



# Livingston City Commission Agenda

April 05, 2016

6:30 PM

City – County Complex, Community Room

## 1. Call to Order

## 2. Roll Call

## 3. Moment of Silence

## 4. Pledge of Allegiance

## 5. Consent Items

**A.** CONSENT - APPROVE MINUTES FROM 3.15.16 REGULAR CITY COMMISSION MEETING  
Page 5

**B.** CONSENT - APPROVE BILLS AND CLAIMS FOR 2nd HALF OF MARCH 2016 Page 9

**C.** CONSENT - RATIFY CLAIM FOR 2nd HALF OF MARCH 2016 Page 18

**D.** CONSENT - APPROVE JOE HANSER TO URBAN RENEWAL AGENCY (URA) BOARD Page 20

## 6. Proclamations

## 7. Scheduled Public Comment

**A.** SCHEDULED PUBLIC COMMENT -- AJ BOWERS TO DISCUSS CITY TREE TRIMMING STANDARDS

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

## 8. Public Hearings

**9. Ordinances**

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

**10. Resolutions**

- A. RESOLUTION NO. 4644 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA OF ITS INTENT TO CHANGE THE RATES FOR PLOT SALES AND OTHER SERVICES PROVIDED AT MOUNTAIN VIEW CEMETERY AND CALLING FOR A PUBLIC HEARING. Page 39**
  
- B. RESOLUTION NO. 4645 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA OF ITS INTENT TO AMEND THE RULES AND REGULATIONS FOR MOUNTAIN VIEW CEMETERY AND CALLING FOR A PUBLIC HEARING. Page 45**
  
- C. RESOLUTION NO. 4643 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN A LEASE AGREEMENT WITH WISPWEST.NET FOR TRANSMISSION TOWER ON NORTH SIDE HILL. Page 57**
  
- D. RESOLUTION NO. 4646 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING APPLICATION FOR LAND & WATER CONSERVATION FUND ASSISTANCE. Page 69**

**11. Action Items**

- A.** DISCUSS/APPROVE/DENY -- PHOTOS FOR ART APPLICATION ON TRAFFIC SIGNAL BOX NEAR INTERSTATE Page 74
- B.** DISCUSS/APPROVE/DENY -- WAIVING DISPOSAL FEES FOR ANNUAL YELLOWSTONE RIVER CLEAN-UP AND PRESENTATION BY JEFF LADEWIG. Page 81
- C.** DISCUSS/APPROVE/DENY -- CITY COMMISSIONER CONCERNS REGARDING ANNUAL SPRING CLEAN-UP
- D.** DISCUSS/APPROVE/DENY -- LITIGATION STRATEGY UPDATE FROM CITY ATTORNEY IN THE CASE OF PAOLI & BROWN v. CITY OF LIVINGSTON (SESSION CLOSED TO THE PUBLIC PURSUANT TO MONT. CODE ANN. 2-3-203(4)(a))

**12. City Manager Comment**

**13. City Commission Comments**

**14. Public Comments**

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

**15. Adjournment**

**Calendar of Events**

- April 4, 2016- 3:30 p.m. - City Commission City Manager Preliminary Interviews, Community Room, City-County Complex**
- April 5, 2016 - 3:30 p.m. - City Commission City Manager Preliminary Interviews, Community Room, City-County Complex**
- April 5, 2016 - 6:30 p.m. City Commission Meeting - Community Room, City-County Complex**
- April 7, 2016 - 5:30 p.m. City Commission City Manager finalist selection workshop- Community Room, City-County Complex**

**April 13, 2016 - 3:30 p.m. Historic Preservation Board - Community Room, City-County Complex**

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

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

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

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

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

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

## **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.

**Backup material for agenda item:**

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

## MINUTES

### Livingston City Commission

Tuesday, March 15, 2016

6:30 p.m.

City- County Complex, Community Room

#### 1. Call to Order Roll Call

- Bennett, Hoglund, Friedman, Schwarz and Sandberg were present.

#### 2. Moment of Silence

#### 3. Pledge of allegiance

#### 4. Consent Items (00:03:40)

##### A. CONSENT - Approve minutes from 3.1.16 Regular Commission Meeting

##### B. CONSENT - Approve Bills and Claims 1st Half of March 2016

##### C. CONSENT - Approve Disabled Parking Space located at 421 South Yellowstone Street.

- Friedman made a motion to approve Consent Items A-C. Hoglund seconded.
  - All in favor, motion passed 5-0.

#### 5. Proclamations

**PROCLAMATION - PUBLIC SAFETY COMMUNICATION OFFICERS WEEK (00:04:14)**

#### 6. Scheduled Public Comment

##### A. SCHEDULED PUBLIC COMMENT - Paul Reichert, Executive Director Prospera Business Network with update on services provided. (00:06:38)

##### B. SCHEDULED PUBLIC COMMENT -- JAY KIEFER REGARDING McNAIR SKATE PARK AND SKATE PARK COMMITTEE (WITH DEREK SMITH) (00:17:00)

##### C. SCHEDULED PUBLIC COMMENT -- AJ SCAFF ON SILLY SIDEWALK PROPOSAL (00:27:40)

- Lenny Gregory made comments (00:36:00)
- Sharon Snow made comments (00:38:40)

## 7. Public Hearings

## 8. Ordinances

## 9. Resolutions

### A. RESOLUTION NO. 4642 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO DISCONTINUE THE ALLEY IN THE G BLOCK OF THE RIVERSIDE ADDITION TO THE CITY OF LIVINGSTON, MONTANA. (00:40:02)

- Friedman made a motion to table Resolution No. 4642 until next meeting. Hoglund seconded.
  - All in favor, motion passed 5-0.

## 10. Action Items

### A. Manager Com DISCUSS/APPROVE/DENY - Amending Ordinance Regarding City Manager Residency (00:49:00)

- Lenny Gregory made comments (00:50:05)
- Robert Mitzner made comments (00:50:35)
- Mary Ann O'Neil made comment (00:51:51)
- Sharon Snow made comments (00:53:23)
- Patricia Grabow made comments (00:55:55)
- Warren Mabie made comments (00:58:30)
- Robert Everson made comments (01:00:32)
- Sharon Snow made comments (01:02:30)

### B. DUSCUSS/APPROVE/DENY - Parks and Trails Dedicated Park Project Checklist and Adopt a Trail/Park Programs (01:12:48)

- Mike Gomez made comments (01:15:30)
- Friedman made a motion to approve new programs recommended by Park and Trails Committee. Hoglund seconded.
  - All in favor, motion passed 5-0.

**C. DISCUSS/APPROVE/DENY - Schedule CIP Work sessions (01:19:00)**

- CIP Work Session scheduled for April 18, 2016, from 3:30 p.m. to 7:30 p.m.

**11. City Manager Comment (01:26:14)**

**12. City Commission Comments**

- Bennett made comments (01:27:00)
- Schwarz made comments (01:27:35)

**13. Public Comments**

- Lenny Gregory made comments (01:29:08)
- Patricia Grabow made comments (01:30:33)

**15. Adjournment 8:18 p.m. (01:49:11)**



**Backup material for agenda item:**

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

For doc #s from 27892 to 28049, Operating Cash

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
1000 GENERAL	351036 TIME PAYMENTS	1702 PARK COUNTY TREAS/HB 176	August 2015 collecti	40.00
1000 GENERAL	351036 TIME PAYMENTS	1702 PARK COUNTY TREAS/HB 176	September 2015 colle	90.00
1000 GENERAL	351036 TIME PAYMENTS	1702 PARK COUNTY TREAS/HB 176	October 2015 collect	10.00
1000 GENERAL	351036 TIME PAYMENTS	1702 PARK COUNTY TREAS/HB 176	November 2015 collec	20.00
1000 GENERAL	351036 TIME PAYMENTS	1702 PARK COUNTY TREAS/HB 176	December 2015 collec	50.00
1000 GENERAL	351036 TIME PAYMENTS	1702 PARK COUNTY TREAS/HB 176	January 2015 collect	60.00
1000 GENERAL	351036 TIME PAYMENTS	1544 PARK COUNTY VICTIM	August 2015 Collecti	100.00
1000 GENERAL	351036 TIME PAYMENTS	1544 PARK COUNTY VICTIM	September 2015 Colle	200.00
1000 GENERAL	351036 TIME PAYMENTS	1544 PARK COUNTY VICTIM	November 2015 Collec	100.00
1000 GENERAL	351036 TIME PAYMENTS	1544 PARK COUNTY VICTIM	December 2015 Collec	200.00
1000 GENERAL	351036 TIME PAYMENTS	1544 PARK COUNTY VICTIM	January 2016 Collect	250.00
1000 GENERAL	351036 TIME PAYMENTS	1544 PARK COUNTY VICTIM	February 2016 Collec	300.00
1000 GENERAL	351036 TIME PAYMENTS	1544 PARK COUNTY VICTIM	March 2016 Collectio	100.00
1000 GENERAL	351036 TIME PAYMENTS	1544 PARK COUNTY VICTIM	Less Admin Fees 25 @	-25.00
1000 GENERAL	351036 TIME PAYMENTS	2156 PARK COUNTY	August 2015 Collecti	40.00
1000 GENERAL	351036 TIME PAYMENTS	2156 PARK COUNTY	September 2015 Colle	100.00
1000 GENERAL	351036 TIME PAYMENTS	2156 PARK COUNTY	October 2015 Collect	10.00
1000 GENERAL	351036 TIME PAYMENTS	2156 PARK COUNTY	November 2015 Collec	20.00
1000 GENERAL	351036 TIME PAYMENTS	2156 PARK COUNTY	December 2015 Collec	50.00
1000 GENERAL	351036 TIME PAYMENTS	2156 PARK COUNTY	January 2016 Collect	60.00
1000 GENERAL	410130 CITY COMMISSION	250 INSTY-PRINTS	Business Cards Q. Sc	17.50
1000 GENERAL	410360 CITY JUDGE	2608 STATE OF MONTANA - ITSD	33% Video Conferenci	109.27
1000 GENERAL	410360 CITY JUDGE	2660 COCOLJ CONFERENCE	Judicial conference	300.00
1000 GENERAL	410360 CITY JUDGE	2286 BAILEY, KARA	Travel Spring Judica	204.60
1000 GENERAL	410360 CITY JUDGE	250 INSTY-PRINTS	Name Plate - Kris	17.50
1000 GENERAL	410540 FINANCE OFFICER	2985 GOVERNMENT FINANCE	CAFR Review fee	435.00
1000 GENERAL	410550 ACCOUNTING	1550 MALCOTT, EILEEN	MPERA training	43.86
1000 GENERAL	410550 ACCOUNTING	1783 J & H OFFICE EQUIPMENT	Late fee	27.53
1000 GENERAL	410550 ACCOUNTING	402 ALPINE ELECTRONICS RADIO	25" computer cable	24.99
1000 GENERAL	410550 ACCOUNTING	3339 CUNNINGHAM, ANNA	Errands Jyly - Feb x	36.00
1000 GENERAL	411030 PLANNER	102 INDUSTRIAL TOWEL	Mat Cleaning	8.56
1000 GENERAL	411030 PLANNER	1783 J & H OFFICE EQUIPMENT	Copier	22.75
1000 GENERAL	411030 PLANNER	162 CENTURYLINK	Planning dept	76.90
1000 GENERAL	411100 CITY ATTORNEY	2823 WEST PAYMENT CENTER -	Law Information - Fe	275.56
1000 GENERAL	411230 FACILITY MAINTENANCE	102 INDUSTRIAL TOWEL	Rug Maintenance	37.70
1000 GENERAL	411230 FACILITY MAINTENANCE	2838 DOUG PARISI INC	37% Repair water hea	174.27
1000 GENERAL	411230 FACILITY MAINTENANCE	1554 CTA ARCHITECTS ENGINEERS	April business offic	1,775.00
1000 GENERAL	411230 FACILITY MAINTENANCE	3407 LIVINGSTON DAYCARE, LLC	April 2016 Parking l	900.00
1000 GENERAL	411230 FACILITY MAINTENANCE	3023 RICK'S REFRIGERATION,	37% women's restroom	14.80
1000 GENERAL	411230 FACILITY MAINTENANCE	102 INDUSTRIAL TOWEL	Rug Maintenance	21.94
1000 GENERAL	411230 FACILITY MAINTENANCE	147 LIVINGSTON UTILITY	37% City	83.59
1000 GENERAL	411230 FACILITY MAINTENANCE	147 LIVINGSTON UTILITY	Utility bill @110 So	29.65
1000 GENERAL	411230 FACILITY MAINTENANCE	147 LIVINGSTON UTILITY	Irrigation @110 Sout	58.06
1000 GENERAL	411230 FACILITY MAINTENANCE	2657 ROTO-ROOTER - BOZEMAN	Sewer Service - 110	175.00
1000 GENERAL	411230 FACILITY MAINTENANCE	2501 D.W. BURNS PLUMBING &	37% Plumbing repairs	93.36
1000 GENERAL	411230 FACILITY MAINTENANCE	151 NORTHWESTERN ENERGY	37% Facility	8.26
1000 GENERAL	411230 FACILITY MAINTENANCE	151 NORTHWESTERN ENERGY	37% Facility	2,410.29
1000 GENERAL	411230 FACILITY MAINTENANCE	151 NORTHWESTERN ENERGY	101 Star Road	67.03
1000 GENERAL	411230 FACILITY MAINTENANCE	151 NORTHWESTERN ENERGY	110 S B Street	151.14
1000 GENERAL	411230 FACILITY MAINTENANCE	151 NORTHWESTERN ENERGY	112 S B Street	193.65
1000 GENERAL	411300 CENTRAL COMMUNICATIONS	3440 CHARTER COMMUNICATIONS	414 E. Callender Int	1,600.00
1000 GENERAL	411300 CENTRAL COMMUNICATIONS	3440 CHARTER COMMUNICATIONS	Ethernet	1,462.50

