston Municipal Code with oversight of text and map amendments related to zoning within the City of Livingston. When staff is looking to fund certain projects and programs that is an Executive Branch decision.

Chair Nootz expressed excitement about this project and obtaining funds for it through this grant.

The item was approved unanimously by the four Commissioners present.

10. Action Items

A. LETTER OF SUPPORT FROM PROSPERA **PG.36**

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

The City Manager stated this is the letter of support for Prospera Business Network.

Commissioner Lyons asked if there has been any other interested parties in serving this role. The City Manager stated the City has not been approached by any other interested parties, but clarified it is a multi-County designation and he is unaware if those other counties have been approached.

Commissioner Schwarz moved to approve the Letter of Support from Prospera and Commissioner Friedman seconded the motion.

Public Comment was offered by:

- Leslie Feigel stated the Chamber has worked with Prospera for years and they have been great to work with. She stated there is another program similar called Northern Rocky Mountain Economic Development Group.

The item was approved unanimously by the four Commissioners present.

B. GROWTH POLICY UPDATE

PG.43

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

The City Manager shared a PowerPoint where he will discuss a summary of the Growth Policy, review of initial work plan, and the future work plan.

The Growth Policy includes 9 topics:

- Economy
- Housing
- Intergovernmental Coordination
- Land Use
- Local Service
- Natural Resources
- Population and Community Character
- Public Facilities
- Transportation

Through the Growth Policy there are 21 goals, 74 Objectives, and 219 Strategies. 9 Strategic Outcomes include:

- Certification
- Data Collection
- Grants
- Outreach
- Partnerships
- Programming
- Project
- Regulatory Action
- Study

In Review of Initial Work Plan staff has started through the process with:

- 101 of the 219 Strategies
- 56 of the 74 Objectives
- 19 of the 21 Goals

Initial Work Plan Focus Areas:

- Land Use Recommendation
 - Zoning Ordinance Update

- Subdivision Regulation Review
- Future Land Use Maps
- Planned Unit Development Overlay
- Housing
 - Housing Action Plan
 - Urban Renewal Plan
- Resiliency
 - Community Resiliency Plan
 - Energy Action Plan
 - Flood Mitigation and Response Planning
- Place-making and Community Character
 - Downtown Master Plan
 - Historical and Cultural Amenities
 - Site Plan Reviews
 - Gateway Design Overlay Districts

Future Work Plan Focus Areas include:

- Land Use Recommendations
 - Zoning Ordinance Update will be about a year long process
 - Subdivision Regulation Review
 - Future Land Use Map
- Housing
 - Housing Action Plan
 - Urban Renewal Plan
 - State Housing Funds
- Resiliency
 - Energy Action Plan
 - Flood Mitigation and Response Planning
 - Storm Water Utility
 - Floodplain Review Process
- Place-making and Community Character
 - Historical and Cultural Amenities
 - Site Plan Reviews
 - Gateway Design Overlay Districts
 - Parks Master Plan

Public Comment was offered by:

- Lindie Gibson would like signage to be part of this process and a sign that includes a history of Livingston's 6 islands.
- Cliff David appreciates Livingston and congratulated Commission and Staff about this process. He would like to see the historical integrity of Livingston maintained and restored
- Robert Liberty on behalf of Ken Cochrane who is President of Friends of Park County. It was stated that the Growth Policy is on their top priorities and offered suggestions for implementation steps.
- Leslie Feigel stated she is the president of It's My Land LLC and discussed its role in representing anti-zoning into the ETJ.

Commissioner Schwarz thanked the City Manager and staff for their hard work on the Growth Policy.

Commissioner Lyons agreed with Commissioner Schwarz. As feedback it was stated by Commissioner Lyons that Site Plan Review should be a priority.

Commissioner Friedman expressed excitement on moving forward and appreciates public feedback.

Chair Nootz appreciates the look into the Executive Branch and what is happening within City departments, and appreciates the Growth Policy and its process and the community it serves.

11. City Manager Comment

The City Manager stated he spent some time in Helena at a conference where Chair Nootz and other City Staff attended and they really learned a lot and met a lot of great people. Planning Director Severson attend a conference in Great Falls and is excited to see what she brings back. The City Manager stated at a future meeting he will introduce the new City HR Director Cari Rubin.

12. City Commission Comments

Commissioner Schwarz informed fellow Commissioners that he enrolled them as a team in the City Staff Chili Cook-off.

Commissioner Friedman expressed it was a great meeting and thanked the public for attending.

Chair Nootz commented on attending the conference in Helena and really felt that she learned a lot and met great people. She thanked the City Manager for prioritizing staff and filling positions that have been vacant. It was reminded as coming up on a year with the current City Manager that Commissioners will be going through the yearly evaluation process.

13. Adjournment

6:51pm Commissioner Friedman motioned to adjourn the meeting seconded by Commissioner Schwarz. Unanimously approved.

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:

