



Livingston City Commission Agenda

July 01, 2025 — 5:30 PM

City – County Complex, Community Room

<https://us02web.zoom.us/j/84674250633?pwd=P8481bWwQVqjBXakCQaTh9RwaqWuYE.1>

Meeting ID: 846 7425 0633

Passcode: 949554

1. Call to Order

2. Roll Call

3. Public Comment

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

4. Consent Items

A. APPROVAL OF MINUTES FROM JUNE 17, 2025, REGULAR MEETING [PG.4](#)

B. APPROVAL OF CLAIMS PAID 6/12/25 - 6/25/25 [PG.60](#)

C. APPROVAL OF AGREEMENT 20194 COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF LIVINGSTON AND LOCAL #630, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS [PG.73](#)

D. APPROVAL OF AGREEMENT 20195 WITH IMCO [PG.116](#)

E. APPROVAL OF AGREEMENT 20196 FOR ROPING ARENA LEASE [PG.127](#)

F. APPROVAL OF AGREEMENT 20197 WITH FOUR CORNERS RECYCLING [PG.139](#)

G. CONSIDERATION OF OPEN CONTAINER SPECIAL EXCEPTION REQUEST FOR THE ANNUAL 6TH STREET BLOCK PARTY ON JULY 2, 2025 [PG.154](#)

H. CONSIDERATION OF OPEN CONTAINER SPECIAL EXCEPTION REQUEST FOR THE 62ND ANNUAL YELLOWSTONE BOAT FLOAT ON JULY 10, 2025 [PG.160](#)

I. CONSIDERATION OF OPEN CONTAINER SPECIAL EXCEPTION REQUEST FOR THE PCEC RENDEZVOUS ON SEPTEMBER 04, 2025 [PG.166](#)

J. APPLICATION FROM VALERIE SUMMERS FOR A RESERVED PARKING SPACE FOR DISABLE PERSONS ON A PUBLIC STREET [PG.172](#)



K. APPROVAL OF ONE MEMBER TO THE LIVINGSTON PARK COUNTY PUBLIC LIBRARY BOARD [PG.179](#)

5. Proclamations

A. A PROCLAMATION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, DECLARING JULY 2025 AS PARKS AND RECREATION MONTH IN LIVINGSTON, MONTANA [PG.196](#)

6. Scheduled Public Comment

A. PRESENTATION FROM FOUR CORNERS RECYCLING

7. Action Items

A. ORDINANCE 3059: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING SECTION 30.13 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY REZONING PROPERTY LEGALLY DESCRIBED AS MINOR SUB 677, S14, T02 S, R09 E, LOT 3B, ACRES 20.01, IN PARK COUNTY, MONTANA AND TO REZONE THE PARCEL FROM MEDIUM DENSITY RESIDENTIAL (R2) TO PLANNED UNIT DEVELOPMENT (PUD). [PG.198](#)

B. ORDINANCE 3062: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING SECTION 30.13 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY REZONING PROPERTY LEGALLY DESCRIBED AS BROOKSTONE MAJOR SUBDIVISION 610, S07, T02 S, R10 E, LOTS 8-10, IN PARK COUNTY, MONTANA AND TO REZONE THE PARCEL FROM HIGH DENSITY RESIDENTIAL (R3) TO PLANNED UNIT DEVELOPMENT (PUD). [PG.286](#)

8. City Manager Comment

9. City Commission Comments

10. Adjournment

Calendar of Events

Supplemental Material

Notice

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

File Attachments for Item:**A. APPROVAL OF MINUTES FROM JUNE 17, 2025, REGULAR MEETING**



Livingston City Commission Minutes

June 17, 2025 — 5:30 PM

City – County Complex, Community Room

<https://us02web.zoom.us/j/89253787950?pwd=Gy4LhJHHZMrVG4K8lwMCF5R2RXdiKD.1>

Meeting ID: 892 5378 7950

Passcode: 231932

1. Call to Order

2. Roll Call

- Chair Schwarz
- Vice Chair Nootz
- Commissioner Kahle
- Commissioner Lyons
- Commissioner Willich

City Staff Present

- City Manager Grant Gager
- Policy Analyst Greg Anthony
- Assistant Chief of Police Andrew Emanuel
- Planning Director Jennifer Severson
- Finance Director Paige Fetterhoff

3. Public Comment

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

Public comment was offered by:

- Jay Kiefer expressed dissatisfaction with Livingston HealthCare, and also expressed concern about smart meters.

Livingston, Montana



- Leslie Feigel invited the City to participate in the parade. She stated on Aug 26th they are doing a childcare summit. She also asked that we remember to send folks to the visitor center when we can.
- Linda Maher asked for a mic for the public comment speakers.

Vice Chair Nootz clarified that smart meters were brought back for a 2nd meeting to give the Commission more information. She also thanked Leslie for her comment and reminded that the City did give the Chamber \$8800 for different events. She hopes the Chamber can work with the City to use those funds.

4. Consent Items

- A. APPROVAL OF MINUTES FROM JUNE 03, 2025, REGULAR MEETING [PG.5](#)**
- B. APPROVAL OF CLAIMS PAID 5/29/25 - 6/11/25 [PG.56](#)**
- C. CONSIDERATION OF OPEN CONTAINER SPECIAL EXCEPTION REQUEST FOR A PRIVATE EVENT ON JUNE 20, 2025 [PG.67](#)**
- D. CONSIDERATION OF OPEN CONTAINER SPECIAL EXCEPTION REQUEST FOR THE LIVINGSTON ROUNDUP PARADE ON JULY 02, 2025 [PG.75](#)**
- E. CONSIDERATION OF OPEN CONTAINER SPECIAL EXCEPTION REQUEST FOR THE HOOTENANNY ON JULY 17, 2025 [PG.81](#)**
- F. APPROVAL OF CONVENTION AND VISITORS BUREAU ANNUAL BUDGET [PG.88](#)**
- G. APPROVAL OF TOURISM BUSINESS IMPROVEMENT DISTRICT WORK PLAN AND BUDGET [PG.120](#)**
- H. APPROVAL OF LIVINGSTON BUSINESS IMPROVEMENT DISTRICT WORK PLAN AND BUDGET [PG.131](#)**
- I. APPROVAL OF AGREEMENT 20190 FOR ROPING ARENA LEASE [PG.142](#)**
- J. APPROVAL OF AGREEMENT 20191 FOR REVOLVING LOAN FUND [PG.149](#)**

Vice Chair Nootz pulled item J. She stated she has a conflict since she works for MSU and this item relates to MSU.

Vice Chair Nootz motioned to approve consent items A – I, seconded by Commissioner Willich. Unanimously approved.

Commissioner Willich motioned to approve item J seconded by Commissioner Kahle. Unanimously approved.



5. Proclamations

A. A PROCLAMATION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, DECLARING JUNE 15-21, 2025 AS FIREFIGHTER STAND DOWN WEEK IN LIVINGSTON, MONTANA

PG.160

Chair Schwarz read the proclamation.

The City Manager thanked LFR for all of their dedication in protecting the community, and hopes the community recognized the importance of behavior health and encouraged them to take their own stand down this week.

B. A PROCLAMATION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, RECOGNIZING JUNE 2025 AS PRIDE MONTH IN LIVINGSTON, MONTANA **PG.162**

Chair Schwarz read the proclamation.

The City Manager stated at the City they do value dignity and justice for all everyday in everything they do, and he looks forward to Livingston Pride Coalitions float for the parade.

Commissioner Lyons thanked Chair Schwarz for reading the proclamation and expressed he is proud that we are doing that.

Commissioner Kahle expressed thanks that this has been in the packet the past few years in the month of June.

Vice Chair Nootz agreed with fellow Commissioners.

Chair Schwarz expressed that means and lives by everything in the proclamation.

6. Scheduled Public Comment

A. PRESENTATION FROM EXPLORE LIVINGSTON

Kris King gave a brief presentation from Explore Livingston to cover Consent Items F, G & H.

Vice Chair Nootz thanked Kris for coming and expressed really liking her images and graphics, and really thinks the data is interesting.

Chair Schwarz thanked Kris for her presentation.



B. PRESENTATION OF INITIAL CONSIDERATIONS FROM ZONING CODE UPDATE PG.164

The City Manager stated this item is a check in with SCJ Alliance who is working on the overhaul of the zoning provisions of the LMC. In August of 2024 the City contracted SCJ to perform that overhaul and update the zoning provisions. Throughout fall of 2024 and into this year, SCJ conducted, both online and in person, surveys of the community to gather input. Over the last several weeks they have worked with several of the focus groups that have been created as part of the project to review some of the input received through surveys. He introduced Mike Manning from SCJ to give a brief presentation.

Commissioner Willich announced a conflict of interest as his spouse is a property manager for short-term rentals that are owned by her family and commercial properties that are owned by her family.

Commissioner Lyons thanked Mike for the presentation. He asked about the Heritage overlay zone on page 169 of the packet and wondered about the Use Prioritization description.

Mike stated the feedback they received, especially in the survey, was to see movement away from big box and franchise style development. They wanted to retain more unique character to the commercial development.

Commissioner Lyons expressed curiosity as to how this overlay zone will create that type of outcome.

Mike stated the group will look into the policy writing if the Commission is interested in that.

Commissioner Lyons asked about page 170 regarding height limitation in RI and RII and he thought it looked like a reduction in height.

Mike stated they are attempting to make it more catered to the type of development that Livingston may see, which is why they included the 36 ft with 3-12 roof pitch.

Planning Director Severson stated it actually is not a reduction, and stated currently you can have a roof that is 27 feet or up to 34 feet with 3-12 roof pitch. She continued to give a brief description of these numbers.

Commissioner Lyons asked about the renaming of NC and HC in the Reworked Zoning Distracts slide, and wondered if they would be the same, but just with a different name.

Mike stated no, and stated the C1, or Light Commercial, stated it would serve more as a buffer, so thinking smaller scale commercial and less intense. He stated the C2 is the more intense commercial used.

Commissioner Lyons asked about C2 compared to CBD.

Mike stated the difference is location and the CBD will include all of downtown



Commissioner Kahle asked about something that Mike had said about feedback being that community members don't want any buildings taller than the Murray Hotel, and she didn't think the Murray was the tallest building in downtown.

The City Manager confirmed that the Wilmont Building is tallest building downtown.

Commissioner Kahle reminded that with this update they are not trying to make things harder for mobile home parks.

Planning Director Severson stated that is correct and they are putting a process and some rules in place for RMO zoned areas.

Commissioner Kahle clarified that the City doesn't have permitting requirements for STR's, but the County does.

Vice Chair Nootz asked how information was collected from the community about formula retail and what it looked like.

Mike stated they did give an example in the survey of big box retail, using Murdochs, so folks would understand, and with that they asked if Livingston should encourage largescale retail development, and if yes, where should they be located. More than 80% of respondents said no.

Vice Chair Nootz thought it was interesting the suggestion to allow STR's in all zones except Light Industrial, Industrial, Public or PUD.

Planning Director Severson stated that was one change she put in there, and stated she included the PUD location because she thought the Commissioner feedback was to have no short-term rentals in PUD.

Vice Chair Nootz stated that it was not really suggested by the Commission, but more the applicant for the PUD, and the applicant took into consideration what the community wanted as well, which was no STR's. She expressed interest in what the Commission would think about leaving this or removing it. She asked about the consideration for allowing parking structures downtown came from.

Mike stated the discussion surrounding potential for parking structures downtown came from the focus group.

Vice Chair Nootz shared that she has interest in understanding the rework zoning districts. She wondered what the reasoning was to change the density for MU.

The City Manager stated since NC, MU, and HC zones were originally created, they have been slightly changed in various ways over the years to the point where HC, NC and MUC have converged into very similar zones. The main differentiator being more auto oriented uses in HC, and higher density residential allowed in MU.



Vice Chair Nootz asked to hear about the differences between CBD and HC.

The City Manager stated that setbacks are the primary difference, and the dimensions table is where a lot of those main difference are.

Vice Chair Nootz expressed it would be a brand-new undertaking to develop a system to track STR's, then enforce whatever is passed. She is interested in know what it would take or cost the City to regulate STR's.

The City Manager stated that is something he could bring back to the Commission. He stated he came from a place that regulated STR's and that was paid for with the sales tax in that area, so in the absence of sales tax here in Livingston, they have looked at it internally and it would be a high permit rate to get 100% cost recovery on a program like that.

Commissioner Lyons stated that is major point of input is an interest in simplicity, and he stated they hear regularly from the development community about the challenges in navigating the regulatory environment. He feels they can answer that need and also answer the vision of future needs by creating a simpler set of zoning districts. He explained specific examples of why it should be simplified. He also thought they should be careful how they discourage big box retail.

Commissioner Kahle agreed that it would be nice to know what it would take to regulate STR's, and expressed agreement with Commissioner Lyons about simplicity in the zones.

Vice Chair Nootz stated that she does like the Livingston Historic Overlay simplification. She expressed that STR's should be considered outside of PUDs. Overall, she feels like they are moving in the right direction.

Chair Schwarz stated he is also concerned about big box retail, and wondered about putting in place a maximum square footage allowed.

Vice Chair Nootz motioned for a 10-minute break seconded by Commissioner Willich. Unanimously approved.

Public comment was offered by:

- Tara Eddy asked that they be careful about discouraging landlords and rentals, and does oppose any regulation on STR's.
- Patricia Grabow stated she thought there was spousal conflict of interest for two other Commissioners whose spouses work at HRDC. She also expressed her thoughts that downtown is dependent on STR's and pointed out that STR's are regulated by the County.
- Katherine Daly who is the Park County Coalition Program Manager with HRDC shared her thoughts on requiring unconditional use permits for manufactured home communities. She



thought the City already requires new manufactured home communities to undergo subdivision review.

Commissioner Kahle addressed the comments about conflict of interest and stated that she has never heard HRDC say they were against STR's. She participated in the housing action plan and there is a tool in there to look at STR's to study them and effect on community. She stated there was also discussion about the importance of STRs.

Vice Chair Nootz clarified the HRDC was involved in the focus groups and they did give input on how to consider STR's. She also asked if Katherine from HRDC will be working with the City regarding housing policies.

The City Manager stated the evaluation of policy is included in the scope of work for Housing Coordinator position.

7. Action Items

- A. RESOLUTION NO. 5161: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, GIVING NOTICE THAT THE CITY COMMISSION HAS COMPLETED ITS PRELIMINARY BUDGET IN THE AMOUNT OF \$31,775,333 FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2025, AND ENDING JUNE 30, 2026, (FY 2026), THAT THE BUDGET IS ON FILE AND AVAILABLE FOR PUBLIC INSPECTION AND ON THE INTERNET AT www.livingstonmontana.org, AND CALLING FOR A PUBLIC HEARING FOR APPROVAL OF THE FINAL BUDGET AND MAKING APPROPRIATIONS. PG.175**

The City Manager stated this item sets the public hearing for the budget for 7/15/2025. He thanked Finance Director Fetterhoff for her work on this budget. He gave a brief presentation of the budget.

Commissioner Willich asked about tabs 18 and 19 which have line items from dump trucks and wondered if they are separate vehicles or shared.

The City Manager stated they are separate vehicles.

Commissioner Lyons asked for another explanation about a balanced budget.

The City Manager stated there are two types of revenues and two types of expenditures. There are ongoing and one time. The general rule of thumb in public budgeting is that revenues should match expenditures, and ongoing expenditures should be funded by ongoing revenues, and one-time expenditures should be funded from one-time revenue or surplus of ongoing revenue. Withing this budget when reviewing ongoing revenue, it exceeds the ongoing expenditures, so if all of the one-time revenue where to disappear we would still be able to fun the ongoing expenses with that ongoing revenue. However, because the general fund must also include all expenditures, we are using some of our fund balance that exceeds the GFOA recommended 16.6 level, and we are using some of that fund-to-fund capital purchases and capital projects. So, adding the ongoing expenditures to the one-time expenditures that number do exceed the amount of ongoing revenue. On paper it appears there



is a slight imbalance in the general fund, but detailed in the executive summary it states we have ongoing revenues that exceed our ongoing expenditures.

Commissioner Kahle clarified that they were just voting tonight to move the budget forward, and not voting on anything in the budget. She expressed concern about potential conflict of interest for some Commissioners and wondered about separating out parts of the budget for voting purposes.

The City Manager stated that is correct, and the budget will come before the Commission on July 15th and he has talked with the City Attorney and they are able to separate out parts of the budget for voting.

Commissioner Kahle expressed appreciation for the budget and the process. She also pointed out office supplies in the Public Works Dept. that seem really high in previous years.

Finance Director Fetterhoff explained that it was an accounting entry that we are required to record our administrative cost allocation. It used to be the administrative cost allocation was its own expense in each of those funds, and a couple years ago the auditing standards on that changed, so at the end of the year she has to move administrative cost allocation into wages for the departments that are part of that allocation, then the other part has to go to supplies, which is how it's identified in an audit.

Vice Chair Nootz ask about 18-2 and the commerce grants.

The City Manager stated the HB 355 grants from the state are being used to address the unpaved road situation, and the rapid flashing beacons. It's state money that will fund a portion of each of those projects.

Vice-Chair Nootz asked about 19-6 and the Bennett Loop.

The City Manager stated that the Bennett Street water loop is an effort to unify the water system that exists south of Park Street with the one that exists north of Park Street. Currently LHC sits on a dead-end water main, and this would hep to tie that in.

Vice Chair Nootz asked about 20-7 and making progress with I&I.

The City Manager stated this current year has been the year of design work, so both Bennett Street and I&I have been working through design process in FY 25. FY 26 is the year that they will actually construct those improvements, and the I&I project will go into construction about the first week of August.

Vice Chair Nootz asked when they would start talking about the current Civic Center.

The City Manager stated that they are in the middle of some facility condition exploration at the Civic Center. He stated that next budget they will start some of that planning work.

Vice Chair Nootz asked if they can hear more plans for a railroad crossing.



The City Manager stated they have a short-term plan and long-term plan for this. The short-term plan is working with MDT and the railroad for the construction 28-year improvements, so about 3 years from today. Long-term plan involved the evaluation of again a second grade separated rail crossing, and going through community input portion to make sure community is heard and they understand what the community needs and wants.

Commissioner Kahle motioned for a 5-minute break seconded by Vice Chair Nootz. Unanimously approved.

Vice Chair Nootz recalled past budget meetings before City Manager Gager was here, and how things have very much improved since his time here. She highlighted a few things that have greatly improved.

Commissioner Lyons agrees with what Vice Chair Nootz has said.

Commissioner Kahle also agreed with Vice Chair Nootz. She expressed that there has been a culture shift in the City, and that is not just by the budget, but by how City Manager Gager leads. She likes that the budgets are straightforward and easy to understand.

Chair Schwarz stated the budgets now are much better and it shows in the lack of questions the Commission has to ask to understand the budget.

Commissioner Lyons stated that he sees this budget as a policy document, and it is reflective of the policy guidance that the Commission has given to the City Manager, and he appreciates this year's budget.

Vice Chair Nootz motioned to approve this item seconded by Commissioner Kahle. Unanimously approved.

B. RESOLUTION NO. 5162: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF IT'S INTENT TO ADJUST ALL RATES FOR ALL CUSTOMERS OF THE CITY OF LIVINGSTON WATER SYSTEM. [PG.182](#)

The City Manager stated this item notifies the community of the Commissions intent to adjust rates for all waters of the water system. That public hearing will be help 7/15/25. The recommended increase is 4.22% which would result in an average month increase of \$.84 to \$2.28 for most users depending on the amount of water that they use.

Vice Chair Nootz asked about tiered rate structure and wondered if there will be a time when we are working for more water conservation measures that they might adjust the tiers, skewing the cost to be even higher for the highest volume users, knowing they also profit off the City water.



The City Manager stated yes, they do foresee a time where additional tiers will be placed on the rate schedule. He stated he can easily envision a tier that starts at about 100,000 gallons for commercial users.

Vice Chair Nootz wondered if other Commissioners were interested in seeing an added tier.

Commissioner Kahle asked how many of those commercial users do we have that are 100,000 gallons or more.

The City Manager stated they looked at it recently and it's approximately 15.

Commissioner Lyons stated he thinks they are talking about a very different structure than what we currently have, and wants to be careful about equity. He generally agrees with Vice Chair Nootz, but he feels like it would be pretty tricky to implement.

Public comment was offered by:

- Patricia Grabow expressed opposition to the rate increase.

Commissioner Willich expressed not liking to raise rates and reminded that even Northwestern Energy raised rates.

Vice Chair Nootz stated that raising just by the rate of inflation is reasonable.

Chair Schwarz agreed with Vice Chair Nootz.

Commissioner Kahle motioned to approve this item seconded by Commissioner Lyons. Unanimously approved.

C. RESOLUTION NO. 5163: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, OF ITS INTENT TO ADJUST ALL RATES FOR ALL CUSTOMERS OF THE CITY OF LIVINGSTON WASTEWATER SYSTEM. [PG.189](#)

The City Manager stated this item provided the community notice of the Commissions intent to adjust all sewer rates for consumers of the wastewater system. The recommended increase is 4.22% which is equal to observed cost of inflation of the last 12 months. The estimated increase for users would be \$.97 to \$4.77 per month.

Commissioner Kahle asked about changing the average months for sewer and wondered if they will see it in this or elsewhere.

The City Manager stated the seasonality is dictated by LMC, so it is an ordinance change that will be required to affect that calculation change. When this item is brought back, they will have a conversation about that.

Finance Director Fetterhoff clarified what happens on a customer service end with these bills transitioning from average to real rates.



Public comment was offered by:

- Linda Maher thanked the Commission for considering changing the averaging months.

Commissioner Kahle stated that it takes electricity to move water around the community, and looking at the electric bill it makes sense that water and sewer rates have to go up.

Commissioner Kahle motioned to approve this item seconded by Vice Chair Nootz. Unanimously approved.

D. ORDINANCE NO. 3061 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING SECTION 30.13 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY ZONING THE RECENTLY ANNEXED PROPERTY ADDRESSED AT 38 LOVES LANE AND LEGALLY DESCRIBED AS LOT 9 POR. LOT 9S OF ACREVILLE SUBDIVISION SE ¼ OF SEC 23, T02S, R09E, P.M.M PARK COUNTY, MONTANA AS MIXED USE (MU). [PG.196](#)

The City Manager stated this item is to zone the parcel at 38 Loves LN. This property was annexed into the City in April of this year.

Planning Director Severson gave a brief presentation on this item.

Vice Chair Nootz expressed that she likes how it was described as to why Planning Director chose MU for this parcel, and agrees that MU fits with the surrounding zones. She stated it is very clear and she appreciated Planning Director Severson walking them through her decisions.

Public comment was offered by:

- Patricia Grabow stated a group called This is My Land had a meeting and they approached the County Commission for a temporary freeze on any continued annexations until proper documentation can be provided.

The City Manager stated this property has already been annexed into the City of Livingston and action before them tonight is related to zoning.

Commissioner Willich expressed thoughts that the work looks good, and he recalled the last meeting during the annexation where there briefly talked about if this would be zoned NC or MU.

Commissioner Lyons expressed that the staff report was comprehensive and helpful and agrees that MU makes the most sense for this parcel.

Commissioner Kahle agreed this was a comprehensive analysis brought before them and MU seems to make sense at this location.



Vice Chair Nootz expressed thanks to Planning Director Severson for taking the ambiguity and subjectivity out of these decisions, and appreciates that she brings things to them in a simple way that is easy to understand.

Chair Schwarz gave a shout out to the Land Use Board for their work on this as well.

Commissioner Lyons motioned to approve this item seconded by Commissioner Willich. Unanimously approved.

E. ORDINANCE 3060: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING CHAPTER 2, GOVERNMENT AND ADMINISTRATION, OF THE LIVINGSTON MUNICIPAL CODE, BY CREATING A PUBLIC PROPERTY AND WAYS ARTICLE AND ESTABLISHING CERTAIN REQUIREMENTS AND PROHIBITED ACTS. [PG.226](#)

The City Manager stated item is the second reading and is before them due to a flagpole being placed on City property by a private organization and the constitutional first amendment issues the situation created. He is recommending a short addition to chapter 2.

Commissioner Lyons asked if there are specific federal regulations for flag flying.

The City Manager that it referenced the federal flag code, and rather than have the CFR reference he went the generic regulation.

Commissioner Kahle asked if they would want to consider add a part about flying flags that relate to proclamations read by the Commission. She understands that tonight might not be the best time to discuss this topic due to the urgency that it goes through.

The City Manager stated the ordinance was drafted based on the input received in the second meeting in May where the Commission did discuss limiting it to the 4 flags listed in this draft.

Chair Schwarz expressed liking Commissioner Kahles consideration, but thought it might be opening a can of worms.

Vice Chair Nootz also likes the consideration, but expressed the proclamations are not decided up on by the Commission because we are a Commission and not a mayor form of government.

Commissioner Kahle expressed thanks for the conversation.

Commissioner Lyons stated that Vice Chair Nootz's point is very strong and something he agrees with, but also appreciates Commissioner Kahles consideration.

Vice Chair Nootz expressed that they could think of other ways to be inclusive.

Chair Schwarz reminded that with proclamations they are just read and not voted on, so they could be things the Commission doesn't necessarily agree with, but in our form of government they are only read and not voted on.



Commissioner Kahle expressed that this was a very important conversation for the public to hear tonight.

Commissioner Willich expressed understand where Commissioner Kahle is coming from and feels there are lots of ways to express what people believe in or live by, but City property has to have some kind of limit.

Commissioner Willich motioned to approve this item seconded by Commissioner Kahle. Unanimously approved.

8. City Manager Comment

The City Manager stated he appreciates the Commissions time tonight and is happy to meet Commissions expectations regarding budget.

9. City Commission Comments

Commissioner Willich thanked City Manager Gager for his hard work and leadership.

Commissioner Lyons stated the river is running at 9000 CFS

Commissioner Kahle thanked fellow Commissioners for thoughtful conversation tonight.

Vice Chair Nootz addressed Sean from the Enterprise offering to show him previous budget things.

Chair Schwarz thanked City Staff and thanked Commission for a good meeting.

10. Adjournment

Commissioner Lyons motioned to adjourn the meeting seconded by Commissioner Kahle. Unanimously approved.

Calendar of Events

Supplemental Material

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- 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

THE 2024 MONTANA TRAVEL INDUSTRY



18

**13.7 MILLION VISITORS
SPENT \$5 BILLION**



1-IN-15 MONTANA WORKERS
SUPPORTED BY OUT-OF-STATE
TRAVEL

OVER **\$308 MILLION**
STATE AND LOCAL TAXES
GENERATED BY
NON-RESIDENT VISITORS



38,240
JOBS
SUPPORTED

EMPLOYEE
COMPENSATION
(DIRECT):
\$997.9 MILLION

INDUSTRY
OUTPUT
(DIRECT):
\$3.89 BILLION

 **\$680** AVERAGE TAX BURDEN
REDUCED ON EVERY
MONTANA HOUSEHOLD BY TOURISM
(\$308 MILLION IN TAXES / 453,000 HOUSEHOLDS [US CENSUS])

MODE OF ENTRY:



74%
CAR/TRUCK



14%
AIR



11%
RV/TRAILER



1%
MOTORCYCLE

ACCOMMODATION:



32%
HOTEL/MOTEL



20% HOME/CONDO/
CABIN OF FRIEND/RELATIVE



12% PRIVATE
CAMPGROUND



12% RENTED
ENTIRE CABIN/HOME



AVERAGE
NIGHTS SPENT: **5 NIGHTS**



AVERAGE
GROUP SIZE: **2.3 PERSONS**

TOP ACTIVITIES:



SCENIC DRIVING – 47%



DAY HIKING – 39%



WILDLIFE WATCHING – 28%



CAR/RV CAMPING – 24%



RECREATIONAL SHOPPING – 24%

WHAT ATTRACTS VISITORS:



MOUNTAINS/FORESTS – 67%



OPEN SPACE/UNCROWDED – 48%



YELLOWSTONE NAT'L PARK – 47%



RIVERS – 44%



GLACIER NAT'L PARK – 44%

VISITORS WERE MOST SATISFIED WITH FEELING WELCOMED DURING THEIR TRIP (85%), THE AMOUNT OF OPEN SPACE (83%), AND OPPORTUNITIES FOR WILDLIFE VIEWING (73%)



The mission of the Institute for Tourism & Recreation Research (ITRR) is to conduct rigorous and impartial research that empowers the tourism and recreation industries in Montana to make informed decisions in planning, marketing, policy, and management. As part of the W.A. Franke College of Forestry and Conservation at the University of Montana, ITRR is committed to the highest academic integrity, ensuring transparency and excellence in all research efforts.
www.itrr.umt.edu





Our shared mission is to invest in a resilient year-round economy that preserves quality of life for Livingston residents and quality of experience for visitors. Explore Livingston projects support:

- Visitor amenities & information
- Livingston's small businesses
- Local's access to more events & amenities at no cost to locals through hotel bed taxes

Explore Livingston Coalition is 3 separate groups with individual missions, funding sources, regulations, and boards who work together with one Executive Director.

LBID

LIVINGSTON BUSINESS IMPROVEMENT DISTRICT

MISSION: Aid in the facilitation and strengthening of commerce, provide maintenance assistance, beautify and enhance streetscapes and stimulate development and vitality in Livingston's historic downtown district.

LBID is funded by an assessment of commercial property owners (ratepayers) in the district. Primary projects are: Downtown District flower baskets, banners, snowflake light pole decor, removal of garbage from sidewalk trash bins within the district, and promotion of Downtown businesses, events, and culture.



DMO

DESTINATION MANAGEMENT ORGANIZATION *(formerly CVB)*

MISSION: Inform and inspire visitors and market the Livingston area as the preferred travel destination in order to strengthen the local economy and cultural assets.

Funded through a percentage of Lodging Facility Use Tax to support the promotion of Montana's tourism and recreation industry with an annual plan to market the cool season and educate summer visitors.



TBID

LIVINGSTON TOURISM BUSINESS IMPROVEMENT DISTRICT

MISSION: Enhance the economic vitality of Livingston by generating room nights for the city's lodging facilities through effective sales and marketing strategies, building collaborative partnerships and promoting Livingston as a year-round visitor, convention, and event destination.

The Livingston TBID is funded by a flat fee of \$2 per room night on individuals staying at lodging facilities within Livingston city limits. TBID grants fund events, projects and marketing to attract and enhance overnight visitors to Livingston hotels.





CITY MANAGER'S RECOMMENDED BUDGET

JUNE 17, 2025

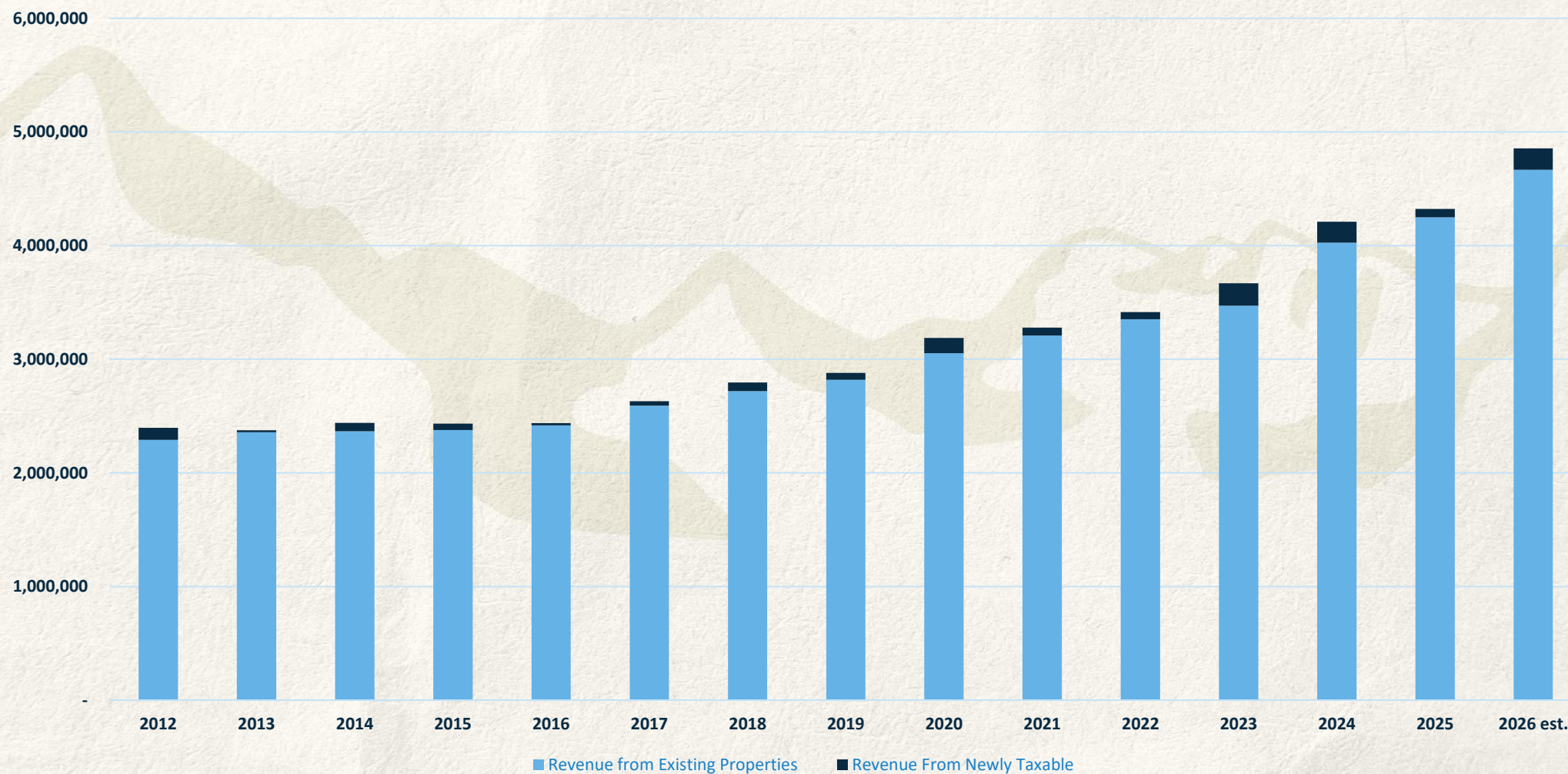
FY 2026 RECOMMENDED BUDGET SUMMARY

Recommended Budget	\$ 31,775,333
General Fund	\$ 8,868,060
Revenues	\$ 8,422,434
Expenditures	\$ 8,868,060
Forecast Fund Balance	26.2 %

Operating Revenues Exceed Operating Expenditures

HISTORY OF PROPERTY TAX REVENUE

15 Year Tax Revenue



Livingston, Montana

LEGISLATIVE DEPARTMENT SUMMARY (TAB 3)

Summary of Recommended Changes

- Salary and Benefits: A part-time Archival Intern position is included.
- Materials and Supplies: Funding is provided for professional services to support the function of the Legislative Department.
- Other Financing Uses: Funding is provided for certain community projects including:

Victim Services	\$ 15,000	Warming Center	\$ 25,000
Housing Coordinator	\$ 25,000	Suicide Prevention	\$ 5,000
Transit Program	\$ 5,000	Economic Development	\$ 40,000
Livingston Loves Trees	\$ 11,000	Spay/Neuter Clinic	\$ 5,000

Budget Area	FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Budget
Personnel & Benefits	25,425	30,433	66,476	108,408	124,971
Operations	52,808	30,808	46,211	50,522	51,751
Capital	-	-	-	-	-
Debt Service	-	-	-	-	-
Other Financing Uses	-	55,312	183,837	118,500	121,000
Total Expenditures	78,233	115,807	296,524	277,430	297,722
Elected Officials	5	5	5	5	5
Full-time Employees	0	0	0	1	1
Part-time Employees	0	0	0.5	0	0.5

JUDICIAL DEPARTMENT SUMMARY (TAB 4)

Summary of Recommended Changes

- Salary and Benefits: No changes are recommended for FY 2026.
- Materials and Supplies: Funding is provided at the level recommend by the Department.
- Capital: No capital projects are recommended in FY 2026.

Budget Area	FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Budget
Personnel & Benefits	129,802	135,341	150,846	160,560	166,090
Operations	22,745	16,684	21,637	24,410	21,993
Capital	-	-	-	-	-
Debt Service	-	-	-	-	-
Other Financing Uses	-	5,230	-	-	-
Total Expenditures	152,547	159,254	172,483	184,970	188,083
Full-time Employees	2	2	2	2	2
Part-time Employees	0	0	0	0	0

CITY MANAGER'S OFFICE SUMMARY (TAB 5)

Summary of Recommended Changes

- Salary and Benefits: No changes are recommended for FY 2026.
- Materials and Supplies: Minimal changes are recommended in FY 2026.
- Capital: No capital projects are recommended in FY 2026.

Budget Area	FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Budget
Personnel & Benefits	374,194	233,366	273,488	314,097	331,235
Operations	38,185	103,231	59,237	106,108	48,148
Capital	-	-	-	-	-
Debt Service	-	-	-	-	-
Other Financing Uses	19,307	-	-	-	-
Total Expenditures	431,686	336,598	332,725	420,205	379,383
Full-time Employees	2	2	2	2	2
Part-time Employees	0	0	0	0	0

FINANCE DEPARTMENT SUMMARY (TAB 6)

Summary of Recommended Changes

- Salary and Benefits: No changes are recommended for FY 2026.
- Materials and Supplies: Minor adjustments to certain accounts are recommended for FY 2026.
- Capital: No capital projects are recommended in FY 2026.

Budget Area	FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Budget
Personnel & Benefits	171,839	199,255	216,535	234,976	248,304
Operations	47,517	34,998	55,464	55,011	58,257
Capital	-	-	-	-	-
Debt Service	-	-	17,870	17,000	22,500
Other Financing Uses	18,805	27,785	50	100	100
Total Expenditures	238,162	262,039	289,919	307,084	329,161
Full-time Employees	2	2	2	2	2
Part-time Employees	0	0	0	0	0

PLANNING DEPARTMENT SUMMARY (TAB 7)

Summary of Recommended Changes

- Salary and Benefits: No changes are recommended for FY 2026.
- Materials and Supplies: Funding is carried forward for the zoning code update and funds are recommended to begin the Growth Policy update.
- Capital: No capital projects are recommended in FY 2026.

Budget Area	FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Budget
Personnel & Benefits	112,045	83,434	132,965	131,835	135,504
Operations	78,991	78,991	107,815	167,472	155,675
Capital	-	-	-	-	-
Debt Service	-	-	-	-	-
Other Financing Uses	-	-	-	-	-
Total Expenditures	191,036	144,889	240,781	299,307	291,179
Full-time Employees	1	1	1	1	1
Part-time Employees	0	0	0	0	0

Summary of Recommended Changes

- Salary and Benefits: No changes are recommended for FY 2026.
- Materials and Supplies: Minor adjustments to certain accounts are recommended for in FY 2026.
- Capital: No capital projects are recommended in FY 2026.

Budget Area	FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Budget
Personnel & Benefits	171,082	183,933	141,990	79,013	85,263
Operations	26,083	70,315	135,665	112,842	115,793
Capital	-	-	-	-	-
Debt Service	-	-	-	-	-
Other Financing Uses	-	-	-	-	-
Total Expenditures	197,166	254,248	277,654	191,855	201,056
Full-time Employees	2	2	1	1	1
Part-time Employees	0	0	0	0	0

RECREATION DEPARTMENT SUMMARY (TAB 9)

Summary of Recommended Changes

- Salary and Benefits: No changes are recommended for FY 2026.
- Materials and Supplies: Minor adjustments to certain accounts are recommended for in FY 2026.
- Capital: Certain equipment purchases are recommended in FY 2026.
 - Tables and Chairs \$ 5,000
 - Impact Resistant Wall Padding \$ 10,000
 - Volleyball Net System \$ 10,000

Budget Area	FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Budget
Personnel & Benefits	200,760	257,386	299,517	346,793	365,350
Operations	138,475	166,951	160,249	168,072	190,899
Capital	11,370	-	8,590	11,000	25,000
Debt Service	-	-	-	-	-
Other Financing Uses	-	-	-	-	-
Total Expenditures	350,604	424,338	468,356	525,865	581,249
Full-time Employees	3	3	3	3	3
Part-time Employees	15	15	15	15	15

POLICE DEPARTMENT SUMMARY (TAB 10)

Summary of Recommended Changes

- Salary and Benefits: No changes are recommended for FY 2026.
- Materials and Supplies: Minor adjustments to certain accounts are recommended for in FY 2026.
- Capital: Certain equipment purchases are recommended in FY 2026 as follows:

Vehicle Radio Replacement	\$ 5,500	Tasers	\$ 15,500
Handheld Radios	\$ 13,700	Ballistic Gear	\$ 10,000
Patrol Vehicle	\$ 55,000		
Capital funded elsewhere			
Patrol Vehicle	\$ 25,000		

Budget Area	FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Budget
Personnel & Benefits	1,530,058	1,521,788	1,595,321	1,975,841	2,108,422
Operations	270,460	267,447	272,741	273,870	290,103
Capital	97,010	54,172	141,929	168,957	99,700
Debt Service	-	-	-	-	-
Other Financing Uses	15,625	12,500	6,250	12,500	12,500
Total Expenditures	1,913,152	1,855,908	2,016,241	2,431,168	2,510,725
Full-time Employees	17	18	16	16.5	16.5
Part-time Employees	0	0	0	0	0

FIRE AND RESCUE DEPARTMENT SUMMARY (TAB 11)

Summary of Recommended Changes

- Salary and Benefits: The addition of 4 full-time Firefighter/EMTs is recommended for FY 2026.
- Materials and Supplies: Minor adjustments to certain accounts are recommended for in FY 2026.
- Capital: Certain equipment purchases are recommended in FY 2026 as follows:

Fit Test Machine	\$11,000	Station LED Lights	\$ 2,950
Turnout Gear	\$21,000	Thermal Imaging Camera	\$ 1,500
Hose Replacement	\$ 8,000	Paratech Struts & Airbag	\$11,000

The Department is partially funded by Park County and Ambulance Services through an Enterprise Fund (Tab 22).

Budget Area	FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Budget
Personnel & Benefits	1,060,831	1,047,590	1,206,956	1,245,115	1,336,461
Operations	178,712	188,529	168,991	194,177	228,138
Capital	6,150	63,196	25,710	69,778	55,450
Debt Service	-	-	-	-	-
Other Financing Uses	-	-	-	-	-
Total Expenditures	1,245,693	1,299,315	1,401,657	1,509,070	1,620,049
Full-time Employees	15	17	17	17.5	21.5
Reserve Firefighters	27	27	27	27	0

Summary of Recommended Changes

- Salary and Benefits: No changes are recommended for FY 2026 but an expected payment for accrued benefits is included.
- Materials and Supplies: Minor adjustments to certain accounts are recommended for in FY 2026.
- Capital: No capital projects are recommended in FY 2026.

Budget Area	FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Budget
Personnel & Benefits	30,876	202,801	220,209	232,855	308,062
Operations	15,003	18,348	16,689	15,867	18,406
Capital	-	-	-	-	-
Debt Service	-	-	-	-	-
Other Financing Uses	-	-	-	-	-
Total Expenditures	45,878	221,149	236,898	248,722	326,468
Full-time Employees	2	2	2	2	2
Part-time Employees	0	0	0	0	0

Summary of Recommended Changes

- Salary and Benefits: No changes are recommended for FY 2026.
- Materials and Supplies: Minor adjustments to certain accounts are recommended for in FY 2026.
- Capital: No capital projects are recommended in FY 2026.

Budget Area	FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Budget
Personnel & Benefits	111,412	118,727	179,865	143,688	148,028
Operations	31,148	40,160	29,723	32,357	42,664
Capital	-	-	-	-	-
Debt Service	-	-	-	-	-
Other Financing Uses	-	-	-	-	-
Total Expenditures	142,560	158,887	209,588	176,045	190,692
Full-time Employees	1	1	1	1	1
Part-time Employees	0	0	0	0	0

CODE ENFORCEMENT DIVISION SUMMARY (TAB 14)

Summary of Recommended Changes

- Salary and Benefits: No changes are recommended for FY 2026.
- Materials and Supplies: Minor adjustments to certain accounts are recommended for in FY 2026.
- Capital: No capital projects are recommended in FY 2026.

Budget Area	FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Budget
Personnel & Benefits	61,231	66,932	147,511	150,979	161,659
Operations	30,538	25,887	63,891	84,690	92,033
Capital	-	-	-	-	-
Debt Service	-	-	-	-	-
Other Financing Uses	-	-	-	-	-
Total Expenditures	91,769	92,820	211,403	235,669	253,692
Full-time Employees	1	1	2	2	2
Part-time Employees	0	0	0	0	0

PARKS DIVISION SUMMARY (TAB 15)

Summary of Recommended Changes

- Salary and Benefits: No changes are recommended for FY 2026.
- Materials and Supplies: Minor adjustments to certain accounts are recommended for in FY 2026.
- Capital: Certain capital projects are recommended in FY 2026 as follows:

Parks projects funded elsewhere

Band Shell Stage Repair	\$ 10,000	Miles Park Fence	\$ 12,000
Skate Park Maintenance	\$ 6,000	Scag Mower	\$ 30,000

Budget Area	FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Budget
Personnel & Benefits	340,936	402,243	425,050	474,200	472,392
Operations	241,975	186,884	188,941	208,185	214,837
Capital	40,380	126,563	34,594	73,261	-
Debt Service	-	-	-	-	-
Other Financing Uses	-	-	-	-	-
Total Expenditures	623,291	715,690	648,584	755,646	687,229
Full-time Employees	4	4	4	4	4
Seasonal Employees	4	4	4	4	4

NON-DEPARTMENTAL SUMMARY (TAB 16)

Summary of Recommended Changes

- Salary and Benefits: Non-departmental personnel and benefits is an accounting entry only and reflects the State’s contribution to employee retirement.
- Materials and Supplies: Minor adjustments to certain accounts are recommended for in FY 2026.
- Capital: Certain capital projects for IT are recommended in FY 2026 as follows:
Backup Appliance & Host \$ 50,000

Other Financing Uses: This reflects amounts transferred to other funds to support Dispatch operations.

Budget Area	FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Budget
Personnel & Benefits	1,068	1,278	1,494	1,802	1,824
Operations	358,098	351,090	408,553	486,597	406,493
Capital	141,290	71,696	33,652	75,000	50,000
Debt Service	8,140	10,182	10,491	11,502	8,876
Other Financing Uses	473,369	408,289	492,411	534,644	544,179
Total Expenditures	981,965	842,535	946,601	1,109,545	1,011,372
Full-time Employees	0	0	0	0	0
Seasonal Employees	0	0	0	0	0

DISPATCH DEPARTMENT SUMMARY (TAB 17)

Summary of Recommended Changes

- Salary and Benefits: No changes are recommended for FY 2026.
- Materials and Supplies: Minor adjustments to certain accounts are recommended for in FY 2026.
- Capital: Certain capital projects are recommended in FY 2026 as follows:

Motorola Radios

\$ 50,000

NICE Recorder

\$ 5,000

Budget Area	FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Budget
Personnel & Benefits	752,490	740,311	854,358	1,025,634	1,042,367
Operations	142,849	104,532	107,444	157,406	152,314
Capital	136,410	18,000	19,280	-	55,000
Debt Service	-	-	-	-	-
Other Financing Uses	-	-	-	-	-
Total Expenditures	1,031,749	862,283	981,083	1,183,040	1,249,681
Full-time Employees	9	9	10	10	10

STREETS DIVISION SUMMARY (TAB 18)

Summary of Recommended Changes

- Salary and Benefits: An Operations Manager is recommended to be shared across all funds PublicWorks Supports.
- Materials and Supplies: Minor adjustments to certain accounts are recommended for in FY 2026.
- Capital: Several capital expenditures are budgeted for FY 2026. Please refer to the budget for details.

Budget Area	FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Budget
Personnel & Benefits	528,228	627,374	736,746	369,651	808,973
Operations	294,632	231,181	213,592	412,254	493,110
Capital	369,575	137,520	329,366	822,780	806,657
Debt Service	93,463	125,415	96,685	42,408	39,627
Other Financing Uses	-	-	-	-	-
Total Expenditures	1,285,898	1,121,490	1,376,390	1,647,093	2,148,367
Full-time Employees	6.61	6.61	6.36	7.36	7.81
Seasonal Employees	3	3	3	0	0

WATER DIVISION SUMMARY (TAB 19)

Summary of Recommended Changes

- Revenue: A rate increase of 4.22% is recommended for FY 2026
- Salary and Benefits: An Operations Manager is recommended to be shared across all funds Public Works Supports.
- Materials and Supplies: Minor adjustments to certain accounts are recommended for FY 2026.
- Capital: Several capital expenditures are budgeted for FY 2026. Please refer to the budget for details.

Budget Area	FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Budget
Personnel & Benefits	727,455	584,836	525,793	782,231	830,791
Operations	528,096	621,158	765,231	814,676	944,807
Capital	846,081	817,346	32,722	535,000	1,627,590
Debt Service	-	-	-	-	-
Other Financing Uses	-	346,842	387,980	-	-
Total Expenditures	2,101,632	2,370,182	1,711,726	2,131,907	3,403,188
Full-time Employees	7.58	7.58	8.35	8.02	8.22
Part-time Employees	0	0	0	0	0

FY 2026 WATER RATE RECOMMENDATION

In FY 2024 the City implemented tiered water rates for the usages reflected below. The City Manager is proposing an increase of 4.22% to each tier. Beginning in 2021, the City’s public works department began to see an increase in Summer usage during the month of June. Tiered rates were introduced to help curb the demand on water. With the growth in Livingston the demand on water has continued to rise each year

The recommended rate increases are as follows:

CITY OF LIVINGSTON PROPOSED WATER RATES					
GALLONS		CURRENT		PROPOSED	
FROM	TO	CONNECTION FEE	USAGE FEE	CONNECTION FEE	USAGE FEE
-	-	16.06	-	16.74	-
1	10,000	16.06	3.71	16.74	3.87
10,001	20,000	16.06	3.91	16.74	4.08
20,001	40,000	16.06	4.13	16.74	4.30
>40,001		16.06	4.36	16.74	4.54

The majority of the water users (86%) fall in the 0-10,000 gallon range and will see an increase in their monthly utility bill ranging from \$0.84 to \$2.28

SEWER DIVISION SUMMARY (TAB 20)

Summary of Recommended Changes

- Revenue: A rate increase of 4.22% is recommended for FY 2026
- Salary and Benefits: An Operations Manager is recommended to be shared across all funds Public Works Supports.
- Materials and Supplies: Minor adjustments to certain accounts are recommended for FY 2026.
- Capital: Several capital expenditures are budgeted for FY 2026. Please refer to the budget for details.

Budget Area	FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Budget
Personnel & Benefits	650,958	904,096	1,148,194	850,793	920,246
Operations	729,881	758,498	871,208	1,060,630	1,070,361
Capital	384,251	855,824	326,475	1,197,837	756,700
Debt Service	777,202	765,361	765,475	766,363	699,192
Other Financing Uses	-	1,285,573	1,311,141	-	-
Total Expenditures	2,542,292	4,456,392	4,422,493	3,875,623	3,446,499
Full-time Employees	8.35	8.35	8.35	8.02	8.22
Part-time Employees	0	0	0	0	0

FY 2026 SEWER RATE RECOMMENDATION

- The City Manager is recommending a 4.22% rate increase for Sewer users.
- The recommended rate increase by usage is as follows:

CITY OF LIVINGSTON PROPOSED SEWER RATES			
GALLONS	CURRENT	PROPOSED	INCREASE
0	\$ 22.90	\$ 23.87	\$ 0.97
1000	\$ 31.98	\$ 33.33	\$ 1.35
2000	\$ 41.06	\$ 42.79	\$ 1.73
3000	\$ 50.14	\$ 52.25	\$ 2.11
4000	\$ 59.22	\$ 61.71	\$ 2.49
5000	\$ 68.30	\$ 71.17	\$ 2.87
6000	\$ 77.38	\$ 80.63	\$ 3.25
7000	\$ 86.46	\$ 90.09	\$ 3.63
8000	\$ 95.54	\$ 99.55	\$ 4.01
9000	\$ 104.62	\$ 109.01	\$ 4.39
10000	\$ 113.70	\$ 118.47	\$ 4.77

Most wastewater users will see an increase in their monthly utility bill ranging from \$0.97 to \$4.77.

The average residential customer is billed for 3000 gallons resulting in an increase of \$2.11 per month.