For doc #s from 27892 to 28049, Operating Cash

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
1000 GENERAL	411300 CENTRAL COMMUNICATIONS	3440 CHARTER COMMUNICATIONS	other charges	58.67
1000 GENERAL	411300 CENTRAL COMMUNICATIONS	3440 CHARTER COMMUNICATIONS	110 South B St. Inte	888.58
1000 GENERAL	411300 CENTRAL COMMUNICATIONS	3440 CHARTER COMMUNICATIONS	Internet	888.63
1000 GENERAL	411700 CENTRAL STORES	1839 MARATHON PRINTING	#10 Envelopes	35.75
1000 GENERAL	411700 CENTRAL STORES	1783 J & H OFFICE EQUIPMENT	Canon copier lease -	275.29
1000 GENERAL	411700 CENTRAL STORES	3353 STORY DISTRIBUTING	Fuel, 392 gal	563.69
1000 GENERAL	411700 CENTRAL STORES	1839 MARATHON PRINTING	#10 window envelopes	151.00
1000 GENERAL	411700 CENTRAL STORES	250 INSTY-PRINTS	Liv - BC special pa	24.95
1000 GENERAL	420100 OPERATING ACCOUNT	402 ALPINE ELECTRONICS RADIO	32 GB Flashdrive	24.99
1000 GENERAL	420100 OPERATING ACCOUNT	999999 EAGLE ENFRAVING, INC	Dept. Citations	379.55
1000 GENERAL	420100 OPERATING ACCOUNT	3233 DUVAL FORD	2016 Police SUV	34,112.00
1000 GENERAL	420100 OPERATING ACCOUNT	1384 TIMBER TRAILS	Patrol Bike tune up	40.00
1000 GENERAL	420100 OPERATING ACCOUNT	26 LIVINGSTON ACE HARDWARE -	New Vehicle keys	29.90
1000 GENERAL	420100 OPERATING ACCOUNT	879 VERIZON WIRELESS	Air Cards 2/5-3/4/16	400.30
1000 GENERAL	420400 OPERATING ACCOUNTS	151 NORTHWESTERN ENERGY	330 Bennett Fire	80.70
1000 GENERAL	420400 OPERATING ACCOUNTS	1915 MASTIN, JAMES	Reimburse Travel Exp	548.20
1000 GENERAL	420400 OPERATING ACCOUNTS	3361 SPARK LASER CREATIONS	Accountability tag	7.50
1000 GENERAL	420400 OPERATING ACCOUNTS	2666 MUNICIPAL EMERGENCY	SCBA repair	523.00
1000 GENERAL	420400 OPERATING ACCOUNTS	3040 PRO RENTALS & SALES, INC.	K12 saw repair	56.35
1000 GENERAL	420400 OPERATING ACCOUNTS	468 LIVINGSTON FIRE SERVICE,	10# Fire extinguishe	280.50
1000 GENERAL	420400 OPERATING ACCOUNTS	2671 COMDATA	February fuel	245.14
1000 GENERAL	420400 OPERATING ACCOUNTS	1915 MASTIN, JAMES	Fire Chief Travel Re	242.60
1000 GENERAL	420403 BUILDING INSPECTION	162 CENTURYLINK	Building dept	153.89
1000 GENERAL	430950 ROAMING OPERATING	151 NORTHWESTERN ENERGY	Cemetery	19.70
1000 GENERAL	430950 ROAMING OPERATING	151 NORTHWESTERN ENERGY	Arcs & Posts	283.15
1000 GENERAL	430950 ROAMING OPERATING	151 NORTHWESTERN ENERGY	G st Park	108.91
1000 GENERAL	430950 ROAMING OPERATING	151 NORTHWESTERN ENERGY	Concession River dr	45.01
1000 GENERAL	430950 ROAMING OPERATING	151 NORTHWESTERN ENERGY	Softball	11.04
1000 GENERAL	430950 ROAMING OPERATING	151 NORTHWESTERN ENERGY	Soccer	1.18
1000 GENERAL	430950 ROAMING OPERATING	151 NORTHWESTERN ENERGY	Weimer	11.16
1000 GENERAL	430950 ROAMING OPERATING	151 NORTHWESTERN ENERGY	229 River	8.03
1000 GENERAL	430950 ROAMING OPERATING	151 NORTHWESTERN ENERGY	Mike Webb	7.67
1000 GENERAL	430950 ROAMING OPERATING	151 NORTHWESTERN ENERGY	616 River	8.51
1000 GENERAL	430950 ROAMING OPERATING	147 LIVINGSTON UTILITY	Park's garbage	183.14
1000 GENERAL	430950 ROAMING OPERATING	26 LIVINGSTON ACE HARDWARE -	Tape	48.99
1000 GENERAL	430950 ROAMING OPERATING	26 LIVINGSTON ACE HARDWARE -	Supplies	65.36
1000 GENERAL	430950 ROAMING OPERATING	26 LIVINGSTON ACE HARDWARE -	Supplies	57.60
1000 GENERAL	430950 ROAMING OPERATING	3552 Yellowstone Gifts &	Boots	99.96
1000 GENERAL	430950 ROAMING OPERATING	3390 TD&H ENGINEERING, INC	B15-081 on Call Engi	213.01
1000 GENERAL	440640 ANIMAL CONTROL SERVICES	2 A-1 MUFFLER, INC.	Oil & Filters change	76.00
1000 GENERAL	440640 ANIMAL CONTROL SERVICES	1439 STAFFORD ANIMAL SHELTER	Board, Vac & Euth	1,639.00
1000 GENERAL	460430 PARKS OPERATING	26 LIVINGSTON ACE HARDWARE -	Supplies	4.98
1000 GENERAL	460430 PARKS OPERATING	26 LIVINGSTON ACE HARDWARE -	Supplies	30.98
1000 GENERAL	460430 PARKS OPERATING	26 LIVINGSTON ACE HARDWARE -	Paint	40.98
1000 GENERAL	460430 PARKS OPERATING	63 HOUSE OF CLEAN	Supplies	146.66
1000 GENERAL	460430 PARKS OPERATING	776 KENYON NOBLE	Bolts	3.00
1000 GENERAL	460430 PARKS OPERATING	3309 SATELLITE INDUSTRIES INC	Smell Good	1,505.00
1000 GENERAL	460430 PARKS OPERATING	162 CENTURYLINK	Parks dept	101.15
1000 GENERAL	460442 CIVIC CENTER ADMIN	1747 CANON FINANCIAL SERVICES,	Contract charge Apri	88.40
1000 GENERAL	460442 CIVIC CENTER ADMIN	1747 CANON FINANCIAL SERVICES,	Contract charge Feb.	94.01
1000 GENERAL	460442 CIVIC CENTER ADMIN	250 INSTY-PRINTS	Business Cards M. Mo	24.95
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	781 2M COMPANY, INC.	Supplies	47.28

For doc #s from 27892 to 28049, Operating Cash

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	781 2M COMPANY, INC.	Supplies	39.39
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	781 2M COMPANY, INC.	Supplies	23.72
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	781 2M COMPANY, INC.	Supplies	86.20
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	781 2M COMPANY, INC.	Supplies	74.53
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	26 LIVINGSTON ACE HARDWARE	Supplies	59.99
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	26 LIVINGSTON ACE HARDWARE	Credit Inv 189952	-59.99
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	776 KENYON NOBLE	Supplies	205.99
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	776 KENYON NOBLE	Supplies	13.97
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	776 KENYON NOBLE	Pool	56.95
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	776 KENYON NOBLE	Pool	17.48
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	776 KENYON NOBLE	Pool	18.65
1000 GENERAL	460445 SWIMMING POOL AND SPLASH	3033 RECREATION SUPPLY CO.	Paralon	4,666.56
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3364 CITY OF LIVINGSTON	Alpine Electronics S	21.99
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3387 J & H, Inc.	Admin. Office 02-09-	64.19
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3586 TARR, MARGARET	concession items- Co	57.74
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 RANGER BOOSTER CLUB	Basketball concessio	94.62
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3387 J & H, Inc.	Printer/Copier AST p	109.93
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3387 J & H, Inc.	Printer/Copier AST p	49.61
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	3387 J & H, Inc.	Printer/Copier AST p	60.90
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	162 CENTURYLINK	Civic Center	105.94
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 EMTER, LAUREN	Y Bball Scorekeeper	81.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 ENGBERS, BEN	Y Bball refere 13 x	162.50
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 FLOYD, RYDELL	Y Bball 2 referee 2	20.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 KIRN, CHARLIE	Y Bball referee 9 x	90.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 KIRN, CHARLIE	Y Bball scorekeeper	63.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 LEHRER, JORDAN	Y Bball Referee 13 x	156.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 MATTSSON, BJORN	Y Bball Referee 11x	99.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 MCKIINZIE, ELLA	Y Bball Referee 6x \$	60.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 MCKIINZIE, ELLA	Y Bball Scorekeeper	54.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 NETLEY, MATTHEW	Y Bball Referee 24 x	240.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 NETLEY, MATTHEW	Y Bball scorekeeper	18.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 PETERSON, BROCK	Y Bball Referee 9 x	99.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 PETERSON, BROCK	Y Bball scorekeeper	18.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 PETERSON, HAILEY	Y Bball Referee 10 x	120.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 PETERSON, HAILEY	Y Bball scorekeeper	18.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 RANDALL, ZOE	Y Bball Referee 4 x	40.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 RANDALL, ZOE	Y Bball scorekeeper	63.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 ROSBERG, MORGAN	Y Bball Referee 34 x	340.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 TAYLOR, SOPHIE	Y Bball Referee 34 x	220.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 VONDRA, COLE	Y Bball Referee 25 x	250.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 VONDRA, COLE	Y Bball scorekeeper	18.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 WADDELL, JOHN	Y Bball Referee 18x	198.00
1000 GENERAL	460449 ADMINISTRATIVE SERVICES	999999 WADDELL, JOHN	Y Bball Scorekeeper	45.00
1000 GENERAL	490500 DEBT SERVICE PAYMENTS	2393 MONTANA DEPT OF	Mission Field Loan P	962.50
1000 GENERAL	490500 DEBT SERVICE PAYMENTS	2393 MONTANA DEPT OF	Mission Field Loan P	130.34
<b>Total for Fund:</b>				<b>66,950.95</b>
2210 RECREATION DEPARTMENT	460439 OTHER PARKS & RECREATION	3600 ISA - ROCKY MOUNTAIN	2015 Rocky MTN Tree	6,884.70
<b>Total for Fund:</b>				<b>6,884.70</b>

For doc #s from 27892 to 28049, Operating Cash

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
2211 SOCCER FIELDS	411810 CAPITAL IMPROVEMENTS	122 DEPARTMENT OF REVENUE	1% Gross receipts Sp	662.68
2211 SOCCER FIELDS	411810 CAPITAL IMPROVEMENTS	3599 SPRING CORPORATION	LYSA Fieldhouse Pay	66,268.20
2211 SOCCER FIELDS	411810 CAPITAL IMPROVEMENTS	3599 SPRING CORPORATION	LYSA Fieldhouse Less	-662.68
<b>Total for Fund:</b>				<b>66,268.20</b>
2300 COMMUNICATIONS/DISPATCH	420160 DISPATCH/COMMUNICATIONS	3455 INDUSTRIAL COMM & ELEC OF	Letron Consule 2 rep	3,539.00
2300 COMMUNICATIONS/DISPATCH	420160 DISPATCH/COMMUNICATIONS	3449 LEAF	Lease Kycocera Copier	27.60
<b>Total for Fund:</b>				<b>3,566.60</b>
2310 TAX INCREMENT DISTRICT -	470300 ECONOMIC DEVELOPMENT	999999 AMES, KYRA	Photo paper URA ART	9.49
2310 TAX INCREMENT DISTRICT -	470300 ECONOMIC DEVELOPMENT	999999 AMES, KYRA	Printer ink URA ART	75.96
2310 TAX INCREMENT DISTRICT -	470300 ECONOMIC DEVELOPMENT	3597 BEAUDETTE CONSULTING	Sidewalk Vault inves	1,559.50
2310 TAX INCREMENT DISTRICT -	470300 ECONOMIC DEVELOPMENT	3597 BEAUDETTE CONSULTING	Sidewalk Vault inves	5,323.00
2310 TAX INCREMENT DISTRICT -	470300 ECONOMIC DEVELOPMENT	3597 BEAUDETTE CONSULTING	Sidewalk Vault inves	500.00
<b>Total for Fund:</b>				<b>7,467.95</b>
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	I90 & 89S SL	7.55
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	97 View Vista SL	7.55
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	600 W Park SL	79.23
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	412 W Callender	87.62
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	C & D & Lewis SL	31.95
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	1100 W Geyser School	10.67
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	900 W Geyser School	11.39
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	132 S B SL	173.50
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	E & Alley SL	53.22
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	18 W Park SL	97.23
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	F & G & Callender SL	49.77
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	D & E & Callender SL	69.72
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	M & N & Callender SL	75.00
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	Park & 13 School	8.47
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	N 7 & Montana & Chin	56.23
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	N 2 & Montana & Chin	86.90
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	Glenn Addn SL	110.14
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	105 W Park SL	45.34
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	320 N Main SL	17.09
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	114 W Summitt SL	19.45
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	151 NORTHWESTERN ENERGY	202 S 2 SL	26.79
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	26 LIVINGSTON ACE HARDWARE	- Clamps	54.39
2400 LIGHT MAINTENANCE	420100 OPERATING ACCOUNT	1611 CRESCENT ELECTRIC SUPPLY	Light Bulbs	180.00
<b>Total for Fund:</b>				<b>1,359.20</b>
2500 STREET MAINTENANCE	430220 FACILITIES/CITY SHOP	151 NORTHWESTERN ENERGY	406 Bennett 50%	316.27
2500 STREET MAINTENANCE	430220 FACILITIES/CITY SHOP	147 LIVINGSTON UTILITY	Street shop	46.19
2500 STREET MAINTENANCE	430220 FACILITIES/CITY SHOP	162 CENTURYLINK	City shop 50%	29.36
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	2 A-1 MUFFLER, INC.	Air Filter & Diag	88.00
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	26 LIVINGSTON ACE HARDWARE	- Supplies	20.15
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	26 LIVINGSTON ACE HARDWARE	- Clamps	207.20
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	26 LIVINGSTON ACE HARDWARE	- Clamps	25.87