B. APPROVAL OF CLAIMS PAID FOR 10.12.2023 TO 10.31.2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
A-1 MUFFLER, INC.							
2	A-1 MUFFLER, INC.	73300	shift CABLE	10/13/2023	200.00	200.00	10/20/2023
Total A-1 MUFFLER, INC.:					200.00	200.00	
AAA CLEANING, LLC							
3727	AAA CLEANING, LLC	2023.9.30	Bennett St cleaning	09/30/2023	156.25	156.25	10/12/2023
3727	AAA CLEANING, LLC	2023.9.30	Bennett St cleaning	09/30/2023	156.25	156.25	10/12/2023
3727	AAA CLEANING, LLC	2023.9.30	Bennett St cleaning	09/30/2023	156.25	156.25	10/12/2023
3727	AAA CLEANING, LLC	2023.9.30	Bennett St cleaning	09/30/2023	156.25	156.25	10/12/2023
3727	AAA CLEANING, LLC	2023.9.30	220 E PARK CLEANING	09/30/2023	2,000.00	2,000.00	10/12/2023
Total AAA CLEANING, LLC:					2,625.00	2,625.00	
ADVANCED ENGINEERING &							
3605	ADVANCED ENGINEERING &	90356	PROFESSIONAL SERVICES	10/10/2023	1,737.00	1,737.00	10/20/2023
Total ADVANCED ENGINEERING &:					1,737.00	1,737.00	
AIRPRO, INC.							
3598	AIRPRO, INC.	IN19040	Exhaust System	10/11/2023	2,434.50	2,434.50	10/20/2023
Total AIRPRO, INC.:					2,434.50	2,434.50	
ALL SERVICE TIRE & ALIGNMENT							
22	ALL SERVICE TIRE & ALIGNME	66707	Tires	08/14/2023	772.00	772.00	10/12/2023
22	ALL SERVICE TIRE & ALIGNME	67132	Flat repair	10/20/2023	20.00	20.00	10/26/2023
22	ALL SERVICE TIRE & ALIGNME	67134	Tire Repair	10/20/2023	20.00	20.00	10/26/2023
Total ALL SERVICE TIRE & ALIGNMENT:					812.00	812.00	
ALPINE ELECTRONICS RADIO SHACK							
402	ALPINE ELECTRONICS RADIO	10291206	Office Supplies	05/05/2023	4.05	4.05	10/20/2023
402	ALPINE ELECTRONICS RADIO	10294281	Office Supplies	08/07/2023	69.98	69.98	10/20/2023
402	ALPINE ELECTRONICS RADIO	10294418	Office Supplies	08/10/2023	19.99	19.99	10/20/2023
402	ALPINE ELECTRONICS RADIO	10295985	Office Supplies	09/25/2023	130.00	130.00	10/12/2023
402	ALPINE ELECTRONICS RADIO	10296056	Office Supplies	09/26/2023	75.00	75.00	10/12/2023
402	ALPINE ELECTRONICS RADIO	10296539	Office Supplies	10/10/2023	173.00	173.00	10/20/2023
402	ALPINE ELECTRONICS RADIO	10296717	Office Supplies	10/16/2023	21.99	21.99	10/20/2023
Total ALPINE ELECTRONICS RADIO SHACK:					494.01	494.01	
ALSCO							
10005	ALSCO	LBIL1879230	TOWEL	08/21/2023	25.34	25.34	10/12/2023
10005	ALSCO	LBIL1882940	TOWELS	09/04/2023	25.34	25.34	10/20/2023
10005	ALSCO	LBIL1886681	TOWEL	09/18/2023	25.34	25.34	10/12/2023
10005	ALSCO	LBIL1890335	TOWELS	10/02/2023	26.69	26.69	10/20/2023
10005	ALSCO	LBIL1891907	330 bennett st	10/06/2023	15.14	15.14	10/12/2023
10005	ALSCO	LBIL1891907	330 bennett st	10/06/2023	15.14	15.14	10/12/2023
10005	ALSCO	LBIL1891907	330 bennett st	10/06/2023	15.15	15.15	10/12/2023
10005	ALSCO	LBIL1891907	330 bennett st	10/06/2023	15.15	15.15	10/12/2023
10005	ALSCO	LBIL1892869	CIVIC CENTER	10/11/2023	135.85	135.85	10/12/2023
10005	ALSCO	LBIL1895781	mats 220 e park	10/23/2023	105.91	105.91	10/26/2023
Total ALSCO:					405.05	405.05	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
AMERICAN SOLUTIONS FOR BUSINESS							
10005	AMERICAN SOLUTIONS FOR B	INV06982872	RECREATION MAP	09/27/2023	2,288.00	2,288.00	10/26/2023
Total AMERICAN SOLUTIONS FOR BUSINESS:					2,288.00	2,288.00	
AMTRUST NORTH AMERICA							
10002	AMTRUST NORTH AMERICA	2023.9.11	WORKERS COMP	09/11/2023	1,572.00	1,572.00	10/12/2023
Total AMTRUST NORTH AMERICA:					1,572.00	1,572.00	
ANDERSON SERVICE, INC.							
1933	ANDERSON SERVICE, INC.	22341	TRAVEL/LABOR	09/28/2023	483.00	483.00	10/12/2023
Total ANDERSON SERVICE, INC.:					483.00	483.00	
BALCO UNIFORM COMPANY, INC.							
3371	BALCO UNIFORM COMPANY, IN	58492	Uniform-CRANK	09/29/2023	89.10	89.10	10/12/2023
3371	BALCO UNIFORM COMPANY, IN	76360-1	Uniform	10/18/2023	172.90	172.90	10/26/2023
3371	BALCO UNIFORM COMPANY, IN	76454-1	Uniform	10/18/2023	308.00	308.00	10/26/2023
3371	BALCO UNIFORM COMPANY, IN	76553	Uniform-CRANK	09/18/2023	175.30	175.30	10/12/2023
Total BALCO UNIFORM COMPANY, INC.:					745.30	745.30	
BETTER DAYS CLEANING							
10004	BETTER DAYS CLEANING	1243	CLEANING	10/01/2023	875.00	875.00	10/12/2023
Total BETTER DAYS CLEANING:					875.00	875.00	
BIG SKY COMMUNICATIONS INC							
10002	BIG SKY COMMUNICATIONS IN	86112	spare cable	10/06/2023	244.00	244.00	10/26/2023
Total BIG SKY COMMUNICATIONS INC:					244.00	244.00	
BIG SKY FIRE EQUIPMENT							
3	BIG SKY FIRE EQUIPMENT	0503590	PUMP TEST	09/29/2023	2,025.00	2,025.00	10/12/2023
Total BIG SKY FIRE EQUIPMENT:					2,025.00	2,025.00	
BLACKSTONE PUBLISHING							
2219	BLACKSTONE PUBLISHING	2115041	4 audiobooks	08/21/2023	160.00	160.00	10/12/2023
2219	BLACKSTONE PUBLISHING	2115660	1 Audiobook	08/24/2023	40.00	40.00	10/12/2023
2219	BLACKSTONE PUBLISHING	2117056	3 Audio BOOKS	08/31/2023	117.63	117.63	10/12/2023
2219	BLACKSTONE PUBLISHING	2117217	1 Audiobook	09/01/2023	40.00	40.00	10/12/2023
2219	BLACKSTONE PUBLISHING	2117728	5 AUDIOBOOKS	09/06/2023	200.00	200.00	10/12/2023
2219	BLACKSTONE PUBLISHING	2121568	4 audiobooks	10/02/2023	160.00	160.00	10/20/2023
Total BLACKSTONE PUBLISHING:					717.63	717.63	
BOUND TREE MEDICAL, LLC							
2662	BOUND TREE MEDICAL, LLC	85096535	Patient Supplies	09/20/2023	3,041.93	3,041.93	10/12/2023
2662	BOUND TREE MEDICAL, LLC	85102236	Patient Supplies	09/26/2023	133.99	133.99	10/12/2023
2662	BOUND TREE MEDICAL, LLC	85108515	Pt Supplies	10/02/2023	528.00	528.00	10/12/2023
Total BOUND TREE MEDICAL, LLC:					3,703.92	3,703.92	
BOZEMAN GREEN BUILD							
10002	BOZEMAN GREEN BUILD	2023.10.17.1	WRF SOLAR PV SYSTEM	10/17/2023	67,179.00	67,179.00	10/24/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total BOZEMAN GREEN BUILD:					67,179.00	67,179.00	
BRIDGER ANALYTICAL LAB							
3820	BRIDGER ANALYTICAL LAB	2304290	ANALYSIS	04/18/2023	228.00	228.00	10/20/2023
3820	BRIDGER ANALYTICAL LAB	2306548	ANALYSIS	06/22/2023	288.00	288.00	10/20/2023
3820	BRIDGER ANALYTICAL LAB	2309251	ANALYSIS	09/12/2023	288.00	288.00	10/12/2023
Total BRIDGER ANALYTICAL LAB:					804.00	804.00	
BRUCE E. BECKER, P.C.							
10000	BRUCE E. BECKER, P.C.	2023.9.30	Contracted service	09/30/2023	4,000.00	4,000.00	10/12/2023
Total BRUCE E. BECKER, P.C.:					4,000.00	4,000.00	
BUFFALO RESTORATION INC							
10005	BUFFALO RESTORATION INC	36268	HVAC CLEANING	10/09/2023	560.00	560.00	10/26/2023
Total BUFFALO RESTORATION INC:					560.00	560.00	
CAITLIN MARQUEZ							
10003	CAITLIN MARQUEZ	2023.10.1	reimb-supplies	10/01/2023	17.99	17.99	10/20/2023
Total CAITLIN MARQUEZ:					17.99	17.99	
CANON FINANCIAL SERVICES, INC							
1747	CANON FINANCIAL SERVICES, I	31415070	Printer	10/12/2023	29.31	29.31	10/26/2023
1747	CANON FINANCIAL SERVICES, I	31415071	Printer	10/12/2023	29.75	29.75	10/26/2023
Total CANON FINANCIAL SERVICES, INC:					59.06	59.06	
CAROLINA SOFTWARE, Inc.							
3326	CAROLINA SOFTWARE, Inc.	88444	SOFTWARE SUPPORT	10/01/2023	600.00	600.00	10/12/2023
Total CAROLINA SOFTWARE, Inc.:					600.00	600.00	
CARQUEST AUTO PARTS							
23	CARQUEST AUTO PARTS	1912-588355	FLUID DESP	08/01/2023	99.97	99.97	10/12/2023
23	CARQUEST AUTO PARTS	1912-588470	GLOVES	08/02/2023	28.59	28.59	10/12/2023
23	CARQUEST AUTO PARTS	1912-588501	GREASE	08/02/2023	170.80	170.80	10/12/2023
23	CARQUEST AUTO PARTS	1912-588511	MINI BULB	08/02/2023	6.64	6.64	10/12/2023
23	CARQUEST AUTO PARTS	1912-588672	Mini bulb	08/03/2023	1.22	1.22	10/12/2023
23	CARQUEST AUTO PARTS	1912-589250	WASHER FLUID	08/09/2023	84.15	84.15	10/12/2023
23	CARQUEST AUTO PARTS	1912-589576	ANTIFREEZE	08/14/2023	30.38	30.38	10/12/2023
23	CARQUEST AUTO PARTS	1912-589751	AIR	08/15/2023	41.29	41.29	10/12/2023
23	CARQUEST AUTO PARTS	1912-589754	MIRROR	08/15/2023	41.47	41.47	10/12/2023
23	CARQUEST AUTO PARTS	1912-589852	BATTERY	08/16/2023	37.51	37.51	10/12/2023
23	CARQUEST AUTO PARTS	1912-589950	OIL	08/17/2023	102.09	102.09	10/20/2023
23	CARQUEST AUTO PARTS	1912-590010	ENG CLNR	08/17/2023	11.56	11.56	10/12/2023
23	CARQUEST AUTO PARTS	1912-590062	FILTER/RADIATOR	08/18/2023	368.61	368.61	10/12/2023
23	CARQUEST AUTO PARTS	1912-590388	OIL	08/22/2023	165.29	165.29	10/12/2023
23	CARQUEST AUTO PARTS	1912-590423	TOWELS	08/25/2023	59.70	59.70	10/12/2023
23	CARQUEST AUTO PARTS	1912-590875	WASHER FLUID	08/26/2023	19.29	19.29	10/12/2023
23	CARQUEST AUTO PARTS	1912-591032	DEF	08/26/2023	160.00	160.00	10/12/2023
23	CARQUEST AUTO PARTS	1912-591163	oil	08/30/2023	89.82	89.82	10/12/2023
23	CARQUEST AUTO PARTS	1912-591179	oil DRAIN PLG	08/30/2023	4.16	4.16	10/12/2023
23	CARQUEST AUTO PARTS	1912-591316	TOWELS	08/31/2023	17.98	17.98	10/12/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
23	CARQUEST AUTO PARTS	1912-591489	HYDRAULIC HOSE	09/02/2023	136.18	136.18	10/20/2023
23	CARQUEST AUTO PARTS	1912-591682	Battery	09/06/2023	147.39	147.39	10/20/2023
23	CARQUEST AUTO PARTS	1912-591785	SQUEEGE	09/07/2023	505.38	505.38	10/20/2023
23	CARQUEST AUTO PARTS	1912-592072	FOCUS WIPER	09/09/2023	4.02	4.02	10/20/2023
23	CARQUEST AUTO PARTS	1912-592311	TOGGLE	09/13/2023	6.79	6.79	10/20/2023
23	CARQUEST AUTO PARTS	1912-592341	BaR FL	09/13/2023	37.44	37.44	10/20/2023
23	CARQUEST AUTO PARTS	1912-592497	Battery	09/15/2023	44.21	44.21	10/20/2023
23	CARQUEST AUTO PARTS	1912-592596	FUEL FILTER	09/15/2023	4.18	4.18	10/20/2023
23	CARQUEST AUTO PARTS	1912-592876	MICROFIBER TOWEL	09/19/2023	92.14	92.14	10/20/2023
23	CARQUEST AUTO PARTS	1912-592996	TOGGLE	09/20/2023	6.79	6.79	10/20/2023
23	CARQUEST AUTO PARTS	1912-593000	AIR	09/20/2023	24.14	24.14	10/20/2023
23	CARQUEST AUTO PARTS	1912-593247	DUAL MOUNT	09/22/2023	11.02	11.02	10/20/2023
23	CARQUEST AUTO PARTS	1912-594947	Battery	10/11/2023	119.25	119.25	10/20/2023
Total CARQUEST AUTO PARTS:					2,679.45	2,679.45	
CASELLE							
3763	CASELLE	128038	APPLICATION SOFTWARE	10/01/2023	2,895.16	2,895.16	10/12/2023
3763	CASELLE	128038	APPLICATION SOFTWARE	10/01/2023	95.10	95.10	10/12/2023
3763	CASELLE	128038	APPLICATION SOFTWARE	10/01/2023	95.10	95.10	10/12/2023
3763	CASELLE	128038	APPLICATION SOFTWARE	10/01/2023	183.51	183.51	10/12/2023
3763	CASELLE	128038	APPLICATION SOFTWARE	10/01/2023	183.51	183.51	10/12/2023
3763	CASELLE	128038	APPLICATION SOFTWARE	10/01/2023	278.62	278.62	10/12/2023
Total CASELLE:					3,731.00	3,731.00	
CENGAGE LEARNING INC							
10001	CENGAGE LEARNING INC	81684321	1 BOOK	08/10/2023	27.87	27.87	10/12/2023
10001	CENGAGE LEARNING INC	81723931	2 BOOKS	08/16/2023	59.02	59.02	10/12/2023
10001	CENGAGE LEARNING INC	82488386	2 BOOKS	09/12/2023	59.18	59.18	10/12/2023
10001	CENGAGE LEARNING INC	82513096	2 BOOKS	09/13/2023	62.38	62.38	10/12/2023
Total CENGAGE LEARNING INC:					208.45	208.45	
CENTRAL SERVICES DIVISION							
2571	CENTRAL SERVICES DIVISION	24-08-070	license cost	08/25/2023	687.54	687.54	10/12/2023
2571	CENTRAL SERVICES DIVISION	24-08-119	TRANSACTION FEES	08/25/2023	4,999.46	4,999.46	10/26/2023
Total CENTRAL SERVICES DIVISION:					5,687.00	5,687.00	
CENTRON SERVICES							
682	CENTRON SERVICES	2023.9.26	Parking Collections	09/26/2023	13.34	13.34	10/12/2023
Total CENTRON SERVICES:					13.34	13.34	
CHARTER COMMUNICATIONS							
3440	CHARTER COMMUNICATIONS	172677901090	ELEVATOR PHONE	09/07/2023	108.93	108.93	10/12/2023
3440	CHARTER COMMUNICATIONS	172677901100	ELEVATOR PHONE	10/06/2023	49.99	49.99	10/20/2023
Total CHARTER COMMUNICATIONS:					158.92	158.92	
COFFMAN'S PEAK ELECTRIC, LLC							
3491	COFFMAN'S PEAK ELECTRIC, L	12412066	FLAG POLES	10/19/2023	4,012.55	4,012.55	10/26/2023
Total COFFMAN'S PEAK ELECTRIC, LLC:					4,012.55	4,012.55	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
COMDATA							
2671	COMDATA	IB986/2039244	BZR70	09/01/2023	218.69	218.69	10/12/2023
2671	COMDATA	IB986/2039312	BZR70	10/01/2023	242.10	242.10	10/20/2023
2671	COMDATA	XW660/203931	CG72T	10/01/2023	3,468.45	3,468.45	10/12/2023
2671	COMDATA	XW660/203931	CG73P	10/01/2023	498.07	498.07	10/12/2023
2671	COMDATA	XW716/203931	CG72P	10/01/2023	647.28	647.28	10/12/2023
2671	COMDATA	XW716/203931	CG72R	10/01/2023	357.50	357.50	10/12/2023
2671	COMDATA	XW716/203931	CG73C	10/01/2023	862.52	862.52	10/12/2023
2671	COMDATA	XW716/203931	CG73H	10/01/2023	72.85	72.85	10/12/2023
2671	COMDATA	XW716/203931	CG73L	10/01/2023	650.72	650.72	10/12/2023
2671	COMDATA	XW716/203931	CG73S	10/01/2023	1,096.44	1,096.44	10/12/2023
2671	COMDATA	XW716/203931	CG74G	10/01/2023	396.86	396.86	10/12/2023
2671	COMDATA	XW717/203931	CG72S	10/01/2023	2,262.82	2,262.82	10/12/2023
Total COMDATA:					10,774.30	10,774.30	
CRASH CHAMPIONS							
9	CRASH CHAMPIONS	612000486	2021 DODGE	08/31/2023	3,122.70	3,122.70	10/20/2023
Total CRASH CHAMPIONS:					3,122.70	3,122.70	
CRESCENDO PLANNING & DESGN LLC							
10005	CRESCENDO PLANNING & DES	23002-LDMP-0	CONSULTANT	10/15/2023	15,547.38	15,547.38	10/20/2023
Total CRESCENDO PLANNING & DESGN LLC:					15,547.38	15,547.38	
D&R COFFEE SERVICE INC							
10002	D&R COFFEE SERVICE INC	172006	coffee	10/20/2023	105.00	105.00	10/26/2023
10002	D&R COFFEE SERVICE INC	172156	RENTAL	10/25/2023	50.00	50.00	10/26/2023
Total D&R COFFEE SERVICE INC:					155.00	155.00	
DAKOTA SUPPLY GROUP							
10004	DAKOTA SUPPLY GROUP	S102974430.0	FITTINGS	08/26/2023	7,147.63	7,147.63	10/12/2023
Total DAKOTA SUPPLY GROUP:					7,147.63	7,147.63	
DANA SAFETY SUPPLY, INC.							
3234	DANA SAFETY SUPPLY, INC.	872220	Matrix display	09/29/2023	16,495.00	16,495.00	10/26/2023
3234	DANA SAFETY SUPPLY, INC.	872220	matrix display	09/29/2023	16,495.00	16,495.00	10/26/2023
3234	DANA SAFETY SUPPLY, INC.	874214	REMOVAL LIGHT BAR	10/11/2023	159.00	159.00	10/20/2023
Total DANA SAFETY SUPPLY, INC.:					33,149.00	33,149.00	
DELL MARKETING L.P.							
745	DELL MARKETING L.P.	10704373762	MONITOR	10/13/2023	181.99	181.99	10/20/2023
Total DELL MARKETING L.P.:					181.99	181.99	
DEMCO INC							
199	DEMCO INC	7359470	Book Prep Supplies	09/05/2023	269.34	269.34	10/12/2023
199	DEMCO INC	7375522	Book Prep Supplies	10/03/2023	102.32	102.32	10/20/2023
Total DEMCO INC:					371.66	371.66	
DORSEY & WHITNEY LLP							
10005	DORSEY & WHITNEY LLP	3917354	legal services	10/16/2023	2,835.00	2,835.00	10/20/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total DORSEY & WHITNEY LLP:					2,835.00	2,835.00	
EAGLE ENGRAVING, INC.							
3822	EAGLE ENGRAVING, INC.	2023-6806	UNIFORM	09/25/2023	251.95	251.95	10/12/2023
Total EAGLE ENGRAVING, INC.:					251.95	251.95	
ENERGY LABORATORIES, INC.							
424	ENERGY LABORATORIES, INC.	567229	Analysis parameter	07/24/2023	264.00	264.00	10/12/2023
424	ENERGY LABORATORIES, INC.	573219	Analysis parameter	08/16/2023	226.00	226.00	10/12/2023
424	ENERGY LABORATORIES, INC.	580986	Analysis parameter	09/18/2023	264.00	264.00	10/12/2023
Total ENERGY LABORATORIES, INC.:					754.00	754.00	
ENTERPRISE SALES INC							
10002	ENTERPRISE SALES INC	10325	2 ROLLOFF CONTAINERS	09/29/2023	20,444.00	20,444.00	10/12/2023
Total ENTERPRISE SALES INC:					20,444.00	20,444.00	
EXEC U CARE SERVICES, INC.							
3298	EXEC U CARE SERVICES, INC.	3571	Janitorial Services	09/29/2023	2,254.67	2,254.67	10/12/2023
Total EXEC U CARE SERVICES, INC.:					2,254.67	2,254.67	
FARSTAD OIL							
3353	FARSTAD OIL	104497	Diesel 801G	10/02/2023	3,315.34	3,315.34	10/12/2023
3353	FARSTAD OIL	104548	Diesel 300G	10/09/2023	1,231.80	1,231.80	10/20/2023
3353	FARSTAD OIL	105621	Diesel 611G	10/12/2023	2,392.74	2,392.74	10/20/2023
3353	FARSTAD OIL	105689	Diesel 816G	09/15/2023	3,328.46	3,328.46	10/12/2023
Total FARSTAD OIL:					10,268.34	10,268.34	
FISHER SAND AND GRAVEL							
2904	FISHER SAND AND GRAVEL	8017	ROAD MIX	09/30/2023	776.51	776.51	10/20/2023
2904	FISHER SAND AND GRAVEL	9285	ROAD MIX	10/14/2023	1,658.39	1,658.39	10/26/2023
Total FISHER SAND AND GRAVEL:					2,434.90	2,434.90	
GALLATIN SCALES INC							
3219	GALLATIN SCALES INC	6506	Scale repairs	09/27/2023	2,450.00	2,450.00	10/12/2023
Total GALLATIN SCALES INC:					2,450.00	2,450.00	
GENERAL DISTRIBUTING COMPANY							
1845	GENERAL DISTRIBUTING COM	0001288842	WELDING HELMET	09/13/2023	170.13	170.13	10/12/2023
1845	GENERAL DISTRIBUTING COM	0001291814	ARGON	09/26/2023	138.38	138.38	10/20/2023
1845	GENERAL DISTRIBUTING COM	0001294107	CYLINDER RENTAL	09/30/2023	34.32	34.32	10/20/2023
1845	GENERAL DISTRIBUTING COM	0001300588	Patient Supplies	10/18/2023	277.38	277.38	10/26/2023
Total GENERAL DISTRIBUTING COMPANY:					620.21	620.21	
GILBERT, JONATHAN							
3515	GILBERT, JONATHAN	2023.10.9	STATION SUPPLIES	10/09/2023	108.99	108.99	10/26/2023
Total GILBERT, JONATHAN:					108.99	108.99	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
HANSER'S AUTOMOTIVE & WRECKER							
1687	HANSER'S AUTOMOTIVE & WR	LIV4800	Towing Charge	10/23/2023	100.00	100.00	10/26/2023
Total HANSER'S AUTOMOTIVE & WRECKER:					100.00	100.00	
HAWKINS, INC							
470	HAWKINS, INC	6579008	Chlorine	09/15/2023	50.00	50.00	10/12/2023
Total HAWKINS, INC:					50.00	50.00	
HIGH COUNTRY WILDLIFE CONTROL							
10002	HIGH COUNTRY WILDLIFE CON	8458	PEST CONTROL	09/27/2023	210.00	210.00	10/20/2023
Total HIGH COUNTRY WILDLIFE CONTROL:					210.00	210.00	
HILLYARD OF MONTANA							
63	HILLYARD OF MONTANA	605254580	Paper products	09/25/2023	68.44	68.44	10/12/2023
63	HILLYARD OF MONTANA	605268031	Cleaning supplies	10/06/2023	405.20	405.20	10/20/2023
Total HILLYARD OF MONTANA:					473.64	473.64	
HORIZON AUTO PARTS							
1920	HORIZON AUTO PARTS	982439	STRIPE OFF WHL KIT	10/12/2023	75.99	75.99	10/26/2023
Total HORIZON AUTO PARTS:					75.99	75.99	
HUGHES FIRE EQUIPMENT, INC							
3721	HUGHES FIRE EQUIPMENT, INC	597061	REPAIRS	09/21/2023	2,813.38	2,813.38	10/12/2023
Total HUGHES FIRE EQUIPMENT, INC:					2,813.38	2,813.38	
IBS INC							
10004	IBS INC	825784-2	antiacid	09/12/2023	17.19	17.19	10/26/2023
Total IBS INC:					17.19	17.19	
INDUSTRIAL COMM & ELEC OF BOZEMAN							
3455	INDUSTRIAL COMM & ELEC OF	34316	RADIO BATTERY	10/08/2023	1,990.00	1,990.00	10/26/2023
Total INDUSTRIAL COMM & ELEC OF BOZEMAN:					1,990.00	1,990.00	
INGRAM LIBRARY SERVICE							
1539	INGRAM LIBRARY SERVICE	77239526	1 Book	08/09/2023	24.43	24.43	10/20/2023
1539	INGRAM LIBRARY SERVICE	77239527	1 Book	08/09/2023	16.12	16.12	10/20/2023
1539	INGRAM LIBRARY SERVICE	77321007	30 BOOKS	08/14/2023	369.47	369.47	10/12/2023
1539	INGRAM LIBRARY SERVICE	77321008	8 Books	08/14/2023	130.01	130.01	10/12/2023
1539	INGRAM LIBRARY SERVICE	77361966	4 Books	08/16/2023	78.10	78.10	10/12/2023
1539	INGRAM LIBRARY SERVICE	77371915	CREDIT MEMO	08/16/2023	15.60-	15.60-	10/12/2023
1539	INGRAM LIBRARY SERVICE	77452282	3 BOOKS	08/21/2023	46.34	46.34	10/12/2023
1539	INGRAM LIBRARY SERVICE	77452283	7 BOOKS	08/21/2023	118.04	118.04	10/12/2023
1539	INGRAM LIBRARY SERVICE	77580273	17 BOOKS	08/28/2023	281.50	281.50	10/12/2023
1539	INGRAM LIBRARY SERVICE	77580274	1 Book	08/28/2023	18.49	18.49	10/12/2023
1539	INGRAM LIBRARY SERVICE	77580275	1 Book	08/28/2023	12.63	12.63	10/12/2023
1539	INGRAM LIBRARY SERVICE	77707405	18 BOOKS	09/05/2023	318.09	318.09	10/12/2023
1539	INGRAM LIBRARY SERVICE	77819952	15 BOOKS	09/11/2023	254.30	254.30	10/12/2023
1539	INGRAM LIBRARY SERVICE	77946351	55 BOOKS	09/18/2023	753.28	753.28	10/12/2023
1539	INGRAM LIBRARY SERVICE	77946352	18 BOOKS	09/18/2023	285.02	285.02	10/12/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
1539	INGRAM LIBRARY SERVICE	77983261	5 BOOKS	09/20/2023	84.78	84.78	10/12/2023
1539	INGRAM LIBRARY SERVICE	78060349	17 BOOKS	09/25/2023	314.91	314.91	10/20/2023
1539	INGRAM LIBRARY SERVICE	78060350	3 BOOKS	09/25/2023	58.08	58.08	10/20/2023
1539	INGRAM LIBRARY SERVICE	78075219	1 Book	09/26/2023	32.71	32.71	10/20/2023
1539	INGRAM LIBRARY SERVICE	78127967	2 BOOKS	09/28/2023	49.00	49.00	10/20/2023
1539	INGRAM LIBRARY SERVICE	78127968	1 Book	09/28/2023	18.44	18.44	10/20/2023
1539	INGRAM LIBRARY SERVICE	78195209	13 BOOKS	10/03/2023	220.31	220.31	10/20/2023
1539	INGRAM LIBRARY SERVICE	78195210	1 Book	10/03/2023	17.87	17.87	10/20/2023
Total INGRAM LIBRARY SERVICE:					3,486.32	3,486.32	
INSTY-PRINTS							
250	INSTY-PRINTS	16743	Business cards-GRUNHURD & B	09/21/2023	219.90	219.90	10/12/2023
250	INSTY-PRINTS	16939	Business cards-RUBIN	10/17/2023	26.95	26.95	10/26/2023
250	INSTY-PRINTS	16951	Business cards-hunt	10/18/2023	21.95	21.95	10/20/2023
Total INSTY-PRINTS:					268.80	268.80	
J & H OFFICE EQUIPMENT							
1783	J & H OFFICE EQUIPMENT	34967470	AGREEMENT 015-1486424	09/26/2023	270.73	270.73	10/12/2023
Total J & H OFFICE EQUIPMENT:					270.73	270.73	
JON M HESSE PC							
10005	JON M HESSE PC	45641	PROFESSIONAL SERVICES	09/28/2023	4,714.70	4,714.70	10/12/2023
10005	JON M HESSE PC	45678	professional services	10/30/2023	2,670.25	2,670.25	10/26/2023
Total JON M HESSE PC:					7,384.95	7,384.95	
JORDAN BRUMMEL							
10002	JORDAN BRUMMEL	2023.10.16	reimb travel	10/16/2023	138.00	138.00	10/26/2023
Total JORDAN BRUMMEL:					138.00	138.00	
JUNIOR LIBRARY GUILD							
798	JUNIOR LIBRARY GUILD	658340	2023-2024 STANDING ORDER	09/01/2023	3,405.84	3,405.84	10/12/2023
Total JUNIOR LIBRARY GUILD:					3,405.84	3,405.84	
KELLEY CONNECT							
10001	KELLEY CONNECT	34997253	AGREEMENT 112-1689019	10/02/2023	355.12	355.12	10/12/2023
10001	KELLEY CONNECT	IN1437617	JH16414	10/01/2023	4.58	4.58	10/26/2023
10001	KELLEY CONNECT	IN1437622	JH16535	10/01/2023	82.56	82.56	10/12/2023
10001	KELLEY CONNECT	IN1439746	JH13332	10/03/2023	21.77	21.77	10/20/2023
10001	KELLEY CONNECT	IN1439746	JH13332	10/03/2023	21.77	21.77	10/20/2023
10001	KELLEY CONNECT	IN1439746	JH13332	10/03/2023	21.78	21.78	10/20/2023
10001	KELLEY CONNECT	IN1439746	JH13332	10/03/2023	21.78	21.78	10/20/2023
Total KELLEY CONNECT:					529.36	529.36	
KEN'S EQUIPMENT REPAIR, INC							
1390	KEN'S EQUIPMENT REPAIR, IN	1483	tOW	09/16/2023	250.00	250.00	10/20/2023
1390	KEN'S EQUIPMENT REPAIR, IN	61315	Lamp	08/22/2023	210.60	210.60	10/20/2023
1390	KEN'S EQUIPMENT REPAIR, IN	61525	HYDRAULIC CYLINDER	09/07/2023	3,905.20	3,905.20	10/20/2023
1390	KEN'S EQUIPMENT REPAIR, IN	61529	GRIPPER BEARINGS	09/08/2023	774.00	774.00	10/20/2023
1390	KEN'S EQUIPMENT REPAIR, IN	61538	cYLINDER	09/11/2023	11,149.80	11,149.80	10/20/2023
1390	KEN'S EQUIPMENT REPAIR, IN	61575	DATA LINK	09/15/2023	365.00	365.00	10/20/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
1390	KEN'S EQUIPMENT REPAIR, IN	61614	NO START	09/21/2023	585.00	585.00	10/20/2023
1390	KEN'S EQUIPMENT REPAIR, IN	61624	tOWING	09/25/2023	3,353.85	3,353.85	10/20/2023
1390	KEN'S EQUIPMENT REPAIR, IN	61625	LIGHT WIRING	09/25/2023	110.00	110.00	10/20/2023
Total KEN'S EQUIPMENT REPAIR, INC:					20,703.45	20,703.45	
KENYON NOBLE							
776	KENYON NOBLE	1120776	BROWNTONE	08/31/2023	92.98	92.98	10/12/2023
776	KENYON NOBLE	1133603	TOOLS	09/07/2023	474.56	474.56	10/12/2023
776	KENYON NOBLE	1144107	NAIL PULLER	09/12/2023	136.43	136.43	10/12/2023
776	KENYON NOBLE	1159136	CARB RECIP	09/19/2023	143.97	143.97	10/12/2023
776	KENYON NOBLE	1170057	PREMIX	09/25/2023	26.45	26.45	10/12/2023
Total KENYON NOBLE:					874.39	874.39	
KNIFE RIVER							
8	KNIFE RIVER	882579	Plant Mix	09/11/2023	606.20	606.20	10/12/2023
8	KNIFE RIVER	882683	Plant Mix	09/12/2023	422.10	422.10	10/12/2023
8	KNIFE RIVER	882833	Plant Mix	09/13/2023	576.80	576.80	10/12/2023
8	KNIFE RIVER	883043	Plant Mix	09/14/2023	295.40	295.40	10/12/2023
8	KNIFE RIVER	883939	Plant Mix	09/20/2023	1,520.40	1,520.40	10/12/2023
8	KNIFE RIVER	887000	Cold Mix	10/02/2023	1,423.10	1,423.10	10/20/2023
8	KNIFE RIVER	887235	Cold Mix	10/03/2023	1,467.75	1,467.75	10/20/2023
8	KNIFE RIVER	887436	Cold Mix	10/04/2023	1,317.65	1,317.65	10/20/2023
Total KNIFE RIVER:					7,629.40	7,629.40	
LEHRKIND'S COCA-COLA							
2830	LEHRKIND'S COCA-COLA	2053104	Water	10/19/2023	30.00	30.00	10/20/2023
2830	LEHRKIND'S COCA-COLA	2057531	Water	06/27/2023	23.00	23.00	10/20/2023
2830	LEHRKIND'S COCA-COLA	2057532	Water	06/27/2023	6.00-	6.00-	10/20/2023
2830	LEHRKIND'S COCA-COLA	2061088	Water	07/11/2023	3.00	3.00	10/20/2023
2830	LEHRKIND'S COCA-COLA	2064906	Water	07/25/2023	46.00	46.00	10/20/2023
2830	LEHRKIND'S COCA-COLA	2072533	Water	08/22/2023	1.00-	1.00-	10/20/2023
2830	LEHRKIND'S COCA-COLA	2076940	Water	10/03/2023	114.00	114.00	10/12/2023
2830	LEHRKIND'S COCA-COLA	2076944	Water	09/05/2023	1.00-	1.00-	10/20/2023
2830	LEHRKIND'S COCA-COLA	2080983	Water	09/19/2023	3.00	3.00	10/20/2023
2830	LEHRKIND'S COCA-COLA	2087225	Water	10/03/2023	5.00-	5.00-	10/20/2023
2830	LEHRKIND'S COCA-COLA	2087230	Water	10/04/2023	23.00	23.00	10/12/2023
2830	LEHRKIND'S COCA-COLA	2089873	Water	10/19/2023	5.00-	5.00-	10/20/2023
2830	LEHRKIND'S COCA-COLA	2089879	Water	10/18/2023	49.00	49.00	10/26/2023
2830	LEHRKIND'S COCA-COLA	2089880	Water	10/18/2023	18.00-	18.00-	10/26/2023
2830	LEHRKIND'S COCA-COLA	2089881	Water	10/17/2023	23.00	23.00	10/20/2023
2830	LEHRKIND'S COCA-COLA	275487	Water	10/03/2023	128.00	128.00	10/12/2023
Total LEHRKIND'S COCA-COLA:					406.00	406.00	
LIVINGSTON ACE HARDWARE - #122005							
26	LIVINGSTON ACE HARDWARE -	D14189	ROLLER	08/28/2023	58.90	58.90	10/12/2023
26	LIVINGSTON ACE HARDWARE -	D14299	BATTERY	08/28/2023	19.99	19.99	10/12/2023
26	LIVINGSTON ACE HARDWARE -	D14752	PIPE CELLCORE	08/29/2023	19.99	19.99	10/12/2023
26	LIVINGSTON ACE HARDWARE -	D14881	SCREEN	08/29/2023	3.99	3.99	10/12/2023
26	LIVINGSTON ACE HARDWARE -	D14907	PAINT liner	08/29/2023	9.96	9.96	10/12/2023
26	LIVINGSTON ACE HARDWARE -	D14908	mrk blu	08/29/2023	101.97	101.97	10/12/2023
26	LIVINGSTON ACE HARDWARE -	D15025	CUTTER	08/29/2023	78.96	78.96	10/12/2023
26	LIVINGSTON ACE HARDWARE -	D15287	NIPPLE	08/30/2023	5.97	5.97	10/12/2023
26	LIVINGSTON ACE HARDWARE -	D15590	BLOW GUN KIT	08/30/2023	24.99	24.99	10/12/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
26	LIVINGSTON ACE HARDWARE -	D18366	PAINT TRAY	09/05/2023	29.34	29.34	10/12/2023
26	LIVINGSTON ACE HARDWARE -	D18450	TRANSPONDER KEY	09/05/2023	99.99	99.99	10/12/2023
26	LIVINGSTON ACE HARDWARE -	D19848	FASTNERS	09/08/2023	26.99	26.99	10/12/2023
26	LIVINGSTON ACE HARDWARE -	D21365	rain r shine	09/11/2023	19.99	19.99	10/12/2023
26	LIVINGSTON ACE HARDWARE -	D22014	SOLENOID	09/12/2023	43.96	43.96	10/12/2023
26	LIVINGSTON ACE HARDWARE -	D22203	STRIPPER	09/12/2023	26.99	26.99	10/12/2023
26	LIVINGSTON ACE HARDWARE -	D22419	KEY	09/13/2023	25.90	25.90	10/12/2023
26	LIVINGSTON ACE HARDWARE -	D22671	CAR WASH	09/13/2023	37.56	37.56	10/12/2023
26	LIVINGSTON ACE HARDWARE -	D23015	CAPS	09/14/2023	10.58	10.58	10/12/2023
26	LIVINGSTON ACE HARDWARE -	D23397	REFUND	09/15/2023	10.58-	10.58-	10/12/2023
26	LIVINGSTON ACE HARDWARE -	D25050	NIPPLE	09/18/2023	7.99	7.99	10/12/2023
26	LIVINGSTON ACE HARDWARE -	D26078	CONNECTORS	09/20/2023	13.58	13.58	10/12/2023
26	LIVINGSTON ACE HARDWARE -	D27026	ANTIFREEZE	09/22/2023	54.99	54.99	10/12/2023
26	LIVINGSTON ACE HARDWARE -	D28520	mouse trap	09/25/2023	75.92	75.92	10/12/2023
26	LIVINGSTON ACE HARDWARE -	D28640	TAPE	09/25/2023	32.52	32.52	10/12/2023
26	LIVINGSTON ACE HARDWARE -	D28873	KEY	09/25/2023	5.18	5.18	10/12/2023
26	LIVINGSTON ACE HARDWARE -	D28996	CONNECTORS	09/25/2023	9.18	9.18	10/12/2023
26	LIVINGSTON ACE HARDWARE -	X99048	SEED	08/31/2023	19.99	19.99	10/12/2023
Total LIVINGSTON ACE HARDWARE - #122005:					854.79	854.79	
LIVINGSTON DEPOT CENTER							
184	LIVINGSTON DEPOT CENTER	2023.10	DEPOSIT FACILITY RENTAL	10/20/2023	575.00	575.00	10/26/2023
Total LIVINGSTON DEPOT CENTER:					575.00	575.00	
LIVINGSTON HEALTH CARE							
55	LIVINGSTON HEALTH CARE	0018087	PT SUPPLIES	10/05/2023	24.21	24.21	10/12/2023
55	LIVINGSTON HEALTH CARE	4867742	PT SUPPLIES	10/14/2023	6.76	6.76	10/26/2023
Total LIVINGSTON HEALTH CARE:					30.97	30.97	
MARKS LUMBER							
3838	MARKS LUMBER	2023.9.8	Grinding	09/08/2023	11,438.92	11,438.92	10/12/2023
3838	MARKS LUMBER	2023.9.8	Grinding	09/08/2023	11,438.92	11,438.92	10/12/2023
Total MARKS LUMBER:					22,877.84	22,877.84	
MASTERCARD							
3184	MASTERCARD	2023_07 CHAB	otterbox phone cover	08/01/2023	29.96	29.96	08/15/2023
3184	MASTERCARD	2023_07 CHAB	AED Batteries	08/01/2023	623.43	623.43	08/15/2023
3184	MASTERCARD	2023_07 CHAB	Fire Inspection Code Books	08/01/2023	94.78	94.78	08/15/2023
3184	MASTERCARD	2023_07 CHAB	Paper Shredder	08/01/2023	147.00	147.00	08/15/2023
3184	MASTERCARD	2023_07 CHAB	M1 Fuse	08/01/2023	48.60	48.60	08/15/2023
3184	MASTERCARD	2023_07 CHAB	Postage Nozzle	08/01/2023	5.75	5.75	08/15/2023
3184	MASTERCARD	2023_07 CHAB	Accountability Tags	08/01/2023	14.25	14.25	08/15/2023
3184	MASTERCARD	2023_07 CHAB	IV Boxes	08/01/2023	23.94	23.94	08/15/2023
3184	MASTERCARD	2023_07 DELA	Coffee airpot	08/01/2023	35.99-	35.99-	08/15/2023
3184	MASTERCARD	2023_07 DELA	Retractable key holder	08/01/2023	17.99	17.99	08/15/2023
3184	MASTERCARD	2023_07 FETT	Flight - Sensus conference	08/01/2023	188.48	188.48	08/15/2023
3184	MASTERCARD	2023_07 FETT	Flight - Sensus conference	08/01/2023	188.48	188.48	08/15/2023
3184	MASTERCARD	2023_07 FETT	Employee training	08/01/2023	375.00	375.00	08/15/2023
3184	MASTERCARD	2023_07 FETT	Employee training	08/01/2023	375.00	375.00	08/15/2023
3184	MASTERCARD	2023_07 FETT	Hotel - Sensus conference	08/01/2023	140.07	140.07	08/15/2023
3184	MASTERCARD	2023_07 FETT	Hotel - Sensus conference	08/01/2023	140.06	140.06	08/15/2023
3184	MASTERCARD	2023_07 FETT	Office supplies	08/01/2023	73.78	73.78	08/15/2023
3184	MASTERCARD	2023_07 FETT	Employee training	08/01/2023	499.00	499.00	08/15/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
3184	MASTERCARD	2023_07 FETT	Dangerous Dog sign	08/01/2023	49.95	49.95	08/15/2023
3184	MASTERCARD	2023_07 FETT	Computer supplies	08/01/2023	18.99-	18.99-	08/15/2023
3184	MASTERCARD	2023_07 FETT	Office supplies	08/01/2023	49.75	49.75	08/15/2023
3184	MASTERCARD	2023_07 FETT	Office supplies	08/01/2023	45.93	45.93	08/15/2023
3184	MASTERCARD	2023_07 FETT	Office supplies	08/01/2023	11.99	11.99	08/15/2023
3184	MASTERCARD	2023_07 FETT	Tire Chalk	08/01/2023	56.10	56.10	08/15/2023
3184	MASTERCARD	2023_07 FETT	Computer supplies	08/01/2023	18.99	18.99	08/15/2023
3184	MASTERCARD	2023_07 FETT	Tire Chalk	08/01/2023	8.79	8.79	08/15/2023
3184	MASTERCARD	2023_07 FETT	Tire Chalk	08/01/2023	73.59	73.59	08/15/2023
3184	MASTERCARD	2023_07 FETT	Notary Education	08/01/2023	59.00	59.00	08/15/2023
3184	MASTERCARD	2023_07 FETT	AICPA Member Dues	08/01/2023	249.16	249.16	08/15/2023
3184	MASTERCARD	2023_07 GAG	Subscription to enable position ad	08/01/2023	404.93	404.93	08/15/2023
3184	MASTERCARD	2023_07 GAG	Position advertising	08/01/2023	225.00	225.00	08/15/2023
3184	MASTERCARD	2023_07 GAG	lunch w/ MSU Extension	08/01/2023	63.00	63.00	08/15/2023
3184	MASTERCARD	2023_07 GILB	IV Hanger	08/01/2023	175.71	175.71	08/15/2023
3184	MASTERCARD	2023_07 GILB	Personal - Accidental - Reimburse	08/01/2023	2.99	2.99	08/15/2023
3184	MASTERCARD	2023_07 GILB	Personal - Accidental - Reimburse	08/01/2023	7.49	7.49	08/15/2023
3184	MASTERCARD	2023_07 GILB	Local 631 - Benevolence - Reimb	08/01/2023	243.92	243.92	08/15/2023
3184	MASTERCARD	2023_07 GILB	Personal - Accidental - Reimburse	08/01/2023	27.99	27.99	08/15/2023
3184	MASTERCARD	2023_07 GLAS	Fax	08/01/2023	34.99	34.99	08/15/2023
3184	MASTERCARD	2023_07 GLAS	Fax transaction fee	08/01/2023	.31	.31	08/15/2023
3184	MASTERCARD	2023_07 GRA	postage to 64050	08/01/2023	3.72	3.72	08/15/2023
3184	MASTERCARD	2023_07 GRA	pens	08/01/2023	3.42	3.42	08/15/2023
3184	MASTERCARD	2023_07 GRA	postage to 33914	08/01/2023	5.14	5.14	08/15/2023
3184	MASTERCARD	2023_07 GRA	postage to 37902; 08362; 61920;	08/01/2023	12.99	12.99	08/15/2023
3184	MASTERCARD	2023_07 GRA	facial tissue; bungee cords	08/01/2023	12.34	12.34	08/15/2023
3184	MASTERCARD	2023_07 GRA	postage to 61920; 63376; 82414;	08/01/2023	15.59	15.59	08/15/2023
3184	MASTERCARD	2023_07 GRA	fuel	08/01/2023	70.78	70.78	08/15/2023
3184	MASTERCARD	2023_07 GRA	fuel filler housing	08/01/2023	42.65	42.65	08/15/2023
3184	MASTERCARD	2023_07 GRA	postage to 95076	08/01/2023	3.72	3.72	08/15/2023
3184	MASTERCARD	2023_07 GRA	1 book	08/01/2023	21.14	21.14	08/15/2023
3184	MASTERCARD	2023_07 GRA	postage to 59018; 83709; 61914	08/01/2023	14.36	14.36	08/15/2023
3184	MASTERCARD	2023_07 GRA	AC service	08/01/2023	121.27	121.27	08/15/2023
3184	MASTERCARD	2023_07 GRA	postage to 12308; 59034; 83605;	08/01/2023	18.43	18.43	08/15/2023
3184	MASTERCARD	2023_07 GRA	water/sewer/garbage/recycling	08/01/2023	170.94	170.94	08/15/2023
3184	MASTERCARD	2023_07 GRA	postage to 33901	08/01/2023	3.72	3.72	08/15/2023
3184	MASTERCARD	2023_07 GRA	postage to 63131; 59754; 98027	08/01/2023	13.29	13.29	08/15/2023
3184	MASTERCARD	2023_07 GRA	postage to 85004; 61032	08/01/2023	7.78	7.78	08/15/2023
3184	MASTERCARD	2023_07 GRA	postage to 66201	08/01/2023	3.47	3.47	08/15/2023
3184	MASTERCARD	2023_07 GRA	facial tissue; paper towels; disinfe	08/01/2023	10.37	10.37	08/15/2023
3184	MASTERCARD	2023_07 GRA	service charges	08/01/2023	13.99	13.99	08/15/2023
3184	MASTERCARD	2023_07 GRA	postage to 98027	08/01/2023	3.47	3.47	08/15/2023
3184	MASTERCARD	2023_07 GRA	workers comp FY 24	08/01/2023	1,131.00	1,131.00	08/15/2023
3184	MASTERCARD	2023_07 GRA	one-year subscription	08/01/2023	130.00	130.00	08/15/2023
3184	MASTERCARD	2023_07 GRA	one-year subscription	08/01/2023	1.17	1.17	08/15/2023
3184	MASTERCARD	2023_07 GRA	postage to 57117	08/01/2023	67.13	67.13	08/15/2023
3184	MASTERCARD	2023_07 HAEF	DOT Physical- Dilley	08/01/2023	142.50	142.50	08/15/2023
3184	MASTERCARD	2023_07 HAEF	Gas Engine	08/01/2023	899.99	899.99	08/15/2023
3184	MASTERCARD	2023_07 HAEF	Physical- Moyer	08/01/2023	117.00	117.00	08/15/2023
3184	MASTERCARD	2023_07 HAEF	Grip Sockets & Pipe Wrench	08/01/2023	210.36	210.36	08/15/2023
3184	MASTERCARD	2023_07 HAEF	Physical-Brownlee	08/01/2023	117.00	117.00	08/15/2023
3184	MASTERCARD	2023_07 HAPP	temporary recording system for co	08/01/2023	.99	.99	08/15/2023
3184	MASTERCARD	2023_07 HOL	Wasterwater Collection Ed- Fuhs	08/01/2023	225.00	225.00	08/15/2023
3184	MASTERCARD	2023_07 HOL	Logan Brownlee - Wastewater Col	08/01/2023	225.00	225.00	08/15/2023
3184	MASTERCARD	2023_07 HOL	Safety Meeting	08/01/2023	35.99	35.99	08/15/2023
3184	MASTERCARD	2023_07 JOHN	Brummel Training	08/01/2023	117.56	117.56	08/15/2023
3184	MASTERCARD	2023_07 JOHN	K9 Certification	08/01/2023	106.25	106.25	08/15/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
3184	MASTERCARD	2023_07 JOHN	K9 Certification	08/01/2023	745.40	745.40	08/15/2023
3184	MASTERCARD	2023_07 JOHN	K9 Certification	08/01/2023	63.19	63.19	08/15/2023
3184	MASTERCARD	2023_07 JOHN	K9 Certification	08/01/2023	48.00	48.00	08/15/2023
3184	MASTERCARD	2023_07 JOHN	evidence supplies	08/01/2023	118.37	118.37	08/15/2023
3184	MASTERCARD	2023_07 JOHN	TASER training - Brummel	08/01/2023	495.00	495.00	08/15/2023
3184	MASTERCARD	2023_07 JOHN	Brummel Training	08/01/2023	281.50	281.50	08/15/2023
3184	MASTERCARD	2023_07 KINNI	COMMISSIONERS ZOOM ACCO	08/01/2023	41.50	41.50	08/15/2023
3184	MASTERCARD	2023_07 KINNI	Coffee Airpot Dispenser	08/01/2023	35.97	35.97	08/15/2023
3184	MASTERCARD	2023_07 KINNI	Screen protector, phone charger-	08/01/2023	69.66	69.66	08/15/2023
3184	MASTERCARD	2023_07 KINNI	Office Supplies	08/01/2023	7.44	7.44	08/15/2023
3184	MASTERCARD	2023_07 KINNI	Clearinghouse query credits	08/01/2023	25.00	25.00	08/15/2023
3184	MASTERCARD	2023_07 KINNI	Parks Dept. Trash bags/ toilet pap	08/01/2023	458.05	458.05	08/15/2023
3184	MASTERCARD	2023_07 KINNI	Office Supplies	08/01/2023	10.98	10.98	08/15/2023
3184	MASTERCARD	2023_07 KINNI	Cooling neck wraps- Chipseal proj	08/01/2023	19.99	19.99	08/15/2023
3184	MASTERCARD	2023_07 KINNI	Clearinghouse query credits	08/01/2023	12.50	12.50	08/15/2023
3184	MASTERCARD	2023_07 KINNI	Parks Dept. Dog poop bags	08/01/2023	399.96	399.96	08/15/2023
3184	MASTERCARD	2023_07 KINNI	PLANNING ZOOM ACCOUNT	08/01/2023	58.09	58.09	08/15/2023
3184	MASTERCARD	2023_07 KINNI	Laminating Sheets 11.5x17.5	08/01/2023	32.95	32.95	08/15/2023
3184	MASTERCARD	2023_07 KINNI	SOFTWARE SUBSCRIPTION	08/01/2023	60.00	60.00	08/15/2023
3184	MASTERCARD	2023_07 LOW	Autocharge Grant writing subscrip	08/01/2023	19.99	19.99	08/15/2023
3184	MASTERCARD	2023_07 LOW	Food for Meeting	08/01/2023	107.50	107.50	08/15/2023
3184	MASTERCARD	2023_07 O'RO	Office Supplies	08/01/2023	34.25	34.25	08/15/2023
3184	MASTERCARD	2023_07 O'RO	Office Supplies	08/01/2023	34.25	34.25	08/15/2023
3184	MASTERCARD	2023_07 O'RO	Office Supplies	08/01/2023	34.25	34.25	08/15/2023
3184	MASTERCARD	2023_07 O'RO	Office Supplies	08/01/2023	34.25	34.25	08/15/2023
3184	MASTERCARD	2023_07 O'RO	Office Supplies	08/01/2023	34.25	34.25	08/15/2023
3184	MASTERCARD	2023_07 O'RO	Office Supplies	08/01/2023	34.27	34.27	08/15/2023
3184	MASTERCARD	2023_07 PIER	SCBA Brackets	08/01/2023	458.70	458.70	08/15/2023
3184	MASTERCARD	2023_07 PIER	Gym Equipment	08/01/2023	235.72	235.72	08/15/2023
3184	MASTERCARD	2023_07 PIER	Swiftwater Rescue Equip	08/01/2023	390.92	390.92	08/15/2023
3184	MASTERCARD	2023_07 PIER	Swiftwater Rescue Equip	08/01/2023	16.21	16.21	08/15/2023
3184	MASTERCARD	2023_07 PURK	Travel Ins - Caselle Conference	08/01/2023	10.12	10.12	08/15/2023
3184	MASTERCARD	2023_07 PURK	Travel Ins - Caselle Conference	08/01/2023	10.12	10.12	08/15/2023
3184	MASTERCARD	2023_07 PURK	Travel Ins - Caselle Conference	08/01/2023	10.12	10.12	08/15/2023
3184	MASTERCARD	2023_07 PURK	Travel Ins - Caselle Conference	08/01/2023	10.12	10.12	08/15/2023
3184	MASTERCARD	2023_07 PURK	Travel Ins - Caselle Conference	08/01/2023	10.13	10.13	08/15/2023
3184	MASTERCARD	2023_07 PURK	Travel Ins - Caselle Conference	08/01/2023	10.13	10.13	08/15/2023
3184	MASTERCARD	2023_07 PURK	Travel Ins - Caselle Conference	08/01/2023	10.13	10.13	08/15/2023
3184	MASTERCARD	2023_07 PURK	Travel Ins - Caselle Conference	08/01/2023	10.13	10.13	08/15/2023
3184	MASTERCARD	2023_07 PURK	Travel Ins - Caselle Conference	08/01/2023	10.13	10.13	08/15/2023
3184	MASTERCARD	2023_07 PURK	Flight - Faith	08/01/2023	99.45	99.45	08/15/2023
3184	MASTERCARD	2023_07 PURK	Flight - Faith	08/01/2023	99.45	99.45	08/15/2023
3184	MASTERCARD	2023_07 PURK	Flight - Faith	08/01/2023	99.45	99.45	08/15/2023
3184	MASTERCARD	2023_07 PURK	Flight - Faith	08/01/2023	99.45	99.45	08/15/2023
3184	MASTERCARD	2023_07 PURK	Flight - Darci	08/01/2023	132.60	132.60	08/15/2023
3184	MASTERCARD	2023_07 PURK	Flight - Darci	08/01/2023	132.60	132.60	08/15/2023
3184	MASTERCARD	2023_07 PURK	Flight - Darci	08/01/2023	132.60	132.60	08/15/2023
3184	MASTERCARD	2023_07 PURK	Flight - Kalsey	08/01/2023	397.80	397.80	08/15/2023
3184	MASTERCARD	2023_07 PURK	June Medwrite	08/01/2023	5,596.73	5,596.73	08/15/2023
3184	MASTERCARD	2023_07 SKAG	Self closing gate device	08/01/2023	149.94	149.94	08/15/2023
3184	MASTERCARD	2023_07 SKAG	Replacement spring for spring rid	08/01/2023	466.07	466.07	08/15/2023
3184	MASTERCARD	2023_07 SKAG	Bottled water	08/01/2023	15.00	15.00	08/15/2023
3184	MASTERCARD	2023_07 SKAG	Drinking faucet head	08/01/2023	67.54	67.54	08/15/2023
3184	MASTERCARD	2023_07 STOR	Measuring wheel display	08/01/2023	69.99	69.99	08/15/2023
3184	MASTERCARD	2023_07 STOR	Block and Planer bit	08/01/2023	696.44	696.44	08/15/2023
3184	MASTERCARD	2023_07 STOR	Membership Canceled	08/01/2023	14.99	14.99	08/15/2023
3184	MASTERCARD	2023_07 STOR	Meeting	08/01/2023	75.89	75.89	08/15/2023
3184	MASTERCARD	2023_07 TARR	Social Media Marketing Planner	08/01/2023	25.00	25.00	08/15/2023
3184	MASTERCARD	2023_07 TARR	Pool - First Aid Supplies	08/01/2023	31.04	31.04	08/15/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
3184	MASTERCARD	2023_07 TARR	Pool - Operating Supplies	08/01/2023	54.89	54.89	08/15/2023
3184	MASTERCARD	2023_07 TARR	Event Supplies	08/01/2023	44.98	44.98	08/15/2023
3184	MASTERCARD	2023_07 TARR	Office Supplies	08/01/2023	68.34	68.34	08/15/2023
3184	MASTERCARD	2023_07 TARR	Pool House Cleaner	08/01/2023	69.99	69.99	08/15/2023
3184	MASTERCARD	2023_07 TIDW	panel filter	08/01/2023	115.98	115.98	08/15/2023
3184	MASTERCARD	2023_07 TIDW	Plant Alarm Communication Syste	08/01/2023	50.00	50.00	08/15/2023
3184	MASTERCARD	2023_07 TIDW	Office Supplies	08/01/2023	57.98	57.98	08/15/2023
3184	MASTERCARD	2023_07 TIDW	Pliers Set, Stinger Switchblade	08/01/2023	151.99	151.99	08/15/2023
3184	MASTERCARD	2023_07 TIDW	Roller chains	08/01/2023	279.85	279.85	08/15/2023
3184	MASTERCARD	2023_07 TIDW	Monitor Stand	08/01/2023	21.98	21.98	08/15/2023
3184	MASTERCARD	2023_07 TIDW	Throttle Choke Control Cable Ass	08/01/2023	24.98	24.98	08/15/2023
Total MASTERCARD:					22,647.54	22,647.54	
MICHAEL SKAGGS							
10005	MICHAEL SKAGGS	200272552	REIMB CDL MEDICAL	10/23/2023	146.30	146.30	10/26/2023
Total MICHAEL SKAGGS:					146.30	146.30	
MICHELE BOYD							
10003	MICHELE BOYD	2023.9.21	REIMB-RUBBERMAID TUB	09/21/2023	13.99	13.99	10/12/2023
Total MICHELE BOYD:					13.99	13.99	
MID-AMERICAN RESEARCH CHEMICAL							
10002	MID-AMERICAN RESEARCH CH	0801109-IN	SPEED WIPES PLUS	09/22/2023	1,531.24	1,531.24	10/20/2023
Total MID-AMERICAN RESEARCH CHEMICAL:					1,531.24	1,531.24	
MISC							
99999	MISC	2023.10	OVER PAYMENT ON ACCOUNT	10/01/2023	86.65	86.65	10/26/2023
99999	MISC	2023.10.11	JURY DUTY	10/11/2023	25.00	25.00	10/20/2023
99999	MISC	2023.10.11.1	JURY DUTY	10/11/2023	25.00	25.00	10/20/2023
99999	MISC	2023.10.11.10	JURY DUTY	10/11/2023	10.00	10.00	10/20/2023
99999	MISC	2023.10.11.11	JURY DUTY	10/11/2023	10.00	10.00	10/20/2023
99999	MISC	2023.10.11.12	JURY DUTY	10/11/2023	10.00	10.00	10/20/2023
99999	MISC	2023.10.11.13	JURY DUTY	10/11/2023	10.00	10.00	10/20/2023
99999	MISC	2023.10.11.14	JURY DUTY	10/11/2023	10.00	10.00	10/20/2023
99999	MISC	2023.10.11.15	JURY DUTY	10/11/2023	10.00	10.00	10/20/2023
99999	MISC	2023.10.11.16	JURY DUTY	10/11/2023	10.00	10.00	10/20/2023
99999	MISC	2023.10.11.17	JURY DUTY	10/11/2023	10.00	10.00	10/20/2023
99999	MISC	2023.10.11.18	JURY DUTY	10/11/2023	10.00	10.00	10/20/2023
99999	MISC	2023.10.11.19	JURY DUTY	10/11/2023	10.00	10.00	10/20/2023
99999	MISC	2023.10.11.2	JURY DUTY	10/11/2023	25.00	25.00	10/20/2023
99999	MISC	2023.10.11.3	JURY DUTY	10/11/2023	25.00	25.00	10/20/2023
99999	MISC	2023.10.11.4	JURY DUTY	10/11/2023	25.00	25.00	10/20/2023
99999	MISC	2023.10.11.5	JURY DUTY	10/11/2023	25.00	25.00	10/20/2023
99999	MISC	2023.10.11.6	JURY DUTY	10/11/2023	25.00	25.00	10/20/2023
99999	MISC	2023.10.11.7	JURY DUTY	10/11/2023	10.00	10.00	10/20/2023
99999	MISC	2023.10.11.8	JURY DUTY	10/11/2023	10.00	10.00	10/20/2023
99999	MISC	2023.10.11.9	JURY DUTY	10/11/2023	10.00	10.00	10/20/2023
99999	MISC	2023.10.19	RESTITUTION TK-640-2018-000	10/19/2023	310.00	310.00	10/26/2023
99999	MISC	2023.10.19.1	WITNESS FEE	10/19/2023	10.00	10.00	10/26/2023
99999	MISC	2023.10.6	OVER PAYMENT ON ACCOUNT	10/06/2023	110.61	110.61	10/20/2023
99999	MISC	TK-2022-0170	Bond Release	10/19/2023	685.00	685.00	10/31/2023
99999	MISC	TK2023-0022	Bond Release	10/27/2023	335.00	335.00	10/31/2023
99999	MISC	TK-2023-0192	Bond Release	10/19/2023	585.00	585.00	10/31/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
99999	MISC	TK2023-0314	Bond Release	10/19/2023	1,355.00	1,355.00	10/31/2023
99999	MISC	TK2023-0334	Bond Release	10/19/2023	50.00	50.00	10/31/2023
Total MISC:					3,832.26	3,832.26	
MOBILE REPAIR & WELDING, INC							
10	MOBILE REPAIR & WELDING, IN	34319	FABRICATE COVERS	09/20/2023	1,287.20	1,287.20	10/12/2023
Total MOBILE REPAIR & WELDING, INC:					1,287.20	1,287.20	
MONTANA AIR CARTAGE							
3808	MONTANA AIR CARTAGE	LVQ83123	Courier CONTRACT	09/01/2023	358.05	358.05	10/12/2023
3808	MONTANA AIR CARTAGE	LVQ93023	Courier CONTRACT	10/06/2023	321.75	321.75	10/20/2023
Total MONTANA AIR CARTAGE:					679.80	679.80	
MONTANA DEPT OF ENVIRONMENTAL							
2346	MONTANA DEPT OF ENVIRONM	512402816	COMMUNITY CONNECTION FE	10/06/2023	7,904.00	7,904.00	10/20/2023
Total MONTANA DEPT OF ENVIRONMENTAL:					7,904.00	7,904.00	
MONTANA LAW ENFORCEMENT ACADEMY							
642	MONTANA LAW ENFORCEMENT	21850	EMD #3	10/05/2023	50.00	50.00	10/26/2023
Total MONTANA LAW ENFORCEMENT ACADEMY:					50.00	50.00	
MONTANA RAIL LINK							
112	MONTANA RAIL LINK	469672	Agreement 600077	10/05/2023	468.00	468.00	10/20/2023
Total MONTANA RAIL LINK:					468.00	468.00	
MONTANA STATE LIBRARY							
1344	MONTANA STATE LIBRARY	2023.9	Shared Catalog Servi	09/01/2023	6,595.34	6,595.34	10/20/2023
Total MONTANA STATE LIBRARY:					6,595.34	6,595.34	
MOTOROLA							
2634	MOTOROLA	8230423456	VIDEO MANAGER	10/02/2023	1,560.00	1,560.00	10/12/2023
Total MOTOROLA:					1,560.00	1,560.00	
MOUNTAIN AIR SPORTS							
34	MOUNTAIN AIR SPORTS	11840	ops uniforms	09/12/2023	577.50	577.50	10/12/2023
34	MOUNTAIN AIR SPORTS	11840	EMS OPS UNIFORMS	09/12/2023	577.50	577.50	10/12/2023
Total MOUNTAIN AIR SPORTS:					1,155.00	1,155.00	
MOUNTAIN FRESH CLEANING							
10005	MOUNTAIN FRESH CLEANING	0000038	JANITORIAL SERVICES	10/02/2023	1,890.00	1,890.00	10/12/2023
Total MOUNTAIN FRESH CLEANING:					1,890.00	1,890.00	
MPH							
10005	MPH	10928	TRAINING ROOM	06/30/2023	306.28	306.28	10/12/2023
Total MPH:					306.28	306.28	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
MSU EXTENSION SERVICE							
3275	MSU EXTENSION SERVICE	1	FY2024 1st qtr economic &comm	09/25/2023	7,500.00	7,500.00	10/26/2023
3275	MSU EXTENSION SERVICE	12	AUG ECONOMIC DEVELOPMEN	09/15/2023	2,877.18	2,877.18	10/20/2023
3275	MSU EXTENSION SERVICE	14	SEPT ECONOMIC DEVELOPME	10/16/2023	2,655.97	2,655.97	10/20/2023
3275	MSU EXTENSION SERVICE	2023.2	FY2024 2nd qtr economic &comm	09/25/2023	7,500.00	7,500.00	10/26/2023
Total MSU EXTENSION SERVICE:					20,533.15	20,533.15	
MUNICIPAL EMERGENCY SERVICES							
2604	MUNICIPAL EMERGENCY SERV	IN1939542	OPS PPD	09/25/2023	1,325.65	1,325.65	10/12/2023
2604	MUNICIPAL EMERGENCY SERV	IN1952561	OPS PPE	10/23/2023	676.81	676.81	10/26/2023
Total MUNICIPAL EMERGENCY SERVICES:					2,002.46	2,002.46	
MURDOCH'S RANCH & HOME SUPPLY							
3688	MURDOCH'S RANCH & HOME S	INV-2437106	SNOWBLOWER	09/05/2023	4,799.00	4,799.00	10/12/2023
3688	MURDOCH'S RANCH & HOME S	INV-2446166	LUTE	09/05/2023	53.99	53.99	10/12/2023
3688	MURDOCH'S RANCH & HOME S	INV-2674295	TARP	09/18/2023	26.98	26.98	10/12/2023
3688	MURDOCH'S RANCH & HOME S	INV-2687489	PUMP	09/19/2023	169.99	169.99	10/12/2023
Total MURDOCH'S RANCH & HOME SUPPLY:					5,049.96	5,049.96	
NORTHWEST PIPE FITTINGS, INC							
423	NORTHWEST PIPE FITTINGS, I	39186	Box riser	09/29/2023	510.00	510.00	10/12/2023
423	NORTHWEST PIPE FITTINGS, I	59107	PIPE	09/27/2023	686.68	686.68	10/12/2023
423	NORTHWEST PIPE FITTINGS, I	59187	CAP	09/27/2023	379.50	379.50	10/12/2023
423	NORTHWEST PIPE FITTINGS, I	71714	COMP BALL	09/18/2023	4,010.15	4,010.15	10/12/2023
423	NORTHWEST PIPE FITTINGS, I	77722	sewer pipe	10/02/2023	747.60	747.60	10/12/2023
423	NORTHWEST PIPE FITTINGS, I	79154	elbow	10/02/2023	133.32	133.32	10/12/2023
423	NORTHWEST PIPE FITTINGS, I	79181	Box riser	10/02/2023	592.68	592.68	10/12/2023
Total NORTHWEST PIPE FITTINGS, INC:					7,059.93	7,059.93	
NORTHWESTERN ENERGY							
151	NORTHWESTERN ENERGY	0107897-1 202	228 W CALLENDER	10/10/2023	789.73	789.73	10/20/2023
151	NORTHWESTERN ENERGY	0107897-1 202	228 W CALLENDER	09/11/2023	1,219.95	1,219.95	10/12/2023
151	NORTHWESTERN ENERGY	0709793-4 202	City Shop Building 50% 406 Benn	01/16/2023	163.38	163.38	10/26/2023
151	NORTHWESTERN ENERGY	0709793-4 202	City Shop Building 50% 406 Benn	01/16/2023	163.38	163.38	10/26/2023
151	NORTHWESTERN ENERGY	0709794-2 202	WRF 316 Bennett	01/09/2023	190.53	190.53	10/26/2023
151	NORTHWESTERN ENERGY	0709796-7 202	97 View Vista Drive	01/16/2023	6.00	6.00	10/26/2023
151	NORTHWESTERN ENERGY	0709869-2 202	Carol Lane	01/16/2023	146.52	146.52	10/26/2023
151	NORTHWESTERN ENERGY	0709870-0 202	G Street Park - 422 S G	01/16/2023	98.03	98.03	10/26/2023
151	NORTHWESTERN ENERGY	0709871-8 202	Star Addition - Lights	01/16/2023	338.23	338.23	10/26/2023
151	NORTHWESTERN ENERGY	0709873-4 202	800 W Cambridge - Pump Station	01/16/2023	27.82	27.82	10/26/2023
151	NORTHWESTERN ENERGY	0709875-9 202	900 River Drive Pump	01/10/2023	3,357.34	3,357.34	10/26/2023
151	NORTHWESTERN ENERGY	0709876-7 202	132 South B Street - B St Well	01/11/2023	2,024.79	2,024.79	10/26/2023
151	NORTHWESTERN ENERGY	0709878-3 202	227 River Drive - Concessions sta	01/12/2023	73.71	73.71	10/26/2023
151	NORTHWESTERN ENERGY	0709879-1 202	227 River Drive - Softball Field	01/17/2023	10.89	10.89	10/26/2023
151	NORTHWESTERN ENERGY	0709891-6 202	15 Fleshman Creek-Cemetery Wo	01/16/2023	22.45	22.45	10/26/2023
151	NORTHWESTERN ENERGY	0709892-4 202	40 Water Tower Avenue	01/16/2023	53.74	53.74	10/26/2023
151	NORTHWESTERN ENERGY	0709894-0 202	56 Water Tower	01/09/2023	398.87	398.87	10/26/2023
151	NORTHWESTERN ENERGY	0709914-6 202	1011 River Dr - Edge Water Sewe	01/10/2023	18.49	18.49	10/26/2023
151	NORTHWESTERN ENERGY	0719058-0 202	3 Rogers Lane Lift Station	01/10/2023	51.05	51.05	10/26/2023
151	NORTHWESTERN ENERGY	0720048-8 202	330 Bennett 1/4	01/09/2023	160.62	160.62	10/26/2023
151	NORTHWESTERN ENERGY	0720048-8 202	330 Bennett 1/4	01/09/2023	160.62	160.62	10/26/2023
151	NORTHWESTERN ENERGY	0720048-8 202	330 Bennett 1/4	01/09/2023	160.63	160.63	10/26/2023
151	NORTHWESTERN ENERGY	0720176-7 202	Weimer Park	01/16/2023	41.36	41.36	10/26/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
151	NORTHWESTERN ENERGY	1134866-1 202	N 2nd & Montana & Chinook	01/16/2023	51.59	51.59	10/26/2023
151	NORTHWESTERN ENERGY	1134879-4 202	N 7th & Montana & Chinook	01/16/2023	28.35	28.35	10/26/2023
151	NORTHWESTERN ENERGY	1155965-5 202	229 River Drive	01/17/2023	6.76	6.76	10/26/2023
151	NORTHWESTERN ENERGY	1290352-2 202	School Flasher Park & 13th	01/16/2023	10.47	10.47	10/26/2023
151	NORTHWESTERN ENERGY	1441030-2 202	D & Geyser Well House	01/11/2023	1,985.54	1,985.54	10/26/2023
151	NORTHWESTERN ENERGY	1452951-5 202	Starlow on Monroe	01/10/2023	305.38	305.38	10/26/2023
151	NORTHWESTERN ENERGY	1493850-0 202	412 W Callender	01/16/2023	49.78	49.78	10/26/2023
151	NORTHWESTERN ENERGY	1498936-2 202	I90 & 89S-ing	01/16/2023	6.29	6.29	10/26/2023
151	NORTHWESTERN ENERGY	1594141-2 202	9th & 10th Lift Station	01/10/2023	51.92	51.92	10/26/2023
151	NORTHWESTERN ENERGY	1613803-4 202	M & N on Callender	01/16/2023	48.40	48.40	10/26/2023
151	NORTHWESTERN ENERGY	1728687-3 202	Transfer Station 408 Bennett Stre	01/09/2023	362.77	362.77	10/26/2023
151	NORTHWESTERN ENERGY	1747570-8 202	D & E on Callender	01/16/2023	24.89	24.89	10/26/2023
151	NORTHWESTERN ENERGY	1747572-4 202	F & G on Callender	01/16/2023	24.09	24.09	10/26/2023
151	NORTHWESTERN ENERGY	1893530-4 202	600 W Park	01/16/2023	60.15	60.15	10/26/2023
151	NORTHWESTERN ENERGY	1893536-1 202	E Street & Alley	01/16/2023	20.85	20.85	10/26/2023
151	NORTHWESTERN ENERGY	1893541-1 202	18 W Park	01/16/2023	83.51	83.51	10/26/2023
151	NORTHWESTERN ENERGY	1906055-7 202	815 North 13th - Soccer Fields (Irr	01/17/2023	2.46	2.46	10/26/2023
151	NORTHWESTERN ENERGY	2023479-5 202	900 W Geyser Street School Light	01/16/2023	6.45	6.45	10/26/2023
151	NORTHWESTERN ENERGY	2023484-5 202	1100 W Geyser Street School Lig	01/16/2023	6.45	6.45	10/26/2023
151	NORTHWESTERN ENERGY	2114861-4 202	132 South B Street Lights	01/16/2023	143.22	143.22	10/26/2023
151	NORTHWESTERN ENERGY	2138754-3 202	G Street Park - Mike Webb Park	01/16/2023	61.29	61.29	10/26/2023
151	NORTHWESTERN ENERGY	2171060-3 202	Scale House 408 Bennett Street	01/16/2023	35.01	35.01	10/26/2023
151	NORTHWESTERN ENERGY	3015965-1 202	330 Bennett - Fire Training Center	01/16/2023	10.11	10.11	10/26/2023
151	NORTHWESTERN ENERGY	3093003-6 202	114 West Summit	01/16/2023	21.03	21.03	10/26/2023
151	NORTHWESTERN ENERGY	3093023-4 202	320 North Main	01/16/2023	4.99	4.99	10/26/2023
151	NORTHWESTERN ENERGY	3093027-5 202	105 West Park	01/16/2023	28.05	28.05	10/26/2023
151	NORTHWESTERN ENERGY	3141997-1 202	C & D on Lewis	01/16/2023	26.40	26.40	10/26/2023
151	NORTHWESTERN ENERGY	3184602-5 202	202 South 2nd	01/16/2023	15.67	15.67	10/26/2023
151	NORTHWESTERN ENERGY	3210240-2 202	616 River Drive	01/16/2023	6.45	6.45	10/26/2023
151	NORTHWESTERN ENERGY	3258086-2 202	2800 East Park Lift Station	01/16/2023	84.12	84.12	10/26/2023
151	NORTHWESTERN ENERGY	3258262-9 202	320 Alpenglow Lift Station	01/12/2023	125.59	125.59	10/26/2023
151	NORTHWESTERN ENERGY	3267010-1 202	330 Bennett - Compactor	01/14/2023	85.88	85.88	10/26/2023
151	NORTHWESTERN ENERGY	3287727-6 202	320 Alpenglow LN-	01/16/2023	46.64	46.64	10/26/2023
151	NORTHWESTERN ENERGY	3386783-9 202	Btwn G and H on Clark	01/16/2023	37.34	37.34	10/26/2023
151	NORTHWESTERN ENERGY	3386845-6 202	Btwn I and K on Callender	01/16/2023	25.85	25.85	10/26/2023
151	NORTHWESTERN ENERGY	3386846-4 202	Btwn 7th and 8th on Summit	01/16/2023	8.30	8.30	10/26/2023
151	NORTHWESTERN ENERGY	3506014-4 202	Brookstone/Elm	01/16/2023	5.68	5.68	10/26/2023
151	NORTHWESTERN ENERGY	3566038-0 202	114 East Callender	01/16/2023	20.04	20.04	10/26/2023
151	NORTHWESTERN ENERGY	3566039-8 202	115 East Lewis	01/16/2023	15.98	15.98	10/26/2023
151	NORTHWESTERN ENERGY	3585235-9 202	New WRF 316 Bennett	01/10/2023	14,671.83	14,671.83	10/26/2023
151	NORTHWESTERN ENERGY	3643752-3 202	115 East Clark	01/16/2023	69.25	69.25	10/26/2023
151	NORTHWESTERN ENERGY	3643753-1 202	112 East Clark	01/16/2023	35.01	35.01	10/26/2023
151	NORTHWESTERN ENERGY	3678204-3 202	502 River Dr. Pmp	01/12/2023	334.60	334.60	10/26/2023
151	NORTHWESTERN ENERGY	3725873-8 202	340 Bennett	01/16/2023	39.78	39.78	10/26/2023
151	NORTHWESTERN ENERGY	3753023-5 202	410 Bennett Transfer St Shop	01/09/2023	280.17	280.17	10/26/2023
151	NORTHWESTERN ENERGY	3787060-7 202	Green Acres Lights	01/16/2023	83.06	83.06	10/26/2023
151	NORTHWESTERN ENERGY	3787427-8 202	Green Acres	01/16/2023	259.43	259.43	10/26/2023
151	NORTHWESTERN ENERGY	3828216-6 202	203 W Callender	01/16/2023	35.28	35.28	10/26/2023
151	NORTHWESTERN ENERGY	3837245-4 202	220 E PARK	10/11/2023	179.45	179.45	10/20/2023
151	NORTHWESTERN ENERGY	3867654-0 202	2222 Willow Dr. Lt A	01/16/2023	28.80	28.80	10/26/2023
151	NORTHWESTERN ENERGY	3913678-3 202	Green Acres Park -	01/26/2023	283.22	283.22	10/26/2023
151	NORTHWESTERN ENERGY	4094896-0 202	207 Antelope Drive Lift Station (Fe	10/09/2023	26.54	26.54	10/26/2023
Total NORTHWESTERN ENERGY:					29,948.29	29,948.29	