SOLID WASTE DIVISION SUMMARY (TAB 21)

Summary of Recommended Changes

- Revenue: No rate adjustments are recommended for FY 2026.
- Salary and Benefits: An Operations Manager is recommended to be shared across all funds PublicWorks Supports.
- Materials and Supplies: Minor adjustments to certain accounts are recommended for FY 2026.
- Capital: Certain capital projects and equipment are recommended as follows:

Walking Floor Trailer

\$147,500

Pickup

\$ 60,000

Roll-off Containers

\$ 33,500

Budget Area	FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Budget
Personnel & Benefits	746,940	949,973	943,761	789,229	939,068
Operations	1,481,719	1,241,507	1,350,323	1,612,956	1,183,121
Capital	85,731	177,526	60,954	1,106,008	241,000
Debt Service	-	-	-	-	-
Other Financing Uses	-	162,944	-	-	-
Total Expenditures	2,314,390	2,531,946	2,355,038	3,508,193	2,363,189
Full-time Employees	9.11	9.11	9.11	9.11	9.67
Part-time Employees	0	0	0	0	0

FY 2026 SOLID WASTE RATE RECOMMENDATION

In FY 2026, the City Manager is not recommending a rate increase for solid waste.

AMBULANCE FUND SUMMARY (TAB 22)

Summary of Recommended Changes

- Revenue: Ambulance services are funded with a combination of patient fees and tax revenue.
Park County contributes additional funds to support ambulance as it is a County-wide service.
- Salary and Benefits: The addition of 4 full-time Firefighter/EMTs is recommended for FY 2026.
- Materials and Supplies: Minor adjustments to certain operating accounts are recommended for FY 2026 as presented.
- Capital: Several equipment acquisitions are recommended for FY 2026. Please refer to the budget for details.

Budget Area	FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Projected	FY 2026 Budget
Personnel & Benefits	1,386,482	1,494,106	1,715,455	1,788,868	1,917,771
Operations	350,395	373,142	386,400	502,746	772,293
Capital	40,128	374,530	450,615	411,727	62,950
Debt Service	-	-	-	-	-
Other Financing Uses	-	-	-	-	-
Total Expenditures	1,777,005	2,241,778	2,552,470	2,703,341	2,753,014
Full-time Employees	17	17	18	18.5	22.5
Reserves	27	27	27	27	27



LIVINGSTON

M O N T A N A



Zoning Map Amendment to Assign Mixed Use (MU) Zoning to Recently Annexed Parcel at 38 Loves Lane



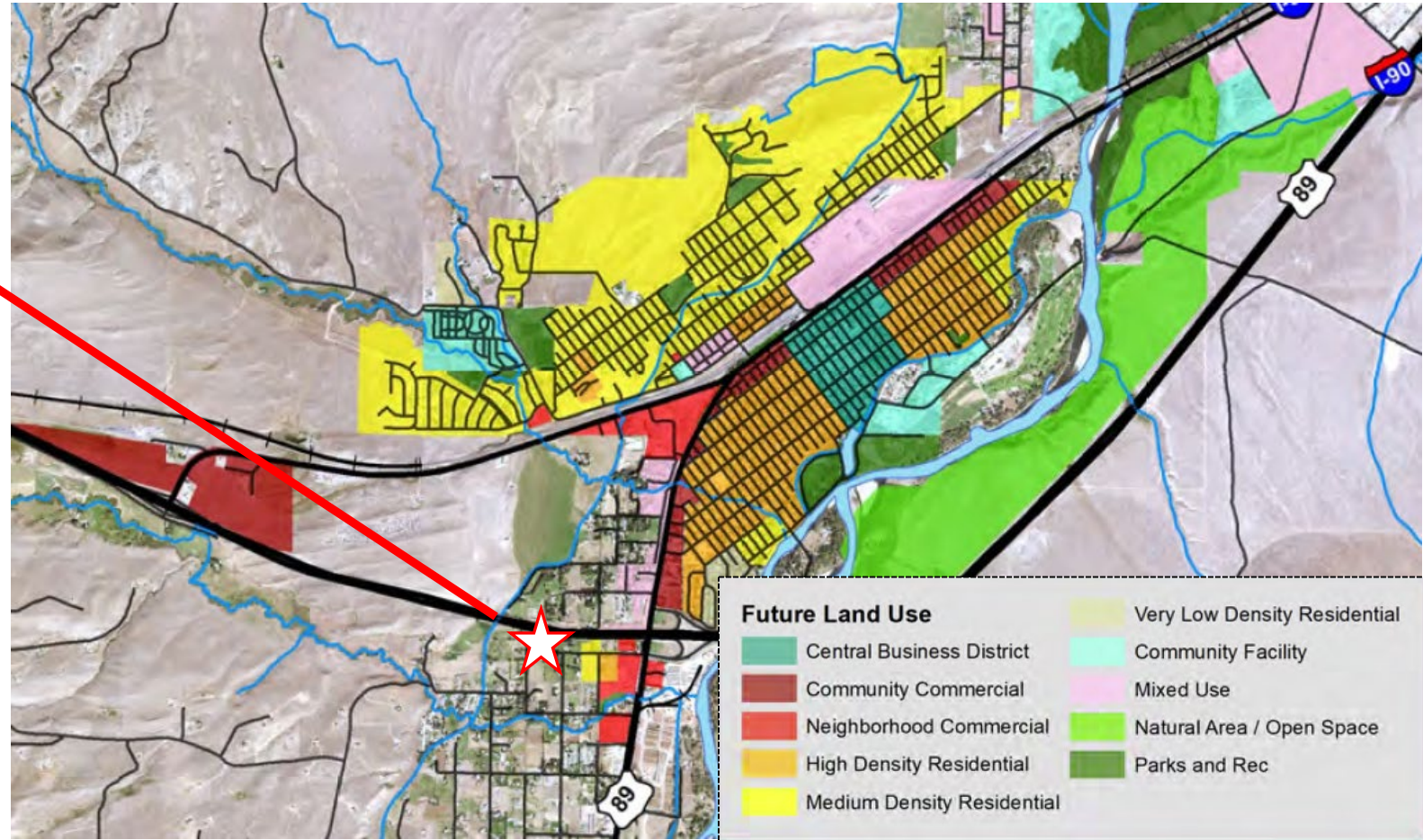
City Commission
June 17, 2025

SUMMARY

- Assign Mixed Use (MU) zoning to annexed parcel at 38 Loves Ln
- Current Use = Residential
- Proposed Use = Office Building; Business and Professional Offices allowed 'by right' in MU district
- USDA will move offices from 5242 US Hwy 89S to 38 Loves Ln
- Current owner is under contract to sell to LaTerra Partners, who will lease the property to USDA

GROWTH POLICY FUTURE LAND USE MAP

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Growth Policy Future Land Use Map Does Not Include 38 Loves Lane

Livingston, Montana

SURROUNDING LAND USE & ZONING

Land Use Outside City Limits:

Residential, Suburban Agriculture, Mini Storage, MJ Retail

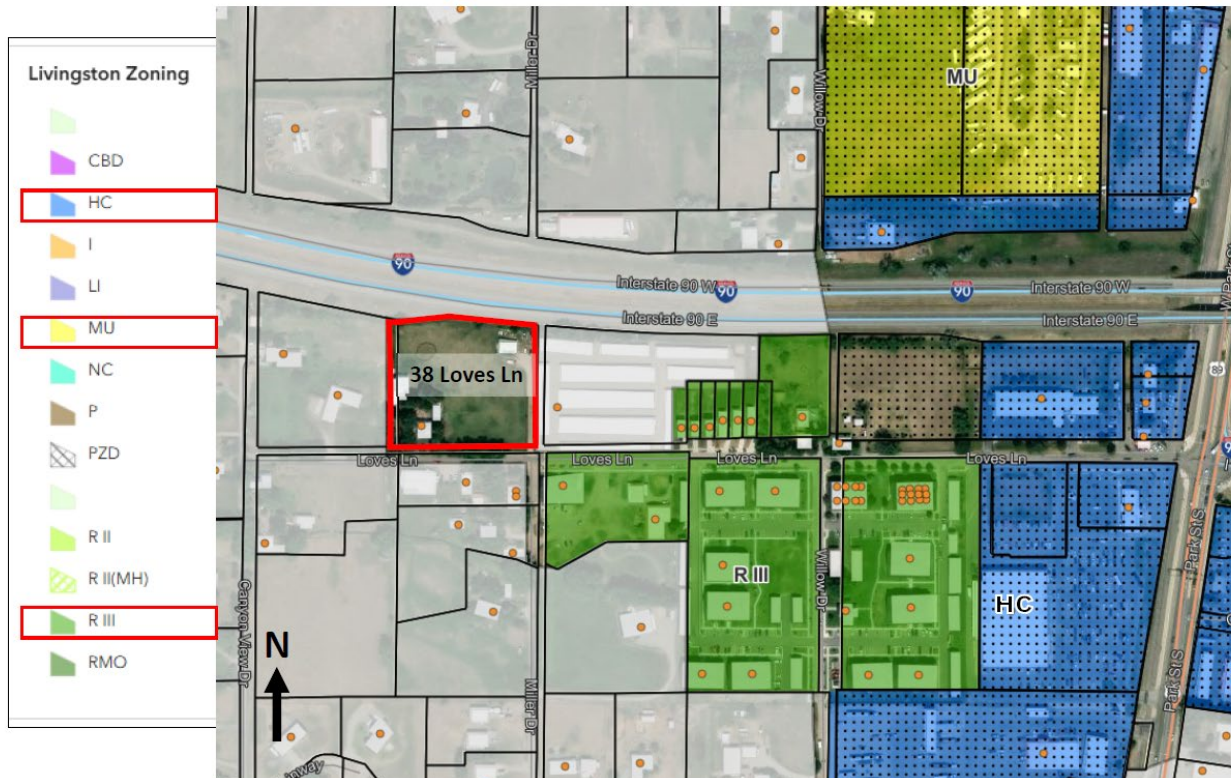
Zoning inside City Limits:

R3- High Density Residential

HC- Highway Commercial

MU- Mixed Use

ZONING MAP



ZONING USE TABLE COMPARISON

A = Allowed S = Special Exception Permit Required N = Not Allowed

	<u>MU</u>
One (1) Family Dwellings*	A
Two (2) Family Dwellings	A
Multifamily Dwellings	A
Accessory Dwellings	A
Townhouses	A
Tiny Homes	A
Accessory Buildings	A
Mobile Homes	N
Modular Homes	A
Churches	S
Schools, Public, Private and Parochial	S
Schools, Trade	S
Hospitals/Institutions	S
Medical/Dental Clinics	A
Adult Foster Care Center ³	A
Personal Care Center	A
Child Care Center	A
Veterinarian Clinics	A
Kennels and Catterys	N
Laundromat	A
Bed and Breakfasts	A
Motels/Hotels	N
Travel Trailer Parks	N
Business and Professional Offices	A
Retail	A
Large-scale Retail	N
Personal Service Stores	A
Eating and Drinking Establishments (Sit-Down)	A
Drive-Thru Restaurants	N
Banks	A

	<u>MU</u>
Mortuary	S
Wholesale Businesses	N
Commercial Greenhouses	S
Gasoline Service Stations	N
Auto Repair Garage	N
Automobile Dealerships	N
Auto Salvage and Storage	N
Warehouse and Enclosed Storage	N
Machine Shop	N
Artisan Manufacturing	A
Limited Manufacturing	A
General Manufacturing	N
Intensive Manufacturing	N
Cidery	A
Microbrewery/ Microdistillery	A
Winery	A
Bowling Alley	S
Theater	S
Open-Air Stadiums, Sports Arenas, Amphitheaters	S
Lumberyards	N
Transportation Terminals	N
Radio Stations ⁴	A
Utility Substations	S
Armory	N
Cemetery	N
Government Offices	A
Public Recreation Facility	S
Health and Exercise Establishment	A
Marijuana Production Facility	N
Sexually Oriented Business	N

CRITERIA FOR ZONING REGULATIONS

MCA 76-2-304

- ✓ Made in accordance with Growth Policy
- ✓ Secure safety from fire/ other dangers
- ✓ Promote public health, safety and general welfare
- ✓ Adequate provision of transportation, water, sewer, schools, parks and other public requirements
- ✓ Reasonable provision of light and air
- ✓ Effect on motorized and nonmotorized transportation
- ✓ Promotion of compatible urban growth
- ✓ Zoning district character and suitability for particular uses
- ✓ Conserve building values and encourage appropriate land uses

ANALYSIS – MU ZONING

Growth Policy - accommodate mix of retail, office, restaurant, entertainment, cultural and residential uses

Zoning Code - accommodate mix of residential, neighborhood scale commercial services and offices, and small-scale manufacturing

Connection to City Services - property owner will be required to extend City Water and Sewer service to the property

Public Health, Safety & Welfare - future development must comply with adopted Fire and Building Codes; retain USDA jobs in Livingston and improve USDA's ability to serve the public

ANALYSIS

Effect on Transportation Systems- property has direct access to interstate interchange, highway and local street network and multi-use path; TIS will be required at time of Site Plan Review for development, owner responsible for installing mitigating treatments if necessary

Compatible Urban Growth – MU zoning is consistent with surrounding land uses (mix of low, medium and high density residential, suburban agriculture, highway commercial)

District Character – MU zoning will require the property to be included in the Gateway Overlay Design district, where new development must adhere to Building Design Standards that reduce building impacts on surrounding neighborhood (buffers, screening, etc)

STRATEGIC ALIGNMENT

Growth Policy:

Future Land Use Analysis for Commercial and Industrial Land Use (pg 103) states that potential commercial areas include...the west side of US 89 South as far as Guthrie Lane

Strategy 3.1.1.2: Evaluate and amend the zoning ordinance to allow for higher densities and wider land uses in areas that can support such development.

Strategy 3.4.3.2: Encourage development near transit routes and active transportation infrastructure to promote development that produces minimal strain on the environment and existing transportation infrastructure.

Strategy 6.1.5.8: Dedicate resources to strategies designed to help the local economy by investing in local businesses.

RECOMMENDATION

Staff recommends the City Commission accept the recommendation of the Consolidated Land Use Board and zone the parcel at 38 Loves Lane as Mixed Use (MU)

QUESTIONS?



LIVINGSTON
M O N T A N A

File Attachments for Item:

B. APPROVAL OF CLAIMS PAID 6/12/25 - 6/25/25

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
ACE ROOFING, LLC							
2768	ACE ROOFING, LLC	195222-1	Roof REPAIR FIRE DEPT	06/10/2025	352.50	352.50	06/25/2025
Total ACE ROOFING, LLC:					352.50	352.50	
ADVANCED ENGINEERING &							
3605	ADVANCED ENGINEERING &	103431	I&C SYSTEEM SERVICES	06/10/2025	431.50	431.50	06/25/2025
Total ADVANCED ENGINEERING &:					431.50	431.50	
ADVANCED TECHNOLOGY PRODUCTS, INC							
3357	ADVANCED TECHNOLOGY PRO	42186	Chlorine	06/04/2025	1,195.00	1,195.00	06/25/2025
Total ADVANCED TECHNOLOGY PRODUCTS, INC:					1,195.00	1,195.00	
ALL SERVICE TIRE & ALIGNMENT							
22	ALL SERVICE TIRE & ALIGNME	70310	Flat repair	06/23/2025	20.00	20.00	06/25/2025
Total ALL SERVICE TIRE & ALIGNMENT:					20.00	20.00	
ALPINE ELECTRONICS RADIO SHACK							
402	ALPINE ELECTRONICS RADIO	10318237	Office Supplies	06/13/2025	60.00	60.00	06/25/2025
402	ALPINE ELECTRONICS RADIO	10318238	NOTEPADS	06/13/2025	8.00	8.00	06/25/2025
Total ALPINE ELECTRONICS RADIO SHACK:					68.00	68.00	
AMERICAN SOLUTIONS FOR BUSINESS							
10005	AMERICAN SOLUTIONS FOR B	INV08135999	BUSINESS CARDS	06/18/2025	150.00	150.00	06/25/2025
10005	AMERICAN SOLUTIONS FOR B	INV08172064	TENT	06/17/2025	849.17	849.17	06/25/2025
Total AMERICAN SOLUTIONS FOR BUSINESS:					999.17	999.17	
AMERICAN WATER WORKS ASSOCIATION							
10005	AMERICAN WATER WORKS AS	2025.9.1	3706796	06/01/2025	240.00	240.00	06/25/2025
Total AMERICAN WATER WORKS ASSOCIATION:					240.00	240.00	
AMTRUST NORTH AMERICA							
10002	AMTRUST NORTH AMERICA	2025.7.1	WORKERS COMP	06/09/2025	2,768.00	2,768.00	06/25/2025
Total AMTRUST NORTH AMERICA:					2,768.00	2,768.00	
ARC LIFEGUARD INSTRUCTOR TRAINER							
10007	ARC LIFEGUARD INSTRUCTOR	000111	LIFEGUARD TRAINING	06/11/2025	994.00	994.00	06/25/2025
Total ARC LIFEGUARD INSTRUCTOR TRAINER:					994.00	994.00	
BALCO UNIFORM COMPANY, INC.							
3371	BALCO UNIFORM COMPANY, IN	83176	Uniform-HARD CLASS A	06/11/2025	531.20	531.20	06/25/2025
3371	BALCO UNIFORM COMPANY, IN	83182	Uniform-ALLEN CLASS A	06/11/2025	574.50	574.50	06/25/2025
3371	BALCO UNIFORM COMPANY, IN	83198	Uniform-BAUER CLASS A	06/11/2025	289.00	289.00	06/25/2025
3371	BALCO UNIFORM COMPANY, IN	83215	Uniform-LASHINSKI	06/11/2025	566.20	566.20	06/25/2025
3371	BALCO UNIFORM COMPANY, IN	83501-1	Uniform-HOLBROOK CLASS A	06/11/2025	479.50	479.50	06/25/2025
3371	BALCO UNIFORM COMPANY, IN	83501-2	Uniform-HOLBROOK CLASS A	06/17/2025	96.00	96.00	06/25/2025
3371	BALCO UNIFORM COMPANY, IN	83556-1	Uniform-EPSTEIN CLASS A	06/13/2025	503.60	503.60	06/25/2025
3371	BALCO UNIFORM COMPANY, IN	83848-1	Uniform-GRUNHURD CLASS A	06/13/2025	168.60	168.60	06/25/2025
3371	BALCO UNIFORM COMPANY, IN	84122	UniformS-ENGLE, ONEILL	06/11/2025	56.00	56.00	06/25/2025

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
3371	BALCO UNIFORM COMPANY, IN	84190	REMOVE EMBLEM	06/11/2025	36.00	36.00	06/25/2025
Total BALCO UNIFORM COMPANY, INC.:					3,300.60	3,300.60	
CARQUEST AUTO PARTS							
23	CARQUEST AUTO PARTS	1912-639747	Bulb	05/13/2025	6.64	6.64	06/25/2025
23	CARQUEST AUTO PARTS	1912-639902	LONG LIFE	05/14/2025	62.90	62.90	06/25/2025
23	CARQUEST AUTO PARTS	1912-639930	BULB	05/15/2025	6.99	6.99	06/25/2025
23	CARQUEST AUTO PARTS	1912-640065	BELTS	05/16/2025	86.76	86.76	06/25/2025
23	CARQUEST AUTO PARTS	1912-640293	BELTS	05/19/2025	23.03	23.03	06/25/2025
23	CARQUEST AUTO PARTS	1912-640365	BRAKE CLEAN	05/20/2025	30.00	30.00	06/25/2025
23	CARQUEST AUTO PARTS	1912-640379	BELTS	05/20/2025	16.47-	16.47-	06/25/2025
23	CARQUEST AUTO PARTS	1912-640393	BATTERY	05/20/2025	44.21	44.21	06/25/2025
23	CARQUEST AUTO PARTS	1912-640510	BELTS	05/21/2025	6.56-	6.56-	06/25/2025
23	CARQUEST AUTO PARTS	1912-640560	BELTS	05/22/2025	30.51	30.51	06/25/2025
23	CARQUEST AUTO PARTS	1912-640613	EDGE HM 5W-30	05/22/2025	154.80	154.80	06/25/2025
23	CARQUEST AUTO PARTS	1912-640949	CONNECTOR	05/27/2025	25.98	25.98	06/25/2025
23	CARQUEST AUTO PARTS	1912-641305	MAT	05/30/2025	21.44	21.44	06/25/2025
Total CARQUEST AUTO PARTS:					470.23	470.23	
CENTRON SERVICES							
682	CENTRON SERVICES	2025.5.27	Utility Collections	05/27/2025	8.02	8.02	06/25/2025
682	CENTRON SERVICES	2025.5.27	Utility Collections	05/27/2025	8.02	8.02	06/25/2025
682	CENTRON SERVICES	2025.5.27	Utility Collections	05/27/2025	8.01	8.01	06/25/2025
682	CENTRON SERVICES	2025.5.27 P	Parking Collections	05/27/2025	40.01	40.01	06/25/2025
Total CENTRON SERVICES:					64.06	64.06	
CENTURYLINK							
162	CENTURYLINK	2025.6.16	406-222-0137- 441b	06/16/2025	105.50	105.50	06/25/2025
Total CENTURYLINK:					105.50	105.50	
CHARTER COMMUNICATIONS							
3440	CHARTER COMMUNICATIONS	172677901050	ELEVATOR PHOBE	05/07/2025	100.00	100.00	06/25/2025
3440	CHARTER COMMUNICATIONS	172677901060	ELEVATOR PHOBE	06/07/2025	50.00	50.00	06/25/2025
Total CHARTER COMMUNICATIONS:					150.00	150.00	
CORE & MAIN LP							
3733	CORE & MAIN LP	W879672	MUELLER ADJ HYDRANT	06/19/2025	3,321.63	3,321.63	06/25/2025
Total CORE & MAIN LP:					3,321.63	3,321.63	
DEMCO INC							
199	DEMCO INC	7648745	Book Prep Supplies	05/19/2025	192.43	192.43	06/25/2025
199	DEMCO INC	7658661	Book Prep Supplies	06/11/2025	145.71	145.71	06/25/2025
Total DEMCO INC:					338.14	338.14	
DUSTY MAHER							
10005	DUSTY MAHER	299198	REIMB-DOT PHYSICAL	06/12/2025	117.00	117.00	06/25/2025
Total DUSTY MAHER:					117.00	117.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
ELK RIVER BOOKS ABAA							
10007	ELK RIVER BOOKS ABAA	43120	9 BOOKS	06/06/2025	197.89	197.89	06/25/2025
10007	ELK RIVER BOOKS ABAA	43285	12 BOOKS	06/17/2025	270.71	270.71	06/25/2025
Total ELK RIVER BOOKS ABAA:					468.60	468.60	
ENCODE CORPORATION							
1548	ENCODE CORPORATION	46844	boiler repair	04/24/2025	3,477.78	3,477.78	06/25/2025
1548	ENCODE CORPORATION	46845	REPAIR OUT OF CONTRACT	04/24/2025	237.50	237.50	06/25/2025
Total ENCODE CORPORATION:					3,715.28	3,715.28	
ENERGY LABORATORIES, INC.							
424	ENERGY LABORATORIES, INC.	715214	Analysis parameter	06/20/2025	304.00	304.00	06/25/2025
Total ENERGY LABORATORIES, INC.:					304.00	304.00	
ENVIRONMENTAL RESOURCE ASSOCIATES							
10006	ENVIRONMENTAL RESOURCE	113970	COLIFORMS	06/06/2025	1,447.25	1,447.25	06/25/2025
Total ENVIRONMENTAL RESOURCE ASSOCIATES:					1,447.25	1,447.25	
FERGUSON WATERWORKS #1701							
2386	FERGUSON WATERWORKS #17	0922387	Meters	06/04/2025	95,143.93	95,143.93	06/25/2025
Total FERGUSON WATERWORKS #1701:					95,143.93	95,143.93	
GALLATIN SCALES INC							
3219	GALLATIN SCALES INC	7033	Repair TRUCK SCALE	06/18/2025	500.00	500.00	06/25/2025
Total GALLATIN SCALES INC:					500.00	500.00	
GATEWAY CYCLERY							
10007	GATEWAY CYCLERY	GC-0961125	TUNE UP BIKES	06/11/2025	150.00	150.00	06/25/2025
Total GATEWAY CYCLERY:					150.00	150.00	
HANSER'S AUTOMOTIVE & WRECKER							
1687	HANSER'S AUTOMOTIVE & WR	186821	Towing-FORD ESCAPE	06/19/2025	100.00	100.00	06/25/2025
1687	HANSER'S AUTOMOTIVE & WR	LIV6402	ToW-RAV4	06/12/2025	100.00	100.00	06/25/2025
1687	HANSER'S AUTOMOTIVE & WR	LIV6415	Towing	06/20/2025	100.00	100.00	06/25/2025
Total HANSER'S AUTOMOTIVE & WRECKER:					300.00	300.00	
HARRINGTON BOTTLING							
10006	HARRINGTON BOTTLING	15123464	WATER	06/13/2025	576.00	576.00	06/25/2025
Total HARRINGTON BOTTLING:					576.00	576.00	
HAWKINS, INC							
470	HAWKINS, INC	7098570	Chlor cylinder	06/13/2025	2,228.53	2,228.53	06/25/2025
470	HAWKINS, INC	7099157	Chlorine cylinder	06/15/2025	10.00	10.00	06/25/2025
470	HAWKINS, INC	7099630	Chlor cylinder	06/15/2025	40.00	40.00	06/25/2025
Total HAWKINS, INC:					2,278.53	2,278.53	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
HERRERA ENVIRONMENTAL CONSULTANTS INC							
10005	HERRERA ENVIRONMENTAL C	59310	PROFESSIONAL	06/10/2025	1,582.50	1,582.50	06/25/2025
Total HERRERA ENVIRONMENTAL CONSULTANTS INC:					1,582.50	1,582.50	
HORIZON AUTO PARTS							
1920	HORIZON AUTO PARTS	032954	MTR TREATMENT	06/04/2025	14.99	14.99	06/25/2025
Total HORIZON AUTO PARTS:					14.99	14.99	
HUMAN RESOURCE DEVELOPMENT COUNCIL OF DI							
10004	HUMAN RESOURCE DEVELOP	2025.6.16	HOUSING COORDINATOR	06/16/2025	25,000.00	25,000.00	06/25/2025
Total HUMAN RESOURCE DEVELOPMENT COUNCIL OF DI:					25,000.00	25,000.00	
HUMANA							
10005	HUMANA	820241990221	Overpayment LONCA000	06/11/2025	6.12	6.12	06/25/2025
Total HUMANA:					6.12	6.12	
IBS INC							
10004	IBS INC	874655-1	TOOLS	04/30/2025	78.54	78.54	06/25/2025
10004	IBS INC	874655-2	SIDE CUTTERS	05/16/2025	227.00	227.00	06/25/2025
Total IBS INC:					305.54	305.54	
IT1 SOURCE LLC							
10007	IT1 SOURCE LLC	01024265	COMPUTER-ROBERTS	06/24/2025	439.27	439.27	06/25/2025
10007	IT1 SOURCE LLC	01024265	COMPUTER-ROBERS	06/24/2025	439.27	439.27	06/25/2025
10007	IT1 SOURCE LLC	01024265	COMPUTER-ROBERTS	06/24/2025	439.26	439.26	06/25/2025
Total IT1 SOURCE LLC:					1,317.80	1,317.80	
JERRY HAPPE							
10006	JERRY HAPPE	2025.6	BAILIFF	06/16/2025	305.00	305.00	06/25/2025
Total JERRY HAPPE:					305.00	305.00	
JORDAN BRUMMEL							
10002	JORDAN BRUMMEL	2025.6.6	reimb-TRAVEL	06/06/2025	346.87	346.87	06/25/2025
Total JORDAN BRUMMEL:					346.87	346.87	
JORDAN VIEGUT							
10007	JORDAN VIEGUT	2025.5	REIMB TRAVEL	05/21/2025	422.32	422.32	06/25/2025
Total JORDAN VIEGUT:					422.32	422.32	
KELLEY CREATE							
10006	KELLEY CREATE	39491614	AGREE 112-3075248	06/20/2025	309.64	309.64	06/25/2025
10006	KELLEY CREATE	IN1986703	JH206501	06/03/2025	5.24	5.24	06/25/2025
Total KELLEY CREATE:					314.88	314.88	
LEHRKIND'S COCA-COLA							
2830	LEHRKIND'S COCA-COLA	2256490	Water	06/10/2025	31.50	31.50	06/25/2025

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total LEHRKIND'S COCA-COLA:					31.50	31.50	
LIVINGSTON DAYCARE, LLC							
3407	LIVINGSTON DAYCARE, LLC	2025.7	Parking Lease	06/01/2025	3,000.00	3,000.00	06/25/2025
Total LIVINGSTON DAYCARE, LLC:					3,000.00	3,000.00	
LIVINGSTON UTILITY BILLING							
147	LIVINGSTON UTILITY BILLING	2025.4.2	1012100	04/02/2025	487.51	487.51	06/25/2025
Total LIVINGSTON UTILITY BILLING:					487.51	487.51	
MARCO HUERTA							
10007	MARCO HUERTA	2025.5	REIMB-TRAVEL	05/21/2025	589.82	589.82	06/25/2025
Total MARCO HUERTA:					589.82	589.82	
MEGAN TINGLEY							
10007	MEGAN TINGLEY	2025.6.19	REFEREE BASKETBALL	06/19/2025	549.00	549.00	06/25/2025
Total MEGAN TINGLEY:					549.00	549.00	
MES SERVICE COMPANY LLC							
10007	MES SERVICE COMPANY LLC	IN2273280	MICROBLAZE OUT	06/02/2025	2,426.92	2,426.92	06/25/2025
Total MES SERVICE COMPANY LLC:					2,426.92	2,426.92	
MISC							
99999	MISC	2025.6	ReIMB-OVERPAYMENT	06/09/2025	202.21	202.21	06/25/2025
99999	MISC	2025.6.11	REIMB PARKING TICKET	06/11/2025	100.00	100.00	06/25/2025
99999	MISC	88436046	Refund DEPOSIT	06/10/2025	200.00	200.00	06/25/2025
99999	MISC	TK2025-0186	Bond Refund	06/13/2025	235.00	235.00	06/13/2025
Total MISC:					737.21	737.21	
MONTANA DEPT OF ENVIRONMENTAL							
2346	MONTANA DEPT OF ENVIRONM	2025.7.1	LICENSE 476	06/01/2025	480.00	480.00	06/25/2025
Total MONTANA DEPT OF ENVIRONMENTAL:					480.00	480.00	
MONTANA DEPT OF LABOR & INDUSTRY							
2687	MONTANA DEPT OF LABOR & I	2010-ELEV-MT	ANNUAL CERTIFICATE OF INSP	04/26/2025	290.00	290.00	06/25/2025
Total MONTANA DEPT OF LABOR & INDUSTRY:					290.00	290.00	
MONTANA DEPT. OF PUBLIC SERVICE REGULATI							
10007	MONTANA DEPT. OF PUBLIC SE	2025.6.18	TRANSPORT	06/18/2025	500.00	500.00	06/18/2025
Total MONTANA DEPT. OF PUBLIC SERVICE REGULATI:					500.00	500.00	
MONTANA LAW ENFORCEMENT ACADEM							
925	MONTANA LAW ENFORCEMENT	25151	REGISTRATION-BAUER	05/21/2025	565.00	565.00	06/25/2025
Total MONTANA LAW ENFORCEMENT ACADEM:					565.00	565.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
MONTANA LINEN SUPPLY LLC							
10007	MONTANA LINEN SUPPLY LLC	509549	MAT SERVICE	05/16/2025	55.25	55.25	06/25/2025
10007	MONTANA LINEN SUPPLY LLC	514534	220 E PARK MATS	06/13/2025	126.95	126.95	06/25/2025
10007	MONTANA LINEN SUPPLY LLC	514537	330 BENNETT	06/13/2025	20.25	20.25	06/25/2025
10007	MONTANA LINEN SUPPLY LLC	514537	330 BENNETT	06/13/2025	20.25	20.25	06/25/2025
10007	MONTANA LINEN SUPPLY LLC	514537	330 BENNETT	06/13/2025	20.25	20.25	06/25/2025
10007	MONTANA LINEN SUPPLY LLC	514537	330 BENNETT	06/13/2025	20.24	20.24	06/25/2025
10007	MONTANA LINEN SUPPLY LLC	514547	MAT SERVICE	06/13/2025	56.08	56.08	06/25/2025
Total MONTANA LINEN SUPPLY LLC:					319.27	319.27	
MONTANA TAX FOUNDATION, INC.							
501	MONTANA TAX FOUNDATION, I	2025.7.15	2025 CONTRIBUTION DUES	06/01/2025	60.00	60.00	06/25/2025
Total MONTANA TAX FOUNDATION, INC.:					60.00	60.00	
MOUNTAIN STATES LIGHTING							
10004	MOUNTAIN STATES LIGHTING	14522	LIGHT POLES	06/03/2025	22,268.00	22,268.00	06/25/2025
Total MOUNTAIN STATES LIGHTING:					22,268.00	22,268.00	
MURDOCH'S RANCH & HOME SUPPLY							
3688	MURDOCH'S RANCH & HOME S	INV-010783087	EYE BOLT	11/08/2024	66.73	66.73	06/18/2025
3688	MURDOCH'S RANCH & HOME S	INV-010886616	GLOVES	06/17/2025	38.26	38.26	06/18/2025
3688	MURDOCH'S RANCH & HOME S	INV-011147805	CHARGERS/PAINT	11/26/2024	226.96	226.96	06/18/2025
3688	MURDOCH'S RANCH & HOME S	INV-012213103	COUPLERS	06/17/2025	19.99	19.99	06/18/2025
3688	MURDOCH'S RANCH & HOME S	INV-012436255	SEAT COVERS/ANGELO BAR	01/22/2025	87.46	87.46	06/18/2025
3688	MURDOCH'S RANCH & HOME S	INV-0467398	LEAF RAKE	05/26/2023	47.98	47.98	06/18/2025
3688	MURDOCH'S RANCH & HOME S	INV-0829696	SPREADER AND ROUND UP	06/13/2023	320.95	320.95	06/18/2025
3688	MURDOCH'S RANCH & HOME S	INV-2190058	FIRE EXTINGUISHERS	08/23/2023	152.97	152.97	06/18/2025
3688	MURDOCH'S RANCH & HOME S	INV-5241394	BATTERY PACK	01/24/2024	269.99	269.99	06/18/2025
3688	MURDOCH'S RANCH & HOME S	INV-6334360	BINDER CHAINS	04/01/2024	197.97	197.97	06/18/2025
3688	MURDOCH'S RANCH & HOME S	INV-6746815	CHANNEL PLUS EXTRA	04/22/2024	129.98	129.98	06/18/2025
3688	MURDOCH'S RANCH & HOME S	INV-8526910	PREMIXED ENGINE FUEL	07/17/2024	53.98	53.98	06/18/2025
3688	MURDOCH'S RANCH & HOME S	INV-9110042	HOOEY LOUNGER COVER	08/15/2024	33.88	33.88	06/18/2025
3688	MURDOCH'S RANCH & HOME S	INV-9251179	WORK DUNGAREE	08/23/2024	49.99	49.99	06/18/2025
3688	MURDOCH'S RANCH & HOME S	INV-9365518	HEX RED GALV	08/29/2024	5.49	5.49	06/18/2025
Total MURDOCH'S RANCH & HOME SUPPLY:					1,702.58	1,702.58	
NEWMAN SIGNS INC.							
64	NEWMAN SIGNS INC.	TRFINV06133	Signs	06/18/2025	483.76	483.76	06/25/2025
Total NEWMAN SIGNS INC.:					483.76	483.76	
NORTHWESTERN ENERGY							
151	NORTHWESTERN ENERGY	0709793-4 202	City Shop Building 50% 406 Benn	06/13/2025	197.49	197.49	06/25/2025
151	NORTHWESTERN ENERGY	0709793-4 202	City Shop Building 50% 406 Benn	06/13/2025	197.49	197.49	06/25/2025
151	NORTHWESTERN ENERGY	0709794-2 202	WRF 316 Bennett	06/06/2025	468.42	468.42	06/25/2025
151	NORTHWESTERN ENERGY	0709796-7 202	97 View Vista Drive	06/13/2025	15.56	15.56	06/25/2025
151	NORTHWESTERN ENERGY	0709869-2 202	Carol Lane	06/13/2025	136.17	136.17	06/25/2025
151	NORTHWESTERN ENERGY	0709870-0 202	G Street Park - 422 S G	06/13/2025	79.95	79.95	06/25/2025
151	NORTHWESTERN ENERGY	0709871-8 202	Star Addition - Lights	06/13/2025	313.54	313.54	06/25/2025
151	NORTHWESTERN ENERGY	0709873-4 202	800 W Cambridge - Pump Station	06/13/2025	39.29	39.29	06/25/2025
151	NORTHWESTERN ENERGY	0709874-2 202	Werner Addition Pump	06/09/2025	61.50	61.50	06/25/2025
151	NORTHWESTERN ENERGY	0709875-9 202	900 River Drive Pump	06/09/2025	2,890.23	2,890.23	06/25/2025
151	NORTHWESTERN ENERGY	0709876-7 202	132 South B Street - B St Well	06/10/2025	1,735.44	1,735.44	06/25/2025

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
151	NORTHWESTERN ENERGY	0709878-3 202	227 River Drive - Concessions sta	06/10/2025	236.44	236.44	06/25/2025
151	NORTHWESTERN ENERGY	0709879-1 202	227 River Drive - Softball Field	06/10/2025	410.53	410.53	06/25/2025
151	NORTHWESTERN ENERGY	0709891-6 202	15 Fleshman Creek-Cemetery Wo	06/13/2025	52.58	52.58	06/25/2025
151	NORTHWESTERN ENERGY	0709892-4 202	40 Water Tower Avenue	06/13/2025	70.58	70.58	06/25/2025
151	NORTHWESTERN ENERGY	0709894-0 202	56 Water Tower	06/13/2025	497.88	497.88	06/25/2025
151	NORTHWESTERN ENERGY	0709914-6 202	1011 River Dr - Edge Water Sewe	06/09/2025	32.58	32.58	06/25/2025
151	NORTHWESTERN ENERGY	0719058-0 202	3 Rogers Lane Lift Station	06/09/2025	125.22	125.22	06/25/2025
151	NORTHWESTERN ENERGY	0720048-8 202	330 Bennett 1/4	06/06/2025	591.06-	591.06-	06/25/2025
151	NORTHWESTERN ENERGY	0720048-8 202	330 Bennett 1/4	06/06/2025	591.06-	591.06-	06/25/2025
151	NORTHWESTERN ENERGY	0720048-8 202	330 Bennett 1/4	06/06/2025	591.05-	591.05-	06/25/2025
151	NORTHWESTERN ENERGY	0720176-7 202	Weimer Park	06/13/2025	62.14	62.14	06/25/2025
151	NORTHWESTERN ENERGY	1134866-1 202	N 2nd & Montana & Chinook	06/13/2025	44.42	44.42	06/25/2025
151	NORTHWESTERN ENERGY	1134879-4 202	N 7th & Montana & Chinook	06/13/2025	27.50	27.50	06/25/2025
151	NORTHWESTERN ENERGY	1155965-5 202	229 River Drive	06/13/2025	16.16	16.16	06/25/2025
151	NORTHWESTERN ENERGY	1290352-2 202	School Flasher Park & 13th	06/13/2025	12.15	12.15	06/25/2025
151	NORTHWESTERN ENERGY	1441030-2 202	D & Geyser Well House	06/10/2025	1,841.56	1,841.56	06/25/2025
151	NORTHWESTERN ENERGY	1452951-5 202	Starlow on Monroe	06/09/2025	374.53	374.53	06/25/2025
151	NORTHWESTERN ENERGY	1493850-0 202	412 W Callender	06/13/2025	50.84	50.84	06/25/2025
151	NORTHWESTERN ENERGY	1498936-2 202	I90 & 89S-ing	06/13/2025	15.85	15.85	06/25/2025
151	NORTHWESTERN ENERGY	1594141-2 202	9th & 10th Lift Station	06/09/2025	48.30	48.30	06/25/2025
151	NORTHWESTERN ENERGY	1613803-4 202	M & N on Callender	06/13/2025	34.18	34.18	06/25/2025
151	NORTHWESTERN ENERGY	1728687-3 202	Transfer Station 408 Bennett Stre	06/06/2025	343.66	343.66	06/25/2025
151	NORTHWESTERN ENERGY	1747570-8 202	D & E on Callender	06/13/2025	24.03	24.03	06/25/2025
151	NORTHWESTERN ENERGY	1747572-4 202	F & G on Callender	06/13/2025	11.99	11.99	06/25/2025
151	NORTHWESTERN ENERGY	1893530-4 202	600 W Park	06/13/2025	41.43	41.43	06/25/2025
151	NORTHWESTERN ENERGY	1893536-1 202	E Street & Alley	06/13/2025	14.41	14.41	06/25/2025
151	NORTHWESTERN ENERGY	1893541-1 202	18 W Park	06/13/2025	105.13	105.13	06/25/2025
151	NORTHWESTERN ENERGY	1906055-7 202	815 North 13th - Soccer Fields (Irr	06/13/2025	1.89	1.89	06/25/2025
151	NORTHWESTERN ENERGY	2023479-5 202	900 W Geyser Street School Light	06/13/2025	16.02	16.02	06/25/2025
151	NORTHWESTERN ENERGY	2023484-5 202	1100 W Geyser Street School Lig	06/13/2025	16.02	16.02	06/25/2025
151	NORTHWESTERN ENERGY	2025.6 010789	228 W CALLENDER	06/26/2025	699.68	699.68	06/25/2025
151	NORTHWESTERN ENERGY	2025.6 383724	220 E PARK	06/11/2025	292.76	292.76	06/25/2025
151	NORTHWESTERN ENERGY	2025.6.1	NOTIFICATION 340227421	06/01/2025	2,882.00	2,882.00	06/18/2025
151	NORTHWESTERN ENERGY	2114861-4 202	132 South B Street Lights	06/13/2025	128.96	128.96	06/25/2025
151	NORTHWESTERN ENERGY	2138754-3 202	G Street Park - Mike Webb Park	06/13/2025	273.54	273.54	06/25/2025
151	NORTHWESTERN ENERGY	2171060-3 202	Scale House 408 Bennett Street	06/13/2025	53.53	53.53	06/25/2025
151	NORTHWESTERN ENERGY	3015965-1 202	330 Bennett - Fire Training Center	06/13/2025	71.31	71.31	06/25/2025
151	NORTHWESTERN ENERGY	3093003-6 202	114 West Summit	06/13/2025	16.61	16.61	06/25/2025
151	NORTHWESTERN ENERGY	3093023-4 202	320 North Main	06/13/2025	5.80	5.80	06/25/2025
151	NORTHWESTERN ENERGY	3093027-5 202	105 West Park	06/13/2025	29.52	29.52	06/25/2025
151	NORTHWESTERN ENERGY	3141997-1 202	C & D on Lewis	06/13/2025	12.39	12.39	06/25/2025
151	NORTHWESTERN ENERGY	3184602-5 202	202 South 2nd	06/13/2025	24.46	24.46	06/25/2025
151	NORTHWESTERN ENERGY	3210240-2 202	616 River Drive	06/13/2025	15.85	15.85	06/25/2025
151	NORTHWESTERN ENERGY	3258086-2 202	2800 East Park Lift Station	06/13/2025	123.90	123.90	06/25/2025
151	NORTHWESTERN ENERGY	3258262-9 202	320 Alpenglowl Lift Station	06/09/2025	244.02	244.02	06/25/2025
151	NORTHWESTERN ENERGY	3267010-1 202	330 Bennett - Compactor	06/06/2025	163.68	163.68	06/25/2025
151	NORTHWESTERN ENERGY	3287727-6 202	320 Alpenglowl LN-	06/13/2025	43.57	43.57	06/25/2025
151	NORTHWESTERN ENERGY	3386783-9 202	Btwn G and H on Clark	06/13/2025	30.87	30.87	06/25/2025
151	NORTHWESTERN ENERGY	3386845-6 202	Btwn I and K on Callender	06/13/2025	24.27	24.27	06/25/2025
151	NORTHWESTERN ENERGY	3386846-4 202	Btwn 7th and 8th on Summit	06/13/2025	8.87	8.87	06/25/2025
151	NORTHWESTERN ENERGY	3506014-4 202	Brookstone/Elm	06/13/2025	5.89	5.89	06/25/2025
151	NORTHWESTERN ENERGY	3566038-0 202	114 East Callender	06/13/2025	27.83	27.83	06/25/2025
151	NORTHWESTERN ENERGY	3566039-8 202	115 East Lewis	06/13/2025	25.55	25.55	06/25/2025
151	NORTHWESTERN ENERGY	3585235-9 202	New WRF 316 Bennett	06/06/2025	11,435.89	11,435.89	06/25/2025
151	NORTHWESTERN ENERGY	3643752-3 202	115 East Clark	06/13/2025	81.63	81.63	06/25/2025
151	NORTHWESTERN ENERGY	3643753-1 202	112 East Clark	06/13/2025	43.20	43.20	06/25/2025
151	NORTHWESTERN ENERGY	3678204-3 202	502 River Dr. Pmp	06/10/2025	182.63	182.63	06/25/2025

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
151	NORTHWESTERN ENERGY	3725873-8 202	340 Bennett	06/13/2025	37.29	37.29	06/25/2025
151	NORTHWESTERN ENERGY	3753023-5 202	410 Bennett Transfer St Shop	06/06/2025	316.27	316.27	06/25/2025
151	NORTHWESTERN ENERGY	3787060-7 202	Green Acres Lights	06/13/2025	80.33	80.33	06/25/2025
151	NORTHWESTERN ENERGY	3787427-8 202	Green Acres	06/13/2025	244.07	244.07	06/25/2025
151	NORTHWESTERN ENERGY	3828216-6 202	203 W Callender	06/13/2025	39.53	39.53	06/25/2025
151	NORTHWESTERN ENERGY	3867654-0 202	2222 Willow Dr. Lt A	06/13/2025	36.15	36.15	06/25/2025
151	NORTHWESTERN ENERGY	3913678-3 202	Green Acres Park -	06/06/2025	63.32	63.32	06/25/2025
151	NORTHWESTERN ENERGY	3950711-6 202	Scenic Drive & Sweetgrass Lane	06/13/2025	49.80	49.80	06/25/2025
151	NORTHWESTERN ENERGY	4094896-0 202	207 Antelope Drive Lift Station (Fe	06/09/2025	12.98	12.98	06/25/2025
151	NORTHWESTERN ENERGY	4134094-4 202	200 E Reservoir	06/13/2025	67.72	67.72	06/25/2025
Total NORTHWESTERN ENERGY:					26,785.60	26,785.60	
OCLC, INC.							
1560	OCLC, INC.	1000432248	IFM DEBITS	05/31/2025	15.26	15.26	06/25/2025
Total OCLC, INC.:					15.26	15.26	
OLSON, SCOTT							
10000	OLSON, SCOTT	2025.5	REIMB-TRAVEL	05/21/2025	162.00	162.00	06/25/2025
Total OLSON, SCOTT:					162.00	162.00	
PARK COUNTY							
272	PARK COUNTY	01013039	REIMB PURCHASE OPTIPLEX	04/30/2025	909.00	909.00	06/25/2025
Total PARK COUNTY:					909.00	909.00	
PEAK WATER SERVICES LLC							
10007	PEAK WATER SERVICES LLC	INVPWS3254	REPAIRS	10/21/2024	1,455.00	1,455.00	06/25/2025
10007	PEAK WATER SERVICES LLC	INVPWS3880	PUMP ROTATING ASSEMB	04/24/2025	3,425.00	3,425.00	06/25/2025
10007	PEAK WATER SERVICES LLC	INVPWS3976	IMPELLER AND PARTS	05/23/2025	5,030.68	5,030.68	06/25/2025
Total PEAK WATER SERVICES LLC:					9,910.68	9,910.68	
PITNEY BOWES							
10001	PITNEY BOWES	3320555172	CITY HALL LEASE	03/25/2025	187.55	187.55	05/06/2025
10001	PITNEY BOWES	3320555172	CITY HALL LEASE	03/25/2025	187.55	187.55	05/06/2025
10001	PITNEY BOWES	3320555172	CITY HALL LEASE	03/25/2025	187.55	187.55	05/06/2025
Total PITNEY BOWES:					562.65	562.65	
REPUBLIC SERVICES #670							
10000	REPUBLIC SERVICES #670	0670-0005266	DISPOSAL/RECYCLING	04/30/2025	80,599.50	80,599.50	06/25/2025
10000	REPUBLIC SERVICES #670	0670-0005314	DISPOSAL/RECYCLING	05/31/2025	85,521.53	85,521.53	06/25/2025
10000	REPUBLIC SERVICES #670	C0670-000508	OVERPAYMENT	01/31/2025	12,845.04-	12,845.04-	06/25/2025
10000	REPUBLIC SERVICES #670	C0670-000513	OVERPAYMENT	02/28/2025	10,385.02-	10,385.02-	06/25/2025
10000	REPUBLIC SERVICES #670	C0670-000521	OVERPAYMENT	03/31/2025	13,713.91-	13,713.91-	06/25/2025
10000	REPUBLIC SERVICES #670	C0670-000526	OVERPAYMENT	04/30/2025	16,357.76-	16,357.76-	06/25/2025
10000	REPUBLIC SERVICES #670	C0670-000531	OVERPAYMENT	05/31/2025	16,734.60-	16,734.60-	06/25/2025
Total REPUBLIC SERVICES #670:					96,084.70	96,084.70	
RIOS, ABEL							
10001	RIOS, ABEL	2025.5	REIMB-TRAVEL	05/21/2025	432.68	432.68	06/25/2025

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total RIOS, ABEL:					432.68	432.68	
RIVER BEND THREADS							
2299	RIVER BEND THREADS	6521	JACKET	05/20/2025	150.00	150.00	06/25/2025
Total RIVER BEND THREADS:					150.00	150.00	
RIVERSIDE HARDWARE LLC							
3659	RIVERSIDE HARDWARE LLC	252458	Batteries	06/17/2025	19.98	19.98	06/25/2025
Total RIVERSIDE HARDWARE LLC:					19.98	19.98	
ROCKY MOUNTAIN SUPPLY INC							
10006	ROCKY MOUNTAIN SUPPLY INC	035396	MOLY EXTREME	06/11/2025	143.00	143.00	06/25/2025
Total ROCKY MOUNTAIN SUPPLY INC:					143.00	143.00	
SCHWARZ AND SON WOODWORKING LLC							
10007	SCHWARZ AND SON WOODWO	1	REPAIR FIREWALL	06/10/2025	300.00	300.00	06/25/2025
Total SCHWARZ AND SON WOODWORKING LLC:					300.00	300.00	
SCJ ALLIANCE CONSULTING SERVICES							
10006	SCJ ALLIANCE CONSULTING S	81393	ZONING CODE UPDATE	06/10/2025	4,526.75	4,526.75	06/25/2025
Total SCJ ALLIANCE CONSULTING SERVICES:					4,526.75	4,526.75	
TARGET SOLUTIONS LEARNING LLC							
3780	TARGET SOLUTIONS LEARNIN	FL64455	obervation reports	01/09/2025	551.25	551.25	06/25/2025
Total TARGET SOLUTIONS LEARNING LLC:					551.25	551.25	
THE MAIN PRINT SHOP							
10006	THE MAIN PRINT SHOP	21677	RATE INCREASE MAILER	06/20/2025	418.00	418.00	06/25/2025
10006	THE MAIN PRINT SHOP	21677	RATE INCREASE MAILER	06/20/2025	418.00	418.00	06/25/2025
Total THE MAIN PRINT SHOP:					836.00	836.00	
TK ELEVATOR CORPORATION							
10003	TK ELEVATOR CORPORATION	5002886806	LABOR OUTSIDE CONTRACT	05/19/2025	477.50	477.50	06/25/2025
10003	TK ELEVATOR CORPORATION	ACIA-2BO62S	FIVE YEAR SAFETY TEST	05/09/2025	3,864.13	3,864.13	06/25/2025
Total TK ELEVATOR CORPORATION:					4,341.63	4,341.63	
TOWN & COUNTRY FOODS - LIVINGSTON							
2595	TOWN & COUNTRY FOODS - LI	2025.16	Station Supplies	06/04/2025	21.02	21.02	06/25/2025
Total TOWN & COUNTRY FOODS - LIVINGSTON:					21.02	21.02	
US BANK							
10005	US BANK	2888834	URBAN RENEWAL REV BONDS	05/05/2025	105,000.00	105,000.00	06/18/2025
10005	US BANK	2888834	URBAN RENEWAL REV BONDS	05/05/2025	27,012.50	27,012.50	06/18/2025
10005	US BANK	2896495	GENERAL OBLIGATION BONDS	05/09/2025	35,000.00	35,000.00	06/18/2025
10005	US BANK	2896495	GENERAL OBLIGATION BONDS	05/09/2025	8,771.88	8,771.88	06/18/2025