For doc #s from 27892 to 28049, Operating Cash

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	22 ALL SERVICE TIRE &	Tires	900.00
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	22 ALL SERVICE TIRE &	Tires	2,490.00
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	3293 BLACKFOOT COMMUNICATIONS	Internet	50.50
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	728 BRIDGER COMMUNICATIONS	Repairs & Install	456.80
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	23 CARQUEST AUTO PARTS	Hose Clamps	9.70
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	98 GRAYBEAL'S ALL SERVICE	Service Heater	108.00
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	98 GRAYBEAL'S ALL SERVICE	late fee	2.56
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	102 INDUSTRIAL TOWEL	Mat Cleaning	8.55
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	1783 J & H OFFICE EQUIPMENT	Copier	22.74
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	1390 KEN'S EQUIPMENT REPAIR,	Unit 621	127.25
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	1390 KEN'S EQUIPMENT REPAIR,	Wood Chipper	446.00
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	1390 KEN'S EQUIPMENT REPAIR,	Bucket Truck	355.00
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	1390 KEN'S EQUIPMENT REPAIR,	Bucket Truck	840.00
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	2863 KIMBALL MIDWEST	Supplies	65.14
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	2863 KIMBALL MIDWEST	Supplies	44.59
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	3043 STAHLY ENGINEERING, INC	02L15 Res #4443	741.70
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	3390 TD&H ENGINEERING, INC	B15-107	2,725.26
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	3472 UTILITIES UNDERGROUND	811	42.91
2500 STREET MAINTENANCE	430240 STREET DEPARTMENT	3390 TD&H ENGINEERING, INC	B15-081 on Call Engi	939.36
<b>Total for Fund:</b>				<b>11,109.10</b>
2820 GAS TAX	430240 STREET DEPARTMENT	2904 FISHER SAND AND GRAVEL	Road Mix	2,515.75
2820 GAS TAX	430240 STREET DEPARTMENT	776 KENYON NOBLE	Concrete	29.52
2820 GAS TAX	430240 STREET DEPARTMENT	776 KENYON NOBLE	Concrete	44.28
2820 GAS TAX	430240 STREET DEPARTMENT	10 MOBILE REPAIR & WELDING,	Sidewalk Stamps	1,050.00
2820 GAS TAX	430240 STREET DEPARTMENT	64 NEWMAN TRAFFIC SIGNS	Signs	722.15
2820 GAS TAX	430240 STREET DEPARTMENT	12 NORMONT EQUIPMENT	Supplies	953.26
2820 GAS TAX	430240 STREET DEPARTMENT	12 NORMONT EQUIPMENT	Posts	813.75
2820 GAS TAX	430240 STREET DEPARTMENT	12 NORMONT EQUIPMENT	Supplies	96.00
<b>Total for Fund:</b>				<b>6,224.71</b>
4100 FIRE TRUCK/BOND PROCEEDS	420460 FIRE SUPPRESSION	2666 MUNICIPAL EMERGENCY	SCBA Masks	1,126.54
4100 FIRE TRUCK/BOND PROCEEDS	420460 FIRE SUPPRESSION	2666 MUNICIPAL EMERGENCY	Mask bags	144.00
<b>Total for Fund:</b>				<b>1,270.54</b>
5210 WATER OPERATING	343021 METERED WATER SALES	999999 BLOMERT, EVA	Refund Acct #14400 O	206.75
5210 WATER OPERATING	430515 WATER SERVICES	151 NORTHWESTERN ENERGY	40 Water Tower	46.74
5210 WATER OPERATING	430515 WATER SERVICES	151 NORTHWESTERN ENERGY	B st Well	1,069.01
5210 WATER OPERATING	430515 WATER SERVICES	151 NORTHWESTERN ENERGY	200 E Reservoir	85.02
5210 WATER OPERATING	430515 WATER SERVICES	151 NORTHWESTERN ENERGY	56 Water Tower	557.94
5210 WATER OPERATING	430515 WATER SERVICES	151 NORTHWESTERN ENERGY	D & Geyser well	1,570.37
5210 WATER OPERATING	430515 WATER SERVICES	151 NORTHWESTERN ENERGY	Werner Addn Pump	98.22
5210 WATER OPERATING	430515 WATER SERVICES	2904 FISHER SAND AND GRAVEL	Concrete Rock	194.57
5210 WATER OPERATING	430515 WATER SERVICES	54 GATEWAY OFFICE SUPPLY	UPS	12.59
5210 WATER OPERATING	430515 WATER SERVICES	1390 KEN'S EQUIPMENT REPAIR,	Rigging	590.00
5210 WATER OPERATING	430515 WATER SERVICES	1783 J & H OFFICE EQUIPMENT	Copier	22.75
5210 WATER OPERATING	430515 WATER SERVICES	3472 UTILITIES UNDERGROUND	811	42.92
5210 WATER OPERATING	430515 WATER SERVICES	3390 TD&H ENGINEERING, INC	B15-081 on Call Engi	1,075.36
5210 WATER OPERATING	430520 FACILITIES/CAPITAL OUTLAY	151 NORTHWESTERN ENERGY	330 Bennett 1/3	265.16

For doc #s from 27892 to 28049, Operating Cash

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
5210 WATER OPERATING	430520 FACILITIES/CAPITAL OUTLAY	147 LIVINGSTON UTILITY	Utiltiy shop/water	119.92
5210 WATER OPERATING	430520 FACILITIES/CAPITAL OUTLAY	3043 STAHLY ENGINEERING, INC	02H15 Res#4415	260.00
5210 WATER OPERATING	430520 FACILITIES/CAPITAL OUTLAY	102 INDUSTRIAL TOWEL	Mat Cleaning	8.56
5210 WATER OPERATING	430520 FACILITIES/CAPITAL OUTLAY	3043 STAHLY ENGINEERING, INC	02L15 Res #4443	543.45
5210 WATER OPERATING	430520 FACILITIES/CAPITAL OUTLAY	3390 TD&H ENGINEERING, INC	B15-107	6,661.74
5210 WATER OPERATING	430520 FACILITIES/CAPITAL OUTLAY	162 CENTURYLINK	Utility Billing	76.15
5210 WATER OPERATING	430570 CUSTOMER ACCTG/COLLECTION	1839 MARATHON PRINTING	#10 Envelopes	35.75
5210 WATER OPERATING	430570 CUSTOMER ACCTG/COLLECTION	1839 MARATHON PRINTING	7 3/4 window envelop	238.33
<b>Total for Fund:</b>				<b>13,781.30</b>
5310 SEWER OPERATING	343031 SEWER SERVICE CHARGES	999999 BLOMERT, EVA	Refund Acct #14400 O	553.26
5310 SEWER OPERATING	430620 FACILITIES	151 NORTHWESTERN ENERGY	330 Bennett 1/3	265.16
5310 SEWER OPERATING	430620 FACILITIES	147 LIVINGSTON UTILITY	Utiltiy shop/water	89.96
5310 SEWER OPERATING	430620 FACILITIES	102 INDUSTRIAL TOWEL	Mat Cleaning	8.55
5310 SEWER OPERATING	430620 FACILITIES	162 CENTURYLINK	City shop12%	7.05
5310 SEWER OPERATING	430625 SEWER SERVICES	151 NORTHWESTERN ENERGY	800 W Cambridge Pump	26.89
5310 SEWER OPERATING	430625 SEWER SERVICES	151 NORTHWESTERN ENERGY	3 Rogers Ln LS	24.74
5310 SEWER OPERATING	430625 SEWER SERVICES	151 NORTHWESTERN ENERGY	200 E Reservoir	12.35
5310 SEWER OPERATING	430625 SEWER SERVICES	151 NORTHWESTERN ENERGY	900 River Pump	90.75
5310 SEWER OPERATING	430625 SEWER SERVICES	151 NORTHWESTERN ENERGY	1011 River Pump	22.69
5310 SEWER OPERATING	430625 SEWER SERVICES	151 NORTHWESTERN ENERGY	Monroe LS	371.74
5310 SEWER OPERATING	430625 SEWER SERVICES	151 NORTHWESTERN ENERGY	Crawford LS	27.31
5310 SEWER OPERATING	430625 SEWER SERVICES	151 NORTHWESTERN ENERGY	Alpenglow LS	325.00
5310 SEWER OPERATING	430625 SEWER SERVICES	151 NORTHWESTERN ENERGY	2800 E Prk LS	53.20
5310 SEWER OPERATING	430625 SEWER SERVICES	1390 KEN'S EQUIPMENT REPAIR,	Plate for Sewer	330.00
5310 SEWER OPERATING	430625 SEWER SERVICES	1783 J & H OFFICE EQUIPMENT	Copier	22.74
5310 SEWER OPERATING	430625 SEWER SERVICES	34 MOUNTAIN AIR SPORTS	Shirts	442.25
5310 SEWER OPERATING	430625 SEWER SERVICES	3472 UTILITIES UNDERGROUND	811	42.91
5310 SEWER OPERATING	430625 SEWER SERVICES	3390 TD&H ENGINEERING, INC	B15-081 on Call Engi	939.36
5310 SEWER OPERATING	430630 COLLECTION AND	3043 STAHLY ENGINEERING, INC	02L15 Res #4443	477.35
5310 SEWER OPERATING	430630 COLLECTION AND	3390 TD&H ENGINEERING, INC	B15-107	2,725.25
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	151 NORTHWESTERN ENERGY	316 Bennett	7,232.34
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	147 LIVINGSTON UTILITY	Sewer plant	311.71
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	528 GRAINGER	Control	281.90
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	3593 HYDRO INTERNATIONAL	Flow Meter	340.04
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	402 ALPINE ELECTRONICS RADIO	Canvio	79.99
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	1430 USA BLUEBOOK	Nipples & Canister	510.14
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	2830 LEHRKIND'S COCA-COLA	Water	42.35
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	776 KENYON NOBLE	Wood	9.76
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	16 PARISI WESTERN PLUMBING &	Water Heater	648.00
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	92 DANA KEPNER COMPANY	WWTP Meter	215.00
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	26 LIVINGSTON ACE HARDWARE -	Supplies	16.98
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	3480 CERILLIANT	Supplies	230.28
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	424 ENERGY LABORATORIES, INC.	B16011936	102.00
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	424 ENERGY LABORATORIES, INC.	B16030302	102.00
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	424 ENERGY LABORATORIES, INC.	B16030681	22.00
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	424 ENERGY LABORATORIES, INC.	B16031121	102.00
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	3293 BLACKFOOT COMMUNICATIONS	Internet	50.49
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	102 INDUSTRIAL TOWEL	Mat Cleaning	23.90
5310 SEWER OPERATING	430640 SEWER TREATMENT PLANT	162 CENTURYLINK	Sewer Plant phone	170.06
5310 SEWER OPERATING	430670 CUSTOMER ACCTG/COLLECTION	1839 MARATHON PRINTING	#10 Envelopes	35.75