PARK COUNTY

272	PARK COUNTY	2023.10	LIBRARY INTERNET	10/01/2023	316.00	316.00	10/20/2023
-----	-------------	---------	------------------	------------	--------	--------	------------

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
272	PARK COUNTY	2023.7	LIBRARY INTERNET	07/01/2023	400.68	400.68	10/20/2023
272	PARK COUNTY	2023.8	LIBRARY INTERNET	08/01/2023	316.00	316.00	10/20/2023
272	PARK COUNTY	2023.9	LIBRARY INTERNET	09/01/2023	316.00	316.00	10/20/2023
272	PARK COUNTY	202308	CITY SHARE MATS	08/31/2023	44.92	44.92	10/26/2023
272	PARK COUNTY	202308	CITY SHARE MATS	08/31/2023	44.92	44.92	10/26/2023
272	PARK COUNTY	202308	KEYBOARD	08/31/2023	165.00	165.00	10/26/2023
272	PARK COUNTY	202308	MOWING	08/31/2023	133.20	133.20	10/26/2023
272	PARK COUNTY	202308	INTERNET - CITY/COUNTY COM	08/31/2023	2,111.82	2,111.82	10/26/2023
272	PARK COUNTY	202308	PHONES - CITY/COUNTY COMP	08/31/2023	186.48	186.48	10/26/2023
272	PARK COUNTY	202308	INTERNET - CITY HALL	08/31/2023	810.51	810.51	10/26/2023
272	PARK COUNTY	202308	INTERNET - PUBLIC WORKS	08/31/2023	187.88	187.88	10/26/2023
272	PARK COUNTY	202308	INTERNET - PUBLIC WORKS	08/31/2023	187.88	187.88	10/26/2023
272	PARK COUNTY	202308	INTERNET - PUBLIC WORKS	08/31/2023	187.88	187.88	10/26/2023
272	PARK COUNTY	202308	INTERNET - PUBLIC WORKS	08/31/2023	187.87	187.87	10/26/2023
272	PARK COUNTY	202308	INTERNET - CIVIC CENTER	08/31/2023	751.51	751.51	10/26/2023
272	PARK COUNTY	202308	INTERNET - TRANSFER STATIO	08/31/2023	221.13	221.13	10/26/2023
272	PARK COUNTY	202308	INTERNET - POOL	08/31/2023	221.13	221.13	10/26/2023
272	PARK COUNTY	202308	INTERNET - STREET SHOP	08/31/2023	73.71	73.71	10/26/2023
272	PARK COUNTY	202308	INTERNET - STREET SHOP	08/31/2023	73.71	73.71	10/26/2023
272	PARK COUNTY	202308	INTERNET - STREET SHOP	08/31/2023	73.71	73.71	10/26/2023
272	PARK COUNTY	202308	CAPRET CLEANING	08/31/2023	213.01	213.01	10/26/2023
272	PARK COUNTY	202308	ANALOG LINE - LOBBY ELEVAT	08/31/2023	9.35	9.35	10/26/2023
272	PARK COUNTY	202308	ANALOG LINE - LOBBY ELEVAT	08/31/2023	9.35	9.35	10/26/2023
272	PARK COUNTY	202308	SMRTNT RENEWAL	08/31/2023	4,319.79	4,319.79	10/26/2023
272	PARK COUNTY	202308	BUILDING REPAIRS	08/31/2023	86.58	86.58	10/26/2023
272	PARK COUNTY	202308	BUILDING REPAIRS	08/31/2023	208.12	208.12	10/26/2023
272	PARK COUNTY	202308	BUILDING REPAIRS	08/31/2023	256.36	256.36	10/26/2023
272	PARK COUNTY	202308	BUILDING REPAIRS	08/31/2023	93.85	93.85	10/26/2023
272	PARK COUNTY	202308	CITY SHARE PHONE SERVER	08/31/2023	1,088.32	1,088.32	10/26/2023
272	PARK COUNTY	202308	GEN DUE FROM CITY OF LIVIN	08/31/2023	2,394.17	2,394.17	10/26/2023
272	PARK COUNTY	202308	ALARM TESTING	08/31/2023	342.25	342.25	10/26/2023
272	PARK COUNTY	202308	RECYCLING	08/31/2023	74.00	74.00	10/26/2023
272	PARK COUNTY	202308	ELEVATOR REPAIR	08/31/2023	631.40	631.40	10/26/2023
272	PARK COUNTY	202308	REMOTE MANAGMENT & PLAT	08/31/2023	273.62	273.62	10/26/2023
272	PARK COUNTY	202308	JULY POWER BILL	08/31/2023	2,389.32	2,389.32	10/26/2023
272	PARK COUNTY	202308	AUG POWER BILL	08/31/2023	2,636.62	2,636.62	10/26/2023
272	PARK COUNTY	202308	HVAC REPAIRS	08/31/2023	226.24	226.24	10/26/2023
272	PARK COUNTY	202308	CITY SHARE	08/31/2023	62.90	62.90	10/26/2023
272	PARK COUNTY	202308	AUG- CELL PHONE	08/31/2023	534.18	534.18	10/26/2023
272	PARK COUNTY	202308	SPRAY SIDEWALKS	08/31/2023	92.50	92.50	10/26/2023
272	PARK COUNTY	202309	CITY SHARE MATS	09/30/2023	44.92	44.92	10/26/2023
272	PARK COUNTY	202309	CITY SHARE MATS	09/30/2023	45.12	45.12	10/26/2023
272	PARK COUNTY	202309	CITY SHARE	09/30/2023	166.50	166.50	10/26/2023
272	PARK COUNTY	202309	PHONES - CITY/COUNTY COMP	09/30/2023	186.48	186.48	10/26/2023
272	PARK COUNTY	202309	INTERNET - CITY/COUNTY COM	09/30/2023	2,111.82	2,111.82	10/26/2023
272	PARK COUNTY	202309	INTERNET - CITY HALL	09/30/2023	810.51	810.51	10/26/2023
272	PARK COUNTY	202309	INTERNET - PUBLIC WORKS	09/30/2023	187.88	187.88	10/26/2023
272	PARK COUNTY	202309	INTERNET - PUBLIC WORKS	09/30/2023	187.88	187.88	10/26/2023
272	PARK COUNTY	202309	INTERNET - PUBLIC WORKS	09/30/2023	187.87	187.87	10/26/2023
272	PARK COUNTY	202309	INTERNET - PUBLIC WORKS	09/30/2023	187.88	187.88	10/26/2023
272	PARK COUNTY	202309	INTERNET - CIVIC CENTER	09/30/2023	751.51	751.51	10/26/2023
272	PARK COUNTY	202309	INTERNET - TRANSFER STATIO	09/30/2023	221.13	221.13	10/26/2023
272	PARK COUNTY	202309	INTERNET - POOL	09/30/2023	221.13	221.13	10/26/2023
272	PARK COUNTY	202309	INTERNET - STREET SHOP	09/30/2023	73.71	73.71	10/26/2023
272	PARK COUNTY	202309	INTERNET - STREET SHOP	09/30/2023	73.71	73.71	10/26/2023
272	PARK COUNTY	202309	INTERNET - STREET SHOP	09/30/2023	73.71	73.71	10/26/2023
272	PARK COUNTY	202309	ANALOG LINE - LOBBY ELEVAT	09/30/2023	9.35	9.35	10/26/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
272	PARK COUNTY	202309	CONSULTING	09/30/2023	56.25	56.25	10/26/2023
272	PARK COUNTY	202309	GEN DUE FROM CITY OF LIVIN	09/30/2023	2,478.57	2,478.57	10/26/2023
272	PARK COUNTY	202309	IT LABOR	09/30/2023	37.50	37.50	10/26/2023
272	PARK COUNTY	202309	RECYLING	09/30/2023	92.50	92.50	10/26/2023
272	PARK COUNTY	202309	REMOTE MANAGMENT & PLAT	09/30/2023	273.62	273.62	10/26/2023
272	PARK COUNTY	202309	HVAC REPAIRS	09/30/2023	92.50	92.50	10/26/2023
272	PARK COUNTY	202309	HVAC REPAIRS	09/30/2023	66.99	66.99	10/26/2023
272	PARK COUNTY	202309	SMARTCOP COL OCT23-SEP24	09/30/2023	25,122.50	25,122.50	10/26/2023
272	PARK COUNTY	202309	VIDEO CONF - JUL	09/30/2023	89.55	89.55	10/26/2023
272	PARK COUNTY	202309	STANDARD PHONE - JUL	09/30/2023	65.10	65.10	10/26/2023
272	PARK COUNTY	202309	IT CITY PORTION - JUL	09/30/2023	368.74	368.74	10/26/2023
272	PARK COUNTY	202309	VIDEO CONF - AUG	09/30/2023	89.55	89.55	10/26/2023
272	PARK COUNTY	202309	STANDARD PHONE - AUG	09/30/2023	69.85	69.85	10/26/2023
272	PARK COUNTY	202309	IT CITY PORTION - AUG	09/30/2023	374.21	374.21	10/26/2023
272	PARK COUNTY	202309	SEP- CELL PHONE	09/30/2023	533.42	533.42	10/26/2023
272	PARK COUNTY	202309	CITY SHARE	09/30/2023	148.00	148.00	10/26/2023
Total PARK COUNTY:					58,453.83	58,453.83	
PARK COUNTY TREASURER - TECH							
1702	PARK COUNTY TREASURER - T	2023.10.2	SEPTEMBER 2023 COLLECTIO	10/02/2023	615.00	615.00	10/20/2023
Total PARK COUNTY TREASURER - TECH:					615.00	615.00	
PARK COUNTY TREASURER/M.L.E.A.							
2156	PARK COUNTY TREASURER/M.	2023.10.2	SEPTEMBER 2023 COLLECTIO	10/02/2023	108.00	108.00	10/20/2023
Total PARK COUNTY TREASURER/M.L.E.A.:					108.00	108.00	
PARK COUNTY VICTIM WITNESS							
1544	PARK COUNTY VICTIM WITNES	2023.10.2	SEPTEMBER 2023 COLLECTIO	10/02/2023	280.00	280.00	10/20/2023
Total PARK COUNTY VICTIM WITNESS:					280.00	280.00	
PIPESTONE EQUIPMENT							
10001	PIPESTONE EQUIPMENT	14684	FIELD SERVICE	10/03/2023	244.80	244.80	10/12/2023
Total PIPESTONE EQUIPMENT:					244.80	244.80	
PRESTIGE WORLDWIDE TECHNOLOGIES LLC							
3807	PRESTIGE WORLDWIDE TECH	1957	CLERENCE ST WELL PUMP	09/07/2023	4,211.61	4,211.61	10/20/2023
Total PRESTIGE WORLDWIDE TECHNOLOGIES LLC:					4,211.61	4,211.61	
QUILL CORPORATION							
694	QUILL CORPORATION	34413051	PAPER	09/05/2023	20.58	20.58	10/12/2023
694	QUILL CORPORATION	34915113	DESK SUPPLIES	10/02/2023	31.06	31.06	10/20/2023
Total QUILL CORPORATION:					51.64	51.64	
RDO EQUIPMENT							
3592	RDO EQUIPMENT	2005014	SNOWPLOW BLADE	08/31/2023	31,000.00	31,000.00	10/12/2023
Total RDO EQUIPMENT:					31,000.00	31,000.00	
RIVERSIDE HARDWARE LLC							
3659	RIVERSIDE HARDWARE LLC	204429	BLADE SAW	09/07/2023	31.00	31.00	10/12/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
3659	RIVERSIDE HARDWARE LLC	204807	TAPE	09/12/2023	52.21	52.21	10/12/2023
3659	RIVERSIDE HARDWARE LLC	204844	PAINT	09/12/2023	17.98	17.98	10/12/2023
3659	RIVERSIDE HARDWARE LLC	205418	TAPE	09/20/2023	14.95	14.95	10/12/2023
3659	RIVERSIDE HARDWARE LLC	205575	SURGE PROTECT	09/22/2023	37.99	37.99	10/12/2023
Total RIVERSIDE HARDWARE LLC:					154.13	154.13	
RON AND SONS PAINTING							
3417	RON AND SONS PAINTING	2023.10.9	cleanup 825 w Callender	10/09/2023	200.00	200.00	10/12/2023
Total RON AND SONS PAINTING:					200.00	200.00	
SAFETRAC							
3143	SAFETRAC	41157	CDL Services	10/01/2023	517.00	517.00	10/12/2023
3143	SAFETRAC	41272	CDL Services	09/30/2023	143.90	143.90	10/12/2023
Total SAFETRAC:					660.90	660.90	
SALT LAKE WHOLESALE SPORTS							
2213	SALT LAKE WHOLESALE SPOR	93359	Buck	10/19/2023	191.78	191.78	10/26/2023
Total SALT LAKE WHOLESALE SPORTS:					191.78	191.78	
SANI-STAR							
10005	SANI-STAR	11105	RV DUMP	09/18/2023	2,850.00	2,850.00	10/12/2023
Total SANI-STAR:					2,850.00	2,850.00	
SCHAEFER PLASTICS NORTH AMERICA LLC							
10005	SCHAEFER PLASTICS NORTH	PCINV140777	TRASH CANS	09/27/2023	25,309.75	25,309.75	10/20/2023
Total SCHAEFER PLASTICS NORTH AMERICA LLC:					25,309.75	25,309.75	
SCHAEFFER MFG CO.							
1730	SCHAEFFER MFG CO.	AEQ2981-INV1	Oil	08/17/2023	925.20	925.20	10/12/2023
1730	SCHAEFFER MFG CO.	AEQ2981-INV1	Oil	08/17/2023	1,847.45	1,847.45	10/12/2023
Total SCHAEFFER MFG CO.:					2,772.65	2,772.65	
SEA WESTERN FIRE FIGHTING EQUIPMENT							
10005	SEA WESTERN FIRE FIGHTING	INV26310	NOZZLES E1	09/21/2023	2,017.29	2,017.29	10/12/2023
Total SEA WESTERN FIRE FIGHTING EQUIPMENT:					2,017.29	2,017.29	
SECURITY SOLUTIONS, INC.							
3020	SECURITY SOLUTIONS, INC.	18131-A	ALARM MONITORING	10/01/2023	96.00	96.00	10/20/2023
Total SECURITY SOLUTIONS, INC.:					96.00	96.00	
SHERWIN WILLIAMS							
443	SHERWIN WILLIAMS	1249-6	Paint	08/31/2023	8,872.50	8,872.50	10/12/2023
Total SHERWIN WILLIAMS:					8,872.50	8,872.50	
SHI INTERNATIONAL CORP.							
2907	SHI INTERNATIONAL CORP.	B17395703	SOFTWARE	09/21/2023	418.23	418.23	10/12/2023
2907	SHI INTERNATIONAL CORP.	B17395703	SOFTWARE	09/21/2023	836.46	836.46	10/12/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
2907	SHI INTERNATIONAL CORP.	B17395703	SOFTWARE	09/21/2023	418.23	418.23	10/12/2023
2907	SHI INTERNATIONAL CORP.	B17507673	SOFTWARE-CARTER	10/18/2023	521.14	521.14	10/26/2023
Total SHI INTERNATIONAL CORP.:					2,194.06	2,194.06	
SLEEPING GIANT ANIMAL CLINIC							
3645	SLEEPING GIANT ANIMAL CLINI	59853	RHINO	09/12/2023	122.25	122.25	10/12/2023
Total SLEEPING GIANT ANIMAL CLINIC:					122.25	122.25	
SPARK LASER CREATIONS							
3361	SPARK LASER CREATIONS	1738	Fire RESERVE OPS	10/03/2023	162.00	162.00	10/12/2023
Total SPARK LASER CREATIONS:					162.00	162.00	
SPECIAL LUBE							
1814	SPECIAL LUBE	2224-280-1362	Oil Change	09/29/2023	86.17	86.17	10/12/2023
1814	SPECIAL LUBE	224-280-13620	Oil Change	09/29/2023	86.17	86.17	10/12/2023
1814	SPECIAL LUBE	224-280-13933	Oil Change	10/11/2023	64.59	64.59	10/20/2023
1814	SPECIAL LUBE	224-280-13964	Oil Change	10/12/2023	60.00	60.00	10/20/2023
Total SPECIAL LUBE:					296.93	296.93	
STAFFORD ANIMAL SHELTER							
1439	STAFFORD ANIMAL SHELTER	37408	Boarding AND VACC	10/01/2023	3,333.33	3,333.33	10/12/2023
Total STAFFORD ANIMAL SHELTER:					3,333.33	3,333.33	
TD&H ENGINEERING, INC							
3390	TD&H ENGINEERING, INC	35300	ON CALL WATER MODELING	09/20/2023	241.50	241.50	10/20/2023
3390	TD&H ENGINEERING, INC	35300	MCEP WATER PROJECT APPLI	09/20/2023	1,326.00	1,326.00	10/20/2023
3390	TD&H ENGINEERING, INC	35300	ON CALL WRF DRYING BED	09/20/2023	1,007.00	1,007.00	10/20/2023
3390	TD&H ENGINEERING, INC	35300	ON CALL SKATE PARK	09/20/2023	1,309.00	1,309.00	10/20/2023
3390	TD&H ENGINEERING, INC	35300	ON CALL ARPA I&I PROJECT	09/20/2023	263.25	263.25	10/20/2023
3390	TD&H ENGINEERING, INC	35300	ON CALL ARPA I&I PROJECT	09/20/2023	263.25	263.25	10/20/2023
3390	TD&H ENGINEERING, INC	35300	ON CALL CITY PROJECTS LIST	09/20/2023	177.10	177.10	10/20/2023
3390	TD&H ENGINEERING, INC	35300	ON CALL CITY PROJECTS LIST	09/20/2023	177.10	177.10	10/20/2023
3390	TD&H ENGINEERING, INC	35300	ON CALL CITY PROJECTS LIST	09/20/2023	177.10	177.10	10/20/2023
3390	TD&H ENGINEERING, INC	35300	ON CALL CITY PROJECTS LIST	09/20/2023	177.10	177.10	10/20/2023
3390	TD&H ENGINEERING, INC	35300	ON CALL CITY PROJECTS LIST	09/20/2023	177.10	177.10	10/20/2023
3390	TD&H ENGINEERING, INC	35300	ON CALL TRAFFIC COUNT 4TH	09/20/2023	646.00	646.00	10/20/2023
3390	TD&H ENGINEERING, INC	35301	REGIONAL SEWER EXTENSION	09/20/2023	20,954.00	20,954.00	10/20/2023
3390	TD&H ENGINEERING, INC	35482	ON CALL WATER MODELING	10/06/2023	322.00	322.00	10/20/2023
3390	TD&H ENGINEERING, INC	35482	MCEP WATER PROJECT APPLI	10/06/2023	1,505.50	1,505.50	10/20/2023
3390	TD&H ENGINEERING, INC	35482	NORTHTOWN SUBDIVISION SE	10/06/2023	248.00	248.00	10/20/2023
3390	TD&H ENGINEERING, INC	35482	ON CALL WRF DRYING BED	10/06/2023	558.50	558.50	10/20/2023
3390	TD&H ENGINEERING, INC	35482	ON CALL GARNIER CORRECTI	10/06/2023	123.15	123.15	10/20/2023
3390	TD&H ENGINEERING, INC	35482	ON CALL ARPA I&I PROJECT	10/06/2023	824.00	824.00	10/20/2023
3390	TD&H ENGINEERING, INC	35482	ON CALL ARPA I&I PROJECT	10/06/2023	824.00	824.00	10/20/2023
3390	TD&H ENGINEERING, INC	35483	REGIONAL SEWER EXTENSION	10/06/2023	10,149.25	10,149.25	10/20/2023
3390	TD&H ENGINEERING, INC	35489	COL STORM WATER PER	10/13/2023	2,000.00	2,000.00	10/20/2023
3390	TD&H ENGINEERING, INC	35489	COL STORM WATER PER	10/13/2023	2,000.00	2,000.00	10/20/2023
Total TD&H ENGINEERING, INC:					45,449.90	45,449.90	
TEAR IT UP L.L.C.							
2999	TEAR IT UP L.L.C.	58694	Shredding	09/27/2023	89.20	89.20	10/26/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
2999	TEAR IT UP L.L.C.	59013	Shredding Finance Office	10/25/2023	65.80	65.80	10/26/2023
Total TEAR IT UP L.L.C.:					155.00	155.00	
THOMSON REUTERS - WEST							
2823	THOMSON REUTERS - WEST	849049278	Subscription	10/01/2023	353.65	353.65	10/12/2023
Total THOMSON REUTERS - WEST:					353.65	353.65	
TOTAL FIRE PROTECTION WEST LLC							
10004	TOTAL FIRE PROTECTION WES	12480370	pro services	05/17/2023	80.00	80.00	10/20/2023
10004	TOTAL FIRE PROTECTION WES	12490089	INSPECTION	10/16/2023	388.60	388.60	10/20/2023
10004	TOTAL FIRE PROTECTION WES	12490089	INSPECTION	10/16/2023	388.60	388.60	10/20/2023
10004	TOTAL FIRE PROTECTION WES	12490089	INSPECTION	10/16/2023	388.60	388.60	10/20/2023
10004	TOTAL FIRE PROTECTION WES	12490089	INSPECTION	10/16/2023	388.60	388.60	10/20/2023
10004	TOTAL FIRE PROTECTION WES	12490089	INSPECTION	10/16/2023	388.60	388.60	10/20/2023
TOTAL FIRE PROTECTION WEST LLC:					2,023.00	2,023.00	
TOWN & COUNTRY FOODS - LIVINGSTON							
2595	TOWN & COUNTRY FOODS - LI	160	Station supplies	10/06/2023	11.92	11.92	10/20/2023
2595	TOWN & COUNTRY FOODS - LI	2023.10.12	Water	10/12/2023	2.99	2.99	10/20/2023
2595	TOWN & COUNTRY FOODS - LI	210	Supplies	10/02/2023	26.79	26.79	10/12/2023
2595	TOWN & COUNTRY FOODS - LI	295	Station supplies	10/17/2023	22.77	22.77	10/26/2023
2595	TOWN & COUNTRY FOODS - LI	335	Station supplies	09/28/2023	20.38	20.38	10/26/2023
Total TOWN & COUNTRY FOODS - LIVINGSTON:					84.85	84.85	
TRANSUNION RISK & ALTERNATIVE							
3376	TRANSUNION RISK & ALTERNA	380349-20230	investigative resear	10/01/2023	75.00	75.00	10/12/2023
Total TRANSUNION RISK & ALTERNATIVE:					75.00	75.00	
TREE INCARNATION ARBOR CARE							
10004	TREE INCARNATION ARBOR CA	RM8226A	TREE INVENTORY	10/01/2023	3,000.00	3,000.00	10/12/2023
Total TREE INCARNATION ARBOR CARE:					3,000.00	3,000.00	
ULINE							
3564	ULINE	168562573	Station Supplies	09/18/2023	364.38	364.38	10/20/2023
Total ULINE:					364.38	364.38	
UPS STORE #2420, THE							
292	UPS STORE #2420, THE	2023.9.29	Shipment	09/29/2023	12.52	12.52	10/12/2023
Total UPS STORE #2420, THE:					12.52	12.52	
US BANK EQUIPMENT FINANCE							
10001	US BANK EQUIPMENT FINANCE	50346075	PRINTER	09/06/2023	273.23	273.23	10/12/2023
10001	US BANK EQUIPMENT FINANCE	512658386	PRINTER	09/30/2023	297.13	297.13	10/20/2023
Total US BANK EQUIPMENT FINANCE:					570.36	570.36	
US POST OFFICE							
2596	US POST OFFICE	2023.10	Postage for Utility Bills	10/05/2023	2,500.00	2,500.00	10/12/2023
2596	US POST OFFICE	2023.10	Postage for Utility Bills	10/05/2023	2,500.00	2,500.00	10/12/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
2596	US POST OFFICE	2023.10	Postage for Utility Bills	10/05/2023	2,500.00	2,500.00	10/12/2023
Total US POST OFFICE:					7,500.00	7,500.00	
UTILITIES UNDERGROUND LOCATION							
3472	UTILITIES UNDERGROUND LO	3095092	Excavation Notifica	09/30/2023	98.91	98.91	10/12/2023
3472	UTILITIES UNDERGROUND LO	3095092	Excavation Notifica	09/30/2023	98.91	98.91	10/12/2023
3472	UTILITIES UNDERGROUND LO	3095092	Excavation Notifica	09/30/2023	98.91	98.91	10/12/2023
Total UTILITIES UNDERGROUND LOCATION:					296.73	296.73	
VERIZON WIRELESS							
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	62.23	62.23	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	47.53	47.53	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	19.55	19.55	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	19.55	19.55	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	19.55	19.55	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	62.23	62.23	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	62.23	62.23	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	19.55	19.55	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	19.55	19.55	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	43.50	43.50	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	1.19	1.19	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	43.50	43.50	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	43.50	43.50	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	19.55	19.55	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	19.55	19.55	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	28.52	28.52	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	28.52	28.52	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	43.50	43.50	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	43.50	43.50	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	19.55	19.55	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	47.53	47.53	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	47.53	47.53	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	14.06	14.06	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	12.07	12.07	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	47.53	47.53	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	13.96	13.96	10/26/2023
879	VERIZON WIRELESS	9946357774	OCT CELLPHONES	10/08/2023	13.98	13.98	10/26/2023
879	VERIZON WIRELESS	9946357775	OCT CELLPHONES	10/08/2023	21.11	21.11	10/26/2023
879	VERIZON WIRELESS	9946357775	OCT CELLPHONES	10/08/2023	67.11	67.11	10/26/2023
879	VERIZON WIRELESS	9946357775	OCT CELLPHONES	10/08/2023	46.96	46.96	10/26/2023
879	VERIZON WIRELESS	9946357775	OCT CELLPHONES	10/08/2023	10.55	10.55	10/26/2023
879	VERIZON WIRELESS	9946357775	OCT CELLPHONES	10/08/2023	10.55	10.55	10/26/2023
879	VERIZON WIRELESS	9946357775	OCT CELLPHONES	10/08/2023	46.96	46.96	10/26/2023
879	VERIZON WIRELESS	9946357775	OCT CELLPHONES	10/08/2023	24.95	24.95	10/26/2023
879	VERIZON WIRELESS	9946357775	OCT CELLPHONES	10/08/2023	21.11	21.11	10/26/2023
879	VERIZON WIRELESS	9946357775	OCT CELLPHONES	10/08/2023	46.96	46.96	10/26/2023
879	VERIZON WIRELESS	9946357775	OCT CELLPHONES	10/08/2023	21.11	21.11	10/26/2023
879	VERIZON WIRELESS	9946357775	OCT CELLPHONES	10/08/2023	21.11	21.11	10/26/2023
879	VERIZON WIRELESS	9946357775	OCT CELLPHONES	10/08/2023	.00	.00	
879	VERIZON WIRELESS	9946357775	OCT CELLPHONES	10/08/2023	46.96	46.96	10/26/2023
879	VERIZON WIRELESS	9946357775	OCT CELLPHONES	10/08/2023	21.11	21.11	10/26/2023
879	VERIZON WIRELESS	9946357775	OCT CELLPHONES	10/08/2023	13.01	13.01	10/26/2023
879	VERIZON WIRELESS	9946357775	OCT CELLPHONES	10/08/2023	46.96	46.96	10/26/2023
879	VERIZON WIRELESS	9946357775	OCT CELLPHONES	10/08/2023	21.11	21.11	10/26/2023
879	VERIZON WIRELESS	9946357775	OCT CELLPHONES	10/08/2023	21.11	21.11	10/26/2023

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
879	VERIZON WIRELESS	9946357775	OCT CELLPHONES	10/08/2023	21.11	21.11	10/26/2023
879	VERIZON WIRELESS	9946357775	OCT CELLPHONES	10/08/2023	21.11	21.11	10/26/2023
879	VERIZON WIRELESS	9946357775	OCT CELLPHONES	10/08/2023	13.01	13.01	10/26/2023
879	VERIZON WIRELESS	9946357775	OCT CELLPHONES	10/08/2023	13.01	13.01	10/26/2023
879	VERIZON WIRELESS	9946357775	OCT CELLPHONES	10/08/2023	13.01	13.01	10/26/2023
879	VERIZON WIRELESS	9946357775	OCT CELLPHONES	10/08/2023	15.07	15.07	10/26/2023
879	VERIZON WIRELESS	9946357775	OCT CELLPHONES	10/08/2023	15.04	15.04	10/26/2023
Total VERIZON WIRELESS:					1,483.11	1,483.11	
VOICE PRODUCTS							
10002	VOICE PRODUCTS	AR113220	audio issues on system	10/18/2023	225.03	225.03	10/26/2023
Total VOICE PRODUCTS:					225.03	225.03	
WARREN WELDING, LLC							
10003	WARREN WELDING, LLC	12676	R&M SUPPLIES	07/31/2023	602.90	602.90	10/12/2023
Total WARREN WELDING, LLC:					602.90	602.90	
WASTE TEK SOLUTIONS							
10003	WASTE TEK SOLUTIONS	1363	COMPACTOR MAINT	09/27/2023	735.00	735.00	10/12/2023
Total WASTE TEK SOLUTIONS:					735.00	735.00	
WESTERN STATES FIRE PROTECTION CO							
10004	WESTERN STATES FIRE PROT	WSF551424	INSPECTION	09/22/2023	540.00	540.00	10/12/2023
Total WESTERN STATES FIRE PROTECTION CO:					540.00	540.00	
WHISTLER TOWING, LLC							
3237	WHISTLER TOWING, LLC	2327	TOW audi	10/20/2023	225.00	225.00	10/26/2023
Total WHISTLER TOWING, LLC:					225.00	225.00	
WISPWEST.NET							
2087	WISPWEST.NET	2023.10.22	Civic Center	10/22/2023	63.51	63.51	10/26/2023
2087	WISPWEST.NET	2023.10.22	LIVINGSTON SOCCER	10/22/2023	85.19	85.19	10/26/2023
Total WISPWEST.NET:					148.70	148.70	
YELLOWSTONE NEWS GROUP							
10005	YELLOWSTONE NEWS GROUP	414008	public hearing	08/26/2023	48.00	48.00	10/20/2023
10005	YELLOWSTONE NEWS GROUP	423017	PUBLIC NOTICE	09/25/2023	13.00	13.00	10/12/2023
10005	YELLOWSTONE NEWS GROUP	424082	public notice	09/20/2023	13.00	13.00	10/20/2023
10005	YELLOWSTONE NEWS GROUP	425561	PUBLIC NOTICE	10/09/2023	24.00	24.00	10/26/2023
10005	YELLOWSTONE NEWS GROUP	425764	public notice	09/23/2023	13.00	13.00	10/20/2023
10005	YELLOWSTONE NEWS GROUP	425768	public notice	09/23/2023	13.00	13.00	10/20/2023
10005	YELLOWSTONE NEWS GROUP	428811	PUBLIC NOTICE	10/09/2023	26.00	26.00	10/26/2023
Total YELLOWSTONE NEWS GROUP:					150.00	150.00	
YELLOWSTONE SPORTING GOODS							
576	YELLOWSTONE SPORTING GO	139865	CaSE TACTICAL	10/16/2023	73.98	73.98	10/20/2023
Total YELLOWSTONE SPORTING GOODS:					73.98	73.98	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Grand Totals:					622,038.23	622,038.23	

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

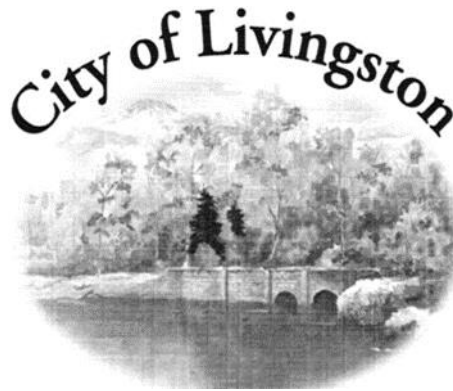
File Attachments for Item:

**C. CONSIDERATION OF CONTRACT 20041 WITH HUMAN RESOURCES DEVELOPMENT COUNCIL
REGION IX**

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: 11/7/2023
To: Chair Nootz and City Commissioners
From: Grant Gager, City Manager

**Staff Report for Consideration of Agreement 20041 with Human Resources
Development Council Region IX**

Recommendation and Summary

Staff is recommending the Commission approve Agreement 20041 with the Human Resources Development Council Region IX by adopting the following motion:

“I move to approve Agreement 20041 and authorize the City Manager to sign.”

The reasons for the recommendation are as follows:

- The FY 2024 City of Livingston approved budget included \$25,000 to fund a housing coordinator position.
- Working with the Human Resources Development Council Region IX, the Park County Housing Coalition has recently filled its Program Manager position.