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total US BANK:					175,784.38	175,784.38	
US BANK EQUIPMENT FINANCE							
10001	US BANK EQUIPMENT FINANCE	557245263	COPIER	06/06/2025	513.32	513.32	06/25/2025
Total US BANK EQUIPMENT FINANCE:					513.32	513.32	
US POST OFFICE							
2596	US POST OFFICE	20250620	2026 RATE CHANGE NOTICE	06/20/2025	942.48	942.48	06/20/2025
2596	US POST OFFICE	20250620	2026 RATE CHANGE NOTICE	06/20/2025	942.48	942.48	06/20/2025
Total US POST OFFICE:					1,884.96	1,884.96	
VERIZON WIRELESS							
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	61.75	61.75	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	47.11	47.11	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	19.44	19.44	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	19.44	19.44	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	19.44	19.44	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	61.75	61.75	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	61.75	61.75	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	19.44	19.44	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	19.44	19.44	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	19.44	19.44	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	19.44	19.44	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	19.44	19.44	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	19.44	19.44	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	43.19	43.19	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	43.19	43.19	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	16.85	16.85	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	16.85	16.85	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	21.60	21.60	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	21.60	21.60	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	19.44	19.44	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	19.44	19.44	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	.00	.00	
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	47.11	47.11	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	47.11	47.11	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	14.11	14.11	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	11.98	11.98	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	47.11	47.11	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	19.44	19.44	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	19.44	19.44	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	61.75	61.75	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	23.56	23.56	06/25/2025
879	VERIZON WIRELESS	6115534424	JUNE CELLPHONES	06/08/2025	23.59	23.59	06/25/2025
879	VERIZON WIRELESS	6115534425	JUNE CELLPHONES	06/08/2025	20.29	20.29	06/25/2025
879	VERIZON WIRELESS	6115534425	JUNE CELLPHONES	06/08/2025	64.43	64.43	06/25/2025
879	VERIZON WIRELESS	6115534425	JUNE CELLPHONES	06/08/2025	20.29	20.29	06/25/2025
879	VERIZON WIRELESS	6115534425	JUNE CELLPHONES	06/08/2025	20.29	20.29	06/25/2025
879	VERIZON WIRELESS	6115534425	JUNE CELLPHONES	06/08/2025	64.43	64.43	06/25/2025
879	VERIZON WIRELESS	6115534425	JUNE CELLPHONES	06/08/2025	64.43	64.43	06/25/2025
879	VERIZON WIRELESS	6115534425	JUNE CELLPHONES	06/08/2025	23.98	23.98	06/25/2025
879	VERIZON WIRELESS	6115534425	JUNE CELLPHONES	06/08/2025	20.29	20.29	06/25/2025
879	VERIZON WIRELESS	6115534425	JUNE CELLPHONES	06/08/2025	20.29	20.29	06/25/2025
879	VERIZON WIRELESS	6115534425	JUNE CELLPHONES	06/08/2025	20.29	20.29	06/25/2025
879	VERIZON WIRELESS	6115534425	JUNE CELLPHONES	06/08/2025	20.29	20.29	06/25/2025

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
879	VERIZON WIRELESS	6115534425	JUNE CELLPHONES	06/08/2025	20.29	20.29	06/25/2025
879	VERIZON WIRELESS	6115534425	JUNE CELLPHONES	06/08/2025	20.29	20.29	06/25/2025
879	VERIZON WIRELESS	6115534425	JUNE CELLPHONES	06/08/2025	12.50	12.50	06/25/2025
879	VERIZON WIRELESS	6115534425	JUNE CELLPHONES	06/08/2025	64.49	64.49	06/25/2025
879	VERIZON WIRELESS	6115534425	JUNE CELLPHONES	06/08/2025	20.29	20.29	06/25/2025
879	VERIZON WIRELESS	6115534425	JUNE CELLPHONES	06/08/2025	20.29	20.29	06/25/2025
879	VERIZON WIRELESS	6115534425	JUNE CELLPHONES	06/08/2025	20.29	20.29	06/25/2025
879	VERIZON WIRELESS	6115534425	JUNE CELLPHONES	06/08/2025	20.29	20.29	06/25/2025
879	VERIZON WIRELESS	6115534425	JUNE CELLPHONES	06/08/2025	12.50	12.50	06/25/2025
879	VERIZON WIRELESS	6115534425	JUNE CELLPHONES	06/08/2025	12.50	12.50	06/25/2025
879	VERIZON WIRELESS	6115534425	JUNE CELLPHONES	06/08/2025	12.50	12.50	06/25/2025
879	VERIZON WIRELESS	6115534425	JUNE CELLPHONES	06/08/2025	45.10	45.10	06/25/2025
879	VERIZON WIRELESS	6115534425	JUNE CELLPHONES	06/08/2025	20.29	20.29	06/25/2025
879	VERIZON WIRELESS	6115534425	JUNE CELLPHONES	06/08/2025	49.22	49.22	06/25/2025
879	VERIZON WIRELESS	6115534426	JUNE CELLPHONES	06/08/2025	86.54-	86.54-	06/25/2025
879	VERIZON WIRELESS	6115534426	JUNE CELLPHONES	06/08/2025	49.92	49.92	06/25/2025
879	VERIZON WIRELESS	6115534426	JUNE CELLPHONES	06/08/2025	49.92	49.92	06/25/2025
879	VERIZON WIRELESS	6115534426	JUNE CELLPHONES	06/08/2025	49.92	49.92	06/25/2025
879	VERIZON WIRELESS	6115534426	JUNE CELLPHONES	06/08/2025	49.92	49.92	06/25/2025
879	VERIZON WIRELESS	6115534426	JUNE CELLPHONES	06/08/2025	49.92	49.92	06/25/2025
879	VERIZON WIRELESS	6115534426	JUNE CELLPHONES	06/08/2025	49.92	49.92	06/25/2025
879	VERIZON WIRELESS	6115534426	JUNE CELLPHONES	06/08/2025	49.92	49.92	06/25/2025
879	VERIZON WIRELESS	6115534426	JUNE CELLPHONES	06/08/2025	49.92	49.92	06/25/2025
879	VERIZON WIRELESS	6115534426	JUNE CELLPHONES	06/08/2025	49.92	49.92	06/25/2025
879	VERIZON WIRELESS	6115534426	JUNE CELLPHONES	06/08/2025	49.92	49.92	06/25/2025
879	VERIZON WIRELESS	6115534426	JUNE CELLPHONES	06/08/2025	49.92	49.92	06/25/2025
879	VERIZON WIRELESS	6115534426	JUNE CELLPHONES	06/08/2025	49.92	49.92	06/25/2025
879	VERIZON WIRELESS	6115534426	JUNE CELLPHONES	06/08/2025	49.92	49.92	06/25/2025
879	VERIZON WIRELESS	6115534426	JUNE CELLPHONES	06/08/2025	49.92	49.92	06/25/2025
879	VERIZON WIRELESS	6115534426	JUNE CELLPHONES	06/08/2025	24.00	24.00	06/25/2025
Total VERIZON WIRELESS:					2,321.93	2,321.93	
WARREN WELDING, LLC							
10003	WARREN WELDING, LLC	12926	TRAINING FACILITY REHAB	05/28/2025	6,207.00	6,207.00	06/25/2025
10003	WARREN WELDING, LLC	12927	MOUNTING PLATES	05/29/2025	315.19	315.19	06/25/2025
Total WARREN WELDING, LLC:					6,522.19	6,522.19	
WHISTLER TOWING, LLC							
3237	WHISTLER TOWING, LLC	9186	M4 OIL CHANGE	06/05/2025	492.26	492.26	06/25/2025
3237	WHISTLER TOWING, LLC	9487	TOW CHEVROLET	06/14/2025	275.00	275.00	06/25/2025
3237	WHISTLER TOWING, LLC	9553	TOW	06/19/2025	275.00	275.00	06/25/2025
Total WHISTLER TOWING, LLC:					1,042.26	1,042.26	
WISPWEST.NET							
2087	WISPWEST.NET	445634	Internet-CIVIC CENTER	06/21/2025	63.51	63.51	06/25/2025
2087	WISPWEST.NET	445634	Internet SOCCER	06/21/2025	85.19	85.19	06/25/2025
Total WISPWEST.NET:					148.70	148.70	
YELLOWSTONE NEWS GROUP							
10005	YELLOWSTONE NEWS GROUP	645710	COMMISISION	06/14/2025	39.00	39.00	06/25/2025

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total YELLOWSTONE NEWS GROUP:					39.00	39.00	
ZALE FILCE							
10007	ZALE FILCE	2025.5	REIMB-TRAVEL	05/21/2025	162.00	162.00	06/25/2025
Total ZALE FILCE:					162.00	162.00	
Grand Totals:					518,096.45	518,096.45	

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

File Attachments for Item:

C. APPROVAL OF AGREEMENT 20194 COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF LIVINGSTON AND LOCAL #630, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS



DATE: July 1, 2025
TO: Chair Schwarz and City Commissioners
FROM: Cari Rubin, Human Resources Director
RE: Staff Report for Collective Bargaining Agreement 20194 between the City of Livingston and Local #630, International Association of Firefighters

Recommendation and Summary

Staff is recommending the Commission approve the two-year Collective Bargaining Agreement with Local #630, International Association of Firefighters (IAFF) by adopting the following motion:

"I move to approve Collective Bargaining Agreement 20194 between the City of Livingston and Local #630, International Association of Firefighters."

The reasons for the recommendation are as follows:

- The City has recently reached a tentative agreement with IAFF #630 for covered positions within the Fire and Rescue Department.
- The contract reflects updated language and terms that have been mutually agreed upon.

Introduction and History

The International Association of Firefighters, Local #630, represents the City of Livingston's Fire Department employees, with the exception of the Fire Chief, all Fire Reserves, the Administrative Assistant, Community Nurse/Paramedic, and the Mobile Crisis Response Team Members. With the previous Collective Bargaining Agreement expiring on June 30, 2025, both teams have worked to negotiate a contract that recognizes current conditions and ensures the City remains an attractive place to work.

Analysis

As part of this process, a thorough analysis was conducted to compare current base wages and benefits to similar-sized and located agencies in Montana. This agreement includes wage adjustments ranging from 2-10% in the first year and 4-6% in the second year based on that analysis. The agreement also creates a new non-paramedic Firefighter/EMT classification.

**Fiscal Impact**

This agreement is funded in the City Manager's recommended budget for FY 2025-26. For FY 2025-26, the aggregate additional base wages for the existing 14 positions covered by this contract are expected to be approximately \$55,140 greater than the current year wages. The FY 2025-26 budget also includes funding for 4 additional employees at the newly created non-paramedic Firefighter/EMT classification, which has an annual base wage of \$51,851. All salary and benefit expenditures for the covered positions are shared between the General Fund and Ambulance Fund.

Strategic Alignment

This Collective Bargaining Agreement will allow the City to foster a diverse and highly engaged workforce.

Attachments

- Attachment A: Collective Bargaining Agreement 20194 between the City of Livingston and Local #630, International Association of Firefighters (IAFF), dated July 1, 2025 – June 30, 2027



Collective Bargaining Agreement
by and between
City of Livingston and IAFF Local #630

July 1, 2025 through June 30, 2027

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LABOR AGREEMENT

This agreement is entered into by and between: the CITY OF LIVINGSTON, Livingston, Montana, hereinafter referred to as the EMPLOYER; and LOCAL #630, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, hereinafter referred to as the UNION.

It is the purpose of this Agreement to provide a framework for the City of Livingston and IAFF Local #630 for the provision of exceptional Fire Fighting and EMS service to citizens of Livingston, MT and Park County, MT. Additionally, this Agreement strives to provide equitable compensation to the members of the Union and provide a simple, effective framework for the City to administer services. Lastly, this Agreement will facilitate harmonious relations between the City and the Union, to provide for equitable and peaceful adjustment of differences which may arise.

ARTICLE 1 – RECOGNITION

Section 1.1 – Recognition -The Employer recognizes the Union as the exclusive agent for employees of the Livingston Fire & Rescue Department, excluding the following classifications:

- *Fire Chief
- *All Reserve members
- *Administrative Assistant
- *Community Nurse/Paramedic
- *Mobile Crisis Response Team members

Section 1.2 – 24-hour Overnight Shift Qualified Reserve – A Shift qualified reserve shall be defined as a member of the reserves who has achieved at least the minimum certifications of Firefighter I and EMT or Firefighter I and Paramedic

Section 1.3 – 12-hour Shift Ambulance Qualified Reserve – An ambulance qualified reserve shall be defined as an individual with a minimum of an EMT certification and or Paramedic certification, but does not have Firefighter I certification. This position is not eligible for overnight shifts.

ARTICLE 2 – UNION SECURITY

Section 2.1 – Reserved

Section 2.2 – Reserved

Section 2.3 – Union Dues – Union dues as certified by the Secretary and/or Treasurer of the Union, will be withheld from each employee's pay by the City upon written authorization of the employee, and at the end of each month the withholdings will be forwarded to the

Secretary-Treasurer of the Union.

Section 2.4 – Discrimination – The Employer agrees not to discriminate against any employee for their activity in behalf of, or membership in, the Union. The Employer and Union agree that there will be no discrimination against any employee because of gender, race, creed, color, religion, national origin, age, marital status, status as a covered veteran, sex, or any other local, state, or federally protected employment categories.

ARTICLE 3 – PREVAILING RIGHTS

Section 3.1 – Prevailing Rights – All rights and privileges held by the employee at the present time which have not been included in any manner in this Agreement shall remain in force, unchanged and unaffected. These rights are defined as any working condition or use of the work facilities that is not covered in the collective bargaining agreement, but that is followed by both parties (or followed by one party and not challenged by the other) over a period of time.

ARTICLE 4 – MANAGEMENT RIGHTS

Section 4.1 – Management Rights – Except as expressly modified or restricted by a specific provision of this agreement, all statutory and inherent managerial rights, prerogatives, and functions are retained and vested exclusively in the Employer, including, but not limited to, the rights:

- A. To reprimand, suspend, discharge, or otherwise discipline employees, for cause;
- B. To hire employees, determine their qualifications, and assign and direct their work;
- C. To promote, demote, transfer, lay-off, recall to work, and rehire employees;
- D. To set the standards of productivity, and/or the services to be rendered;
- E. To maintain the efficiency of operations;
- F. To determine the personnel, methods, means, organizational structure, job classifications, and facilities by which operations are conducted;
- G. To control and regulate the use of machinery, tools, equipment, and all other property of the Employer;
- H. To determine the number, location and operation of departments, divisions, and all other units of the Employer;
- I. To issue, amend and revise policies, rules, regulations, and practices;
- J. To take whatever action may be necessary to carry out the missions of the agency in situations of emergency;

Failure of the Employer to exercise any right, prerogative, or function in a particular way, shall not be deemed a waiver of the Employer's right to exercise such right, prerogative, or function or preclude it from exercising the same in some other way not in conflict with the express

provisions of the Agreement. The above enumerated management rights are understood to be exclusive rights of management. These rights shall not abrogate the terms of this Agreement.

ARTICLE 5 – POLICY & PROCEDURES

Section 5.1 – Policies and Procedures – Any policy contained with the City of Livingston Employee Policy and Procedure Manual, effective before July 01, 2016, or future versions, and not contrary to any item covered by this Agreement shall be controlling in the absence of any other written agreements between the Employer and the Union.

Section 5.2 – Policies Affecting Working Conditions – The Employer agrees that any subsequent policy or procedure changes which affect working conditions and performance shall be subject to the grievance procedure. If such policies or procedures propose to change working conditions, such changes will be collectively bargained by both parties.

Section 5.3 – Use of Fire Station – Fire and Rescue employees may use the fire station for minor maintenance (drivable on 10 minutes' notice) and washing of their personal vehicles and equipment, after 1800 hours during the weekday and after 1200 hours on weekend days with permission of the Officer in Charge. Such work shall stop at 2200 hours. The Officer giving permission for such use should take into consideration outside weather conditions, so that Fire Department equipment is not left outside with the engine running during inclement weather while work is being done on personal vehicles and equipment. Employees shall not use consumable department supplies (oil, soap, etc.) for the purpose of the activities permitted above. The Officer in Charge, or the Fire Chief, may limit or prohibit personal use of the fire station at any time.

Employees shall provide the Employer with a copy of their vehicle insurance policies.

ARTICLE 6 – WAGES, HOURS, HOLIDAYS

Section 6.1 – Wages, Time Keeping and Pay Period – See Appendix 'A' for wages. All time keeping shall be in 30 minute increments. Pay period is defined as all compensated hours between the first through the fifteenth of the month and the sixteenth through the last day of the month. Shift Captains are responsible to review all timekeeping records for their shift prior to leaving the station at the end of each shift. Standards for rounding are as follows: 0-14 minutes do not round up, 15-44 minutes' rounds to .5 of the hour, 45-59 minutes' rounds to the next full hour.

Section 6.1.1 – Health insurance premium contribution, as related to retirement calculation – The City's contribution toward employee health insurance will be added to the employee's gross pay for purposes of computing retirement compensation. As part of this collective bargaining agreement, employees are required to authorize a payroll deduction from the employee's gross pay equal to the City's contribution toward employee's health insurance. This deduction from the employee's gross pay will be paid to provide health

insurance benefits for employees.

The purpose of including the City's contribution toward employee's health insurance in the employee's gross pay is solely for the purpose of augmenting the employee's eventual retirement benefit. The purpose of including the City's health insurance contribution in the employee's gross pay is not to result in additional net income to the employee. It is hereby acknowledged that both employee and employer retirement contributions will be required on this additional gross income – causing a decrease to the net income of the employee. The City's additional expenses due to rolling health insurance into the base pay for purposes of retirement computation shall be recognized as part of the base for wage parity comparison purposes with other jurisdictions. It is also acknowledged that the inclusion of the City's health insurance contribution in the employee's gross pay does not by its nature affect overtime compensation, future pay increases, or other similar benefits. In the event that any subsequent law, court, arbitrator, or other lawful authority determines that the inclusion of the City's health insurance contribution in the employee's gross pay affects overtime compensation then the parties agree that there will be a corresponding adjustment to the affected hourly rate, pay, or benefit, to carry out this provision. The intent of such adjustment will be to result in the least net financial effect on both the employee and the employer.

Section 6.2 – Overtime Pay – Overtime is defined as hours worked in excess of 121 hours in the defined 16-day FLSA work period. Overtime except for the non-shift workers positions, see Sections 1.2 and 1.3, will be compensated at 1 ½ times the regular hourly rate for all hours worked in excess of 121 hours in the defined 16-day FLSA work period, as set forth in Section 7 (k) of the Fair Labor Standards Act. Vacation and Military hours will not accrue towards the 121 hours. Sick leave, and bereavement leave shall accrue towards the 121 hours. There shall be no pyramiding of overtime or premium rates.

Premium hours in excess of 121 hours in a 16-day FLSA period shall not be added to the hours worked. Premium hours less than 121 hours in a 16-day FLSA period shall be counted as hours worked until hours worked exceed the 121 hour limit.

Section 6.3 – Call Back – All employees covered by the terms of this Agreement who are called back to work while off-duty for an emergency situation will receive a minimum of one (1.0) hour call back pay and shall be compensated at a rate of 1 ½ times the regular hourly rate for up to the first one hour of call back status. Compensation for the initial call back will be considered compensation for all call backs within that hour. Additional time spent on call back status will be compensated at the appropriate regular hourly rate, overtime rate, or holiday rate.

Section 6.3.1 – Call Back on a Holiday – Emergency Call back on holidays will pay two times the regular hourly rate for up to the first hour and will then be compensated at 1.5 times the regular hourly rate.

Section 6.4 – Shift Coverage – An employee filling in for another's leave shall be on a rank for rank basis and compensated at a rate of 1 ½ times the regular hourly rate of pay for two hours. Additional time spent on shift will be compensated at the appropriate regular hourly

rate, overtime rate, or holiday rate.

Section 6.5 – Special Events – Employee's providing coverage for special events will be compensated at a rate of 1 ½ times the regular hourly rate or at the holiday rate.

Section 6.6 – Transfer Pay - Paramedics and Critical Care Paramedics will be compensated at the rate of 1 ½ times the regular hourly rate for transfers. Paramedics and Critical Care Paramedics will receive the below incentive pay for participation in inter-facility transfers:

- All transfers not covered by separate agreements for BLS, ALS, and Flight Team level of care qualify for \$100 transfer incentive for all personnel (depending on billing and corresponding certification). All transfers not covered by separate agreements for Critical Care qualify for \$150 transfer incentive. Critical Care transfers shall be defined as any transfer which is billed at a Critical Care Rate.
- In addition to the above, all transfers from facilities with a separate agreement will be compensated according to the agreement. In the event that agreement is modified or terminated, the City and Local #630 agree to revisit this provision of the CBA.
- On duty-personnel shall make a minimum of two attempts to page in off-duty personnel for non-emergent patient transfers. If no off-duty personnel are available, on-duty personnel may be sent at the discretion of the Captain/Watch Commander, and/or the Fire Chief, dependent on availability.
- In-town transfers shall not qualify for incentive pay.

Section 6.7 – Field Training Pay – Employees assigned to precept full time employees, part-time employees, and approved students at Livingston Fire and Rescue shall be eligible for incentive pay of \$0.75 for each hour of precepted time with the aforementioned. Such incentive pay is available for precepted labor approved by the Fire Chief. A precepted individual will be assigned to only one preceptor per shift, who shall be eligible for the incentive payment.

Section 6.8 – Instructor Compensation - Employees assigned to teach classes appointed by the Fire Chief for the Fire Department shall be compensated at the premium rate.

Section 6.9 – Holidays – All members of the Fire Department shall receive thirteen paid holidays per year and any day declared a holiday by the City. Holidays are as follows:

1. New Year's Day – January 1
2. Martin Luther King, Jr.'s Birthday
3. President's Day
4. Good Friday

5. Memorial Day
6. Juneteenth
7. Independence Day – July 4
8. Labor Day
9. Columbus Day – October 12
10. General Election Day (even years)
11. Veteran's Day
12. Thanksgiving Day
13. Christmas Day

Section 6.10 – Holiday Pay - Each member shall receive holiday pay every pay period based on the following formula: Base monthly pay plus an individual's longevity and certification pay if any, multiplied by 12 pay periods, divided by 2080 hours, equals that individual's hourly rate, multiplied by 104 hours, divided by 24 pay periods, equals the holiday pay for one pay period to that employee (4.33 hours' equivalent each pay period). Union holidays begin at midnight (000 hours) and end at 23:59 hours. Employees who actually work on a holiday shall be compensated at a rate of 1 ½ times the regular hourly rate for hours worked during the time of the actual holiday.

Section 6.11 – Working out of Classification – Any member covered by this agreement who is required to accept the responsibility and carry out the duties of a position of rank above that which they normally hold, shall be paid at the rate for that position or rank while so acting.

Section 6.12 – Shift Exchanges – Employees shall have the right to exchange shifts when the change does not interfere with the best interest of the Fire Department and is approved by the Fire Chief or designee. The hours worked will be logged under the employee who originally was scheduled for the shift as if they were actually working the shift and the City is not required to compensate the employee who exchanged shifts with the originally scheduled employee. An employee who has exchanged shifts cannot respond for Call Back or Transfers since they are viewed as already working that shift. Such an employee may respond to an All Page.

Section 6.13 – Vacancy Scheduling – Vacancies will be filled on an equivalent rank basis first from a list of the members based on seniority, qualifications, with the least financial impact, and as equally distributed as the work schedule allows.

Members may have the opportunity to refuse such vacancy scheduling.

If not enough members are available to staff a shift or an emergency event, the next member on the Overnight Shift Qualified Reserve (as defined in Section 1.2) list will be called. If no members or reserves are available to fill the vacancy, the shifts will be assigned to members of equivalent rank with the lowest hours, at least two-weeks prior to shift.

Section 6.13.1 – Mandatory Holdover – If all qualified reserves and members are unavailable for the shift, the equally ranked member coming off shift shall remain on-duty until the shift can be filled or the Battalion Chiefs may be utilized for overtime shift coverage. In all cases, the vacancy shall be filled with the least financial impact to the City.

When an Overnight Shift Qualified Reserve is utilized to staff a vacant shift or emergency event, the equal ranked member coming off shift may be required to return for a portion of the shift, if that portion of the shift is unable to be filled by another qualified member or Overnight Shift Qualified Reserve.

Section 6.14 – Certification Pay – Certification Pay is offered by the City to encourage employees to achieve higher levels of skills that allow provision of a higher quality service to the Citizens of Livingston and Park County. All Certifications must be kept current in order to be eligible for certification pay. Tracking and compliance of certification renewals for EMS is the expressed duty of the employee.

Section 6.15 – Overnight Shift Qualified Reserve – When a scheduled Overnight Shift Qualified Reserve is on a 12-hour shift, the Overnight Shift Qualified Reserve may be used as a fulltime firefighter for call back purposes. The Overnight Shift Qualified Reserve may also be used as a fill-in for 1 fulltime firefighter for up to 24 hours per 24 hour shift.

An overnight shift qualified reserve may backfill when an on-duty reserve is currently being utilized for a transfer.

Section 6.16 – Ambulance Qualified Reserve – When an Ambulance Qualified Reserve is on a 12-hour shift, the Ambulance Qualified Reserve may be used for EMS call back purposes.

An ambulance shift qualified reserve may backfill when an on-duty reserve is currently being utilized for a transfer.

Section 6.17 – Command Staff Coverage - The Union agrees that while member(s) have responsibility for providing command, members shall avoid participating in inter facility transfers.

ARTICLE 7 – VACATIONS

Section 7.1 – Vacation Accumulation, Based on Service – Annual vacation leave is accumulated in accordance with MCA 2-18-617. Employees covered by this Agreement shall accrue vacation leave, based on service time, as follows:

	<u>40 hr/wk Employee</u>	<u>40 hr / wk Annual Maximum</u>	<u>42 hr/wk Employee</u>	<u>42 hr / wk Annual Maximum</u>
1 to 10 Years of Service	10 hr/mo	120 hours	10.6 hr/mo.	127.2 hours
11 to 15 Years of Service	12 hr/mo.	144 hours	12.6 hr/mo.	151.2 hours
16 to 20 Years of Service	14 hr/mo	168 hours	14.7 hr/mo.	176.4 hours
20 Years of Service and beyond	16 hr/mo.	192 hours	16.7 hr/mo.	200.4 hours

Local #630 of the IAFF and its membership agree that the Employer (City), by increasing vacation leave for employees that work under the 7(k) schedule, does not become obligated to retroactively increase vacation leave to the date the 7(k) schedule was established to the date of this Agreement; and, Local #630 of the IAFF and its membership agree to waive any and all claims for increased vacation leave from the date the 7(k) schedule was established to the date of this Agreement.

Section 7.2 – Vacation Leave Bidding – November 1st through December 31st, employees may bid for annual vacation leave. Vacation awards shall be made by seniority. Vacations should be scheduled to maintain a proper mix of personnel to meet department needs. After January 1st, vacation time shall be granted on a first come first serve basis. Where an employee has not scheduled their full vacation time during the bidding period, a one weeks' notice of intent to use remaining time must be given, provided a conflict does not exist with another scheduled vacation.

Section 7.3 – Scheduling Vacation Vacancies – Shifts will be 24 or 12 hours, which will be filled from a list of members based on seniority, qualifications, and as equally distributed as the work schedule allows. Members scheduled to work vacation vacancies are responsible for the coverage of that shift.

Section 7.4 – Maximum Annual Vacation Accumulation - The maximum annual leave amount accumulated is twice the number of hours earned annually at the end of any calendar year. If the employee's vacation leave exceeds the maximum amount the employee will have the following options:

- 1 . The employee can request the amount of their use or lose time balance, in a cash payout.
2. That amount may be all cash, hours deposited into Sick Time bank, or a split of those options.

The Employee will be notified by January 15 if they have exceeded the maximum amount as calculated above. The Employee will notify the City by January 31st in writing on which option they will choose. All payouts and or hours rolled into the sick bank will be completed by April 5th.

Section 7.5 – Unused Vacation – Upon a member’s severance from the Fire Department, one hundred percent (100%) of accumulated vacation leave will be paid.

ARTICLE 8 – SICK & BEREAVEMENT LEAVE

Section 8.1 – Sick Leave Accumulation – Members shall earn sick leave for at the following rates based on scheduled work week:

	<u>40 hr/wk Employee</u>	<u>42 hr/wk Employee</u>
All Years of Service	8 hr/mo	8.5 hr/mo.

Local #630 of the IAFF and its membership agree that the Employer (City), by increasing sick leave for employees that work under the 7(k) schedule, does not become obligated to retroactively increase sick leave to the date the 7(k) schedule was established to the date of this Agreement; and, Local #630 of the IAFF and its membership agree to waive any and all claims for increased sick leave from the date the 7(k) schedule was established to the date of this agreement.

Section 8.2 – Unused Sick Leave - Upon a members severance from the Fire Department, twenty five percent (25%) of the accumulated leave will be paid.

Section 8.3 – Bereavement Leave - In the event of a death in the immediate family of an employee, as defined by The City of Livingston Employee Policy and Procedure Manual, the employee shall be granted a minimum leave, as follows:

Shift workers shall receive two (2) working days for any death in immediate family as defined in City personnel policy.

Members working either 8 or 10 hour days, shall receive 40 hours (4 or 5 days based on schedule) for any death in the immediate family as defined in City personnel policy.

ARTICLE 9 - GROUP MEDICAL COVERAGE

Section 9.1 – Insurance Benefits – The employer shall provide a monthly stipend for Health Benefits for each employee desiring such coverage for themselves and their dependents, if any.

In each year, the stipend shall increase at a rate reflective of those of the insurance company. The stipend will increase by the same value offered to all other City employees.

The employee shall decide plan(s) to elect at hire and each open enrollment period within the City’s providers including: flexible spending accounts, a health savings account or a health reimbursement account, according to plan eligibility rules.

An eligible employee may waive the medical plans offered by the City, **but only with proof of other active medical coverage**. The employee may still choose to enroll in the City medical plan, even if they have other medical coverage. If the employee waives the City medical plan, with proof of other coverage, they will have access to a monthly stipend amount equal to the normal monthly stipend amount less the lowest monthly cost City medical plan that they would have otherwise been eligible to elect. Eligible employees who waive the City medical plan, will have a portion of their monthly stipend contributed to a Health Reimbursement Account (HRA) and will also be able to use remaining monthly stipend funds to participate in other flexplan benefits.

During the annual open enrollment period, usually mid-May through mid-June of each fiscal year, employees desiring a change of insurance benefit elections for each new fiscal year beginning July 1, may make those changes in writing with the Employer.

The City may change carriers providing substantially the same coverage, however any changes in coverage would be mutually agreed upon with the City and the Insurance Committee representing the interests of all City employees.

Section 9.2 – Employee Responsibility for Additional Premiums – If an employee selects insurance benefit coverage above the City monthly stipend contribution, then the employee shall pay the balance pre or post-tax, depending on the benefit election, per paycheck.

ARTICLE 10 - DESIGNATIONS, VACANCIES AND PROMOTIONS

Section 10.1 – Promotion - When a permanent vacancy occurs in any union position in the Fire Department, it shall be filled upon official severance of the departing member. The Livingston Fire and Rescue Department has the following promoted/appointed positions:

- Battalion Chief
- Captain
- Engineer
- Firefighter 2 / Paramedic
- Firefighter 1 / Paramedic
- Firefighter 1 (EMT only)

Engineer, Captain, and Battalion Chief shall be determined by a competitive promotional process. There shall be a minimum of 4 personnel at each corresponding rank to include the ranks of Captain, Engineer and Firefighter.

Engineer Qualified

A person shall be considered Engineer Qualified when they have completed the following: FF1 and FF2 and the LFR engineer course or equivalent by Fire Chief's discretion. Fire Chief maintains final determination of designation.

Watch Commander Qualification

A person shall be considered to be Watch Commander qualified when they have completed

the following: FF1, FF2, Fire Officer 1, Paramedic Certification, 10 evaluated shifts, 5 of which may be evaluated by the member's Captain. Fire Chief maintains final determination of designation

Promotion timeline

The promotional process for the positions of Battalion Chief, Captain, Engineer, and Firefighter 2/Paramedic will begin when a notification of a permanent vacancy occurs. The Fire Chief will issue an announcement of the vacancy and call for interested candidates to submit a letter of intent.

- Candidates will have one week from announcement to submit letters of intent and resumes.
- The Positions will be filled within 90 days of a permanent vacancy:
 - For Battalion Chief, Captain and Engineer by the highest scoring candidate.
 - Firefighter 2/Paramedic by eligibility and seniority

Promotion Eligibility Requirements

Firefighter 2 / Paramedic

- Not have been subject to written disciplinary action (or above) in the last twelve months.
- Must have and maintain Paramedic, Firefighter 1 and Firefighter 2 certifications
- At least one (1) year experience at Livingston Fire & Rescue or lateral equivalent as approved by the Fire Chief
- Vacancy will be filled on the above requirements and seniority without an assessment

Engineer

- 2 years' experience with Livingston Fire and Rescue.
- Have completed the LFR Engineer course or an equivalent approved by the Fire Chief.
- Have and maintain Firefighter I and II certification.
- Have and maintain Fire Officer I certification or obtain within one year of promotion.
- Have and maintain EMT-P certification.
- Not have been subject to written disciplinary action (or above) in the last twelve months.

Captain

- 8 years total of Career Fire experience with a minimum of 4 years' experience being at Livingston Fire Rescue (Experienced valued at: Career Professional 1:1, LFR Reserve ½:1, Non LFR Volunteer/Reserve ¼:1)
- Engineer Qualified
- 21 College Credits
- Have and maintain Firefighter I and II certification.
- Have and maintain Fire Officer I certification.
- Have and maintain EMT-P certification.
- Have and maintain Fire Instructor I or higher or obtain within 1 year
- Not have been subject to written disciplinary action (or above) in the last twelve months.

Battalion Chief

- Fulltime employee with LFR and has served as a Captain for at least 2 years preceding
- Valid Paramedic certification (NREMT and/or Montana)
- Have and maintain Fire Officer 2 or obtain within 2 years of promotion
- Have and maintain Fire Inspector I or obtain within 2 years of promotion
- Not have been subject to written disciplinary action (or above) in the last twelve months.

The Fire Chief and Human Resources Director will review candidate's eligibility. If only one eligible candidate exists, the promotion process is not required. If no candidate is qualified Local #630 and City Management must agree upon a solution which may include an outside search.

Promotional Committee

The promotional committee will have a designated chair and consist of the following:

- Engineer and Captains Promotion: Existing Fire Captains and two Battalion Chiefs within the Department
- Battalion Chief Promotion: 3 Fire Officers from outside agencies

The Fire Chief will not participate in the testing process.

Assessment Process

The candidate assessment process will have the following components:

1. Critical Thinking (Inbox) - Will consist of an assessment, based on the open position, of the candidate's ability to prioritize activities and actions required for daily Fire Department Operations. This may include but is not limited to Fire, EMS, and Human Resources exercises.
2. Interview - Will be composed of a structured interview panel. All candidates will be asked the same questions. The Panel may ask additional questions directly related to the answers given.
3. Resume - Will be a review of a candidate's certifications and formal education.
4. Presentation - Will be a presentation of up to 10 minutes on the candidates proposed direction for the position they are applying to manage.

Scoring

A scoring system shall be determined prior to administration of assessment. The scoring system shall be validated by the Fire Chief and a Union representative not involved in the assessment process. Scoring of the assessment will be completed individually by the Fire Chief and the Human Resource Director. The Union rep and Fire Chief will validate the scoring results.

List Longevity

The rank order list of candidates generated by the assessment process will stay in effect for a period of 1 year, unless a new candidate qualifies for application if they so choose to pursue

promotion.

After assessment Review

Within 14 days of the conclusion of the assessment process, candidates will be provided a written evaluation from the designated chair of their performance and recommendations for improvement. Candidates may request a meeting with the Fire Chief to review the results.

ARTICLE 11 - NEW EMPLOYEES

Section 11.1 – Probationary Period - Any new or promoted employee will serve a one-year probation period. During the probationary period, for new employees only, management may terminate the employee without cause.

Section 11.2 - Upon Fire Chief approval, a temporary employee who has served 6 consecutive months or more of a probationary period and subsequently is hired to regular full-time status may have their probationary period shortened as deemed appropriate, not to exceed 12 months total.

ARTICLE 12 - PERSONNEL REDUCTION

Section 12.1- Personnel Reduction - In the case of personnel reduction, the employee with the least seniority shall be laid off first. No new employee shall be hired until the laid off employee has been given the opportunity to return to work. The returning employee who has been off longer than sixty (60) days will serve a training period, determined by the Fire Chief, at the current pay scale. The returning employee who has been off for more than one (1) year must meet the requirements of a physical examination and probationary requirements with the current base pay. Upon being notified to return to work, the employee has fourteen (14) days to report to duty.

ARTICLE 13 - DISCIPLINE AND DISCHARGE

Section 13.1 – Disciplinary Procedure – Employees may be disciplined or discharged for Cause. Discipline should be applied at progressive and escalating levels to allow the employee proper notice of misconduct and an opportunity to improve performance; however, the level or degree of discipline imposed shall be appropriately based on the employee's prior record of service, length of service, severity of offense and prior record of discipline.

The Employee shall be entitled to have Union and/or legal representation present at any meeting held with the Employer to discuss potential disciplinary action. The City will not pay for such employee representation.

The Employer may suspend an Employee in accordance with M.C.A. 7-33-4123 and local laws pending the final decision as to the appropriate discipline or the overturning of

the discipline by the appropriate authority as provided for in M.C.A. 7-33-4124, which reads as follows:

Suspension procedure:

1. In any case in which a member of the municipal fire department is suspended from duty, the person suspended must be furnished with a copy of the charge, in writing, setting forth the reasons for the suspension. Subject to subsection (2), the suspended member of the fire department may request in writing that the charges be presented to the council or commission for a hearing. The hearing must be held within 30 days of the request. The suspended member may invoke the right of privacy to request a closed hearing. At the hearing, the suspended member of the fire department may appear in person or by counsel and provide a defense against the charges.
2. If the suspended member of the fire department does not request a hearing by the City commission within 5 business days of receiving the suspension charge, the suspended member forfeits the option of requesting a hearing by the council or commission.
3. If the charges are not presented before the City commission within 30 days of the request for a hearing or if the City commission determines the charges to be unfounded, the suspended person must be reinstated and is entitled to the person's usual compensation for the time of the suspension.
5. If the charges are proven by the City commission, the City commission, by a vote of a majority of the whole City commission, may impose a penalty commensurate to its determination of what the offense warrants, including either the continuation of the suspension for a limited time or the removal of the suspended person from the fire department.

ARTICLE 14 - GRIEVANCE AND ARBITRATION PROCEDURE

Section 14.1 – Grievance Procedure – A grievance is defined as a dispute concerning an interpretation or application of the terms of this collective bargaining agreement. Grievances or disputes which may arise, including the interpretation of this agreement, shall be settled in the following manner. The Union grievance committee upon receiving a written and signed petition shall determine if a grievance exists. If, in their opinion, no grievance exists, no further action is necessary by the grievance committee, but the employee has the right to appeal to the next level in writing.

If a grievance does exist, they shall, with or without the employee, present their grievance within twenty (20) working days of the alleged violation or the knowledge of such violation, to the Fire Chief of the Fire Department for adjustment. For the purpose of this Article, a working day is defined as 8:00 AM to 5:00 PM, Monday-Friday, excluding holidays. If within fifteen working days no settlement has been reached, an appeal to the City Manager must be made within fifteen (15) working days in writing. The City Manager shall investigate and file a response and decision within fifteen (15) working days. If the City Manager does not respond within the prescribed time limits, the grievance shall be settled in favor of the grievant. If the City Manager's response does not satisfactorily settle the grievance, the grievance may be submitted to arbitration within 120 calendar days by the grievant or the Union upon notice to the City.

The grievance shall then be submitted to an arbitration board consisting of a representative of the City, a representative of the Union, and a Labor Arbitrator. Within ten (10) working days of a request to arbitrate, a request for a list of five (5) names will be made to the State Department of Labor and Industry, or other source. Upon receipt of the list of arbitrators, the two representatives shall within fifteen (15) working days meet to determine the Arbitrator by the representatives tossing a coin. The representative winning the coin toss shall determine who shall strike the first name from the list and then the representative of the other party shall strike a name until the name remaining shall be the arbitrator.

The Arbitrator shall have no power to alter, amend or delete any provisions of this Agreement, City or Fire Department Policy, or State Law. The Arbitrator shall render their decision within thirty (30) calendar days following the hearing. The cost of the Arbitrator shall be shared equally by both parties. The finding of the Arbitrator shall be final and binding on all parties.

ARTICLE 15 - TRAINING

Section 15.1 – Training Scheduling - The City shall schedule paid department training of at least 35 annual hours, from July 1 to June 30. Attendance at such trainings, shall be mandatory. If training is scheduled more than four weeks in advance, personnel on prior authorized absences, approved by the Fire Chief, shall not be expected to attend. If training is scheduled less than four weeks, attendance is not mandatory.

Section 15.2 – Categories of Professional Development

Higher Education - The City of Livingston encourages Firefighters to continue their education with the pursuit of future formal degree programs and paramedic licensure which align with the business needs and community needs of the Department. To be eligible to participate in a reimbursable degree program, the Fire Chief and Firefighter must agree to a planned program of courses leading to a job-related degree, and receive prior written approval of the planned program from the Fire Chief and the City Manager. Initial program requests must be submitted

to the Fire Chief no later February 1 of a given year in order to allow for appropriate budgeting for the program duration.

A Firefighter, once their plan has been accepted by the City, need only to submit individual course enrollment to the Fire Chief for approval.

In order to support department members in the pursuit of formal higher education the City agrees to:

1. Reimburse a fulltime firefighter 50% of tuition and 100% of books upon completion of classes required by a pre-approved job-related degree.
 - a. Reimbursement to be made at the successful completion of each semester's courses. Individual course enrollment should be submitted to the Fire Chief a minimum of fifteen (15) days prior to the start of classes for approval.
 - b. All requests for reimbursement shall be submitted no more than thirty (30) Days after the issuance of the final passing grade for the class.
2. Reimburse a fulltime firefighter 50% of paramedic school tuition upon the successful completion of the entire paramedic program and attainment of paramedic certification.
 - a. Employees enrolled in the paramedic reimbursement program shall be required to maintain employment with the City of Livingston for a period of two (2) years following the completion of the educational program.
 - b. Employees enrolled in the paramedic reimbursement program understand that if they separate employment within two (2) years of paramedic certification reimbursement, the employees are required to repay a pro-rata share of the reimbursement to the City of Livingston based on the days of employment after certification.
 - c. Employees agree that pro-rata payment due the City can/shall also be taken from the accrued vacation and sick leave due the employee at separation.

Other Courses Not in a Formal Degree Program:

Required Training: A Firefighter enrolling in individual courses which are one of the following: Firefighter 1, Firefighter 2, all Fire Officer, Fire Instructor, and Fire Inspector courses, regardless of time remaining in the department, shall obtain prior written approval from the Fire Chief within budget limitations. All requests shall be submitted to the Fire Chief not later than 90 days in advance of the class to allow for budgeting. Shifts for the employee attending training will be covered by staff from the office or overtime list, non-shift workers, shift workers and / or reservists.

The classes should be NFPA, IFSAC or Pro-Board Equivalent unless otherwise agreed upon in advance with the Fire Chief. Exceptions may be granted based on class availability, location or frequency of offerings.

Voluntary Training: A Firefighter seeking to attend additional professional

development courses shall submit in writing a request to the Fire Chief for approval not later than 30 days in advance of the training.

Reimbursement, any associated expenses such as travel etc., and shift coverage will be determined by the Fire Chief based on budgetary limitations, staffing concerns and relevance of the course or class requested to individual professional development and department need.

ARTICLE 16 – HOURS OF WORK

Section 16.1 – Hours of Work Shift workers including Battalion Chiefs – The on duty shift work members, excluding non-shift workers, shall work 48 hours on duty, 144 hours off duty. Forty-eight hour shifts shall begin and end at 8:00 AM. Fire fighters will need prior approval from the Fire Chief to have 96 continuous hours of shift coverage. Members approved for over 96 continuous hours are required to take an uncompensated 12 hours off shift. The break may not be within the first or last 24 hours. Members working this schedule may be referred to as Shift Workers for purposes of clarity in this agreement.

Section 16.2 – Non-Shift Workers, Overtime - Since the non-shift workers work a standard forty-hour week, they will be paid overtime at the rate of 1½ times the regular hourly rate for all hours worked in excess of 40 hours within the work week. A work week shall be defined as the time period beginning Sunday at 12:01am and ending on Saturday at 11:59pm and include 5 eight (8) hour shifts Monday – Friday unless a flexible schedule is mutually agreed upon.

ARTICLE 17 - SUPPLEMENTAL AGREEMENT

Section 17.1 – Supplemental Agreements – This Agreement may be amended, provided both parties concur. Supplemental agreements may be completed through negotiations at any time during the life of the Agreement. Either party may notify the other party in writing of its desire to negotiate. A Supplemental Agreement, will be signed by the responsible Union and City officials. Supplemental agreements thus completed shall become a part of the larger agreement and subject to all of its provisions.

ARTICLE 18 – MISCELLANEOUS PROVISIONS

Section 18.1 - Paging Alerts – All off duty full time employees and reserves may be paged out simultaneously. Full time employees shall not be denied call back pay due to a position being filled by a reserve with the exception of the on duty shift qualified reserve or ambulance qualified reserve.

Section 18.2 – Mandatory Retirement – Mandatory Retirement age will be sixty-two years of age (62).

Section 18.3 - Physical Fitness Test - A physical fitness test will be conducted for all firefighters and participation will be optional. The Firefighter Combat Challenge will be used as an assessment, which includes a stair climb with a high-rise pack, hose hoist, forcible entry, hose advance and victim rescue. The setup of the test shall maintain the criteria established as the standard for the Firefighter Combat Challenge. The test will be completed in NFPA compliant turnouts. The test will be completed by the 31st of May and will be proctored by the Fire Chief and an IAFF Local #630 representative.

Incentive - Upon successful completion of the Firefighter Combat Challenge, employees will be rewarded at the following scale:

3:00 minutes or < - \$400.00
 3:01 to 4:00 minutes - \$300.00
 4:01 to 5:00 minutes - \$200.00
 5:01 to 6:00 minutes - \$100.00
 More than 6:00 minutes - \$0

Section 18.4 - Regular Labor Management Meetings - The Fire Chief will host monthly senior staff meetings. Senior staff consists of all Captains and the Local #630 President or designated representative. The Fire Chief will host quarterly Labor/Management meetings. Quarterly Labor/Management meetings will include the Fire Chief and Local #630 President at a minimum. The Fire Chief will host an annual City Manager's meeting. The City Manager's meeting will include the City Manager, Fire Chief and Local #630 President at a minimum. The Fire Chief will host the meetings at a time and place convenient to required attendees.

Section 18.5 - Equipment Committee - The Fire Chief will establish an Advisory Equipment Committee to evaluate and provide recommendations for the purchase of apparatus, equipment systems, and other substantial operational items affecting working conditions. A seat on the Advisory Equipment Committee will be reserved for the Local #630 President or their designated representative. While purchase of apparatus and equipment are a management right, the Fire Chief will fully consider the recommendations of the Advisory Equipment Committee as a component of the purchase process.

Section 18.6 - Medical Expense Retirement Program (MERP) - With each monthly payroll, the Employer shall make monthly contributions on a pre-tax basis of \$260 per month to the Washington State Council of Fire Fighters (WSCFF) Employee Benefit Trust, as follows:

1. Contributions are made in addition to the salaries listed in Appendix A.
2. This Trust shall remain separate and apart from any Employer retiree health insurance funding program unless changed by mutual agreement of the parties to the

agreement.

3. The Employer shall be obligated to payment of contributions in the amount provided above by the twentieth (20) of every month or next business day if necessary for that month's contributions.

4. The Internal Revenue Service codes require all eligible employees to participate; there is no individual election to continue contributions. The Union and the employees agree to hold the employer harmless and indemnify the employer from any and all liability, claims, demands, lawsuits, and/or losses, damage or injury to persons or property, of whatsoever kind, arising from and in any way related to the implementation and administration of the MERP. The Union and the employees shall be one hundred percent (100%) liable for any and all liabilities that arise out of the MERP. The Union and employees shall be liable for any and all tax penalties, as well as any other liabilities arising out of the implementation and administration of the MERP. Under no circumstances whatsoever will the employer be liable for direct pay of any MERP benefit to the employees and/or retired employees and/or their beneficiaries.

Employees agree to make a contribution in the amount of \$35.00 per month pre-tax, in addition to the employer payment of \$260 above.

Section 18.7 – Staffing Overtime Committee - Whereas, the Livingston Professional Firefighters Local #630 and the City of Livingston recognize fiscal and staffing issues, both parties hereby agree that as a need arises or by request from either party that they will reconvene an Overtime Committee that shall meet quarterly. The committee will include at least 2 union representatives, the Fire Chief, City Manager or Human Resources Director, and may include one optional City Commissioner. The intent of this committee is to determine the best, mutually agreed upon, action(s) to address overtime/staffing expenditures should the need arise. This agreement is limited to the length of this contract.

ARTICLE 19 - SAVINGS CLAUSE

Section 19.1 – Savings Clause – If any provision of this Agreement is declared invalid by any court, only that provision shall be affected and all other provisions shall remain in full force and effect. Any ordinance enacted during the term of this Agreement shall not abridge, abrogate, or alter any of the terms of this Agreement.

ARTICLE 20 - TERM OF AGREEMENT

Section 20.1 – Term of Agreement – This Agreement shall be in Full Force and effect from the first day of July 2025 to June 30, 2027. The Agreement shall be opened for negotiations on wages and insurance benefits and conditions of employment on or before Thirty-One March 2027. The Agreement shall automatically be renewed from year to year thereafter, unless either party shall have notified the other in writing at least sixty (60) days prior to the anniversary or termination date of this Agreement that it desires to modify the Agreement.

The agreement further allows an opener for determining viability of additional reserve staffing during normal operational hours.

Section 20.2 – Existing Conditions – Existing wages, hours, and other conditions of employment rising out of this Agreement shall not be changed by the action of either party without the consent of the other during the negotiation, mediation, fact finding or arbitration of the next contract, and any additional cost of maintaining the items listed in this paragraph, after the expiration of this Agreement, shall be figured in the financial settlement of the next Agreement.

ARTICLE 21 – SIGNATURES

IN WITNESS WHEREOF THE PARTIES HERETO, acting by and through their respective and duly authorized officer's and representatives, have hereto set their hands and seals on this _____day of_____, 2025.

FOR THE CITY OF LIVINGSTON

FOR LOCAL #630 OF THE
INTERNATIONAL ASSOCIATION OF
FIRE FIGHTERS

City Manager, Grant Gager

President, Nathan Adams

ATTEST:

City Clerk, Emily Hutchinson

Vice President, Blake Roehl

ADDENDUM "A"
Wages and Certification Pay

EMS certifications are to be paid at the highest certification level attained in each category. The Fire Certifications are to be paid for each category completed. Certification pay is to be considered part of the base salary for pension and overtime. All certifications must be kept current in order to be eligible for certification pay. EMS certifications must be based on the National Registry of Emergency Medical Technicians and be recognized by the Montana State Board of Medical Examiners. All EMS providers must be able to practice in accordance with State and Local Protocols pertaining to their current level of certification to be paid at that level. If the provider is found to be consistently practicing outside of State and Local Protocols, that provider's current level of certification and pay can be suspended or downgraded. EMS endorsements are based on the Montana State Board of Medical Examiners rules and regulations. Fire certifications may be obtained through Montana State Fire Training School (FSTS). If FSTS is not utilized to provide the certification Management and the Union will mutually agree upon the accepting certification including but not limited to NFPA, Pro-Board, and IFSAC. Fire Certifications will be maintained by the continuing education program from Livingston Fire Department Training Section.

Longevity Pay shall remain paid at one half of one percent of monthly pay per year of service with the City of Livingston until 07/01/2026 when longevity pay will change to one (1) percent of monthly base pay per year of service.

Pay grid follows.

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Addendum A – Pay Grid

Addendum A - Wages, Longevity, Certifications, and MERP						
Shift Worker Title	Requirements	7/1/2024 to 06/30/2025	Increase %	07/01/2025 to 06/30/2026	Increase %	07/01/2026 to 06/30/2027
Firefighter 1 / EMT (even if Paramedic certified)	FF1, EMT	\$ 48,010.00	8%	\$ 51,850.80	6%	\$ 54,961.85
Firefighter 1 / Paramedic	FF1, Paramedic	\$ 53,277.00	8%	\$ 57,539.16	6%	\$ 60,991.51
Firefighter 2 / Paramedic	FF1, FF2, Paramedic	\$ 54,594.00	8%	\$ 58,961.52	6%	\$ 62,499.21
Engineer	FF1, FF2, Paramedic, FO1	\$ 56,103.00	10%	\$ 61,713.30	6%	\$ 65,416.10
Captain	FF1, FF2, Paramedic, FO1	\$ 64,048.00	5%	\$ 67,250.40	6%	\$ 71,285.42
Battalion Chief	FF1, FF2, Paramedic, FO1, FI1	\$ 71,231.92	2%	\$ 72,656.56	4%	\$ 75,562.82
Valid Haz Mat Technician Certification	\$10.00 per month	\$10.00 per month		\$10.00 per month		\$10.00 per month
Valid PALS Certification	\$20.00 per month	\$20.00 per month		\$20.00 per month		\$20.00 per month
MERP - Employer Contribution		\$225 per month		\$260 per month		\$260 per month
Longevity Pay on base salary		1/2 of 1% per year		1/2 of 1% per year		1% per year

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Addendum B – Resolution No. 4199**RESOLUTION NO. 4199**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AUTHORIZING CITY MANAGER TO SIGN A MEMORANDUM OF UNDERSTANDING WITH IAFF LOCAL #630 APPROVING THE FEBRUARY 2011 PERSONNEL POLICY WHICH INCLUDES ALCOHOL AND CONTROLLED SUBSTANCE USE AND TESTING.