For doc #s from 27892 to 28049, Operating Cash

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
5310 SEWER OPERATING	430670 CUSTOMER ACCTG/COLLECTION	1839 MARATHON PRINTING	#10 window envelopes	238.33
5310 SEWER OPERATING	430820 FACILITIES	162 CENTURYLINK	Utility Billing	76.15
<b>Total for Fund:</b>				<b>17,699.68</b>
5410 SOLID WASTE	430820 FACILITIES	151 NORTHWESTERN ENERGY	406 Bennett 50%	316.26
5410 SOLID WASTE	430820 FACILITIES	151 NORTHWESTERN ENERGY	408 Bennett	64.19
5410 SOLID WASTE	430820 FACILITIES	151 NORTHWESTERN ENERGY	408 Bennett TS	611.86
5410 SOLID WASTE	430820 FACILITIES	151 NORTHWESTERN ENERGY	330 Bennett 1/3	265.15
5410 SOLID WASTE	430820 FACILITIES	151 NORTHWESTERN ENERGY	330 Bennett Compacto	41.79
5410 SOLID WASTE	430820 FACILITIES	147 LIVINGSTON UTILITY	Street shop	46.20
5410 SOLID WASTE	430820 FACILITIES	147 LIVINGSTON UTILITY	Utilitiy shop/water	63.97
5410 SOLID WASTE	430820 FACILITIES	102 INDUSTRIAL TOWEL	Mat Cleaning	8.55
5410 SOLID WASTE	430820 FACILITIES	1783 J & H OFFICE EQUIPMENT	Copier	22.74
5410 SOLID WASTE	430820 FACILITIES	162 CENTURYLINK	Utility Billing	76.14
5410 SOLID WASTE	430820 FACILITIES	162 CENTURYLINK	City shop 38%	22.30
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	23 CARQUEST AUTO PARTS	Cleaner	11.94
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	23 CARQUEST AUTO PARTS	Light	40.48
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	1390 KEN'S EQUIPMENT REPAIR,	Unit 571	411.00
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	1390 KEN'S EQUIPMENT REPAIR,	Unit 685	532.50
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	1390 KEN'S EQUIPMENT REPAIR,	Bob Cat	92.00
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	1390 KEN'S EQUIPMENT REPAIR,	Unit 685	90.00
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	10 MOBILE REPAIR & WELDING,	Bases & Straps	399.00
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	12 NORMONT EQUIPMENT	Supplies	235.97
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	1718 SOLID WASTE SYSTEMS, INC.	Module	1,112.57
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	1718 SOLID WASTE SYSTEMS, INC.	Controllor	2,865.21
5410 SOLID WASTE	430830 COLLECTION/MAINTENANCE	1 TECH ELECTRIC, INC	Compactor Electrical	162.50
5410 SOLID WASTE	430840 DISPOSAL	2919 FOUR CORNERS RECYCLING,	Commodity Credit	-504.57
5410 SOLID WASTE	430840 DISPOSAL	2919 FOUR CORNERS RECYCLING,	Plastic	119.85
5410 SOLID WASTE	430840 DISPOSAL	2919 FOUR CORNERS RECYCLING,	Box Rent	400.00
5410 SOLID WASTE	430840 DISPOSAL	2919 FOUR CORNERS RECYCLING,	Pulls	1,650.00
5410 SOLID WASTE	430840 DISPOSAL	2919 FOUR CORNERS RECYCLING,	Gaylord Boxes	1,155.00
5410 SOLID WASTE	430870 CUSTOMER ACCTG/COLLECTION	1839 MARATHON PRINTING	#10 Envelopes	35.75
5410 SOLID WASTE	430870 CUSTOMER ACCTG/COLLECTION	3293 BLACKFOOT COMMUNICATIONS	Internet	50.49
5410 SOLID WASTE	430870 CUSTOMER ACCTG/COLLECTION	1839 MARATHON PRINTING	#10 window envelopes	238.34
<b>Total for Fund:</b>				<b>10,637.18</b>
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	2662 BOUND TREE MEDICAL, LLC	Patient supplies	29.37
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	2662 BOUND TREE MEDICAL, LLC	Patient supplies	6.44
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	2662 BOUND TREE MEDICAL, LLC	Patient supplies	246.00
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	2662 BOUND TREE MEDICAL, LLC	Patient supplies	25.50
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	2662 BOUND TREE MEDICAL, LLC	Patient supplies	293.35
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	26 LIVINGSTON ACE HARDWARE -	Anitfreeze, cleaning	37.96
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	26 LIVINGSTON ACE HARDWARE -	Hooks	83.88
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	54 GATEWAY OFFICE SUPPLY	Office supplies	22.56
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	3598 AIRPRO, INC.	Plymovent installati	48,650.00
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	23 CARQUEST AUTO PARTS	Cleaning supplies	62.70
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	292 UPS STORE #2420, THE	Postage	12.43
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	2671 COMDATA	February fuel	398.06
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	2833 OPI-MONTANA DRIVE	Advanced driver cour	1,950.00
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	2268 BIG BEAR CONTRACTING, LLC	2nd half upstairs re	2,227.50



03/30/16  
17:09:29

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

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Report ID: AP100Z

For doc #s from 27892 to 28049, Operating Cash

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
5510 AMBULANCE SERVICES	420730 AMBULANCE OPERATING ACCT	14 SHOPKO STORES, LLC	Station supplies	23.95
<b>Total for Fund:</b>				<b>54,069.70</b>
7910 PAYROLL FUND	212970 FLEX PLAN BENEFITS PAY	3596 DENTON, KRISTINE	Flex account - Close	387.87
7910 PAYROLL FUND	212970 FLEX PLAN BENEFITS PAY	958 HARRINGTON, KEVIN	Flex account	88.00
7910 PAYROLL FUND	212970 FLEX PLAN BENEFITS PAY	3496 COFFMAN, BEN	Child Care Flex acco	765.28
7910 PAYROLL FUND	212970 FLEX PLAN BENEFITS PAY	2751 EDMISTON, KATHRYN	Flex account	554.82
7910 PAYROLL FUND	212970 FLEX PLAN BENEFITS PAY	2376 KYNETT, JESSIKA	Flex account	160.00
7910 PAYROLL FUND	212970 FLEX PLAN BENEFITS PAY	353 BOWLES, SCOTT	Flex account	502.55
<b>Total for Fund:</b>				<b>2,458.52</b>
<b>Total:</b>				<b>269,748.33</b>

**Backup material for agenda item:**

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

03/29/16  
10:52:18

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

Page: 1 of 19  
Report ID: AP100Z

For Doc # = 27945, Operating Cash

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
1000 GENERAL	411700 CENTRAL STORES	225 FIRST INTERSTATE BANK	SSL Renewal 3 year	449.97
			<b>Total for Fund:</b>	<b>449.97</b>
			<b>Total:</b>	<b>449.97</b>

**Backup material for agenda item:**

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

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

**Appointed Position Seeking:** Urban Renewal Council

**Date of Application:** February 5, 2016

Name: Joseph Hanser Signed: /S/  
 Address: 1203 Park View Trail  
 Telephone: daytime 406-222-4501 after 5:00 p.m.: 406-671-5372  
 Fax Number: \_\_\_\_\_ e-mail address: joe.hanser@fib.com

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

Livingston looks a little tired and needs some attention. I think that with limited funding, those resources need to be used very economically.

5. Describe any background, experience and interests that you have which may assist you in performing the responsibilities of this appointment:
  - A. Occupation: Banking/Finance
  - B. Education: B.S Production Economics/Finance
  - C. Experience: Thirty seven years in commercial and agricultural finance, fifteen years in bank management

(please attach a detailed resume if desired)

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

Ten years on the Metra Park Board in Billings Montana

7. Are you currently serving on any Community Boards? Yes
  - A. If yes, please describe those boards. Depot Foundation Board
8. Current Employer? First Interstate Bank
9. Are you available for night meetings? Yes
10. Are you available for daytime meetings? Yes
11. Do you foresee any potential conflicts of interest that you might have in executing the duties of this appointed office? No
12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? I would abstain from voting on issues that I felt could be a conflict of interest.

13. Provide proof of ownership of property with the district.

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

**Backup material for agenda item:**

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

Livingston City Commission  
**LEGISLATIVE ACTION SUMMARY**  
Ordinance No. 2062

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

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

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

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

**Fiscal Impact:** N/A.

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

**Attachments:** Mountain View Cemetery Regulations.

**ORDINANCE NO. 2062**

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

**Purpose**

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

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

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

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

**SECTION 1**

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

**Sec. 22-2. – Hours of operation.**

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

**Ordinance No. 2062**

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

**Page 1**



## SECTION 2

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

### **Sec. 22-6. – Lot prices.**

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

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

## SECTION 3

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

### **Sec. 22-7 – Lot Sale Proceeds.**

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

## SECTION 4

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

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

**Ordinance No. 2062**

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

**Page 2**

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

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

**SECTION 5**

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

**Section 22-10. – Fees for opening graves.**

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

- ~~Adult – opening and closing .....\$175.00~~
- ~~Adult – opening and closing on holidays or weekends .....350.00~~
- ~~Ashes – opening and closing .....75.00~~
- ~~Child – opening and closing .....75.00~~
- ~~Child/ashes – opening and closing on holidays and weekends .....175.00~~
- ~~Removal of body .....350.00~~
- ~~Removal of body – under five years of age .....150.00~~

## SECTION 6

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

### Section 22-11. – Unlawful activity.

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

## SECTION 7

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

### Sec. 22-16. – Same – burial.

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

## SECTION 8

### Statutory Interpretation and Repealer:

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

### Ordinance No. 2062

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

parts thereof in conflict herewith are hereby repealed.

### SECTION 9

**Severability:**

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

### SECTION 10

**Savings provision:**

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

### SECTION 11

**Effective date:**

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

\* \* \* \* \*

**PASSED** by the City Commission of the City of Livingston, Montana, on first reading at a regular session thereof held on the \_\_\_ day of \_\_\_\_\_, 201\_\_.

---

**JAMES BENNETT - Chairman**

**Ordinance No. 2062**

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

**Page 5**

**ATTEST:**

\_\_\_\_\_  
**LISA HERRALD**  
Recording Secretary

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

\_\_\_\_\_  
**JAMES BENNETT - Chairman**

**ATTEST:**

**APPROVED AS TO FORM:**

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

\_\_\_\_\_  
**ERIK COATE**  
Livingston City Attorney

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

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

#### **Allowed Number of Burials in One Grave Site**

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

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

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

#### **Placement of Monument Policy and Requirements and Authorization**

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

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

### Grave Liner Requirements and Options

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

### Errors May Be Corrected

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

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

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

### **Sale of Gravesites**

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

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

### **Fees for Opening Graves**

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

### **Perpetual Care Fund**

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

### **All Grave Openings and Closing**

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

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

### **No Interment is Permitted Unless Property is Paid For**

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

### **Interment is Human Remains**



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

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

**Casket Not to be Opened**

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

**Veteran Section**

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

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

**Baby Section**

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

**Enclosures or Guards Around Graves**

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

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

**Work and Improvements on Cemetery Grounds**

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

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

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

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

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

### **Rubbish**

The throwing of rubbish on cemetery grounds is strictly prohibited.

### **Decoration of Graves**

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

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

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

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

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

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

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

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

### **Speed Limit Within Cemetery**

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

### **Dogs**

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

### **Decorum**

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

### **Firearms**

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

### **Memorial Day**

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

### **Hours of Operation**

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

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

### **City of Livingston to Enforce Rules and Regulations**

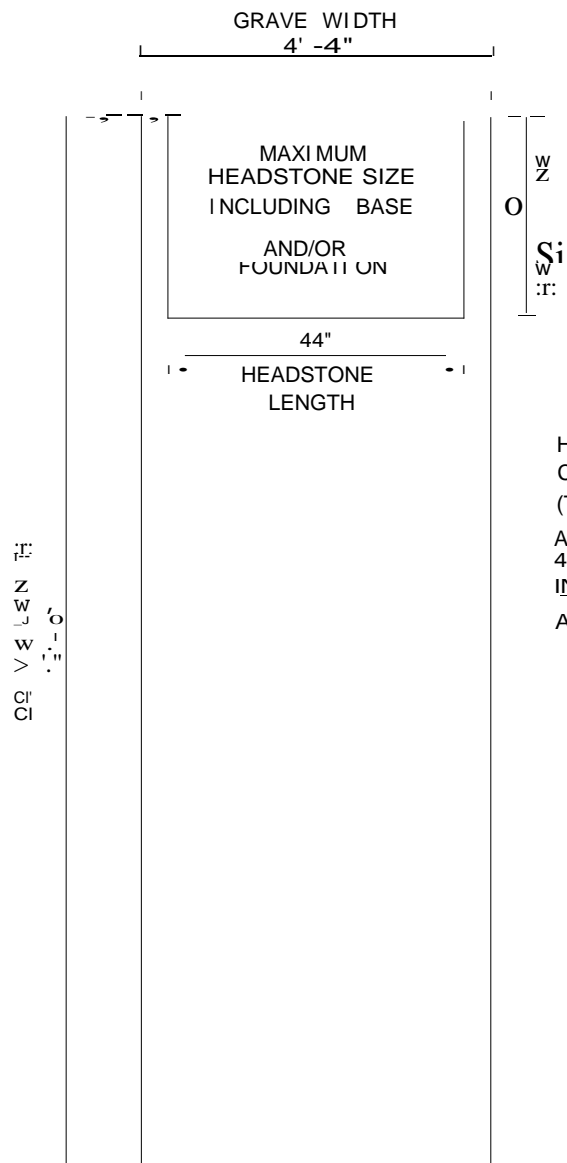
The cemetery employees are hereby empowered to enforce all rules and regulations, and to exclude from the property of the City any person violating the same. They shall have charge of the grounds and buildings and at all times shall have supervision and control of all persons in the cemetery, including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

### **Powers and Adoption of Regulations**

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

## **GENERAL INFORMATION**

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



SCALE 1/16" = 1"

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

**CITY OF LIVINGSTON**

**MONUMENT PLACEMENT AT  
MOUNTAIN VIEW CEMETERY**

## NOTICE

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

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

Dated: April 6, 2016

**Backup material for agenda item:**

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



Livingston City Commission  
**LEGISLATIVE ACTION SUMMARY**

Resolution No: 4644

**Requested by:** Jessie Hogg, Chief Finance Officer

**Date of First Consideration/Status:** April 5<sup>th</sup>, 2016

**Purpose of Legislation:** Resolution #4644 updates fees charged for purchase of plots and interment services at Mountain View Cemetery.