Introduction and History

For the past several years, the Park County Housing Coalition has been working to advance affordable and workforce housing initiatives in the City of Livingston and Park County. Earlier this year, the Coalition identified a need to hire a full-time coordinator and create a steering committee to manage the activities of the Coalition.

Analysis

The approved FY 2024 City of Livingston budget included \$25,000 to fund a housing coordinator position. This funding will be combined with funding from other partners to establish a coordinator for the Coalition.

Fiscal Impact

The approved FY 2024 City budget included \$25,000 to fund a housing coordinator position.

Strategic Alignment

The development of housing programs and creation of units aligns with the City’s Growth Policy.

Attachments

- Attachment A: Proposed Agreement 20041
- Attachment B: HRDC Housing Program Manager Description

PROFESSIONAL SERVICES AGREEMENT

THIS PROFESSIONAL SERVICES AGREEMENT (this “Agreement”) is made and entered into as of the ____ day of _____, 2023, by and between the CITY OF LIVINGSTON, MONTANA, a municipal corporation and political subdivision of the state of Montana with its principal business office located at 220 East Park Street, Livingston, Montana 59047 (hereinafter referred to as the “City”), and Human Resource Development Council, District IX, a Montana corporation with its principal business office located at 32 Tracy Avenue, Bozeman MT 59715 (hereinafter referred to as the “Contractor”; and together with the City, the “Parties”).

RECITALS:

- A. Whereas, the City has budgeted funding in FY 2024 for the Program Manager position for the Park County Housing Coalition; and
- B. Whereas, The CONTRACTOR has created, advertised and filled the Program Manager position.

NOW, THEREFORE, in consideration of the foregoing recitals and the terms and conditions contained herein, the Parties agree as follows:

- 1. INCORPORATION OF RECITALS. The above Recitals are true and correct and are fully incorporated into this Agreement as if fully set forth in this Paragraph 1.
- 2. PURPOSE AND SCOPE OF SERVICES. City agrees to retain CONTRACTOR to perform all services and comply with all obligations specified or indicated in Exhibit A, which is attached hereto and incorporated herein as if fully set forth in this Paragraph 2 (the services described in this Paragraph 2 shall be collectively referred to hereinafter as the “Services”).
- 3. NON-DISCRIMINATION. Pursuant to Mont. Code Ann. § 49-3-207, in the performance of this Agreement the CONTRACTOR agrees that all hiring will be on the basis of merit and qualifications and that the CONTRACTOR will not be discriminate on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin.
- 4. NATURE OF RELATIONSHIP.

- a. The CONTRACTOR states that it is engaged in an established business or profession which is in no way affiliated with or connected to the City, except by this Agreement and that it uses independent judgment in the performance of services provided hereby free from control or direction of others. The CONTRACTOR shall perform the Services as an independent contractor. The Parties agree that the City is only interested in the end result of the Services, not in the method of performance, and as such, the CONTRACTOR has been and will continue to be free from the control or direction of the City in the performance of this Agreement.
- b. CONTRACTOR shall not be considered an employee of the City for purposes of tax, retirement system, or social security, FICA withholding, or for any other purpose. CONTRACTORS are not subject to the terms and provisions of the City's personnel policies and may not be considered a City employee for workers' compensation or any other purpose.
- c. The CONTRACTOR shall not be deemed by virtue of this Agreement nor the performance thereof to have entered into any partnership, joint venture, employer/employee or any other legal relationship with the City besides that of an independent contractor.
- d. The CONTRACTOR, its officers, agents and/or employees shall not have the authority to make representations on behalf of the City, and neither shall the aforementioned persons have the authority to legally bind or otherwise obligate the City to any third person or entity.
- e. CONTRACTOR shall furnish all labor, materials, supplies and incidentals necessary to conduct and complete the Services.

5. CONTRACTOR'S REPRESENTATIONS AND WARRANTIES. The CONTRACTOR represents and warrants as follows:

- a. It and its employees are licensed by the State of Montana and agree to perform the Services in a professional manner according to the standards of care, skill, knowledge and diligence normally exercised and in accordance with sound practices.
- b. It and its employees possess all of the necessary qualifications, experience, knowledge, tools and equipment to undertake the performance of the Services as set forth in this Agreement.

- c. It will comply with all applicable laws, rules, ordinances and regulations adopted or promulgated by any governmental agency or regulatory body, whether State, federal or local, and furthermore agrees to assume full responsibility for the payment of all contributions of all federal and state income or other payroll tax or assessment, social security, worker's compensation insurance, unemployment insurance, self-employment tax or any other required deduction or contribution for himself or for any employees engaged by the CONTRACTOR in performance of this Agreement.
- d. It will comply with the applicable requirements of the Workers' Compensation Act, Title 39, Chapter 71 of the Montana Code Annotated, and the Occupational Disease Act of Montana, Title 39, Chapter 71 of the Montana Code Annotated, and shall maintain workers' compensation coverage for all members and employees of the CONTRACTOR, except for those members who are exempted by law. CONTRACTOR shall furnish copies showing proof of workers' compensation coverage by an insurer licensed and authorized to provide workers' compensation insurance in the State of Montana or proof of exemption from workers' compensation granted by law for independent contractors.
- e. It has reviewed the contract documents related to the Services and this Agreement and has entered into this Agreement based solely upon its own knowledge, inspection and judgment, and not upon any representations or warranties made by the City or its officers, employees or agents.

6. PAYMENT.

- a. For the satisfactory completion of the Services, the City will pay the CONTRACTOR a sum not to not to exceed Twenty-five Thousand and No/100 Dollars (\$25,000.00).
- b. The CONTRACTOR may submit monthly requests for payment based on actual work performed.
- c. In connection with obtaining payment under this Agreement, CONTRACTOR agrees to familiarize itself with, and agrees to be bound by, the City's claim procedure, including but not limited to deadlines for submitting claims for approval and payment. The CONTRACTOR assumes responsibility for the late filing of a claim.
- d. In the event the CONTRACTOR seeks payment or compensation for work, materials or services not included in this Agreement and the exhibits hereto, the CONTRACTOR must seek prior written authorization from the City before such

expenditure is incurred. If the CONTRACTOR fails to obtain prior written authorization, the CONTRACTOR shall not be entitled to payment for the unauthorized work, materials or services.

7. TERMINATION OF THIS AGREEMENT. The City reserves the right to terminate this Agreement for any and all causes, or for its convenience, at any time upon fifteen (15) days written notice to the CONTRACTOR. If termination is effected by the City for default, an equitable adjustment in the fee shall be made, but no amount shall be allowed for anticipated profit or unperformed services. If termination is effected by the City for reasons of convenience, an equitable adjustment in the fee shall be made, including reasonable profit. The equitable adjustment for any termination shall provide for payment to the CONTRACTOR for services rendered and expenses incurred prior to the termination. Upon termination, the CONTRACTOR will cease work and deliver to the City all data, design drawings, specifications, reports, estimates summaries and such other information and material accumulated by the CONTRACTOR in performing this Agreement whether completed or in progress.

8. OWNERSHIP AND PUBLICATION OF MATERIALS. All documents, design drawings, data, specifications, reports, estimates and such other information and material accumulated or prepared as a result of this Agreement are the property of the City, and the City shall have exclusive and unrestricted authority to release, publish or otherwise use, in whole or in part, information relating thereto. Any reuse without written verification or adaptation by the CONTRACTOR for the specific purpose intended will be at the City's sole risk and without liability or legal exposure to the CONTRACTOR. The City hereby grants to the CONTRACTOR an unlimited, royalty-free, worldwide, non-exclusive license regarding such documents, design drawings, data, specifications and reports prepared by the CONTRACTOR as part of its services under this Agreement.

9. INDEMNIFICATION AND HOLD HARMLESS. The CONTRACTOR waives any and all claims and recourse against the City, its officers, agents or employees, including the right of contribution for loss and damage to persons or property arising from, growing out of, or in any way connected with or incident to the CONTRACTOR's performance of this Agreement, except for liability arising out of concurrent or sole negligence of the City or its officers, agents or employees. Further, the CONTRACTOR will indemnify, hold harmless, and defend the City, its officers, employees and agents against any and all claims, demands, damages, costs, expenses or liability arising out of the CONTRACTOR's negligent performance of this Agreement, except for liability arising out of the concurrent or sole negligence of the City or its officers, agents or employees.

- 10. INSURANCE. The CONTRACTOR will carry a general liability insurance and professional errors and omissions insurance during the term of this Agreement in an amount of not less than One Million Five Hundred Thousand and No/100 Dollars (\$1,500,000.00) per occurrence, and Seven Hundred Fifty Thousand and No/100 Dollars (\$750,000.00) per claim. Copies of certificates of insurance, suitable to the City, shall be filed with the City and are attached hereto and incorporated herein as Exhibit C. The CONTRACTOR shall also maintain workers' compensation and unemployment insurance, as well as other insurances as may be required by law for employers, or an exemption from the state of Montana.

- 11. CONFLICT OF INTEREST. The CONTRACTOR covenants that it presently has no interest and will not acquire any interest, direct or indirect, in the Services which would conflict in any manner or degree with the performance of the Services. The CONTRACTOR further covenants that, in performing this Agreement, it will employ no person who has any such interest.

- 12. NOTICES. All notices or communications required to be given under this Agreement shall be in writing and shall be deemed to have been duly given by personal delivery or upon deposit into the United States Postal Service, postage prepaid, for mailing by certified mail, return receipt required and addressed, to the address set forth in this Agreement. Any change of address shall be made by giving written notice thereof to the other party, providing the new address.

- 13. MODIFICATION AND WAIVER. No amendment, modification or waiver of any condition, provision or term of this Agreement shall be valid or of any effect unless made in writing, signed by the party or parties to be bound and specifying with particularity the nature and extent of such amendment, modification or waiver. Any waiver by any party of any default of the other party shall not effect or impair any right arising from any subsequent default. Nothing herein shall limit the remedies or rights of the parties hereunder and pursuant to this Agreement.

- 14. SEVERABILITY. Each provision of this Agreement is intended to be severable. If any provision of this Agreement is illegal or invalid for any reason whatsoever, such illegality or invalidity of said provision shall not affect the validity of the remainder of this Agreement.

- 15. ENTIRE AGREEMENT. This Agreement contains the entire understanding of the Parties in respect to the Services and supersedes all prior agreements and understandings between the Parties with respect to the Services.

- 16. INTERPRETATION. All captions, headings, or titles in the paragraphs or sections of this Agreement are inserted for convenience or reference only and shall not constitute a part of this Agreement or act as a limitation of the scope of the particular paragraph or section to which they apply. As used herein, where appropriate, the singular shall include the plural and vice versa and the masculine, feminine or neuter expressions shall be interchangeable.
- 17. TIME IS OF THE ESSENCE. Time is of the essence in performance of this Agreement.
- 18. COUNTERPARTS. This Agreement may be executed in multiple counterparts, each of which shall be one and the same Agreement and shall become effective when one or more counterparts have been signed by each of the parties and delivered to the other party.
- 19. PARTIES IN INTEREST AND ASSIGNMENT. This Agreement shall be binding upon, and the benefits and obligations provided for herein shall inure to and bind, the Parties and their respective successors and assigns, provided that this section shall not be deemed to permit any transfer or assignment otherwise prohibited by this Agreement. This Agreement is for the exclusive benefit of the Parties and it does not create a contractual relationship with or exist for the benefit of an third party. This Agreement shall not be assigned, or any right or obligation hereunder, in whole or in part, to another without first having prior written consent of the other party. No assignment or transfer of any interest under this Agreement shall be deemed to release the CONTRACTOR from any liability or obligation under this Agreement, or to cause any such liability or obligation to be reduced to a secondary liability or obligation.
- 20. APPLICABLE LAW AND VENUE. This Agreement and the rights and obligations of the Parties shall be governed by and interpreted in accordance with the laws of the State of Montana. The parties stipulate and agree that the Montana Sixth Judicial District Court, Park County, has proper venue and jurisdiction to resolve all causes of action which may accrue in the performance of this Agreement.
- 21. LIAISON. The designated liaisons with the City is Grant Gager who may be reached at (406) 223-4475. The CONTRACTOR’s liaison is Lila Fleishman, who can be reached at (406) 585-4943.
- 22. ATTORNEY FEES. In the event either party incurs legal expenses to enforce the terms and conditions of this Agreement, the prevailing party shall be entitled to recover its reasonable attorney fees and other costs and expenses, whether the same are incurred with or without suit.

- 23. COMPUTING TIME. For the purpose of calculating time under this Agreement, the following computation shall be used: If the period is stated in days or a longer unit of time, exclude the day of the event that triggers the period, count every day, including intermediate Saturdays, Sundays, and legal holidays, and include the last day of the period, but if the last day is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday.

- 24. CONTRACTORS. The CONTRACTOR shall not at any time supervise, direct, control, or have authority over any contractor's work, nor shall the CONTRACTOR have authority over or be responsible for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, or the safety precautions and programs incident thereto, for security or safety at a project site, nor for any failure of a contractor to comply with laws and regulations applicable to such contractor's furnishing and performing of its work. The CONTRACTOR neither guarantees the performance of any contractor nor assumes responsibility for any contractor's failure to furnish and perform its work in accordance with the contract between the City and such contractor. The CONTRACTOR shall not be responsible for the acts or omissions of any contractor, subcontractor, or supplier, or of any of their agents or employees or of any other persons (except the CONTRACTOR's own employees) at a project site or otherwise furnishing or performing any construction work, or for any decision made regarding the construction contract requirements, or any application, interpretation, or clarification of the construction contract other than those made by the CONTRACTOR.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in Livingston, Montana, the day and year first aforementioned herein.

CITY OF LIVINGSTON

**HUMAN RESOURCES
DEVELOPMENT COUNCIL, REGION
IX**

**Grant Gager
City Manager**

**Heather Grenier
President**

Exhibit A

Scope of Services

The contract work is generally described as staffing and managing the Program Manager for the Park County Housing Coalition in support of housing efforts in Park County and Livingston, Montana. It is expected that the Program Manager will coordinate the efforts of the Park County Housing Coalition including support of the Coalition’s meetings and events.

In addition, the Program Manager will be expected to support the City of Livingston’s efforts in the creation of affordable and workforce housing units. Such work shall include:

1. Providing Data and Information to the City on housing and population in Montana, Park County and Livingston, as requested. Specific data to be provided is expected to be related to: Area Median Income, Housing Unit Creation, Market Rental Rates, Market Sales Activity.
2. Supporting the development of informational materials and outreach efforts educating the public and development community on policies, processes and requirements of the City of Livingston and its Municipal Code.
3. Supporting the City’s Planning and Building Departments in the review and consideration of proposed development projects.
4. Reviewing proposed policies, ordinance, resolutions and other actions of the City related to housing, as requested by the City of Livingston.

The Program Manager job description is shown on the following pages.

Human Resource Development Council, District IX

32 South Tracy Ave.

Bozeman, MT 59715

406-587-4486

Section I – Position Identification	
Job Title: Program Manager for Park County Housing Coalition	Classification: Grade 9 (Exempt)
Department: Community Development	Division: Community Development
Primary Work Location: Livingston, Montana	Reports To: Community Development Director

Section II – Description of Duties Performed

General Summary of Purpose of this Position: The Park County Housing Coalition Manager will serve as the HRDC local staff person for the Park County Housing Coalition (PCHC). The position will be responsible for the overall operation and administration of the PCHC and programs and development of the PCHC. Additional responsibilities will include organizational management, customer, community, and donor relations, facilitation of subcommittees, fund development, outreach and education, financial management, and identification and implementation of strategic priorities. Together with the HRDC Board of Directors, PCHC Advisory Council, and HRDC staff provide vision and leadership for the organization and assist with strategic and policy planning and development.

Specific Duties and Responsibilities:

Duty Statements. This position has the following duties and responsibilities. They are listed starting with the most important. The percentage at the end of each statement is an estimate of the percentage of time spent on each duty. This listing does not include minor duties which constitute less than 5% of the position’s time, unless such duties are significantly important or critical to the success of the position. Each of the duties listed below is considered an essential function of this job. (Essential functions are those functions that the employee must be able to perform unaided or with the assistance of a reasonable accommodation. Regular and predictable work schedule and attendance are considered essential functions).

	Primary Job Duties and Responsibilities	Time Spent %
--	--	---------------------

Importance Rank		
1	<p>Program Management</p> <ul style="list-style-type: none">● Provide project management oversight of all current and potential PCHC projects● Work with Community Development staff to design and implement the multi-year strategies and goals of the PCHC Action Plan● Monitor contractual agreements for compliance● Maintain complete records regarding the status of all PCHC projects and the activities associated with each project● Inform PCHC Advisory Council regarding negotiations, contracts and due diligence● Direct work with local partners and jurisdictions● Build and sustain trust-based relationships with internal and external stakeholders.● Serve as local administrative contact for PCHC projects● Attend appropriate meetings, workshops, and conferences as required● Gain approval of an annual work plan, including the development of strategic partnerships and collaborations	40

<p>2</p>	<p>Financial management, fundraising, compliance and reporting</p> <ul style="list-style-type: none">• Prepare information related to the development and maintenance of budgets for review, approval, and implementation• Prepare budget updates and projections as required• Monitor all activities to meet budget• Coordinate with Fiscal Department to assure compliance with fund restrictions, allocations and financial policies• Review and approve vendor claims for payment.• Responsible for gathering, tracking and timely submission of required returns and reports on PCHC projects• Oversee and ensure compliance with state and federal housing requirements• Observe bylaws and alert the PCHC Advisory Council when changes may be necessary• Establish new philanthropy systems and key performance metrics and demonstrate continued success in meeting targets, personally and as a team.• Demonstrate working knowledge of affordable and workforce housing programs' best practices, stewardship, compliance, funding mechanisms, target markets, and requirements, including, but not limited to: Land Trusts, affordable rentals, and emergency housing.• Prepares grant packages for review by Community Development Director and submittal to funding source• Compile the Annual Report, program overviews, dashboards, and other agency reports• Assist Community Development Director with compiling data for, writing, and updating Community Needs Assessment• Generate reports for the Community Development Director as required• Provide documentation, record keeping, and data entry support as needed	<p>35</p>
----------	--	-----------

<p>3</p>	<p>Outreach</p> <ul style="list-style-type: none"> ● Work with PCHC Advisory Council, staff and volunteers to oversee and coordinate outreach to partners, local and state governments, the media, Land Trust members, customers and the public at-large ● Participate and partner with other local agencies on issues of common interest ● Craft and monitor dialogue that is shared externally at public forums, through media or at partner meetings 	<p>15</p>
<p>4</p>	<p>Management team</p> <ul style="list-style-type: none"> ● Strategic plan implementation ● Management action plan implementation ● Participate in management team meetings and planning sessions ● Represent HRDC in community discussions 	<p>10</p>

Knowledge Skills and Abilities

- Ability to effectively work and communicate promptly with a wide range of individuals from all socio-economic groups
- Ability to work with minimal supervision and effectively design strategic short term and long term goals: manage workflow to meet those goals.
- Ability to respond effectively to the most sensitive inquiries or complaints from customers or claimants
- Ability to present self and organization in a positive professional manner
- Demonstrated ability to communicate and function with other professionals, community groups, staff
- Strong organizational skills and ability to prioritize tasks, demonstrated success in project management
- Ability to effectively supervise employee
- Demonstrated knowledge of applicable confidentiality guidelines and regulations
- Ability to maintain absolute confidence with privileged information
- Ability to read, interpret, and implement financial reports, governmental regulations, rules, and procedure manuals

- Strong public speaking skills, networking and staff and board communications
- Proficient in Microsoft Suite, Google Suite and familiarity with Salesforce, Adobe Suite, and additional online tools for digital communications
- Ability to define problems, collect data, establish facts, and draw valid conclusions
- Ability to interpret a variety of instructions furnished in written, oral, diagram, or schedule form;
- Ability to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists;

Preferred

- Understanding of Community Land Trust history, principles, practices and activities
- Familiarity with Park County communities or region and associated housing issues
- Experience with fundraising, grant writing and community development

Education and Experience

Education: The following course(s) of study or class work usually provides the required knowledge skills and abilities to perform the duties of this position:

- Bachelor's degree from a four-year college or university in a relevant field of study
- Demonstrated equivalent relevant experience may be considered in lieu of degree.

Experience: The following kinds of experience usually provide the required knowledge skills and abilities to perform the duties of this position:

- At least five years of experience in a non-profit housing, community development or other
- At least five years of supervisory experience desired
- Experience working collaboratively with and reporting to a Board of Directors and/or Advisory Council.
- Demonstrated experience in housing and housing development in the affordable housing arena
- Experience working with federal, county, and city housing agencies, including an understanding of real estate finance and/or development.
- Experience interacting with a variety of constituencies, including but not limited to Board, Council, staff, members, donors, volunteers, homeowners, municipal and state officials, media, attorneys, real estate professionals, contractors and developers, and the general public
- Demonstrated successful budget development and management
- At least three years of fundraising experience and nonprofit sector experience highly preferred

HRDC, Professional or Governmental Policies and Regulations:

- All pertinent state and federal housing regulations and laws.

- HRDC, Park County Housing Coalition, Montana Board of Housing, Low Income Housing Tax Credits, Community Land Trust, and HUD policies and procedures.

Professional Licenses or Certifications Required by Law, Rule or Regulation for Performing this Position:

None

Professional Licenses or Certifications that would be useful but are not required:

All State and Federal certifications required per funding sources must be obtained within 6 months of requirement. Failure to obtain certification can result in termination of employment.

Section III – Supervision

Supervision Received:

This position operates under general supervision. The incumbent’s work is primarily assigned by daily workflow and operations. The incumbent is authorized to make decisions as to the timing and sequence of work and the work is performed according to established policies and procedures and/or within applicable laws, rules and regulations governing the tasks being performed.

This position supervises the following position(s):

May supervise subordinate administrative support staff, interns or volunteers.

This position has the following supervisory responsibilities:

This position may have responsibility for assigning and checking work and recommends hiring, disciplining, pay adjustments or status changes

Section IV – Decisions

Impact of Decisions and Errors Made by Position:

Decisions, final recommendations and/or errors affect the continuation of existing Programs with respect to federal, state and county compliance

Judgment Required to Make Decisions:

Requires judgment from time to time in the application of broader aspects of established practices to problems and situations not falling clearly or concisely within the limitations of accepted standards or precedents.

Exception Authority:

This position cannot authorize exceptions to policy or procedure.

Section V – Financial Responsibility

Handles cash or checks:

- Prepare purchase orders for review and approval by supervisor, ensuring proper coding of payment requests according to current funding available and associated contract eligibility requirements
- Monitor expenditures and revenue
- Under the direction of the Community Development Director, updates monthly budget.

Section VI – Personal Contacts

The incumbent is responsible for the following personal contacts (either in oral or written form) when performing the Duties and Responsibilities of the Position:

- Daily interaction with the public or consumers
- Interacts with program managers, executives, PCHC Advisory council, HRDC board and/or committees several times a year
- Interacts with representatives of other service providers on a weekly or more frequent basis
- Interacts with funding agencies to provide information or exchange facts
- Interacts with governmental compliance or auditors to provide information or exchange facts

Confidentiality:

- The incumbent has full and complete access to reports, records, and client files within the program where utmost judgment is required.
- The incumbent may have access to salary information for HRDC support staff.
- If this confidential information were disclosed it may be detrimental to agency/client interests. Release of such information may also violate disclosure laws.

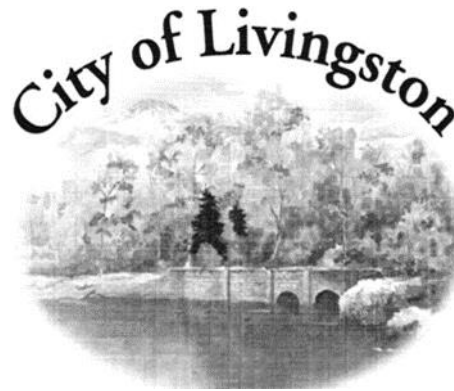
File Attachments for Item:

D. CONSIDERATION OF AGREEMENT 20042 WITH NORTHWESTERN ENERGY

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: 11/7/2023
To: Chair Nootz and City Commissioners
From: Grant Gager, City Manager

**Staff Report for Consideration of Agreement 20042 with
Northwestern Energy**

Recommendation and Summary

Staff is recommending the Commission approve Agreement 20042 with the Northwestern Energy by adopting the following motion:

“I move to approve Agreement 20042 and authorize the City Manager to sign.”

The reasons for the recommendation are as follows:

- The City of Livingston hosts infrastructure on its property to serve residents.
- Northwestern Energy has identified a need to place a transformer on certain City property and has requested an easement.

Introduction and History

The City of Livingston owns and maintains property throughout the City to ensure its operational capabilities and for the benefit of residents and taxpayers. The City routinely partners with governmental and private partners to coordinate the placement of infrastructure assets that serve residents and taxpayers of the City. Northwestern Energy has identified a need to improve its electric distribution infrastructure that serves the area within and surrounding Sacajawea Park.

Analysis

The utility has identified a lightly used and non-central location for a transformer within the Park and is seeking approval for placement in the location identified in Attachment B. The City Public Works and Building Departments, including the Parks Division, have reviewed the location and do not have concerns with the proposed placement.

Fiscal Impact

There is no fiscal impact to the proposed easement.

Strategic Alignment

Ensuring adequate infrastructure is critical to the delivery of services to the community.

Attachments

- Attachment A: Proposed Agreement 20042
- Attachment B: Map of Proposed Location

After Recording, Return To:
NorthWestern Energy
Land & Permitting Department
11 East Park Street
Butte, MT 59701

UNDERGROUND ELECTRIC EASEMENT

CITY OF LIVINGSTON, a Municipal Corporation of the State of Montana, of 414 East Callender Street, Livingston, MT 59047-2746 ("Grantor"), in consideration of \$1.00 and other good and valuable consideration, in hand paid, the receipt of which is acknowledged, does grant and convey to **NORTHWESTERN CORPORATION, a Delaware corporation, d/b/a NORTHWESTERN ENERGY**, of 11 East Park, Butte, MT 59701, ("Grantee"), and to its successors, assigns and apportionees, an easement six (6) feet long by six (6) feet wide, upon which to construct, operate, maintain, replace, upgrade, and remove an underground electric powerline, communications system, and necessary appurtenances, over, under, along and across that certain real property located in Park County, Montana, and particularly described as follows:

Township 2 South, Range 9 East, P.M.M.
Section 24: Lot 6, also known as Sacajawea Park in Livingston, Montana.

For an illustration of the approximate location of the easement area, see Exhibit "A" attached hereto and by this reference made a part hereof.

TOGETHER with reasonable right of access to and from the easement area over lands of the Grantor using existing roads and trails where practicable; the right to use and keep the easement area free and clear of any and all obstructions or structures, except fences; and the right to clear and remove all timber, brush, or vegetation outside of the easement area that may in the Grantee's sole opinion, endanger the powerline, communications system, or necessary appurtenances. The Grantee may temporarily use an additional workspace as needed adjacent to the easement during construction.

GRANTOR covenants with the Grantee that the Grantor is lawfully seized and possessed of the real estate above-described, and that the Grantor has a good and lawful right to convey it, or any part thereof.

DATED this _____ day of _____, 2023.

City of Livingston, a Municipal Corporation of the State of Montana

By: _____

Its: _____

Attest: _____

After Recording, Return To:
NorthWestern Energy
Land & Permitting Department
11 East Park Street
Butte, MT 59701

STATE OF _____)
)ss.
COUNTY OF _____)

On this _____ day of _____, 2023, before me, a notary public in and for said State, personally appeared _____, known to me to be the _____ of City of Livingston, a Municipal Corporation of the State of Montana, the municipal corporation that executed this document and acknowledged to me that such municipal corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the date first above written.

(NOTARY SEAL)

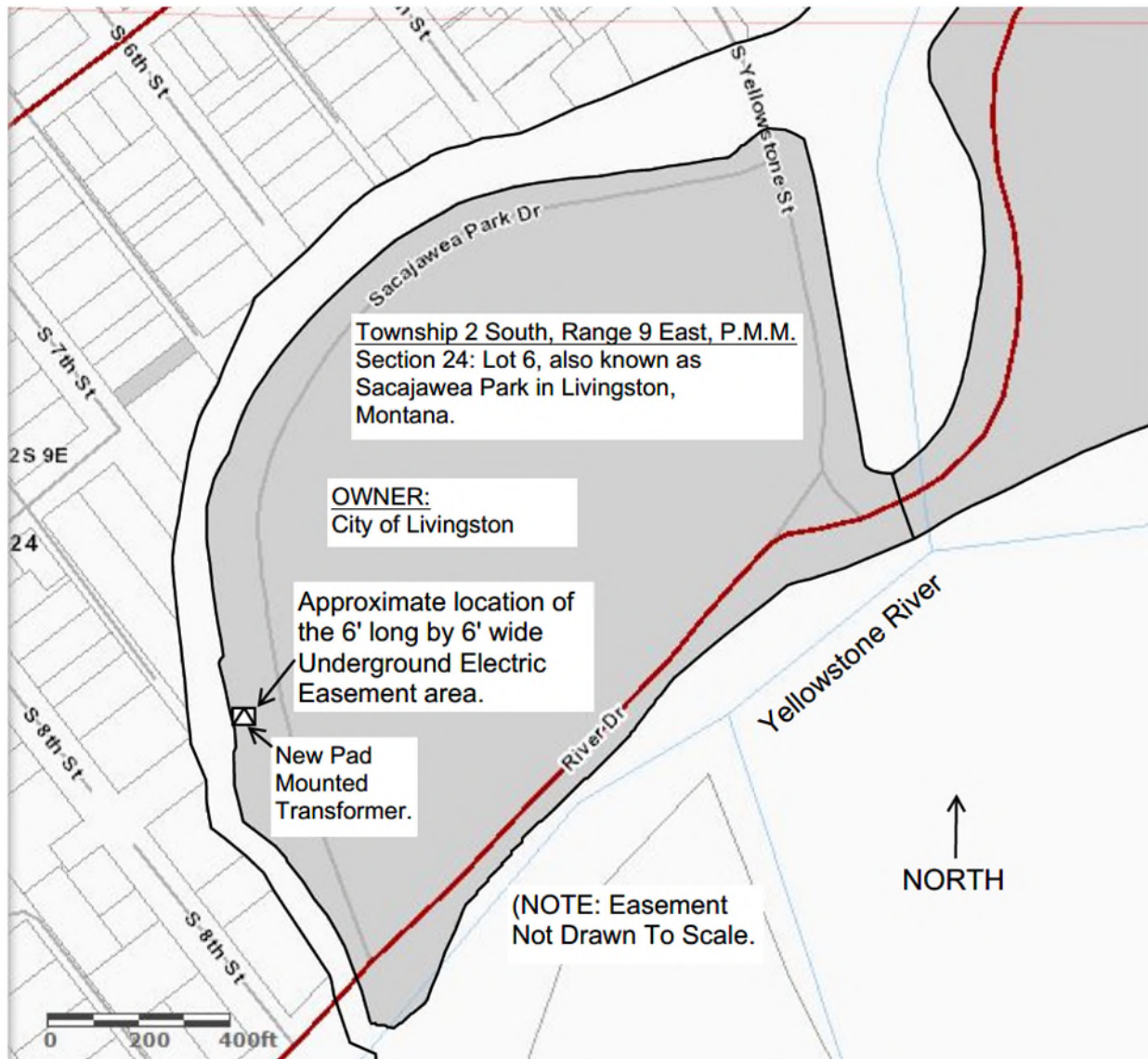
Print Name: _____
Notary Public for the State of _____
Residing at: _____
My Commission Expires: _____

Project: LIV WS 3 Cutover
Agent: Jeffrey Harmon
Engineer: Bailey McCracken
SAP No.: 24156908-1120
QRM No.: _____

After Recording, Return To:
NorthWestern Energy
Land & Permitting Department
11 East Park Street
Butte, MT 59701

EXHIBIT "A"

Attachment to Underground Electric Easement dated _____, by and between City of Livingston, a Municipal Corporation of the State of Montana, as Grantor, to NorthWestern Corporation, a Delaware corporation, d/b/a NorthWestern Energy, as Grantee.



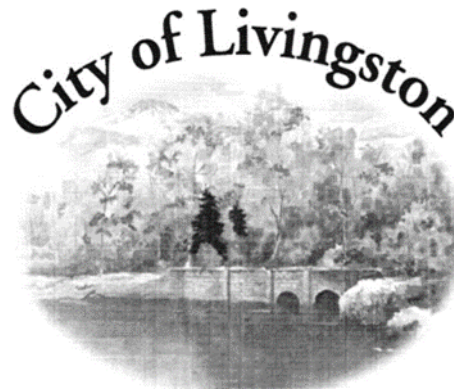
File Attachments for Item:

A. ORDINANCE 3043, AN ORDINANCE OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 30 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED ZONING BY ADDING NEW SECTION 30.47 ENTITLED PLANNED UNIT DEVELOPMENTS AND PROVIDING A REPEALER, SAVINGS, SEVERABILITY AND EFFECTIVE DATE.

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: November 7, 2023
To: Chair Nootz and City Commissioners
From: Jennifer Severson, Planning Director

Staff Report to Introduce a Planned Unit Development (PUD) Zoning Ordinance to Chapter 30 of the Livingston Municipal Code

Recommendation and Summary

Staff recommends the Commission approve the creation of a PUD Ordinance to be added to the City of Livingston Zoning Code Chapter 30 by adopting the following motion:

“I move to approve Ordinance 3043 to create a Planned Unit Development Ordinance for addition to the Livingston Zoning Code as Section 30.47 and to authorize the Chair to sign Ordinance 3043.”

The reasons for the recommendation are as follows:

- The 2021 Growth Policy recommended the creation of a Planned Unit Development (PUD) zoning district.
- The purpose of a PUD Ordinance is to allow flexibility from design standards and density requirements from the existing zoning in a defined area of development.
- PUDs encourage more efficient use of land and public services than is typically attainable under standard zoning application.

Introduction

The PUD Ordinance creation was initiated in response to the recommendation in Chapter 11’s Land Use Recommendations in the 2021 Growth Policy as a means to provide flexibility from design standards and existing zoning. By allowing for context sensitive design that conforms to topography and minimizes site impacts, PUD zoning encourages clustered development, diverse housing types, mixed land uses, and natural resource preservation. Staff reviewed and evaluated several PUD Ordinances from around the state in similarly-sized communities that are experiencing comparable growth pressures as is Livingston. Staff presented findings and recommendation to the Zoning Commission at its June 13, 2023 meeting and the Zoning Commission voted unanimously to recommend the City Commission approve the proposed PUD Ordinance.

During the October 3, 2023 City Commission meeting, the Commission made revisions to the proposed PUD Ordinance related to: PUD Ordinance intent; requirement for residential uses in all PUDs; and removing the requirement that at least half of open space must be ‘active’ in nature and use. Revisions are highlighted in the attached updated Ordinance 3043 in yellow.

Analysis

The citizens of Livingston are increasingly looking for ways to effectively address challenges associated with growth. The 2021 Growth Policy promotes infill development over annexation to address continued growth and development within the City; however, the current zoning ordinance does not fully support the Growth Policy. As less raw land is available to develop, the vacant land that is available often can have physical constraints that limit site development opportunities. Furthermore, housing costs continue to rise and, for many Livingston residents, these costs are becoming increasingly unaffordable.

PUDs can provide the flexibility needed to make new development financially feasible for developers by providing bonuses- or incentives- to increase density, height and/or have impact fees waived. In return, developers must provide public benefits that have been identified in the Growth Policy as being desirable to increase quality of life for the City’s residents- those are: affordable housing, reduced vehicular trips (i.e. less traffic) open space preservation, and mixed use development.

The Planned Unit Development is a zoning district intended to encourage more efficient use of land and public services than is generally attainable under standard zoning application. Conventional area and density requirements are replaced by application of the PUD district to lands upon which an approved plan becomes the basis for control of land development. To achieve the stated intent, a PUD shall further [a majority of the following objectives](#):

1. Protect natural and cultural resources
2. Encourage open space and recreational areas beyond the minimum subdivision requirements
3. Promote a more effective use of land than the base zoning district would allow, resulting in clustered development and a more condensed network of utilities and streets
4. Encourage mixed uses in residential zoning districts as a means to improve convenience and access to daily necessities by area residents
5. Reduce vehicular trip generation through mixed use development and enhanced multi-modal connectivity
6. Encourage affordable/ workforce housing development
7. Support the adopted City of Livingston Growth Policy

Rather than requiring strict adherence to zoning requirements and design standards, PUDs allow for a more flexible, holistic and site-based approach to development that integrates constraints and opportunities into the process and encourages individual projects to be evaluated based on their unique challenges and merits.

Because the establishment of a PUD involves rezoning and site design, both the Zoning Commission and the Planning Board will be involved in the recommendation process to advise the City Commission on its decision. Additionally, because each PUD application involves a request to deviate from existing zoning and/or design standards, staff is recommending a public work session be included at the beginning of the review process. This work session will allow residents who may potentially be impacted by the proposed development to weigh in and, hopefully, encourage developers to address community concerns early in the planning process.

The uniqueness of each PUD application will require additional review time by staff and advisory boards; consequently, staff is recommending a minimum 1/2-acre size for all proposed PUDs. To maintain consistency with the existing zoning code, PUDs will only be allowed in those zoning districts where residential development is allowed; the exception to this is the R-I district. PUDs will be allowed in the R-II, RII-MH, R-III RMO, MU, CBD and HC zoning districts. [All PUDs shall include residential uses.](#) To

promote mixed use development, developer incentives will be awarded in exchange for dedicated building floor area to commercial uses. Commercial uses in a PUD must be appropriately scaled and compatible with the proposed development and with respect to the neighborhood surrounding the PUD. Commercial uses should be located, designed and operated to serve, primarily, the needs of residents within the PUD and, secondarily, those residing outside the PUD. Staff recommends Light Industrial uses be allowed in PUDs, provided they are appropriately scaled and compatible with the proposed development and with respect to the surrounding neighborhood. Heavy Industrial uses are not allowed.

Below is a table that identifies Developer Incentives and Public Benefits as included in the proposed PUD Ordinance:

DEVELOPER INCENTIVES	PUBLIC BENEFITS
1. Residential Density Bonus	A. 10% deed restricted Affordable Housing units (min. 2 units)
2. Height Increase	B. Deed restricted Affordable Housing units at or below 60% AMI
3. Waived Impact Fees	C. 10% reduction in vehicular trips to be generated by the PUD
	D. Open Space area is at least 20% of PUD
	E. Commercial Uses in at least 5% of total building floor area

Findings of Fact for Proposed Zoning Text Amendment

As this ordinance will create a standalone section of code rather than update an existing part of the Code, there is no redlined version of existing code provided for review.

Criteria and Guidelines for Zoning Regulations (MCA 76-2-304):

(1) Zoning regulations must be:

(a) made in accordance with a growth policy:

Staff Comments:

- The proposed text amendment supports the recommendation in the Growth Policy to create a PUD Ordinance and, therefore, directly supports the goals and strategies of the Growth Policy.

(b) designed to:

(i) secure safety from fire and other dangers;

Staff Comments:

- Staff does not anticipate the proposed PUD Ordinance will impact the threat of fire or other danger to the public.