WHEREAS, the City and International Association of Fire Fighters Local #630 (Local #630) have entered into a Collective Bargaining Agreement (CBA) which will be re-negotiated in 2012; and

WHEREAS, the City Commission has established a Personnel and Policy Manual which includes a Drug & Alcohol Policy for non-union employees; and

WHEREAS, Local #630 has reviewed the Drug & Alcohol Policy and has proposed certain changes thereto; and

WHEREAS, the proposed changes are agreeable to the City as set forth in the February, 2011, Personnel & Policy Manual which includes the Drug & Alcohol Policy; and

WHEREAS, a Memorandum of Understanding (MOU) with Local #630 is attached hereto and incorporated into this resolution as Exhibit A as though fully set forth herein and which sets forth the February 2011 Policy Regarding Alcohol and Controlled Substance Use and Testing as approved and accepted by Local #630.

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 MOU with Local #630 adopting the February, 2011, Personnel and Policy Manual, which includes the "Policy Regarding Alcohol and Controlled Substance Use and Testing.

Dated this 17th day of May, 2011.




STEVE CALDWELL - Chairman

ATTEST:


ROBYN KEYES
Recording Secretary

APPROVED AS TO FORM:


BRUCE E. BECKER
City Attorney

MEMORANDUM OF UNDERSTANDING

The City of Livingston, a political subdivision of the State of Montana and municipal corporation with its principal office located at 414 East Callender Street, Livingston, Montana, 59047, (City) and the International Association of Fire Fighters Local #630 (Local #630), 414 East Callender Street, Livingston, Montana, 59047, hereby enter into this Memorandum of Understanding:

Recitals.

- A. Whereas, the City and Local #630 have entered into a Collective Bargaining Agreement (CBA) which will be re-negotiated in 2012; and
- B. Whereas, the City Commission has established a Personnel and Policy Manual which includes a Drug & Alcohol Policy; and
- C. Whereas, Local #630 has reviewed the Drug & Alcohol Policy and has proposed certain changes thereto which are attached hereto and which are by this reference hereby incorporated into the MOU as if fully set forth herein; and ,
- D. Whereas, the proposed changes are agreeable to the City.

MEMORANDUM OF UNDERSTANDING

In consideration of the foregoing recitals and the terms and conditions set forth herein, the parties agree as follows:

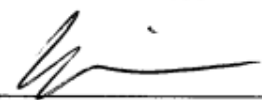
1. That until a new CBA is negotiated and approved, the February, 2011, Personnel & Policy Manual, which includes the "Policy Regarding Alcohol and Controlled Substance Use and Testing" which is attached hereto is accepted, approved and is hereby incorporated into the existing CBA.

Dated this 6th day of May, 2011.

CITY OF LIVINGSTON

IAFF LOCAL #630


Ed Meece


Seth Rivard - President

ATTEST:

APPROVED AS TO FORM:


ROBYN KEYES
Recording Secretary


BRUCE E. BECKER
City Attorney

25.1 POLICY REGARDING ALCOHOL AND CONTROLLED SUBSTANCE USE AND TESTING

- A. The employees of the City are our most valuable resource. Many of our employees operate in a hazardous work environment and in positions involving matters of public safety, security, or fiduciary relationships. Therefore, the health and safety of our employees and the general public is of serious concern.

The City will comply with "The Workforce Drug and Alcohol Testing Act" enacted by the 1997 Legislative session of the Montana Legislature and are committed to maintaining an alcohol and drug-free workplace. All employees are advised that remaining alcohol and drug-free while on the job are conditions of employment with the City. It is our policy to:

1. Ensure employees are not impaired in their ability to perform assigned duties in a safe, productive and healthy manner;
2. Prohibit the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances at the work place or during work hours;
3. Prohibit the possession or use of alcohol at the work place or during work hours; and
4. Encourage employees to seek professional assistance any time personal problems, including alcohol or drug dependency, adversely affect their ability to perform their assigned duties.

This Policy is intended to inform all employees of their rights and obligations concerning City's alcohol and controlled substance testing program as well as to alert employees to the consequences of violating these policies. Neither this policy nor any of its terms are intended to create a contract of employment, or to contain the terms of any contract of employment. **~~The City retains the sole right to change, amend, or modify the terms of this Policy in accordance with the provisions of the Workforce Drug and Alcohol Testing Act.~~**

25.2 DRUG AND ALCOHOL FREE WORKPLACE POLICY

- A. In compliance with the Drug-Free Workplace Act of 1988, (Title 41-0-701 through 707, U.S.C. as amended), the City of Livingston is committed to providing an alcohol-free and drug free workplace. The City prohibits the unlawful manufacture, distribution, sale, possession or use of a controlled substance or alcohol in the workplace or while conducting business. All employees must comply with this policy and notify the City Manager and/or their designee in writing of any drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction. The City Manager and/or their designee is responsible for notifying the appropriate federal granting agency of the conviction when the employee involved is working on a federal grant or contract, within ten (10) days of learning of the conviction. Employees who violate this policy may be subject to disciplinary action.

25.3 DEFINITIONS

- A. When interpreting or implementing the procedures contained in this policy, the following definitions apply:
1. Alcohol -An intoxicating agent in alcoholic beverages, ethyl alcohol, also called ethanol, or the

hydrated oxide of ethyl.

2. Alcohol Concentration -The alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test.
3. Alcohol Use -The consumption of any beverage, mixture, or preparation, including medications, containing alcohol.
4. Breath Alcohol Technician -An individual who instructs and assists individuals in the alcohol testing process and operates an evidential breath testing device.
5. Confirmation Test in Alcohol Testing -A second test, following a screening test with a result of 0.024 or greater (the standard shall be .02 for any employee under the age of 21 years), that provides quantitative data of alcohol concentration.
6. Confirmation Test in Controlled Substances Testing -A second test to identify the presence of a specific drug or metabolite
7. Controlled Substance – Any drug, substance, or precursor included in Schedules I through V as defined by Section 812 of Title 21 of the United States Code (21 USC 812). In this policy the terms "drugs" and "controlled substance" are interchangeable and have the same meaning.

~~Controlled Substance -A dangerous drug as defined in 49 C.F.R., Part 40, (except a drug used pursuant to a valid prescription or as authorized by law) and includes (1) marijuana, (2) cocaine, (3) opiates, (4) phencyclidine (PCP), and (5) amphetamines, including methamphetamines. In this policy, the terms "drugs" and "controlled substances" are interchangeable and have the same meaning.~~
8. Evidential Breath Testing Device -A device used for alcohol breath testing that has been approved by the National Highway Traffic Safety Administration
9. Medical Review Officer -A licensed physician trained in the field of substance abuse.
10. Sample -A urine specimen to determine the presence of a controlled substance or a breath alcohol test to determine the presence of alcohol.
11. Screening Test or Initial Test in Alcohol Testing -A procedure to determine if an employee has a prohibited concentration of alcohol in his or her system.
12. Screening Test or Initial Test in Controlled Substances Testing -A screen test to eliminate "negative" urine specimens from further consideration.
13. Substance Abuse Professional -A licensed physician, or a licensed or certified psychologist, social worker, employee
14. Physician - A person who holds a degree as a doctor of medicine or doctor of osteopathy and who has a valid license to practice medicine or osteopathic medicine in this state.
15. **Legally Prescribed Drug – means that an employee has a prescription, or other written approval, from a physician for the use of a drug in the course of medical treatment. It must include the patient's name, name of the substance, and the period of authorization.**

25.4 PURPOSE OF POLICY

- A. The purpose of this Policy is to ensure an employee's fitness for duty and to protect our employees, products, and the public from the risks posed by the use of alcohol and controlled substances while employees perform assigned job duties.
- B. The policies and procedures contained in this Policy will comply with and conform to 49 C.F.R., Part 40, as adopted by the U.S. Department of Transportation, which sets forth standards for the collection and testing of urine and breath. A copy of The Workplace Drug and Alcohol Testing Act and the U.S. Department of Transportation regulations is available in the City administrative office.
- C. The City will pay all costs associated with the testing procedures, except as provided in the "Notification of Results and Requests for Additional Tests, (Sec. 25.11)" and "Disciplinary Action (Sec. 25.12)" of this Policy. All employees will be compensated at the employee's regular rate, including benefits, for the time attributable to the testing program.

25.5 APPLICABILITY OF POLICY

- A. The City prohibits employees from using or being under the influence of alcohol or drugs during working hours or while performing work related duties, while conducting any official City business or while driving City vehicles.
- B. Employees subject to mandatory random testing are as follows:
 - 1. Individuals involved in the operations of commercial motor vehicles who are required by the City to possess a Commercial Drivers License (CDL) and/or required by state/or federal law. to undergo testing.
 - 2. Employees operating under the terms of any disciplinary action, ~~or other conditions of employment,~~ as described in Section 25.12.

25.6 PROHIBITED CONDUCT

- A. Any employee engaging in the manufacture, distribution, dispensing, possession, or in the use of a controlled substance or alcohol at any work site, with the exception of a legally prescribed drug administered by or under the direction of a physician, will be subject to disciplinary action up to and including immediate termination. Where criminal activity is suspected, law enforcement authorities will be notified.
 - 1. "Work Site" means any City vehicle, office, building, yard, or other location at which the employee is to perform work.
 - 2. "Possess" means to have either in or on the employee's person, personal effects, commercial (or City owned) motor vehicle or areas substantially entrusted to control of the employee. Possession of a substance that is manifested and transported as part of a shipment or lawfully possessed while conducting authorized City business.
- B. The use or possession of beverages, substances, or legally prescribed drugs containing alcohol, such that alcohol becomes present in the body while on the job, is prohibited. An employee who reports to work, or who works when alcohol is present in his/her body at concentrations greater than 0.02 4 (the standard shall be .02 for any employee under the age of 21 years), or who possesses or uses alcohol while on the job, will be subject to discipline. No employee shall use alcohol while performing safety-sensitive functions within four hours prior to reporting for duty to perform a safety-sensitive function, or during the hours that they are on-call to perform a safety sensitive function. No employee shall use alcohol eight hours following an on duty accident, or until

he/she undergoes a post-accident test. No employee may possess or use alcohol while on duty.

Employees refusing to submit the required testing will be subject to termination.

- C. The use or possession of controlled substances, **including medical marijuana**, while on the job is prohibited. Employees subject to mandatory testing pursuant to this policy who test positive for controlled substances are subject to discipline. Employees who refuse to submit to a required test will be subject to termination.
- D. "Legally prescribed controlled substances can impair an employee's job performance and create unsafe conditions. The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates mental functioning, motor skills, or judgment may be adversely affected must be reported to supervisory personnel, **if the medication will be utilized for its medical effects at work**, before reporting to work. Upon request, the employee will provide written documentation from their physician indicating that they are capable of performing their duties while on such prescribed medication. If the physician determines that the employee is incapable of safely performing their duties, the employee will not be allowed to perform their duties until they are no longer using the legally prescribed drugs and/or their physician provides written documentation that they are capable of performing their duties. The City may consult with an independent physician, **at employers cost**, of its choosing, in determining if an employee is capable of performing safety sensitive duties while using any legally prescribed drug. **Employee to be compensated at regular rate of pay during the time required for this doctor visit.**

A legally-prescribed drug means that an employee has a prescription or other written approval from a physician for the use of a drug in the course of medical treatment. It must include the patient's name, name of the substance, dosage, and the period of authorization.

The misuse or abuse of legally prescribed drugs while on the job is prohibited. Any employee misusing or intentionally abusing legally prescribed drugs or medications, or using such drugs without approval of a supervisor, while on the job will be subject to termination.

25.7 COMPLIANCE

- A. All eligible employees, as specified in section 25.5(B), will be subject to random urine drug testing and/or breath alcohol testing. Employees who refuse to comply with a request for testing, who provide false information, or who adulterate or substitute samples shall be removed immediately from duty, and will be subject to disciplinary action, up to and including termination. Examples of an employee's refusal to submit to the required test includes, but is not limited to, (1) a failure to provide an adequate urine specimen or breath sample without a valid medical explanation for the failure, (2) verbal declaration of refusal, (3) obstructive behavior resulting in an inability to conduct the test, or (4) physical absence at the scheduled testing time.

25.8 CONFIDENTIALTY

- A. The City will protect individual dignity, privacy, and confidentiality throughout any testing process. All information, interviews, reports, statements, memoranda, and test results are confidential communications that may not be disclosed to anyone except (1) the tested employee, (2) City administrative staff on a need to know basis, or (3) in connection with any legal or administrative claim arising out of the implementation by the City of the Workforce Drug and Alcohol Testing Act or in response to injuries relating to a workplace accident involving death, physical injury, or property

damage in excess of \$1000~~1500~~, when there is reason to believe that the tested employee may have caused or contributed to the accident. Information obtained through mandatory testing that is unrelated to the unlawful use of a controlled substance or alcohol shall be held strictly confidential for administrative purposes only and shall not be released or used for criminal investigative purposes unless authorized by law.

25.9 TESTING PROCEDURES

- A. Testing of eligible employees will be conducted in such a manner to assure a high degree of accuracy and reliability and using only techniques, equipment, and laboratory facilities that have been approved by the U.S. Department of Health and Human Services ("DHHS"). All tests will be conducted pursuant to the procedures set forth in 49 C.F.R., Part 40.
- B. Urine Testing will be the method used to detect the presence of controlled substances. An initial drug screen will be conducted on each urine specimen. Collection of urine shall be conducted pursuant to the procedures set forth in 49 C.F.R., Part 40.25.

The employee or applicant shall provide at least forty-five (45) ml of urine. Thirty (30) ml of urine shall then be poured into one specimen bottle, to be used as the primary specimen. The remaining fifteen (15) ml of urine shall be poured into a second specimen bottle to be used as the split specimen. Both bottles shall be shipped in a single container, together with a chain of custody form, to the laboratory. A confirmatory gas Chromatography/Mass Spectrometry (GC/ms) test will be performed on all specimens testing positive for the presence of any controlled substance. The test will be considered positive if the amounts present are above the minimum thresholds established in 49 C.F.R. Part 40. Urine collection and transportation shall be conducted pursuant to those procedures set forth in 49 C.F.R., Part 40.

- C. The presence of alcohol in the body will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA) approved evidential breath testing device (EBT Device) administered by a certified breath alcohol technician (BAT). The BAT shall follow the procedures set for the in 49 C.F.R., Part 40. The employee or applicant shall follow the instructions given by the BAT. If the initial test indicates an alcohol concentration of 0.02–~~4~~ (the standard shall be .02 for any employee under the age of 21 years), or greater, a second test will be performed to confirm the results of the initial test. All alcohol concentration tests shall be conducted pursuant to those procedures set forth in 49 C.F.R., Part 40.

25.10 TYPES OF TESTING

A. Reasonable Suspicion Testing

1. All City employees may be required to submit to a test for controlled substances and/or alcohol if the City has reason to suspect the employee's faculties are impaired on the job as a result of the use of a controlled substance or alcohol consumption. Reasonable suspicion determinations will be made by a supervisor who is trained, pursuant to 49 C.F.R., Part 382.603, to detect the signs and symptoms of drug and alcohol use and who reasonably concludes an employee's work performance may be adversely affected or impaired due to prohibited substance or alcohol abuse or misuse, or upon the distinct odor of alcohol on an employee's breath.

Alcohol testing for reasonable suspicion should be done as soon as possible. Tests that cannot be done within eight (8) hours of the observation shall not be done. Drug testing for reasonable suspicion must be conducted within thirty-two (32) hours of the observation, or

the test shall not be conducted.

B. Post-Accident Testing

1. All City employees will be required to undergo urine and/or breath testing if City has reason to believe the employee's act or failure to act is a direct or proximate cause of any work related accident that has caused a death or bodily injury that requires immediate medical treatment at any medical treatment facility. Additionally, employees driving City of Livingston vehicles who are involved in a motor vehicle accident will be required to undergo testing when either:
 - a. The accident involves a fatality; or,
 - b. The accident involves bodily injury that requires immediate medical treatment facility.

All employees are required to provide a breath test and/or a urine specimen to be tested for the use of controlled substances as soon as practicable after an accident but not to exceed eight (8) hours after the accident for alcohol testing and thirty-two (32) hours for drug testing. The employee must remain readily available for such testing. **Employee to be compensated at regular rate of pay for a minimum of 4 hours or until test is completed, whichever is greater. In the event the employee test positive, no compensation will be due to employee.** Failure to be so available will be deemed a refusal to submit to testing. Any employee who leaves the scene of an accident without appropriate explanation prior to submission to drug and alcohol testing will be considered to have refused testing.

Employees shall not consume any alcohol for eight (8) hours after an accident or until a test is conducted. If the employee is seriously injured and cannot provide a specimen at the time of the accident, he or she shall provide the necessary authorization for obtaining hospital reports and other documents that would indicate whether there were any controlled substances in his or her system.

Employees must adhere to post-accident specimen collection requirements as a condition of continued employment.

C. Random Testing

1. Employees, who are subject to mandatory random testing pursuant to this policy, as identified in Section 25.5(B), shall submit to periodic random testing as scheduled by the City. All employees who are subject to testing will receive a written description of the random selection process and all employees who are subject to testing must sign a statement confirming they have received such written description. These statements will be placed in each employee's personnel file.
2. The City will contract with a third party to establish and administer an unannounced random testing process reasonably spaced within a calendar year. The random selection process used by City will ensure that each employee who is subject to testing has an equal chance of being tested each time selections are made. The City will generate and maintain a list of all eligible employees using assigned and generic employee identification numbers. This list will be provided to our third party contractor. From the list of numbers, the third party contractor will generate random lists of eligible employees for testing. The third party contractor will then notify the City of those employees selected, and the City will notify each selected employee.

Notification of selection will be done in private and will be kept confidential; however, the employee's immediate supervisor will be notified of their required absence. Employees who are scheduled to be off duty, or are on previously approved leave, are not subject to testing if selected on the day they are absent.

Employees who will be tested are randomly selected from the entire pool of employees subject to testing, which includes all eligible and identified employees. Once an on duty employee is notified that he or she has been selected for testing, he or she must proceed immediately to the test site as indicated in the notice of testing. Failure to proceed directly to the test site upon notification will be deemed a refusal to submit to the test.

D. Pre-employment Testing

1. All applicants for employment with the City will be required to submit to and pass a breath alcohol test and/or a urine drug test as a condition of employment. Applicants for employment with the City testing positive for alcohol concentrations in the body greater than 0.024 **(the standard shall be .02 for any employee under the age of 21 years)**, any controlled substance, or any unexplained medically prescribed drugs, will not be hired.
2. **Pre-employment testing will not be required for any current full time employee who transfers to another City position. Seasonal employees will be subject to pre-employment testing.**

25.11 NOTIFICATION OF TEST RESULTS AND REQUESTS FOR ADDITIONAL TESTS

- A. All employees tested will be provided with a copy of the test report. Before the City will take any action based on a positive test result, the results will be reviewed and certified by a medical review officer trained in the field of substance abuse. All employees will be given the opportunity to provide notification to the medical review officer of any medical information that is relevant to interpreting test results, including information concerning currently or recently used prescription or non-prescription drugs.

Any employee who questions the confirmed positive results of a required drug test may request that an additional test of the urine split sample be conducted by an independent, DHHS certified laboratory selected by the tested employee. If the additional test results are negative, City shall pay the costs of such additional tests; if the additional test results are positive, the employee shall pay the costs of such additional tests.

The method of collection, storing, and testing the split sample will be consistent with the procedures set forth in 49 C.F.R., Part 40. The employee's request for a re-test must be made to the medical review officer within seventy-two (72) hours of notice of the initial test result. Requests after seventy-two (72) hours will only be accepted if the delay was due to documented facts that were beyond the control of the employee.

Employees testing positive for controlled substances or alcohol shall be provided the opportunity to rebut or explain the results of any test by submitting a written statement of explanation to the certified medical review officer. No adverse action will be taken by City if, in the opinion of the certified medical review officer, the employee presents a reasonable explanation or medical opinion indicating that the original test results were not caused by illegal use of controlled substances or by alcohol consumption. Should the employee present such a reasonable explanation or medical opinion, the test results will be removed from the employee's record and destroyed.

25.12 DISCIPLINARY ACTION

- A. Employees who report to duty and test positive for an alcohol concentration of 0.024 (the standard shall be .02 for any employee under the age of 21 years), or greater may not return to work until their next scheduled shift or until another breath test is negative. On a first offense the employee shall be subject to appropriate disciplinary action, including suspension without pay for up to 3 working days (Not to exceed 24 working hours). The City may require the employee to complete an evaluation with a substance abuse professional and complete any recommended treatment. On a second or subsequent offense the employee may face additional disciplinary action up to and including termination, or suspension without pay until the employee successfully completes an in-patient substance abuse treatment program. This program must be completed, with the employee returning to normal duty, within 60 calendar days after being notified of this action by the City. Extensions may be granted if the employee is unable to enroll in a substance abuse program during this time period after making reasonable attempts to do so. In any case, the employee will be responsible for the costs of any treatment programs.

Eligible employees testing positive for controlled substances on a first offense shall be subject to appropriate disciplinary action, including suspension without pay for up to 3 working days (not to exceed 24 working hours). The City shall require the employee to complete an evaluation with a substance abuse professional and complete any recommended treatment. The employee shall be required to submit to random controlled substance testing at least monthly, following the procedures contained in this policy, for a period of ~~one-year~~ six (6) months. The employee will be responsible for all costs. Employees testing positive for controlled substances during this ~~one-year~~ six (6) month period, or who fail to comply with any recommended treatment, will be terminated immediately. On a second offense the employee will be terminated immediately. Terminated employees will be advised of available educational and rehabilitative programs and will be provided information on substance abuse professionals available for counseling.

Any employee engaging in the manufacture, distribution, dispensing, possession, or in the use of a controlled substance or alcohol at any work site, with the exception of a substance administered by or under the direction of a physician, will be subject to disciplinary action up to and including immediate termination. This does not apply to substances possessed by employees conducting lawful and authorized City business.

Any City employees who voluntarily requests treatment for substance abuse problems will be afforded the opportunity to complete a treatment program of their choosing, utilizing appropriate leave that may be available or taking an unpaid leave of absence. Employees requesting treatment may do so at any time, but will not circumvent appropriate disciplinary action if the request is made after an eligible employee is notified that they must submit to testing in accordance with this policy.

Applicants for employment with the City testing positive for controlled substances or testing positive for alcohol concentrations in the body greater than 0.024 (the standard shall be .02 for any employee under the age of 21 years), shall not be hired.

25.13 EMPLOYEE ACCESS TO TEST INFORMATION

- A. The City will maintain all records pertaining to testing and results in a secure manner so that disclosure of information to unauthorized persons does not occur. Employee information will only be released as required by law or as authorized. The release of information is allowed in the following instances:

1. An employee will have access to his or her alcohol or drug testing records upon written request.
2. When requested, the City will disclose post-accident information to the National Transportation Safety Board as part of an accident investigation.
3. The City will make records available to a subsequent employer only upon receipt of a written request from the employee.
4. The City may disclose information to the employee or to the decision maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the employee. This may include worker's compensation, unemployment compensation, or other proceeding related to a benefit.
5. The City will release information regarding the employee's records as directed by the specific, written consent of the employee's authorizing release of the information to an identified person.

25.14 EMPLOYEE ASSISTANCE PROGRAM

- A. The Human Resource Associate has information, or can assist with obtaining information, concerning educational and rehabilitative programs and substance abuse counselors and professionals available in your area. The City suggests any employee who may have questions about or problems with the use of drugs and/or alcohol contact their Department Head or the Southwest Chemical Dependency Program (222-2812) for more information or assistance.

File Attachments for Item:

D. APPROVAL OF AGREEMENT 20195 WITH IMCO



DATE: July 1, 2025

TO: Chair Schwarz and City Commissioners

FROM: Grant Gager, City Manager

RE: Staff Report for Agreement 20195

Recommendation and Summary

Staff is recommending the Commission Approve Agreement 20195 with IMCO by adopting the following motion:

"I move to approve Agreement 20195 with IMCO and authorize the Chair and City Manager to sign Agreement 20195."

The reasons for the recommendation are as follows:

- To ensure uninterrupted waste hauling operations by providing backup capacity in the event of trailer maintenance or breakdown
- To support the City's long-term cost savings strategy by expanding its self-hauling capabilities and reducing reliance on outside contractors.

Introduction and History

Historically, the City of Livingston has relied on third-party contractors to haul waste from the City Transfer Station to the landfill. This approach has frequently resulted in trailer shortages, forcing premature closures at the transfer station and disrupting operations. In response, the City began transitioning to self-hauling to ensure more reliable service. This trailer will be the third unit acquired to support that effort and help prevent future service interruptions.

Analysis

The City Commission is being asked to approve the procurement of a third waste-hauling trailer to support operations at the City Transfer Station. This trailer will provide necessary backup in the event one of the existing trailers is unavailable due to maintenance or mechanical issues. Expanding the city's self-haul capacity is expected to reduce operational disruptions and improve overall service reliability.



Staff recommends this purchase as part of the ongoing effort to reduce reliance on third-party haulers and strengthen the city's control over waste transport. Self-hauling is projected to save the City approximately \$20 million over the next 20 years. As a new piece of equipment, this trailer is expected to have a service life of 10 to 15 years with proper maintenance.

Fiscal Impact

The purchase of the trailer is in the Fiscal Year 2026 budget for \$146,500.

Strategic Alignment

City of Livingston Organizational Goal #3 – Infrastructure: Build and maintain infrastructure now and into the future in a strategic and responsible manner that promotes and sustains existing neighborhoods and accommodates growth. Owning reliable equipment is essential to maintaining and improving our current level of service. The addition of a new waste-hauling trailer will provide critical backup capacity, reduce the risk of service disruptions, and lower maintenance costs compared to aging or insufficient equipment.

Attachments

- Attachment A: Purchase Order 20195
- Attachment B: Quote from 2025

Customer Name: City of Livingston, MT
 Sourcewell Number: #140772
 Sourcewell Contract #092922-MCT
 Quote Number: IMCO quote #123520

Option Price**Sourcewell Price**

Base 48' WFSP Trailer Price:	\$102,218.22	\$95,531.05
1. 3-1/2" Cylinder Drive Unit	\$1,031.48	\$964.00
2. 53' Trailer Length	\$6,640.42	\$6,206.00
3. 12" Floor Crossmember Spacing	\$263.22	\$246.00
4. All Heavy Duty 3/8" Floor Crossmembers	\$1,079.63	\$1,009.00
5. 102" Wall Height	\$374.50	\$350.00
6. Full Length Aluminum Frame	\$3,619.81	\$3,383.00
7. (2) Intraax 250 Lift Axles with Tires, Rims & Controls	\$24,081.42	\$22,506.00
8. Aero Side Roll Ratchet & Strap Style Mesh Tarp	\$3,292.39	\$3,077.00
9. Polymer Control Box for Switches	\$175.48	\$164.00

Total	\$40,558.35	\$37,905.00
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Base 48' WFSP Price	\$102,218.22	\$95,531.05
Option Total	\$40,558.35	\$37,905.00
Total with Options	\$142,776.57	\$133,436.00
Freight	\$5,200.00	\$5,200.00
Total with Freight	\$147,976.57	\$138,636.00



MAC WASTE TRAILER, INC

2360 W. MAIN ST.

ALLIANCE, OH 44601

Phone: (234) 214-6420

Website: WWW.MACTRAILER.COM

Due to Tariffs, Trailer pricing is subject to change at Manufacturer discretion and delivered unit pricing will be finalized 90 days prior to start of production

MOVINGFLOOR SP MULTI				Quote ID # 123520	JOB #	Rev 4
Customer	City of Livingston			Balance Due	\$138,636.00	
Dealer Name	MAC WASTE TRAILER, INC			Cubic Yards	131	
Quote Date	5/21/25	Quote Expires	6/27/25	Qty	1	Weight 25247 lbs. ***
Dealer Salesman	TYLER VRBAS			Model Code	MY	Plant of Mfg W
Cust P.O. #	SOURCEWELL # 140772			Cust Unit #	SOURCEWELL CONTRACT #092922-MCT	

BODY

LOAD PROFILE	MATERIAL, 102K GVWR
LENGTH	53
WIDTH	102
DRIVE UNIT	KEITH, 24 SLAT- 3 1/2 IN CYLINDER
FLOOR	KEITH 2299 (2218), 1/2 IN. TRIPLE RIDGE (102 W)
HYDRAULIC PIPE	STAINLESS STEEL HYDRAULIC PIPE
CROSSMEMBER TYPE	HEAVY-FULL TRAILER LENGTH 12 IN. C/M SPACING
CROSSMEMBER SPACING	5-1/4 IN. I-BEAMS, 12 O.C.
RUBBER SEAL	YES
WALL HEIGHT	102
WALL THICKNESS	0.19
1/4 IN. WALL LAST 15 FT.	NONE
WALL LINER	NONE
TAPERED SIDE	NONE
FULL LID	NONE
TOP RAIL OPTION	6 IN. W X 9 IN. T X 5/8 IN.
NO. OF UPRIGHTS	22
NO. OF UPRIGHTS TO ADD OR SUBTRACT	0
HORIZONTAL BRACING	NONE
TARP BAR	YES, SINGLE
BULKHEAD	3/16 IN.
BULKHEAD STEPS	CATWALK & LADDER W/ STEPS INSIDE
FRONT FENDERS WITH FLAPS	NONE
BOTTOM RAIL	CLEAN-OUT
UPPER CROSS TUBES / CAPS	(1) SPRING-MID & (1) TUBE-REAR
TIRE CARRIER	NONE

LIGHTS

LIGHT TYPE	GROTE L.E.D. W/ GROMMET
LIGHT PANEL	3 LARGE-3 SMALL-3 LARGE (IN TAILGATE) OOO ooo OOO
APRON	NONE
STD. MARKER LIGHTS	(3) EACH SIDE
MID-TURNS	(1) PAIR L.E.D. (NON-COMBO)
BACK-UP LIGHTS	NONE
AUXILIARY CABLE	NONE
REAR POCKET LIGHTS	1 PAIR

GATE

GATE SHEET THICKNESS	SMOOTH SIDE PANELS
GATE OPERATION	MECHANICAL SIDE LATCH

HINGE TYPE	C.S. SIDE SWING
GATE BRACING	NO BRACING (SMOOTH SIDE PANELS)
SAFETY CHAIN	YES
WINDERS / SAFETY LATCH	WINDERS (1) SIDE ONLY
GATE STEPS	UP CENTER OF GATE OUTSIDE ONLY
TARP HOOKS	NONE

PRIMARY AXLES

MODEL	QUAD
NO. OF PRIMARY AXLES	2
SUSPENSION	MAC FABBED GALVANIZED SINGLE LEAF TAN. (49)
AXLE SPACING	49
SUB-FRAME	FULL LENGTH ALUM. I-BEAM
AXLES	77.5 IN., HEND. 5/8 IN. WALL TP W/ 25K
BRAKES	7 IN. XL, W/ 30-30 CHAMBERS
CAM GUARDS	NONE
HUB AND DRUM	CAST W/ STEEL HUB HP 10 STUD TP, LS, 7 IN.
TIRES	GENERAL RA 11 R 22.5 16 PLY
WHEELS	STEEL HP 22.5X8.25 - WHITE POWDER COATED
PRIMARY AXLE TIRE INFLATION SYSTEM	MOVED TO CHASSIS

LIFT AXLES

NO. OF LIFT AXLES	2
AXLE1, AXLE 4	
LIFT AXLE SUSPENSION	HEND. INTRAAX AAL 25K (4) TIRES W/HXL-5
LIFT KIT	HEND. UBL-002 (INTRAAX AAL)
LIFT AXLE DISTANCE	52
LIFT AXLE	AXLE FOR INTRAAX ONLY
LIFT AXLE BRAKES	7 IN. XL, W/ 30-30 CHAMBERS
LIFT AXLE CAM GUARDS	HEND. INTRAAX
LIFT AXLE HUB AND DRUM	CAST W/ STEEL HUB HP 10 STUD TP, LS, 7 IN.
LIFT AXLE TIRES	GENERAL RA 11 R 22.5 16 PLY
LIFT AXLE WHEELS	STEEL HP 22.5X8.25 - WHITE POWDER COATED
LIFT AXLE CONTROLS	BALL VALVE (W/ REG.)
FREE WHEEL VALVE	YES
LIFT AXLE TIRE INFLATION SYSTEM	MOVED TO CHASSIS

STEERABLE LIFT AXLES

NO. OF STEERABLE AXLES	0
STEERABLE AXLE SUSPENSION	NONE
STEERABLE AXLE DISTANCE	N/A
STEERABLE AXLES	NONE
STEERABLE AXLE BRAKES	NONE
STEERABLE AXLE HUB AND DRUMS	NONE
STEERABLE AXLE TIRES	NONE
STEERABLE AXLE WHEELS	NONE
STEERABLE AXLE CONTROLS	NONE
STEERABLE AXLE LIFT KIT	NONE

CHASSIS

PIN SETTING	18
5TH WHEEL PLATE	3/8 LOW PROFILE
5TH WHEEL PLATE HEIGHT	48 IN. HIGH
GALVANIZED SUSPENSION HANGERS	INCLUDED W/ SUSPENSION
SUSPENSION CONTROL	NONE
ABS FOR TRAILER	(1) 2S1M MERITOR / WABCO
SLACKS	AUTOMATIC
TIRE INFLATION SYSTEM	NONE
AXLE LUBRICATION	HXL, SYNTHETIC SEMI-FLUID GREASE
HUBODOMETER	NONE
DUST COVERS	NONE

DOLLIES - LANDING GEAR - LANDING LEGS	JOST H451 - (62,500 LB.) - 10 YEAR NO LUBE - GALVANIZED STEEL
	- D.S.
REGISTRATION HOLDER	NONE
AIR GAUGE / SYSTEM	NONE
ENCLOSURE FOR SWITCHES	POLYMER
AIR TANKS	ALUMINUM TANK
HYDRAULIC HOSE FITTING	1 IN. X 108 IN. HOSE W/ WING FITTING
FLAPS FRONT OF TIRES	NONE
FLAPS REAR OF TIRES	FLAP BEHIND REAR AXLE
BUMPER	MOVER BUMPER

TARP

TARP MANUFACTURER	AERO CLASSIC SIDE TO SIDE - MESH
TARP CONTROL	MANUAL
TARP COLOR	BLACK
BOW HOLDERS	NONE
TARP BRACKET	NONE

PAINT

SUSPENSION COLOR	BLACK SOFT COAT
PIN STRIPING	BLACK (931716)
MAC MACHINE FINISH LOGOS	BLACK (931716)
OPTIONAL SIGNS	NONE

Due to Tarriffs, delivered unit pricing will be finalized 90 days prior to start of production.

Quote # 123520

Job #

Pricing is in U.S. Currency

UNIT PRICE	\$133,436.00
FET	\$0.00
Sales Tax	\$0.00
SUB TOTAL	\$133,436.00
Freight	\$5,200.00
FOB MfgLoc Total	\$138,636.00
Trade In Allowance	\$0.00
Down Payment	\$0.00
BALANCE DUE	\$138,636.00

Thank you for your business

ORDER CANCELLATION POLICY

Orders configured with common published and non-published options will not be subject to a cancellation penalty when the Manufacturer receives the request for cancellation 12 or more weeks prior to the scheduled production date. All cancellation requests received within 12 weeks but no less than 8 weeks of the scheduled production start date must be approved by the Product Manager for the specified product line and will be subject to a \$2500.00 cancellation fee. Cancellation requests within 8 weeks of the scheduled production start date will not be accepted.

*** denotes a weight for reference only. Trailer weight will be provided with the engineering design approval packet.



Website WWW.KENSTRUCKREPAIR.com

Email Sales@KENSTRUCKREPAIR.com

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Truck Repair, Inc.

Office 815-697-2361

Fax 815-697-2522

Interstate-57 Exit 302 ◀ 400 North Oak - P.O. Box 37 ▶ Chebanse, Illinois 60922

May 23, 2025

City of Livingston
Attn: Van Garrick
330 Bennett Street
Livingston, MT 59047

Phone: 406-224-0509

Email: vgarrick@livingstonmontana.org

Quote Specifications for:

2026 Titan 53' 4 Axle Walking Floor Open Top Trailer

Customer Application		Garbage
Base Model		53-4-TW-WF (open top)
Style		Wedge
Wall Configuration	Front	To suit garbage application
	Sides	To suit garbage application
	Rear Door	Sideswing, Solid, Lights in Door, Air release w/reinforced bottom lock finger
Overall Length		53'
Overall Width		102" Nominal
Overall Height		13' 6" max
King Pin Location		18" weld in
Upper Coupler		5/16" THK Steel- Set @ 48" High (customer to verify)
Number of Axles	PRIMARY	(3) Three
Axles		5" Round - .580 Wall-Straight Spindle
Axle Track		77"
Suspension		Reyco 21B w/inner wear pads & 3 leaf springs
Location of Spreads		See axle layout
Hub / Drum Assembly		10 Stud-Duralite-Hub Pilot/Centrifuse Drum
Disc Wheel Size		8.25 x 22.5
Rims		Steel - Std. Duty - Prepainted White
Tires	Brand	Goodyear
	Size	11R22.5 - 41.4 dia
	Tread	Endurance RST
	Ply	16
	Quantity	12
Number of Axles	LIFT	(1) One
Axles		Intraax - Straight Spindle
Axle Track		77"
Suspension		Intraax AAT 25K
Location of Spreads		See axle layout
Hub / Drum Assembly		10 Stud Duralite-Hub Pilot/Centrifuse Drum
Disc Wheel Size		8.25 x 22.5
Rims		Steel - Std. Duty - Prepainted White
Tires	Brand	Goodyear
	Size	11R22.5 - 41.4 dia

	Tread	Endurance RST
	Ply	16
	Quantity	4
Axle Layout		FRONT-Prim-54.5-Prim-54-Prim-60-Lift-29.5-REAR
Oil Seals		To suit axles
Lubricants		Oil-Std 80w-90
Brakes	ABS	2S2M Meritor Wabco
	Slack Adj.	Meritor Auto
	Cam Enclos	All axles – c/w dust shields
Lift Kits		Hendrickson UBL
Lift controls		Power Up Manual lift switch in control box, wired to blue
		Aux 7-way
Frame Width		48"
Rear bumper		Alum, Offset, Push
	Additional Bumper Option #1	Tow Shackles
	Additional Bumper Option #2	Steel Vertical Blocks protruding 3 ½", sloped top- bolted to bumper
Tire carrier		None
Landing Gear		Holland Mark 5 – skid foot
Top Rail		Titan Tapered V1
Top Cross Tube		1 pcs - 4" OD
Floor Crossmembers		12" Centers , HD I beams over subframe –cross bracing required
Keith Walking Floor Kit		Running Floor II-3 1/2" Dia Cylinders – 10" stroke
Slat Model & Width		2301 (1841 CWS) 3 ½", T-blocks rear
Slat Wear Strips		Titan installed 36" wear strips rear, 3/8" sq bar between ridges flush w/top of slat
Continuous Bearing		3D Bearing. No Continuous Bearings
Side Wall Wear Plates		Boomerang Style
Front Access Door		Std 35w x 37.5h sealed –Curbside Hinge w/Flip step over Air & Electrical – See Note #3
Tarp Style		None
Tarp Header		None
Tarp Basket		None
Tarp Hooks		None
Axle Fender		None
Hyd Fitting	Pressure	1" quick coupler – Male
	Return	1" quick coupler – Female
Mud Flaps	Style	Titan Black Rubber
	Location	Rear
Mud Flaps-Landing Gear		None
Paint	Body-Color	Natural Aluminum
	Run-Gear	Titan Black
	Hub/Drum	Same as frame
	Rims or Disc	Aluminum
Light Package (Plug Form)		WF-3 markers per side (includes corner mitre & midturn)
		At Rear: 3 per side 4" dia in light bar & 5 rect. clearance at top
	Additional Lights' Option #1	Install Rear Taillights in rear door
Access	Catwalk	Universal Roadside Entry 24" Catwalk
	J-Ladder-Front	Roadside to catwalk
	J-Ladder-Rear	Center of Rear Door
	Steps-Front-Out	None
	Steps-Front-Ins	None
	Steps-Rear	None

Additional Specifications:

1. Add (5) tarp ratchet mounts w/ protectors – shipped loose
2. Add 10" x 10" plasma'd viewing window in access door
3. Invert primary axles
4. 450 ECCO Back up alarm
5. KT Install Side to Side Ratchet Style Mesh Tarp System
 - a. Front & Rear Flaps
 - b. 2 Straps Front & Rear-5 on side
 - c. Fixed on Passenger Side
 - d. Use long crank from ground-store on passenger side

Weight Estimate: 24,570 lbs +/-3% (not including tarp)

Volume Estimate: 145.2 cu yds approx.

Regular Price for Single Unit**\$ 153,101.93 ea**

NO FET, FOB Livingston,, MT

No sales tax included

No license or title fees included

Special Discount Price for City of Livingston**\$ 150,516.99 ea**

NO FET, FOB Livingston,, MT

No sales tax included

No license or title fees included

20% Deposit + Signed Order Required
20% Deposit = \$ 30,103.40 ea.

 Signature of Acceptance

 Date

 PO #



Nicholas Rohr, Vice President
 Ken's Truck Repair, Inc.

5/23/25
 Date

Ryan Seibring, Southern Sales Rep
 Ken's Truck Repair, Inc.



Purchase Order

Number: 20195
Date: 6/26/2025

Vendor: IMCO

QUOTE # IMCO QUOTE #123520

Quantity	Description	Unit Cost	Total Cost
1	BASE TRAILER	\$95,531.05	\$95,531.05
	OPTION TOTAL-SEE ATTACHED	\$37,905.00	\$97,905.00
	FREIGHT	\$5,200.00	\$5,200.00
	TOTAL		\$138,636.00

The City of Livingston is a tax-exempt political subdivision of the State of Montana. Please confirm this City of Livingston Purchase Order with Shannon Holmes, at sholmes@LivingstonMontana.org or (406) 222-5667.

Please Ship Above Listed Items to:

City of Livingston
Attn: SHANNON HOLMS
330 BENNETT ST
Livingston, MT 59047

Order Submitted By:

Grant Gager
City Manager

File Attachments for Item:

E. APPROVAL OF AGREEMENT 20196 FOR ROPING ARENA LEASE



DATE: July 1, 2025
TO: Chair Schwarz and City Commissioners
FROM: Grant Gager, City Manager
RE: Staff Report for Agreement 20196 for Roping Arena Lease

Recommendation and Summary

The City Manager is recommending approval of Agreement 2019__ which is for short-term lease of the City property commonly known as “the roping arena” by adoption of the following motion:

“I move to approve agreement 20196 and authorize the City Manager to execute the agreement.”

The reasons for the recommendation are as follows:

- The City owns a parcel near the County Fairgrounds that is periodically used by event organizers to store equipment of performers and contestants.
- The City has received a request from an event operator for use of the parcel this summer.

Introduction and History

The City owns a parcel at 97 View Vista Drive, commonly referred to as “the old roping arena,” that is periodically used by event organizers for equipment storage and camping. When not in such use, the parcel, which is adjacent to Mayor’s Landing, is used as parkland.

Analysis

The City has received a request to use the parcel for the Yellowstone Boat Float event. With no scheduled competing uses on the requested day, the City has offered the use of the parcel at a discounted rate (\$10.00/day) given the philanthropic nature of the event. The City will not prepare the parcel for the planned use.

Fiscal Impact

The lease revenues included in the contract will be provided to the general fund.

Strategic Alignment

Clear lease agreements provide management the ability to effectively manage City affairs and assets in a manner consistent with Commission priorities.

**Attachments**

- A. Proposed Agreement 20196
- B. Letter from Lessee

LEASE AGREEMENT

AGREEMENT made and entered into as of the ____ day of _____, 2025,
by and between the City of Livingston, a municipal corporation and political subdivision of the State of
Montana, with its principal office located at 220 E. Park Street, Livingston, Montana 59047, hereinafter
referred to as the “City,” and _____, of _____, _____,
Montana _____, hereinafter referred as “Lessee.”

Recitals.

WHEREAS, The City owns certain land located in Section 18, Township 2 South, Range 10 East, M.P.M.
which is more particularly described by Certificate of Survey #1245 on file and of record in the office of
the Clerk and Recorder of Park County, Montana; and more particularly described as the roping arena
property at 97 View Vista Drive, Livingston Montana; and

WHEREAS, The City is desirous of leasing to LESSEE and LESSEE is desirous of leasing from the City
said property under the terms and conditions contained in this agreement; and

WHEREAS, LESSEE is desirous of leasing the property for use associated with the Boat Float event on
July 10, 2025;

NOW THEREFORE; the lease of such property on such days by the Lessee is agreed as follows:

SECTION ONE
Description of Property

The City owns certain land located in Section 18, Township 2 South, Range 10 East, M.P.M. which
is more particularly described by Certificate of Survey #1245 on file and of record in the office of the
Clerk and Recorder of Park County, Montana; and more particularly described as the roping arena property
at 97 View Vista Drive, Livingston Montana.

SECTION TWO

Inspection, Representations and Warranties

LESSEE hereby acknowledges and agrees that it leases the property 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. LESSEE 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 property.

SECTION THREE

Term and Rental Fees

The term of this lease shall be for two days on July 10, 2025. LESSEE agrees to pay, without demand, to the City as rent for the property the sum of \$10.00 per day, on or before the 18th day of August. The LESSEE will have exclusive use of the premises on July 10, 2025.

SECTION FOUR

Insurance/Hold harmless

To the fullest extent allowed by law, LESSEE 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 LESSEE in connection with this agreement.

LESSEE 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, LESSEE 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 LESSEE for parking for contestants and temporary corralling of horses. LESSEE 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 LESSEE's Calamity's Classic Rodeo event, or use of the leased property.

SECTION SEVEN Assignment

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

SECTION EIGHT Alterations and Improvements

LESSEE may mow the grass and otherwise clean the site but no significant alterations or improvements are allowed without prior consent in writing from the City. All agreed upon alterations, changes, and improvements built, constructed, or placed on the demised premises by LESSEE, 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 LESSEE, 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

LESSEE will, at their expense, keep and maintain the property in good condition and repair during the term of this Lease. Any structures replacement shall require the prior written approval of the City. LESSEE will remove organic and inorganic refuse, including manure by the end of July 10.

SECTION TEN Dangerous Materials

LESSEE 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 damager 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 Surrender of Premises

At the expiration of the Lease term, LESSEE 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 THIRTEEN Termination and Default

In the event that any of the equipment installed by LESSEE interferes with the City or other governmental agencies, private entities, residents or organizations located adjacent thereto which are in existence as of July 2025, this lease shall become null and void, if said interference cannot be corrected by LESSEE.

This lease may be terminated by either party by giving six (6) days written notice to the other party.

SECTION FOURTEEN
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 FIFTEEN
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 OF LIVINGSTON

LESSEE

GRANT GAGER
City Manager

NAME
Title

APPROVED AS TO FORM:

JON HESSE
Livingston City Attorney

Property Map



Dear Board of Commissioners of the City of Livingston,

I am reaching out today in order to explain my position as Volunteer Coordinator of the Yellowstone Boat Float (YBF). I am Andrew Bolerjack, and I have taken over the responsibility of leading the Annual Yellowstone Boat Float from Sean McDuffee. I have been an avid river-goer my entire life and have found a passion in sharing the river with everyone. My sole goal is to ensure the continued existence of Montana's longest running river event, and any efforts towards such goals are purely out of a passion for the river. Volunteers and myself receive no compensation for the endless hours of correspondence with authorities, vendors, sponsors, event clean-up, and additional facility providers. We in fact have spent a sizable amount of our own capital in order to ensure the safety of participants as well as a sizable amount within the communities that the YBF visits. Our sole goal is to continue a Montana tradition.

On July, 12, 1963 Billings Mayor Willard E. Fraser embarked on a three day journey from Livingston, MT to Billings, MT. An avid river-runner, Fraser set out on this journey to bring awareness to threats to the wild and beautiful Yellowstone River.

Fraser stated in his invitation, "That the Yellowstone River is the finest river in all North America for floating, you probably already know. It is a clean, clear, white-water river that passes through some of the most beautiful scenery in America. On the second weekend, 12, 13, and 14 July, we hold what is known as the "Mayors' River Float Trip" that starts at Livingston, Montana, and ends in Billings. The recent float was the third annual float. Last year some one hundred twenty-nine boats passed under the bridge at Reed Point, Montana - so you can see it is a popular float and growing moreso."

It is my understanding that the YBF was once coordinated, endorsed, sponsored, and fostered by the mayors and governments of all the cities and towns where the float stopped. The float has long been an event that connects communities along the river as much as it connects people to the river. I would ask this board to follow in their predecessors footsteps in supporting Boat Float in whatever capacity you see fit.

I am reaching out today to ask for your support. I am but one man with the help of a few dedicated volunteers. The YBF has the potential to be a major event supporting all communities along the Yellowstone River. Businesses all along the float look to this event for the influx of participants who spend their hard earned cash. It is not an unreasonable estimation that over 1000 people take part over the course of the weekend. These individuals: rent watercraft; purchase gas, food, ice, and camping supplies; rent hotels and cabins; visit restaurants and bars; and generally support the communities that reside along the Yellowstone River. I would ask that you support your constituents by supporting YBF.

Yellowstone Boat Float has faced challenges in the past including: the event growing too fast, influxes of people outside the immediate communities, inadequate preparations by organizers, and inadequate information being provided to participants.

Volunteers and myself have spent endless hours remedying some of these issues but with limited resources it has been difficult to adapt a decades old event to a modern world. Modern regulations and modern liability concerns have been shown to provide the biggest difficulties in ensuring the continued existence of this event.

Yellowstone Boat Float represents one of the largest self-organized events I have ever been to. The self-reliance but also the general camaraderie of participants speaks volumes to the communities from which they originate. YBF is made up of a loose association of river lovers, individuals passionate about celebrating the river we are all blessed to have. Individual participants look out for each other, pick up after each other, and generally police each other.

The biggest danger posed by the event is the congregation of so many people celebrating the longest undammed river in the lower forty-eight. This danger is understandably recognized by all regulatory entities along the route of YBF as well as myself. Through my position as volunteer coordinator I have done my best to provide resources, share vital information, and organize various amenities and safety precautions along the float. I know these are just but a drop in the bucket compared to the efforts put on by others who prepare for this event. The Waterhole Saloon, the Hagerman Ranch, the Park County and Sweetgrass County Sheriff's Offices and Search and Rescue Team all do an amazing job at helping make YBF not only a fun experience but a safe one.

From my understanding the Yellowstone Boat Float has never had any major incidents requiring the need for insurance coverage. No damages to campgrounds have been sustained and the hardy river men and women have never held the State or City responsible for any damages. We are passionate individuals that care for the water, banks, and lands that make up the Yellowstone River. The typical 20-30 participants who set up camp at Mayors Landing are hardworking individuals preparing for a long day on the water and have no desire to damage the beautiful spaces that they occupy. Lastly, volunteers are organized to make sure campgrounds are left free of refuse upon departure.

I will now refer to the attached City of Livingston Board of Commissioners meeting minutes from June 6th, 2017, Ordinance/Resolution No: 4729. In this resolution the board authorized overnight camping at Mayors Landing in connection with Yellowstone Boat Float with no requirement of insurance.

I would ask the board to allow the 62nd Yellowstone Boat Float to continue to take place as it has for the last 62 years. Please allow us to camp at either the Mayors Landing Fishing Access. As this is an open event available to all who desire to attend I would also ask, if the board would be gracious enough to allow, permission to use the Roping Arena as an overflow campground/parking space to ease congestion on Mayors Landing and View Vista Drive if needed.

If these requests are denied I will accept the lease agreement for the roping arena and/or the special use permit for Mayors Landing and will attempt to secure insurance within the limited

time and within the limited resources. In the event that I am unable to secure the insurance and therefore fail to satisfy the requirements of those agreements then I would ask for leniency on floaters who set up camp at the Mayors Landing as I may not be able to reach them before they decide to camp in the spot they have grown accustomed to for many years.