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

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

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

**Staff Recommendation:** Staff recommends approval of this Resolution.

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

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

**Attachments:** Exhibit A



**RESOLUTION NO. 4644**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA OF ITS INTENT TO CHANGE THE RATES FOR PLOT SALES AND OTHER SERVICES PROVIDED AT MOUNTAIN VIEW CEMETERY AND CALLING FOR A PUBLIC HEARING.**

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

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

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

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

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

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

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

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

That it is the intent of the City Commission to approve the proposed rate changes for cemetery plots and services provided at Mountain View Cemetery, which proposed rate changes are detailed in Exhibit A.

**BE IT FURTHER RESOLVED**, by the City Commission of the City of Livingston, Montana, that a public hearing on the proposed rate changes be held on April 19, 2016 at 6:30 p.m.

**Resolution No. 4644**  
**Intent to approve rate changes for plot sales and numerous services provided at Mountain View Cemetery and calling for a public hearing.**  
**Page 1**

**PASSED AND ADOPTED** by the City Commission of the City of Livingston, this \_\_\_\_\_ day of April, 2016.

\_\_\_\_\_  
**JAMES BENNETT - Chairman**

**ATTEST:**

**APPROVED AS TO FORM:**

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

\_\_\_\_\_  
**ERIK COATE**  
City Attorney

**Resolution No. 4644**  
**Intent to approve rate changes for plot sales and numerous services provided at Mountain View Cemetery and calling for a public hearing.**  
**Page 2**

**[Exhibit B to Resolution No. 4644]**

**NOTICE**

A public hearing will be held by the City Commission of Livingston, Montana on April 19, 2016 at 6:30 p.m. in the Community Room of the City County Complex, 414 East Callender Street, Livingston, Montana, on **Resolution No. 4644** entitled **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO APPROVE RATE CHANGES FOR PLOT SALES AND NUMEROUS SERVICES PROVIDED AT MOUNTAIN VIEW CEMETERY AND CALLING FOR A PUBLIC HEARING.**

All interested persons are invited to attend and give their comments. For additional information, please contact Jessie Hogg, Finance Officer, at 110 South B Street, Livingston, Montana 59047, or by phone at 823-6003. (Publish twice at least 6 days apart and the notice needs also to be posted and copies made available to the public.)

## Exhibit A Mountain View Cemetery Rate Change Proposal

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

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

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

**Backup material for agenda item:**

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



Livingston City Commission  
**LEGISLATIVE ACTION SUMMARY**

Resolution No: 4645

**Requested by:** Jessie Hogg, Chief Finance Officer

**Date of First Consideration/Status:** April 5<sup>th</sup>, 2016

**Purpose of Legislation:** Resolution #4645 updates operational rules and regulations at Mountain View Cemetery.

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

**Staff Recommendation:** Staff recommends approval of this Resolution.

**Fiscal Impact:** N/A

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

**Attachments:** Exhibit A

**RESOLUTION NO. 4645**

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

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

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

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

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

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

That it is the intent of the City Commission to approve the proposed changes to the Rules and Regulations for Mountain View Cemetery, which proposed changes are detailed in Exhibit A.

**BE IT FURTHER RESOLVED**, by the City Commission of the City of Livingston, Montana, that a public hearing on the proposed changes be held on April 19, 2016 at 6:30 p.m.

**PASSED AND ADOPTED** by the City Commission of the City of Livingston, this \_\_\_\_\_ day of April, 2016.

\_\_\_\_\_  
**JAMES BENNETT - Chairman**

**ATTEST:**

**APPROVED AS TO FORM:**

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

\_\_\_\_\_  
**ERIK COATE**  
City Attorney

**Resolution No. 4645**

**Intent to Change Rules and Regulations for Mountain View Cemetery.**

**Page 1**

**[Exhibit B to Resolution No. 4645]**

**NOTICE**

A public hearing will be held by the City Commission of Livingston, Montana on April 19, 2016 at 6:30 p.m. in the Community Room of the City County Complex, 414 East Callender Street, Livingston, Montana, on **Resolution No. 4645** entitled **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA OF ITS INTENT TO AMEND THE RULES AND REGULATIONS FOR MOUNTAIN VIEW CEMETERY AND CALLING FOR A PUBLIC HEARING.**

All interested persons are invited to attend and give their comments. For additional information, please contact Jessie Hogg, Finance Officer, at 110 South B Street, Livingston, Montana 59047, or by phone at 823-6003. (Publish twice at least 6 days apart and the notice needs also to be posted and copies made available to the public.)



**City of Livingston, Montana**  
**Mountain View Cemetery Regulations**

**Updated March 8, 2016**

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

**Allowed Number of Burials in One Grave Site**

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

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

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

**Placement of Monument Policy and Requirements and Authorization**

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

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

### Grave Liner Requirements and Options

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

### Errors May Be Corrected

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

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

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

**Sale of Gravesites**

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

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

**Fees for Opening Graves**

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

**Perpetual Care Fund**

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

**All Grave Openings and Closing**

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

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

**No Interment is Permitted Unless Property is Paid For**

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

**Interment is Human Remains**

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

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

**Casket Not to be Opened**

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

**Veteran Section**

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

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

**Baby Section**

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

**Enclosures or Guards Around Graves**

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

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

**Work and Improvements on Cemetery Grounds**

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

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

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

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

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

### **Rubbish**

The throwing of rubbish on cemetery grounds is strictly prohibited.

### **Decoration of Graves**

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

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

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

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

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

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

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

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

### **Speed Limit Within Cemetery**

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

### **Dogs**

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

### **Decorum**

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

### **Firearms**

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

### **Memorial Day**

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

### **Hours of Operation**

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

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

### **City of Livingston to Enforce Rules and Regulations**

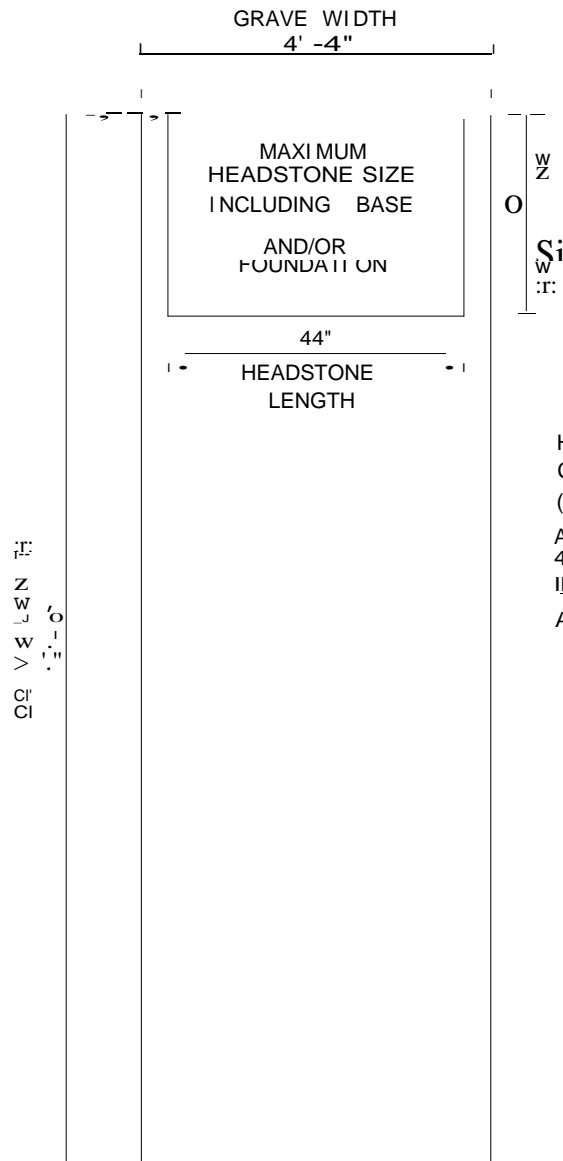
The cemetery employees are hereby empowered to enforce all rules and regulations, and to exclude from the property of the City any person violating the same. They shall have charge of the grounds and buildings and at all times shall have supervision and control of all persons in the cemetery, including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

### **Powers and Adoption of Regulations**

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

## **GENERAL INFORMATION**

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



HEADSTONE MUST BE CENTERED AT THE HEAD (TOP) OF THE GRAVE AND MAY NOT EXCEED 44" LONG BY 30" WIDE, INCLUDING THE BASE AND/OR FOUNDATION.

SCALE 1/16" = 1"

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

**CITY OF LIVINGSTON**

**MONUMENT PLACEMENT AT MOUNTAIN VIEW CEMETERY**



**Backup material for agenda item:**

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

Livingston City Commission  
**LEGISLATIVE ACTION SUMMARY**  
Resolution No. 4643

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

**Purpose of Legislation:** To authorize the City Manager to execute a lease agreement with WispWest.net for property on the North Side Hill for transmission tower.

**Statutory Authority / Reference:** Mont. Code Ann. § 7-3-304(9)

**Background:** On January 19, 2010, via Resolution 4093, the City of Livingston and WispWest.net entered into a lease agreement that called for WispWest.net to lease city-owned property on the North Side Hill for placement of a transmission tower, which property is more specifically described on Certificate of Survey 1607 and Subdivision Plat 21 (the "Property"). The original lease agreement was for an initial term of five (5) years and said term has expired. WispWest.net representatives approached the City and requested to enter into a new lease agreement for the Property. The City's administration recommends renewal of the lease. The City of Livingston's administration and WispWest.net have agreed upon the form of the Lease Agreement and the Interim City Manager is ready to enter into, execute and deliver said Lease Agreement upon the Livingston City Commission's adoption of Resolution 4643.

**Fiscal Impact:** N/A.

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

**Attachments:** Lease Agreement.

**RESOLUTION NO. 4643**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING THE CITY MANAGER TO SIGN A LEASE AGREEMENT WITH WISPWEST.NET FOR TRANSMISSION TOWER ON NORTH SIDE HILL.**

**WHEREAS**, on January 19, 2010, via Resolution 4093, the City of Livingston and WispWest.net entered into a lease agreement that called for WispWest.net to lease city-owned property on the North Side Hill for placement of a transmission tower, which property is more specifically described on Certificate of Survey 1607 and Subdivision Plat 21 (the "Property"); and

**WHEREAS**, the original lease agreement was for an initial term of five (5) years and said term has expired; and

**WHEREAS**, WispWest.net representatives approached the City and requested to renew the lease agreement for the Property; and

**WHEREAS**, the City's administration recommends renewal of the lease; and

**WHEREAS**, the City of Livingston's administration and WispWest.net have agreed upon the form of the Lease Agreement and the Interim City Manager is ready to enter into, execute and deliver said Lease Agreement upon the Livingston City Commission's adoption of this Resolution.

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

That the City Manager is hereby authorized to enter into the Lease Agreement with WispWest.net so WispWest.net can use the Property as a site for a transmission tower, which General Service Agreement is attached hereto and incorporated herein as Exhibit A.

**PASSED AND ADOPTED** by the City Commission of the City of Livingston, this \_\_\_\_\_ day of April, 2016.

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**JAMES BENNETT - Chairman**

**ATTEST:**

**APPROVED AS TO FORM:**

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**LISA HARRELD**  
Recording Secretary

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**ERIK COATE**  
City Attorney

LEASE

AGREEMENT made and entered into as of the 10<sup>th</sup> day of MARCH, 2016, by and between the City of Livingston, a municipal corporation and political subdivision of the State of Montana, with its principal office located at 414 East Callender Street, Livingston, Montana 59047, hereinafter referred to as the "City," and "Gallatin Wireless Internet, LLC", doing business as WISPWest.net, of 1014 West Park, No. 2, Livingston, Montana 59047, hereinafter referred as "WISPWest."

**Recitals.**

- A. The City owns certain land located in Section 12, Township 2 South, Range 9 East, M.P.M. which is more particularly described by Certificate of Survey #1607 and Subdivision Plat #21, both of which are on file and of record in the office of the Clerk and Recorder of Park County, Montana; and
- B. Located upon the above-described property and adjacent to an undeveloped City street right-of-way named Ridgeway Drive, is a pole which has been erected by a person or persons unknown for purposes unknown to the City, and the condition thereof is equally unknown to the City, said pole is depicted by the photograph attached hereto and incorporated herein by this reference; and
- C. WISPWest is desirous of providing a wireless internet service in the Livingston, Montana, area; and
- D. WISPWest, requires a location to install its equipment to provide said

services and believes the aforementioned pole will accommodate its needs; and

E. The City is desirous of leasing to WISPWest and WISPWest is desirous of leasing from the City said pole under the terms and conditions contained in this agreement.

### **SECTION ONE Description of Property**

The property subject to this lease is described by Recital A. In addition to the pole and the property upon which the pole is located, WISPWest is hereby provided an access easement across City property to the pole for purposes of installation and maintenance of its equipment. WISPWest hereby acknowledges that the road which provides access to the pole is primitive, undeveloped and not maintained by the City and WISPWest hereby assumes the risk of using said unmaintained and primitive road and agrees to hold the City, its officers, employees, and agents, harmless from any and all damage or destruction of property and/or injury or death to persons arising out of the use of said road and pole.