(ii) promote public health, public safety, and the general welfare; and

Staff Comments:

- By allowing for context sensitive design that conforms to topography and minimizes site impacts, PUD zoning encourages clustered development, affordable housing, mixed land uses, and natural resource preservation. Under the new ordinance, developers may receive incentives based on the provision of certain public benefits. Staff finds that with careful consideration of each unique PUD application by the Zoning Commission, Planning Board and the City Commission, the proposed text amendment will not adversely impact the health, safety or general welfare of the public.

(iii) facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.

Staff Comments:

- A project reviewed as a PUD is required to provide a public benefit, such as reducing traffic, affordable housing, commercial uses, and/or additional open space over the minimum required by Subdivision regulations. Therefore, it is not anticipated the proposed text amendment will impact the adequate provision of transportation, water, sewerage, schools, parks or other public requirements.

(2) In the adoption of zoning regulations, the municipal governing body shall consider:

(a) reasonable provision of adequate light and air;

Staff Comments:

- Although the ordinance allows for a moderate height bonus as an incentive to developers in the R-II (Medium Density Residential) District, the maximum height allowed is 40 feet; therefore, staff does not anticipate this will impact the reasonable provision of adequate light or air in the new development.

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

Staff Comments:

- A stated objective of the PUD Ordinance is to reduce vehicular trip generation through mixed use development and enhanced multi-modal connectivity. Reduced vehicular trips is anticipated to have a beneficial impact on the City’s transportation network.

(c) promotion of compatible urban growth;

Staff Comments:

- Although developer incentives are possible, density and height bonuses are tied to the existing (base) zoning district requirements and are awarded as a percentage increase from what is allowed the base zoning district. The PUD Ordinance will promote a more efficient use of land than the base zoning district would allow, resulting in clustered development and a more efficient network of utilities and streets, which is compatible with the type of urban development recommended in the Growth Policy.

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

Staff Comments:

- The increased flexibility of site design allowed by the PUD Ordinance will help ensure uses in the new development are uniquely suited for the area where the PUD is located. Because each PUD proposal will be site specific and context sensitive, it is not anticipated that the proposed text amendment will adversely impact the character of any zoning district nor its suitability for particular uses.

(e) conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area.

Staff Comments:

- The PUD Ordinance will encourage appropriate land uses as each proposed PUD will be unique and tailored for the site where the development is located. Staff does not anticipate PUD development will adversely impact building values in the City.

Fiscal Impact

The proposed PUD Ordinance is not anticipated to have adverse fiscal impacts to the City. Fees will be assessed for PUD applications to compensate for staff review time.

Strategic Alignment

The creation of a PUD Ordinance directly supports the recommendation to create a Planned Unit Development Overlay District stated in Chapter 11 of the 2021 Growth Policy and aligns with a number of Strategies identified in the Growth Policy by encouraging public benefits in exchange for awarding developer incentives. Incentivizing deed restricted affordable housing aligns with *Strategy 5.1.5.5 Explore existing local, state, and federal funding mechanisms to aid in the creation of affordable housing*. Incentivizing additional open space in new developments aligns with *Strategy 4.3.1.1: Develop a strategy for the protection and preservation of natural resources and open spaces commensurate with growth in Livingston*. Finally, incentivizing the reduction of vehicular trips aligns with *Strategy 4.1.3.3 Reduce climate disruption through compact growth and increased transportation choices that reduce the need for driving*.

Attachments

- A. Draft Ordinance 3043
- B. Public Comments

ORDINANCE NO. 3043

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 30, OF THE LIVINGSTON MUNICIPAL CODE ENTITLED ZONING BY ADDING NEW SECTION 30.47 ENTITLED PLANNED UNIT DEVELOPMENT AND PROVIDING A REPEALER, SAVINGS, SEVERABILITY AND EFFECTIVE DATE.

Purpose

The purpose of this Ordinance is to promote public health, safety and general welfare of the City by regulating the subdivision of land and specifically allowing for the creation of planned unit developments.

WHEREAS, the City Commission of the City of Livingston, Montana seeks to allow planned unit developments as an alternate form of large lot subdivisions; and,

WHEREAS, the City Commission has adopted the A Growth Policy that recommends the adoption of such a policy; and,

WHEREAS, The City’s Planning Board and Zoning Commission have previously held public hearings on the draft ordinance.

NOW THEREFORE, BE IT ORDAINED by the Livingston City Commission that Chapter 30, of the Livingston Municipal Code entitled Zoning is hereby amended as follows:

SECTION 1

(NEW) Sec. 30.47. Planned Unit Development.

- A. **Intent.** The Planned Unit Development is a zoning district intended to encourage more efficient use of land and public services than is generally attainable under standard zoning application. Conventional area and density requirements are replaced by application of the PUD district to lands upon which an approved plan becomes the basis for control of land development. By allowing for context sensitive design that conforms to topography and minimizes site impacts, PUD zoning encourages clustered development, diverse housing types, mixed land uses, and natural resource preservation.

- B. **To achieve the stated intent, a PUD shall further a majority of the following objectives:**
 - 1. Protect natural and cultural resources
 - 2. Encourage open space and recreational areas beyond the minimum subdivision requirements
 - 3. Promote a more effective use of land than the base zoning district would allow, resulting in clustered development and a more condensed network of utilities and streets
 - 4. Encourage mixed uses in new developments as a means to improve convenience and access to daily necessities by area residents
 - 5. Reduce vehicular trip generation through mixed use development and enhanced multi-modal connectivity
 - 6. Encourage affordable/ workforce housing development
 - 7. Support the adopted City of Livingston Growth Policy

- C. **PUD Minimum Size and Allowed Uses**
 - 1. The proposed PUD must be a minimum of 0.5 acres in size and all land must be under a single ownership/ entity at time of application submittal.
 - 2. PUDs are only allowed in the following zoning districts: R-II, RII-MH, R-III, RMO, MU, CBD and HC. All PUDs shall include residential uses.
 - 3. Commercial Uses: Commercial uses in PUDs that are not allowed by-right in the base zoning district must be appropriately scaled and compatible with other uses in proposed development and with respect to the existing surrounding neighborhood. Commercial uses should be located, designed and operated to serve primarily the needs of residents within the PUD and secondarily persons residing outside the PUD. Commercial development within the PUD may require Site Plan Review prior to issuance of a building permit for commercial use structures.
 - 4. Industrial Uses: Light Industrial uses may be allowed in the PUD district, provided they are appropriately scaled and compatible with the proposed development and with respect to the surrounding neighborhood. Light Industrial development within the PUD may require Site Plan Review prior to issuance of a building permit for structures related to the Light Industrial Use. Heavy Industrial uses are not allowed in a PUD.

- D. **Developer Incentives and Public Benefits**
 - 1. **Guidelines.** The table below outlines desirable Public Benefits the City wishes to encourage for inclusion in PUDs, and Bonuses that may be obtained by Developers for providing one or more of the listed Public Benefits.

DEVELOPER INCENTIVES	PUBLIC BENEFITS
1. Residential Density Bonus	A. 10% deed restricted Affordable Housing units (min. 2 units)
2. Height Increase	B. Deed restricted Affordable Housing units at or below 60% AMI
3. Waived Impact Fees	C. 10% reduction in vehicular trips to be generated by the PUD
	D. Open Space area is at least 20% of PUD
	E. Commercial Uses in at least 5% of total building floor area

a. Developer Incentives

- i. Increased Residential Density- 10% increased density over base zoning district for each public benefit provided by developer; maximum 25% overall density increase allowed
- ii. Increased Height- only allowed in R-II or R-II:MH zoning districts; maximum height allowed is 40 feet
- iii. Waived Impact Fees- fees will be waived on 1:1 basis for each deed-restricted Affordable Housing unit at or below 60% AMI. Waived Impact Fees will only be awarded for Affordable Housing at or below 60% AMI; this incentive does not apply to other public benefits.

b. Public Benefits- each of the below benefits counts as a single benefit

- i. Affordable Housing- must be deed restricted to qualify for developer incentives (minimum 2 affordable units per project)
 - 1. Affordable Housing is based on the Area Median Income (AMI) for Park County.
 - 2. The AMI is set annually for Park County by the U.S. Department of Housing and Urban Development.
 - 3. Affordability for Renter-Occupied vs. Owner-Occupied housing units will be determined based on the AMI in place at the time the PUD is approved at a public hearing. Affordability thresholds will be listed on the PUD application form.
 - 4. All Affordable housing units must be substantially similar in design, location and amenities as market rate units
- ii. Reduced vehicular trips- 10% reduction of vehicular trips generated by the PUD resulting from design, uses, multi-modal transportation facilities, etc.

iii. Increased Open Space - 20% or more of PUD area must be dedicated public open space. No more than half of dedicated open space may for passive use as defined in LMC Sec 28 VI A 16.b.1.a.

iv. Commercial Uses- A minimum of 5% of total building floor area in the PUD must be dedicated to commercial uses.

c. Formula for Incentives and Public Benefit Allocation:

i. Residential Density Bonus – a Developer may provide one of the below public benefits to obtain a 10% residential density increase over what the base zoning district allows; maximum total density increase allowed is 25% above the base zoning district

- 1. Affordable Housing
- 2. Reduced Vehicular Trips
- 3. Increased Open Space
- 4. Commercial Uses

ii. Height Increase- one-time only bonus; may be obtained by providing any of the below benefits

- 1. Affordable Housing
- 2. Reduced Vehicular Trips
- 3. Increased Open Space
- 4. Commercial Uses

iii. Waived Impact Fees- Awarded on a 1:1 basis

- 1. Affordable Housing unit at or below 60% AMI

NOTE: Affordable Housing units at or below 60% AMI will qualify for the Waived Impact Fees as well as count toward the total number of Affordable Housing Units needed to obtain Residential Density Bonus

2. Limitations on Developer Incentives.

- a. A height bonus is only allowed in RII or RII:MH zoning districts. A height bonus may only be awarded once for a maximum height of 40 feet in the PUD.
- b. The increased residential density bonus may be awarded more than one time; however, the total increased residential density bonus shall not exceed 25% above the residential density allowed in the base zoning district.
- c. The incentive received for Commercial Use Floor Area public benefit is limited to a one-time award. Live/ Work units shall not comprise more than half of total commercial floor area.

3. Multi-Phased Development.

- a. For affordable/ workforce housing:

The maximum allowed price of a dwelling unit will be determined by the AMI levels at the time of phase commencement.

- b. Developer bonus(es) must be implemented concurrently with the corresponding public benefit (i.e. the public benefit provided to achieve the bonus).

4. Cash-in-Lieu and Financial Guarantees of Public Benefits

- a. For Phased PUDs: At the City’s discretion, a financial guarantee may be accepted for provision of a public benefit in a future phase in lieu of concurrent implementation of the benefit with the corresponding developer bonus.
- b. For the Increased Open Space public benefit: At the City’s discretion, cash-in-lieu may be accepted for the fair market value of some or all of the required open space to allow the City to fund open space or recreational amenities in an alternate location. If the open space includes multi-modal transportation infrastructure that is being used to demonstrate a Trip Reduction public benefit, cash-in-lieu is not allowed.

E. Application Procedures

- 1. A Pre-Application meeting is required with city staff at least 30 days prior to submittal of the PUD application.
- 2. Prior to submittal of the application, the applicant must notify landowners of the proposed PUD zoning within 300 feet of the PUD external boundary and provide a method by which surrounding landowners may offer comments on the proposal. All comments received must be included in the PUD application.
- 3. Application Submittal requirements- each application for PUD zoning shall contain the following material:
 - a. Completed City of Livingston PUD Application form; see application form for detailed submittal requirements. Where a PUD also involves a subdivision of land, it shall also meet the application requirements of the Livingston Subdivision Regulations.
 - b. All applicable fees.
 - c. A listing of each deviation or class of deviation from the base zoning district and a justification for the deviation.
 - d. A listing of each deviation or class of deviation from the City’s Subdivision Regulations (if a subdivision is proposed), the City’s Public Works Design Standards and Specifications, and a justification for the deviation.
 - e. Project Narrative or other convincing and persuasive demonstration that the proposed PUD will implement goals and strategies of the adopted Livingston Growth Policy.
 - f. The PUD plan shall identify the existing zoning of the area within the proposed PUD district and the zoning of all parcels surrounding or immediately adjacent to the proposed PUD.
 - g. Operation and Maintenance for private facilities for common use of PUD residents as well as for facilities that will be available for use by the general public (if applicable).
 - h. For multi-phase projects where components are proposed which may not be built for many years, future phases may show conceptual street designs, proposed park and open space areas, trail concepts, proposed residential density, housing types and commercial areas. Where a multi-phased PUD involves a subdivision of land, the applicant shall submit an overall phased development preliminary plat per MCA 76-3-617.

- i. Other information, plans and details that the city staff, Zoning Commission, Planning Board and/or City Commission may request to fully evaluate the development proposal and its impacts and conclusively demonstrate how the review criteria listed below will be met.

F. Public Review Process

1. **Work Session.** A public work session is required to be held on a proposed PUD plan prior to any public hearing. The work session is intended for informational purposes only to inform both the public, the Zoning Commission, the Planning Board, and the City Commission about the various aspects of the project. It is not intended to be a public hearing and the Zoning Commission, Planning Board and City Commissioners shall not ask questions, provide comments or take formal action on the PUD application. All owners of property within 300 feet of the proposed PUD shall be invited to this work session. An invitation to the work session may be included within the formal public hearing notice or it may be sent separately.
2. **Zoning Commission.** The Zoning Commission will review the application, hold a public hearing and make a recommendation to the City Commission to approve, approve with conditions, or deny the application. The review procedure for PUD zoning will follow LMC Sec 30.71 for amendments to city zoning ordinance and zone change. Review of the proposed PUD will be based on the statutory provisions of MCA 76-2-304 and the following evaluation criteria:
 - a. The proposed PUD supports the adopted Growth Policy with respect to applicable density and use goals, objectives and/or strategies identified in the Growth Policy.
 - b. The proposed deviations from the underlying zoning requirements will not adversely affect the public and/ or the surrounding neighborhood.
 - c. Uses with varying intensities are effectively buffered, both within the PUD and between the PUD and the surrounds.
 - d. Action by the Zoning Commission.
 - i. The Zoning Commission shall hold a public hearing on the application pursuant to LMC Section 30.71.
 - ii. The Commission shall submit its recommendations to the City Commission regarding the PUD rezoning request based on the review criteria under 2.a-c in this section.
 - iii. The Zoning Commission may recommend the City Commission approve, approve with conditions, or deny the application.
3. **Planning Board.** The Planning Board will review the application, hold a public hearing and make a recommendation to the City Commission to approve, approve with conditions, or deny the application. Where a PUD also involves a subdivision of land, it shall follow the process called out in the Livingston Subdivision regulations (Chapter 28). Review of the proposed PUD will be based on the following evaluation criteria:
 - a. The proposed PUD supports the adopted Growth Policy with respect to applicable density and use goals, objectives and/or strategies identified in the Growth Policy.
 - b. The proposed departures from the adopted the City of Livingston Public Works Design Standards and Specifications and/ or subdivision regulations (if applicable) will not adversely affect the public and/or surrounding neighborhood.
 - c. The PUD will establish effective connections within the PUD and to the surrounding transportation network.

- d. The size and type of parkland and open space and demonstration of its adequacy for the land use, densities and dwelling types proposed in the PUD, as well as the proposal for maintenance and conservation of these areas.
- e. The PUD will not adversely impact the natural environment, critical wildlife and habitat, agriculture, public health and safety, and local services.
- f. Action by the Planning Board
 - i. The Planning Board shall hold a public hearing on the application and submit its recommendations to the City Commission regarding the PUD based on the review criteria under 3.a-e in this section.
 - ii. The Planning Board will review the PUD Plan and, after holding a public hearing, make a recommendation to the City Commission to approve, conditionally approve or deny the PUD.
 - iii. Where a PUD involves a subdivision of land, Subdivision review will be as directed by Chapter 28 of Livingston Municipal Code. Any deviations from the Subdivision Regulations or the City of Livingston Public Works Design Standards and Specifications will only be allowed through the variance process contained in Chapter 28 of the Livingston Municipal Code.
- 4. **Action by the City Commission.** Upon receiving recommendations from the Zoning Commission and Planning Board, the City Commission will review and approve, approve with conditions, or deny the PUD application and any applicable Preliminary Plat. The City Commission may conduct the first reading of the zoning ordinance amendment required for a PUD at the same meeting during which the preliminary PUD plan is approved.

G. Preparation and Filing of Final PUD.

- 1. Upon approval of the PUD by the City Commission, the property owner(s) shall proceed with the preparation of the Final PUD plan.
- 2. The owner shall prepare a Statement of Standards for review and approval by the Zoning Administrator that describes the specific uses, development standards, deviations from the underlying zoning standards and conditions of approval. This Statement of Standards shall be approved as to form by the City Attorney, and upon approval by the Zoning Administrator recorded in the land records of Park County.
 - a. The Final PUD plan shall incorporate all the conditions imposed by the City Commission at the time of approval of the preliminary plan.
 - b. The applicant shall submit three signed copies of a Final PUD Plan and other documents as required by the conditions of approval to the Planning Department. The applicant must also submit a draft PUD agreement between the City and the developer(s) for review by the City Attorney. The agreement must bind the developer, his or her successors, heirs and assigns to the terms and conditions of the PUD. Upon approval by the Zoning Administrator, a signed copy of the plan shall be returned to the applicant, a signed copy shall be retained on file in the County Clerk and Recorder’s office and a signed copy shall be kept on file with the Planning Department.
 - c. All PUD documents required under the conditions of approval shall be submitted to the Planning Department in a timely fashion following approval by the Commission but in no case shall a building permit be issued until the final PUD plan has been submitted and approved and the PUD agreement has been executed. For PUDs where a subdivision is required, the final plat shall be filed once construction is completed in accordance with LMC Chapter 28 Subdivision Regulations.

H. Amending an Approved PUD.

1. Once approved, a PUD may be amended by the developer(s). Proposed amendments shall be submitted to the Zoning Administrator to make one of the following findings:
 - a. The change(s) is deemed minor in scope and may be granted or denied administratively by staff with or without conditions; or
 - b. The change(s) is deemed substantial, in which case the amendment(s) is forwarded to the City Commission for consideration and final action.
2. Any determination made administratively by the Zoning Administrator is appealable to the City Commission.
3. The City shall not initiate any amendment to the PUD before the completion of the approved PUD as long as development is in substantial conformity with the approved PUD and proceeding in accordance with the time requirements imposed therein by the completion schedule.

I. Abandonment or Expiration of PUD.

1. The Zoning Administrator shall monitor the PUD for compliance with the completion schedule set forth in the approved development plan and to assure that all improvements have been made in accordance with the approved development plan.
2. The following procedures apply if the PUD fails to comply with the approved completion schedule:
 - a. For PUDs that do not include a subdivision of land:
 - i. If a PUD project falls out of compliance with its approved completion schedule, or the landowner and/or developer does not submit annual progress updates to the Zoning Administrator, a notice of noncompliance with the completion schedule shall be delivered in writing by certified mail to the landowner and/or developer.
 - ii. No later than 30 days after the notice of noncompliance is delivered, the landowner and/or developer may submit a written request for time extension from the City Commission. Said request shall set forth a proposed completion schedule and/or new timetable for installation of the improvements. The Commission may grant one or more extension(s) but each extension is a matter of grace which, if approved, may be subject to additional conditions imposed by the Commission which may be deemed necessary to address issues that have arisen due to the lapse in time.
 - iii. Abandonment shall be deemed by the City Commission to have occurred when the landowner/developer is deemed to be out of compliance with the approved completion schedule and has failed to secure an extension as provided for in 2.a.ii in this section.
 - iv. Upon the abandonment of a development authorized under this section, the City Commission shall direct the Zoning Administrator to do the following:
 - (a) If a portion of the PUD site was developed in accordance with the PUD, the PUD approval conditions and any associated PUD Plan shall stay in force for that portion already developed; and
 - (b) For that portion of the PUD which was not developed under the approved terms, the provisions of the PUD shall lapse and the site shall revert back to the base zoning district in place prior to approval of the PUD District.
 - b. PUDs which include a subdivision of land:
 - i. The process for abandonment or expiration cited in LMC Chapter 28 for Subdivision Regulations shall be followed.

SECTION 2

Statutory Interpretation and Repealer:

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

SECTION 3

Severability:

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

SECTION 4

Savings provision:

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

SECTION 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 _____ day of October, 2023.

MELISSA NOOTZ – Chair

ATTEST:

EMILY HUTCHINSON
City Clerk

PASSED ADOPTED, AND APPROVED by the City Commission of the City of
Livingston, Montana, on second reading at a regular session thereof held on the _____ day of
October, 2023.

MELISSA NOOTZ – Chair

ATTEST:

APPROVED AS TO FORM:

EMILY HUTCHINSON
City Clerk

JON HESSE

GP that supports additional active recreation- not just passive open space

Objective 2.2.2: Establish Livingston as a community recognized for its diverse recreational opportunities, and parks and trails system.

Goal 9.2: Ensure adequate public parks, trails, and recreation system to support the community now and in the future.

Objective 9.2.1: Actively promote and develop, as well as maintain current, parks, trails, and outdoor recreational areas that promote Livingston’s historic, natural, and cultural attributes, as outlined in the City of Livingston’s Parks and Trails Master Plan.

Parks & Open Space

Natural Area/Open Space – Natural Area/Open Space land use designation includes undeveloped lands, trails, water areas and environmentally sensitive areas. Land designated as natural area/open space is intended to remain undeveloped in the future.

Parks and Recreation – Parks and Recreation land use designation includes active or passive parks such as playing fields, playgrounds, community centers, and other appropriate recreational uses.

Pastoral/Open Space – Pastoral/Open Space land use designation includes generally undeveloped agricultural lands used primarily for grazing, crop production, and the production of agricultural products. Land designated as Pastoral/Open Space is intended to remain agricultural in nature in the future.

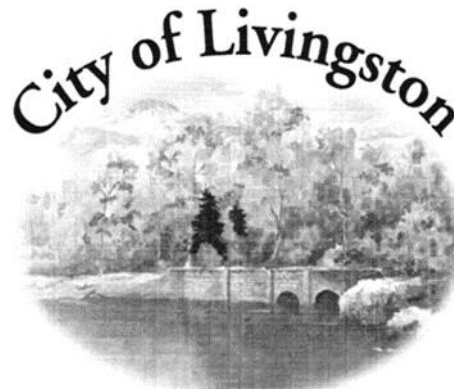
File Attachments for Item:

B. ORDINANCE 3047: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGTON, MONTANA, AMENDING CHAPTER 23 OF THE LIVINGSTON MUNICIPAL CODE, ENTITLED TREEES, BY ELIMINATING THE TREE BOARD.

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: 11/7/2023
To: Chair Nootz and City Commissioners
From: Grant Gager, City Manager

Staff Report for Ordinance 3047 Eliminating the Tree Board

Recommendation and Summary

Staff is seeking Commission approval of Ordinance 3047 to eliminate the Tree Board through adoption of the following motion:

“I move to approve the first reading of Ordinance 3047 and authorize the Chair to sign.”

The reasons for the request are as follows:

- The City Commission established the Tree Board in 2002 through Ordinance 1919.
- The Tree Board is not currently functioning in accordance with the provisions of the Livingston Municipal Code.

Introduction and History

The City of Livingston established the Tree Board in 2002 to perform various functions including the creation and administration of plans to care for, and permits to remove, certain trees in the City. In several situations, the Tree Board has the authority to direct the work of City staff, including the Arborist and Code Enforcement Officer. The Tree Board meets monthly and has averaged less than 1 public member at its meetings.

Analysis

City staff has identified alternative methods of providing for the care and maintenance of public trees in the City of Livingston; including the staffing of two certified arborists within the Public Works Department. Additionally, City staff has identified methods to obtain input from the community regarding public tree planting and maintenance, including ad hoc boards for projects.

Fiscal Impact

Elimination of the Tree Board will eliminate the cost of staff hours committed to managing the Board. Such savings will be offset by new public engagement and ad hoc committee efforts.

Strategic Alignment

Effective public engagement is critical to the development of policy and implementation of processes.

Attachments

- Attachment A: Ordinance 3047
- Attachment B: Ordinance 1919

ORDINANCE NO. 3047

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON,
MONTANA, AMENDING CHAPTER 23 OF THE LIVINGSTON MUNICIPAL CODE
ENTITLED TREES BY ELIMINATING THE TREE BOARD.**

Preamble.

The purpose of this Ordinance is to eliminate the tree board from the Livingston Municipal Code.

WHEREAS, The City established the Tree Board through passage of Ordinance 1919 on December 16, 2002; and

WHEREAS, the operation of the City has changed since 2002 and the Tree Board does not function in accordance with the Livingston Municipal Code; and

WHEREAS, the City of Livingston Commission desires to eliminate the Tree Board;

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

SECTION 1

That Chapter 23 - Trees, be amended as follows with deletions struck-through and additions redlined as follows:

Sec. 23-1. Definitions.

- A. ANSI A300 Standards-American National Standard for Tree Care Operations as used herein shall mean the most current edition thereof.
 - 1. Scope of Standards. The ANSI A300 standards present performance standards for the care and maintenance of trees, shrubs, and other woody plants.
 - 2. ANSI A300 Standards shall apply to any person or entity engaged in the business, trade, or performance of repairing, maintaining or preserving trees, shrubs or other woody plants on city property.
- B. Park Trees. Park trees are herein defined as trees, shrubs, bushes and all other woody vegetation in public parks having individual names, and all areas owned by the City, or to which the public has free access as a park.
- C. Reserved.
- D. Qualified Arborist. An individual who is capable of adhering to ANSI standards, and by possession of a recognized degree, certification or professional standing, or through related training and on-the-job experience, in the science, technology and business of tree care and who is familiar with the equipment and hazards involved therein and who has demonstrated ability in the performance of the special techniques involved.
- E. Street Trees. Street trees are herein defined as trees, shrubs, bushes, and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or alley ways within the City.
- F. Reserved.
- G. Tree Maintenance. Tree maintenance as it pertains to this Chapter shall refer to the removal of hazardous, broken or otherwise nuisance limbs

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04; Ord. No. 2010, § 1, 1/5/09; Ord. No. 2095 , § 1, 12/15/20)

Sec. 23-2. ~~Creation and establishment of a City Tree Board.~~ Reserved

~~There is hereby created and established an advisory board to the City Commission which will be known as the City Tree Board for the City of Livingston (Tree Board) which shall consist of seven (7) to nine (9) members who are residents of this City or who live within two (2) miles thereof, who shall be recommended by the Tree Board and appointed by the City Commission. The members shall come from different interest groups including homeowners, tree professionals, street department, parks and recreation department, and City government.~~

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04; Ord. No. 2095 , § 12/15/20; Ord. No. 3005 , § 2, 4/20/21)

Sec. 23-3. ~~Terms of office.~~ Reserved

~~The term of the persons recommended by the Tree Board and appointed by the City Commission shall be four (4) years.~~

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04; Ord. No. 2095 , § 1, 12/15/20; Ord. No. 3005 , § 2, 4/20/21)

Sec. 23-4. ~~Compensation.~~ Reserved

~~Members of the Board shall serve without compensation.~~

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04)

Sec. 23-5. ~~Duties and responsibilities.~~ Reserved

~~It shall be the responsibility of the City Tree Board to study, investigate, counsel, develop and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets, and in other public areas. Such plan will be presented annually to the City Commission and upon their acceptance and approval shall constitute the official comprehensive City tree plan.~~

~~The Board shall promote and supervise the establishment of a tree inventory for street and park trees. The inventory shall be updated with the results of ground inspections every three (3) years.~~

~~The Board, when requested by the City Commission, shall consider, investigate, make finding, report and recommend upon any special matter or question coming within the scope of its work.~~

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04)

Sec. 23-6. ~~Operation.~~ Reserved

~~The Board shall choose its own officers, make its own rules and regulations and by laws which shall be approved by the City Commission. The Board shall keep minutes of its proceedings. A majority of the members shall be a quorum for the transaction of business.~~

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04; Ord. No. 2095 , § 1, 12/15/20)

Sec. 23-7. Tree species to be planted.

The ~~Tree Board and~~ City Arborist develops and maintains a list of desirable trees for planting along streets in three (3) size classes based on mature height: small (under twenty (20) feet), medium (twenty (20) to forty (40) feet) and large (over forty (40) feet). Efforts shall be made to ensure a sufficient diversity of tree species. Lists of trees not suitable for planting will also be created by the ~~Tree Board~~ [City Arborist](#).

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04; Ord. No. 2095 , § 1, 12/15/20)

Sec. 23-8. Spacing.

The spacing of street trees will be in accordance with the three (3) species size classes listed in Section 23-7 of this Chapter, and no trees may be planted closer together than the following: small trees, fifteen (15) feet;

medium trees, twenty-five (25) feet; and large trees, thirty-five (35) feet; except in special plantings designed or approved by a landscape architect or City Arborist.

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04; Ord. No. 2095 , § 1, 12/15/20)

Sec. 23-9. Distance from curb and sidewalk.

The distance trees may be planted from curbs or curblines and sidewalks will be in accordance with the three (3) species size classes listed in Section 23-7 of this Chapter, and no trees may be planted closer to any curb or sidewalk than two (2) feet for small trees, three (3) feet for medium or large trees.

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04)

Sec. 23-10. Distance from street corners and fireplugs.

No street tree shall be planted within thirty-five (35) feet of any street corner, measured from the point of nearest intersecting curbs or curb lines. No street tree shall be planted within ten (10) feet of any fireplug.

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04; Ord. No. 2095 , § 1, 12/15/20)

Sec. 23-11. Utilities.

No street trees other than those species accepted as small trees by the ~~Tree Board~~ [City Arborist](#) may be planted under, or within ten (10) feet of, any overhead utility wire.

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04)

Sec. 23-12. Public tree care.

In addition to caring for trees and vegetative growth on privately owned property, the person in control of a property is charged with care, maintenance and full responsibility for trees and all vegetative growth on adjacent streets, alleys, boulevards and public ways. The City shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all streets, alleys, avenues, lanes, squares and public grounds, as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds. The City will also be responsible for maintaining all trees within city owned parks and on any boulevards or other public ways that do not abut private property.

The City Arborist may instruct the City Code Enforcement Officer to send written notice to remove or cause or order to be removed, any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements, or is affected with any injurious fungus, insect, or other pest. In the event that the person in control of a property fails to comply with such provisions, the City shall have the authority to remove such trees and charge the cost of removal plus an additional administrative cost equal to twenty-five (25) percent of the actual costs and expenses of removing the tree on the person's property tax notice. This Section does not prohibit the planting of street trees by adjacent property owners providing that the selection and location of said trees is in accordance with Sections 23-7 through 23-12.

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04; Ord. No. 2010, § 1, 1/5/09; Ord. No. 2095 , § 1, 12/15/20)

Sec. 23-13. Pruning and trimming standards.

All tree pruning and trimming on public property shall conform to the ANSI A300 standards and the International Society of Arboriculture Best Management Practices for tree care operations. All commercial tree service companies and property owners shall make application for and obtain a permit from the City Arborist before working on any city owned tree. The permit shall be issued without any fee. No permit is required when pruning is done to maintain the required (8) eight-foot clearance over sidewalks or the required (13) thirteen-foot clearance over streets. All commercial tree companies shall have a Qualified Arborist conducting the trimming or shall be on site during the trimming of all street and park trees following the aforementioned ANSI A300 standards.

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04; Ord. No. 2010, § 1, 1/5/09; Ord. No. 2095, § 1, 12/15/20)

Sec. 23-14. Tree topping.

It shall be unlawful as a normal practice for any person, firm, or City department to top any street tree, park tree, or other tree on public property. Topping is defined as the severe cutting back of limbs to stubs within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Crown reduction by a qualified arborist may be substituted, when approved in advance by the City Arborist. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this Chapter at the determination of the ~~Tree Board~~ City Arborist.

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04; Ord. No. 2010, § 1, 1/5/09; Ord. No. 2095, § 1, 12/15/20)

Sec. 23-15. Pruning and corner clearance.

Every owner of any tree overhanging any street or right-of-way within the City shall prune the branches so that such branches shall not severely obstruct the light from any street lamp or obstruct the view of any street intersection and so that there shall be a clear space of thirteen (13) feet above street surface or eight (8) feet above the sidewalk surface. Owners shall remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. The City shall have the right to prune any tree or shrub on private property when it interferes with the proper spread of light along the street from a street light, or interferes with visibility of any traffic control device or sign or sight triangle at intersections. Tree limbs that grow near high voltage electrical conductors shall be maintained clear of such conductors by the electric utility company in compliance with any applicable franchise agreements. A utility tree trimming policy must be reviewed by the utility company and City ~~Tree Board~~ [Arborist](#) prior to any trimming by the utility company.

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04)

Sec. 23-16. Dead or diseased tree removal on private property.

The City shall have the right to cause the removal of any dead or diseased trees on private property within the City, when such trees constitute a hazard to life and property, or harbor insects or disease which constitutes a potential threat to other trees within the City. The City ~~Tree Board~~ [Manager](#) will instruct the City Code Enforcement Officer or City Arborist to notify in writing the owners of such trees. Removal shall be done by said owners at their own expense within sixty (60) days after the date of service of notice. In the event of failure of owners to comply with such provisions, the City shall have the authority to remove such trees and charge the cost of removal plus an additional administrative cost equal to twenty-five (25) percent of the actual costs and expenses of removing the tree on the owner's property tax notice.

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04; Ord. No. 2010, § 1, 1/5/09; Ord. No. 2095, § 1, 12/15/20)

Sec. 23-17. Fruit trees.

Any person may harvest fruit from park or street trees if the fruit has dropped or can be picked by hand while standing on the ground, so long as doing so does not in any way injure the tree. The City Arborist may authorize harvest by other means. The City Arborist may instruct the City Code Enforcement Officer to send written notice to remove fruit dropped from or remaining on any street tree so as to prevent public nuisance or the attraction of wildlife.

(Ord. No. 2095, § 1, 12/15/20)

Sec. 23-18. Protection of trees.

In order to maintain the overall forest, reasonable efforts shall be made to replace trees that are removed and to protect quality trees that are endangered.

Trees removed by decision of the City Arborist ~~or City Tree Board~~ or removed due to natural causes shall be replaced somewhere in the city on a one-for-one (1:1) basis within one (1) year. The location and species of any replacement tree shall be determined by the ~~Tree Board~~ City Arborist.

Trees of desirable species and good health shall be protected as much as possible from damage during construction, sidewalk repair, utilities work above and below ground, and other similar activities. The zone of protection shall include the ground beneath the canopy of the tree.

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04; Ord. No. 2095, § 1, 12/15/20)

Sec. 23-19. Interference with City ~~Tree Board~~ Arborist.

It is unlawful for any person to prevent, delay or interfere with the City of Livingston, ~~its City Tree Board~~, or any of its agents, while engaging in and about the planting, cultivating, mulching, pruning, spraying or application, or removing of any street trees, park trees, or trees on private grounds, as authorized in this Chapter.

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04; Ord. No. 2095, § 1, 12/15/20)

Sec. 23-20. Arborists license and bond.

It shall be unlawful for any person or firm to engage in the business or occupation of pruning, treating, or removing street or park trees within the City without first applying for and procuring a license. The license fee shall be set by resolution annually in advance; provided, however, that no license shall be required of any City employee doing such work in the pursuit of their public service endeavors. Before any license shall be issued, each applicant shall first file evidence of possession of liability insurance in the minimum amounts of seven hundred fifty thousand dollars (\$750,000.00) per claim and one million five hundred thousand dollars (\$1,500,000.00) per occurrence indemnifying the City or any person injured or damaged resulting from the pursuit.

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04; Ord. No. 2010, § 1, 1/5/09)

Sec. 23-21. Authority of adjoining property owner to plant or care for trees on boulevard or parkways.

Permission is given to the owners of real estate to improve their premises by planting trees and properly caring for trees in the boulevards adjoining their property after permit is obtained from the City. Such trees shall in no case interfere with the full use of the streets for public purposes, and no person shall plant any tree within the limits of any parkway, street or alley in the City without having first obtained a written permit from the City.

It shall be the duty of any property owner to make request in writing to the City, stating the variety and precise location of each tree proposed to be planted. The permit shall specify the location and variety of each tree.

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04)

Sec. 23-22. Removal, destruction, cutting and injury.

No person shall remove, destroy, cut, deface, or in any way injure or interfere with any street tree or park tree, without a permit from the City ~~Tree Board~~ Arborist. The City Arborist may authorize the removal of trees that constitute an immediate hazard or threat to life or property.

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04; Ord. No. 2010, § 1, 1/5/09; Ord. No. 2095 , § 1, 12/15/20)

Sec. 23-23. Interference with trees by house mover, permit required.

It shall be unlawful for any person to move any building along any street, avenue or alley in the City, in such a way as to interfere with or injure any tree or shrub in any street, avenue, alley or public place, including parks and parkways, without a written permit obtained from the City Arborist. The application for such permit, and the permit issued, shall specify the particular building and the particular route to be followed.

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04; Ord. No. 2010, § 1, 1/5/09; Ord. No. 2095 , § 1, 12/15/20)

Sec. 23-24. Procedure for temporary removal.

All moving of trees and shrubs made necessary by moving of buildings or any other purpose shall be done under the supervision of the City Arborist at the expense of the owners of the buildings, or the party requesting the same. Should such moving cause the death of the tree, the owner of the buildings or the party requesting the temporary removal, at their own expense, shall replace the same under the supervision of the City Arborist.

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04; Ord. No. 2010, § 1, 1/5/09; Ord. No. 2095 , § 1, 12/15/20)

Sec. 23-25. Insects and diseases-declared nuisance.

All insect pests and diseases known to be injurious to fruit, shade and ornamental trees and shrubs, and all trees, shrubs and vegetable growth infested or infected therewith constitute a menace, and are hereby declared to be a common nuisance.

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04)

Sec. 23-26. Spraying or applying.

Every person who is owner or in possession or control or management of any lot, block or parcel of land upon which there are any fruit, shade or ornamental trees or shrubs which are infested or infected with any insect pests or diseases known to be injurious to such fruit, shade or ornamental trees or shrubs, shall, within three (3) days, upon written order of the City Code Enforcement Officer or the City Arborist ~~at the instruction of the City Tree Board~~, spray, applicate, or cause the same to be sprayed or applied in such manner and with some insecticide designated by the City or by a licensed pesticide applicator. Any person failing to comply with any such order shall be deemed guilty of maintaining a nuisance.

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04; Ord. No. 2010, § 1, 1/5/09; Ord. No. 2095 , § 1, 12/15/20)

Sec. 23-27. Review by city commission.

The City Commission shall have the right to review the conduct, acts, and decisions of the City ~~Tree Board~~ Arborist. Any person may appeal from any ruling or order of the City ~~Tree Board~~ Arborist to the City Commission who may hear the matter and make final decisions.

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04)

Sec. 23-28. Penalty.

Any person violating any provision of this Chapter shall be, upon conviction or a plea of guilty, subject to a civil fine not to exceed three hundred dollars (\$300.00) for each violation or if the infraction is a repeat offense, a civil penalty not to exceed fifty dollars (\$50.00) for each repeat violation. In addition, commercial tree service companies which violate the terms of this Chapter shall after a second conviction be denied the ability to obtain a permit to work on public trees.