Thank you for your time and I hope to see you on the Mighty Yellowstone River,

Andrew Bolerjack
2980 Wingshooter Trl
Huntley, MT 59037
andrew.bolerjack@gmail.com
406-855-0697

File Attachments for Item:

F. APPROVAL OF AGREEMENT 20197 WITH FOUR CORNERS RECYCLING



LivingstonMontana.org | PublicComment@LivingstonMontana.org | 406.823.6000

DATE: July 01, 2025
TO: Chair Schwarz and City Commissioners
FROM: Shannon Holmes, Public Works Director
RE: Staff Report for General Services Agreement with Four Corners Recycling

Recommendation and Summary

Staff is recommending the Commission Approve General Services Agreement 20197 with Four Corner's Recycling, LLC to provide Recycling Collection and Processing Services for Fiscal Years 2026, 2027 and 2028 by adopting the following motion:

"I move to approve General Services Agreement 20197 with Four Corners Recycling, LLC and authorize the Chair and City Manager to sign the Agreement."

The reasons for the recommendation are as follows:

- The City of Livingston and Four Corners Recycling have a long-standing relationship in recycling. This partnership spans almost two decades.
- There are no other entities in the area that provide this service.

Introduction and History

Four Corners Recycling has been a pioneer company in the recycling industry in Montana. The City of Livingston has been contracting with Four Corners Recycling for almost 20 years. The partnership has diverted approximately 700 tons of recyclable material per year from Livingston and Park County from the landfill.

Analysis

The General Services Agreement is for a three-year contract for Fiscal years 2026, 2027 and 2028. There is a modest increase in the cost of services due to several factors. The primary being wages, fuel, equipment costs and shipping costs from Four Corners facility to processing plants in other states. The highest increase is for processing glass. This \$40.00/ton increase is directly related to the shipping costs to deliver the glass to Momentum Recycling in Salt Lake City.

**Fiscal Impact**

The costs associated with this agreement are included in the FY 26 budget.

Strategic Alignment

There are several references in the 2021 Growth Policy that encourage the reduction of waste to the landfill and promote recycling in the city.

Strategy 9.1.3.2: Develop an internal policy and guidelines for waste reduction and recycling expansion in coordination with the County.

Strategy 9.1.3.5: Create a community education initiative to reduce confusion and promote effective recycling.

Attachments

- Attachment A: Four Corners Recycling, LLC Proposal
- Attachment B: General Services Agreement

GENERAL SERVICES AGREEMENT 20197

THIS GENERAL SERVICES AGREEMENT (this “Agreement”) is made and entered into as of the ____ day of _____, 2025, by and between **THE CITY OF LIVINGSTON, MONTANA**, a municipal corporation and political subdivision of the state of Montana with its principal office located at 110 East Park Street, Livingston, MT 59047 (hereinafter referred to as the “City”), and **FOUR CORNERS RECYCLING, LLC**, a Montana limited liability company with its principal place of business located at 357 Recycle Way, Bozeman, MT 59714 (hereinafter referred to as the “Contractor”; and together with the City, the “Parties”).

RECITALS:

- A. The Contractor is engaged in the business of providing recycling services, independent of the City, and has the manpower, knowledge, expertise, skills, means, tools, licenses, if applicable, and equipment necessary to perform recycling services for the City.
- B. In the past, the City has utilized the Contractor for recycling services related to the City’s solid waste disposal program.
- C. The Parties desire to continue working together and also desire to define their respective rights, duties and obligations in connection with their relationship and, as a result, the Parties desire to proceed under the terms and conditions contained in this Agreement.

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

- 1. INCORPORATION OF RECITALS. The above Recitals are true and correct and are fully incorporated into this Agreement as if fully set forth in this Paragraph 1.
- 2. EXPIRATION. Unless terminated earlier pursuant to the terms of Paragraph 8 below, this Agreement shall remain in full force and effect until June 30th, 2028, on which day this Agreement shall automatically terminate.
- 3. NON-DISCRIMINATION. Pursuant to Mont. Code Ann. § 49-3-207, in the performance of this Agreement, the Contractor agrees that all hiring will be on the basis of merit and qualifications and the Contractor will not be discriminate on the basis of

race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin.

4. SCOPE OF SERVICES. Contractor shall provide all of the recycling services set forth below (collectively, the “Services”).
 - a. Contractor shall travel to the City’s recycling collection area to pick-up and haul all roll-off boxes and all materials therein, which materials will include steel and aluminum cans (mixed together), #1 and #2 plastics, newspaper, magazines, office paper, white goods (including but not limited to appliances), mixed metal, and cardboard (the Contractor is responsible for emptying the City’s cardboard compactor). The Contractor is solely responsible for sorting any and all materials it collects from the City.
 - b. City personnel shall notify the Contractor on a daily basis as to how close each roll-off box is to capacity. When City personnel notify the Contractor a bin is at or above 80% of its capacity, the Contractor shall remove and replace the bin within twenty-four (24) hours after such notification.
 - c. At City’s request, Contractor shall include glass as a recycled material to be collected. City may haul glass to recycler’s facility or have contractor collect glass from City’s recycling facility.
 - d. Contractor shall travel to the City’s Transfer Station area to pick-up and haul all refrigeration units.
 - e. Contractor shall provide two - two foot by four foot signs for recycling education to be placed at City’s recycling area. Contractor shall assist in educational information about recycling to be passed along to recycling users.
 - f. If this Contract terminates, and is not renewed or continued, the Contractor will return the City’s triple bin roll off box(es), and cardboard bin(s) within 10 days in substantially the same condition in which they were received, normal wear and tear excepted.

5. PAYMENT.

- a. The City shall pay the Contractor for the Services at the following rates:
 - i. Twenty-Five and No/100 Dollars (\$25.00) per dump for each front-load cardboard bin plus the Contractor receives the commodity value of the cardboard. The Contractor acknowledges that he will not be paid for the number of cardboard bins owned by the City.
 - ii. One Hundred Seventy and No/100 Dollars (\$170.00) per ton to bale plastics (#1-#2); provided, however, the City shall receive a credit against, or pay the difference for, the cost of baling based upon the then-current commodity value of plastic. Recycling #1 and #2 plastics only should result in a higher commodity value credited to the City.
 - iii. One Hundred Twenty and No/100 Dollars (\$120.00) per ton for recycling of glass if the City recycles between one and one hundred tons of glass. One hundred Seventeen and 50/100 Dollars (\$117.50) per ton for recycling of glass if the City recycles between one hundred one and one hundred fifty tons of glass. One Hundred Fifteen and No/100 Dollars (\$115.00) per ton for recycling of glass if the City recycles over one hundred fifty-one tons of glass. Cost will be charged at One Hundred Twenty and No/100 (\$120.00) and credit for reduced cost per ton will be given as volume of recycled glass meets weight thresholds. Contractor will provide a 30-yard roll off, if available, at no extra charge.
 - iv. Two Hundred fifty-five and No/100 Dollars (\$255.00) for each roll-off box pull from July 1st 2025 to June 30th 2026. Two hundred Seventy and No/100 Dollars (\$270.00) for each roll-off box pull from July 1st 2026 to June 30th 2027. Two Hundred Eighty-Five and No/100 Dollars (\$285.00) for each roll-off box pull from July 1st 2027 to June 30th 2028.
 - v. Thirty and No/100 Dollars (\$30.00) per refrigeration unit without Freon removed. Must have tag indication Freon has been removed by licensed agent.

- vi. Sixty and No/100 Dollars (\$60.00) for processing and bailing cardboard and Fifty and No/100 Dollars (\$50.00) for processing newspaper.
 - vii. Thirty and No/100 Dollars (\$30.00) per tire and propane tank that are placed in the metal recycling roll off.
 - viii. Two thousand seven hundred and No/100 Dollars (\$2,700.00) per each triple bin container for moving the interior divides, sandblasting and repainting the triple bin containers. Two thousand and No/100 Dollars (\$2,000) per cardboard compactor container to sandblast and repaint. This work requires prior approval from the City.
- b. In addition to any credit mentioned hereinabove, the City shall receive a credit against the Contractor's charges for all of the following, by weight:
- i. Any and all aluminum and steel collected from the City and processed by the Contractor, which credit shall be equal to the then-current market rate for the said materials.
 - ii. Any and all newspaper, magazines and officer paper collected from the City and processed by the Contractor, which credit shall be equal to the then-current market rate for the said materials.
 - iii. Any and all mixed metal collected from the City and processed by the Contractor, which credit shall be equal to the then-current market rate for the said material.
 - iv. Any and all cardboard collected from the City's compactor and processed by the Contractor, which credit shall be equal to the then-current market rate for the said material.
- c. Invoices submitted by Contractor must first be approved by the City or its designee prior to payment. All bills shall be submitted fourteen (14) days before the next regularly scheduled meeting of the City Commission to the Public Works Director at 330 Bennett Street, Livingston, Montana.

- d. In connection with obtaining payment under this Agreement, Contractor agrees to familiarize itself with, and agrees to be bound by, the City's claim procedure, including but not limited to deadlines for submitting claims for approval and payment. The Contractor assumes responsibility for the late filing of a claim.
- e. In the event the Contractor seeks payment or compensation for work, materials or services not included in this Agreement and the exhibits hereto, the Contractor must seek prior written authorization from the City before such expenditure is incurred. If the Contractor fails to obtain prior written authorization, the Contractor shall not be entitled to payment for the unauthorized work, materials or services.

6. NATURE OF RELATIONSHIP.

- a. The Contractor states that it is engaged in an established business or profession which is in no way affiliated with or connected to the City, except by this Agreement and that it uses independent judgment in the performance of services provided hereby free from control or direction of others. The Contractor shall perform the Services as an independent contractor. The Parties agree that the City is only interested in the end result of said project, not in the method of performance, and as such, the Contractor has been and will continue to be free from the control or direction of the City in the performance of this Agreement. The Contractor shall not be deemed by virtue of this Agreement nor the performance thereof to have entered into any partnership, joint venture, employer/employee or any other legal relationship with the City besides that of an independent contractor.
- b. The Contractor agrees to comply with all applicable laws, rules and regulations adopted or promulgated by any governmental agency or regulatory body, both state and federal, and furthermore agrees to assume full responsibility for the payment of all contributions of all federal and state income or other payroll tax or assessment, social security, worker's compensation insurance, unemployment insurance, self-employment tax or any other required deduction or contribution for himself or for any employees engaged by the Contractor in performance of this Agreement.
- c. The Contractor hereby states that it is either covered by worker's compensation and unemployment insurance or has obtained an exemption from the Montana Department of Labor and Industry pursuant to Mont. Code Ann. §§ 39-71-401(3)

and 39-51-204(2), as is evidenced by the certificates of insurance or exemption documents attached hereto and incorporated herein as Exhibit A. Any certificates of insurance shall require at least ten (10) days written notice to the City prior to any cancellation, termination, or non-renewal of coverage.

- d. The Contractor, its officers, agents and/or employees shall not have the authority to make representations on behalf of the City, and neither shall the aforementioned persons have the authority to legally bind or otherwise obligate the City to any third person or entity.

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

- a. It and its employees possess all of the necessary qualifications, experience, knowledge, tools and equipment to undertake the performance of the Services as set forth in this Agreement.
- b. It is familiar with the City's solid waste disposal operation and is satisfied as to the general, local and site conditions that may affect cost, progress, performance or furnishing of the Services.
- c. It is familiar with and is satisfied as to all federal, state and local laws and regulations that may affect costs, progress, performance and furnishing the Services.
- d. It has reviewed this Agreement and all exhibits hereto and has entered into this Agreement based solely upon its own knowledge, inspection and judgment, and not upon any representations or warranties made by the City or its officers, employees or agents.
- e. It will complete the Services in a workmanlike manner according to industry standards and practices.
- f. It will not cause or permit any liens to be filed against City-owned property.

8. TERMINATION.

- a. If the City fails to substantially perform in accordance with the terms of this Agreement, the Contractor shall deliver to the City a written notice specifying the nature of the City's failure to substantially perform. The City shall have a period of ten (10) days after receiving the written notice from the Contractor to cure the failure to perform. If the City fails to cure its failure to perform within the 10-day cure period, the Contractor shall provide the City with a written notice to terminate this Agreement. The Contractor may only terminate this Agreement if it is not at fault for the City's failure to perform. Failure of the City to make payment as provided in this Agreement shall be considered nonperformance and cause for termination, unless the Contractor is at fault for the City's nonpayment.
- b. The City may terminate this Agreement upon not less than ten (10) days prior written notice to Contractor. If the City terminates this Agreement for a reason other than fault of the Contractor, the Contractor shall receive compensation for the work/services performed prior to termination, together with reasonable expenses incurred up to the date of termination.

9. INDEMNIFICATION AND HOLD HARMLESS. To the fullest extent permitted by law, the Contractor shall indemnify the City, its officers, employees, agents and representatives against any and all claims, actions, costs, fees (including but not limited to attorney fees and all defense costs), losses, liabilities or damage of whatever kind or nature arising from or related to Contractor's performance of this Agreement and Contractor's work (or the work of any subcontractor or supplier to Contractor) under this Agreement. In the event a claim should be brought or an action filed against the City with respect of the subject of this Agreement, Contractor agrees that the City may, at its election, employ attorneys of its own selection to appear and defend the claim or action on behalf of the City, at the expense of the Contractor. City, at its option, shall have the sole authority for the direction of the defense and shall be the sole judge of the acceptability of any compromise or settlement of any claims or actions against the City.
10. INSURANCE. During the term of this Agreement, Contractor shall be responsible for maintaining insurance coverage at its sole cost and expense. The Contractor shall provide

the City with certificates of insurance demonstrating such insurance coverage and the certificates of insurance shall require at least ten (10) days written notice to the City prior to any cancellation, termination, or non-renewal of coverage. The certificates of insurance shall also name the City as an additional insured. In addition to any other insurance mentioned in this Agreement, the Contractor shall maintain a comprehensive public liability insurance policy, including automobile coverage, insuring against loss and for damages for personal injury or death and/or property loss, damage or destruction arising out of or in connection with the performance of this Agreement by the Contractor, its officers, agents and employees with the minimum liability limit of \$750,000.00 per claim and \$1,500,000.00 for each occurrence. The certificates of insurance discussed in this Paragraph 10 are attached hereto and incorporated herein as Exhibit B.

11. NOTICES. All notices or communications required to be given under this Agreement shall be in writing and shall be deemed to have been duly given by personal delivery or upon deposit into the United States Postal Service, postage prepaid, for mailing by certified mail, return receipt required and addressed, to the address set forth in this Agreement. Any change of address shall be made by giving written notice thereof to the other party, providing the new address.
12. MODIFICATION AND WAIVER. No amendment, modification or waiver of any condition, provision or term of this Agreement shall be valid or of any effect unless made in writing, signed by the party or parties to be bound and specifying with particularity the nature and extent of such amendment, modification or waiver. Any waiver by any party of any default of the other party shall not effect or impair any right arising from any subsequent default. Nothing herein shall limit the remedies or rights of the parties hereunder and pursuant to this Agreement.
13. SEVERABILITY. Each provision of this Agreement is intended to be severable. If any provision of this Agreement is illegal or invalid for any reason whatsoever, such illegality or invalidity of said provision shall not affect the validity of the remainder of this Agreement.
14. ENTIRE AGREEMENT. This Agreement contains the entire understanding of the Parties in respect to the Services and supersedes all prior agreements and understandings between the Parties with respect to the Services.

15. CAPTIONS, HEADINGS, AND TITLES. All captions, headings, or titles in the paragraphs or sections of this Agreement are inserted for convenience or reference only and shall not constitute a part of this Agreement or act as a limitation of the scope of the particular paragraph or section to which they apply. As used herein, where appropriate, the singular shall include the plural and vice versa and the masculine, feminine or neuter expressions shall be interchangeable.

16. COUNTERPARTS. This Agreement may be executed in multiple counterparts, each of which shall be one and the same Agreement and shall become effective when one or more counterparts have been signed by each of the parties and delivered to the other party.

17. PARTIES IN INTEREST AND ASSIGNMENT. This Agreement shall be binding upon, and the benefits and obligations provided for herein shall inure to and bind, the Parties and their respective successors and assigns, provided that this section shall not be deemed to permit any transfer or assignment otherwise prohibited by this Agreement. This Agreement is for the exclusive benefit of the Parties and it does not create a contractual relationship with or exist for the benefit of an third party, including contractors, subcontractors or their sureties. This Agreement shall not be assigned, or any right or obligation hereunder, in whole or in part, to another without first having prior written consent of the other party. No assignment or transfer of any interest under this Agreement shall be deemed to release the contractor from any liability or obligation under this Agreement, or to cause any such liability or obligation to be reduced to a secondary liability or obligation.

18. LIAISON. The designated liaison with the City is Shannon Holmes or Van Garrick, both of whom can be reached at (406) 222-5667. The Contractor's liaison is _____, who can be reached at _____.

19. GOVERNING LAW. It is mutually agreed that the performance or breach of this Agreement and its interpretation shall be governed by the laws of the State of Montana, without regard to its conflicts of law principles.

20. COMPUTING TIME. For the purpose of calculating time under this Agreement, the following computation shall be used: If the period is stated in days or a longer unit of

time, exclude the day of the event that triggers the period, count every day, including intermediate Saturdays, Sundays, and legal holidays, and include the last day of the period, but if the last day is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday.

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

City of Livingston

**FOUR CORNERS RECYCLING, LLC,
a Montana limited liability company**

City Manager

Name: _____
Its: _____

[Exhibit A]

[Certificates of WC and UE Insurance or Exemptions]

Exhibit B**[Certificates of Insurance]**

File Attachments for Item:

**G. CONSIDERATION OF OPEN CONTAINER SPECIAL EXCEPTION REQUEST FOR THE ANNUAL
6TH STREET BLOCK PARTY ON JULY 2, 2025**



DATE: July 01, 2025
TO: Chair Schwarz and City Commissioners
FROM: Grant Gager, City Manager
RE: Staff Report for Consideration of Request for a Special Event Exception to City of Livingston Alcohol Consumption Restrictions

Recommendation and Summary

Staff is recommending the Commission approve an exception to the enforcement of restrictions on consumption of beer or liquor during the Annual 6th Street Block Party on July 02, 2025, by adopting the following motion:

"I move to approve the request to create an exception to the enforcement of the restrictions on carrying or consuming alcohol during the Annual 6th Street Block Party on July 02, 2025."

The reasons for the recommendation are as follows:

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

Introduction and History

The applicant has submitted a Special Event Permit for a block party on 6th Street in Livingston, Montana. The event is scheduled to include both music and food in addition to alcoholic beverages. The event organizer will provide security and ensure identification of all attendees.

Analysis

City departments have reviewed the request and are comfortable with the event as planned pending Commission approval of this waiver.

Fiscal Impact

Application fees will offset costs associated with the event.

**Strategic Alignment**

Growth Policy strategy 9.2.2.2. encourages the City to “Continue to provide public space and venues for community events and festivals.”

Attachments

- Attachment A: 2025 Event Application

City of Livingston Special Event Permit Application

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

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

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

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

Renter/Contact Name: MARK D. MURPHY JR.

Organization: RESIDENTS OF So. 6TH (100 BLOCK)

Email Address: markmurph101@GMAIL.COM Tax ID Number: 151-58-9234

Address: 119 So. 6TH ST.

City, State, Zip: LV., MT., 59047

Mobile Phone: 406-223-5740

Work Phone: SAME

Group insuring event: Selves

Insurance Company:

Policy Number:

Insurance Agent:

Insurance Phone:

Insurance Address:

Event Information

Name of Event: ANNUAL 6TH ST BLOCK PARTY Date of Event: 7-2-'25

Event Type: RESIDENTS GATHERING

Approx # of Attendees: 50+

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

Time(s) of event: POST PARADE til dark

Set up

AM

Event

POST

Event

EVENING

Cleanup

EVENING

Begins:

Begins:

PARADE

ends:

Complete:

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

Just the residents of the 100 block of So. 6TH congregating for B-B-Q.

Please identify any safety / security issues:

Do you plan for your event to:

Have food: _____ If yes, have you contacted the Park County Sanitarian at 406-222-4145 and followed all requirements?

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

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

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

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

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

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

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

Utilize City park/facility/space: _____ If yes, please name the space and provide record of reservation. Contact the Recreation Department at 406-223-2233 to reserve.

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

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

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

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

Construction Fencing: _____ @ \$15 / 100 feet

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

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

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

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

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

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

☐

Liquor Liability Attached as described in Section 7

☐

Proof of Alcohol Server Training as described in Section 7

Requests for special animal policy considerations as described in Section 7:

_____ If yes, please describe:

Will the event require camping or temporary housing: NONE If yes, have you the Park County Sanitarian at 406-222-4145 to set up a temporary housing plan and answer the following questions:

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

Please describe plan for water/sanitation facilities and parking:

Usually no parking on said block. Adjacent street parking available.

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

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

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

 6-24-'75
Responsible Party (must have authority to sign) **Date**

City of Livingston City Manager **Date**

File Attachments for Item:

H. CONSIDERATION OF OPEN CONTAINER SPECIAL EXCEPTION REQUEST FOR THE 62ND ANNUAL YELLOWSTONE BOAT FLOAT ON JULY 10, 2025



LivingstonMontana.org | PublicComment@LivingstonMontana.org | 406.823.6000

DATE: July 01, 2025
TO: Chair Schwarz and City Commissioners
FROM: Grant Gager, City Manager
RE: Staff Report for Consideration of Request for a Special Event Exception to City of Livingston Alcohol Consumption Restrictions

Recommendation and Summary

Staff is recommending the Commission approve an exception to the enforcement of restrictions on consumption of beer or liquor during the 62nd Annual Yellowstone Boat Float on July 10, 2025, by adopting the following motion:

"I move to approve the request to create an exception to the enforcement of the restrictions on carrying or consuming alcohol during a private event on July 10, 2025."

The reasons for the recommendation are as follows:

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

Introduction and History

The applicant has submitted a Special Event Permit for an event in the Roping Arena and Mayors Landing area. The event is scheduled to include both food in addition to alcoholic beverages. The event organizer will provide security and ensure identification of all attendees.

Analysis

City departments have reviewed the request and are comfortable with the event as planned pending Commission approval of this waiver.

Fiscal Impact

Application fees will offset costs associated with the event.

**Strategic Alignment**

Growth Policy strategy 9.2.2.2. encourages the City to “Continue to provide public space and venues for community events and festivals.”

Attachments

- Attachment A: 2025 Event Application

City of Livingston Special Event Permit Application

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

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

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

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

Renter/Contact Name: Andrew Bolerjack

Organization: The 62nd Annual Yellowstone Boat Float

Email Address: andrew.bolerjack@gmail.com

Tax ID Number: _____

Address: 2980 Wingshooter Trl

City, State, Zip: Huntley, MT, 59037

Mobile Phone: 4068550697

Work Phone: _____

Group insuring event: _____

Insurance Company: _____

Policy Number: _____

Insurance Agent: _____

Insurance Phone: _____

Insurance Address: _____

Event Information

Name of Event: The 62nd Yellowstone Boat Float

Date of Event: 7/10/25

Event Type: Camping before river float

Approx # of Attendees: 50

Proposed Route(s) and/or Map(s) Attached: _____

Time(s) of event: 12pm 7/10 to 12pm 7/11/25

Set up

Event

Event

Cleanup

Begins:

Begins:

ends:

Complete:

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

The Yellowstone Boat Float has kicked off at the Mayors Landing Fishing Access Site for many years. A few participants of the float camp Thursday night at the sight before launching on Friday Morning around 9am.

Please identify any safety / security issues:

Do you plan for your event to:

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

Accumulate waste: NO ☒ If yes, please notate your disposal plan (We recommend 1 – 96 Gallon can per 200 people):
Existing receptacles should be adequate for expected participants

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

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

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

Need restrooms: NO ☒ If yes, how do you plan to accommodate? (We recommend one toilet per 250 people)

Need electricity: NO ☒ If yes, what for and what source do you plan to use?

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

Boaters will park at the site before their rigs are shuttled downstream.

Utilize City park/facility/space: Yes ☒ If yes, please name the space and provide record of reservation. Contact the Recreation Department at 406-223-2233 to reserve.

We would camp at Mayors Landing.

Use a stage, bleachers, tents or other temporary structures: NO ☒

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

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

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

Construction Fencing: _____ @ \$15 / 100 feet

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

Street Closure: NO ☒ If yes, please notate number of streets* in accurate space provided as well as on the route map

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

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

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

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

☐

Liquor Liability Attached as described in Section 7

☐

Proof of Alcohol Server Training as described in Section 7

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

☒ If yes, please describe:

Will the event require camping or temporary housing: Yes ☒ If yes, have you the Park County Sanitarian at 406-222-4145 to set up a temporary housing plan and answer the following questions:

7/10/25 Date(s) Camping will occur Mayors Landing Location of camp site(s) 50-75 Number of campers
20-30 Number of tents Grassy Areas Location of tent(s) No Fire Ring(s) needed? *(must be authorized by Fire Dept)*

Please describe plan for water/sanitation facilities and parking:
Camping Space and parking will be first come first serve. Campers are advised to pack in and out. Existing Facilities should be adequate for the expected amount of participants.

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

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

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

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

City of Livingston City Manager **Date**

File Attachments for Item:

**I. CONSIDERATION OF OPEN CONTAINER SPECIAL EXCEPTION REQUEST FOR THE PCEC
RENDEZVOUS ON SEPTEMBER 04, 2025**



DATE: July 01, 2025

TO: Chair Schwarz and City Commissioners

FROM: Grant Gager, City Manager

RE: Staff Report for Consideration of Request for a Special Event Exception to City of Livingston Alcohol Consumption Restrictions

Recommendation and Summary

Staff is recommending the Commission approve an exception to the enforcement of restrictions on consumption of beer or liquor during The PCEC Rendezvous on September 04, 2025, by adopting the following motion:

"I move to approve the request to create an exception to the enforcement of the restrictions on carrying or consuming alcohol during the PCEC Rendezvous on September 04, 2025."

The reasons for the recommendation are as follows:

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

Introduction and History

The applicant has submitted a Special Event Permit for an event in Miles Park. The event is scheduled to include both music and food in addition to alcoholic beverages. The event organizer will provide security and ensure identification of all attendees.

Analysis

City departments have reviewed the request and are comfortable with the event as planned pending Commission approval of this waiver.

Fiscal Impact

Application fees will offset costs associated with the event.

**Strategic Alignment**

Growth Policy strategy 9.2.2.2. encourages the City to “Continue to provide public space and venues for community events and festivals.”

Attachments

- Attachment A: 2025 Event Application

City of Livingston Special Event Permit Application

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

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

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

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

Renter/Contact Name: **Karrie Kahle**

Organization: **Park County Environmental Council**

Email Address: **karrie@pcecmmt.org**

Tax ID Number: **36-3699660**

Address: **PO Box 164**

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

Mobile Phone: **352-214-7646**

Work Phone:

Group insuring event: **The CIMA Companies, Inc.**

Insurance Company: **Philadelphia Indemnity Insurance C** Policy Number: **PHPK2601704-008**

Insurance Agent: **Aaron Jones**

Insurance Phone: **703-778-7308**

Insurance Address: **2750 Killarny Drive, Suite 202, Woodbridge VA 22192**

Event Information

Name of Event: **PCEC Rendezvous**

Date of Event: **Sept. 4, 2025**

Event Type: **Yearly membership meeting**

Approx # of Attendees: **125**

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

Time(s) of event: **5:30-7:30**

Set up **12:00pm**

Event **5:30pm**

Event **7:30pm**

Cleanup

Begins: **3:30pm**

Begins:

ends:

Complete: **9:00pm**

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

This will be our yearly membership meeting and will include a BBQ picnic and a panel discussion. The event will be catered by Follow Yer Nose BBQ. We may put up a few pop up tents.

Please identify any safety / security issues:

Do you plan for your event to:

Have food: Yes ☒ If yes, have you contacted the Park County Sanitarian at 406-222-4145 and followed all requirements? We have not but we will be using a licensed and insured caterer

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

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

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

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

Need restrooms: Yes ☒ If yes, how do you plan to accommodate? (We recommend one toilet per 250 people)
We will plan to use the pit toilets at Miles Park

Need electricity: Yes ☒ If yes, what for and what source do you plan to use?
We will need electricity for sound equipment and will plan to use power from the band shell

Utilize parking: Yes ☒ If yes, how do you plan to accommodate?
We will use the Civic Center Parking lot

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

We have held Miles Park through Susie at the Recreation Department

Use a stage, bleachers, tents or other temporary structures: Yes ☒
If yes, please attach a drawing of proposed location(s) and sizes. \$30 irrigation locate fee applies when in parks.

***Utilize Cones, A-frames or Barricades from the City of Livingston:** No ☒
Candlestick Cones: ____ @ \$3 each A-Frames: ____ @ \$7 each Barricades: ____ @ \$12 each
Construction Fencing: ____ @ \$15 / 100 feet

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

Street Closure: No ☒ If yes, please notate number of streets* in accurate space provided as well as on the route map
____ Mon – Fri, 7am – 4pm: \$110 each (up to 2 streets) \$50 per street over 2
____ Mon – Fri, 4pm-10pm; Saturday & Sunday: \$200 each (up to 2 streets) \$100 per street over 2

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

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

Beer and wine will be available for guests 21 and over. It will not be for sale. It will be served by Karrie Kahle, see attached TiPs Certification. ID's will be checked prior to alcohol being served.

☐ Liquor Liability Attached as described in Section 7

☒ Proof of Alcohol Server Training as described in Section 7

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

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

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

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

Please describe plan for water/sanitation facilities and parking:

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

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

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


Responsible Party (must have authority to sign)

Date

6/12/25

City of Livingston City Manager

Date

File Attachments for Item:

J. APPLICATION FROM VALERIE SUMMERS FOR A RESERVED PARKING SPACE FOR DISABLE PERSONS ON A PUBLIC STREET



DATE: July 01, 2025

TO: Chair Schwarz and City Commissioners

FROM: Grant Gager, City Manager

RE: Staff Report for Approval of a Special Reserved Parking Space

Recommendation and Summary

Staff is recommending the Commission approve the reservation and installation of a special parking space to enable parking by a disable City resident by adopting the following motion:

"I move to approve the reservation and installation of a special parking space located at 224 W. Geyser Street and authorize the City Manager to direct installation of the required signage and paint."

The reasons for the recommendation are as follows:

- Chapter 9 of the Livingston Municipal Code allows for the creation of special parking spaces in certain circumstances.
- The City has received a request from a resident that conforms to the requirements of the Livingston Municipal Code for issuance of a special reserved parking space. City Commission approval is required to issue such space.

Introduction and History

Chapter 9 of the Livingston Municipal Code (LMC) provides requirements for the operation and parking of vehicles in the City of Livingston. Importantly, Section 9-243.C. of the LMC allows for the creation of Special Reserved Parking Spaces for disabled persons adjacent to their residence subject to the approval of the City Commission.

Analysis

The City has received an application for a Special Reserved Parking Space at 224 W. Geyser Street in the City of Livingston that meets the requirements established in the LMC and staff is requesting City Commission approval for reservation and installation of such a space. The permit will not be provided until the fee and appropriate vehicle registration documents are provided.

**Fiscal Impact**

The \$50.00 fee established in the LMC for Special Reserved Parking Spaces is intended to provide for signage installation and cover the City's cost.

Strategic Alignment

Issuance of such a Special Reserved Parking Space fulfills the goals and requirements of the Livingston Municipal Code.

Attachments

- Attachment A: Special Reserved Parking Space Application and Supporting Documentation

RECEIVED
JUN 13 2025
PUBLIC WORKS

City of Livingston
Application for Special Parking Spaces
Reserved for Disabled Persons On a Public Street
(Please note this process may take up to 90 days from date of submission)

Name of Applicant: Valerie Summers
Address: 224 W. Geyser Phone: 951-704-0805

Type of Special Parking Space Requested:
General Public Use ☒ Reserved for Personal Use of a Disabled Person. (\$50 fee)

Specific Location of the Requested Space: 224 W Geyser

Reason for the Request: Handicap Use - Parkinsons

If requesting a "special parking space" reserved for personal use in a residential area, please answer the following questions:

1. Do you operate a vehicle displaying a specialty inscribed license plate issued by the state of Montana to disabled persons and displaying a wheelchair symbol, or the letters "DV" issued to disabled veteran's, or do you possess a special parking permit issued by the State of Montana to persons with a disability?
(Please provide a copy of the vehicle registration). Yes ☐ No ☐
2. Is the requested parking space adjacent to your permanent residence? Yes ☒ No ☐
3. Does reasonably accessible and practicable off street parking exist? Yes ☐ No ☒
4. License plate number of vehicle(s) designated to use the space: 49-2503G
5. Are the designated vehicles operated by you? Yes ☒ No ☐

Administrative Use Only

Date application received: 6/13/25 Reviewed by: Patrick Stewart

Does request meet criteria? Yes ☒ No ☐

Comments _____

City Commission Action: ☐ Approved ☐ Denied Date: _____

Installation of Sign:
Sign installed by: _____ Date: _____
Amount Collected: _____ Check no. _____

Removal of Sign
Sign removed by: _____ Date: _____
Reason for Removal: _____

**IMPORTANT: REMOVE BEFORE
DRIVING VEHICLE**



Any Alteration Voids Permit

A 149659

**Disabled Persons Parking
Identification Permit**

MONTH	EXPIRES	YEAR
JAN		23
FEB		24
MAR		25
APR		26
MAY		27
JUN		28
JUL		29
AUG		30
SEP		31
OCT		32
NOV		33
DEC		34



ILLEGAL TO DUPLICATE THIS PERMIT

VTS

Montana Vehicle Registration

Valid Through Date 03/31/2026

Renewal Cust Nbr 5400782

County	Park	Issue Date	03/03/2025	Tab Nbr	A09534521	Park Fee Paid
Usage	Regular	User	pj49a000	Plate Nbr	492563G	
Reg Usage	Regular	Fleet Nbr		Plate Type	Std County Lg (PC)	
Reg Type		OTN				

Owners / Lessors
Valerie Jean Summers
224 W Geyser St
Livingston, MT 590473413

VIN	2HGFE2F26NH518487	Year	2022	Make	Honda	Model	Civic
Veh Type	Passenger (PC)	Style	SD	Color	White	Ext Model	
Weight	2877	Ton Code				Veh Nbr	5973538
Decl GVW		GVW Class		GVW Beg		GVW End	

Valerie Jean Summers
224 W Geyser St
Livingston, MT 590473413



By registering this vehicle the applicant acknowledges having knowledge of the FMCSR and FHMR, if applicable.

Tab Number
A09534521

Month Number
03



File Attachments for Item:

K. APPROVAL OF ONE MEMBER TO THE LIVINGSTON PARK COUNTY PUBLIC LIBRARY BOARD



LivingstonMontana.org | PublicComment@LivingstonMontana.org | 406.823.6000

DATE: July 01, 2025
TO: Chair Schwarz and City Commissioners
FROM: Grant Gager, City Manager
RE: Staff Report for Approving the Appointment of Mary DuVernay to the Livingston Park County Public Library Board

Recommendation and Summary

The City Manager is recommending the Commission approve the appointment of Mary DuVernay to serve on the Livingston Park County Public Library Board:

"I move to approve the City Manager's request to appoint Mary DuVernay to the Livingston Park County Public Library Board."

The reasons for the recommendation are as follows:

- The City Manager's recommendation reflects the recommendation of the current Library Board
- As the board requires two City Trustee representatives, it is necessary to appoint someone to fill this seat

Introduction and History

The Livingston Park County Public Library Board includes two City-appointed trustees whose terms are staggered to ensure continuity. The term for one of these trustees, Jack Longbine, is set to expire on June 30, 2025, and Mr. Longbine has chosen not to seek reappointment. The Library Board accepted applications for the open seat and reviewed them at its June 23, 2025 meeting. Following their review, the Board voted to recommend Mary DuVernay for appointment to the open City Trustee position.



Analysis

The City Commission is being asked to approve the appointment of Mary DuVernay to the Livingston Park County Public Library Board for a five-year term ending June 30, 2030. The Library Board reviewed the submitted applications and selected Ms. DuVernay as their preferred candidate based on qualifications and board needs. This appointment maintains the required number of City-appointed trustees and supports the continued governance and operation of the Library Board. Staff recommends approval of the appointment based on the Library Board's recommendation and the City's responsibility to fill the seat in a timely manner. Alternatives include reopening the application process or appointing the other applicant, both of which would delay finalizing the board composition. No issues related to eligibility, term limits, or conflicts have been identified.

Fiscal Impact

Staff anticipates no fiscal impact associated with this appointment.

Strategic Alignment

A fully staffed board will enable the Livingston Park County Library Board to execute its mission.

Attachments

- Attachment A: Livingston Park County Library Board Recommendation Letter
- Attachment B: Applications from both candidates



June 24, 2025

City of Livingston Commission
220 East Park Street
Livingston MT 59047

Dear Commissioners:

On June 30, 2025, the term for one of the two City Trustee seats on of the Livingston-Park County Public Library Board will expire. Jack Longbine, the Trustee whose term is ending, is not seeking reappointment.

At its June 23, 2025 meeting the Library Board voted to recommend the applicant Mary DuVernay for appointment to the open City Trustee seat. A copy of her application is attached. The other applicant's information is attached as well, for your review.

Montana Code Annotated states that Library Board Trustees hold office for 5-year terms, and may not serve more than two full terms in succession. This would be Ms. DuVernay's first term on the Library Board, and would run through June 30, 2030.

The Library Board appreciates having the opportunity to provide its input on your appointment decision.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sheila Elwin".

Sheila Elwin

Livingston-Park County Library Board Trustee

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

Appointed Position Seeking: Library Trustee

Date of Application: 6/11/2025

Name: Mary DuVernay

Signed: Mary DuVernay

Address: 408 East Geyser Street

Telephone: daytime 406-479-3014

after 5:00 p.m.: 406-479-3014

Fax Number: n/a

e-mail address: maryduvernay@gmail.com

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

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

- A. Occupation: High School Special Education Teacher
- B. Education: Master of Education in Special Education, B.A Psychology & French
- C. Experience: High School Teacher, Indian Education Tutor, Literacy Council Director

(please attach a detailed resume if desired)

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

Helena Community Garden's Board of Directors, Helena Citizens Council

7. Are you currently serving on any Community Boards? No
 - A. If yes, please describe those boards. _____
8. Current Employer? Park High School
9. Are you available for night meetings? yes
10. Are you available for daytime meetings? after 3:30pm
11. Do you foresee any potential conflicts of interest that you might have in executing the duties of this appointed office? No
12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? please see attached

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

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

Mary DuVernay
Library Board Trustee Application

4. Describe the reasons you are interested in this appointment.

I want to support the Livingston Park County Library in providing critical services to our community. The Park County Library serves as a hub for information, community meetings, and access to resources. As a parent, community member, and teacher, I regularly benefit from library services and resources. I am dedicated to preserving the value library services provide throughout our county and supporting the library as it responds to evolving community needs.

12. If a conflict of interest arose, how would you deal with it as an appointed member of the board?

In case of potential conflict of interest, I would notify the other trustees and the library director. As necessary, I would recuse myself from those specific matters.

Mary DuVernay
408 E. Geyser St., Livingston, MT 59047
406-479-3014
maryduvernay@gmail.com

Education

Grand Canyon University

- Master of Education in Special Education, May 2011, GPA 4.0

Amherst College, Amherst, Massachusetts

- Bachelor of the Arts May 2004, Summa Cum Laude with Distinction, Phi Beta Kappa
- Majors: Psychology and French
- Honors Thesis in Psychology: Norm Misperception Education as a Method for Primary Prevention of Disordered Eating in College Women, Amherst College Psychology Department

Teaching Experience

- | | |
|---|-----------------------|
| Special Education Teacher, Park High School, Livingston, MT | Jan. 2022 - present |
| <ul style="list-style-type: none"> ▪ Prepare and implement lesson plans for high school students with disabilities ▪ Collaborate with students, families, and teaching staff to create Individualized Education Plans | |
| Internal Substitute, East Side Elementary, Livingston, MT | Oct. 2021 - Jan. 2022 |
| <ul style="list-style-type: none"> ▪ Substitute taught grade level classes, specials, and literacy focus groups | |
| Title VI Indian Education Tutor, Helena School District, Helena, MT | Nov. 2020 - June 2021 |
| <ul style="list-style-type: none"> ▪ Provided individual & small group academic support to Native American students ▪ Facilitate cultural and historical education for Native American students | |
| Executive Director, Lewis & Clark Literacy Council, Helena, MT | Oct. 2017 – Oct. 2020 |
| <ul style="list-style-type: none"> ▪ Directed all program activities, including teaching students & training tutors ▪ Led fundraising activities in conjunction with the Board of Directors ▪ Managed outreach, publicity, and community partnerships | |
| Assistant Teacher, Bloom Montessori School, Helena, MT | Sep. 2016 – June 2017 |
| <ul style="list-style-type: none"> ▪ Shared supervision of students during outdoor exploration and enrichment activities ▪ Provided one-to-one classroom support for struggling students ▪ Implemented group lessons in absence of regular classroom teacher | |
| Lectrice d'Anglais (English Teaching Assistant), Université de Bourgogne, Dijon, France | Oct. 2004 - Jun. 2005 |
| <ul style="list-style-type: none"> ▪ Designed and taught English lessons to undergraduate and masters level students ▪ Assisted English Department faculty in preparation of course materials ▪ Organized cross-cultural social and educational events for university students | |

Work Experience

- | | |
|---|-----------------------|
| Service Administrator, A.W.A.R.E., Inc., Helena, MT | Sep. 2008 – Jan. 2011 |
| <ul style="list-style-type: none"> ▪ Hired, trained, and supervised children's mental health service team ▪ Oversaw community-based support program implementation, record-keeping, and billing ▪ Promoted a strength-based, wraparound model of care ▪ Coordinated partnership with RMDC Head Start | |
| New York City Program Associate, Peer Health Exchange, Inc., New York, NY | Nov. 2006 – July 2008 |
| <ul style="list-style-type: none"> ▪ Developed, managed, and evaluated NYC College Sites and High School Partner Sites ▪ Recruited, selected, trained, and supervised college volunteer health educators ▪ Supervised seasonal revision of health resource card by part-time office interns ▪ Provided administrative and fundraising support | |

Community Engagement

- | | |
|---|-----------------------|
| Board Member, Helena Community Gardens | Jan. 2013 – Dec 2019 |
| <ul style="list-style-type: none"> ▪ Board Co-Chair, 2017-2019: led meetings, acted as public liaison, supervised part-time employee ▪ Board Treasurer, 2015-2017: prepared monthly financial reports, tracked all income and expenses ▪ Participated in seasonal decision-making, strategic planning, and fundraising | |
| District Representative, Helena Citizens Council | Jan. 2012 – Dec. 2013 |
| <ul style="list-style-type: none"> ▪ Discussed community issues and concerns for presentation to the City Commission ▪ Gave reports at City Commission meetings | |

- | | |
|---|------------------------|
| Community Member, RMDC Head Start Policy Council | Oct. 2010 – Nov. 2012 |
| <ul style="list-style-type: none"> ▪ Participated in policy creation, hiring decisions, and program evaluation ▪ Monitored program standards and responded to periodic federal review | |
| ESoL Tutor, Bozeman Adult Education Program & Lewis & Clark Literacy Council | Oct. 2008 – July. 2009 |
| <ul style="list-style-type: none"> ▪ Taught individual and small group conversation skills to ESoL students | |
| Volunteer, Bowery Residents Committee, New York, NY | Aug. 2007 – Jul. 2008 |
| <ul style="list-style-type: none"> ▪ Assisted with recreational events for homeless and formerly homeless program clients ▪ Taught weekly computer lessons to senior citizens in supported housing facility | |

Skills and Interests


- **Fluent in French, Novice Spanish**
- **Interests: Running, Swimming, Camping, Gardening, Cooking**

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

Appointed Position Seeking: Library Board Member

Date of Application: 6/2/2025

Name: Amanda Alkire

Signed: 

Address: 608 Nova Dr, Livingston MT

Telephone: daytime 406.223.4646

after 5:00 p.m.: 406.223.4646

Fax Number: _____

e-mail address: amanda.alkire@gmail.com

1. Are you a resident of the City of Livingston? Yes
2. Are you a registered voter? Yes
3. Will you be at least 18 years of age at the time of the appointment? Yes
4. Describe the reasons you are interested in this appointment: I am interested in serving on the library board because I value the library as a vital resource for learning access, and community connection. With experience in systems and service design, I would bring a collaborative and thoughtful approach to supporting this essential public institution.
5. Describe any background, experience and interests that you have which may assist you in performing the responsibilities of this appointment:

A. Occupation: Senior Software Specialist - Project management, Compliance

B. Education: BA English Lit (love reading) MBA (financial insight and perspective)

C. Experience: I have experience in healthcare systems, policy and governance with focus on collaboration, strategic planning, and community service. Resume Attached.

(please attach a detailed resume if desired)

6. Have you served on any previous boards or in any governmental positions in the past? No
7. Are you currently serving on any Community Boards? No
 - A. If yes, please describe those boards. _____
8. Current Employer? Logan Health
9. Are you available for night meetings? Yes
10. Are you available for daytime meetings? Yes, with advanced notice
11. Do you foresee any potential conflicts of interest that you might have in executing the duties of this appointed office? No
12. If conflict of interest arose for you, how would you deal with it as an appointed member of this board? I would disclose the potential conflict, and follow necessary policies.

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

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

Amanda Alkire, MBAHM, CHFP

Livingston, Montana ■ Mobile 406.223.4646

Amanda.Alkire@gmail.com

Professional Experience

Senior Software Specialist

09/2024-current

Logan Health, Kalispell, MT

- Provide advanced support for revenue cycle applications, including troubleshooting, issue resolution, and testing of new build requests across multiple facilities.
- Collaborate with operations, billing, and IT to improve turnaround times and ensure high-quality system performance.

Revenue Integrity and Pre-Access Services Manager

07/ 2021 – 08/2024

Livingston HealthCare, Livingston, MT

- Led regional hospital team in implementing Cerner Revenue Cycle optimization projects with affiliated hospital project managers, ensuring successful completion.
- Provided direct end-user support, troubleshooting, and training for Revenue Cycle software.
- Acted as system administrator and support coordinator for AccuReg and Availity RCM Claims Clearinghouse.
- Designed and monitored patient access quality audits, focusing on process improvement and issue resolution.
- Managed eight Pre-Access Revenue Integrity staff, ensuring accurate charge capture, and compliance with the No Surprises Act.
- Implemented prior authorization workflows, reducing denials by 30%.
- Created an in-house database for accurate estimates, increasing accuracy to 95% within No Surprises Act parameters.
- Conducted revenue integrity audits to reduce revenue leakage.
- Developed and launched a nurse auditor program, enhancing clinical revenue capture, addressing billing-related patient concerns, and improving denial management through clinically informed appeals.

Revenue Integrity Coordinator

10/2014 - 07/2021

Livingston HealthCare, *Livingston, MT*

- Led the regional facility team in implementation of the Cerner practice management system, collaborating with the affiliated hospital's vendor to optimize revenue cycle processes.
- Coordinated sunsetting of the previous patient accounting system.
- Provided end-user training and support, enhancing patient accounting workflows.

Education

Master of Business Administration, Healthcare Management

Western Governor's University, Salt Lake City | Completed 10/2022

- Focus on healthcare financial management, strategic leadership, and continuous process improvement.

Bachelor of Arts, English Literature

University of Oregon, Eugene, OR | Completed 01/2000

- Minor in Computer Science, providing a strong foundation in technical skills and problem-solving.

Technical Skills

- Project Management (Lean Six Sigma Yellow Belt)
- Compliance with No Surprises Act and Price Transparency Act
- Expertise in Payer Policy and Claim Edits Management
- Data Analysis and Reporting

Leadership and Management Skills

- Departmental Management
- Collaborative Leadership
- Strategic Planning and Execution
- Team Building and Staff Development
- Process Improvement and Workflow Optimization
- Budgeting and Resource Allocation
- Stakeholder Communication and Relationship Management

Certifications

- Lean Six Sigma Yellow Belt
- Health Informatics Technology Certificate, Montana Tech University

File Attachments for Item:

**A. A PROCLAMATION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA,
DECLARING JULY 2025 AS PARKS AND RECREATION MONTH IN LIVINGSTON, MONTANA**



Proclamation

Of the Livingston City Commission

Declaring July 2025, as Parks and Recreation Month
in Livingston, Montana

WHEREAS, Park and Recreation Month, first launched in 1985, celebrates 40 years in 2025 of recognizing the vital role parks and recreation play in strengthening communities across the nation and this year's theme, *"Build Together, Play Together,"* honors the connections, well-being, and joy created through shared spaces and experiences in our local parks; and

WHEREAS, parks and recreation promote public health, foster community, support youth development, and provide accessible spaces for residents of all ages and abilities; and

WHEREAS, the work of 3 full-time Rec employees and 4 full-time Parks employees along with many seasonal employees and volunteers, ensures safe, inclusive, and sustainable park and recreation experiences across Livingston; and

WHEREAS, communities like Livingston depend on parks and recreation services to provide everything from fitness classes and team sports to art programs, playgrounds, and family gatherings; and

WHEREAS, Livingston's summer activities reflect the best of what parks can offer, including:

- A 10-team Adult Softball League serving over 165 players at Miles Park three nights a week,
- Youth summer camps hosted in partnership with Skyhawks Sports and using our parks, pool, and Civic Center with over 160 participants this summer,
- Four sessions of swim lessons at the City Pool with more than 500 spots filled,
- And over 100 shelter reservations for birthdays, reunions, and community gatherings;

NOW, THEREFORE, BE IT RESOLVED, on behalf of the Livingston City Commission, I, Quentin Schwarz, Chair, do hereby proclaim July 2025, to be Parks and Recreation Month in Livingston, Montana.

Further, I encourage all residents to celebrate the many ways our local parks and recreation professionals help Livingston build together, play together, and thrive together.

Signed this___ day of July, 2025

Quentin Schwarz, Chair
Livingston City Commission

Emily Hutchinson
City Clerk

Livingston, Montana

File Attachments for Item:

A. ORDINANCE 3059: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING SECTION 30.13 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY REZONING PROPERTY LEGALLY DESCRIBED AS MINOR SUB 677, S14, T02 S, R09 E, LOT 3B, ACRES 20.01, IN PARK COUNTY, MONTANA AND TO REZONE THE PARCEL FROM MEDIUM DENSITY RESIDENTIAL (R2) TO PLANNED UNIT DEVELOPMENT (PUD).



LivingstonMontana.org | PublicComment@LivingstonMontana.org | 406.823.6000

DATE: July 1, 2025
TO: Chair Schwarz and City Commissioners
FROM: Jennifer Severson, Planning Director
RE: Staff Report for a **Map Amendment to Chapter 30 of the Livingston Municipal Code to create the Northtown Planned Unit Development**

Recommendation and Summary

Staff recommends the Commission approve the proposed map amendment to the City of Livingston Zoning Code Chapter 30 by adopting the following motion:

"I move to approve the second reading of Ordinance 3059 to amend the City of Livingston Zoning Code Section 30.13 related to the Official Zoning Map and to authorize the Chair to sign Ordinance 3059."

The reasons for the recommendation are as follows:

- The City must amend its Official Zoning Map to rezone property.
- The Northtown Development Corp. has requested a zone change for land located on Scenic Trail from Medium Density Residential (R2) to Planned Unit Development (PUD).
- The Consolidated Land Use Board voted to recommend that the Commission approve the rezoning request.

Introduction and History

In November 2023, the City adopted its first Planned Unit Development (PUD) Ordinance. A PUD is a zoning district intended to encourage more efficient use of land and public services than is generally attainable under standard zoning application. Conventional area and density requirements are replaced by application of the PUD district to lands upon which an approved plan becomes the basis for control of land development. By allowing for context-sensitive design that



conforms to topography and minimizes site impacts, PUD zoning encourages clustered development, diverse housing types, mixed land uses, and natural resource preservation.

Summary

The applicant is proposing a Planned Unit Development (PUD) which, if approved, will be the first PUD in Livingston. The Northtown PUD will be located at the intersection of N. 9th Street and Scenic Trail on a 20-acre parcel of land that is currently zoned RII- Medium Density Residential (See Attachment B, Application Packet). The subject parcel consists of steep terrain and the PUD has been designed to concentrate, or cluster, the development near the lower elevations to protect views of the mountains to the south and minimize disturbance on the steepest parts of the property. As proposed, 64% of the parcel will remain undeveloped open space, including an approximately 1-acre area of maintained park space.

The PUD will include a mix of 240 studio, one-bedroom and two-bedroom rental apartment units with 12,850 sq. ft. of commercial space on the ground floor of the building closest to Scenic Trail. The location of the commercial uses will provide easy access from the surrounding neighborhood and from residents within the PUD. The PUD will be developed in three phases as shown in Figure 1 below.

The applicant has not requested any deviations from the adopted the City of Livingston Public Works Design Standards and Specifications for the PUD.