### **SECTION TWO Inspection, Representations and Warranties**

The pole in question has not been erected by the City. The pole was erected by a person or persons unknown, for purposes unknown. WISPWest hereby acknowledges that the City has made no representations or warranties as to the condition of the pole, nor as to its feasibility of use. WISPWest hereby acknowledges and agrees that it leases the pole based upon its own inspection, knowledge and judgment and has not relied upon any representations or warranties, either expressed or implied, from the City, its officers, employees, or agents. WISPWest hereby

holds the City, its officers, employees or agents harmless and agrees to indemnify the City from any and all damage or destruction or property to and/or injury or death to persons growing out of the lease of said pole.

**SECTION THREE**  
**Term and Rental Fees**

The term of this lease shall be five (5) years unless sooner terminated. WISPWest agrees to pay, without demand, to the City as rent for the pole the sum of \$400.00 per month, on or before the 15<sup>th</sup> day of each month this lease remains in full force and effect. In lieu of \$100.00 of the monthly rent, WISPWest may provide hosting services for the City which shall include 100 email addresses. If the hosting services are not provided, or in the event that the hosting services are terminated, WISPWest shall pay the aforementioned rental fee.

**SECTION FOUR**  
**Insurance/holdharmless**

To the fullest extent allowed by law, WISPWest agrees to save, defend, indemnify and hold harmless the City, its officers, employees and agents from any and all claims, losses, expenses and damages, including, but not limited to, court costs and reasonable attorney fees, which may be asserted against the City arising of the negligence or negligent or intentional acts of WISPWest in connection with this agreement.

WISPWest agrees, at its sole expense, to obtain and keep in full force and effect adequate insurance against general liability, automobile liability and physical damage, naming the City as a named insured, with policy limits in the amount of not less than \$750,000.00 per

person and \$1,500,000.00 per occurrence as currently provided by Mont. Code Ann. § 2-9-108, or such other amount as the State legislature may provide by amendment to said statute to cover loss, damage or injury to persons or property which might arise out of the performance of their duties under this agreement and shall provide a Certificate of Insurance to the City.

**SECTION FIVE**  
**Quiet Enjoyment**

City covenants that on paying the rent and performing the covenants herein contained, WISPWest shall peacefully and quietly have, hold and enjoy the demised premises for the agreed term.

**SECTION SIX**  
**Use of Premises**

The demised premises shall be used and occupied by WISPWest for installation and maintenance of its equipment. WISPWest acknowledges hereby that the City hereby reserves the right to enter into additional leases with third parties, however, the City agrees that such leases shall not interfere with WISPWest's wireless internet service signal, equipment or use of the leased property.

**SECTION SEVEN**  
**Assignment**

Without the prior written consent of City, WISPWest shall not assign this Lease.

**SECTION EIGHT**  
**Alterations and Improvements**

WISPWest shall make no alterations to the demised premises or construct any building or



make other improvements on the demised premises without the prior written consent of City. All alterations, changes, and improvements built, constructed, or placed on the demised premises by WISPWest, with the exception of fixtures removable without damage to the premises and moveable personal property, shall, unless otherwise provided by written agreement between City and WISPWest, be the property of City and remain on the demised premises at the expiration or sooner termination of this Lease.

#### **SECTION NINE Maintenance and Repair**

WISPWest will, at their expense, keep and maintain the pole in good condition and repair during the term of this Lease. Any pole replacement shall require the prior written approval of the City.

#### **SECTION TEN Dangerous Materials**

WISPWest shall not keep or have on the leased premises any article or thing of a dangerous, inflammable, or explosive character that might unreasonably increase the danger of fire on the leased premises or that might be considered hazardous or extra hazardous by any responsible insurance company.

#### **SECTION ELEVEN Right of Inspection**

City and its agents shall have the right at all reasonable times during the term of this Lease and any renewal thereof to enter the demised premises for the purpose of inspecting the premises and any improvements thereon.

**SECTION TWELVE**  
**Holdover by WISPWest**

Should WISPWest remain in possession of the demised premises with the consent of City after the natural expiration of this Lease, a new tenancy from month to month shall be created between City and WISPWest which shall be subject to all the terms and conditions hereof but shall be terminable on thirty (30) days written notice served by either City or WISPWest on the other party.

**SECTION THIRTEEN**  
**Surrender of Premises**

At the expiration of the Lease term, WISPWest shall quit and surrender the premises hereby demised in as good state and condition as they were at the commencement of this Lease, reasonable use and wear thereof and damages by the elements excepted.

**SECTION FOURTEEN**  
**Termination and Default**

In the event that any of the equipment installed by WISPWest interferes with wireless communications or the electronic equipment of the City or other governmental agencies, private entities, residents or organizations located in the area of the pole and the Water Tower Hill which are in existence as of February 2003, this lease shall become null and void, if said interference cannot be corrected by WISPWest.

If any default is made in the payment of rent, or any part thereof, at the times hereinbefore specified, or if any default is made in the performance of or compliance with any other term or condition hereof, the Lease, at the option of City, shall terminate and be forfeited,

and City may re-enter the property and remove all persons therefrom. WISPWest shall be given written notice of any default or breach, and termination and forfeiture of the Lease shall not result if, within thirty (30) days of receipt of such notice, WISPWest has corrected the default or breach or has taken action reasonably likely to affect such correction within a reasonable time.

**SECTION FIFTEEN**  
**Abandonment**

If at any time during the term of this Lease WISPWest abandons the demised property for more than 60 days, this lease shall become null and void upon the City giving notice to WISPWest of the abandonment and notice of termination should WISPWest not respond within 15 days.

**SECTION SIXTEEN**  
**Binding Effect**

The covenants and conditions herein contained shall apply to and bind the heirs, legal representatives, and assigns of the parties hereto, and all covenants are to be construed as conditions of this Lease.

**SECTION SEVENTEEN**  
**Notice**


Notices shall be mailed at the addresses set forth herein, or at such other address as the respective parties shall give to the other party by written notice of any such change. Notice shall be deemed complete when the notice is deposited into the United States Postal Service and addressed to the address provided by the parties hereto.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first set forth above.

CITY:

Gallatin Wireless Internet, LLC  
d/b/a WispWest.Net:

\_\_\_\_\_  
Lisa Lowy  
Interim City Manager

  
\_\_\_\_\_  
by: Nate Steinke  
Its: General Manager / Wireless Engineer

ATTEST:

\_\_\_\_\_  
Lisa Harreld – Recording Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Erik Coate  
Livingston City Attorney  
\_\_\_\_\_

**Backup material for agenda item:**

**D. RESOLUTION NO. 4646 -- A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING APPLICATION FOR LAND & WATER CONSERVATION FUND ASSISTANCE.**

Livingston City Commission  
**LEGISLATIVE ACTION SUMMARY**  
Resolution No. 4646

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

**Purpose of Legislation:** To authorize application for Land & Water Conservation Fund assistance.

**Statutory Authority / Reference:** N/A

**Background:** The Livingston Youth Soccer Association is in the process of developing the Northside Park and Soccer Complex, a public park on a 19-acre parcel located in the northwest section of the City of Livingston. It is being built in four phases including Phases 1 and 2 which have been completed with construction of three soccer fields, three parking areas, concrete walkways, extensive landscaping, two vault toilets, park benches, picnic tables and earthwork where the fieldhouse will be located. These areas have now been enjoyed by community members and youth soccer players for over four years. Phase 3 – the construction of a fieldhouse at the Complex – will provide a beautiful and functional two-story building that will contain a concessions space, public restrooms, equipment storage space and event meeting areas. This phase is under construction and anticipated to be complete in July 2016. Phase 4, of which Resolution 4646 is prepared for, will include landscaping, sidewalk construction and the installation of additional benches and picnic tables to the complex. Land & Water Conservation Fund financial assistance is required for the development of said outdoor recreational facilities. Resolution 4646 authorizes the City to apply for such assistance.

**Fiscal Impact:** N/A.

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

**Attachments:** None.

**RESOLUTION NO. 4646**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING APPLICATION FOR LAND & WATER CONSERVATION FUND ASSISTANCE.**

WHEREAS, the Livingston Youth Soccer Association, in collaboration with the City of Livingston, is interested in developing outdoor recreational facilities on the following described project for the enjoyment of the citizenry of the City of Livingston, Park County and the State of Montana.

Project Title: North Side Park and Soccer Complex

Total Estimated Cost: \$92,000

Brief Description of Project: Livingston Youth Soccer Association is in the process of developing Northside Park and Soccer Complex, a public park on a 19-acre parcel located in the northwest section of the City of Livingston. It is being built in four phases including Phases 1 and 2 which have been completed with construction of three soccer fields, three parking areas, concrete walkways, extensive landscaping, two vault toilets, park benches, picnic tables and earthwork where the fieldhouse will be located. These areas have now been enjoyed by community members and youth soccer players for over four years. Phase 3 – the construction of a fieldhouse at the Complex - will provide a beautiful and functional two-story building that will contain a concessions space, public restrooms, equipment storage space and event meeting areas. This phase is under construction and anticipated to be complete in July 2016. Phase 4, of which this Resolution is prepared for, will include landscaping, sidewalk construction and the installation of additional benches and picnic tables to the complex.

AND, Land & Water Conservation Fund financial assistance is required for the development of said outdoor recreational facilities,

NOW, THEREFORE, be it resolved by the City Commission of the City of Livingston that the project described be authorized,

AND, be it further resolved that said City of Livingston and Livingston Youth Soccer Association make application to Montana Fish, Wildlife & Parks to seek 2016 Land & Water Conservation Fund financial assistance from the National Park Service in the amount of 50% of the actual cost of the project on behalf of said North Side Park and Soccer Complex.

AND, be it further resolved by the City Commission of the City of Livingston that it certifies to the following:

- 1 That it will accept the terms and conditions set forth in the Land & Water Conservation Fund Grants in Aid Manual and the official agreement between the applicant and Montana Fish, Wildlife & Parks, both of which will be part of the project agreement for any grant awarded.
- 2 That it is in complete accord with the attached proposal and that it will carry out the acquisition and/or development in the manner described in the proposal and any plans and specifications attached thereto unless prior approval for any change has been received from Montana Fish, Wildlife & Parks.
- 3 That, at the time of application, it has committed to fund the entire project (the sponsor must make full payment on all project expenses before being reimbursed for up to 50 percent of allowable costs), and will initiate work within 90 days following federal approval (weather permitting).
- 4 That the project will be operated and maintained in perpetuity at the expense of said North Side Park and Soccer Complex for public outdoor recreation use.
- 5 That it will maintain adequate financial records on the proposed project to substantiate claims for cost sharing.



6 That open public participation was encouraged throughout the planning phases of the project.

This is to certify that the foregoing is a true and correct copy of the resolution duly and legally adopted by the City Commission of the City of Livingston at the legal meeting held on the 5th day of April, 2016.

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**JAMES BENNETT – Chairman**

**ATTEST:**

**APPROVED AS TO FORM:**

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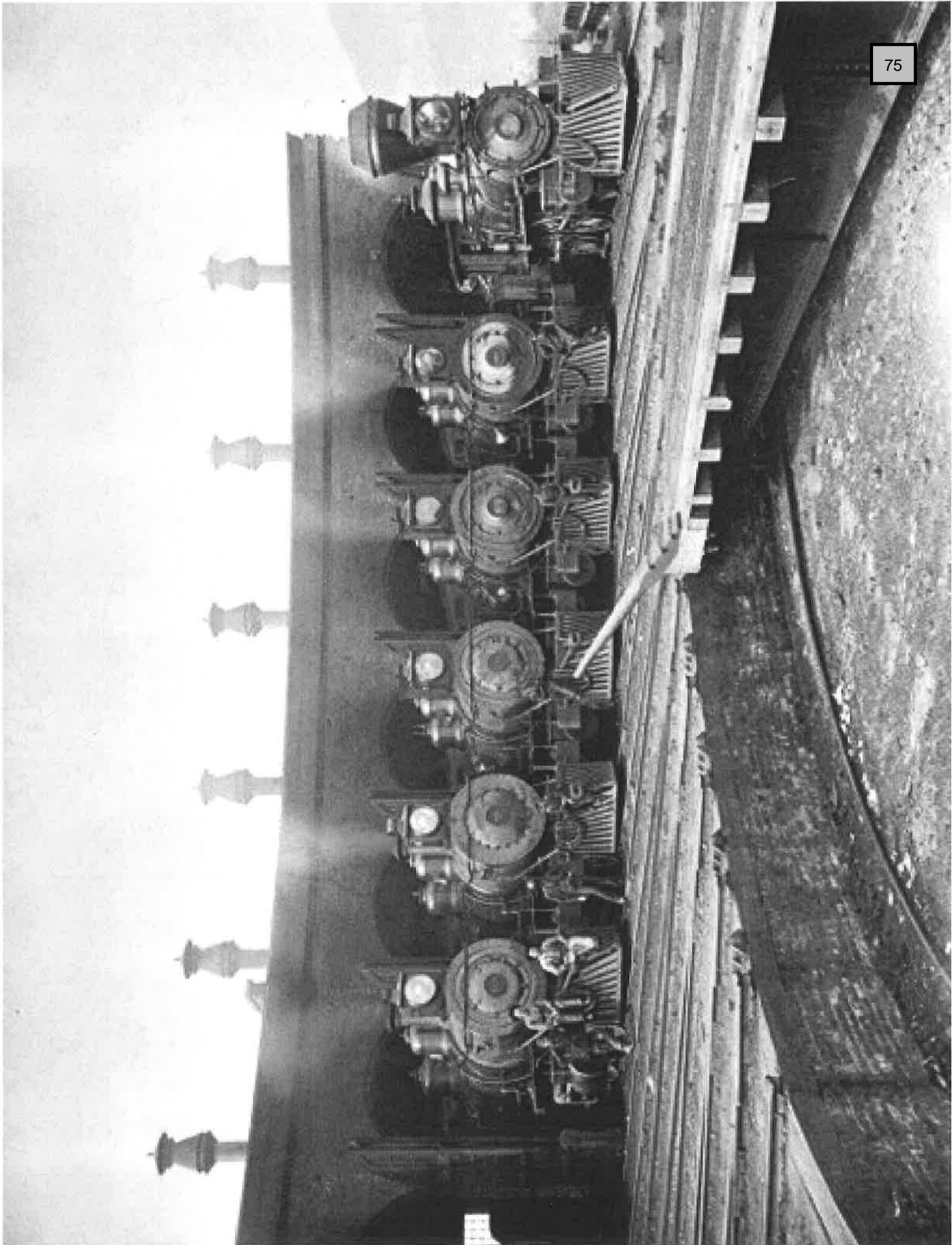
**LISA HARRELD, Recording Secretary**