(Ord. 1919 § 1 (part), 12/16/02; Ord. 1935 § 1 (part), 2/2/04; Ord. No. 2010, § 1, 1/5/09)

SECTION 2**Statutory Interpretation and Repealer:**

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

SECTION 3**Severability:**

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

SECTION 4

Savings Provision:

This ordinance does not affect the rights or duties that matured, penalties and assessments that were incurred or proceedings that begun before the effective 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 _____ day of November, 2023.

MELISSA NOOTZ - CHAIR

ATTEST:

EMILY HUTCHINSON
City Clerk

PASSED, ADOPTED AND APPROVED by the City Commission of the City of Livingston, Montana, on second reading at a regular session thereof held on the _____ day of December, 2023.

MELISSA NOOTZ – CHAIR

ATTEST:

EMILY HUTCHINSON
City Clerk

APPROVE AS TO FORM:

City Attorney

ORDINANCE NO. 1919

AN ORDINANCE OF THE LIVINGSTON CITY COMMISSION AMENDING CHAPTER 23 OF THE LIVINGSTON MUNICIPAL CODE BY CREATING A CITY TREE BOARD AND REVISING THE CITY'S TREE ORDINANCE TO PROVIDE A COMPREHENSIVE PLAN FOR TREE PLANTING, MAINTENANCE AND REMOVAL AND BY PROVIDING A PENALTY FOR VIOLATION THEREOF.

Purpose

The purpose of this Ordinance is to provide for the public health, safety and welfare by providing for a City Tree Board to develop a comprehensive tree management program for planting, maintenance and removal of trees and by providing a civil penalty for violations.

WHEREAS, the trees provide air purification, windbreaks, noise reduction, shade and energy savings; and

WHEREAS, planting trees and maintaining older trees provide natural areas for community beautification while enhancing economic and environmental benefits for the community; and

WHEREAS, Livingston has a community forestry program which needs to be amended to qualify for the Tree City USA program by creating a tree board, by adopting a tree care ordinance with complies with the program's requirements, have an annual budget of at least \$2 per capita and provide for an arbor day observance; and

WHEREAS, the Livingston City Commission believes that the Tree City USA program

will enhance the beauty of the Community.

NOW, THEREFORE, BE IT ORDAINED by the Livingston City Commission that Chapter 23 of the Livingston Municipal Code be and the same is hereby amended with additions redlined and deletions struck through as follows:

SECTION 1

Chapter 23 - TREES

Section 23-1. Definitions

Street Trees: Street trees are herein defined as trees, shrubs, bushes, and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or ways within the City.

Park Trees: Park trees are herein defined as trees, shrubs, bushes and all other woody vegetation in public parks having individual names, and all areas owned by the city, or to which the public has free access as a park.

Section 23-2. Creation and Establishment of a City Tree Board

There is hereby created and established an advisory board to the City Commission which will be known as the City Tree Board for the City of Livingston (Board) which shall consist of five members citizens and who are residents of this city or who live within 2 miles thereof, who shall be appointed by the Chairman with the approval of the Commission. The members shall come from different interest groups including homeowners, tree professionals, street department, and city government.

Section 23-3. Term of Office

The term of the five persons to be appointed by the Chairman shall be three years except that the term of two of the members appointed to the first board shall be for only one year and the term of three members of the first board shall be for two years. In the event that a vacancy shall occur during the term of any member, his successor shall be appointed for the unexpired portion of the term.

Section 23- 4. Compensation

Members of the board shall serve without compensation.

Section 23-5. Duties and Responsibilities

It shall be the responsibility of the City Tree Board to study, investigate, counsel, develop and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets, and in other public areas. Such plan will be presented annually to the City Commission and upon their acceptance and approval shall constitute the official comprehensive city tree plan.

The Board shall promote and supervise the establishment of a tree inventory for Street and Park Trees. The inventory shall be updated with the results of ground inspections every 3 years.

The Board, when requested by the City Commission, shall consider, investigate, make finding, report and recommend upon any special matter or question coming within the scope of its work.

Section 23-6. Operation

The Board shall choose its own officers, make its own rules and regulations which shall

The term of the five persons to be appointed by the Chairman shall be three years except that the term of two of the members appointed to the first board shall be for only one year and the term of two members of the first board shall be for two years. In the event that a vacancy shall occur during the term of any member, his successor shall be appointed for the unexpired portion of the term.

Section 23- 4. Compensation

Members of the board shall serve without compensation.

Section 23-5. Duties and Responsibilities

It shall be the responsibility of the City Tree Board to study, investigate, counsel, develop and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets, and in other public areas. Such plan will be presented annually to the City Commission and upon their acceptance and approval shall constitute the official comprehensive city tree plan.

The Board shall promote and supervise the establishment of a tree inventory for Street and Park Trees. The inventory shall be updated with the results of ground inspections every 3 years.

The Board, when requested by the City Commission, shall consider, investigate, make finding, report and recommend upon any special matter or question coming within the scope of its work.

Section 23-6. Operation

The Board shall choose its own officers, make its own rules and regulations which shall

be approved by the City Commission, and keep a journal of its proceedings. A majority of the members shall be a quorum for the transaction of business.

Section 23-7. Tree Species to be Planted

The City Tree Board develops and maintains a list of desirable trees for planting along streets in three size classes based on mature height: small (under 20 feet), medium (20 to 40 feet) and large (over 40 feet). Efforts shall be made to ensure a sufficient diversity of tree species. Lists of trees not suitable for planting will also be created by the Tree Board.

Section 23-8. Spacing

The spacing of street trees will be in accordance with the three species size classes listed in Section 23-7 of this ordinance, and no trees may be planted closer together than the following: small trees, 15 feet; medium trees, 25 feet; and large trees, 35 feet; except in special plantings designed or approved by a landscape architect.

Section 23-9. Distance from Curb and Sidewalk

The distance trees may be planted from curbs or curblines and sidewalks will be in accordance with the three species size classes listed in Section 23-7 of this ordinance, and no trees may be planted closer to any curb or sidewalk than 2 feet for small trees, 3 feet for medium or large trees.

Section 23-10. Distance from Street Corners and Fireplugs

No street tree shall be planted within 35 feet of any street corner, measured from the point of nearest intersecting curbs or curblines. No street tree shall be planted within than 10 feet of any fireplug.

Section 23-11. Utilities

No street trees other than those species accepted as small trees by the Tree Board may be planted under, or within 10 feet of, any overhead utility wire.

Section 23-12. Public Tree Care

The city shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all streets, alleys, avenues, lanes, squares and public grounds, as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds.

The City Tree Board may remove or cause or order to be removed, any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements, or is affected with any injurious fungus, insect, or other pest. This section does not prohibit the planting of street trees by adjacent property owners providing that the selection and location of said trees is in accordance with Sections 23-7 through 23-11 of this ordinance.

Section 23-13. Pruning standards

All tree pruning on public property shall conform to the ANSI A300 standards for tree care operations.

Section 23-14. Tree Topping

It shall be unlawful as a normal practice for any person, firm, or city department to top any street tree, park tree, or other tree on public property. Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a

degree so as to remove the normal canopy and disfigure the tree. Crown reduction by a qualified arborist may be substituted, where appropriate. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this ordinance at the determination of the Tree Board.

Section 23-15. Pruning & Corner Clearance

Every owner of any tree overhanging any street or right-of-way within the city shall prune the branches so that such branches shall not severely obstruct the light from any street lamp or obstruct the view of any street intersection and so that there shall be a clear space of thirteen feet (13') above street surface or eight feet (8') above the sidewalk surface. Said owners shall remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. The city shall have the right to prune any tree or shrub on private property when it interferes with the proper spread of light along the street from a street light, or interferes with visibility of any traffic control device or sign or sight triangle at intersections. Tree limbs that grow near high voltage electrical conductors shall be maintained clear of such conductors by the electric utility company in compliance with any applicable franchise agreements. A utility tree trimming policy must be reviewed by the utility company and City Tree Board prior to any trimming by the utility company.

Section 23-16. Dead or Diseased Tree Removal on Private Property

The city shall have the right to cause the removal of any dead or diseased trees on private property within the city, when such trees constitute a hazard to life and property, or harbor insects or disease which constitute a potential threat to other trees within the city. The City Tree

Board will notify in writing the owners of such trees. Removal shall be done by said owners at their own expense within 60 days after the date of service of notice. In the event of failure of owners to comply with such provisions, the city shall have the authority to remove such trees and charge the cost of removal on the owner's property tax notice.

Section 23-18. Protection of Trees

In order to maintain the overall forest, reasonable efforts shall be made to replace trees that are removed and to protect quality trees that are endangered.

Trees removed by decision of the City Tree Board or by natural causes shall be replaced somewhere in the forest on a one-for-one basis within one year. The location and species of any replacement tree shall be determined by the Tree Board.

Trees of desirable species and good health shall be protected as much as possible from damage during construction, sidewalk repair, utilities work above and below ground, and other similar activities. The zone of protection shall include the ground beneath the canopy of the tree.

Section 23-19. Interference with City Tree Board

It shall be unlawful for any person to prevent, delay or interfere with the City of Livingston, its City Tree Board, or any of its agents, while engaging in and about the planting, cultivating, mulching, pruning, spraying, or removing of any street trees, park trees, or trees on private grounds, as authorized in this ordinance.

Section 23-20. Arborists License and Bond

It shall be unlawful for any person or firm to engage in the business or occupation of pruning, treating, or removing street or park trees within the city without first applying for and

procuring a license. The license fee shall be \$70 annually in advance; provided, however, that no license shall be required of any public service company including electric utilities and their agents and contractors or city employee doing such work in the pursuit of their public service endeavors. Before any license shall be issued, each applicant shall first file evidence of possession of liability insurance in the minimum amounts of \$750,000 per claim and \$1,500,000 per occurrence indemnifying the city or any person injured or damaged resulting from the pursuit of such endeavors as herein described.

Sec. 23-21. Authority of adjoining property owner to plant or care for trees on boulevard or parkways.

Permission is given to the owners of real estate to improve their premises by planting trees and properly caring for trees in the boulevards adjoining their property after permit is obtained from the City. Such trees shall in no case interfere with the full use of the streets for public purposes, and no person shall plant any tree within the limits of any parkway, street or alley in the City without having first obtained a written permit from the City.

It shall be the duty of any property owner to make request in writing to the City, stating the variety and precise location of each tree proposed to be planted. The permit shall specify the location and variety of each tree.

~~A permit fee may be charged and may be set by the City Council.~~

~~It shall be the duty of property owners who have street trees adjacent to their property to water and maintain the trees so as to ensure the trees survival and compliance with the City's requirements for street trees. In addition, the property owners shall mow the grass on the~~

~~boulevard as necessary to prevent the grass from reaching 5 inches in height.~~

Sec. 23-2. Prohibited varieties.

~~Carolina Poplar, Canadian Poplar, Lombardi Poplar, Silver Leaf Poplar, Box Elder, Native Cottonwood trees or any other variety deemed undesirable by the City shall not be planted in the boulevards or within twenty (20) feet of a sidewalk.~~

Sec. 23-3. Size.

~~No tree shall be planted measuring less than one (1) inch in diameter of trunk one (1) foot above the ground.~~

Sec. 23-4. Size-minimum height over sidewalks.

~~It shall be unlawful for any person who is the owner or occupant in possession, control or management of any lot, boulevard or parcel of land within the City, to permit, or allow to be kept any tree whose limb or branches shall extend over the sidewalk, street or alley along the property within eight and one-half (8½) feet above the surface of the ground.~~

Sec. 23-22. Removal, cutting and injury.

No person shall remove, destroy, cut, deface, trim, or in any way injure or interfere with any street tree or park tree or shrub or any of the avenues, streets, alleys, or public grounds, including parks and parkways of the City, without a permit from the City Tree Board.

~~It shall be unlawful for any person to cut, mutilate, injure or destroy any tree in the boulevard without having first obtained the permission of the City.~~

~~Boulevard trees that are hazardous shall be removed by the City, but expense of removal shall otherwise be the adjoining property owner's.~~

Sec. 23-23. Interference with trees by house mover, permit required.

It shall be unlawful for any person to move any building along any street, avenue or alley in the City, in such a way as to interfere with or injure any tree or shrub in any street, avenue, alley or public place, including parks and parkways, without a written permit obtained from the City Tree Board. The application for such permit, and the permit issued, shall specify the particular building and the particular route to be followed.

Sec. 23-24. Procedure for temporary removal.

All moving of trees and shrubs made necessary by moving of buildings or any other purpose shall be done under its supervision of the City Tree Board, at the expense of the owners of the buildings, or the party requesting the same. Should such moving cause the death of the tree, the owner of the buildings or the party requesting the temporary removal, at his own expense, shall replace the same under the supervision of the City Tree Board.

Sec. 23-25. Insects and diseases-declared nuisance.

All insect pests and diseases known to be injurious to fruit, shade and ornamental trees and shrubs, and all trees, shrubs and vegetable growth infested or infected therewith constitute a menace, and are hereby declared to be a common nuisance.

Sec. 23-26. Spraying.

Every person who is owner or in possession or control or management of any lot, block or parcel of land upon which there are any fruit, shade or ornamental trees or shrubs which are infested or infected with any insect pests or diseases known to be injurious to such fruit, shade or ornamental trees or shrubs, shall, within three (3) days, upon written order of the City Tree

Board, spray or cause the same to be sprayed in such manner and with some insecticide designated by the City. Any person failing to comply with any such order shall be deemed guilty of maintaining a nuisance.

Sec. 23-27. Review by City Commission

The City Commission shall have the right to review the conduct, acts, and decisions of the City Tree Board. Any person may appeal from any ruling or order of the City Tree Board to the City Commission who may hear the matter and make final decisions.

Sec. 23-28. Penalty

Any person violating any provision of this ordinance shall be, upon conviction or a plea of guilty, subject to a civil fine not to exceed \$300.00 \$100.00 for each violation. ~~Each day that the violation continues shall be deemed a separate and punishable violation.~~

SECTION 2

Statutory Interpretation and Repealer:

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

SECTION 3

Severability:

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

SECTION 4

Savings provision:

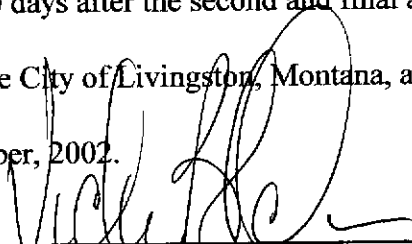
This ordinance does not affect the rights or duties that mature, penalties and assessments that were incurred or proceedings that begun before the effective date of this ordinance.

SECTION 5

Effective date:

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

PASSED by the City Commission of the City of Livingston, Montana, at a regular session thereof held on the 14 day of December, 2002.



VICKI BLAKEMAN - Chairman

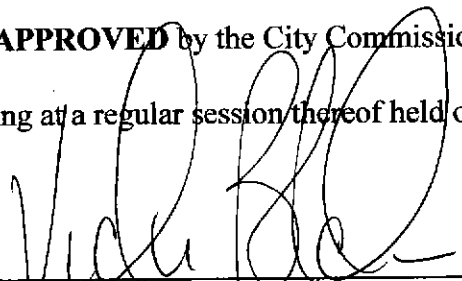
ATTEST:



PAM PAYOVICH
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 16th day of December, 2002.



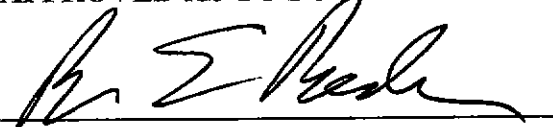
VICKI BLAKEMAN - Chairman

ATTEST:



PAM PAYOVICH
Recording Secretary

APPROVED AS TO FORM:



BRUCE E. BECKER
Livingston City Attorney

NOTICE

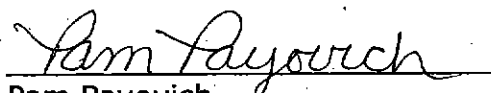
The public is invited to attend and comment at a public hearing to be held at 7:30 p.m. on December 16, 2002, on the second reading of ORDINANCE NO. 1919, entitled:

AN ORDINANCE OF THE LIVINGSTON CITY COMMISSION AMENDING CHAPTER 23 OF THE LIVINGSTON MUNICIPAL CODE BY CREATING A CITY TREE BOARD AND REVISING THE CITY'S TREE ORDINANCE TO PROVIDE A COMPREHENSIVE PLAN FOR TREE PLANTING, MAINTENANCE AND REMOVAL AND BY PROVIDING A PENALTY FOR VIOLATION THEREOF.

A copy of the ordinance is available for inspection at the City Office, 414 East Callender Street, Livingston, MT 59047. For further information call Pam at 823-6001.

Please publish December 4, 2002 and December 10, 2002.

City of Livingston



Pam Payovich
Administrative/Recording Secretary

NOTICE

The public is invited to attend and comment at a public hearing to be held at 7:30 p.m. on December 16, 2002, on the second reading of ORDINANCE NO. 1919, entitled:

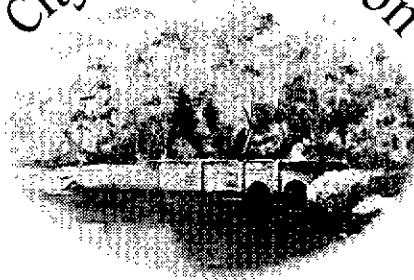
AN ORDINANCE OF THE LIVINGSTON CITY COMMISSION AMENDING CHAPTER 23 OF THE LIVINGSTON MUNICIPAL CODE BY CREATING A CITY TREE BOARD AND REVISING THE CITY'S TREE ORDINANCE TO PROVIDE A COMPREHENSIVE PLAN FOR TREE PLANTING, MAINTENANCE AND REMOVAL AND BY PROVIDING A PENALTY FOR VIOLATION THEREOF.

A copy of the ordinance is available for inspection at the City Office, 414 East Callender Street, Livingston, MT 59047. For further information call Pam at 823-6001.

(Publish twice at least 6 days apart 7-1-4127(6)MCA and post the ordinance needs on the City bulletin board and copies need to be made available to the public 7-5-103 MCA)


Clint Tinsley
Public Works Director
330 Bennett Street
Livingston, Montana 59047
(406) 222-1142 • 222-5606 fax

City of Livingston



Becki Cro 103
Office Manager
Sandy Wulf
Diane Powers
Utility Clerks

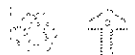
MEMO TO: Steve Golnar, City Manager

FROM: Clint Tinsley, Public Works Director 

SUBJECT: Two dollars per capita spent for the trees for the "Tree City USA Ordinance"

DATE: November 27, 2002

Attached is a list, submitted by Eddie Miller, the City Arborist, of expenses the City of Livingston has incurred for trees in the last year. These are documented expenses and show very clearly the cost of what has been done. The total cost is over \$27,000 and therefore, I feel confident that we can easily say we spent at least two dollars per capita on trees in the City of Livingston.



BOULEVARD TREE WORK

29,252.52

BUDGET YEARLEY	BUDGET	SPENT-COSTS
1000-153-460430-361	1,500.00	1,025.00
<u>BOULEVARD TREE REMOVAL</u>		
98 HOURS		
SEASONALS - MAIN 2 - FOREMAN		991.48
EQT. REPAIR - EQT RENOY - PARTS		500.00
<u>ARBOR DAY TREE GRANT PROGRAM</u>		
PLANT TWO TREES - PAPER WORK	410.00	410.00
PARK LABOR (24) HOURS		228.16
<u>EQUIPMENT USE</u>		
LOADER - 80 PER HOUR		7,840.00
CHIPPER - 30 PER HOUR		2,940.00
D. TRUCK - 25 PER HOUR		2,450.00
D. TRUCK - 15 PER HOUR		1,470.00
<u>CITY PARKS</u>		
TREE REMOVAL + TRIMMING		
64 HOURS		676.80
TREE WRAPS - (FO- BEAVERS) 32 HOURS		235.84
BURN BRUSH PILE		
8 HOURS		110.24
LOADER - \$80.00 P. HOUR		5120.00
CHIPPER - 30.00		1,920.00
D.T - 25.00		1600.00
D. TRUCK - 15.00		960.00
EQT REPAIR - 300.00		300.00

Memo

Date: 11/25/02
To: City Commission
From: City Attorney
Re: Tree Ordinance

I have basically followed the model tree ordinance provided by the Tree City USA. I have deleted portions of the City's existing ordinance which are covered by the Tree City ordinance. A violator is subject to a civil penalty.

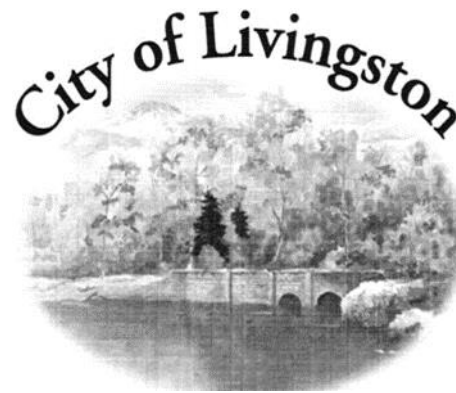
File Attachments for Item:

A. RESOLUTION 5114: A RESOLUTION OF THE CITY OF LIVINGSTON, MONTANA, DECLARING CERTAIN ITEMS AS SURPLUS AND AUTHORIZING THEIR DISPOSAL

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: 11/7/2023
To: Chair Nootz and City Commissioners
From: Grant Gager, City Manager

**Staff Report for Resolution 5114 Declaring Certain Items As Surplus
And Authorizing Disposal**

Recommendation and Summary

Staff recommends the Commission approve Resolution 5114 by adopting the following motion:

“I move to approve Resolution 5114 and authorize the Chair to sign.”

The reasons for the recommendation are as follows:

- Montana Code Annotated establishes certain requirements for disposal of public property.
- The City has identified certain items that are no longer necessary to its operations and is seeking approval to dispose of those items.

Introduction and History

Montana Code Annotated has established requirements for the disposal of municipally owned property in Section 7-8-4201 which provides that “the lease, donation, or transfer must be made by an ordinance or resolution passed by a two-thirds vote of all members of the council.” In the case of a Commission-Manager form of government, it is the responsibility of the Commission to make such a decision.

The City of Livingston purchases firearms for use by the Police Department. The service life of these assets is 10 years.

Analysis

This year, the City of Livingston has had its Police Chief and one Police Sergeant separate from service. Both former employees have requested permission to obtain their firearms to memorialize their service to the City. For both employees, the City of Livingston was their first law enforcement position and they separated in good standing with meritorious records of service. The firearms of each former employee were purchased in 2013 and have reached the end of their service life.

Fiscal Impact

The City will work with the separated employees to obtain appropriate cost recovery of the assets equal to the replacement credit offered by manufacturers and all funds will be attributed to the General Fund. In the case of the retired Police Chief, the City will not seek cost recovery in recognition of 25 years of meritorious service to the community and in accordance with MCA 7-32-305 which provides guidance for the transfer of firearms for retiring officers.

Strategic Alignment

The recognition of service to the community is critical to the recruitment and retention of employees.

Attachments

- Attachment A: Resolution 5114

RESOLUTION NO. 5114

A RESOLUTION OF THE CITY OF LIVINGSTON, MONTANA, DECLARING CERTAIN ITEMS AS SURPLUS AND AUTHORIZING THEIR DISPOSAL.

WHEREAS, The City of Livingston has procured certain items to enable its ability to provide statutorily required services to its residents and taxpayers; and

WHEREAS, Montana Code Annotated 7-8-4201, and its subparts, establishes requirements for the disposal of municipal property; and

WHEREAS, a two-thirds vote of all members of the City Commission is required to lease, donate or transfer municipal property; and

WHEREAS, Montana Code Annotated 7-32-305 establishes that retiring peace officers are eligible to request transfer of firearms issued for service; and

WHEREAS, The City of Livingston has identified two firearms that are not required for its continued operations;

NOW, THEREFORE, BE IT RESOLVED, by the City Commission of the City of Livingston, Montana, that the service pistols of former Sergeant Alex Walker and former Chief Dale Johnson are declared surplus and are authorized to be disposed of by the City Manager for an amount not to exceed fair market value.

BE IT FURTHER RESOLVED, that both peace officers are commended for their meritorious service to the community.

Dated this 7th day of November, 2023.

MELISSA NOOTZ, Chair

ATTEST:

EMILY HUTCHINSON,
City Clerk

APPROVED TO AS FORM:

JON HESSE,
Interim City Attorney

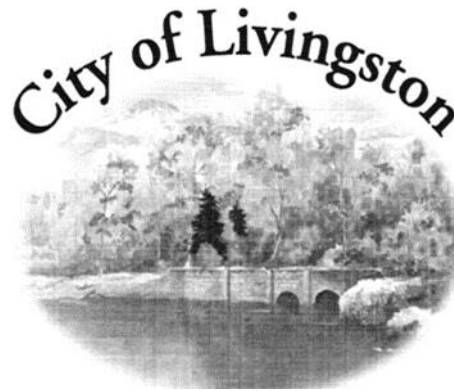
File Attachments for Item:

B. RESOLUTION 5115: A RESOLUTION OF THE CITY OF LIVINGSTON, MONTANA, IDENTIFYING AFFORDABLE HOUSING INCENTIVES.

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: 11/7/2023
To: Chair Nootz and City Commissioners
From: Grant Gager, City Manager

Staff Report for Resolution 5115 Identifying Affordable Housing Incentives

Recommendation and Summary

Staff recommends the Commission approve Resolution 5115 by adopting the following motion:

“I move to approve Resolution 5115 and authorize the Chair to sign.”

The reasons for the recommendation are as follows:

- The City has created certain incentives related to the production of affordable housing units through its planned unit development ordinance.
- The City Commission has expressed a desire to establish levels of affordability necessary to obtain such incentives.

Introduction and History

The City of Livingston’s Planned Unit Development ordinance creates certain incentives related to the creation of affordable housing. In order to ensure that the development of affordable housing is aligned with the Commission’s goals, identification of affordability levels necessary to obtain certain incentives is recommended by City staff.

Analysis

Affordability of housing is most often associated with the Area Median Income of a geographic region. Recognizing that housing costs above 30% of gross income are burdensome to families, the United States Department of Housing and Urban Development establishes guidelines for affordability within each community. For Park County Montana, the Area Median Income and housing affordability levels are as follows:

Affordability by % of AMI for 2-Person Households in Park County		
AMI	Annual Income	Affordable Monthly Rent (30% of monthly income)
60%	\$42,000	\$1,050
80%	\$56,000	\$1,400
100%	\$70,000	\$1,750
120%	\$84,000	\$2,100

Staff review of current available housing units indicates that there are currently limited units available for rent or sale at or below the level that is affordable to those making 100% of the Area Median Income (\$1,750 per month).

As such, that City staff is recommending that the Commission adopt the proposed Resolution identifying units affordable to those making less than 100% of AMI as eligible for incentives available from the City. Recognizing that community members have different needs and abilities related to housing, City staff is not recommending differential affordability levels for ownership or rental units.

Fiscal Impact

There is no fiscal impact to the City arising from this declaration of affordability levels.

Strategic Alignment

The provision of affordable housing is recognized in Growth Policy goal 5.1 which is to provide housing options to meet the needs of all residents.

Attachments

- Attachment A: Resolution 5115
- Attachment B: 2021 Park County Housing Needs Assessment

RESOLUTION NO. 5115

A RESOLUTION OF THE CITY OF LIVINGSTON, MONTANA, IDENTIFYING AFFORDABLE HOUSING INCENTIVES.

WHEREAS, the City of Livingston has established incentives to support the creation of affordable housing; and

WHEREAS, the City Commission wishes to identify which projects will be eligible for such incentives; and

NOW, THEREFORE, BE IT RESOLVED, by the City Commission of the City of Livingston, Montana, that projects that provide housing that is deemed affordable to residents earning one-hundred percent (100%) of the Area Median Income as then-currently determined by the United States Department of Housing and Urban Development.

Dated this 7th day of November, 2023.

MELISSA NOOTZ, Chair

ATTEST:

APPROVED TO AS FORM:

EMILY HUTCHINSON,
City Clerk

JON HESSE,
City Attorney

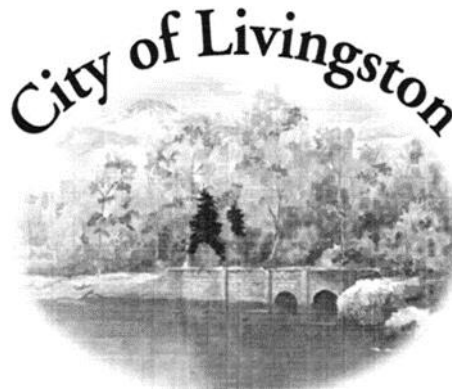
File Attachments for Item:

C. RESOLUTION 5116: A RESOLUTION OF THE CITY OF LIVINGSTON, MONTANA, ELIMINATING THE PARKS AND TRAILS COMMITTEE

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: 11/7/2023
To: Chair Nootz and City Commissioners
From: Grant Gager, City Manager

Staff Report for Resolution 5116 Eliminating the Parks and Trails Advisory Committee

Recommendation and Summary

Staff is seeking Commission approval of Resolution 5116 to eliminate the Parks and Trails Advisory Committee through adoption of the following motion:

“I move to adopt Resolution 5116 and authorize the Chair to sign.”

The reasons for the request are as follows:

- The City Commission established the Parks and Trails Advisory Committee to assist with the Parks and Trails Master Plan in 2013.
- The Parks and Trails Committee achieves limited public engagement.

Introduction and History

The City of Livingston established the Parks and Trails Advisory Committee in 2013 to assist in the creation of the Parks and Trails Master Plan. More recently, the Parks and Trails Advisory has had limited public attendance at its meetings. In 2023, the Committee has averaged less than 1 member of the public at its meetings.

Analysis

City staff has identified alternative methods of engaging the community on matters affecting parks and trails in the City of Livingston. A twice yearly public event to assess the performance of parks and trails is planned. Additionally, ad hoc executive advisory committees will be formed to provide City staff with public input on projects and planning documents.

Fiscal Impact

Elimination of the Parks and Trails Advisory Committee will eliminate the cost of staff hours committed to managing the Committee. Such savings will be offset by new public engagement and ad hoc committee efforts.

Strategic Alignment

Effective public engagement is critical to the development of policy and implementation of processes.

Attachments

- Attachment A: Resolution 5116
- Attachment B: Resolution 4344

RESOLUTION NO. 5116

A RESOLUTION OF THE CITY OF LIVINGSTON, MONTANA, ELIMINATING THE PARKS AND TRAILS COMMITTEE.

WHEREAS, The City Commission created a Parks and Trails Advisory Committee through Resolution 4344 on February 5, 2013, to help implement its Parks and Trails Master Plan; and

WHEREAS, the 2013 Parks and Trails Master Plan is no longer a utilized planning tool of the City of Livingston; and

WHEREAS, the City Commission believes that it can obtain public input and engagement on the management of its parks and trails system through means other than the Parks and Trails Advisory Committee;

NOW, THEREFORE, BE IT RESOLVED, by the City Commission of the City of Livingston, Montana, that the Parks and Trails Advisory Committee to the City Commission is hereby eliminated.

Dated this 7th day of November, 2023.

MELISSA NOOTZ, Chair

ATTEST:

APPROVED TO AS FORM:

EMILY HUTCHINSON,
City Clerk

JON HESSE,
Interim City Attorney

RESOLUTION NO. 4344

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ESTABLISHING THE CITY OF LIVINGSTON PARKS AND TRAILS COMMITTEE AS A PERMANENT ADVISORY BOARD TO THE CITY COMMISSION.

WHEREAS, the City established a Parks and Trails advisory committee to assist the City of Livingston in establishing the City’s Parks and Trails Master Plan; and

WHEREAS, by Resolution No. 4203 passed on June 7, 2011, the City of Livingston, upon advise of the Parks and Trails advisory committee, entered into a professional services agreement with CTA Engineering to create the City of Livingston Parks and Trails Master Plan; and

WHEREAS, to implement the completed Parks and Trails Master Plan, the City Commission believes that it would be in the community’s best interest to establish a permanent Parks and Trails Advisory Committee to the City Commission; and

WHEREAS, five citizen members currently serve on Parks and Trails Advisory Commission; and

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

That there is hereby established the City of Livingston Parks and Trails Advisory Committee to assist the City Commission in the long term planning of parks and trails, and such other duties as the City Commission shall assign.

BE IT FURTHER RESOLVED that the initial committee shall consist of the currently serving five citizen members until January, 2014, when the City Commission will re-visit this Committee and make any changes which may be necessary.

BE IT FURTHER RESOLVED, that the initial advisory board shall adopt bylaws and establish meeting times which shall be submitted to the City Commission for final approval.

Dated this 5th day of February, 2013.



STEVE CALDWELL - Chairman

ATTEST:



DAVID FINE
Recording Secretary

APPROVED AS TO FORM:



BRUCE E. BECKER
City Attorney



Livingston City Commission
LEGISLATIVE ACTION SUMMARY
Ordinance/Resolution No: **4344**

Date of First Consideration/Status: January 15, 2013

Purpose of Legislation: To create a permanent Parks and Trails Committee

Statutory Authority/Reference: N/A

Background: A Parks and Trails advisory committee was originally formed in 2010 and tasked to assist with the Parks and Trails Master Plan, approved in 2011. The Commission discussed and approved creating a permanent Parks and Trails Committee on January 15, 2012 for the purpose of implementing the completed Parks and Trails Master Plan.

Fiscal Impact: N/A

Regulatory Impact (local): N/A

Attachments: N/A

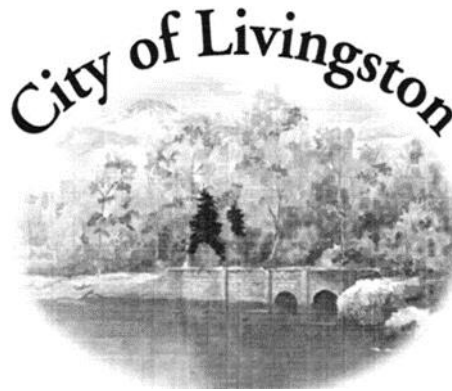
File Attachments for Item:

D. RESOLUTION 5117: A RESOLUTION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN EASEMENTS

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: 11/7/2023
To: Chair Nootz and City Commissioners
From: Grant Gager, City Manager

Staff Report for Resolution 5117 Accepting Street, Utility and Access Easements

Recommendation and Summary

Staff recommends the Commission approve Resolution 5117 by adopting the following motion:

“I move to approve Resolution 5117 and authorize the Chair to sign.”

The reasons for the recommendation are as follows:

- A permitted development project is occurring at Loves Lane and Miller Drive.
- The City is both obtaining and requiring certain access to infrastructure within the project.

Introduction and History

The City of Livingston has permitted a project at the corner of Loves Lane and Miller Drive within the City. As part of the project, the applicant will be providing additional street right-of-way to the City of Livingston. Additionally, the City requires easements within the project area to maintain and operate certain infrastructure.

Analysis

The granting of easements is required to ensure that ownership of the expanded right-of-way and access to constructed infrastructure is legally enforceable.

Fiscal Impact

There is no fiscal impact arising from the receipt of these easements.

Strategic Alignment

The operation and maintenance of infrastructure is critical to City operations.

Attachments

- Attachment A: Resolution 5117

RESOLUTION NO. 5117

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ACCEPTING STREET, UTILITY AND ACCESS EASEMENTS GRANTED BY KMJ GROUP, LLC FOR THEIR PROJECT LOCATED AT LOVES LANE AND MILLER DRIVE AND AUTHORIZING THE CITY MANAGER TO SIGN THE ASSOCIATED DOCUMENT.

WHEREAS, KMJ Group, LLC will be extending City utilities to their project located at Loves Lane and Miller Drive; and

WHEREAS, as part of this project KMJ Group, LLC will be providing additional street width for both Loves Land and Miler Drive; and

WHEREAS, the City requires access to the planned utilities located in the interior of the project.

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

That the City Commission hereby accepts the easements provided in the attached exhibits and authorizes the City Manager to sign easement documents.

PASSED AND ADOPTED by the City Commission of the City of Livingston, Montana, this 7th day of November, 2023.

MELISSA NOOTZ – Chair

ATTEST:

APPROVED AS TO FORM:

EMILY HUTCHINSON
City Clerk

JON HESSE
City Attorney

RETURN RECORDED DOCUMENT TO:

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

PUBLIC UTILITY AND ACCESS EASEMENT AND AGREEMENT

KMJ Group, LLC, a Montana limited liability company, with a mailing address of 414 N. 16th Ave., Bozeman, MT 59715-3104, the GRANTOR, in consideration of one dollar and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant to City of Livingston, of 414 E. Callender Street, Livingston, MT 59047, a Municipal Corporation of the State of Montana, GRANTEE, its successors and assigns, a perpetual easement to lay, construct and maintain sanitary sewer pipelines and water mains with the usual services, manholes, connections, accessories and appurtenances for the purpose of transmitting sanitary sewer and water in, through and across strips of land situated in the City of Livingston, Park County, Montana, 30 feet wide and 20 feet wide, to be located on the following described real property:

Tract 5-A, Lahren Minor Subdivision, S/D No. 590, and located in the SE 1/4 of Section 23, T. 2 S., R. 9 E. of P.M.M., City of Livingston, Park County, Montana.

The easement is more particularly shown and dimensioned on the attached **Exhibit A**, which by this reference is made a part of this document.

This grant includes the right of the GRANTEE, its successors, permittees, licensees, and assigns and its and their agents and employees, to enter at all times upon the above-described land by using existing roads or trails or otherwise by a route causing the least damage and inconvenience to the GRANTOR(S) in order to survey and establish the route and location of the easement and the pipeline and to:

- (1) Construct, operate, patrol, repair, substitute, remove, enlarge, replace, and maintain the pipeline, manholes, services, connections, accessories and appurtenances;
- (2) Trim, remove, destroy, or otherwise control any trees and brush inside or outside the boundaries of the easement which may, in the opinion of the GRANTEE, interfere or threaten to interfere with or be hazardous to the construction, operation and maintenance of the pipeline;
- (3) Grade the land subject to this easement and extend the cuts and fills of this grading into and on the land adjacent to that which is subject to this easement to the extent GRANTEE

may find reasonably necessary; and

- (4) Support the pipeline across ravines and water courses with structures which GRANTEE deems necessary.

THE GRANTEE AGREES:

- (1) That, in connection with the construction, operating, patrolling, repairing, substituting, removing, enlarging, replacing, and maintaining of said sanitary sewer pipelines and water mains, it will repair or replace, at its sole expense, or pay to GRANTOR(S) the reasonable value of any damages to growing crops, existing fences, ditches and other appurtenances of said land that may be disturbed by its operation.
- (2) That, during operations involving excavation, it will remove the topsoil from the trenched area to a depth of one foot, or to the full depth of the topsoil, whichever is less, and stockpile said top soil for replacement over the trench. It will remove from the site any large rocks or surplus excavating material or any debris that may have been exposed by the excavation and remains after backfilling is completed. And, it will leave the finished surface in substantially the same condition as existed prior to the beginning of operations except that the surface of backfilled areas may be mounded sufficiently to prevent the formation of depressions after final settlement has taken place.