Figure 1. Northtown PUD Phasing Plan



Analysis

Referral Comments (see Attachment C)

Livingston Public Works- Comments were provided about the following: Traffic- additional details and information must be included in the Traffic Study; Sewer- existing sewer infrastructure has adequate capacity for the PUD, but the City needs to camera the clay tile lines to determine structural soundness, and the City should add the 8th St/ Summit sewer to the CIP; Storm Water- flows must be split more evenly between both ponds, the 100-year overflow must be shown, ditches must be appropriately sized and included in HOA maintenance plan, and applicant must verify the additional capacity from Phase 4A of the Northtown Subdivision to the west is included in the design of the ponds for the PUD; Water- must be looped and phasing must be discussed prior to construction of Phase 1 to determine phasing of loop system; Dry Utilities- not allowed in City of Livingston easements; Streets- consider providing an emergency all-weather access connection and easement to the future 64' ROW to the north of the PUD to allow a looped water system to be placed within the easement and provide secondary emergency access/ egress to/ from the PUD; provide sidewalk connections between parking lots and street sidewalks. Additional comments were submitted for the updated Traffic Impact Study that recommend the developer be required to make improvements to the 5th and Front Street intersection to address anticipated decrease in level of service caused by the additional trips that will be generated by the PUD.

Livingston Fire and Rescue- comments provided identify seven new hydrants within the PUD area and confirmed the number and location of the hydrants is acceptable. Comments confirmed each building has a domestic and fire flow but questioned whether the FDCs are located in the same approximate area of the fire lines. The roads are wide enough and provide adequate emergency turnaround space as proposed. All buildings must be sprinkled as required by the building/ fire code.

Montana State Historic Preservation Office (SHPO)- comments confirmed the PUD parcel was included in a previous cultural resources inquiry for the Northtown Subdivision in 2022; this agency confirmed no new cultural inventories or resources have been identified since 2022 and did not express concern that any cultural resources will be impacted by the proposed PUD.

Montana Fish, Wildlife and Parks (FWP)- comments confirmed that the area proposed for subdivision is used by pronghorn and mule deer as well as a variety of non-game species, including occasional use by black bear and mountain lions. This agency offered comments for consideration during development of neighborhood covenants to mitigate potential impacts the PUD may have on local wildlife (see application packet Tab I for letter from FWP).

No Concerns- Livingston Building and Police Departments

No Responses Received - Park County Planning Department



Public Comments (see Attachment C) – one comment was received in support of the PUD; several comments were received that do not support the PUD, with the primary concerns expressed being additional traffic generated by the development and concerns about emergency response/evacuation. Public comments also noted a new rail crossing is needed before new development is supported on the northside.

Consolidated Land Use Board Recommendation

At its April 9, 2025 meeting, the Land Use Board (LUB) recommended the City Commission approve the PUD by a vote of 5-2. The board members who voted against recommending approval expressed concerns over the amount of site disturbance required by the proposed design and suggested that the applicant consider removing the third floor of the buildings to lessen visual and traffic impacts as well as site disturbance. The applicant stated that it wasn't feasible for the economics of the project to reduce the number of units by reducing the height of the buildings by one story.

The LUB requested additional conditions of approval be included with the staff recommendations; these include a requirement for an updated Traffic Impact Study prior to a public hearing before the City Commission and coordination with City Emergency Service providers about emergency access and evacuation procedures for the PUD until all phases are completed. These conditions are included in the staff recommendations at the end of this report.

Findings of Fact

As stated in Section 30.47, A PUD shall further *a majority of the following objectives*:

1. *Protect natural and cultural resources.* The subject parcel includes steep terrain that is challenging to develop. As proposed, the PUD will cluster development on the southern and western portions of the parcel. This will reduce the amount of earthwork needed than if the development was spread across the entire 20-acre parcel and reducing the area of disturbance will lessen impacts to existing natural resources. Additionally, the clustered development layout increases the area of undeveloped land available for wildlife to pass through unobstructed. The developer has stated that any new fencing will be wildlife-friendly and allow safe crossings for wildlife, as allowed by adjoining ranch operations. No watercourses or wetlands have been identified on the property.

The subject parcel was included in a previous cultural resource inventory as part of the Northtown Subdivision application in February 2022. A letter from the Montana State Historic Preservation Office dated September 6, 2024 confirmed no new cultural properties or inventories were recorded in the PUD area since the 2022 inquiry (see Tab G in the Application Packet). MT SHPO did not indicate any concerns related to cultural resource impacts from the proposed PUD.



Due to the amount of undeveloped land (open space and park land) that will remain on the parcel, combined with the steep topography of the site, with lower elevations near Scenic Trail, it is not anticipated that the PUD will significantly impact natural viewsheds. Renderings of the PUD at build-out with views toward surrounding mountains from different vantage points within the development can be seen in the application packet Tab D, Sheets G0.1, G2.1 and A1.2.

2. *Encourage open space and recreational areas beyond the minimum subdivision requirements.* Traditional subdivisions are required to provide a minimum of 11% of the area to be allocated as parkland. The proposed PUD is approximately 20 acres in size; of that, roughly 63.5% of the 20 acres will be allocated for open space and recreational areas. As stated in the application, 11.7 acres will remain undeveloped open space and another 1.02 acres will be maintained parkland for uses such as a playground and picnic area (exact uses to be determined). It is unclear from the application if the parkland will be available for non-PUD residents; Staff recommends requiring the developer to maintain the parkland space but dedicate its use for the general public, not just for use by PUD residents.
3. *Promote a more effective use of land than the base zoning district would allow, resulting in clustered development and a more condensed network of utilities and streets.* As stated above, the applicant proposes to cluster development on the southern half of the parcel. Concentrating development on the lower part of the parcel will avoid disturbing the steeper terrain on the northern part of the parcel. The area needed for utilities and streets for the development will also be reduced since the service area will be condensed. The additional height allowed will also allow additional dwelling units to be included in the buildings; without this additional height, approximately 84 units could not be built within the clustered development footprint.

It is important to note that the developer is not proposing density beyond that which is currently allowed “by right” in the RII zoning district. The minimum lot size in RII is 3500 sq. ft. and two dwelling units are allowed per lot (configured as a duplex or as a primary and accessory dwelling unit), for a total of 24 units/ acre allowed “by right” in the RII district. The PUD proposes 240 dwelling units on a 20-acre parcel, which amounts to 12 units/ acre; this is roughly half of the density that would be allowed if the parcel were developed as a traditional subdivision.

4. *Encourage mixed uses in new developments as a means to improve convenience and access to daily necessities by area residents.* The proposed PUD will include 12,850 square feet of commercial lease space, which represents the first floor of the building closest to Scenic Trail, and which will be one of three buildings constructed as part of Phase 1 of the PUD. The upper floors of the mixed-use building, and the remaining buildings in the PUD will consist of residential rental units. Specific details about commercial uses were not included in the application materials; however, during the March 26 Public Work Session, the developer mentioned possible uses may include a coffee shop and coworking space.



5. *Reduce vehicular trip generation through mixed use development and enhanced multi-modal connectivity.* It is anticipated commercial uses in the PUD would serve not only PUD residents, they would likely be frequented by residents in the adjacent Northtown Subdivision and nearby neighborhoods, as well. Staff anticipates the inclusion of neighborhood commercial amenities in the PUD will serve to reduce vehicular trips within the PUD and surrounding neighborhoods and could lead to fewer vehicular trips to the south side of the railroad tracks. It is also anticipated that the proposed street connection between the PUD and the Northtown Subdivision Phase 4A to the west will facilitate walking and bicycling between the single-family residences in the Subdivision and the neighborhood commercial amenities in the PUD. Staff recommends the developer work with transportation providers such as Windrider and Angel Line Senior to establish a sheltered bus stop to be served daily within the PUD.
6. *Encourage affordable/ workforce housing development.* Developer incentives for affordable housing are not being pursued and no designated affordable or workforce housing is proposed in the PUD. However, it is possible that once all phases of the PUD are completed, the addition of 240 residential rental units may slightly reduce market rental rates in the Livingston area.
7. *Support the adopted City of Livingston Growth Policy. The proposed PUD supports the following strategies in the Growth Policy:* Strategy 3.1.1.6: Encourage residential developments to provide neighborhood commercial areas serving residents within walking distance. Strategy 3.1.1.8: Reduce urban sprawl through compact development consistent with the Future Land Use Map of this Growth Policy. Strategy 4.1.3.3 Reduce climate disruption through compact growth and increased transportation choices that reduce the need for driving. Objective 5.1.4: Promote a mix of housing within neighborhoods that supports a variety of household income levels, household age groups, and housing types. Strategy 5.1.1.2: Consider implementing the recommendations of the housing action plan; HAP Recommendation #9: General Zoning Reform & Flexible Development Standards- removing barriers to building a variety of housing choices, which allows for homes of all shapes and sizes for people of all incomes.

Additional Considerations

Commercial Uses

The proposal includes 12,850 sq. ft. of commercial space on the ground floor of Building 1 (see Tab D, Sheet A1.2 in the application packet). As stated above, specific details about commercial uses were not included in the application materials. Commercial uses in the PUD that would not be allowed “by right” in the R2 zoning district (see Attachment D, Livingston Municipal Code Table 30.40 List of Uses) must be appropriately scaled and compatible with other uses in the PUD and with respect to the existing surrounding neighborhoods. Commercial uses should be located, designed and operated to serve primarily the needs of residents within the PUD and secondarily persons



residing outside the PUD. Commercial development within the PUD may require Site Plan Review prior to issuance of a building permit and/or a business license for the commercial uses. No Light Industrial uses are proposed in the application; therefore, no LI uses are allowed. Heavy Industrial (I) uses are not allowed in PUDs

Developer Incentives and Public Benefits

The applicant is requesting an increased building height of 40 feet in the PUD, which is the maximum height increase allowed. The applicant is providing roughly 12.8 acres of open space and maintained parkland which is 63.4% of the total 20-acre PUD area. This exceeds the minimum required open space public benefit of 20%. The developer anticipates securing commercial tenants after the initial residential units are established to provide an adequate customer base for the commercial uses. Staff recommends the developer be required to secure tenants for a minimum of 30% of the commercial space as each new PUD phase is completed.

Zoning Considerations

As stated elsewhere in this staff report, as proposed, the PUD supports the following Growth Policy goals, objectives and strategies: Strategy 3.1.1.6: Encourage residential developments to provide neighborhood commercial areas serving residents within walking distance. Strategy 3.1.1.8: Reduce urban sprawl through compact development consistent with the Future Land Use Map of this Growth Policy. Strategy 4.1.3.3 Reduce climate disruption through compact growth and increased transportation choices that reduce the need for driving. Objective 5.1.4: Promote a mix of housing within neighborhoods that supports a variety of household income levels, household age groups, and housing types. Strategy 5.1.1.2: Consider implementing the recommendations of the housing action plan; HAP Recommendation #9: General Zoning Reform & Flexible Development Standards-removing barriers to building a variety of housing choices, which allows for homes of all shapes and sizes for people of all incomes.

Staff does not anticipate that the requested height allowance up to 40 feet will adversely affect the public and/or the surrounding neighborhood. The proposed site plan shows adequate buffering between the surrounding single-family residential subdivisions and the multi-family development in the PUD. Within the PUD, Building 1 will integrate a mix of commercial and residential uses and the Scenic Trail right-of-way will help buffer some of the impacts of the commercial space from lower density residential uses to the south.

Planning Considerations

As described above, the proposed PUD supports the adopted Growth Policy with respect to applicable density and use goals, objectives and/or strategies identified in the Growth Policy.

The PUD will establish effective multimodal connections within the PUD and to the surrounding transportation network. There is a fixed Windrider bus stop located at the intersection of Scenic Trail and Prairie Drive, about 1/3 of a mile from the entrance to the proposed PUD from Scenic Trail. To further encourage transit use, as stated above, staff recommends the developer work with local transportation providers to establish a sheltered bus stop within the PUD; this would further Growth



Policy Strategy 7.2.3.4 to “collaborate with transportation providers such as Angel Line Senior, Windrider, and Disabled Transportation to promote services throughout the community”.

Staff finds the size and type of parkland and open space is adequate for the proposed land uses, densities and dwelling types in the proposed PUD. The applicant will be responsible for future maintenance and conservation of these areas.

Staff does not anticipate the PUD will adversely impact the natural environment, critical wildlife or wildlife habitat, agriculture, public health and safety, and local services. The clustering of development near the western and southern portions of the property will help to minimize disturbance to the existing terrain. There is no active agricultural use of the property.

Due to the vast amounts of connected open space within the PUD boundary, especially around the periphery of the developed areas, it is anticipated that existing wildlife travel corridors will remain mostly unobstructed through the development. As stated in the application packet, new fencing installed on the Open Space boundaries will be wildlife-friendly to allow for continued passage of wildlife. Additionally, enclosed trash receptacles and regular property maintenance required by the covenants will mitigate potential bear attractants and maintain a low likelihood of human/bear conflicts. Native grasses and shrubs will be maintained by the HOA in undeveloped areas.

To ensure public health and safety and adequate provision of local services to the PUD, Staff recommends the developer be required to install an emergency all-weather access connection within an easement dedicated to the City to connect the northern portion of the PUD to the future 64' ROW to the north. This will provide a secondary emergency access/ egress to and from the PUD and the dedicated easement will allow for a fully looped water system to connect the PUD and adjacent Northtown Subdivision lots.

The conditions of approval recommended by the Land Use Board included the requirement for an all-weather access road to provide emergency egress from the PUD to the property to the north, which is also owned by the applicant and identified as future Phase 6 of the Northtown Subdivision. The applicant submitted a request for this condition to be removed due to the additional cost and disturbance to install this emergency access (See Attachment E). The Overall Site Plan (Sheet C2.0 in the application) shows a future street and water line connection to Phase 4A of the Northtown Subdivision located to the west of the PUD that will be constructed as part of Phase 2 of the PUD. However, the developer recently requested an extension to begin development in Phase 4A. In lieu of an emergency access road leading north from the PUD, staff recommends the developer be required to install the road and water line connection between the PUD and Wild Rye Drive and also complete the road and water line connection south to Scenic Trail prior to issuance of certificates of occupancy for Phase 1 of the PUD; this should include the concurrent installation and connection of fire hydrants as directed by the Fire Chief. A looped road connection to the west will provide a secondary means of access to the PUD, which is critical to ensuring public safety in an emergency. Requiring a looped water line through Phase 4A also addresses concerns expressed in the Public



Works referral letter (see Attachment C). Requiring the road and water line to be looped as part of Phase 1 will ensure these critical connections are made in the event that Phases 2 and 3 are not completed.

Finally, the updated Traffic Impact Study (see Attachment A) show several movements on Park Street that are currently operating at a Level of Service of D. With the addition of Northtown PUD the intersection of 5th and Front Streets will decrease to a level of service of D unless there is a turning movement restriction placed on the westbound left turning movement during the peak hour. Staff recommends the PUD developer be required to make improvements to the 5th and Front Street intersection prior to any occupancy permits being issued for Phase 1 of the PUD.

At its June 3, 2025 meeting, the City Commission revised the staff recommended condition #7 to require the water loop to be completed before Certificates of Occupancy are issued for Phase 2, with a financial guarantee from the developer required if the water loop is not completed within 36 months of PUD approval. Concerns were also expressed about Short Term Rentals in the PUD and the developer confirmed STR's would not be allowed in the PUD. Additionally, the developer confirmed that the commercial uses in the PUD would be consistent with uses allowed in the Mixed Use (MU) zoning district at time of PUD approval. Finally, Commissioners requested the developer to work with surrounding neighborhoods to improve trail connections to, from and within the PUD.

Fiscal Impact

The developer will be responsible for the cost of installing the infrastructure necessary to support the PUD, and will be required to pay impact fees to support these capacity improvements. Future maintenance of streets and street lights in the PUD will be paid for through a special tax assessment. Finally, additional property taxes collected by the City at full build-out of the PUD will be significant and will potentially offset expenses incurred by the City as a result of providing services to the PUD.

Strategic Alignment

As described above, the proposed PUD aligns with several strategies of the Growth Policy as well as the Park County Housing Action Plan.

Staff Recommendation

Staff finds the proposed Northtown PUD complies with the requirements of City and State statutes and supports the City's adopted Growth Policy. For the reasons discussed above, Staff recommends the City Commission support the Consolidated Land Use Board recommendation to approve the Northtown Planned Unit Development with the conditions listed below:

1. The developer/ Northtown PUD HOA will be responsible for maintaining the open space and park land and these spaces must be dedicated for use by the general public.
2. Commercial development within the PUD may require Site Plan Review prior to issuance of a building permit and/or a business license for the commercial uses.



3. No Light Industrial or (Heavy) Industrial uses are allowed in the PUD.
4. New fencing installed along the Open Space boundaries must be wildlife-friendly to allow for continued safe passage of wildlife.
5. Enclosed trash receptacles and regular property maintenance must be required by the covenants to mitigate potential bear attractants and maintain a low likelihood of human/bear conflicts.
6. Native grasses and shrubs will be maintained by the HOA in undeveloped Open Space areas.
7. The PUD road and water line must be looped through Phase 4A of the Northtown subdivision to the west via the Wild Rye Drive right-of-way to connect to Scenic Trail.
 - a) The Road Loop: must be completed prior to issuance of Certificates of Occupancy for Phase 1 of the PUD. The initial extension of the road beyond Phase 1 of the PUD to connect through Wild Rye Drive to Scenic Drive may be a gravel-surfaced emergency access road. The applicant must work with the Fire Department on the design of the emergency access road.
 - b) The Water Line Loop: must be completed before Certificates of Occupancy are issued for Phase 2. A financial guarantee from the developer is required for the water loop prior to a Certificate of Occupancy for Phase 1 to ensure the loop is completed within 36 months of PUD approval. The applicant must coordinate with the Fire Department to identify hydrant location and determine timing of installation and connection of hydrants along the loop.
8. The developer must make improvements to the 5th and Front Street intersection prior to any occupancy permits being issued for Phase 1 of the PUD. The applicant must consult with the Public Works Department to determine appropriate improvements.
9. The PUD covenants must be revised to reflect that no Short Term Rentals are allowed in the residential units.
10. Commercial uses allowed in the PUD will be those allowed in the Mixed Use (MU) zoning district per LMC Sec 30.40 at time of PUD approval; those uses have been highlighted in green in Attachment D.
11. The developer will work with nearby neighborhoods to improve trail connections within the PUD and to the surrounding trail network.
12. As PUD phases are completed, and until full build-out of the PUD, the developer shall coordinate with City Emergency Service Providers to ensure adequate emergency access and evacuation procedures are established,



NOTE: the condition by the LUB to require an updated TIS prior to public hearing by the City Commission has been satisfied and the condition has been removed from those recommended above. Additionally, staff has removed a condition to require the developer meet certain thresholds for the commercial space during PUD phasing since the inclusion of commercial space is not be included by the developer as a public benefit to obtain a developer incentive.

Attachments

- Attachment A: Draft Ordinance 3059
- Attachment B: [Northtown PUD Application Packet](#)
- Attachment C: Referral Agency and Public Comments
- Attachment D: Livingston Municipal Code Table 30.40 List of Uses
- Attachment E: Applicant Request to Remove Condition for Emergency Access Road

ORDINANCE NO. 3059

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING SECTION 30.13 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY REZONING PROPERTY LEGALLY DESCRIBED AS MINOR SUB 677, S14, T02 S, R09 E, LOT 3B, ACRES 20.01, IN PARK COUNTY, MONTANA AND TO REZONE THE PARCEL FROM MEDIUM DENSITY RESIDENTIAL (R2) TO PLANNED UNIT DEVELOPMENT (PUD).

* * * * *

Purpose

The purpose of this Ordinance is to promote public health, safety and general welfare of the City by regulating the height, number of stories, and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location of buildings, structures, and land for trade, industry, residence or other purposes.

WHEREAS, Section 30.71 of the City of Livingston Code of Ordinances authorizes the City Commission to amend the officially adopted Zoning Map;

WHEREAS, the amendments meet the criteria and guidelines for zoning regulations as required by Section 76-2-304 of Montana Code Annotated;

WHEREAS, no petitions were received by the City in protest of the proposed map amendment;

WHEREAS, the City of Livingston Consolidated Land Use Board, after a public hearing held on April 9, 2025, voted to recommend approval of the zoning map amendment to the City Commission to rezone the subject parcel from Medium Density Residential (R2) to Planned Unit Development (PUD);

NOW, THEREFORE, BE IT ORDAINED by the City Commission that Sec. 30.13 of the Livingston Municipal Code entitled Official Zoning Map, be and the same is hereby amended as follows:

SECTION 1

REZONING OF PROPERTY LOCATED ON SCENIC TRAIL AND LEGALLY DESCRIBED AS MINOR SUB 677, S14, T02 S, R09 E, LOT 3B, ACRES 20.01, IN PARK COUNTY, MONTANA

**AND TO REZONE THE PARCEL FROM MEDIUM DENSITY RESIDENTIAL (R2) TO
PLANNED UNIT DEVELOPMENT (PUD).**

SECTION 2

Statutory Interpretation and Repealer:

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

SECTION 3

Severability:

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

SECTION 4

Savings provision:

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

SECTION 5

Effective date:

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

PASSED by the City Commission of the City of Livingston, Montana, on first reading at a regular session thereof held on the ____ day of June, 2025.

QUENTIN SCHWARZ, CHAIR

ATTEST:

Emily Hutchinson
City Clerk

PASSED, ADOPTED AND APPROVED, by the City Commission of the City of Livingston,
Montana, on a second reading at a regular session thereof held on the _____ day of July, 2025.

QUENTIN SCHWARZ, CHAIR

ATTEST:

APPROVED TO AS FORM:

EMILY HUTCHINSON
City Clerk

JON HESSE
City Attorney

Referral & Public Comments

From: [Keith Waring](#)
To: [Shannon Holmes](#); [Grant Gager](#)
Cc: [Jennifer Severson](#)
Subject: Re: Northtown PUD
Date: Tuesday, June 3, 2025 1:42:41 PM
Attachments: [image001.png](#)
[water route.pdf](#)

These comments were
 received after June 3
 Staff Report was posted.

Grant and Shannon,

I discussed with Garrett on the phone that I could get behind his current alignment for the street access, but it was my opinion that these were large buildings with a lot of units/people in them and that our design standards say that water lines should be looped wherever possible. If it is not possible water lines are not allowed to be longer than 500'. It is possible to loop these lines. I have attached my concept for looping the infrastructure. I indicated to Garrett that the City had already made one exception for this development when phase 2 was approved with a dead end water main. Furthermore, the City has approved Phase 4 which would connect Phase 2 and Scenic Trail and complete the loop that was started at the beginning of this project. All of the infrastructure that is being installed is useful to this developer's project. I understand that it is an additional cost at this time, but it will not be a sunk cost and it will dramatically improve the system reliability and safety of this project, in my opinion. The City of Livingston already has two very extensive dead water mains. (PFL main 12,000' and hospital main 4000' until Bennett street crossing is in) I told Garrett that we are working on eliminating dead end mains not creating more. As we do not have control over the development future, it is possible that this first phase could go in and it may be years before the rest of the project is completed to loop the mains, therefore, my opinion remains that the water line should be looped.

From: Shannon Holmes <sholmes@livingstonmontana.org>
Sent: Tuesday, June 3, 2025 1:00 PM
To: Keith Waring <Keith.Waring@tdhengineering.com>
Subject: FW: Northtown PUD



SHANNON HOLMES
 Public Works Department
 Director

📞 406-222-5667

✉ sholmes@livingstonmontana.org

📍 330 Bennett St. Livingston, MT

🌐 www.livingstonmontana.org

📘 www.facebook.com/ColPublicWorks

From: Grant Gager <ggager@livingstonmontana.org>
Sent: Tuesday, June 3, 2025 10:38 AM

To: Josh Chabalowski <firechief@livingstonmontana.org>; Shannon Holmes <sholmes@livingstonmontana.org>

Cc: Jennifer Severson <jseverson@livingstonmontana.org>; Jim Woodhull <jwoodhull@livingstonmontana.org>

Subject: Northtown PUD

Good morning,

As you know, we have the Northtown PUD application on the agenda this evening.

The applicant has raised an issue with the construction of the water loop and in the first phase. However, on page 96 of the [packet](#), Garrett notes that they are OK to connect it prior to phase 2. So, can Fire and PW please weigh-in on the water looping and phasing so that I have clarity for tonight.

Also, I'm not sure if you folks plan to attend in-person or on-line but I do expect that the Commission would appreciate having your expertise at hand.

Thank you,



Grant Gager | City Manager

City of Livingston

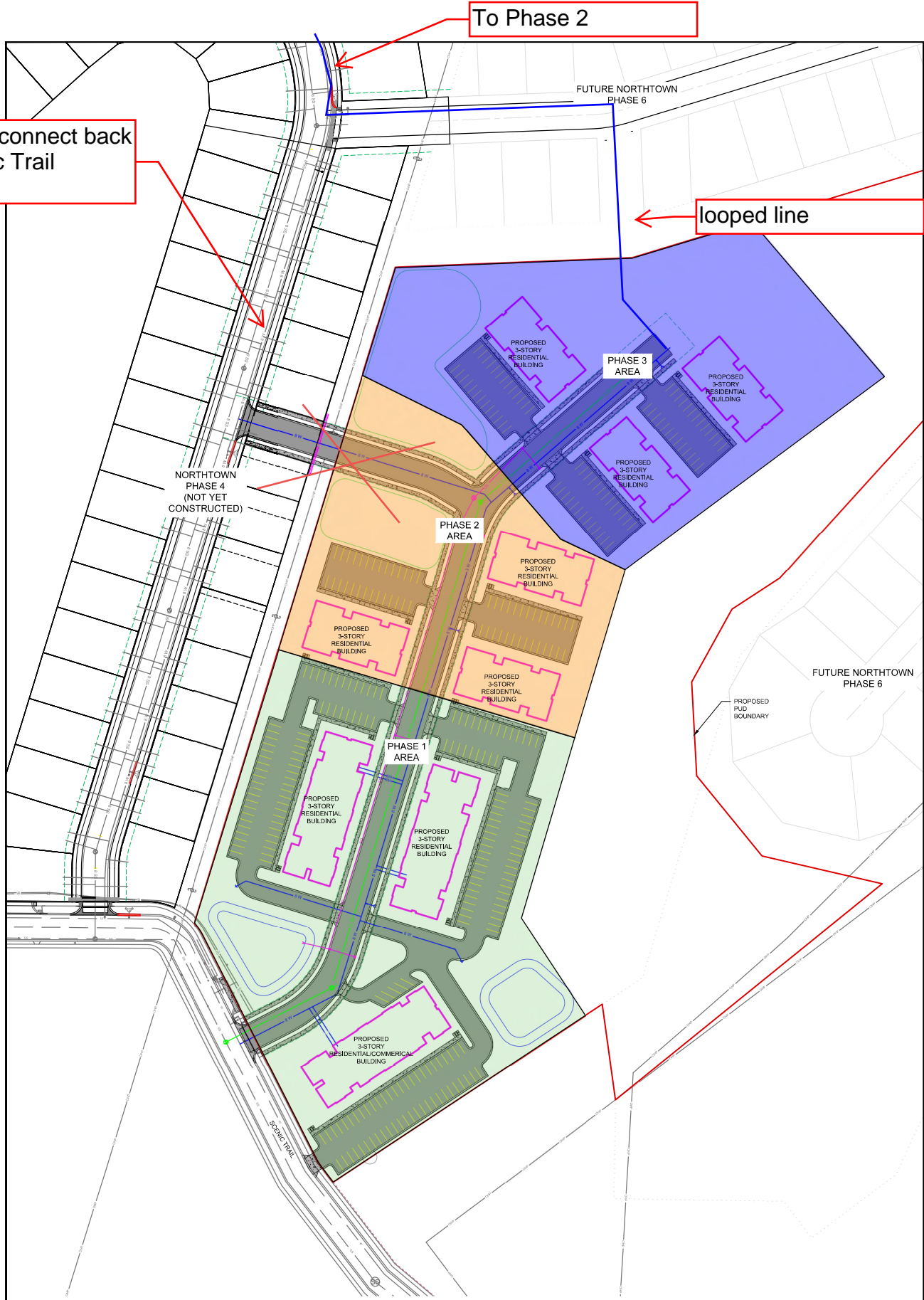
W: 406.823.6000

C: 406.223.4475

220 E. Park Street

Livingston, MT 59047

LivingstonMontana.org



Jennifer Severson

Subject: FW: [Melissa Nootz] Northtown

From: Melissa Nootz <mnootz@livingstonmontana.org>

Sent: Tuesday, June 3, 2025 3:18 PM

To: Grant Gager <ggager@livingstonmontana.org>

Subject: Fw: [Melissa Nootz] Northtown

For the record

From: Livingston Montana <livingston-mt@municodeweb.com>

Sent: Tuesday, June 3, 2025 2:12:54 PM

To: mnootz@livingstonmontana.org <mnootz@livingstonmontana.org>

Subject: [Melissa Nootz] Northtown

Rick Spellman (pauphin@msn.com) sent a message using the contact form at <https://www.livingstonmontana.org/>.

Honorable Livingston City Commissioner,

I would like to share a few thoughts regarding the Northtown Livingston's developers' request to change the zoning on a portion of their property from medium-density residential to a planned unit development district (PUD).

I will add my name to the list of those who have expressed their concerns regarding the lack of accessibility between this portion of our city and that which lies south of the railroad tracks. Lamentable though it may be, it was a "given" known to the developers when they purchased the land and remains a constraint on the property that they cannot wish away or burden the city to solve for them.

While Headwaters Engineering suggests that the nearby roads and intersections will continue to operate at "acceptable levels" with the PUD, they also admit that, with the implementation of anticipated upcoming projects, there will be a "positive impact" on the level of service for these roads and intersections. The public will experience negative impacts.

Last summer, we saw the imposition of water restrictions (albeit, voluntary) for the first time. Is the city capable of providing water services to the additional population?

Mr. Muhlenfeld is quoted as saying that, "The PUD project doesn't call for an increase in residential density beyond what was originally proposed for the 132 acres. The density is really not increasing from what it was before, it's just being forced down into a smaller package." Mr. Muhlenfeld, that is the precise definition of increased density! This seems to be the playbook followed by these developers: buy a specific situation and petition to have it converted to a different situation with the negative impacts to be borne by the city and its residents. The Commission wisely refused a previous, similar, request from these developers.

Ultimately (and paramountly), it comes down to a question of honor. The City of Livingston represented this land as medium-density residential when people in the neighborhood purchased their homes. It is almost certain that the proposed PUD density will negatively affect the value of their homes. Yet their purchases, while representing the largest of these families' monetary investments, are more than a value in dollars. They have invested in a place to raise their children, a place to grow old, a place of an established quality of life. The city, through its commissioners, has an honor-bound obligation to these people to keep the zoning it represented when the families decided to settle there. I urge you

to keep the City's promise and honor intact. Let developers build their high density developments where zoning for s already exists.

Thank you for considering my comments.

Sincerely,
Rick Spellman
226 S. 8th St. Livingston

From: [Imm. M.](#)
To: [Jennifer Severson](#)
Subject: NorthTown PUD
Date: Monday, June 2, 2025 11:22:01 PM

Dear Members of the City Commission,

I am writing to express my concern about the Northtown Planned Unit Development (PUD) application. As currently proposed, the project does not meet the intent and design standards for a PUD outlined in the Livingston Municipal Code and conflicts with several key goals of the City's Growth Policy.

First, the PUD Code requires “context-sensitive design that conforms to topography and minimizes site impacts.” Instead, the proposal involves over 160,000 cubic yards of excavation on slopes as steep as 40%, drastically altering the land and ignoring Subdivision Regulation VI-A-2, which calls for preserving natural terrain and vegetation. Similarly, it contradicts **Goal 5 of the Housing Action Plan**, which emphasizes meeting future housing needs while protecting natural landscapes.

Second, the project disregards critical Growth Policy goals, including preserving Livingston’s natural character (Goal 2.1) and supporting walkable, connected neighborhoods (Goals 3.5, 8.1, and 8.2). The development omits required trail infrastructure, ignoring top priorities in the Trails and Active Transportation Plan, and forcing pedestrians and cyclists onto unsafe roadways.

Third, the open space plan is flawed. Although more open space is included than required, it is fragmented across steep, disconnected parcels, creating an “island effect” that disrupts wildlife movement and reduces recreational value. Continuous green corridors must be required across all phases to protect ecological health and ensure meaningful access to nature.

Fourth, workforce housing claims are misleading without enforceable deed restrictions. Without legal protections, nothing prevents future conversion to vacation rentals or corporate VRBO ownership. Verbal assurances are insufficient, especially in a gateway community where local housing markets behave differently, as seen in similar towns in Utah and Wyoming. The City should evaluate proposals through a worst-case lens and require concrete safeguards.

Finally, public safety concerns are being underestimated. Increased congestion, combined with limited evacuation routes, must be seriously addressed—especially considering new research (Headwaters Economics, *America’s Urban Wildfire Crisis*) listing Livingston among the 1,100 most wildfire-vulnerable towns nationwide.

In short, the current proposal is car-centric, environmentally damaging, and inconsistent with both the PUD framework and the Growth Policy. I respectfully urge the Board to vote **no** on this application unless major changes are made to reduce grading, legally secure workforce housing, update traffic studies, enhance evacuation planning, integrate safe trail systems, and create connected, functional open space.

Sincerely,

Immanuela Meijer

From: [Keith Wickman](#)
To: [Jennifer Severson](#)
Subject: Northtown PUD
Date: Monday, June 2, 2025 8:38:50 PM

Dear Members of the City Commission,

I am writing to express my concern about the Northtown Planned Unit Development (PUD) application. As currently proposed, the project does not meet the intent and design standards for a PUD outlined in the Livingston Municipal Code and conflicts with several key goals of the City's Growth Policy.

First, the PUD Code requires "context-sensitive design that conforms to topography and minimizes site impacts." Instead, the proposal involves over 160,000 cubic yards of excavation on slopes as steep as 40%, drastically altering the land and ignoring Subdivision Regulation VI-A-2, which calls for preserving natural terrain and vegetation. Similarly, it contradicts **Goal 5 of the Housing Action Plan**, which emphasizes meeting future housing needs while protecting natural landscapes.

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Sincerely,

Keith Wickman

From: [Celeste Mascari](#)
To: [Jennifer Severson](#)
Subject: Northtown
Date: Monday, June 2, 2025 8:59:00 PM

Dear Members of the City Commission,

I am writing to express my concern about the Northtown Planned Unit Development (PUD) application. As currently proposed, the project does not meet the intent and design standards for a PUD outlined in the Livingston Municipal Code and conflicts with several key goals of the City's Growth Policy.

First, the PUD Code requires “context-sensitive design that conforms to topography and minimizes site impacts.” Instead, the proposal involves over 160,000 cubic yards of excavation on slopes as steep as 40%, drastically altering the land and ignoring Subdivision Regulation VI-A-2, which calls for preserving natural terrain and vegetation. Similarly, it contradicts **Goal 5 of the Housing Action Plan**, which emphasizes meeting future housing needs while protecting natural landscapes.

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In short, the current proposal is car-centric, environmentally damaging, and inconsistent with both the PUD framework and the Growth Policy. I respectfully urge the Board to vote **no** on this application unless major changes are made to reduce grading, lower building heights, legally secure workforce housing, update traffic studies, enhance evacuation planning, integrate safe trail systems, and create connected, functional open space.

Sincerely,
Celeste Mascari

From: [Erin Baker](#)
To: [Jennifer Severson](#)
Subject: North town PUD
Date: Monday, June 2, 2025 8:39:15 PM

Dear Members of the City Commission,

I am writing to express my concern about the Northtown Planned Unit Development (PUD) application. As currently proposed, the project does not meet the intent and design standards for a PUD outlined in the Livingston Municipal Code and conflicts with several key goals of the City's Growth Policy.

First, the PUD Code requires “context-sensitive design that conforms to topography and minimizes site impacts.” Instead, the proposal involves over 160,000 cubic yards of excavation on slopes as steep as 40%, drastically altering the land and ignoring Subdivision Regulation VI-A-2, which calls for preserving natural terrain and vegetation. Similarly, it contradicts **Goal 5 of the Housing Action Plan**, which emphasizes meeting future housing needs while protecting natural landscapes.

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Finally, public safety concerns are being underestimated. Increased congestion, combined with limited evacuation routes, must be seriously addressed—especially considering new research (Headwaters Economics, *America’s Urban Wildfire Crisis*) listing Livingston among the 1,100 most wildfire-vulnerable towns nationwide. We only have one underpass in town, and the traffic already gets backed up when the trains are running, adding and additional 240 units could be disastrous in the event of an emergency.

In short, the current proposal is car-centric, environmentally damaging, and inconsistent with both the PUD framework and the Growth Policy. I respectfully urge the Board to vote **no** on this application unless major changes are made to reduce grading, lower building heights, legally secure workforce housing, update traffic studies, enhance evacuation planning, integrate safe trail systems, and create connected, functional open space.

Sincerely,
Erin Baker

Livingston resident

From: [webmaster](#)
To: [Jennifer Severson](#); [Emily Hutchinson](#)
Subject: FW: Form submission from: Contact Us
Date: Tuesday, June 3, 2025 11:50:12 AM

Public comment for tonight

From: Livingston Montana <livingston-mt@municodeweb.com>
Sent: Tuesday, June 3, 2025 11:01 AM
To: webmaster <webmaster@livingstonmontana.org>
Subject: Form submission from: Contact Us

Submitted on Tuesday, June 3, 2025 - 11:00am

Submitted by anonymous user: 172.221.105.164

Submitted values are:

First Name Bridget

Last Name Yuvan

Email bri_725@yahoo.com

Question/Comment

Hello! I send a Word Document to the City Commission email, but just in case I will copy and paste my public comment again, in case this is how I am suppose to send public comment. I am new to this and not sure the correct procedure. I live at 817 North 12th Street here is Livingston. My comment is for Ordinance 3059 set for the Commission meeting tonight. Thanks! - Bridget

Dear City Commission Board Members,

My name is Bridget Yuvan and I live on the North Side at the end of North 12th Street. I am reaching out about the rezoning of the North Town land for the PUDs on North 9th and Scenic Trail (Action Item A, Ordinance 3059). I am asking that you do not rezone this area for this project and that this area is kept for single family homes like it was originally intended. Thank you for considering my reasons below.

My husband and I bought our home on North 12th in 2007. We fell in love with this house and area because of the openness, the mountain views, the promise of soccer fields, the wildlife and a quiet nature it had. One selling point listed for our house was the view of the Crazy Mountains from our porch and front windows. We also wanted to be outside of the main part of town with all the shopping and commercial aspects. I know many people bought their houses in the area and the surrounding Northside areas because of these facts as well. Building 9 PUDs with additional height will interfere with those amazing views. It will add major traffic issues, safety issues, light pollution, noise, garbage and take away from the natural beauty it contains. We moved here with the notion and promise that it would be single family homes, not 40' apartments, especially 9 of them. This is what we had hoped to escape!

Another vital safety concern is the Railroad Crossing. I know that this has been an issue even before

we moved here and nothing has been done about it! A good comparison of the situation is blowing up a balloon. You can blow more and more air into the balloon, but at some point it will burst. You can only put so many people on the north side of the tracks and not have enough ways to exit before an emergency occurs. Wildfires have taken a major turn in their intensity and destruction. Around the world, entire towns are being lost. If one were to start anywhere on the Northside and we had to evacuate and get fire crews in, there would not be enough time to get everyone out as we funnel down thousands of people to the two main crossings. What if there is a life or death situation for a person and they can't make it to the hospital in time because the roads are blocked with traffic? I know a traffic study was done, but there are things to consider that the traffic study may not include:

1. Closing of the underpass due to water build up which occurs frequently in the springtime – has happened several times this May!
2. Trains blocking the tracks for extended periods of time that create major traffic build ups. This is historically a railroad town which is awesome, but I have sat countless times trying to get my kids to school and traffic is backed up all the way on North 7th street resulting in being late. You can't access routes to the east because traffic is blocked in all directions. I have sat for over 30 minutes more times than I can count.
3. The integrity of the train tracks themselves. The more people driving over, the more they fall apart. Currently, some of the tracks are a mess which is taking a toll on people's cars. Adding even more use will make destruction happen even faster.
4. Future traffic from other homes being built and for the new recreation center leading to more congestion.

For most of the day, the crossing is not a problem, but during those high use times, it is a nightmare, specifically the morning when getting kids to school and to work and coming home from work. In my opinion, NOW is a good time to be proactive with getting another crossing instead of putting it off until an actual situation arises. We know building and growth is going to keep happening so now is the time to be prepared for that. It is the town's responsibility to provide essential services for the taxpayers, including proper, well-maintained Railroad Crossings. There are legit reasons the people of North side are pleading for another crossing, but do not feel heard. Safety and being prepared for an emergency for the northside residents should be a top priority in this town first and foremost! I understand that we are living in hard times. Covid took a toll on this community and not just as a disease. I don't think the town was prepared for this kind of sudden growth. I am sorry that the builder has had such a hard time selling the land for single family homes. Some of that is due to the rising cost of building as well as the overpricing for that land. People take risks in life and sometimes they pan out and sometimes they don't, but I don't think rules should be changed to benefit one person and leave a lasting effect on the thousands of residents who actually live in the area. I know affordable housing is a big issue for Livingston, but also for our entire country with rising costs. But this is NOT an issue to be rushed into. Thought and planning needs to be considered that benefit the whole town and those who live in the areas affected. If housing is the issue, then why add the commercial aspect as well? Our town has plenty of commercial stores like those that would be included and are in close proximity to Northside. In a struggling economy, why add even more competition to those businesses who are already struggling? If housing is what we need, then housing ONLY is what should be build there. Taxpayers bought their houses in North side knowing that we did not have those amenities are were ok with that. We do not need them now.

I think the real issue that needs to be considered is what do we want for the future of Livingston? Do we want to keep the small-town appeal which Livingston is so known and loved for or do we want to become like Bozeman or all those states that people are escaping from? These PUDs are just the start. I have watched my hometown in Illinois change in an instant due to rushed ideas and not good planning. Once it starts, there is no stopping it. Instead, take the time to do the research on what will benefit our town the most. How much housing do we actually need? Is the growth rate still rising as fast as before? What is our current vacancy rate and what is our actual need? A recent study in an article I saw last week said that the vacancy rate in Bozeman apartments is 12.7% and has been rising, yet they keep building. Are these apartments actually going to be affordable or just another lie? Are there options to keep both the builder and the residents happy? Survey the people living in the areas and see what they want for the future of Livingston so that the change that is inevitable happens in a responsible and controlled way. Communicate to all residents on current changes so all are aware.

As stated in the Mission of the City, “providing for growth in a manner, that is fiscally responsible, with integrity and compassion” and so I ask that this decision not be made in haste. Be responsible to take time to research, investigate, lay out options, ask the community opinions and then go from there, especially with a project as large as this. Show integrity that we as a community dictate how the city grows, not the outside world and be honest about what changes are happening and not keep them hidden. Show compassion to the residents who live in the area and who will be greatly affect by the changes that occur, listening and deeply considering their thoughts, concerns and opinions. Northside residents bought their homes with the notion it would be single family homes, and we want that promise honored and kept.

Thank you for representing our community and listening to our concerns. Thank you for being our voice in these matters! I appreciate your time and consideration.

Bridget and Jason Yuvan
Phone Number 4066002117

The results of this submission may be viewed at:

<https://www.livingstonmontana.org/node/7/submission/2876>

From: [Gregory Anthony](#)
To: [Jennifer Severson](#)
Subject: FW: Public Comment for 6/3/25 City Commission Meeting
Date: Tuesday, June 3, 2025 11:49:19 AM

From: Grant Gager <ggager@livingstonmontana.org>
Sent: Tuesday, June 3, 2025 8:50 AM
To: Emily Hutchinson <ehutchinson@livingstonmontana.org>
Cc: Gregory Anthony <ganthony@livingstonmontana.org>
Subject: FW: Public Comment for 6/3/25 City Commission Meeting

Hi,

Please gather all of these similar public comment emails and let's put them in one PDF to send to the City Commission around noon today.

Thank you,
 Grant

From: webmaster <webmaster@livingstonmontana.org>
Sent: Tuesday, June 3, 2025 7:47 AM
To: Grant Gager <ggager@livingstonmontana.org>
Subject: Public Comment for 6/3/25 City Commission Meeting

FYI

From: Livingston Montana <livingston-mt@municodeweb.com>
Sent: Tuesday, June 3, 2025 7:02 AM
To: webmaster <webmaster@livingstonmontana.org>
Subject: Form submission from: Contact Us

Submitted on Tuesday, June 3, 2025 - 7:01am

Submitted by anonymous user: 172.221.109.149

Submitted values are:

First Name John

Last Name Kalmon

Email jkalmon@gmail.com

Question/Comment

RE: Livingston City Commission Agenda Item 7A: Rezoning for PUD

I would ask the City Commission to consider requiring 50% or more of the planned 240 units to be sold as owner-occupied housing. The existing RII zoning has been developed as for sale single family

housing by the developer in adjoining parcels which is also in line with the surrounding neighborhoods. The ownership type would align with the precedent established in the area and provide equity building opportunity to lower income families and individuals as well as adding for lease units.

John Kalmon

106 S. Yellowstone St, Livingston

jkalmon@gmail.com

406-600-4057

Phone Number 4066004057

The results of this submission may be viewed at:

<https://www.livingstonmontana.org/node/7/submission/2869>

From: [Keith Waring](#)
To: [Shannon Holmes](#); [Jennifer Severson](#)
Cc: [Garrett Schultz](#); [Matt McGee](#)
Subject: Northtown PUD TIS report
Date: Monday, May 12, 2025 12:27:38 PM
Attachments: [TIS final.pdf](#)

Remainder of comments
included in the June 3
Staff Report

Shannon and Jennifer,

Attached is the submitted report for the Northtown. There are several movements on Park Street that are currently operating at a Level of Service of D. With the addition of Northtown PUD these movements do not significantly decrease and the overall LOS at both Park and B and Park and 5th still maintain a level of service of C or better according to the report. The intersection of 5th and Front will decrease to a level of service of D unless there is a turning movement restriction placed on the westbound left turning movement during the peak hour. It is recommended that we accept this traffic report from the developer with the requirement that the project makes acceptable improvements to the 5th and Front Street intersection prior to any occupancy permits being issued for the project. Improvements will need to be designed by the developer's engineer and reviewed by the City of Livingston with all the required permits prior to installation. Intersection improvements will need to be designed in accordance with the latest FHWA Manual on Uniform Traffic Control Devices (MUTCD)

Let me know if you have any questions. Thanks kw

Northtown PUD – Public Works Referral Comments

Traffic Study

1. The traffic study is relying on background traffic counts from 2022. Attached is a google earth picture of the area from 2022. The previous phase that is on Sweetgrass Lane was partially built out and the triangle previous 3.3 acre phase on Scenic Trail had not been started. Background traffic counts either need to have these phases added in at full build out now, or the counts need to be redone for this phase. If the background traffic numbers from 2022 are still used the growth factor still needs to be used.
2. It appears that the report is estimating 30% of the projected traffic from development is shown as going east to underpass or Bennett street. The am peak hour shows around 22% of traffic going east from the combined totals of Gallatin/Chinnook, and Front street intersections with 5th while the PM peak hour counts show approximately 26% coming from the east to the west. Please justify the higher 30% not using the 5th street railroad crossing.
3. It is likely that the eastbound traffic will in large part impact the railroad underpass. We need to know the level of service these impacts will have on that crossing.

Sewer

The proposed development uses 69% of the capacity of an 8" main at minimum grade. This pipe discharges into a 10-inch main on Scenic Drive. The 10" discharges into a 8" on Summit then down 8th in a pvc 8" which eventually becomes a clay tile 8" pipe originally installed in 1954. We have checked the model and due to the grades in Summit and 8th, the pipe can handle the additional flow. The City does need to camera this section of pipe to verify that the pipe can handle the flow from a structural standpoint. It is possible that this pipe will need to be replaced by the City before it can be determined that we can safely add this big of a flow to the pipe. It is recommended that the City add the 8th Street/Summit sewer to the CIP. It may be if the developer wants to continue prior to the City being able to do the project that they may have to upsize the main in 8th to a 10" for impact fee credits.

Storm water.

1. Most of water is directed to the west pond. Will need to be sure to split the flows between the two ponds.
2. 100 year overflow will need to be shown.

3. Ditches will need to be sized and included in HOA to be maintained.
4. Verify additional capacity from phase 4A is included in the design of new ponds.

Water

1. Water needs to be looped.
2. If this project is phased, a discussion will need to be had about water looping as these are not single-family homes but buildings with up to 30 units a piece in them. The current plan shows a3 buildings (70+ units) that does not have a looped water line. A rough sketch has been provided that would give a looped route. Please consider.

Utilities-

Dry utilities will not be allowed in the City of Livingston's easements.









Streets

1. Consider providing an emergency all-weather access connection and easement to the future 64' ROW to north; this will allow for looped water system to be established within this easement and also provide secondary emergency access/ egress to the PUD. This could also be used as a trail connection b/t the PUD and future development and open space to the north.
2. Connect sidewalks from parking lots to street sidewalks.

Untitled Map

Write a description for your map.

Legend

-  Bloom Weed Dispensary Livingston
-  Feature 1
-  Feature 2
-  Livingston, Montana
-  Northside Park and Dickerson Soccer Fields
-  Park
-  SEGMENT: AERIAL
-  Yellowstone Gateway Museum

235



236

U 2024 PMA. It is unlawful to use any or all of these documents without the expressed written consent of

JOB NO: 16-804
DATE: 08/10/2024

FAURE HALVORSEN
ARCHITECTS
ARCHITECTURE PLANNING INTERIORS
1000 WEST MAIN ST. SUITE A
BOZEMAN, MONTANA 59717
TELEPHONE (402) 551-1234 EMAIL MAIL@FAUREHALVORSEN.COM

1024


Jennifer Severson

Subject: FW: Northtown PUD application - referral request

From: Josh Chabalowski <firechief@livingstonmontana.org>

Sent: Sunday, March 30, 2025 5:40 PM

To: Jennifer Severson <jseverson@livingstonmontana.org>

Subject: Re: Northtown PUD application - referral request

Correction, I count 7 hydrants.

Josh Chabalowski
Fire Chief

From: Josh Chabalowski <firechief@livingstonmontana.org>

Sent: Sunday, March 30, 2025 5:39 PM

To: Jennifer Severson <jseverson@livingstonmontana.org>

Subject: Re: Northtown PUD application - referral request

Looks like 6 new hydrants within the package.

I'm happy with the placement.

I see each building with a domestic and fire flow, just wanted to confirm the FDCs are located in the same approximate area of the fire lines?

Roads are wide enough and we have ample turn around room. As long as everything is sprinkled, I'm good.

Josh Chabalowski
Fire Chief

On Mar 30, 2025, at 17:00, Jennifer Severson <jseverson@livingstonmontana.org> wrote:

Meant to include the updated application information I forwarded last Thursday...see below

Jennifer Severson – Planning Director

City of Livingston

(406) 222-4903

From: Jennifer Severson

Sent: Thursday, March 27, 2025 2:41 PM

To: Shannon Holmes <sholmes@livingstonmontana.org>; Josh Chabalowski <firechief@livingstonmontana.org>; Wayne Hard <whard@livingstonmontana.org>

Cc: Adam Ballew <aballew@livingstonmontana.org>

Subject: FW: Northtown PUD application - referral request

Northtown PUD - Request for Comments

Murdo, Damon <dmurdo@mt.gov>

Fri, Sep 6, 2024 at 3:01 PM

To: Nick Hammond <nhammond@headwatersmt.net>

Hi Nick,

I just conducted a cursory check of your 20 acre project within the area that I previously commented on in 2022. There have been no new cultural properties recorded, and no new cultural inventories. Therefore, I believe my previous letter should still suffice.

If you require a new file search to be conducted and a new letter generated for this subdivision, please upload an updated file search request form and maps to the Montana Cultural Resource Database for review.

Thanks,

Damon Murdo

Cultural Records/Data Manager

Montana Historical Society

State Historic Preservation Office

406/444-7767

dmurdo@mt.gov

mhs.mt.gov

The Montana Historical Society saves Montana's past, shares our stories, and inspires exploration, to provide meaning for today and vision for tomorrow.



[Quoted text hidden]



FWP.MT.GOV

THE **OUTSIDE** IS IN US ALL.

Montana Fish, Wildlife & Parks

Region 3 Headquarters
1400 S 19th Avenue
Bozeman, MT 59718

October 4, 2024

Headwaters Engineering
190 Northstar Lane
Bozeman, MT 59718

RE: Northtown PUD

Montana Fish, Wildlife & Parks (FWP) appreciates the opportunity to comment on the Northtown PUD.