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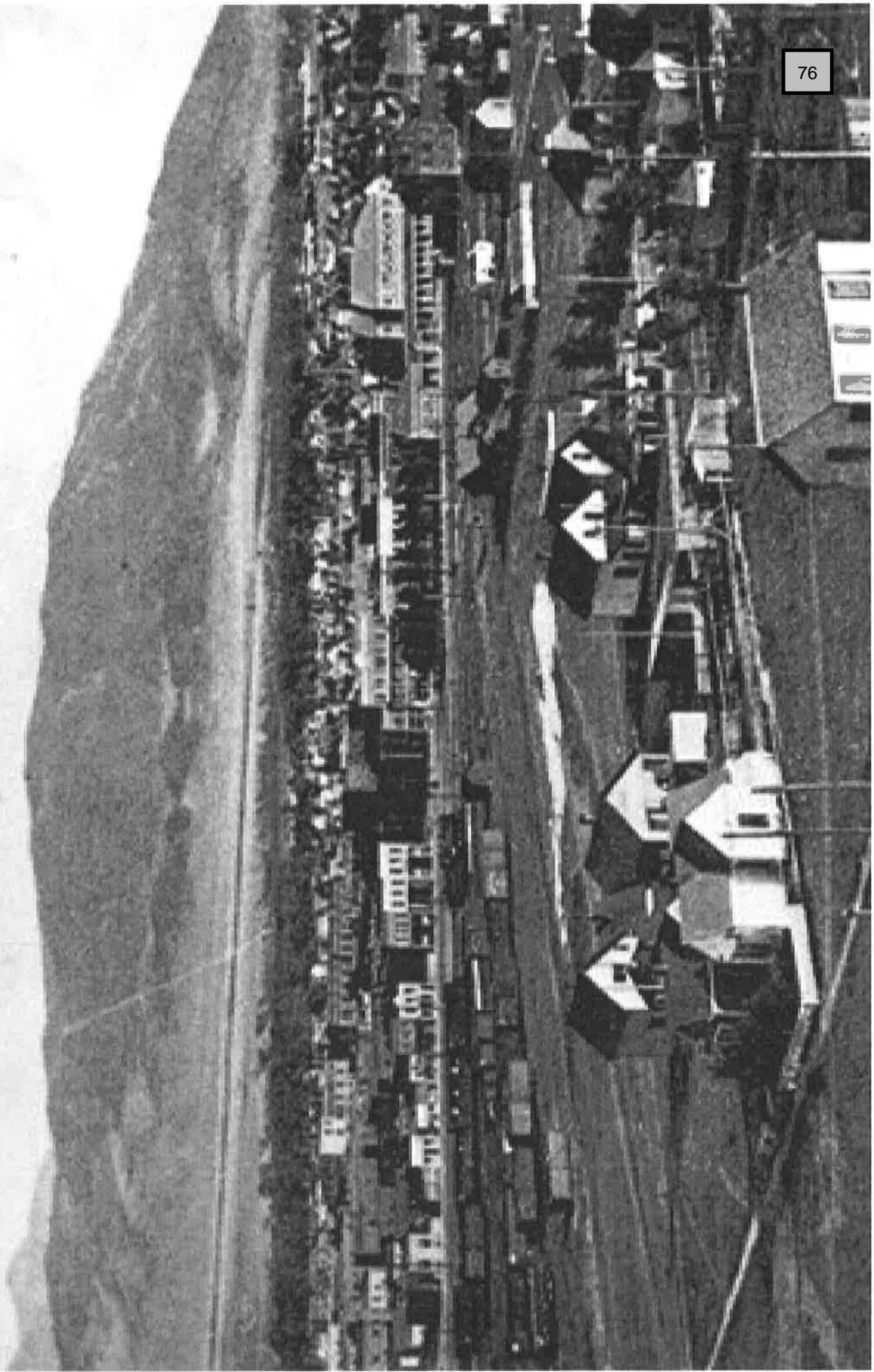
**ERIK COATE, City Attorney**