THE GRANTOR(S) AGREES:

- (1) At no time will they build, construct, erect or maintain any permanent structure within the boundaries of said easement without the prior written consent of GRANTEE.
- (2) At no time will they modify the finished grade of the land over the pipeline by removal of existing soil or by placement of fill material within the boundaries of said easement without the prior written consent of the GRANTEE.
- (4) The GRANTOR hereby releases the GRANTEE from having to repair or replace any sidewalks or concrete flatwork in the event of any necessary maintenance, repairs or replacement of the water or sanitary sewer systems.
- (5) The GRANTOR(S) warrants that they are lawfully seized and possessed of the real property described above, that they have a lawful right to convey an easement on the property, or any part of it, and that they will forever defend the title to this property against the claims of all persons.
- (6) The GRANTEE may peaceably hold and enjoy the rights and privileges herein granted without any interruption by the GRANTOR(S). The terms, covenants and provisions of this easement and agreement shall extend to and be binding upon the heirs, executors,

administrators, personal representatives, successors and assigns of the parties hereto.

DATED this 20 day of September, 2023.

GRANTOR: KMJ Group, LLC, a Montana limited liability company


By: Kristopher Lahren, Manager

STATE OF MONTANA)
) ss.
County of Gallatin)

This instrument was signed or acknowledged before me this 20 day of September, 2023, by Kristopher Lahren as Manager of KMJ Group, LLC, a Montana limited liability company.

(SEAL)

Donnelle Bledsoe
Notary Public for the State of Montana
Printed Name: Donnelle Bledsoe
Residing at Belgrade
My Commission Expires 09/16/2026



DATED this _____ day of _____, 2023.

ACCEPTED - CITY OF LIVINGSTON

By: Grant Gager, its City Manager

ATTEST:

By: Emily Hutchinson, its City Clerk

STATE OF MONTANA)
)ss.
County of Park)

On this _____ day of _____, 202_____, before me, a Notary Public for the State of Montana, personally appeared Grant Gager and Emily Hutchinson, known to me to be the City Manager and City Clerk, respectively, of the City of Livingston, and the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same for and on behalf of the City of Livingston.

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

(SEAL)

Notary Public for the State of Montana
Printed Name: _____
Residing at _____
My Commission Expires ____/____/20____

LEGEND






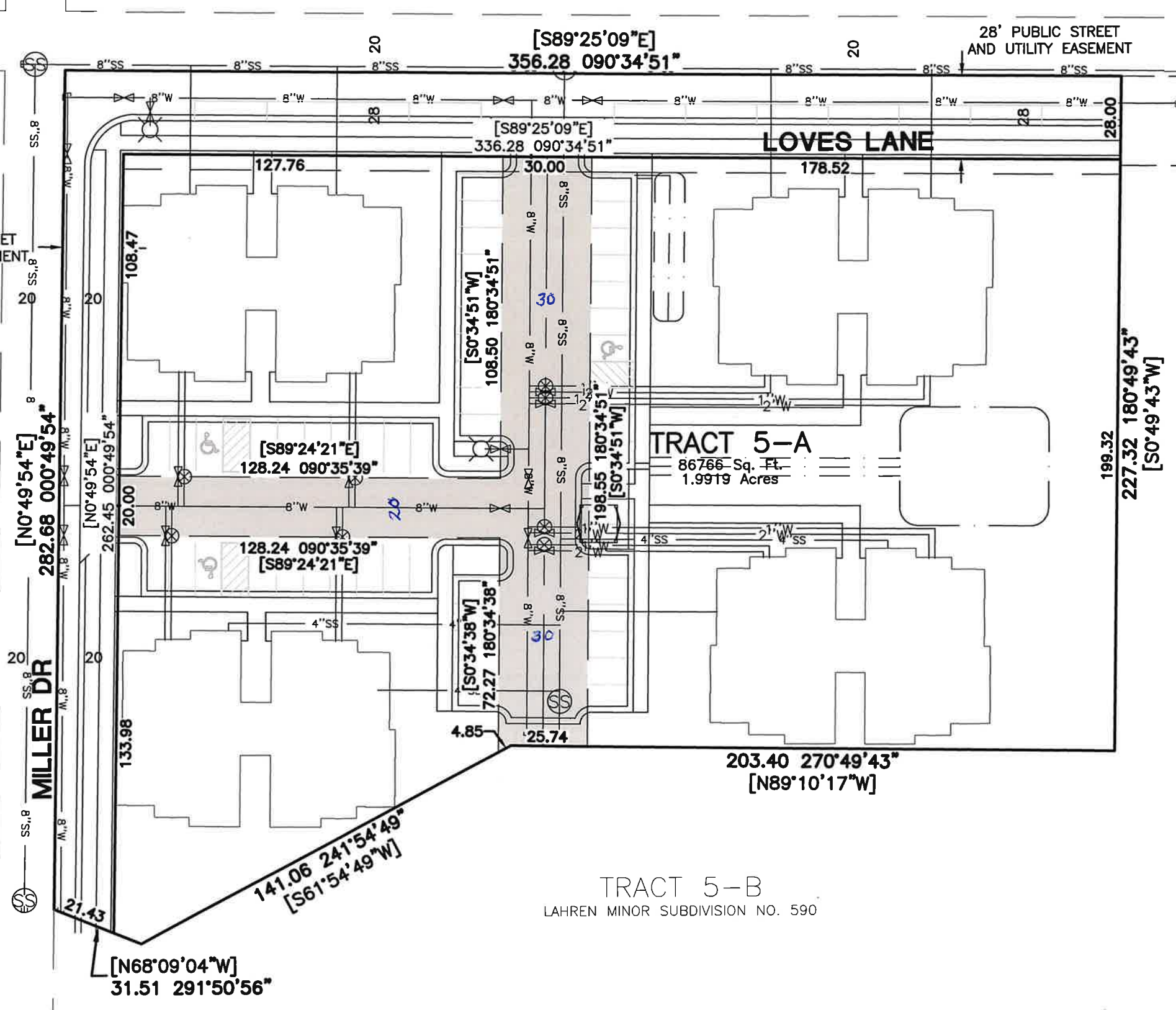
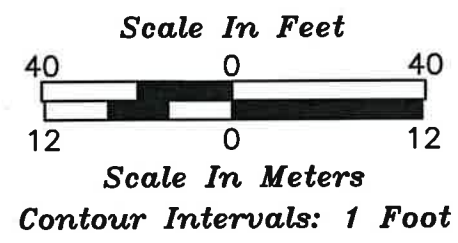
-  PROPERTY BOUNDARY LINE
-  EASEMENT LINE
-  PROPOSED 8" WATER MAIN
-  PROPOSED 8" SANITARY SEWER MAIN
-  WATER AND SEWER PIPELINE EASEMENT AREA

EXHIBIT A
WATER AND SEWER PIPELINE EASEMENT
LOVES LANE APARTMENTS

LEGAL DESCRIPTION

LOT 5-A, LAHREN MINOR SUBDIVISION NO. 590
 LOCATED IN SE 1/4 OF SECTION 23,
 T. 2 S., R. 9 E. OF P.M.M.,
 PARK COUNTY, MONTANA

AREA OF WATER AND SEWER PIPELINE EASEMENT =
 8524 SQ. FT., 0.0196 ACRES




1143 STONERIDGE DR
 SUITE 1
 BOZEMAN, MT 59718

PH: 406.587.1115
 www.imegcorp.com

RETURN RECORDED DOCUMENT TO:

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

PUBLIC STREET AND UTILITY EASEMENT
(Loves Lane and Miller Drive)

KMJ Group, LLC, a Montana limited liability company, with a mailing address of 414 N. 16th Ave., Bozeman, MT 59715-3104, the GRANTOR, in consideration of one dollar and other good and valuable consideration, receipt of which is acknowledged, does hereby grant to City of Livingston, of 414 E. Callender Street, Livingston, MT 59047, a Municipal Corporation of the State of Montana, GRANTEE, its successors and assigns, a perpetual street and utility easement for the use of the public, in, through and across a strip of land 28.00 feet wide and a strip of land 20.00 feet wide situated in Park County, Montana, to be located on the following described real property:

Tract 5-A, Lahren Minor Subdivision, S/D No. 590, and located in the SE 1/4 of Section 23, T. 2 S., R. 9 E. of P.M.M., City of Livingston, Park County, Montana.

The easements are more particularly shown and dimensioned on the attached **Exhibit A**, which by this reference is made a part hereof.

The GRANTOR states that it possesses the real property described above and that it has a lawful right to grant an easement thereon.

The GRANTOR further agrees that the GRANTEE may peaceably hold and enjoy the rights and privileges herein granted without any interruption by the GRANTOR.

The terms, covenants, and provisions of this easement shall extend to and be binding upon the heirs, executors, administrators, personal representatives, successors, and assigns of the parties hereto.

DATED this 20 day of September, 2023.

GRANTOR: KMJ Group, LLC, a Montana limited liability company

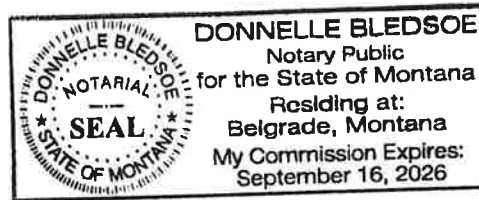
Kristopher Lahren
By: Kristopher Lahren, Manager

STATE OF MONTANA)
) ss.
County of Gallatin)

This instrument was signed or acknowledged before me this 20 day of September, 2023, by Kristopher Lahren as Manager of KMJ Group, LLC, a Montana limited liability company.

Donnelle Bledsoe
Notary Public for the State of Montana
Printed Name: Donnelle Bledsoe
Residing at Belgrade
My Commission Expires 9/16/2026

(SEAL)



DATED this _____ day of _____, 2023.

ACCEPTED - CITY OF LIVINGSTON

By: Grant Gager, its City Manager

ATTEST:

By: Emily Hutchinson, its City Clerk

STATE OF MONTANA)
)ss.
County of Park)

On this _____ day of _____, 202__, before me, a Notary Public for the State of Montana, personally appeared Grant Gager and Emily Hutchinson, known to me to be the City Manager and City Clerk, respectively, of the City of Livingston, and the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same for and on behalf of the City of Livingston.

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

(SEAL)

Notary Public for the State of Montana
Printed Name: _____
Residing at _____
My Commission Expires ___/___/20___

LEGEND




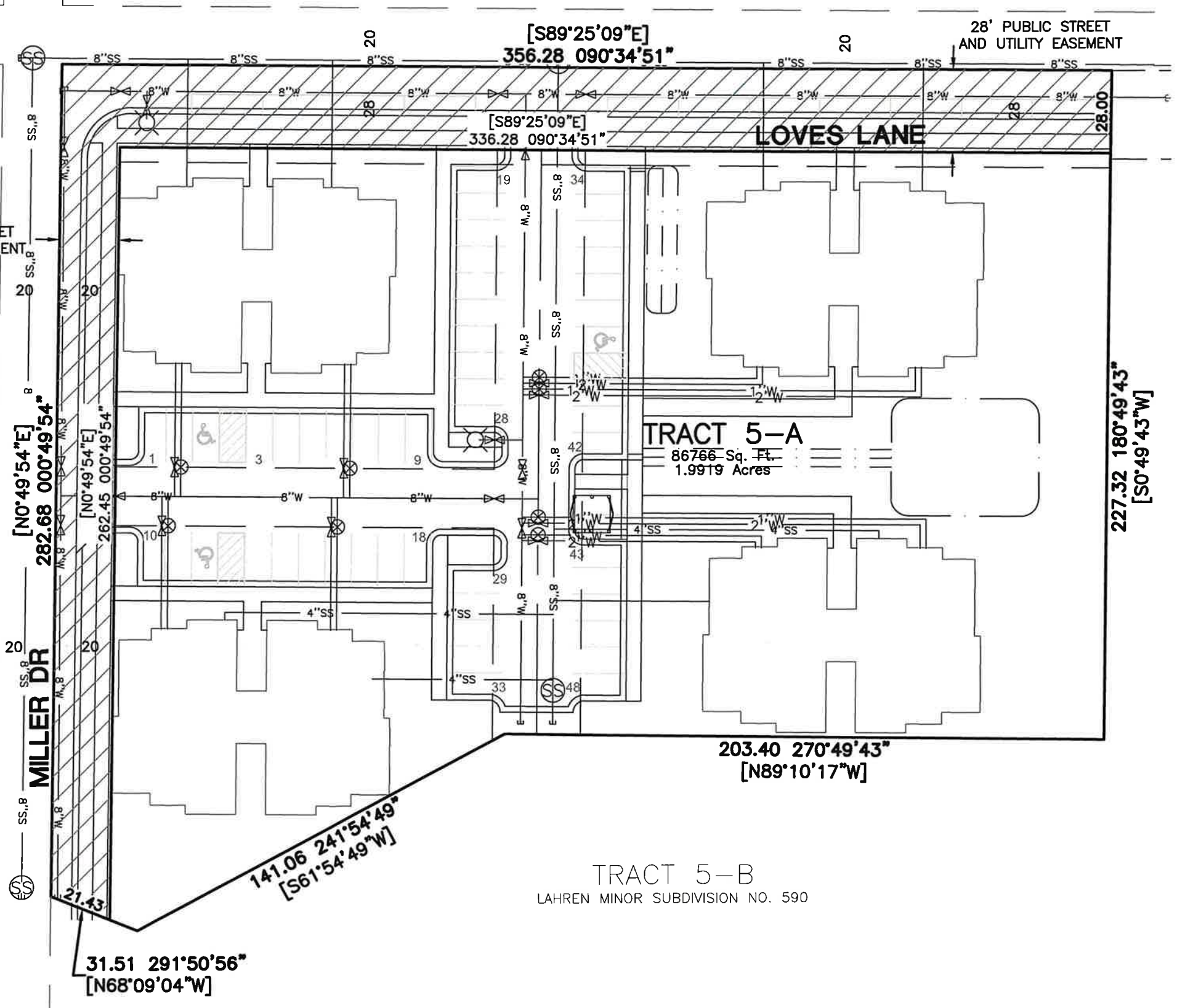
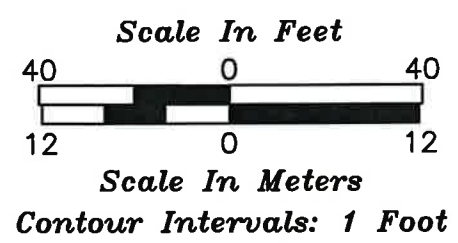
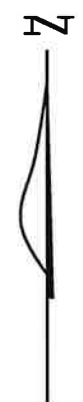
-  PROPERTY BOUNDARY LINE
-  EASEMENT LINE
-
-
-  PUBLIC STREET AND UTILITY EASEMENT

EXHIBIT B
PUBLIC STREET AND UTILITY EASEMENT
LOVES LANE APARTMENTS

LEGAL DESCRIPTION

LOT 5-A, LAHREN MINOR SUBDIVISION NO. 590
LOCATED IN SE 1/4 OF SECTION 23,
T. 2 S., R. 9 E. OF P.M.M.,
PARK COUNTY, MONTANA

AREA OF PUBLIC STREET AND UTILITY EASEMENT =
15147 SQ. FT., 0.3477 ACRES



1143 STONERIDGE DR
SUITE 1
BOZEMAN, MT 59718

PH: 406.587.1115
www.imegcorp.com

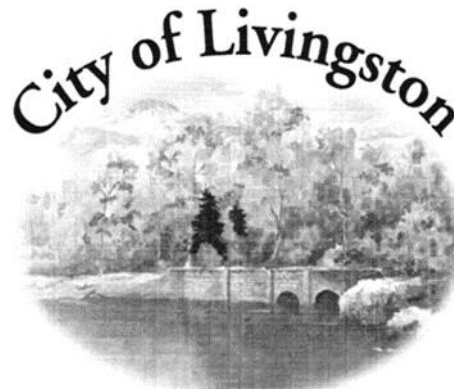
File Attachments for Item:

E. RESOLUTION 5118: A RESOLUTION OF THE CITY OF LIVINGSTON, MONTANA, ANNEXING CERTAIN LAND KNOWN AS RY TIMBER

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: 11/7/2023
To: Chair Nootz and City Commissioners
From: Grant Gager, City Manager

**Staff Report for Resolution 5118 Annexing Certain Parcels
Known as RY Timber**

Recommendation and Summary

Staff recommends the Commission approve Resolution 5118 by adopting the following motion:

“I move to approve Resolution 5118 and authorize the Chair to sign.”

The reasons for the recommendation are as follows:

- Montana Code Annotated establishes certain requirements for the annexation of land.
- The City has received a request from a property owner to be annexed into the City to enable connection to the City’s water system.

Introduction and History

Montana Code Annotated (MCA) has established procedures for the annexation of land in certain circumstances. Section 46 of Chapter 2 of Title 7 establishes the procedure for annexation of land by petition of owners. When a majority ownership interest requests annexation by petition, MCA 7-2-4601(3)(b) provides that “The governing body may approve or disapprove a petition submitted [...] on its merits. When the governing body approves the petition, it shall pass a resolution providing for the annexation.”

The City’s current Annexation Policy, provided as Attachment B, encourages annexation into the City before provision of utility services.

Analysis

The City of Livingston has received a petition for annexation from the owners of certain parcels known as the RY Timber mill. Specifically, the owners have requested that the northern sections of the mill, which include all building improvements, be annexed into the City. After annexation, the owners intend to establish a connection to the City’s water system for the purposes of providing water for both domestic service as well as fire suppression. Such connections will be limited to the annexed portion.

Fiscal Impact

The City will receive additional property tax revenue from the annexation. The additional revenue is expected to have a minimal revenue impact to the General Fund adding less than 1%.

Strategic Alignment

The annexation of lands is required before the provision of utility service pursuant to the City’s current Annexation Policy.

Attachments

- Attachment A: Resolution 5118
- Attachment B: Petition of Annexation
- Attachment C: City of Livingston Annexation Policy

RESOLUTION NO. 5118

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ANNEXING CERTAIN PARCELS KNOWN AS RY TIMBER.

WHEREAS, Montana Code Annotated establishes procedures for the annexation of land pursuant to a petition by the owner in MCA 7-2-4601; and

WHEREAS, The City of Livingston has received a petition signed by more than 50% of the owners of the certain real property; and

WHEREAS, the City desires to annex such lands in accordance with its adopted Annexation Policy;

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Livingston, Montana, that the land described in the attached exhibit is hereby annexed into and made a part of the City of Livingston, Montana.

PASSED AND ADOPTED by the City Commission of the City of Livingston, Montana, this 7th day of November, 2023.

MELISSA NOOTZ – Chair

ATTEST:

APPROVED AS TO FORM:

EMILY HUTCHINSON
City Clerk

JON HESSE
City Attorney

EXHIBIT A

PARCEL I:

Tract 1 of Recorders Plat No. 424, situated in the SE1/4SE1/4 of Section 23, Township 2 South, Range 9 East, M.P.M., Park County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder, Park County, Montana.

EXCEPTING THEREFROM, that parcel conveyed by Special Warranty Deed, recorded May 10, 1974 in Roll 8, Page 741; and

FURTHER EXCEPTING THEREFROM, Lots 1, 2, 3 and 4 of Centennial Subdivision, a Minor Subdivision, recorded as Subdivision Plat No. 104, containing in area approximately 4.3 Acres.

PARCEL II:

A parcel of land as shown and described on Recorders Plat No. 230 located in the SW1/4 of Section 24 and NW1/4 of Section 25, Township 2 South, Range 9 East, P.M.M., Park County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder, Park County, Montana, containing in area approximately 10.71 Acres.

PARCEL III:

Tract 1 of Certificate of Survey No. 6, located in the NE1/4 of Section 26, Township 2 South, Range 9 East, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Park County, Montana, containing in area approximately 10.269 Acres.

PARCEL IV:

A parcel of land as shown and described on Recorders Plat 186 located in the NW1/4 of Section 25, Township 2 South, Range 9 East, P.M.M., according to the official plat thereof on file and of record in the office of the County Clerk and Recorder, Park County, Montana, containing in area approximately 3.2 Acres.

PARCEL V:

The "South Tract" of ZC Island, as shown and described on Recorders Plat No. 650 located in the SW1/4 of Section 24, Township 2 South, Range 9 East, P.M.M., Park County, Montana, containing in area approximately 4.89 Acres.

PARCEL VI:

That Certain parcel of land situated in the NE ¼ NE ¼ of Section 26, Township 2 South, Range 9 East, M.P.M., Park County, Montana, as follows; That certain triangular parcel of the land being all of the NE ¼ NE ½ of said section laying north of the road leading to the Strong Place. (Reference Deed recorded in Volume 81, page 527)

All those six (6) tracts of record as described below:

PARCEL I:

Tract 1 of Recorders Plat No. 424, situated in the SE1/4SE1/4 of Section 23, Township 2 South, Range 9 East, M.P.M., Park County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder, Park County, Montana.

EXCEPTING THEREFROM, that parcel conveyed by Special Warranty Deed, recorded May 10, 1974 in Roll 8, Page 741; and

FURTHER EXCEPTING THEREFROM, Lots 1, 2, 3 and 4 of Centennial Subdivision, a Minor Subdivision, recorded as Subdivision Plat No. 104, containing in area approximately 4.3 Acres.

PARCEL II:

That tract described as Plat 230 located in the SW1/4 of Section 24 and NW1/4 of Section 25, Township 2 South, Range 9 East, P.M.M., Park County, Montana, containing in area approximately 10.71 Acres.

PARCEL III:

Tract 1 of Certificate of Survey No. 6, located in the NE1/4 of Section 26, Township 2 South, Range 9 East, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Park County, Montana, containing in area approximately 10.269 Acres.

PARCEL IV:

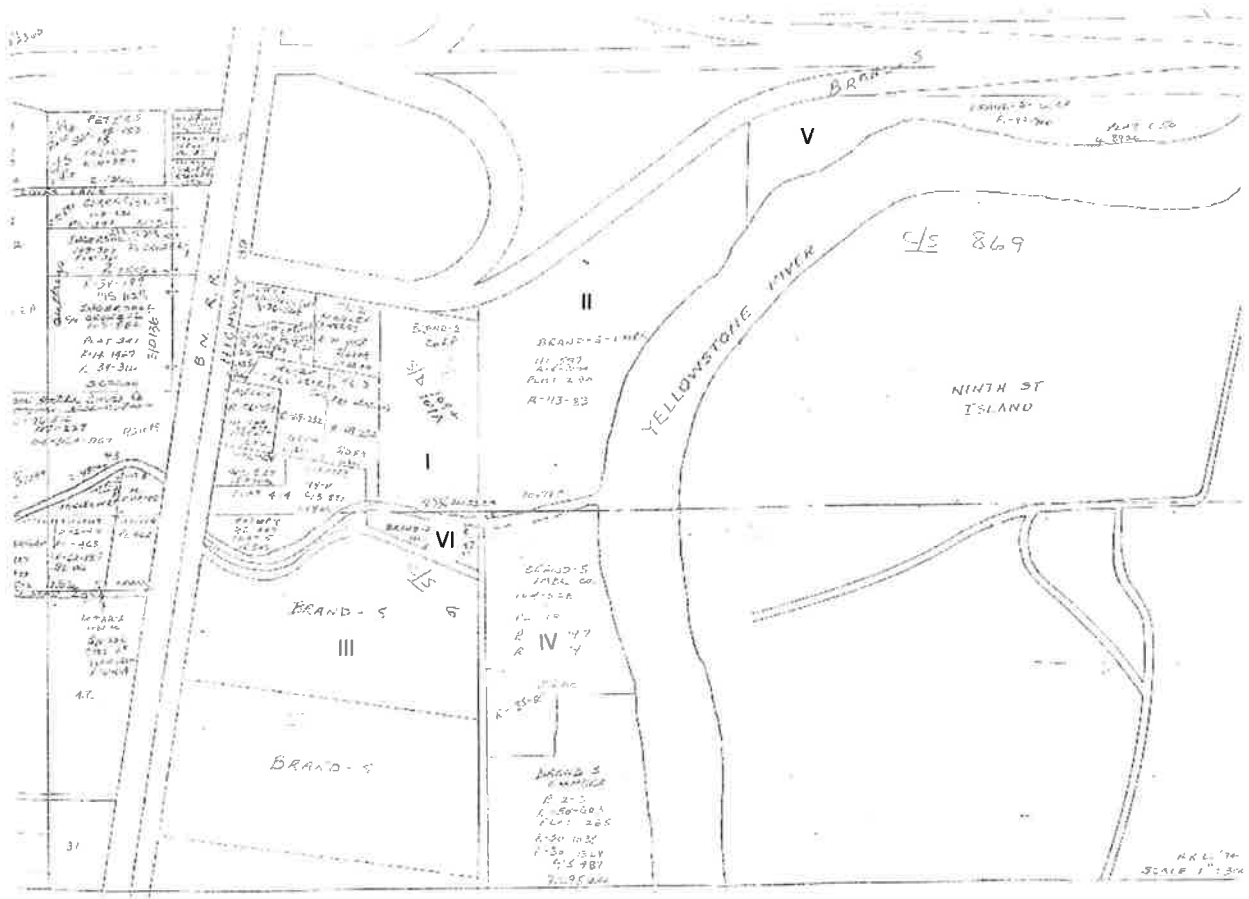
That tract described as Plat 186 located in the NW1/4 of Section 25, Township 2 South, Range 9 East, P.M.M., Park County, Montana, containing in area approximately 3.2 Acres.

PARCEL V:

The "South Tract" as described on Plat 650 located in the SW1/4 of Section 24, Township 2 South, Range 9 East, P.M.M., Park County, Montana, containing in area approximately 4.89 Acres.

PARCEL VI:

That Certain parcel of land situated in the NE1/4NE1/4 of Section 26, Township 2 South, Range 9 East, M.P.M., Park County, Montana, as follows: That certain triangular parcel of land being all of the NE1/4NE1/4 of said section laying north of the road leading to the Strong place. (Reference deed recorded in Volume 81, Page 527.) containing in area approximately 0.5 Acres.



PROPOSED ANNEXATION

CERTIFICATE OF SURVEY NO. _____
SITUATED IN THE SE 1/4 SE 1/4 SECTION 23, T-2S, R-9E, M.P.M.
PARK COUNTY, MONTANA

For: Gulf Oil Corporation (Don Nell)
Plat & Survey By Sage Engineers & Land Planners, Inc. Billings, Montana

SCALE - 1"=100'
AUGUST, 1966



DEFINITION OF SURVEY

THIS SURVEY was made by the undersigned on the _____ day of _____, 1966, and the results are set forth in this certificate of survey, which is hereby certified to be correct and true.

Subscribed at the northern corner of section 23, T-2S, R-9E, M.P.M., a distance of 769.17 feet from the north line of said section 23 as a point on the north line of section 23, T-2S, R-9E, M.P.M., and a distance of 334.5 feet from the east line of section 23, T-2S, R-9E, M.P.M., as a point on the east line of section 23, T-2S, R-9E, M.P.M., the following named persons, being duly sworn to the truth of the foregoing, in witness whereof, their hands and seals have been hereunto set at the place and date first above written.

Done this _____ day of August, 1966.

Approved by Commission
Guy T. Land, Chairman
Aug 30, 1966

[Signature]
Sage Engineers & Land Planners, Inc.
Billings, Montana

[Signature]
Sage Engineers & Land Planners, Inc.
Billings, Montana

[Signature]
Guy T. Land

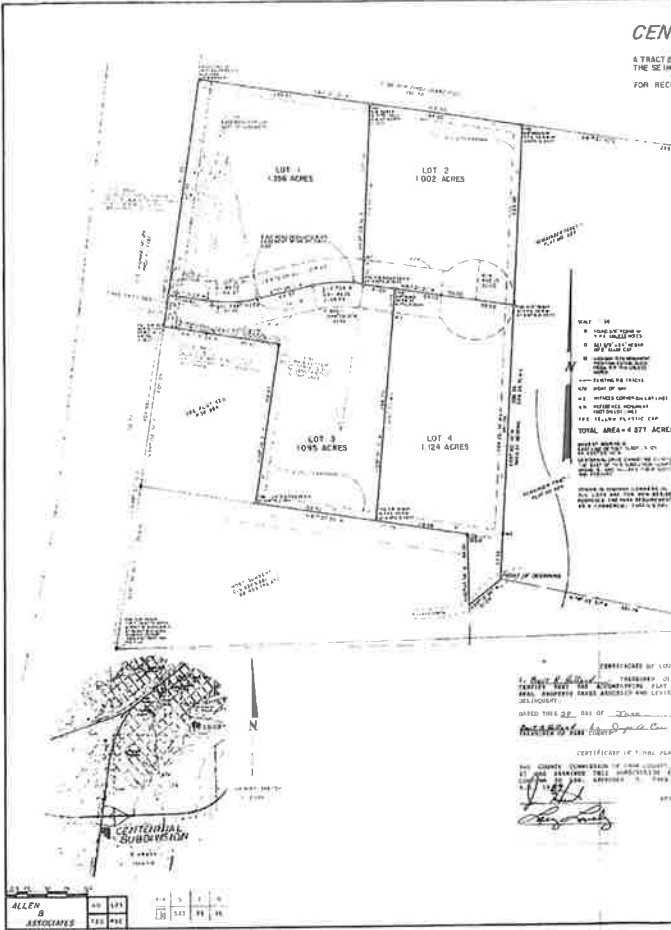
[Signature]
Guy T. Land

[Signature]
Sage Engineers & Land Planners, Inc.
Billings, Montana

APY

S/D 104

**PLAT OF
CENTENNIAL SUBDIVISION**
(A MINOR SUBDIVISION)
A TRACT OF LAND LOCATED IN
THE SE 1/4 OF SECTION 13, T20, R0E, P14M, PARK COUNTY,
MONTANA
FOR RECREATIONAL LEASING, INC. TO CREATE 4 LOTS



THIS PLAT OF LAND IS BEING SUBMITTED TO THE COUNTY COMMISSIONER OF PARK COUNTY, MONTANA, FOR APPROVAL AND RECORDATION. THE TOTAL AREA OF THE TRACT IS 4.481 ACRES. THE TRACT IS BEING DIVIDED INTO FOUR LOTS AS SHOWN ON THE PLAT. THE PLAT IS BEING SUBMITTED FOR RECORDATION IN ACCORDANCE WITH THE PROVISIONS OF THE MONTANA SUBDIVISION ACT.

TOTAL AREA = 4.481 ACRES

CERTIFICATE OF FINAL PLAT PREPARATION

I, *[Signature]*, Surveyor, do hereby certify that the above described plat has been duly prepared and filed in my office in accordance with the provisions of the Montana Subdivision Act.

DATED THIS 22nd DAY OF *[Month]*, 20*[Year]*.

[Signature]
Surveyor

STATE OF MONTANA
COUNTY OF PARK

I, *[Signature]*, County Commissioner, do hereby certify that the above described plat has been duly prepared and filed in my office in accordance with the provisions of the Montana Subdivision Act.

DATED THIS 22nd DAY OF *[Month]*, 20*[Year]*.

[Signature]
County Commissioner

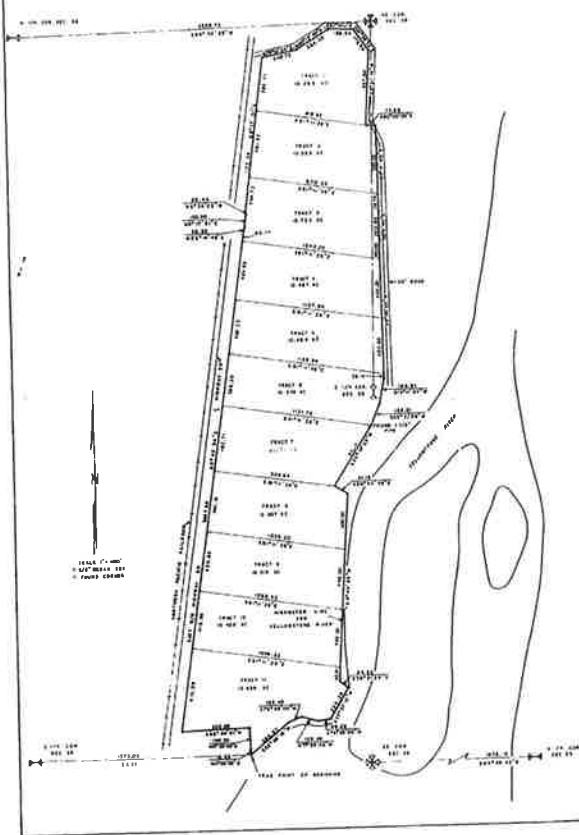


PARCEL 1 EXCEPTION

CERTIFICATE OF SURVEY

A TRACT OF LAND IN SECTION TWENTY-NINE (29), TOWNSHIP TWO (2) SOUTH, RANGE NINE (9) EAST, MONTANA PRINCIPAL MERIDIAN, FANE COUNTY, MONTANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

8762



DESCRIPTION

A TRACT OF LAND IN THE EAST ONE-HALF (6) OF SECTION TWENTY-NINE (29), AND THE WEST ONE-HALF (6) OF SECTION TWENTY-NINE (29), TOWNSHIP TWO (2) SOUTH, RANGE NINE (9) EAST, MONTANA PRINCIPAL MERIDIAN, FANE COUNTY, MONTANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH BEARS EAST A DISTANCE OF 1573.00 FEET FROM THE SOUTH ONE-QUARTER (84) OF SECTION TWENTY-NINE (29), SAID POINT BEING ON THE SOUTH LINE OF SECTION TWENTY-NINE (29), AND A MEASURED NUMBER TO THE YELLOWSTONE RIVER;

THENCE NORTH A DISTANCE OF 18.33 FEET TO A ROUND CORNER, THENCE NORTH A DISTANCE OF 100.00 FEET, THENCE SOUTH 89° 54' 54" WEST, A DISTANCE OF 206.00 FEET TO THE EASTERN ASYMPOTIC LINE OF U. S. HIGHWAY 89, THENCE ON AND ALONG THE EASTERN ASYMPOTIC THROUGH THE FOLLOWING COURSES AND DISTANCES:

- NORTH 0° 48' 34" EAST, A DISTANCE OF 3487.00 FEET
- NORTH 20° 14' 48" EAST, A DISTANCE OF 20.00 FEET
- NORTH 0° 17' 01" EAST, A DISTANCE OF 100.00 FEET
- NORTH 0° 26' 23" WEST, A DISTANCE OF 20.40 FEET
- SOUTH 0° 19' 51" EAST, A DISTANCE OF 1122.28 FEET

THENCE ON AND ALONG THE ROUTINELY EDGE OF A COUNTY ROAD THROUGH THE FOLLOWING COURSES AND DISTANCES:

- NORTH 70° 31' 24" EAST, A DISTANCE OF 389.73 FEET
- NORTH 60° 12' 30" EAST, A DISTANCE OF 200.00 FEET
- SOUTH 89° 14' 14" EAST, A DISTANCE OF 180.24 FEET
- SOUTH 70° 31' 24" WEST, A DISTANCE OF 389.73 FEET

THENCE EAST A DISTANCE OF 71.08 FEET, THENCE SOUTH 0° 11' 40" EAST, A DISTANCE OF 810.84 FEET, THENCE SOUTH 0° 11' 40" EAST, A DISTANCE OF 300.00 FEET TO A ROUND CORNER, THENCE SOUTH 0° 00' 30" WEST, A DISTANCE OF 810.84 FEET, THENCE SOUTH 0° 11' 40" EAST, A DISTANCE OF 184.81 FEET, THENCE SOUTH 0° 21' 54" WEST, A DISTANCE OF 168.21 FEET, THENCE SOUTH 0° 21' 54" WEST, A DISTANCE OF 800.11 FEET, THENCE SOUTH 0° 21' 54" WEST, A DISTANCE OF 111.81 FEET TO A POINT BEING A WYTHE HOMER TO THE HIGH WATER LINE OF THE YELLOWSTONE RIVER, EAST, A DISTANCE OF 111.81 FEET TO A POINT BEING A WYTHE HOMER TO THE HIGH WATER LINE OF THE YELLOWSTONE RIVER, THENCE THROUGH THE FOLLOWING COURSES AND DISTANCES HEREAFTER TO A MEASURED LINE BEING A REFERENCE TO THE HIGH WATER LINE OF THE YELLOWSTONE RIVER:

- SOUTH 0° 44' 28" WEST, A DISTANCE OF 1375.91 FEET
- SOUTH 0° 21' 24" EAST, A DISTANCE OF 88.22 FEET
- SOUTH 0° 07' 12" WEST, A DISTANCE OF 264.28 FEET
- SOUTH 74° 03' 00" WEST, A DISTANCE OF 88.22 FEET
- NORTH 71° 08' 30" WEST, A DISTANCE OF 123.45 FEET
- SOUTH 70° 58' 30" WEST, A DISTANCE OF 106.43 FEET
- SOUTH 52° 26' 18" WEST, A DISTANCE OF 264.22 FEET, TO THE TRUE POINT OF BEGINNING.

SAID TRACT CONTAINS 118.000 ACRES, ALONG WITH AND SUBJECT TO ANY EXISTING EASEMENTS.

CERTIFICATE OF SURVEY

I, RICK J. THOMPSON, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF MONTANA, REGISTRATION NUMBER 24062, DO HEREBY CERTIFY THAT I SUPERVISED THE SURVEY OF THE ABOVE DESCRIBED TRACT OF LAND. THAT THE SURVEY WAS MADE IN ACCORDANCE WITH MONTANA STATUTE. THAT THE SURVEY WAS COMPLETED ON THE 27th DAY OF AUGUST, 1978.