The area is used by big game including pronghorn and mule deer. A variety of nongame species are present. Black bears or mountain lions may use the area occasionally. To help lessen the impact of this development to local wildlife populations, FWP offers the following general comments for you to consider during construction and development of neighborhood covenants:

1. Include requirements for bear-resistant garbage facilities. In addition to garbage, other items can attract bears, including pet food, gardens and fruit trees, birdseed (which should be discouraged from April 1st through November), barbecue grills, and compost piles (unless limited to grass, leaves, and garden clippings). To maximize human safety, these additional items should be addressed in a subdivision's covenants.
2. Property owners should be aware that feed or supplements (such as salt blocks), are attractants and are against state law (MCA 87-6-216) for public safety and wildlife health.
3. Pets should be controlled and not be allowed to roam. Under current state law it is illegal for dogs to chase hoofed game animals and the owner may be cited for their dogs' behavior (MCA 87-6-404).
4. Homeowners should understand that wildlife, particularly deer and elk, will feed on green lawns, gardens, flowers, and ornamental shrubs and trees. Homeowners should consider landscaping with native vegetation that is less likely to suffer feeding damage, and/or incorporate protection for new landscaping.

For further questions or concerns, please reach out to the following FWP personnel.

Michael Yarnall, wildlife biologist (406-224-1162, michael.yarnall@mt.gov)

Jen Smitham, R3 public comment coordinator (406-495-3262, jsmitham@mt.gov)

Thank you again for the opportunity to comment.

Sincerely,

Nathan Lance

Nathan Lance
Acting Region 3 Supervisor

From: [Jim Woodhull](#)
To: [Jennifer Severson](#)
Subject: RE: Northtown PUD application - referral request
Date: Monday, March 24, 2025 12:05:45 PM
Attachments: [image002.png](#)

The Building Department has no concerns with the North Town PUD.

From: Jennifer Severson

Sent: Friday, March 14, 2025 9:36 AM

To: Shannon Holmes <sholmes@livingstonmontana.org>; Jim Woodhull <jwoodhull@livingstonmontana.org>; Josh Chabalowski <firechief@livingstonmontana.org>; Wayne Hard <whard@livingstonmontana.org>; Katherine Daly <kdaly@thehrdc.org>

Cc: Adam Ballew <aballew@livingstonmontana.org>

Subject: Northtown PUD application - referral request

Good Morning,

Can you please review the Northtown PUD application and provide a written record of comments/ concerns/ questions to me **by noon on Friday March 28**?
(available online here:

https://www.livingstonmontana.org/sites/default/files/fileattachments/building_amp_planning/page/2241/000_northtown_apartments_pud_submittal_red.pdf)

Thanks very much- enjoy your weekend!

Jennifer

Jennifer Severson, AICP – Planning Director

City of Livingston

220 E. Park St.

Livingston, MT 59047

(406) 222-4903

jseverson@livingstonmontana.org



From: Wayne Hard
To: Jennifer Severson
Subject: RE: Northtown PUD application - referral request
Date: Friday, March 28, 2025 9:32:32 AM
Attachments: image002.png
image004.png
image006.png

Good morning Jen,

I don't think I really have any concerns. Thanks for asking!

Wayne

From: Jennifer Severson <jseverson@livingstonmontana.org>
Sent: Thursday, March 27, 2025 14:41
To: Shannon Holmes <sholmes@livingstonmontana.org>; Josh Chabalowski <firechief@livingstonmontana.org>; Wayne Hard <whard@livingstonmontana.org>
Cc: Adam Ballew <aballew@livingstonmontana.org>
Subject: FW: Northtown PUD application - referral request

Good Afternoon,

The applicant provided additional information, some minor revisions to the PUD application I sent around on March 14 for referral. Please see below notes that ID exactly what was revised...so you don't have to spend much/ any time reviewing new info that is not a concern for you.

The revised complete application can be viewed online here:

https://www.livingstonmontana.org/sites/default/files/fileattachments/building_amp_planning/page/2241/000_northtown_apartments_pud_submittal_red.pdf

Please return any referral comments you have to me by tomorrow if at all possible. If you don't have concerns, can you please shoot me an email confirming that so I can include it in the staff report?

Also, FYI- the applicant is working on updated viewshed renderings and a trails map that ID's existing trail connections- if you would like me to forward any of that additional info to you, please let me know. I'm trying not to fill up everyone's inboxes with multiple revisions if they aren't relevant to your review.

Shannon- is there anyone else besides you and Adam that I should send the trails map to?

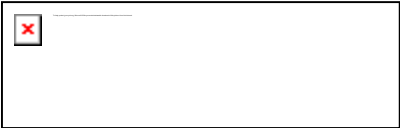
thx

Jennifer Severson

From: William Muhlenfeld <bill@northtownlivingston.com>
Sent: Wednesday, March 26, 2025 1:56 PM
To: Jennifer Severson
Subject: Fwd: New comment from Victoria Bond

Just received this

Bill Muhlenfeld, Owner/Partner
NorthTown Development Group
406-522-8700



----- Forwarded message -----
From: Northtown PUD <info@northtownlivingston.com>
Date: Wed, Mar 26, 2025 at 1:54 PM
Subject: New comment from Victoria Bond
To: <bill@northtownlivingston.com>

Your name
Victoria Bond
Address
159 MERIDETH RANCH RD Map It
Email
victorialbond@yahoo.com
Your Comment:
A great idea but we need to have another railway crossing to accommodate new growth on northside of rail tracks

03/26/2025

Jennifer Severson

From: William Muhlenfeld <bill@northtownlivingston.com>
Sent: Monday, March 31, 2025 10:57 AM
To: Jennifer Severson
Subject: Fwd: New comment from Joanna Massier

just received this comment.

Bill Muhlenfeld, Owner/Partner
NorthTown Development Group
406-522-8700



----- Forwarded message -----
From: Northtown PUD <info@northtownlivingston.com>
Date: Mon, Mar 31, 2025 at 10:52 AM
Subject: New comment from Joanna Massier
To: <bill@northtownlivingston.com>

Your name
Joanna Massier
Address
1011 River Dr Map It
Email
Joannamassier@gmail.com
Your Comment:
The proposed development is an eyesore, with the same soulless apartment living design as thousands of other big developments across the US. I would be disappointed to see this go through without a strong adjustment to the design to decrease it's impact and increase it's resemblance to other apartments in town, such as my own at Yellowstone River Residences. If we go through with this development in its current look, we might as well put a Walmart in next to it and resign ourselves to the look of the interchange for the town.

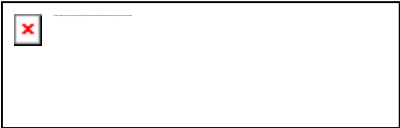
03/31/2025

Jennifer Severson

From: William Muhlenfeld <bill@northtownlivingston.com>
Sent: Monday, March 31, 2025 5:02 PM
To: Jennifer Severson
Subject: Fwd: New comment from Vicki Miller

Just got this.

Bill Muhlenfeld, Owner/Partner
NorthTown Development Group
406-522-8700



----- Forwarded message -----
From: Northtown PUD <info@northtownlivingston.com>
Date: Mon, Mar 31, 2025 at 5:00 PM
Subject: New comment from Vicki Miller
To: <bill@northtownlivingston.com>

Your name
Vicki Miller
Address
1112 Ridgeview Trl Map It
Email
flyfishr4@gmail.com
Your Comment:
<p>This type if development does not belong at this location. It would be more suitable on a location on land located on the outskirts of the city. As usual the city council does not look at the fact that no over pass has been built to handle the traffic from the north side of town. All we get are excuses and studies, which have been done. Congestion is a common everyday experience, but the city commissioners keep approving more and more building in our area. With this project of 240 additional apartments the mere minimum of cars/trucks will be 240 and not taking in the consideration of most residents will have at least 2 vehicles. This doesn't even take in consideration of the homes yet to be built in the already approved lots that have been approved. Why are the commissioners and city manager trying to make us another Bozeman? Livingston is a special town but we are losing our identity. Not at all pleased with the way our town is going. I am totally against this proposal at this site.</p>

03/31/2025

Public Comment on 9 Apartment Complexes on North Side

This is not my Livingston. This project is trying to turn Livingston into the next Bozeman. It is about money and without concern for the people who live in the area. Livingston's appeal is the small-town feeling, the openness, the mountain views, the small downtown and the history. People have moved here to escape the high density living and not have it brought to them. North Side was designed for single family homes and a safe place for families to raise their kids, not high density living or commercial businesses. If we want a commercial business we will drive or walk across the tracks to downtown to make a purchase, just like we always have.

My husband and I moved here almost 19 years ago. We worked hard and bought our house on the end of North 12th because we loved the openness, the amazing views and the idea that eventually it would be all single, family homes one day. THIS was a big selling point for us as well as many others that I know who live here. We have watched things change over the years and laws twisted for people to do what they wanted without concern of others: duplexes, six foot high front fences, large sheds, etc. Now an outside builder wants to come in and build high density living that was zoned for single family homes when he bought the land knowing what it was zoned for. People bought homes out here because this was NOT supposed to happen out here. Please stand up and represent the people who actually live here!

Safety is the BIGGEST concern when it comes to this proposal! High density housing as well as commercial businesses bring problems with it including a lot more traffic, crime and drug issues. Currently our area feels safe. Our kids ride bikes on their own, people are out walking at all times of day and enjoying the openness and views. Traffic is controlled and those that live here know to watch out for our kids and families. The 240 apartments will bring in a MINIMUM of 240 cars and not to mention all the potential traffic from businesses. The trusted safety that we have out here will go way down.

The bigger safety concern is the Railroad Crossing. Ever since I have lived here, there has been a push for another crossing, somewhere near Northern Lights. The excuses and empty promises have continued with that as the North Side has grown. Will it take a tragedy of some sort before the town does something? A wildfire, a life/death situation where the ambulance can't get to the hospital in time, etc? Will it take the city being sued when this happens? It is already a dangerous situation. The underpass floods and will close at times, Bennett Street is miles at the end of town, and the 5th street crossing is AGAIN falling apart after being fixed not that long ago. I know people who have had broken axels, and car issues due to these well used tracks. Let's add another 240 cars plus commercial traffic to them and see what happens. Studies should be done during high traffic times including 7:30-8:30 am when people head to work and school. We already have to leave 20-25 minutes early to get the kids to school only 2 miles away due to traffic and trains. The backups that we have sat in due to a single train are horrific.

When the schools have a plan for late attendance due to the crossing, you know there is a problem. THIS issue needs to be addressed NOW! Not the need for more housing! Take care of the people who live here and pay taxes to this town. Take care of the people who trusted you to represent them when they voted you in. Please have concern for our safety and welfare!

One last safety concern is for the Fire and Rescue departments who take care of the people here. If this proposal is allowed, more and more will follow. It is the way of the world. Many of the apartments will be filled with people who work in Bozeman but live here due to cost. Those people travel the pass every day to go to work. Winter is a hard time. The pass has become a nightmare for the Fire and Rescue departments during winter due to the huge increase in traffic and the increase in accidents that happen each year. They are already spread thin and the interstate is being closed down more and more. By adding even more traffic to the pass, this can lead to even more time required by our Fire and Rescue, more risk of accidents and even death of our personnel who are out there to help us!

One other concern is for the conservation of the area. I have seen a lot of change these past 18 years. The area was a migration route for pronghorn and other animals. I have seen that greatly diminish in my time. The fields are filled with meadowlarks and other birds. Many native plants, animals and birds call this home and was another appeal for living here. This apartment complex will finish that off, especially with the business aspect added to it.

We chose YOU to lead our community in the hopes that you would stand up for the people who live in this town and not with outsiders who are just trying to fill their pockets. This has already played out with this same builder before. The houses on Scenic Drive were supposed to be affordable, but when built they were listed for a half a million dollars. Some of the new ones just went up for sale for \$530,000. The new houses were built with no concern for those who already live there, building right in front of them, taking away their openness and views. Instead of 9 apartment complexes, why not stick to what the area was meant for: single family homes. Make these homes simple, less bells and whistles and more affordable – not gigantic and super fancy. If you look at Livingston as a whole, the houses are small and simple and would be more affordable as well – keep it small town living, not giant eye sores. Yes, it would still increase traffic and we would still need another RR crossing, but more minimally than with the current proposal.

Thank you for taking the time to consider my concerns and hearing what I have to say! We have faith in you to listen and represent us to the best of your ability! We chose YOU so please stand up for us and our families!

Bridget and Jason Yuvan

406-600-2117 (if you would like to chat more)

From: [Nathan Bolton](#)
To: [Jennifer Severson](#)
Subject: Public Comment: Opposition to the Proposed Northtown PUD Application
Date: Wednesday, April 9, 2025 10:42:28 AM

Good afternoon, Jennifer

Please forward the following message below to be submitted for public comment regarding the Consolidated Land Use Board meeting scheduled for April 9, 2025.

Dear Members of the City of Livingston Consolidated Land Use Board,

I am writing to express my concerns regarding the proposed Northtown Planned Unit Development (PUD) project. Specifically, I am concerned about how the project aligns with the intent and guidelines set forth in the Livingston Municipal Code for PUDs, particularly with respect to site grading, drainage, traffic impact, and the preservation of the natural topography.

As stated in the Livingston Municipal Code, the intent of a PUD is to allow for "context-sensitive design that conforms to topography and minimizes site impacts." However, the application for this project, specifically the Site Grading and Drainage Plan (page 29), presents a situation that does not seem to meet these criteria. The plan notes that the site contains slopes as steep as 40%, which would require significant grading. The report also estimates that approximately 78,000 cubic yards of earthwork would need to be removed and approximately 83,000 cubic yards of earth to be added in order to accommodate the proposed development.

It is my concern that such extensive grading and earth removal, especially within the proposed Phase 2 and Phase 3 of the project, would have a considerable negative impact on the natural topography and surrounding environment. Large-scale grading contradicts the stated goal of minimizing site impacts and could result in long-term consequences for local drainage, soil stability, and the overall integrity of the site.

Secondly, I would like to reiterate concerns raised by both current North Town residents and the Livingston Public Works Department regarding the traffic impact of the proposed development. The Traffic Impact Study (TIS) provided with the application relies on outdated and insufficient data, which does not accurately reflect current traffic conditions or the potential impact of the development. A comprehensive and updated Traffic Impact Study should be provided to the Board, including current data and analysis, prior to any approval of the PUD. This updated analysis is essential to ensure that the project does not exacerbate existing traffic problems or create new safety issues in the area.

In light of these concerns, I urge the Board to carefully review both the grading and drainage plans, as well as the Traffic Impact Study, to ensure they align with the City's goals of maintaining a development that is sensitive to the site's natural features, the environment, and the existing community. I believe that a more thoughtful and less intrusive approach to site design, grading, and traffic planning could better meet the goals of the PUD and ensure the long-term viability and safety of the area.

To conclude, I am not opposed to rezoning this parcel as a PUD. However, based on the current application for the Northtown Development, I find that the contents of the proposal do

not fully align with Livingston's intent for a PUD. I respectfully ask the Board to consider requiring an alternative development layout that conforms more closely to the topography and minimizes site impacts, as this would better reflect the spirit and purpose of the PUD guidelines.

Thank you for your attention to this matter. I trust that the Board will carefully consider these concerns as part of its deliberation process and ensure that any development in this area is respectful of the land, the environment, and the community.

Sincerely,
Nathan Bolton
1110 W Reservoir St. Livingston, MT

From: [William Muhlenfeld](#)
To: [Jennifer Severson](#)
Subject: Fwd: New comment from Ppatricia Thums
Date: Tuesday, May 6, 2025 9:34:05 AM

Hi Jennifer--

Below is a new comment. What would you like me to do with it at this point? It was sent from our Northtown site, not the PUD site which has been taken down.

Bill Muhlenfeld, Owner/Partner
NorthTown Development Group
406-522-8700



----- Forwarded message -----
From: Northtown PUD <info@northtownlivingston.com>
Date: Tue, May 6, 2025 at 9:25 AM
Subject: New comment from Ppatricia Thums
To: <bill@northtownlivingston.com>

Your name
Ppatricia Thums
Address
223 South I Street Livingston, MT Map It
Email
patriciathums1@gmail.com
Your Comment:
<p>The biggest negative factor with developments like this (besides attempting to turn Livingston into a Bozeman) is our current lack of a safe, reliable alternative route across the tracks from the Northside - aka- a bypass. Are developers ready to fund or contribute to fund a much needed bypass? It seems irresponsible to keep building up there without another safe, reliable way to get across the tracks. Developers emphasized the need for "affordable rental options to alleviate the current housing crisis". It is stated that the developers recognized the significant lack of rental options so they shifted their focus to include multi-family units.</p> <p>If this is being done to alleviate the current housing crisis, why did Northtown see the need to create a video that is aimed at attracting more people to move here? We need to deal with our current population explosion in Livingston rather than encourage more growth. We're plenty popular already.</p> <p>Thank you.</p>

From: [Mary Strickroth](#)
To: [Jennifer Severson](#)
Subject: Statement for the City Commission Meeting May 6
Date: Thursday, May 1, 2025 1:31:43 PM

Please add my comment to the commissioners' packets with regard to the 240 new apartments off Scenic Drive on the North side of Livingston. I believe this is on the City Commissioners' agenda for May 6.

Thank you,

Mary Strickroth
1112 Prairie Drive
Livingston 59047

Dear City Commissioners -

I would like to add my voice in opposition of the 240 new apartments off Scenic Drive on Livingston's north side until the issue of both *repaired and additional* railroad crossings can be accomplished.

In my opinion, given the existing conditions for egress, the City of Livingston and MRL will be completely responsible of liability if there is an emergency that requires immediate medical, fire, or other evacuation situations.

You have been aware of this situation far too long without taking appropriate action to remedy the problem. This is a disaster waiting to happen, even without any new development in the works. Adding 240 apartments with likely twice that many new residents will cause 500-1000 more trips across the tracks each day. This is simply unsustainable.

Don't keep throwing gasoline on this fire by approving more development on the north side of the tracks before you deal with additional RR crossings and improvements to existing ones.

Thank you for your consideration.

Mary Strickroth
1112 Prairie Drive
Livingston, MT 59047

From: [Lulu Herrera](#)
To: [Jennifer Severson](#)
Subject: NorthTown PUD Public Comment
Date: Wednesday, April 9, 2025 5:44:48 PM
Attachments: [image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)

Public Comment Regarding Northtown PUD Application

To: Jennifer Severson and the City of Livingston Consolidated Land Use Board
Date: April 9, 2025

Dear Members of the Board,

I am writing to express my concern regarding the proposed Northtown Planned Unit Development (PUD) application. As currently presented, the project falls short of two fundamental requirements: it does not meet the intent and design standards of a PUD as outlined in the Livingston Municipal Code, and it fails to align with several key goals and strategies of the City’s adopted Growth Policy.

1. PUD Design Standards and Environmental Concerns

The Livingston Municipal Code states that PUDs should enable “context-sensitive design that conforms to topography and minimizes site impacts.” However, the Northtown application proposes significant excavation—removing and adding more than 160,000 cubic yards of earth—on land with slopes as steep as 40%. Rather than conforming to the land, the development forces the land to conform to the plan, undermining the Code’s intent and ignoring best practices in sustainable site design.

This approach also contradicts **Subdivision Regulation VI-A-2**, which calls for preserving natural terrain, drainage, and vegetation “to the extent possible”. Similarly, **Housing Action Plan – Goal 5** emphasizes meeting future housing needs while preserving natural landscapes. The extensive excavation and 40’ tall buildings climbing the hillside, excessively impacting site lines, fail to meet these regulations.

2. Growth Policy & Trails Active and Active Transportation Inconsistencies

The Northtown PUD disregards numerous goals and strategies in the Livingston Growth Policy:

- **Goal 2.1:** *Preserve and enhance Livingston’s unique character.* The natural grasslands and sweeping views on the north side are an essential part of that character—views that this development would permanently alter with tall buildings and artificial grading.
- **Goal 3.5:** *Encourage responsible, walkable development with diverse transportation options.* Without implementation of the trail corridor that runs through the site, residents will lack safe, non-vehicular access to surrounding parks, trails, and retail—contradicting the goal of reducing car dependence and enhancing connectivity.

Goal 8.1 & Strategy 8.1.1.4: *Improve pedestrian and bicycle safety and establish connections between city and regional trails.* The Trails and Active Transportation Plan identifies this area—North Hills to the Water Tower—as a **Top Tier Priority**. Yet, the application does not include platted trails and fails to integrate this essential connection. Forcing trails onto roadways compromises safety and contradicts “Vision Zero” principles supported by the city.

- **Goal 8.2:** *Create a complete and well-maintained transportation network.* Public surveys identified the lack of safe crossings and paths as the top barrier to walking and biking, and named this corridor among the most desired trail investments.

3. Impacts to Wildlife and Open Space

While the proposed layout includes more open space than required, much of it lies on steep slopes—up to 40% grade—and is not usable or connected. Although the Board noted that this open space would provide wildlife connectivity to adjacent ranch land, this is inaccurate. The open areas across Phases 1–3 are fragmented and isolated, creating an “island effect” that severely limits habitat continuity. This disjointed approach overlooks how both wildlife and people move through the landscape. There is still an opportunity to correct this by requiring connected open space throughout all phases of development. Well-designed, continuous green corridors support wildlife movement, enhance recreation, and increase the long-term value of the neighborhood.

In short, this development does not reflect the goals and values the community has identified: preservation of natural beauty, access to outdoor recreation, walkable and connected neighborhoods, and protection of our surrounding ecosystems. It is auto-centric, lacks essential trail infrastructure, disrupts topography and habitat, and fails to provide cohesive open space—all inconsistent with both the PUD framework and the Growth Policy.

While I support future development that reflects community values and planning priorities, this proposal needs major revisions. I respectfully urge the Board to vote **no** on the Northtown PUD application until it is redesigned to reduce grading, lower building heights, integrate a connected trail system, and ensure open space connectivity for people and wildlife.



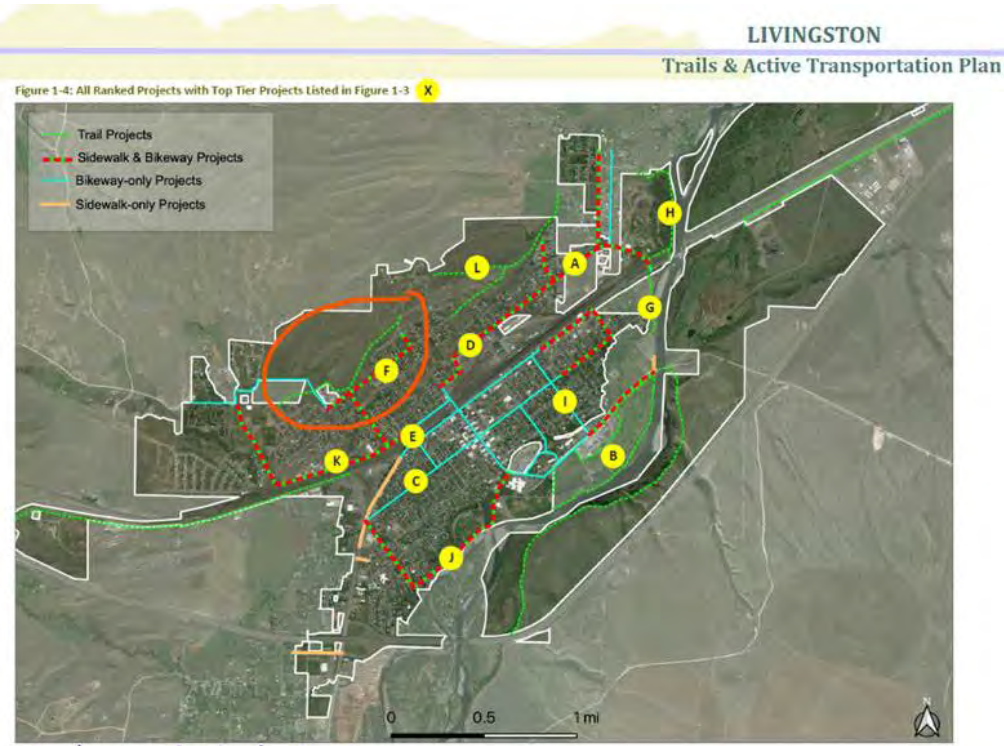
View from the soccer field with the PUD area highlighted.



Street view of the PUD area. Power poles are approximately 40' tall – same as building height.



View from a ridge looking down at PUD area.



Proposed Trails for Northtown Development circled in red.



Existing trails (user created and game trails that exist on North Town Development Property)

Thank you,
Lulu Herrera
1110 W Reservoir St
Livingston, MT 59047

From: [Rick Lamplugh](#)
To: [Jennifer Severson](#)
Subject: Statement for City Commissioners 5/6/25 Meeting
Date: Thursday, May 1, 2025 11:07:01 AM

If this is not the correct email to send my statement to, please let me know where to send it.

Thank you,

Rick Lamplugh
 1112 Prairie Drive in Livingston

While the idea of 240 new apartments in Livingston sounds like a good idea, that many new apartments could bring even more cars trying to get to and from the north side of town. That increase in traffic will exacerbate a serious problem that has existed—and not been resolved—for 50 years. The city planners, the city commissioners, and the county commissioners have all acknowledged the problem and made efforts to resolve it. But none have succeeded. The existing access problem will only worsen with 240 new apartments on the north side.

I ask that the city commissioners refrain from approving any further development on the north side until the railroad crossing problem is resolved.

Here's why:

Livingston has sought an additional railroad crossing since the 1970s. Today, traffic attempting to cross to and from the north side of town often backs up school buses, emergency vehicles, and residents trying to reach work or attend a doctor's appointment on time.

[In July 2020](#), the Livingston City Commission considered a proposal to place a levy on the ballot to help fund a \$6 million crossing at PFL Way. The PFL Way crossing was first proposed two years earlier, following the completion of a traffic study called the Northside Transportation Plan. This study assumed that as many as 2,240 single-family homes would be built in the area northwest of the city, which could increase the population by 5,600 residents. The then City Manager, Michael Kardoes, was quoted as saying, "We want to improve a plan or system that works with future growth. We're not focusing on five years, 10 years or even 20 years into the future — we're planning 50 years in the future." The crossing at PFL Way was not funded.

The minutes of the [6/15/22 Planning Board Meeting](#) show resident Jessica Haas stating that the north side of Livingston is a high-hazard zone for

wildfires, with potential for loss of life and property. Residents would have to leave the north side quickly, and with the current access, that could pose a problem.

[In February of 2023](#), The Livingston Enterprise reported that the City of Livingston sought federal dollars to help build one or more overpasses or underpasses to alleviate traffic caused by stopped trains. Livingston Commission Chair Melissa Nootz said the city had made previous, unsuccessful attempts to plan improved railroad crossings. She added that she thinks about the train problem "every single day," as she commutes from north of the tracks. She hoped a solution could be found "that meets the needs of people now rather than decades from now." City Manager Gager said it's been "a long-time goal of the city." The federal dollars were not granted.

[In February of 2024](#), The Livingston Enterprise reported that City of Livingston commissioners voted unanimously for a resolution authorizing the city manager to apply for a federal grant that would allow the city to produce a planning document identifying a preferred location for a grade-separated crossing. No funds were granted.

[In January of 2025](#), The Enterprise reported that the Park County commission unanimously signed a letter of support for a 2025 RAISE grant application from the City of Livingston to fund a grade-separated railroad crossing. The project aims to improve rail crossing safety, increase transportation flow, and connect the community. The City aims to use RAISE funding for a traffic corridor study that will "objectively determine the best location for a grade-separated crossing and other amenities to promote active transportation and other means of multi-modal transportation," per the letter of support. "It's important to support the city's emergency services and North Side residents, in case of emergency," said Jennifer Vermillion, a county commissioner.

[Then, on 4/8/25](#), The Livingston Enterprise reported that a city advisory board will meet to potentially advance a project to build 240 apartments and almost 13,000 square feet of commercial space on 20 acres in north Livingston. The board's decision would be a recommendation to the city commission, which would have the final say. Some residents who attended the March 26 Consolidated Land Use Board meeting and submitted written comments expressed concerns about possible adverse effects on traffic.

Bob Abelin of Abelin Traffic Services completed a traffic study. The Livingston Enterprise reported that the study said the expected transportation impacts for the area are anticipated to be minimal. But in response, the city's public works office wrote that the traffic study relies on background traffic counts from 2022. It's likely that the eastbound traffic from the proposed PUD will have a large effect on the railroad underpass, according to public works' comments. "We need to know the

level of service these impacts will have on that crossing," reads public works' comments.

The idea of yet another traffic study is a waste of time and money. Clearly, there's a documented problem with access to and from the northside. This issue has existed for 50 years, since the 1970s. The city planners, city commissioners, and county commissioners have all acknowledged the problem and made efforts to resolve it. However, none have succeeded, and the access issue still exists and will only worsen with 240 new apartments on the northside.

I ask that the city commissioners refrain from approving any further development on the north side until the railroad crossing problem is resolved.

Table 30.40 designates a list of uses permitted within a zoning district. Designated uses shall be permitted only in the zones indicated.

Table 30.40

List of Uses

A = Allowed S = Special Exception Permit Required N = Not Allowed												
	R-I	R-II	RII-MH	R-III	RMO	NC ¹	MU	CBD	HC	LI	I	P
One (1) Family Dwellings *	A	A	A	A	A	A	A	A	A	N	N	N
Two (2) Family Dwellings	N	A	A	A	N	A	A	A	A	N	N	N
Multifamily Dwellings	N	A	A	A	N	A	A	A	A	N	N	N
Accessory Dwellings	A	A	A	A	A	N	A	N	A	N	N	N
Townhouses	N	A	A	A	N	N	A	A	A	N	N	N
Tiny Homes	A	A	A	A	A	N	A	N	A	N	N	N
Accessory Buildings	A	A	A	A	A	A	A	A	A	A	A	A
Mobile Homes	N	N	A	N	A	N	N	N	N	N	N	N
Modular Homes	A	A	A	A	A	N	A	A	A	N	N	N
Churches	S	S	S	A	N	A	S	N	A	N	N	N

Schools, Public, Private and Parochial	A	A	A	A	A	A	S	N	S	N	N	A
Schools, Trade	N	N	N	N	N	S	S	A	A	A	A	N
Hospitals/Institutions	N	N	N	A	N	S	S	N	S	A	N	S
Medical/Dental Clinics	N	N	N	A	N	A	A	A	A	A	S	N
Adult Foster Care Center ³	N	A	A	A	N	N	A	A	A	A	N	N
Personal Care Center	N	A	A	A	N	A	A	A	A	N	N	N
Child Care Center	A	A	A	A	A	A	A	A	A	A	N	N
Veterinarian Clinics	N	N	N	N	N	N	A	N	A	A	A	N
Kennels and Catterys	N	N	N	N	N	N	N	N	A	A	A	N
Laundromat	N	N	N	N	A	A	A	A	A	A	N	N
Bed and Breakfasts	A	A	N	A	N	A	A	A	A	N	N	N
Motels/Hotels	N	N	N	N	N	N	N	A	A	A	N	N
Travel Trailer Parks	N	N	N	N	N	N	N	N	A	N	N	N
Business and Professional Offices	N	N	N	S	N	A	A	A	A	A	A	S
Retail	N	N	N	N	N	A	A	A	A	A	S	N
Large-scale Retail	N	N	N	N	N	N	N	S	S	S	S	N

Personal Service Stores	N	N	N	N	N	A	A	A	A	A	S	N
Eating and Drinking Establishments (Sit-Down)	N	N	N	N	N	A	A	A	A	A	A	N
Drive-Thru Restaurants	N	N	N	N	N	N	N	N	A	A	A	N
Banks	N	N	N	N	N	A	A	A	A	A	A	N
Mortuary	N	N	N	N	N	S	S	A	A	A	A	N
Wholesale Businesses	N	N	N	N	N	S	N	A	A	A	A	N
Commercial Greenhouses	N	N	N	N	N	A	S	N	A	A	A	N
Gasoline Service Stations	N	N	N	N	N	N	N	N	A	N	A	N
Auto Repair Garage	N	N	N	N	N	N	N	S	A	N	A	N
Automobile Dealerships	N	N	N	N	N	N	N	N	A	A	A	N
Auto Salvage and Storage	N	N	N	N	N	N	N	N	S	N	A	N
Warehouse and Enclosed Storage	N	N	N	N	N	N	N	N	A	A	A	S
Machine Shop	N	N	N	N	N	N	N	N	A	S	A	N
Artisan Manufacturing	N	N	A	A	N	A	A	A	A	A	A	N
Limited Manufacturing	N	N	N	N	N	S	A	A	A	A	N	N
General Manufacturing	N	N	N	N	N	N	N	N	A	A	N	N

Intensive Manufacturing	N	N	N	N	N	N	N	N	A	A	N	N
Cidery	N	N	N	N	N	A	A	A	A	A	N	N
Microbrewery/Microdistillery	N	N	N	N	N	A	A	A	A	A	N	N
Winery	N	N	N	N	N	A	A	A	A	A	N	N
Bowling Alley	N	N	N	N	N	S	S	S	A	S	N	S
Theater	N	N	N	S	N	S	S	S	A	A	N	S
Open-Air Stadiums, Sports Arenas and Amphitheaters	N	N	N	S	N	S	S	S	A	A	N	S
Lumberyards	N	N	N	N	N	N	N	N	A	A	A	N
Transportation Terminals	N	N	N	N	N	N	N	A	A	A	N	N
Radio Stations ⁴	N	N	N	N	N	A	A	A	A	A	A	A
Utility Substations	S	S	S	S	S	S	S	S	S	S	S	S
Armory	N	N	N	N	N	N	N	N	N	N	N	A
Cemetery	N	N	N	N	N	N	N	N	N	N	N	A
Government Offices	N	N	N	N	N	A	A	A	A	N	N	A
Public Recreation Facility	A	A	A	A	N	S	S	A	A	A	S	A

Health and Exercise Establishment	N	N	N	N	N	A	A	A	A	A	S	S
Marijuana Production Facility	N	N	N	N	N	N	N	N	N	A	A	N
Sexually Oriented Business	N	N	N	N	N	S	N	S	S	A	A	N

1. NC—Any number of residential units may be established within a building that also contains a commercial use.
 2. CBD—Any number of apartment units may be established in an existing commercial building. No new residential structures may be built unless they meet the definition of "High Density Residential."
 3. Adult Foster Care Center.
 - a. No more than four (4) residents;
 - b. Staff member must be on board twenty-four (24) hours a day.
 4. Radio Stations do not include radio towers or wireless communication facilities as defined by the Federal Communications Commission.
- * This includes manufactured homes as defined by Ordinance 1813.

(Ord. 1506, 11/16/82; Ord. 1516, 8/2/83; Ord. 1517, 10/18/83; Ord. 1529, 7/16/84; Ord. 1538, 11/20/85; Ord. 1544, 2/4/86; Ord. 1556, 9/16/86; Ord. 1799, 12/19/94; Ord. 1810, 7/3/95; Ord. 1813, 8/21/95; Ord. 1891, 9/7/99; Ord. 1949, 10/18/04; Ord. 1977, 9/18/06; Ord. 2000, 4/7/08; Ord. No. 2022, § 2(Exh. A), 9/7/10; Ord. No. 2029, § 1(Exh. A), 4/19/11; Ord. No. 2046, § 1(Exh. A), 9/17/13; Ord. No. 2090, § 1, 10/6/20; Ord. No. 2097, § 1, 1/5/21; Ord. No. 3003, § 1, 4/6/21; Ord. No. 3013, § 2, 8/17/21; Ord. No. 3017, § 1, 10/5/21; Ord. No. 3025, § 1, 10/21/21; Ord. No. 3023, § 1, 1/4/22; Ord. No. 3041, 5/16/23; Ord. No. 3046, § 1, 2/6/24)

From: [Garrett Schultz](#)
To: [Keith Waring](#); [Shannon Holmes](#); [Jennifer Severson](#)
Cc: [Grant Gager](#); [William Muhlenfeld](#); [Matt Faure](#); [Matt McGee](#)
Subject: Northtown PUD CLUB Condition of Approval #9
Date: Monday, May 12, 2025 4:04:39 PM
Attachments: [NORTHTOWN TURNAROUND EXHIBIT 121624.pdf](#)
[NORTHTOWN PUD - WEST CONNECTOR - GRADING EXHIBITS.pdf](#)
[NORTHTOWN PUD - NORTH CONNECTOR - GRADING EXHIBITS 102224.pdf](#)
[Email Correspondence with fire chief.pdf](#)
[Conditions - LUB recommendation.pdf](#)

Keith and City of Livingston staff,

As we discussed last week, the developer of the Northtown Apartments Planned Unit Development (PUD) is respectfully requesting the removal of the Consolidated Land Use Board's Condition of Approval #9, which states "*The developer must install an emergency all-weather access road within an easement dedicated to the City to connect the northern portion of the PUD to the future 64' ROW to the north.*"

It is important to note that we collaborated with City Staff and discussed multiple options as we designed the interior access roads for the PUD. The preferred option among several alternatives to provide a looped access road was to provide a connector road to the west to the proposed Wild Rye Dr., which works hand-in-hand with the project phasing (looped water line prior to Phase 2 in the ROW), and provides a much-more walkable and driveable access than the northern connector option (the east-west connection is ~3.7% grade versus what would be ~11.5%+ grade at the alternative northern connection).

Some of the key design considerations and notable benefits between the western connector vs. northern connector are listed below.

Western Connector Road (proposed solution):

- Maximum road grade of 3.75% on connector road, and only 3.0% on other internal roads with this design
- Walkable sidewalk connectivity between phases
- Horizontal curves meet City of Livingston Design Standards
- Promotes earthwork mass balance: Total PUD Earthwork - 77,280 CY Cut, 83,200 CY Fill (5,380 CY of excess fill)
- Allows emergency vehicle connectivity between phases at reasonable road grades
- Main PUD roadway terminates in a t-turnaround with appropriate dimensions, approved by the City Fire Chief, per email dated 12/18/2024
- Total Road Lengths – 1,510 LF

North Connector Road (alternative solution):

- Maximum road grade of 11.5% on connector road, and this is after we'd have to raise the primary grade of the road to 3.5%
- Sidewalk connectivity is not feasible due to steep connector road
- The steepened road causes grading challenges at buildings adjacent to the 3.5%
- Causes significant grading challenges for 3 buildings adjacent road grade at 11.5%, likely requiring excessive retaining walls at the (3) northern-most buildings
- Crest curve on the connector has a K value of 15 (COL standard of 50)
- Steep crest curve begins within 30 feet of future phase road centerline (does not meet

landing distance/grade requirements of 3% for 150')

- Creates unnecessary and unfeasible amount of excess fill. Total PUD Earthwork - 62,880 CY Cut, 89,100 CY Fill (26,220 CY of excess fill)
- Does not allow emergency vehicle connectivity between phases at reasonable road grades, connector road grade being a 11.5%
- Total Road Lengths – 1,425 LF

The western connector to the Northtown Phase 4 area is significantly more beneficial, feasible, and adds value for the overall development area.

Please see the attached email correspondence with City Staff, including Fire Chief Josh Chabalowski, who approved of the planned t-turnaround as it is shown on the design plans. Please also note that the short dead-end length that culminates in the t-turnaround does meet City of Livingston Design standards regarding dead-end road lengths. Also stemming from discussions with the fire chief, we added additional fire hydrants, exceeding City of Livingston requirements, to accommodate the Fire Chief's requests, in line with our collaborative design approach for the PUD. These new comments (which were a suggestion to "consider" by Public Works, but then turned into a requirement by the planning department as a condition of approval) seem to not consider the collaborative process we've been involved in to date to get to the submitted design.

Please see the attached exhibits for the proposed West Connector, the alternative Northern Connector, and the proposed t-turnarounds with the current configuration.

Thanks for your consideration.

Garrett Schultz, P.E.
 Headwaters Engineering, Inc.
 1105 Reeves Road West, Suite 6
 Bozeman, MT 59718
gschultz@headwatersmt.net
 406-570-3676

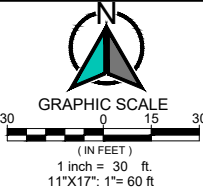
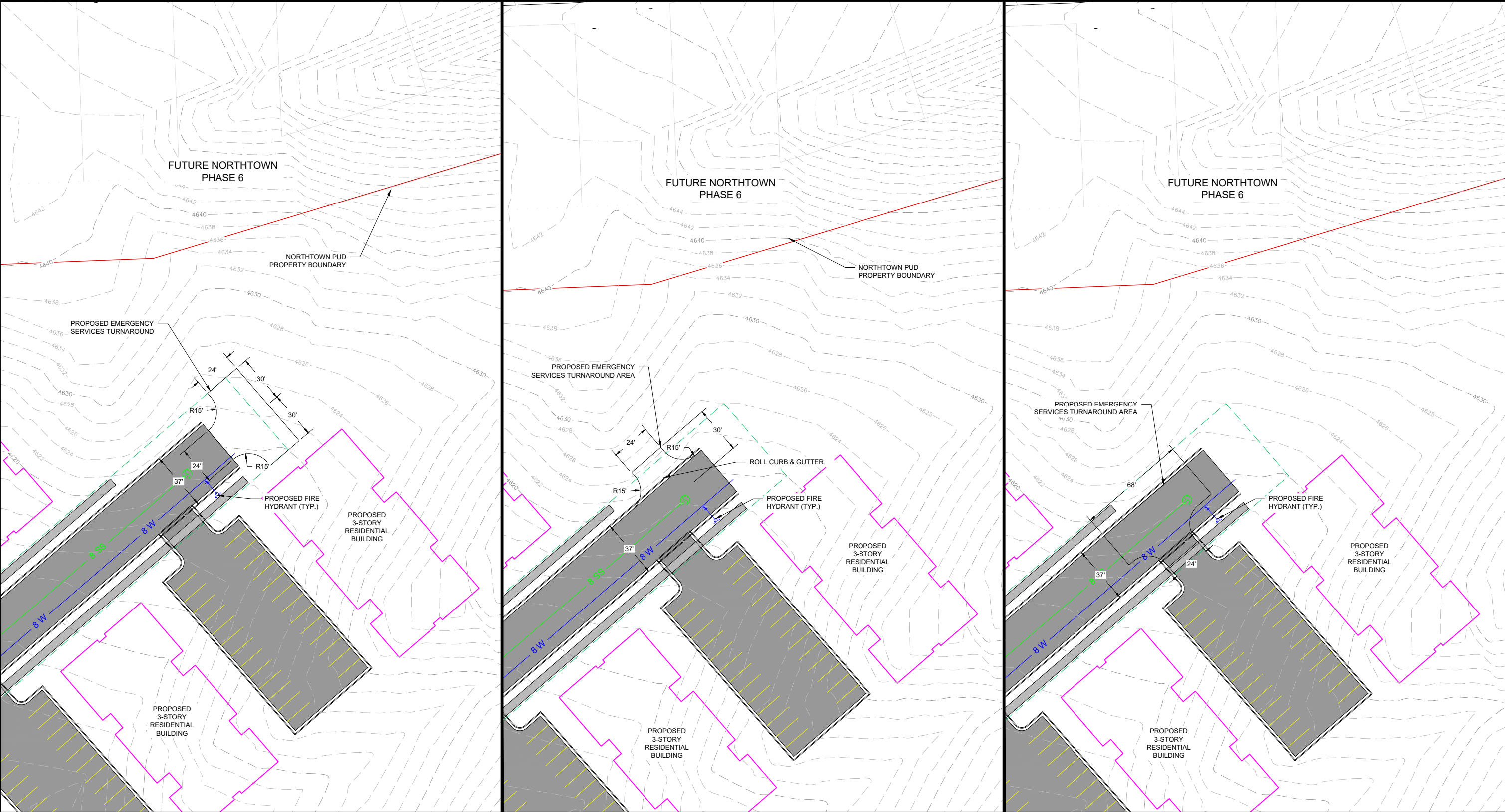
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TURNAROUND EXHIBIT

OPTION 1

OPTION 2

OPTION 3



VERIFY SCALE
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MODIFY SCALE ACCORDINGLY



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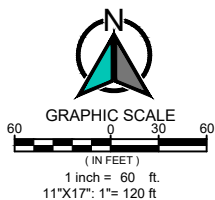
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REVISION DATE:
PROJECT LOCATION
LIVINGSTON
MONTANA
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NORTHTOWN PUD		HEADWATERS PROJECT NUMBER 2025.003
TURNAROUND EXHIBIT		DRAWING NUMBER EX-1


**WEST CONNECTOR
GRADING EXHIBITS**

1. THIS LAYOUT IS CONCEPTUAL ONLY. TOPOGRAPHY VARIES ON THIS PARCEL AND INCLUDES SLOPES UP TO 40%. SIGNIFICANT GRADING WOULD BE REQUIRED TO ACHIEVE THIS DENSITY.
2. GRADING SHOWN IS PRELIMINARY. FURTHER DESIGN IS REQUIRED FOR SUBMITTAL TO CITY OF LIVINGSTON.
3. BEDROCK IS LIKELY TO BE AT DEEP CUT AREAS.
4. EARTHWORK NUMBERS BELOW DO NOT TAKE ASPHALT PAVEMENT AND CONCRETE SECTIONS INTO ACCOUNT.