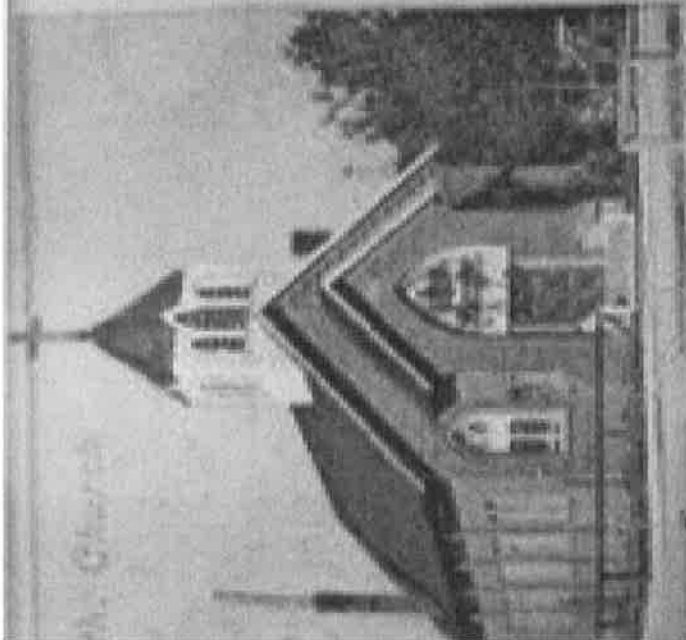
**Backup material for agenda item:**

- A. DISCUSS/APPROVE/DENY -- PHOTOS FOR ART APPLICATION ON TRAFFIC SIGNAL BOX NEAR INTERSTATE**

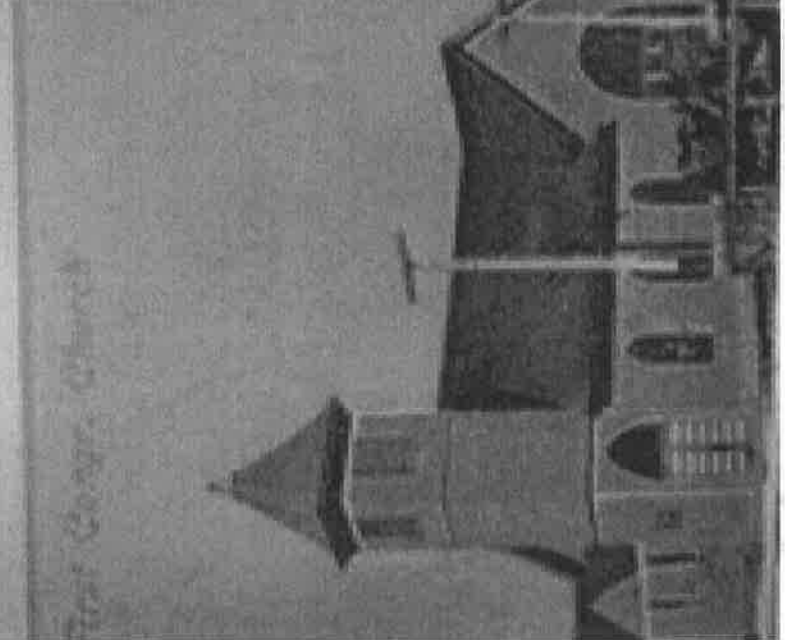


*General View of Livingston.*

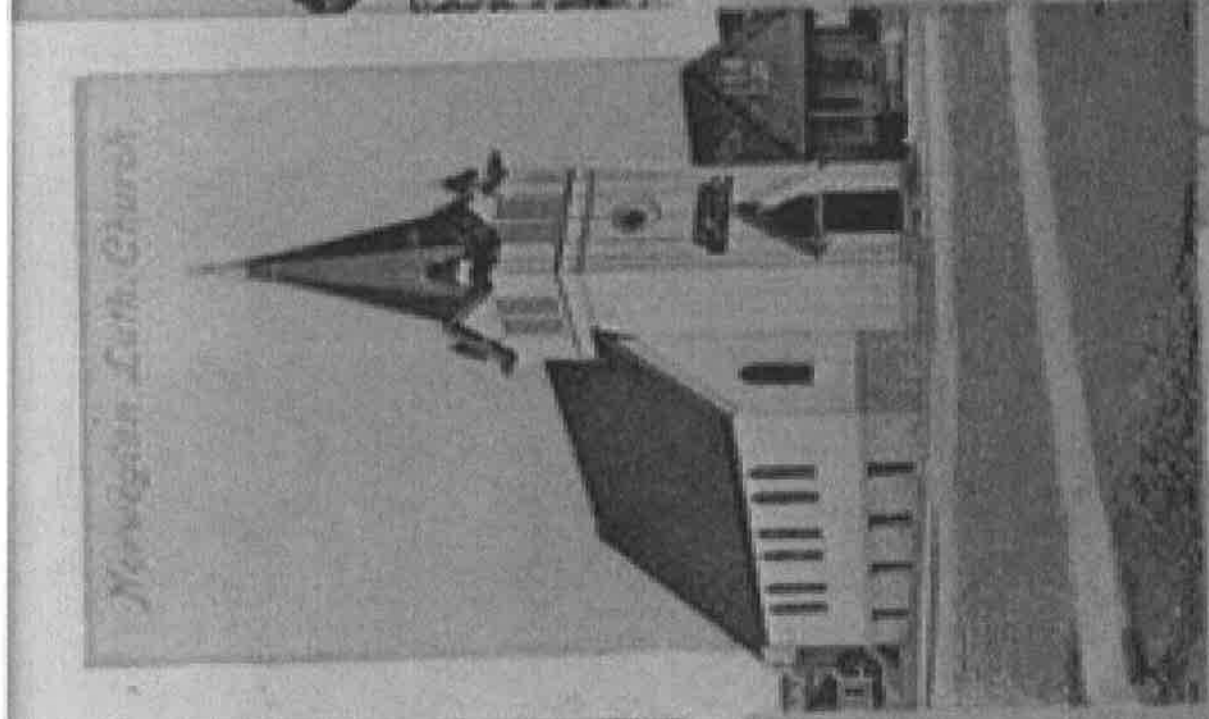




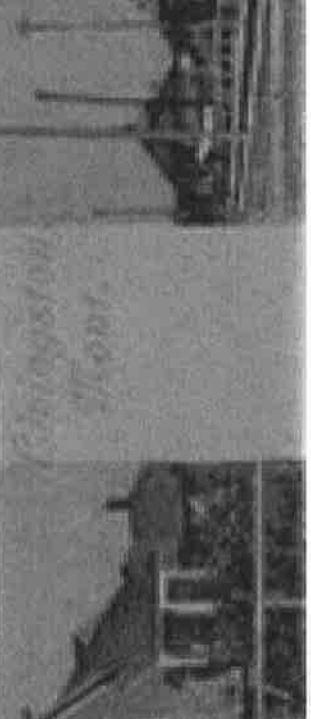
*St. George Church*



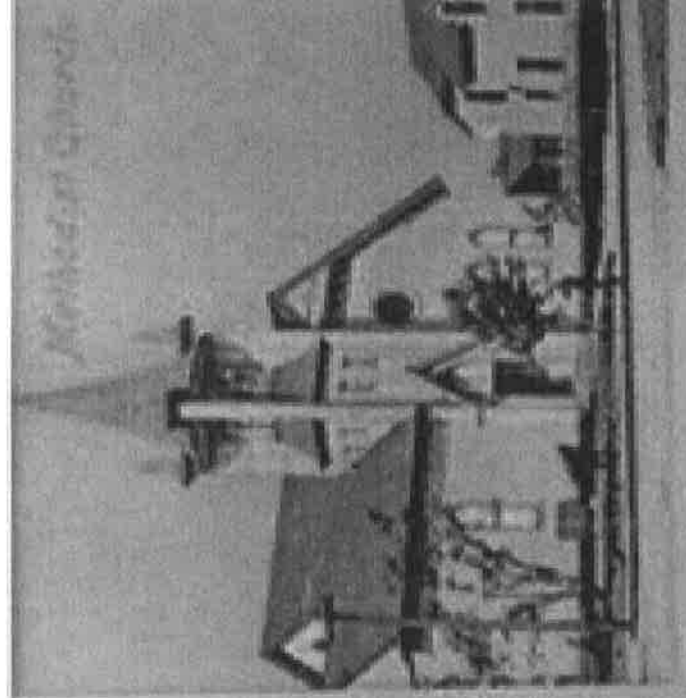
*St. George Church*



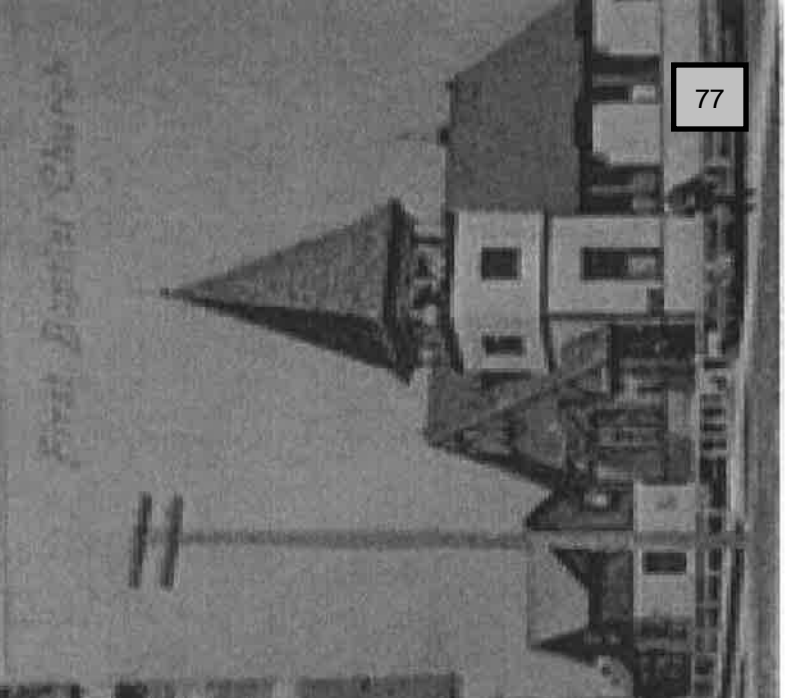
*St. George Church*



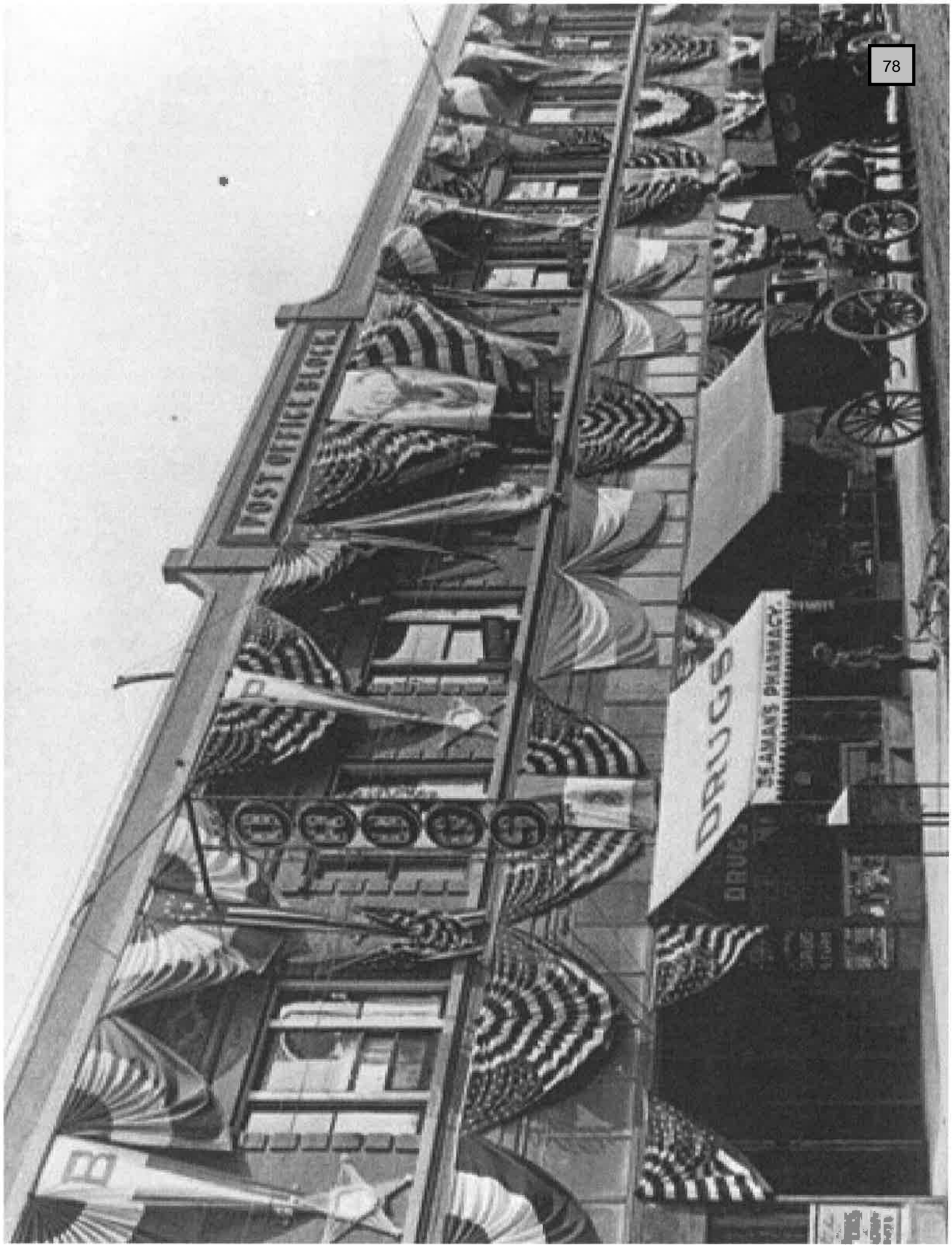
*St. George Church*

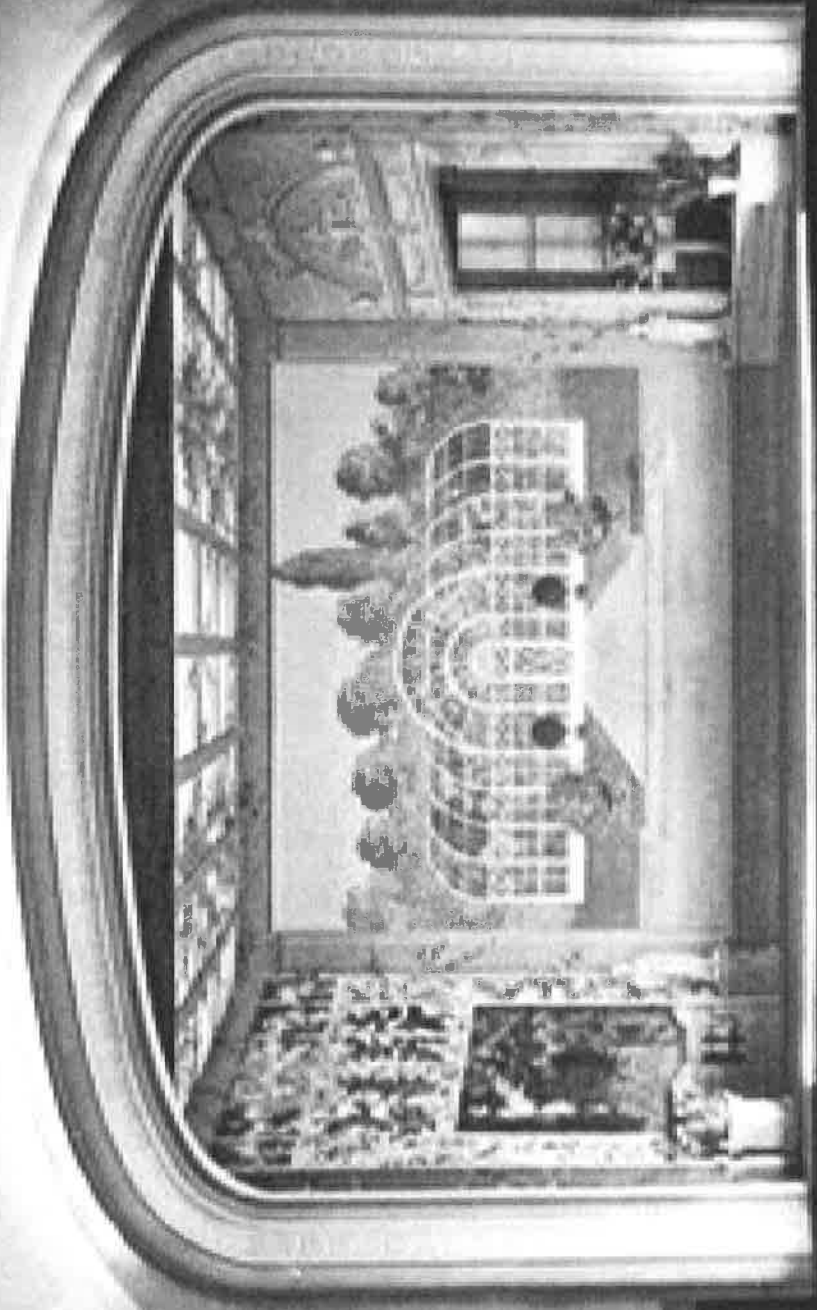


*St. George Church*

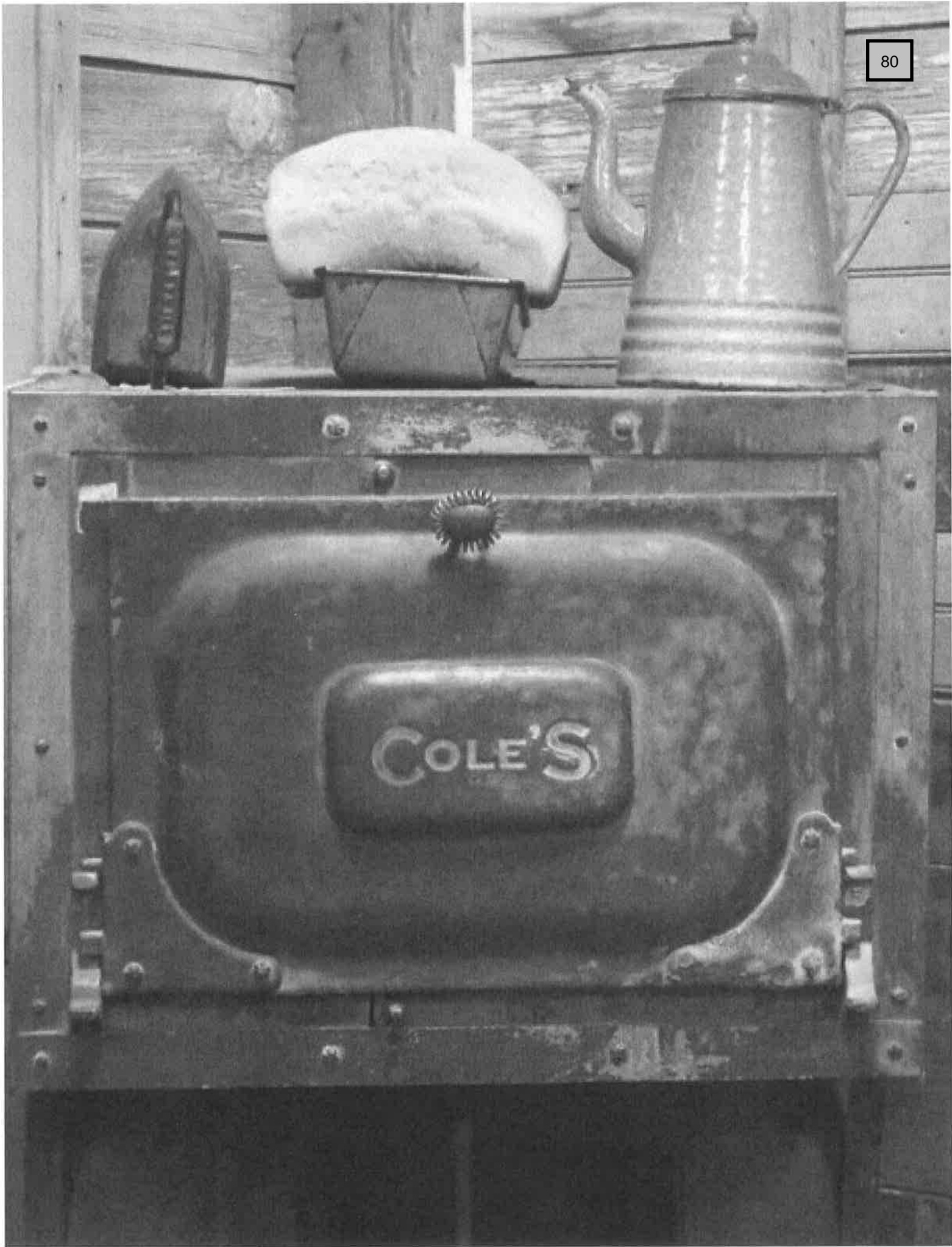


*St. George Church*





GRAND THEATRE - LIVINGSTON MONTANA C. BY E. P. WHITE 1917





**Backup material for agenda item:**

- B. DISCUSS/APPROVE/DENY -- WAIVING DISPOSAL FEES FOR ANNUAL YELLOWSTONE RIVER CLEAN-UP AND PRESENTATION BY JEFF LADEWIG.**

# ANNUAL YELLOWSTONE CLEAN-UP SATURDAY, APRIL 23, 2016

## PAST CLEAN-UP YIELDS:

2014 --- 2510 LBS.

2015 --- 1610 LBS.