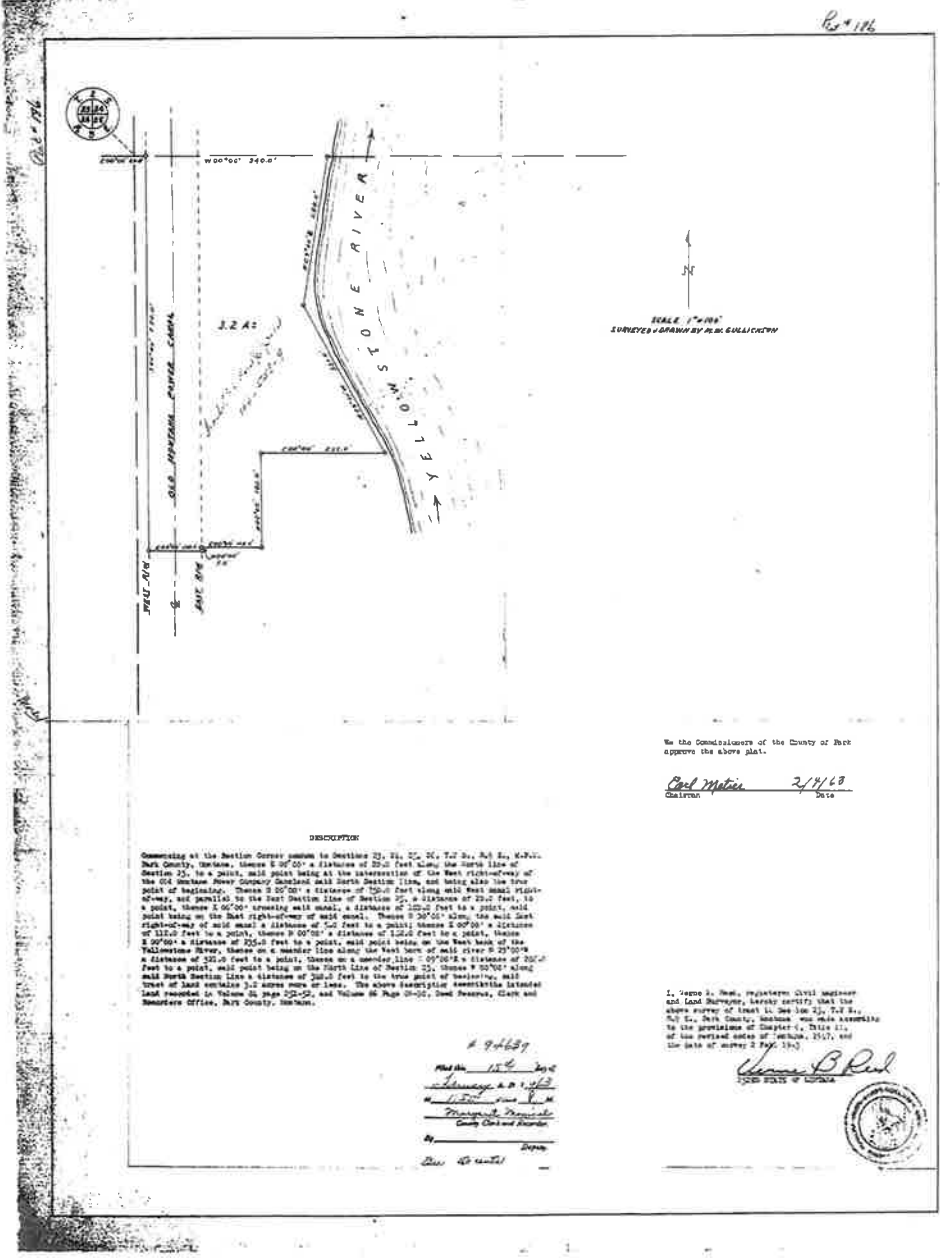
D. J. Thompson
 PROFESSIONAL LAND SURVEYOR
 100 THOMAS AL ST. N.E.
 BOZEMAN, MONTANA 59715

D. J. Thompson
 AUGUST 27 1978

11-12
 SECTION 29
 TOWNSHIP 2 S
 RANGE 9 E
 FANE COUNTY, MONTANA
 8762

PARCEL III

Pg. 116



To the Commissioners of the County of Rice approve the above plat.

Carl Matice 2/4/68
Chairman Date

DESCRIPTION

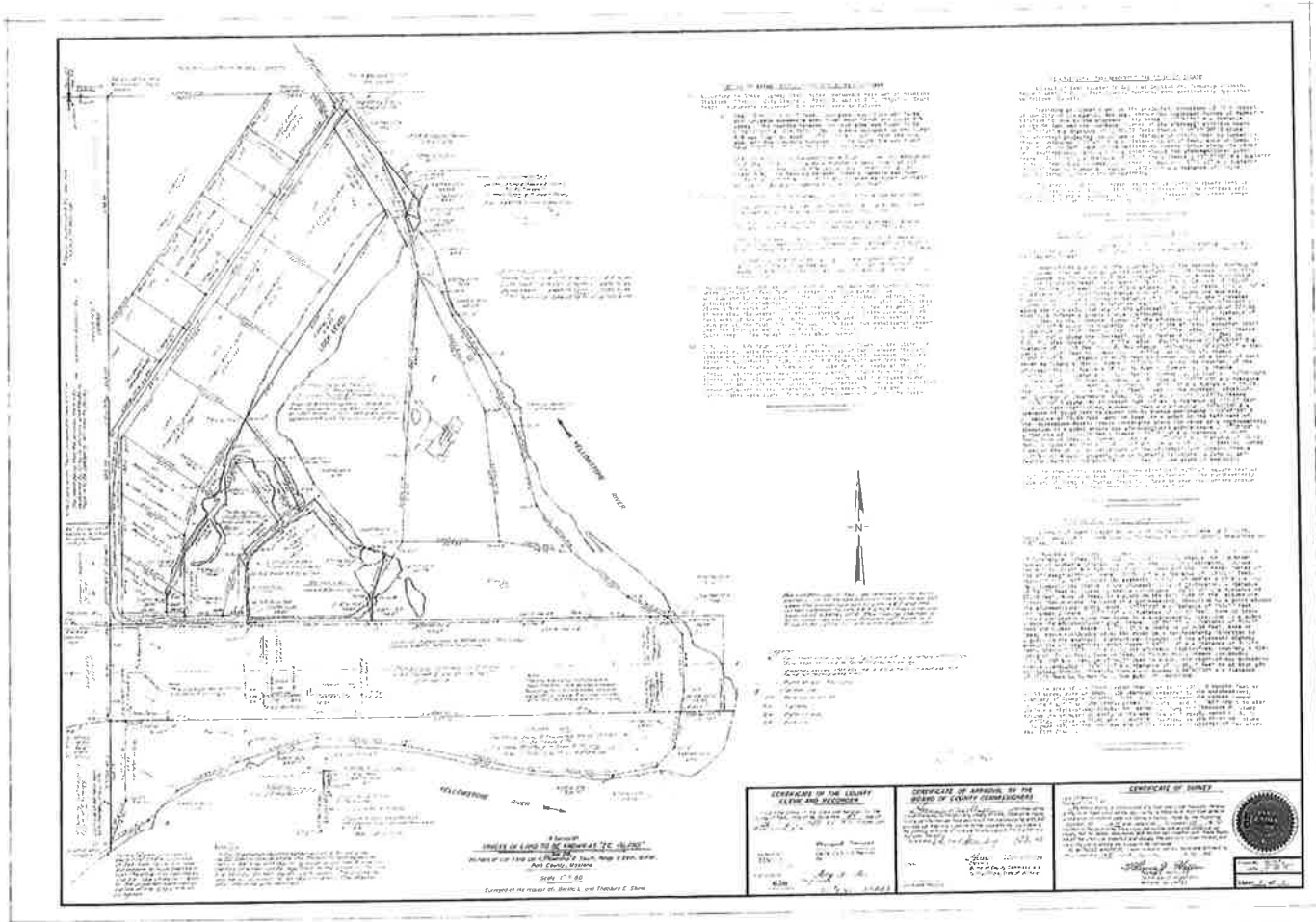
Commencing at the Section Corner shown in Sections 23, 24, 25, 26, T.2 N., R.3 E., N.P.M. Rice County, Arkansas, thence S 09° 00' 00" a distance of 325.0 feet along the North line of Section 23, to a point, said point being at the intersection of the West right-of-way of the Old Arkansas River Company Standard mill North Section Line, and being also the true point of beginning, thence S 09° 00' 00" a distance of 325.0 feet along said West right-of-way, and parallel to the East Section line of Section 25, a distance of 225.0 feet, to a point, thence S 09° 00' 00" crossing said canal, a distance of 125.0 feet to a point, said point being on the East right-of-way of said canal, thence S 09° 00' 00" along the said West right-of-way of said canal a distance of 75.0 feet to a point, thence S 09° 00' 00" a distance of 125.0 feet to a point, thence S 09° 00' 00" a distance of 125.0 feet on the West bank of the Yellow Stone River, thence on a meander line along the West bank of said river S 29° 00' 00" a distance of 325.0 feet to a point, said point being on the West bank of the Yellow Stone River, thence on a meander line S 09° 00' 00" a distance of 207.0 feet to a point, said point being on the North line of Section 25, thence S 09° 00' 00" along said North Section line a distance of 207.0 feet to the true point of beginning, and thence of land contains 3.2 acres more or less. The above description describes the intended land recorded in Volume 28, page 25-26, and Volume 28, page 26-27, Rice County, Arkansas, Cash and Records Office, Rice County, Arkansas.

2-9-68
 Made this 11th day of February, A.D. 1968
 at Little Rock, Arkansas
 My Commission Expires
 2/28/68

I, James S. Neal, registered Civil Engineer and Land Surveyor, hereby certify that the above survey of land is true and correct, and that I am duly licensed and qualified to perform the duties of the office of Surveyor, Title 11, of the revised codes of Arkansas, 1957, and the laws of 1957, page 1303.

James B. Neal
 State Surveyor





PARCEL V

657

PETITION TO ANNEX AND NOTICE OF WITHDRAWAL FROM RURAL FIRE DISTRICT

The undersigned hereinafter referred to as Petitioner respectfully petition the City Commission of the City of Livingston for annexation of a portion of the real property located at 5284 US Highway 89 South, Livingston, Montana 59047, including all those six (6) tracts of record described as follows (collectively referred to herein as "Property"):

[See attached Exhibit A]

The Petitioner requesting City of Livingston annexation of the Property described herein hereby mutually agree with the City of Livingston that immediately upon annexation of the land by the City of Livingston municipal water services will be provided to the Property described herein on substantially the same basis and in the same manner as such water services are provided or made available to other properties within the rest of the municipality. The Petitioner hereby states that there is no need to prepare a Municipal Annexation Service Plan for this annexation pursuant to Section 7-2-4610, M.C.A. since the parties agree as to the provision of municipal services to the property requested to be annexed.

The Petitioner further herein express an intent to have the Property as herein described withdrawn from the Park County Rural Fire District under the provisions of Section 7-33-2127, M.C.A.; and that incorporated into this Petition to Annex is the Notice requirement pursuant to said Section; and that upon proper adoption of an ordinance or resolution of annexation by the City Commission of the City of Livingston, the Property shall be detracted from said district.

In the event the Property is not immediately annexed, the Petitioner further agrees that this covenant shall run to, with, and be binding upon the title of the said real property, and shall be binding upon our heirs, assigns, successors in interest, purchasers, and any and all subsequent holder or owners of the above-described Property.

This City hereby agrees to allow the Petitioner to connect and receive the utilities from the City of Livingston as provided herein.

SUN MOUNTAIN LUMBER, INC.,
A Montana Corporation

Sherman A. Pederson 10/31/23
Petitioner Date

ANNEXATION PLAN
CITY OF LIVINGSTON, MONTANA

Adopted February, 1997
Revised September, 2006

Introduction

This plan is intended to guide the City and County governments in all decisions concerning the extension of Livingston's municipal boundaries. In doing so, it will delineate a set of annexation criteria and identify areas where the Governing Bodies would like to direct future growth.

The Plan

In the past, Livingston's lack of an annexation policy has precluded any long-range planning "vision" of the development pattern that we would like to create. By basing annexation decisions on the criteria listed in this plan, the City of Livingston can take a more forward looking and structured approach to maintaining a livable and functional land use pattern for the benefit of all of it's citizens.

The basic premise of this plan is that the City and County should, by being selective in their annexation decisions, direct growth to areas that have been identified as being economically and logistically easier to provide with sewer, water, solid waste, police and fire protection and other public services. The reasons for doing this are many. First, close proximity to public services means that those services can be provided more cheaply. Secondly, the City and County will be able to promote "in-fill" and avoid "sprawl" and "strip" commercial development while at the same time conserve open space and slow the rate of land consumption. Lastly, by following such a plan, the City and County can create a sense of knowledge, both for government and any prospective developers, about the future location of growth and public facilities.

Annexation Criteria

The attached map, Figure 1., will be reexamined at least every five (5) years and upon such examination may be updated or altered to reflect any change in land use needs. As a result of recent annexations and infrastructure development, new tracts of land located outside of the City should be taken into consideration for future annexations as shown by the maps attached hereto as Exhibit A.

ANNEXATION GUIDELINES

Based upon the attached map (Figure 1.) and the combined Ordinances of the City, the following guidelines will be used in making determinations as to annexation requests and sewer and water extensions:

1. Generally, to be considered for annexation, the property in question must fall within the City Services Growth Area as shown on Figure 1. or be in an area that is identified as already receiving City Services.
2. The use of City utilities beyond City boundaries often times necessitates annexation to

occur in a hap-hazard manner. For this reason extension of City sewer and water utilities beyond the established Growth Area boundaries will not be allowed. This will help to preserve the more rural and less dense development pattern at the edges of the City while encouraging more dense development to occur in the established urban areas.

3. Where utility extensions are proposed to property which is contiguous to the City Limits annexation will occur prior to any utility work or land development.

4. Impacts on transportation systems, solid waste collection and emergency services will be considered in requests for annexations. The City may require, at the expense of the person(s) requesting annexation, that a community impact report be prepared which may include, among other things, technical studies related to the above mentioned services.

5. Priority will given to those annexation requests which will 'fill-in' the City boundary by bringing into the City properties which separate previously annexed parcels from the remainder of the City.

6. Utility extensions into areas that can not be immediately annexed because they are not contiguous to the City limits will only be allowed if, in the judgment of the governing body, such extension will be an overall benefit to the community by providing needed utility service to the intervening property or by furthering the Growth Policy by directing growth to a desirable location.

7. Any application for the extension of City utilities beyond municipal boundaries must be accompanied by a Waiver of Annexation Protest. A Waiver of SID Protest must accompany utility extension requests both inside and outside of the City Limits when the area to be served does not have in place any of the following improvements:

- Streets built to City standards
- Sidewalks
- Curbs and gutters
- Storm Sewer
- Street Lights

Timing of installation of infrastructure may be altered in the case of new subdivisions. These improvements will be a condition of final plat approval.

This Policy will not serve in any way to require the City of Livingston to disallow any annexation request which is deemed by the governing body to be in the best interest of the City. However, the City may disallow any annexation request which is determined not to comply with this Policy.

ADMINISTRATIVE PROCEDURE

The following procedure will apply when processing annexation requests:

1. All annexation requests, whether from a property owner or originating from the City, will be reviewed by the Development Review Committee (DRC). If the DRC recommends approval, the following list of materials will be forwarded to the City Manager:

The common name of the property with the address of the owner.

A map of the property to be used as a Resolution Exhibit.

If already signed, a copy of the annexation waiver and withdrawal from rural fire district. (If not already signed, a blank withdrawal from rural fire district to be sent to property owner for signature)

A brief description of the reason for the annexation (i.e. property is served by City water, property is surrounded by City, etc.)

2. Resolution of Intent to Annex approved by City Commission.
3. Recording Secretary publishes Notice of Intent to annex in legal section of the Livingston Enterprise as provided by law.
4. Recording Secretary sends Resolution of Intent to Annex to all property owners involved (include Exhibit).
5. Resolution Annexing the property is considered by the City Commission.
6. Upon approval of annexation, Recording Secretary sends copies of the Resolution annexing the property and exhibits to the County Assessor, City Fire Chief, City Police Chief, Director of Public Works and City Planner. The same package plus the signed withdrawal from Rural Fire District go to the Clerk and Recorder and Park County Rural Fire Dept.
7. Recording Secretary sends Welcome to the City of Livingston form letter along with resolution and map to newly annexed property owners.

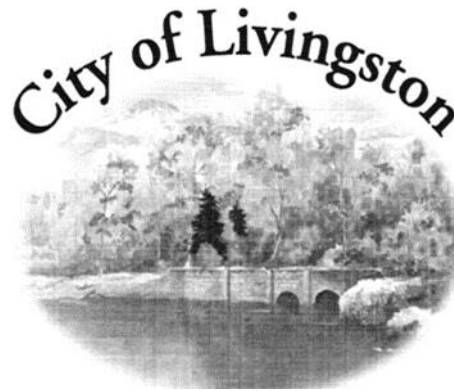
File Attachments for Item:

F. RESOLUTION 5119: A RESOLUTION OF THE CITY OF LIVINGSTON, MONTANA, ANNEXING CERTAIN PARCELS OF LAND KNOWN AS VIEW VISTA COMMUNITY

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: 11/7/2023
To: Chair Nootz and City Commissioners
From: Grant Gager, City Manager

**Staff Report for Resolution 5119 Annexing Certain Parcels
Known as View Vista Community**

Recommendation and Summary

Staff recommends the Commission approve Resolution 5119 by adopting the following motion:

“I move to approve Resolution 5119 and authorize the Chair to sign.”

The reasons for the recommendation are as follows:

- Montana Code Annotated establishes certain requirements for the annexation of land.
- The City has received a request from a property owner to be annexed into the City to enable connection to the City’s water system.

Introduction and History

Montana Code Annotated (MCA) has established procedures for the annexation of land in certain circumstances. Section 46 of Chapter 2 of Title 7 establishes the procedure for annexation of land by petition of owners. When a majority ownership interest requests annexation by petition, MCA 7-2-4601(3)(b) provides that “The governing body may approve or disapprove a petition submitted [...] on its merits. When the governing body approves the petition, it shall pass a resolution providing for the annexation.”

Analysis

The City of Livingston has received a petition for annexation from the owners of certain parcels known as the View Vista Community. Specifically, the owners have requested that the community be annexed into the City. After annexation, the owners intend to construct improvements to their existing internal water and sewer infrastructure.

Fiscal Impact

The City will receive additional property tax revenue from the annexation. The additional revenue is expected to have a minimal revenue impact to the General Fund adding less than 1%.

Strategic Alignment

The annexation of lands is required before the provision of utility service pursuant to the City’s current Annexation Policy.

Attachments

- Attachment A: Resolution 5119
- Attachment B: Petition to Annex
- Attachment C: City of Livingston Annexation Policy

RESOLUTION NO. 5119

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ANNEXING CERTAIN PARCELS KNOWN AS VIEW VISTA COMMUNITY.

WHEREAS, Montana Code Annotated establishes procedures for the annexation of land pursuant to a petition by the owner in MCA 7-2-4601; and

WHEREAS, The City of Livingston has received a petition signed by more than 50% of the owners of the certain real property; and

WHEREAS, the City desires to annex such lands in accordance with its adopted Annexation Policy;

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Livingston, Montana, that the land described in the attached exhibit is hereby annexed into and made a part of the City of Livingston, Montana.

PASSED AND ADOPTED by the City Commission of the City of Livingston, Montana, this 7th day of November, 2023.

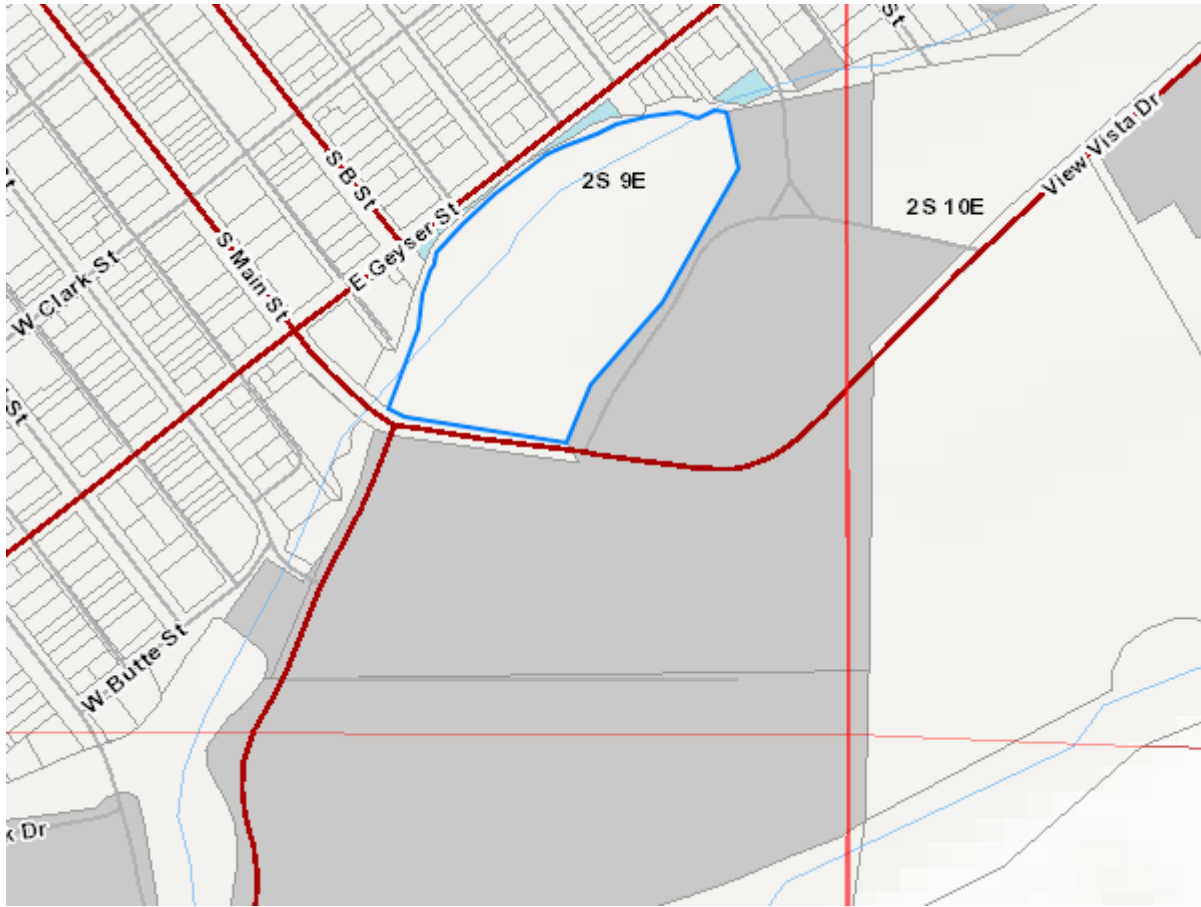
MELISSA NOOTZ – Chair

ATTEST:

APPROVED AS TO FORM:

EMILY HUTCHINSON
City Clerk

JON HESSE
City Attorney



The blue bordered parcel is more fully described as S13, T02 S, R09 E, C.O.S. 984, Parcel 1, Park County, Montana.

PETITION TO ANNEX AND NOTICE OF WITHDRAWAL FROM RURAL FIRE DISTRICT

The undersigned hereinafter referred to as Petitioner(s) respectfully petition the City Commission of the City of Livingston for annexation of the real property located at 1 View Vista Dr, Livingston, MT 59047 commonly known as View Vista Community, Inc. and more fully described as S13, T02 S, R09 E, C.O.S. 984, Parcel 1, Park County, Montana, into the City of Livingston.

The Petitioner(s) requesting City of Livingston annexation of the property described herein hereby mutually agree with the City of Livingston that immediately upon annexation of the land of all City of Livingston municipal services will be provided to the property described herein on substantially the same basis and in the same manner as such services are provided or made available to other properties within the rest of the municipality. Petitioner(s) hereby state that there is no need to prepare a Municipal Annexation Service Plan for this annexation pursuant to Section 7-2-4610, M.C.A. since the parties are in agreement as to the provision of municipal services to the property requested to be annexed.

The Petitioner(s) further herein express an intent to have the property as herein described withdrawn from the Park County Rural Fire District under the provisions of Section 7-33-2127, M.C.A.; and that incorporated into this Petition to Annex is the Notice requirement pursuant to said Section; and that upon proper adoption of an ordinance or resolution of annexation by the City Commission of the City of Livingston, the property shall be detracted from said district.

In the event the property is not immediately annexed, the Petitioner(s) further agree(s) that this covenant shall run to, with, and be binding upon the title of the said real property, and shall be binding upon our heirs, assigns, successors in interest, purchasers, and any and all subsequent holder or owners of the above-described property.

This City hereby agrees to allow Petitioner(s) to connect and receive the utilities from the City of Livingston.

DocuSigned by:
Angela Bandler 8/8/2023
9E1311B1F94C4F1...

Petitioner/Owner Date

DocuSigned by:
Ashley Wente 8/14/2023
0083B38BDF04FF...

Petitioner/Owner Date

ANNEXATION PLAN
CITY OF LIVINGSTON, MONTANA

Adopted February, 1997
Revised September, 2006

Introduction

This plan is intended to guide the City and County governments in all decisions concerning the extension of Livingston's municipal boundaries. In doing so, it will delineate a set of annexation criteria and identify areas where the Governing Bodies would like to direct future growth.

The Plan

In the past, Livingston's lack of an annexation policy has precluded any long-range planning "vision" of the development pattern that we would like to create. By basing annexation decisions on the criteria listed in this plan, the City of Livingston can take a more forward looking and structured approach to maintaining a livable and functional land use pattern for the benefit of all of it's citizens.

The basic premise of this plan is that the City and County should, by being selective in their annexation decisions, direct growth to areas that have been identified as being economically and logistically easier to provide with sewer, water, solid waste, police and fire protection and other public services. The reasons for doing this are many. First, close proximity to public services means that those services can be provided more cheaply. Secondly, the City and County will be able to promote "in-fill" and avoid "sprawl" and "strip" commercial development while at the same time conserve open space and slow the rate of land consumption. Lastly, by following such a plan, the City and County can create a sense of knowledge, both for government and any prospective developers, about the future location of growth and public facilities.

Annexation Criteria

The attached map, Figure 1., will be reexamined at least every five (5) years and upon such examination may be updated or altered to reflect any change in land use needs. As a result of recent annexations and infrastructure development, new tracts of land located outside of the City should be taken into consideration for future annexations as shown by the maps attached hereto as Exhibit A.

ANNEXATION GUIDELINES

Based upon the attached map (Figure 1.) and the combined Ordinances of the City, the following guidelines will be used in making determinations as to annexation requests and sewer and water extensions:

1. Generally, to be considered for annexation, the property in question must fall within the City Services Growth Area as shown on Figure 1. or be in an area that is identified as already receiving City Services.
2. The use of City utilities beyond City boundaries often times necessitates annexation to

occur in a hap-hazard manner. For this reason extension of City sewer and water utilities beyond the established Growth Area boundaries will not be allowed. This will help to preserve the more rural and less dense development pattern at the edges of the City while encouraging more dense development to occur in the established urban areas.

3. Where utility extensions are proposed to property which is contiguous to the City Limits annexation will occur prior to any utility work or land development.

4. Impacts on transportation systems, solid waste collection and emergency services will be considered in requests for annexations. The City may require, at the expense of the person(s) requesting annexation, that a community impact report be prepared which may include, among other things, technical studies related to the above mentioned services.

5. Priority will given to those annexation requests which will 'fill-in' the City boundary by bringing into the City properties which separate previously annexed parcels from the remainder of the City.

6. Utility extensions into areas that can not be immediately annexed because they are not contiguous to the City limits will only be allowed if, in the judgment of the governing body, such extension will be an overall benefit to the community by providing needed utility service to the intervening property or by furthering the Growth Policy by directing growth to a desirable location.

7. Any application for the extension of City utilities beyond municipal boundaries must be accompanied by a Waiver of Annexation Protest. A Waiver of SID Protest must accompany utility extension requests both inside and outside of the City Limits when the area to be served does not have in place any of the following improvements:

- Streets built to City standards
- Sidewalks
- Curbs and gutters
- Storm Sewer
- Street Lights

Timing of installation of infrastructure may be altered in the case of new subdivisions. These improvements will be a condition of final plat approval.

This Policy will not serve in any way to require the City of Livingston to disallow any annexation request which is deemed by the governing body to be in the best interest of the City. However, the City may disallow any annexation request which is determined not to comply with this Policy.

ADMINISTRATIVE PROCEDURE

The following procedure will apply when processing annexation requests:

1. All annexation requests, whether from a property owner or originating from the City, will be reviewed by the Development Review Committee (DRC). If the DRC recommends approval, the following list of materials will be forwarded to the City Manager:

The common name of the property with the address of the owner.

A map of the property to be used as a Resolution Exhibit.

If already signed, a copy of the annexation waiver and withdrawal from rural fire district. (If not already signed, a blank withdrawal from rural fire district to be sent to property owner for signature)

A brief description of the reason for the annexation (i.e. property is served by City water, property is surrounded by City, etc.)

2. Resolution of Intent to Annex approved by City Commission.
3. Recording Secretary publishes Notice of Intent to annex in legal section of the Livingston Enterprise as provided by law.
4. Recording Secretary sends Resolution of Intent to Annex to all property owners involved (include Exhibit).
5. Resolution Annexing the property is considered by the City Commission.
6. Upon approval of annexation, Recording Secretary sends copies of the Resolution annexing the property and exhibits to the County Assessor, City Fire Chief, City Police Chief, Director of Public Works and City Planner. The same package plus the signed withdrawal from Rural Fire District go to the Clerk and Recorder and Park County Rural Fire Dept.
7. Recording Secretary sends Welcome to the City of Livingston form letter along with resolution and map to newly annexed property owners.

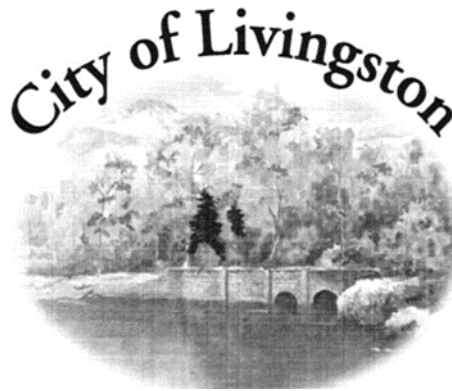
File Attachments for Item:

A. DRAFT PUD APPLICATION

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

161

Date: November 7, 2023
To: Chair Nootz and City Commissioners
From: Jennifer Severson, Planning Director

Draft Planned Unit Development (PUD) Application Requirements

At its October 3, 2023 meeting, the City Commission voted to approve a PUD Ordinance to encourage more efficient use of land and public services than is generally attainable under strict adherence to standard zoning. The Commission requested Staff to identify specific requirements to be included with a PUD Application to ensure that the application clearly demonstrates how a proposed PUD will further a majority of the following objectives of the Ordinance:

1. Protect natural and cultural resources
2. Encourage open space and recreational areas beyond the minimum subdivision requirements
3. Promote a more effective use of land than the base zoning district would allow, resulting in clustered development and a more condensed network of utilities and streets
4. Encourage mixed uses in residential zoning districts as a means to improve convenience and access to daily necessities by area residents
5. Reduce vehicular trip generation through mixed use development and enhanced multi-modal connectivity
6. Encourage affordable/ workforce housing development
7. Support the adopted City of Livingston Growth Policy

As directed, Staff created list of specific information that developers will be required to include with a PUD Application.

Recommendation

Staff requests Commission feedback on the attached Draft PUD Application Form to ensure that Developers will have a clear understanding of what information must be submitted for the PUD Review Process.

Attachments

- A. Draft of PUD Application Form Requirements

Planned Unit Development (PUD) Application Form - DRAFT

- **Goals and Intent of PUD Ordinance**
- **Minimum Size and Allowed Uses**
- **Developer Incentives & Public Benefits Table**
- **Property Owner Info, Applicant Contact Info, Property Description, Owner(s) Signature**
- **Summary of PUD Process** (Pre-Application Community Outreach, Pre-Application Conference, Application Submittal, Work Session, Zoning and Planning Board Review, City Commission)
- **Application Submittal Requirements**
 - Application Form
 - Signed form from City Staff confirming Pre-Application Conference was held (min. 30 days prior)
 - Demonstration of notification to property owners within 300 ft of PUD by applicant, including opportunities to provide comment, and comments received from surrounding owners
 - PUD Plan/ Preliminary Plat (Subdivisions) that includes:
 - Existing and Proposed Site Layout- includes streets, lots, buildings, open space, wetlands, floodplain, environmental hazards, stormwater facilities, water, sewer, dry utilities, existing and proposed easements, and other basic elements in the development.
 - Locations, size and types of proposed uses and associated structures within the PUD and maximum height of each structure.
 - Topography map showing significant natural features
 - Zoning of PUD property and adjacent surrounding parcels
 - Phasing Plan (multiple phase projects)
 - Operation and Maintenance Plan for private common facilities and public facilities
 - List of Requested Deviations from the following and justification for request:
 - Zoning Requirements (uses, setbacks, parking, etc)
 - Livingston Subdivision Design Standards (if subdivision)
 - Project Narrative - convincing and persuasive demonstration that the proposed PUD will implement goals and strategies of the adopted Livingston Growth Policy.
 - Affordable Housing- to receive developer incentives for affordable housing as identified in the City's PUD Ordinance Sec. 30.47.D.1, the following must be submitted: a plan describing the number and type of units of housing that will be deemed as affordable and eligible for incentives as identified in Sec 30.47.D.1. The plan shall include the type and location of units as well as a plan to set the sale or rent price at an affordable level at the point of initial habitation and also at each change of occupancy. The plan shall also include information on monitoring of resident income at each point in change of occupancy to ensure compliance with the then-present affordability level established by the Livingston City Commission.

- A Historic Survey or letter from MT SHPO that confirms no cultural or historic resources are within the area proposed for PUD.
- A ecological survey that identifies environmentally sensitive areas in the proposed PUD area, potential impacts, and mitigation measures.
- A wildlife survey that identifies the presence of Threatened & Endangered wildlife within the proposed PUD area and locations of significant wildlife corridors or use areas, as well as potential impacts and mitigation measures. A letter from MT FWP must be included with the PUD Application that confirms these findings.
- Viewshed Impacts must be evaluated and identified, and mitigation must be proposed if significant natural viewsheds will be impacted by the proposed development.
- Transportation Impacts- A Trip Generation Estimate, prepared and certified by a qualified Transportation Engineer licensed in the State of Montana, must be submitted; if more than 100 new daily trips will be generated by the development, a traffic study must also be submitted (the level of analysis of the study will be determined by City Staff based on PUD location and anticipated impacts to the existing transportation network)
- Internal Circulation and Parking Plan- must include locations and number of parking spaces (including bicycle parking) allocated to each use or structure in the PUD and a general concept traffic movement within the PUD and to/from the surrounding transportation network for motor vehicles, bicycles, pedestrians and transit
- Stormwater – Drainage Study prepared and certified by a qualified Engineer licensed in the State of Montana showing historic (existing) and proposed drainage; Plan for proposed treatment of Stormwater Runoff in PUD through full build out
- Water, Sewer and Solid Waste - must provide an analysis of calculated demands from new development and proposed infrastructure capacity. Solid Waste disposal for individual buildings/ building clusters must be addressed.
- Buffers/ transition treatments between high and low intensity land uses within the PUD, and between the PUD and surrounding properties
- Lighting Plan for common areas
- Other significant site development features (ponds, parks, etc)
- Development Timeline- must identify the order in which development will occur and estimated time for completing key components or phases of the PUD
- Adequate provision for a Home Owners Association (HOA) or other private management organization to provide for the operation and maintenance of common facilities not maintained by the City, such as: private streets and alleys, parks, club houses, sales offices, open space, trails, recreational facilities, parking facilities, private lighting systems, subdivision entrance signage and common mailboxes
- Adequate provisions shall be made for maintenance of all public common facilities (e.g., a trail or park) which are developed on public land, but intended to be maintained by a private organization or homeowners association

- **Other information, plans and details** may be required during the PUD Review Process by City Staff, Advisory Boards and/or the City Commission to fully evaluate the development proposal and its impacts to conclusively determine how the review criteria will be met.

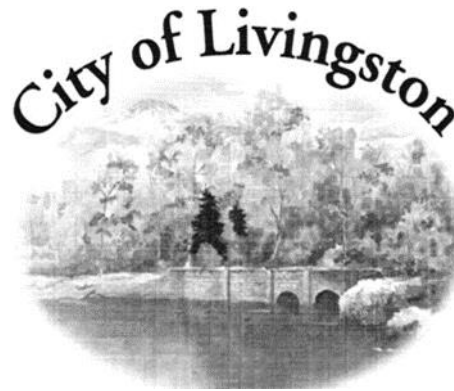
File Attachments for Item:

B. DISCUSSION AND DIRECTION REGARDING PLANNING BOARD AND ZONING COMMISSION

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: 11/7/2023
To: Chair Nootz and City Commissioners
From: Grant Gager, City Manager

Staff Report for Discussion on Planning Board and Zoning Commission

Recommendation and Summary

Staff is seeking Commission guidance on the form and function of City of Livingston Planning Board and Zoning Commission. As such, no motion is expected or required.

The reasons for the request for guidance are as follows:

- Montana Code Annotated establishes Planning Boards and Zoning Commissions and provides for their roles and requirements.
- Recent legislation has explicitly allowed such boards to be consolidated.

Introduction and History

The City of Livingston has established both a Planning Board and Zoning Commission pursuant to the requirements of Montana Code Annotated. In the 2023 Legislative Session, the Montana Legislature passed SB 130 (attached) that explicitly allows the consolidation of the Planning Board and Zoning Commission.

In 2023, the City of Livingston has had to cancel or postpone all but two Zoning Commission meetings since March for certain reasons including inability to obtain a quorum on two occasions.

Analysis

A requirement of the new Planned Unit Development ordinance is that applications will be presented to both the Planning Board and Zoning Commissions. Consolidation of the two advisory bodies will allow more timely and cohesive evaluation of applications.

Fiscal Impact

There is no fiscal impact arising from the discussion.

Strategic Alignment

The effective function of advisory boards is critical to quality public engagement regarding consideration of development applications and deliberation of policy.

Attachments

- Attachment A: 2023 SB 130



AN ACT ALLOWING A BOARD OF COUNTY COMMISSIONERS AND THE GOVERNING BODY OF A MUNICIPALITY TO CONSOLIDATE A PLANNING BOARD OR PLANNING BOARDS, A ZONING COMMISSION, OR A BOARD OF ADJUSTMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Consolidated land use boards -- zoning commission, planning board, and board of adjustment. (1) The governing body of a city, county, or consolidated city-county may consolidate any combination of a planning board or planning boards as authorized in Title 76, chapter 1, a zoning commission as provided in 76-2-220 and 76-2-307, and a board of adjustment as provided in 76-2-221 and 76-2-321 into a consolidated land use board.

(2) The requirements regarding the duties and roles of a planning board as provided in Title 76, chapter 1, a zoning commission as provided in Title 76, chapter 2, parts 2 and 3, and a board of adjustment as provided in Title 76, chapter 2, parts 2 and 3, apply to a consolidated land use board.

(3) A consolidated land use board allowed under this section shall adopt bylaws that clearly define the roles and duties of a member when acting as a planning board member, a zoning commission member, or a board of adjustment member.

(4) (a) Except as provided in subsection (4)(b), a consolidated land use board allowed under this section must consist of at least five appointed citizen members that reside within the jurisdictional area of the consolidated land use board and who may be removed by the appointing authority. A vacancy on a consolidated land use board must be filled by the appointing authority.

(b) If a consolidated land use board includes the consolidation of a joint or consolidated board as allowed in 76-1-112 or a city-county planning board as allowed in 76-1-201, the consolidated land use board must consist of at least nine appointed citizen members as required in 76-1-201.

(5) The requirements provided in Title 76, chapter 1, and in Title 76, chapter 2, parts 2 and 3, regarding the number, qualification, and removal of members on a planning board, zoning commission, or board of adjustment do not apply to a consolidated land use board allowed under this section.

Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 76, chapter 1, part 1, and the provisions of Title 76, chapter 1, part 1, apply to [section 1].

- END -

I hereby certify that the within bill,
SB 130, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2023.

Speaker of the House

Signed this _____ day
of _____, 2023.

SENATE BILL NO. 130

INTRODUCED BY F. MANDEVILLE, M. DUNWELL, G. HERTZ, C. FRIEDEL, D. ZOLNIKOV, J. TREBAS

AN ACT ALLOWING A BOARD OF COUNTY COMMISSIONERS AND THE GOVERNING BODY OF A MUNICIPALITY TO CONSOLIDATE A PLANNING BOARD OR PLANNING BOARDS, A ZONING COMMISSION, OR A BOARD OF ADJUSTMENT.