CUT:	77,820 CY
FILL:	83,200 CY
NET:	5,380 CY (FILL)



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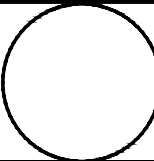


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NORTHTOWN DEVELOPMENT
PUD

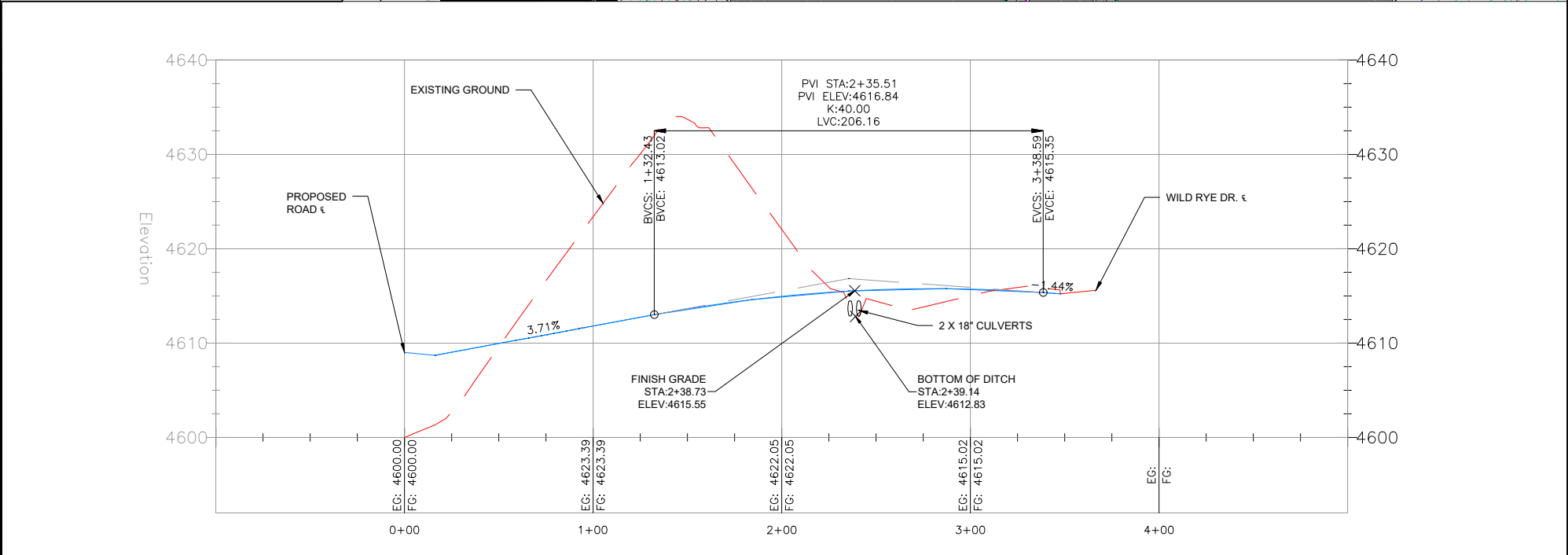
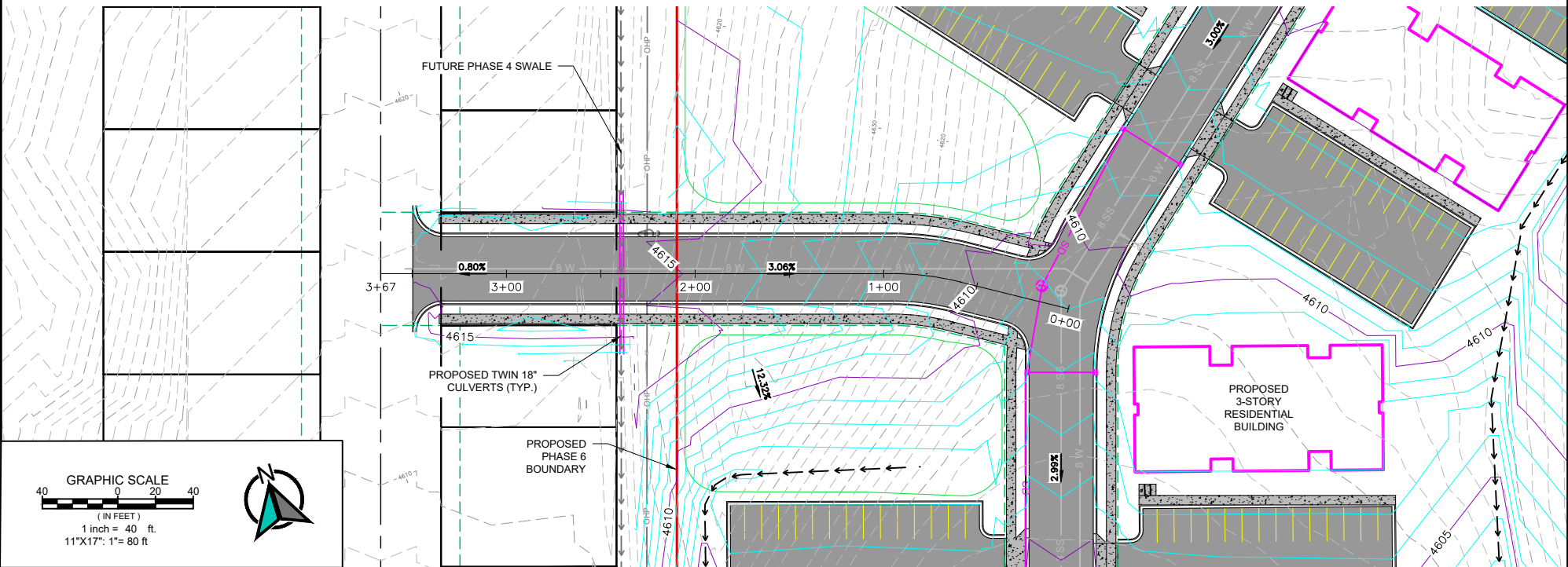
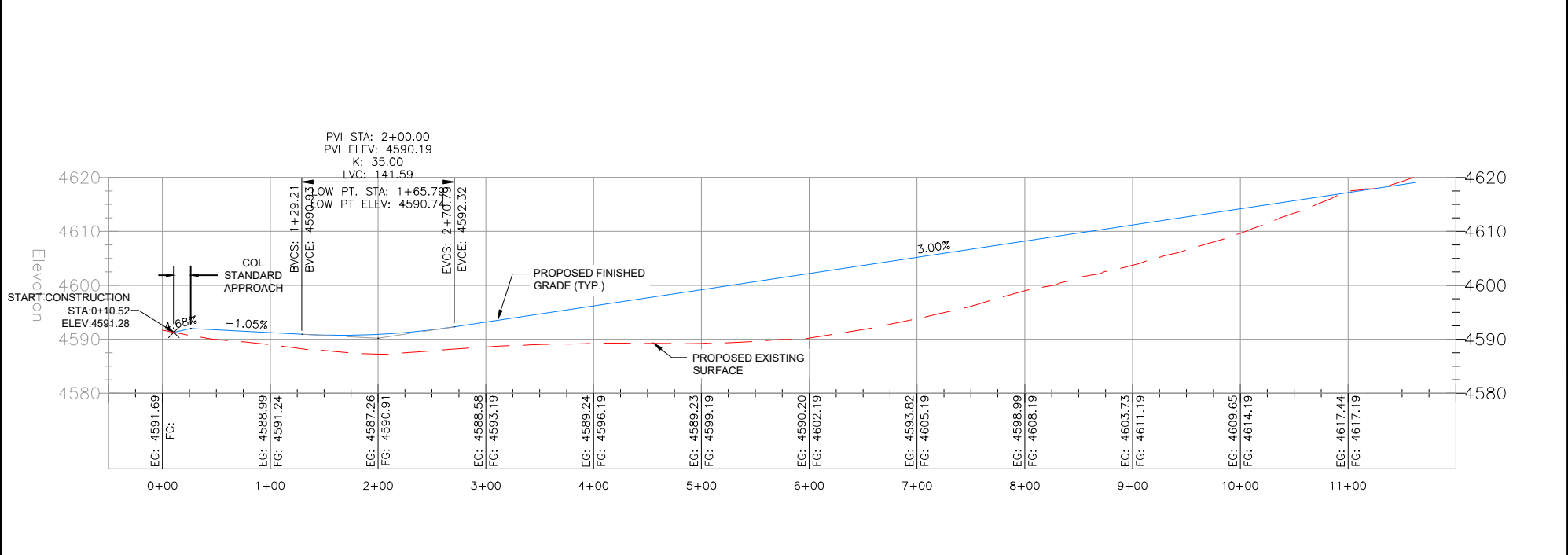
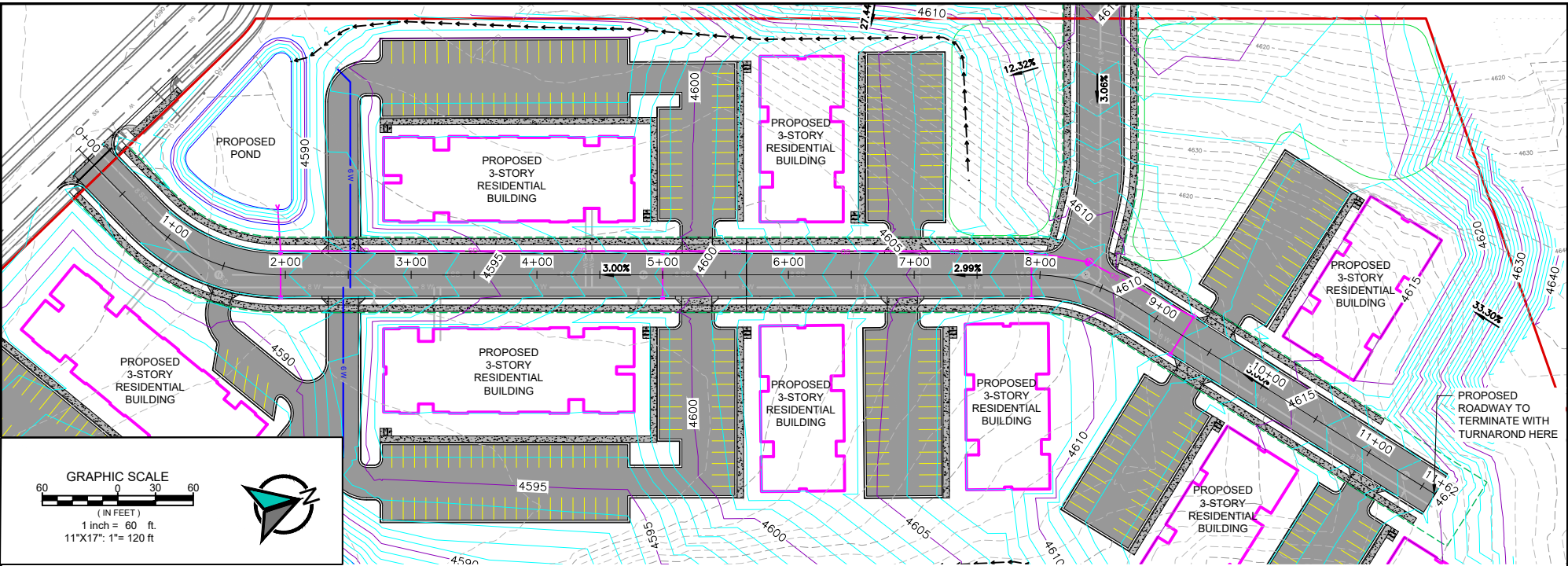
GRADING & DRAINAGE PLAN

HEADWATERS
PROJECT NUMBER
2025.003

DRAWING NUMBER

C3.0

Plot Date: 2/20/2025 4:11 PM
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Plot Date: 2/6/2025 10:01 AM H:\2025\003\ACAD\SHEETS\PLAN & PROFILES.dwg	VERIFY SCALE THESE PRINTS MAY BE REDUCED. LINE BELOW MEASURES ONE INCH ON ORIGINAL DRAWING. MODIFY SCALE ACCORDINGLY	HEADWATERS ENGINEERING 1105 REEVES ROAD WEST, SUITE 6, BOZEMAN, MT 59718 HEADWATERSMT.NET 406-581-5730	DRAWN BY: NJH DATE: 02/06/2025 REVISION DATE: PROJECT LOCATION LIVINGSTON MONTANA © HEADWATERS ENGINEERING, INC. 2025	NORTHTOWN DEVELOPMENT PUD PLAN & PROFILES	HEADWATERS PROJECT NUMBER 2025.003 DRAWING NUMBER C4.0
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**NORTH CONNECTOR
GRADING EXHIBITS**

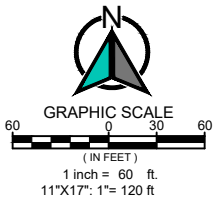
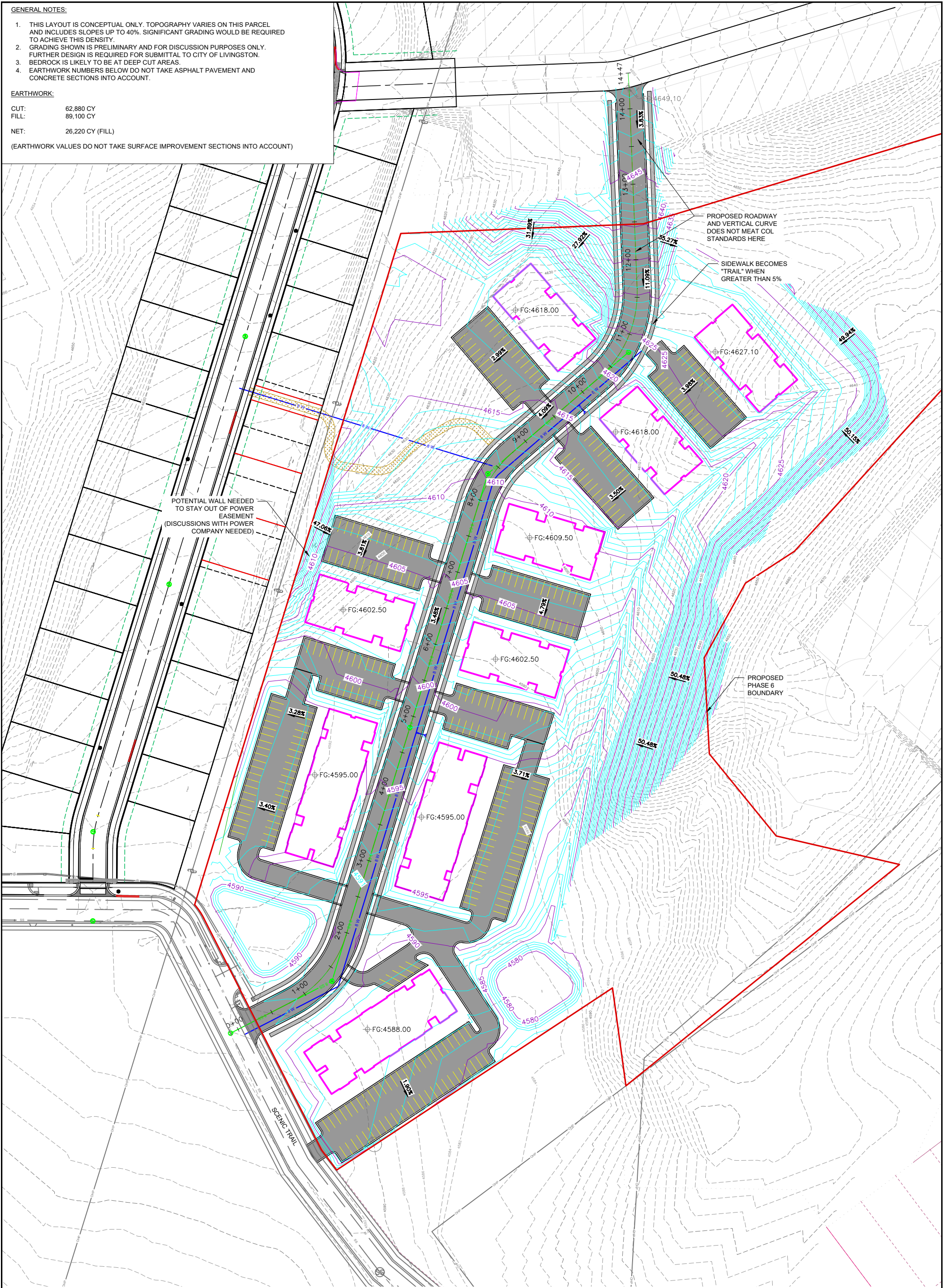
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- GRADING SHOWN IS PRELIMINARY AND FOR DISCUSSION PURPOSES ONLY. FURTHER DESIGN IS REQUIRED FOR SUBMITTAL TO CITY OF LIVINGSTON.
- BEDROCK IS LIKELY TO BE AT DEEP CUT AREAS.
- EARTHWORK NUMBERS BELOW DO NOT TAKE ASPHALT PAVEMENT AND CONCRETE SECTIONS INTO ACCOUNT.

EARTHWORK:

CUT: 62,880 CY
FILL: 89,100 CY
NET: 26,220 CY (FILL)

(EARTHWORK VALUES DO NOT TAKE SURFACE IMPROVEMENT SECTIONS INTO ACCOUNT)



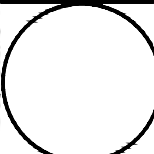
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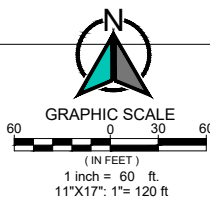
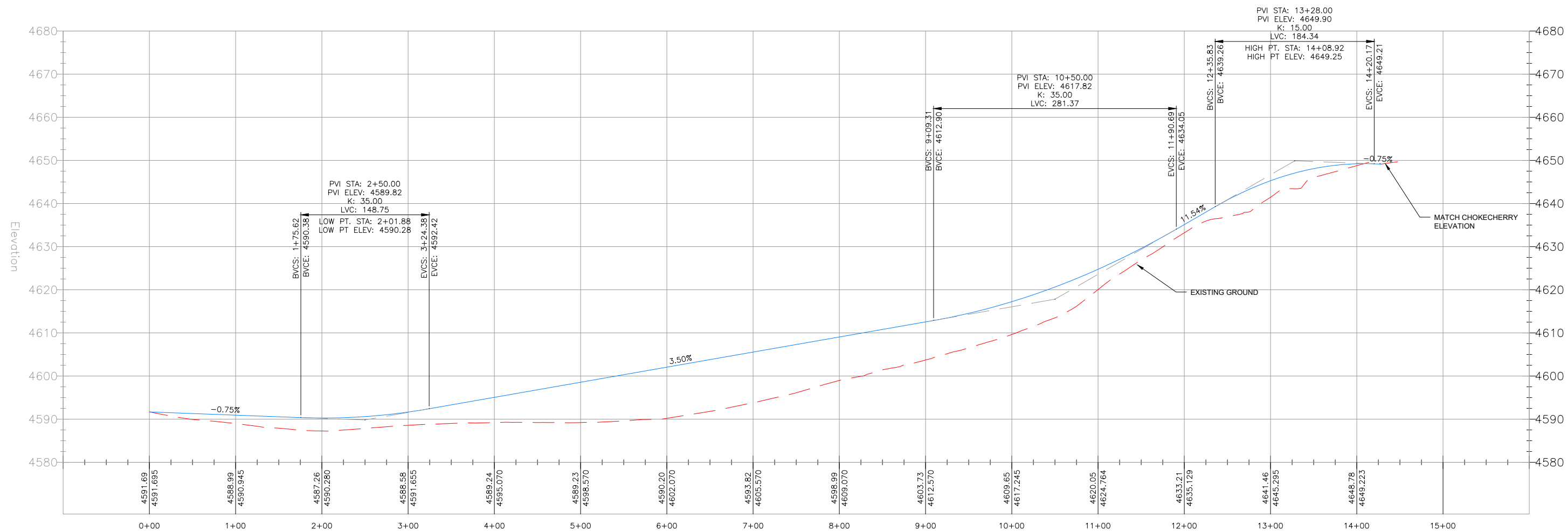
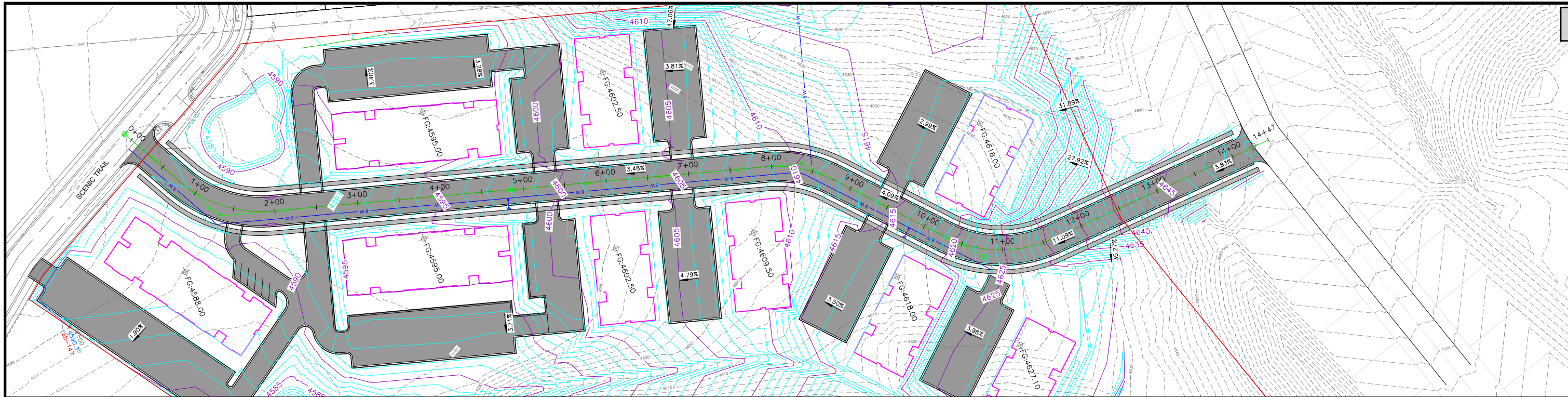
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NORTHTOWN PHASE 6
PUD

PRELIMINARY GRADING EXHIBIT

HEADWATERS
PROJECT NUMBER
2025.003

DRAWING NUMBER
EX-1



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DATE: 09/03/2024
REVISION DATE:
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NORTHTOWN MAJOR SUBDIVISION
PHASE 6

CONCEPTUAL ROAD PLAN & PROFILE

HEADWATERS
PROJECT NUMBER
2025.001

DRAWING NUMBER
EX-2

**FIRE CHIEF
EMAIL CORRESPONDENCE**



Garrett Schultz <gschultz@headwatersmt.net>

RE: Northtown PUD Follow Up

1 message

Josh Chabalowski <firechief@livingstonmontana.org>

Wed, Dec 18, 2024 at 1:25 PM

To: Garrett Schultz <gschultz@headwatersmt.net>, Adam Ballew <aballew@livingstonmontana.org>

Cc: Shannon Holmes <sholmes@livingstonmontana.org>, Matt McGee <Matt.McGee@tdhengineering.com>, Jennifer Severson <jseverson@livingstonmontana.org>, Nick Hammond <nhammond@headwatersmt.net>

Hello all,

Thanks for the information Garrett. I would be happy with the Option 3 model for my apparatus, provided the turnaround area is clearly identified as "no parking" and a red painted curb on the opposing side from the parking lot.

I like the placement of the new hydrants. That will allow us 360* supply for attack scenarios.

As we go forward, I will request the FDCs for each building to be positioned nearest to the closest hydrant for each building on approach.

Are you planning on installing dry standpipes in any of the buildings? I highly recommend them in the larger buildings.

Due to our limited manpower and only two pieces of suppression apparatus for the city (Ladder truck remains unstaffed), we are operationally hindered. While I don't believe R2 requires the standpipes in sprinklered buildings where the top floor sits 30 ft above grade of fire dept vehicle access, I know this will be a huge operational asset for us in the 3 large buildings and probably provide some insurance relief for adding them. (see International Fire Code; IFC 2021 sec 905.3)

Our largest ladder truck is only 75' so accessing the 3rd floor and/or roof will be extremely difficult with building setbacks, vehicles parked in front, manpower, etc. Therefore the interconnected dry standpipe system in each stairwell is a tremendous help for our operational needs. We can chat more about it later.

Thank you,

Josh Chabalowski

Fire Chief

Livingston Fire Rescue

[414 East Callender St](#)

[Livingston, MT 59047](#)

P: (406) 222-2061

C: (813) 751-6911



From: Garrett Schultz <gschultz@headwatersmt.net>

Sent: Wednesday, December 18, 2024 11:53 AM

To: Adam Ballew <aballew@livingstonmontana.org>

Cc: Shannon Holmes <sholmes@livingstonmontana.org>; Matt McGee <Matt.McGee@tdhengineering.com>; Jennifer Severson <jseverson@livingstonmontana.org>; Nick Hammond <nhammond@headwatersmt.net>; Josh Chabalowski <firechief@livingstonmontana.org>

Subject: Fwd: Northtown PUD Follow Up

Sorry Adam, missed your email on my last message!

Garrett Schultz, P.E.

Headwaters Engineering, Inc.

1105 Reeves Road West, Suite 6

Bozeman, MT 59718

gschultz@headwatersmt.net

406-570-3676

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----- Forwarded message -----

From: Garrett Schultz <gschultz@headwatersmt.net>

Date: Wed, Dec 18, 2024 at 11:50 AM

Subject: Northtown PUD Follow Up

To: Shannon Holmes <sholmes@livingstonmontana.org>, Josh Chabalowski <firechief@livingstonmontana.org>, Matt

McGee <Matt.McGee@tdhengineering.com>, Jennifer Severson <jseverson@livingstonmontana.org>
Cc: Nick Hammond <nhammond@headwatersmt.net>

Hello Shannon, Josh, Jennifer, and Matt,

Thanks for meeting with us last week regarding the PUD updates (namely, the road and sidewalk connections to the west at Wild Rye Dr.) and next steps.

As we discussed in the meeting, we've provided the following attached Exhibits:

Turnaround Exhibit

We have three separate options shown, all using the "T" Turnaround style. Due to the topography and grading challenges, a T-turnaround is preferred, rather than a cul-de-sac. We followed the standards in the Subdivision Regulations, Section VI-A-8 Table 1 for "T" Turnarounds. We would propose using option 3, in which the entire turnaround can fit within the dead-end proposed roadway, utilizing the parking lot approach for the "T". We included two other options for consideration as well.

Water & Sewer Exhibit

This exhibit includes descriptions of number of units, bedrooms, and water demands. We added an additional hydrant along the main line, as well as a hydrant at the end of each east/west road, south of Buildings 2 & 3. We have already shared this exhibit and .dwg with Matt for comment, and to run the water/sewer models.

Regarding Phasing we request that Buildings 1, 2, and 3 can be constructed in Phase 1, with the 500' water main terminating at the hydrant at the north end of Buildings 2 & 3. Any future construction past Building 3 would require a looped water main back to Wild Rye.

Please review and comment regarding acceptable T-turnaround layout, hydrant location/spacing, and phasing.

We are still sorting through the PUD submittal process and will be in touch soon with an update on noticing/desired work session dates etc.

Thanks,

Garrett Schultz, P.E.

Headwaters Engineering, Inc.

1105 Reeves Road West, Suite 6

Bozeman, MT 59718

gschultz@headwatersmt.net

406-570-3676

**LAND USE BOARD
CONDITIONS OF
APPROVAL**



DATE: April 18, 2025
TO: Applicant for the Northtown PUD
FROM: Jennifer Severson, Planning Director
RE: Consolidated Land Use Board Recommendation and Conditions of Approval

At its April 9, 2025 meeting, The Consolidated Land Use Board recommended, by a vote of 5-2, that the City Commission approve the Northtown Planned Unit Development, with the conditions listed below:

1. Prior to the Public Hearing by the City Commission, the applicant must provide an updated Traffic Impact Study that address the questions and concerns stated in the Public Works Department referral (attached).
2. The developer/ Northtown PUD HOA will be responsible for maintaining the open space and park land and these spaces must be dedicated for use by the general public.
3. Commercial development within the PUD may require Site Plan Review prior to issuance of a building permit and/or a business license for the commercial uses.
4. No Light Industrial or (Heavy) Industrial uses are allowed in the PUD.
5. The developer must secure tenants for a minimum of 30% (4,283 sq. ft.) of the total commercial space (12,850 sq. ft.) as each new PUD phase is completed.
6. New fencing installed along the Open Space boundaries must be wildlife-friendly to allow for continued safe passage of wildlife.
7. Enclosed trash receptacles and regular property maintenance must be required by the covenants to mitigate potential bear attractants and maintain a low likelihood of human/bear conflicts.
8. Native grasses and shrubs will be maintained by the HOA in undeveloped Open Space areas.



9. The developer must install an emergency all-weather access road within an easement dedicated to the City to connect the northern portion of the PUD to the future 64' ROW to the north.
10. As PUD phases are completed, and until full build-out of the PUD, the developer shall coordinate with City Emergency Service Providers to establish emergency access and evacuation procedures to ensure public safety.

Att: Public Works Referral

Northtown PUD – Public Works Referral Comments

Traffic Study

1. The traffic study is relying on background traffic counts from 2022. Attached is a google earth picture of the area from 2022. The previous phase that is on Sweetgrass Lane was partially built out and the triangle previous 3.3 acre phase on Scenic Trail had not been started. Background traffic counts either need to have these phases added in at full build out now, or the counts need to be redone for this phase. If the background traffic numbers from 2022 are still used the growth factor still needs to be used.
2. It appears that the report is estimating 30% of the projected traffic from development is shown as going east to underpass or Bennett street. The am peak hour shows around 22% of traffic going east from the combined totals of Gallatin/Chinnook, and Front street intersections with 5th while the PM peak hour counts show approximately 26% coming from the east to the west. Please justify the higher 30% not using the 5th street railroad crossing.
3. It is likely that the eastbound traffic will in large part impact the railroad underpass. We need to know the level of service these impacts will have on that crossing.

Sewer

The proposed development uses 69% of the capacity of an 8" main at minimum grade. This pipe discharges into a 10-inch main on Scenic Drive. The 10" discharges into a 8" on Summit then down 8th in a pvc 8" which eventually becomes a clay tile 8" pipe originally installed in 1954. We have checked the model and due to the grades in Summit and 8th, the pipe can handle the additional flow. The City does need to camera this section of pipe to verify that the pipe can handle the flow from a structural standpoint. It is possible that this pipe will need to be replaced by the City before it can be determined that we can safely add this big of a flow to the pipe. It is recommended that the City add the 8th Street/Summit sewer to the CIP. It may be if the developer wants to continue prior to the City being able to do the project that they may have to upsize the main in 8th to a 10" for impact fee credits.

Storm water.

1. Most of water is directed to the west pond. Will need to be sure to split the flows between the two ponds.
2. 100 year overflow will need to be shown.

3. Ditches will need to be sized and included in HOA to be maintained.
4. Verify additional capacity from phase 4A is included in the design of new ponds.

Water

1. Water needs to be looped.
2. If this project is phased, a discussion will need to be had about water looping as these are not single-family homes but buildings with up to 30 units a piece in them. The current plan shows a3 buildings (70+ units) that does not have a looped water line. A rough sketch has been provided that would give a looped route. Please consider.

Utilities-

Dry utilities will not be allowed in the City of Livingston's easements.









Streets

1. Consider providing an emergency all-weather access connection and easement to the future 64' ROW to north; this will allow for looped water system to be established within this easement and also provide secondary emergency access/ egress to the PUD. This could also be used as a trail connection b/t the PUD and future development and open space to the north.
2. Connect sidewalks from parking lots to street sidewalks.

Untitled Map

Write a description for your map.

Legend

-  Bloom Weed Dispensary Livingston
-  Feature 1
-  Feature 2
-  Livingston, Montana
-  Northside Park and Dickerson Soccer Fields
-  Park
-  SEGMENT: AERIAL
-  Yellowstone Gateway Museum

283



BUILDING INFORMATION

	STORIES	FOOTPRINT SF	# OF TOTAL BLDG	TOTAL 1-BED	TOTAL 2-BED	TOTAL UNITS
COMMERCIAL / 24 UNIT RESIDENTIAL	5	12,880	1	5	5	24
55 UNIT RESIDENTIAL	5	12,880	2	24	24	72
24 UNIT RESIDENTIAL	5	5,500	6	72	36	144

*COMMERCIAL BASE SPACE ON 1ST LEVEL (12,880 SF)

PARKING

LOT #	LOT 1	LOT 2	LOT 3	LOT 4	LOT 5	LOT 6	LOT 7	LOT 8	LOT 9	LOT 10	TOTAL
# OF SPACES	30	40	40	24	24	24	30	20	20	20	320



1 NORTHTOWN APARTMENTS PUD SITE PLAN
1" = 80'-0"

File Attachments for Item:

B. ORDINANCE 3062: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING SECTION 30.13 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY REZONING PROPERTY LEGALLY DESCRIBED AS BROOKSTONE MAJOR SUBDIVISION 610, S07, T02 S, R10 E, LOTS 8-10, IN PARK COUNTY, MONTANA AND TO REZONE THE PARCEL FROM HIGH DENSITY RESIDENTIAL (R3) TO PLANNED UNIT DEVELOPMENT (PUD).



LivingstonMontana.org | PublicComment@LivingstonMontana.org | 406.823.6000

DATE: July 1, 2025
TO: Chair Schwarz and City Commissioners
FROM: Jennifer Severson, Planning Director
RE: Staff Report for a **Map Amendment to Chapter 30 of the Livingston Municipal Code to create the Sheep Mountain Planned Unit Development**

Recommendation and Summary

Staff recommends the Commission approve the proposed map amendment to the City of Livingston Zoning Code Chapter 30 by adopting the following motion:

"I move to approve the first reading of Ordinance 3062 to amend the City of Livingston Zoning Code Section 30.13 related to the Official Zoning Map and to authorize the Chair to sign Ordinance 3059."

The reasons for the recommendation are as follows:

- The City must amend its Official Zoning Map to rezone property.
- The property owner has requested a zone change for land addressed as 101, 103 and Brookstone Street from High Density Residential (R3) to Planned Unit Development (PUD).
- The Consolidated Land Use Board voted to recommend that the Commission approve the rezoning request.

Introduction and History

In November 2023, the City adopted its first Planned Unit Development (PUD) Ordinance. A PUD is a zoning district intended to encourage more efficient use of land and public services than is generally attainable under standard zoning application. Conventional area and density requirements are replaced by application of the PUD district to lands upon which an approved plan becomes the basis for control of land development. By allowing for context-sensitive design that conforms to topography and minimizes site impacts, PUD zoning encourages clustered development, diverse housing types, mixed land uses, and natural resource preservation.



Summary

The applicant is proposing a single-phase Planned Unit Development (PUD) on property addressed as 101, 103 and 105 Brookstone Street, located at the intersection of Brookstone Street and Miles Lane. The subject property is just over 1 acre in size and is currently zoned R3-High Density Residential (See Attachment B, Application Packet and Figure 1 below). The site is bounded on the north by Brookstone Street, on the east by Miles Lane, on the west by the Brookstone Ditch, and on the south by residential and suburban agricultural uses on lands outside City limits. The proposed PUD site is currently vacant, with flat terrain and little vegetation. A 20-foot-wide ditch easement extends along the southern portion of the site. The PUD has been designed to maximize the development footprint on the property while also protecting views of Livingston Peak and Sleeping Giant to the south. The development will include 2 three-story buildings, each having a maximum building height of 45 feet.

The PUD will include a mix of 32 one-bedroom, 12 two-bedroom and 4 three-bedroom rental apartment units, for a total of 48 rental units, with 24 units in each building; of these, 12 one-bedroom units and 4 two-bedroom units will be ADA accessible. Additionally, there will be 500 square-feet of flexible amenity space for use by the residents of the PUD. The developer is seeking Low-Income Housing Tax Credits (LIHTC) to fund the project and, if awarded, all rental units will be affordable for anyone making at or below 60% of the Area Median Income for Park County (See Attachment C). In May 2025, the developer presented their proposal for the Sheep Mountain PUD to the Montana Board of Housing and were invited to formally apply for LIHTC funds, moving them forward in the highly competitive grant process. And, although not mentioned in the application packet, at the May 21, 2025 Public Work Session, the developer stated their intent to include solar energy facilities to help defray energy costs and further support PUD residents.

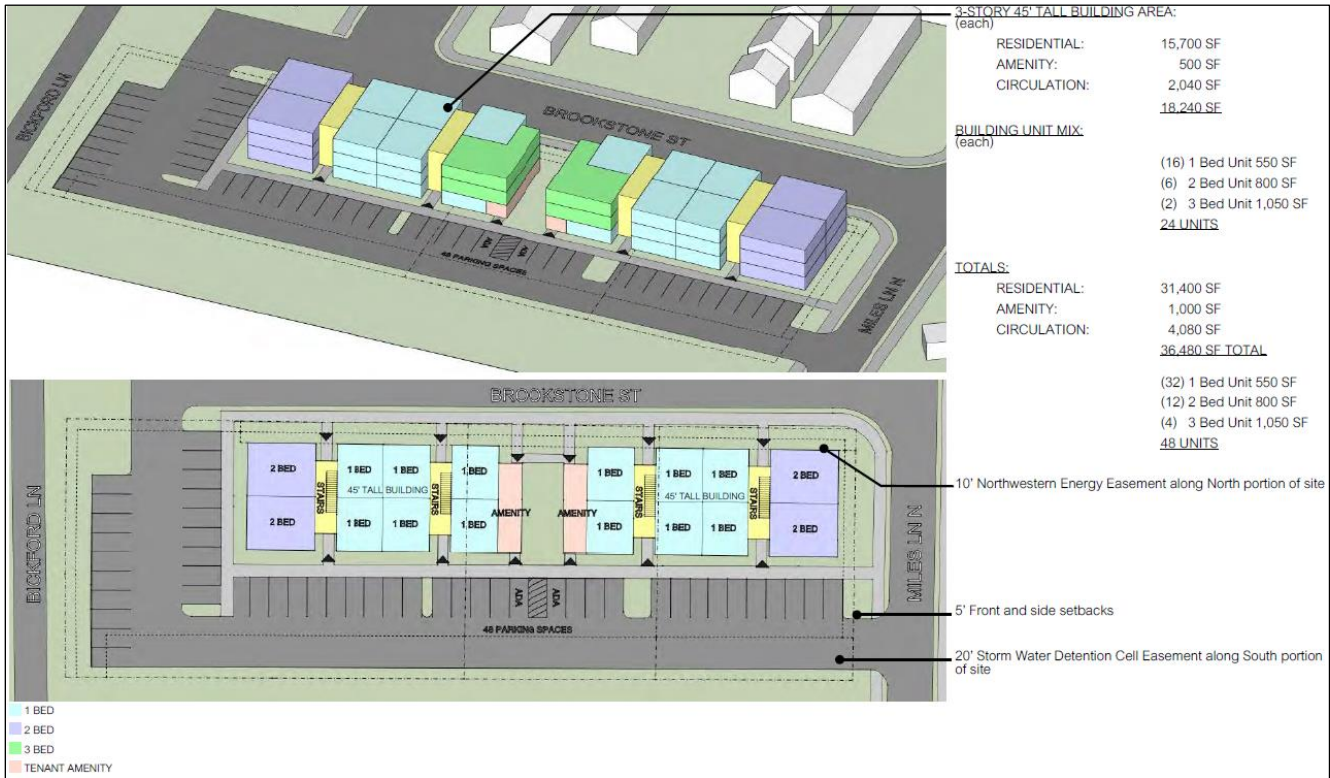


Figure 1. Sheep Mountain Planned Unit Development

Analysis

Referral Comments (see Attachment D)

Livingston Public Works- Comments were provided about the termination point of the Brookstone Ditch within the property; plans submitted for building permit must address the following: quantity of ditch water that must legally pass through and/or be retained on the property; water impacts on the PUD property and downstream land owners; a written agreement between the owner of the PUD property and the Brookstone Ditch company must be submitted that confirms the volume of ditch water and how it will be handled on site; details about the capacity and function of the infiltration swale and confirmation of ongoing operation and maintenance responsibilities for the swale. Stormwater discharge must be treated in conformance with City of Livingston and MT DEQ standards, ongoing operation and maintenance responsibilities for the proposed underground stormwater facility must be determined and infiltration rates must be verified with percolation tests; groundwater may need continued monitoring. Additional requirements for the design and function of stormwater facilities were stated. No concerns about traffic, sewer or street impacts were noted.



Livingston Fire and Rescue- the need for an additional hydrant and its location were stated as well as requirements for sprinkling, fire alarm and other fire protection and safety measures.

Montana State Historic Preservation Office (SHPO)- comments confirmed previous cultural resources inquiries were completed for the area but no recorded sites are within the proposed project area; this agency does not anticipate cultural or historic resources will be affected by the proposed PUD (See application packet Tab G for letter from SHPO).

Montana Fish, Wildlife and Parks (FWP)- comments confirmed that the area around the PUD site is used by deer and a variety of nongame species, including racoons. Occasional transitory use by mountain lions and black bears is possible. This agency offered suggestions to minimize the potential for human-wildlife conflicts related to the PUD (see application packet Tab I for letter from FWP).

No Concerns- City Building Department

No Responses Received – City Police Department, Park County Planning Department

Public Comment – M. Johansen expressed support for the PUD in this location as developing this long-vacant site will improve neighborhood appearance and vitality, and also commended the provision of 48 new affordable housing units in Livingston to address community needs.

Findings of Fact

As stated in Section 30.47, A PUD shall further *a majority of the following objectives*:

1. ***Protect natural and cultural resources.*** The project site is vacant and relatively flat with little vegetation. Earthwork is necessary to install underground stormwater facilities to facilitate ditch water flow through the property without restricting surface development on the site. Although the PUD has been designed to maximize use of the site, minimal grading is anticipated for the building and parking areas. The application states that any new fencing installed on the project boundary will be wildlife-friendly to allow for continued safe passage of wildlife. Other than the ditch lateral along the west side of the parcel, no watercourses or wetlands have been identified on the site.

A letter from the MT SHPO included with the application materials expressed no concerns that cultural or historic resources will be affected by the proposed PUD. A letter from MT FWP included in the application also did not express significant concerns about the PUD; the letter cited recommendations and preventive measures to reduce potential wildlife-human conflicts and this agency recommended these considerations be addressed in developer covenants for the PUD.



The PUD site is surrounded by development that includes fourplex condominiums, single family and mobile homes, suburban agriculture, and a private school. To minimize impacts to views of the Beartooth and Absaroka mountains south of the PUD, the developer has limited the maximum building height to 45 feet, which is five feet less than what is allowed 'by right' in the R3 district. Additionally, architectural drawings show a neutral exterior paint color that will not detract from the views, and with rooflines that mimic the mountain peaks to the south. A rendering of the PUD a showing view from north of the PUD site toward the southern mountains is included in Tab D in the Application Packet.

2. ***Encourage open space and recreational areas beyond the minimum subdivision requirements.*** The site is just over 1 acre in size and the PUD has been designed to maximize use of the property, limiting open space potential. There will be 500 square-feet of flexible community space for use by the PUD residents and the new Wellness Center (1/2 mile away) and Myer's River View Trail (0.9 miles away) provide opportunities for sports and recreation nearby.
3. ***Promote a more effective use of land than the base zoning district would allow, resulting in clustered development and a more condensed network of utilities and streets.*** The inclusion of 10 additional housing units will result in a more efficient use of the site than what is allowed 'by right' in the R3 zoning district (48 units in the PUD vs. 38 allowed in R3).
4. ***Encourage mixed uses in new developments as a means to improve convenience and access to daily necessities by area residents.*** Although the PUD does not include mixed uses available to the public, the application states that the 500 square feet of flexible amenity space may include a shared laundry facility, bike, and gear storage. Having laundry and storage facilities will provide conveniences for PUD residents that they would otherwise have to travel elsewhere to use.
5. ***Reduce vehicular trip generation through mixed use development and enhanced multi-modal connectivity.*** Although new sidewalks will be installed where Brookstone Street and Miles Lane border the PUD, staff does not anticipate the development will enhance multi-modal connectivity or reduce vehicular trip generation. The closest transit stop is ½ mile away at Katie Bonnell Park (the site of the future Wellness Center) and there is no connected pedestrian network or bike facility to provide a direct connection to that bus stop.
6. ***Encourage affordable/ workforce housing development.*** The PUD will include 48 rental units that will be affordable to those with incomes at or below 60% of the Park County AMI. The units will be a mix of one, two and three bedrooms and will be a significant boost to address the critical need for affordable housing in Livingston.
7. ***Support the adopted City of Livingston Growth Policy.*** The proposed PUD supports the following Growth Policy recommendations: *Goal 3.1: Prioritize infill over expansion by taking*



advantage of existing and planned infrastructure, such as transportation, energy, water, and sewer facilities. *Objective 3.1.1:* Encourage higher densities and a wider range of land uses that are compatible with adopted plans and where existing or planned shortrange community facilities and infrastructure can support them. *Strategy 3.1.1.8:* Reduce urban sprawl through compact development consistent with the Future Land Use Map of this Growth Policy. *Goal 5.1:* Provide housing options to meet the needs of all residents. *Strategy 5.1.1.2:* Consider implementing the recommendations of the housing action plan; *HAP Recommendation #9:* General Zoning Reform & Flexible Development Standards- removing barriers to building a variety of housing choices, which allows for homes of all shapes and sizes for people of all incomes. *Objective 5.1.4:* Promote a mix of housing within neighborhoods that supports a variety of household income levels, household age groups, and housing types. *Strategy 5.1.4.2:* Promote inclusion of ADA-accessible units in new housing developments through the adoption of “Universal Design Standards” that remove barriers for mobility.

Additional Considerations

Commercial Uses

No commercial uses are proposed for the PUD.

Developer Incentives and Public Benefits

The minimum lot size in the R3 district is 1,150 square feet. The subject property is 44,327 square feet, therefore, 38.5 dwelling units are allowed ‘by right’. To enable the applicant’s goal to provide affordable housing, the applicant requests an increase in density allowed to 48 dwelling units total, or 10 more than what is allowed under current zoning. In return for this increased density, the developer will provide affordable housing that meets affordability requirements identified in Resolution 5115 (see Attachment C). All 48 units will be offered at or below 60% AMI thresholds and will be deed-restricted as low-income affordable.

As allowed under Livingston Municipal Code Sec 30.47.D.1.c.iii, Affordable Housing units at or below 60% AMI will qualify for the Waived Impact Fees as well as count toward the total number of Affordable Housing Units needed to obtain a density bonus. Therefore, impact fees will be waived for all 48 rental units because all will deed-restricted for rental at or below 60% AMI.

Zoning Considerations

As discussed above, the proposed PUD supports applicable density and use goals, objectives and/or strategies identified in the City’s adopted Growth Policy.

Staff does not anticipate that the requested additional 10 units of density will have significant adverse impacts on the general public or the surrounding neighborhood. The applicant is providing one vehicular parking space for each rental unit and 6 bicycle parking spaces to encourage an alternate mode of travel.



However, parking design shown on the Site Plan (Sheet C3.0) does not comply with the standards identified in Sec 30.51 of the LMC. No variance from parking requirements has been requested; therefore, the design must be revised to comply with standards identified in the LMC. Minimum stall length must be 18.5 feet. Additionally, at least one of the required bike parking spaces must be large enough to accommodate a bike with a trailer (see Sec 30.51.R.1a). The applicant included 10 compact parking spaces in the design. Although no allowance exists for compact parking in the LMC, a 16-foot stall length is consistent with compact parking design, in general. Staff supports the use of compact spaces on the west side of the lot, as shown, provided the length of the curb along the north end of the compact parking area is extended to 18 feet to ensure the adjacent 24-foot-wide travel lane remains passable.

Staff also noted the lack of landscaping or buffering shown on the site plan. It is not unusual to delay landscape design until building permit application; however, due to the limited amount of undeveloped area shown on the Site Plan, staff finds it important to remind the developer that the final site design submitted for building permit must comply with LMC Sec 30.51.T&U for parking area landscaping and Sec 30.59.E & E.1 for screening requirements.

Planning Considerations

The applicant has not requested any deviations from the adopted the City of Livingston Public Works Design Standards and Specifications for the PUD.

The PUD will establish effective internal connections with pedestrian pathways and connect to the surrounding transportation network through two new vehicular access points at the intersection of Elm and Brookstone Streets and at Miles Lane. Bike parking will be located near the front pedestrian entrance to the development and will be accessible from the new sidewalk along Brookstone Street. However, the nearest Windrider bus stop is located over ½ mile away on E. Gallatin Street at Katie Bonnell Park (the site of the future Wellness Center). The addition of a fixed route transit stop at the PUD would provide both PUD residents and the surrounding neighborhood a convenient option for alternate transportation. Staff recommends the developer work with the City and transportation providers such as Windrider and Angel Line Senior to establish a new fixed route stop at the PUD. Furthermore, staff recommends the developer be required to install a new bus shelter at that bus stop. The addition of a transit stop and shelter at the PUD site will support Growth Policy Strategy 4.1.3.3 to “reduce climate disruption through compact growth and increased transportation choices that reduce the need for driving. “

Due to its compact design, disturbance to the to the existing terrain will be minimized and staff does not anticipate adverse impacts to the natural environment, critical wildlife and habitat, agriculture, public health and safety, or local services. There is no agriculture use, significant natural amenities or critical wildlife habitat on the property and the site is within an area that is already served by City utilities, Fire and Police. The developer is working with the Brookstone Ditch Company to agree on a solution to accommodate ditch overflow during high flow while preserving the water rights of the ditch users. The Public Works Referral Letter (Attachment C) identifies several concerns about stormwater



management that must be addressed before permitting; however, no concerns about traffic, sewer or street impacts were noted in the Public Works referral.

The Consolidated Land Use Board, at its June 11, 2025 meeting, voted 6-0 to recommend the City Commission approve the Zoning Map Amendment. During the meeting, the Board asked questions about the HRDC's role in the project and about the LIHTC program; the Park County Housing Coalition Program Manager, who has been involved with project planning and development, provided responses to board questions and those are attached (see Attachment F).

Fiscal Impact

The developer will be responsible for the cost of installing the infrastructure necessary to support the PUD, but no impact fees will be assessed because of the provision of affordable housing at or below 60% of the Park County AML. Additionally, through the LIHTC program, the PUD is exempt from local property tax assessments for 10 years and, in return, the low-income affordability of each unit will be deed restricted for a minimum of 50 years (see Attachment E, Sheep Mountain Affordable Housing Action Plan).

Strategic Alignment

As described above, the proposed PUD aligns with several strategies of the Growth Policy as well as the Park County Housing Action Plan.

Staff Recommendation

Based on the reasons discussed above, Staff finds the proposal complies with the requirements of City and State statutes and supports the City's adopted Growth Policy. Therefore, Staff recommends the City Commission support the recommendation of the Consolidated Land Use Board and approve the Sheep Mountain Planned Unit Development with the conditions listed below:

1. The application for building permit must demonstrate the concerns expressed in the Public Works Referral Letter dated June 4, 2025 have been addressed.
2. Prior to issuance of a building permit, a letter of agreement between the PUD property owner and the Brookstone Ditch Company must be provided that ensures adequate accommodation and conveyance of ditch water through the PUD property without infringing on water rights of downstream ditch users.
3. The application for building permit must demonstrate compliance with requirements identified in the Referral Letter from the Livingston Fire Chief dated May 7, 2025.
4. Design of the parking area must be revised to comply with LMC Sec 30.51. If compact parking is provided on the west side of the lot, the length of the curb along the north side of the compact



spaces must be extended to 18 feet to ensure the adjacent 24-foot-wide travel lane remains passable for emergency vehicles.

5. Plans submitted for building permit must demonstrate compliance with LMC Sec 30.51.T&U for parking area landscaping and Sec 30.59.E & E.1 for screening requirements.
6. The applicant must install a new bus shelter at the PUD site and work with the City and local transportation providers to establish a new fixed route transit stop at the PUD.
7. Fencing installed around the PUD property must be wildlife-friendly to ensure safe passage of wildlife.
8. Annual certification must be submitted to the City that confirms PUD rental rates remain affordable, at or below 60% AMI, as was required to have City impact fees waived at time of PUD approval. The AMI in place at the time of annual certification will be used.
9. The applicant is subject to the terms, conditions and commitments of record in the application for the Sheep Mountain PUD and as approved by the City Commission.

Attachments

- Attachment A: Draft Ordinance 3062
- Attachment B: [Sheep Mountain PUD Application](#) & [Supplemental Sheets](#)
- Attachment C: LIHTC funds, Housing Affordability Factors and AMI Details
- Attachment D: Referral Agency and Public Comments
- Attachment E: Sheep Mountain Residences Affordable Housing Action Plan
- Attachment F: HRDC/ Park County Housing Coalition Responses to Land Use Board Questions from June 11, 2025 meeting

ORDINANCE NO. 3062

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING SECTION 30.13 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY REZONING PROPERTY LEGALLY DESCRIBED AS BROOKSTONE MAJOR SUBDIVISION 610, S07, T02 S, R10 E, LOTS 8-10, IN PARK COUNTY, MONTANA AND TO REZONE THE PARCEL FROM HIGH DENSITY RESIDENTIAL (R3) TO PLANNED UNIT DEVELOPMENT (PUD).

* * * * *

Purpose

The purpose of this Ordinance is to promote public health, safety and general welfare of the City by regulating the height, number of stories, and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location of buildings, structures, and land for trade, industry, residence or other purposes.

WHEREAS, Section 30.71 of the City of Livingston Code of Ordinances authorizes the City Commission to amend the officially adopted Zoning Map;

WHEREAS, the amendments meet the criteria and guidelines for zoning regulations as required by Section 76-2-304 of Montana Code Annotated;

WHEREAS, no petitions were received by the City in protest of the proposed map amendment;

WHEREAS, the City of Livingston Consolidated Land Use Board, after a public hearing held on June 11, 2025, voted to recommend approval of the zoning map amendment to the City Commission to rezone the subject parcel from High Density Residential (R3) to Planned Unit Development (PUD);

NOW, THEREFORE, BE IT ORDAINED by the City Commission that Sec. 30.13 of the Livingston Municipal Code entitled Official Zoning Map, be and the same is hereby amended as follows:

SECTION 1

REZONING OF PROPERTY LOCATED ON SCENIC TRAIL AND LEGALLY DESCRIBED AS BROOKSTONE MAJOR SUBDIVISION 610, S07, T02 S, R10 E, LOTS 8-10, IN PARK

**COUNTY, MONTANA AND TO REZONE THE PARCEL FROM HIGH DENSITY
RESIDENTIAL (R3) TO PLANNED UNIT DEVELOPMENT (PUD).**

SECTION 2

Statutory Interpretation and Repealer:

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

SECTION 3

Severability:

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

SECTION 4

Savings provision:

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

SECTION 5

Effective date:

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

PASSED by the City Commission of the City of Livingston, Montana, on first reading at a regular session thereof held on the ____ day of July, 2025.

QUENTIN SCHWARZ, CHAIR

ATTEST:

Emily Hutchinson
City Clerk

PASSED, ADOPTED AND APPROVED, by the City Commission of the City of Livingston,
Montana, on a second reading at a regular session thereof held on the _____ day of August,
2025.

QUENTIN SCHWARZ, CHAIR

ATTEST:

APPROVED TO AS FORM:

EMILY HUTCHINSON
City Clerk

JON HESSE
City Attorney

What is LIHTC?

The Low Income Housing Tax Credit (LIHTC) program was created under the Reagan Administration via the Tax Reform Act of 1986.

A program of the U.S. Treasury, it is our nation's largest resource for subsidizing the acquisition, construction, and rehabilitation of affordable rental housing for low- and moderate-income households.

It does this by reducing federal income taxes for 10 years in exchange for making an investment in an affordable housing development, which is required to stay affordable for at least 30 years.

What is 60% AMI?

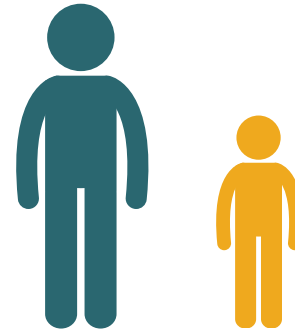


\$42,300
ANNUAL

\$20.34
HOURLY

\$1,058

MAX AFFORDABLE
MONTHLY HOUSING
PAYMENT



\$48,300
ANNUAL

\$23.22
HOURLY

\$1,208

MAX AFFORDABLE
MONTHLY HOUSING
PAYMENT



\$54,360
ANNUAL

\$26.13
HOURLY

\$1,359

MAX AFFORDABLE
MONTHLY HOUSING
PAYMENT

Hourly wages assumes a 40-hour work week. Information from HUD's FY 2025 income limits summary for Park County

30% RENT

1.77

AVERAGE HOUSEHOLD SIZE

\$47,714

MEDIAN 2023 RENTER HOUSEHOLD
INCOME, ADJUSTED FOR INFLATION

\$1,192

MAX AFFORDABLE
MONTHLY HOUSING PAYMENT



\$1,590

ESTIMATED MEDIAN RENT

This is \$397 more per month than the maximum a median renter household could afford.

This amount is affordable for a household earning \$63,600 annually.

U.S. Census Bureau. (2024). 2017-2023 American Community Survey 5-year estimates. Tables DP04, B25119, S2501.

Rental data collected March 19 & 20, 2025 from 41 published listings.



Retail Trade is Livingston's 2nd largest and fastest-growing industry.

It employs more than 600 people and grew by 177 jobs from 2010-22.

Data on the Retail Trade sector published in the 2024 Livingston Downtown Housing Study

**Park County's Retail Trade workers
earn an average of \$39,510 annually**

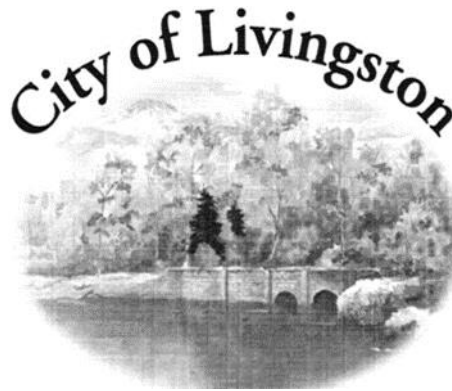
well below 60% AMI for a single-person
household (\$42,300)

Data from the Bureau of Labor Statistics, Quarterly Census of Employment and Wages. Data has been adjusted for inflation.

City Manager
Grant Gager

220 E Park Street
(406) 823-6000 phone

citymanager@livingstonmontana.org
www.livingstonmontana.org



Incorporated 1889

Chairperson
Melissa Nootz

Vice Chair
Karrie Kahle

Commissioners
Mel Friedman
Quentin Schwarz
Torrey Lyons

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

Staff Report for Resolution 5115 Identifying Affordable Housing Incentives

Recommendation and Summary

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

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

The reasons for the recommendation are as follows:

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

Introduction and History

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

Analysis

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

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

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

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

Fiscal Impact

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

Strategic Alignment

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

Attachments

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

RESOLUTION NO. 5115

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

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

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

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

Dated this 7th day of November, 2023.

MELISSA NOOTZ, Chair

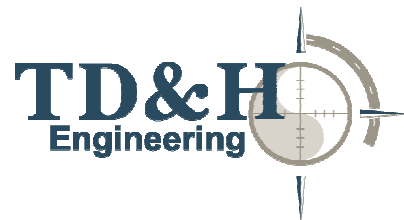
ATTEST:

APPROVED TO AS FORM:

EMILY HUTCHINSON,
City Clerk

JON HESSE,
City Attorney

234 East Babcock Street
Suite 3
Bozeman, MT 59715



406.586.0277
tdhengineering.com

MEMORANDUM

Date:	6/4/2025	B23-114-023	
To:	Shannon Holmes, Public Works Director City of Livingston		
From:	Keith Waring, PE		
Subject:	Sheep Mountain Residence Preliminay PUD Engineering Comments		

Shannon,

I have reviewed the Sheep Mountain Residence Preliminary PUD submittal. As discussed we are only reviewing for general acceptance of the concept of the project. This review is not intended to be all inclusive or an acceptance of everything shown on the concept drawings. A full review will be conducted upon receiving final design drawings from the developer’s engineer. The issues raised below should be considered and addressed prior to moving forward to that phase of the development.

1. Irrigation Ditch

- a. The development impacts an existing irrigation ditch that the developer has indicated terminates on the property. The final submittal will need to address the quantity of water that the ditch company has legal right to either pass through the property or retained on the property. The developer will need to provide the written agreement between the property owner and the ditch company that states what these quantites are and how they are agreed to be handled and what impacts they will have to the property/proposed development and any downstream impacts to other landowners or the City.
- b. Who is resposible for maintaining the proposed swale needs to be identified in the agreement with the ditch company. What is the proposed O&M of the swale and how is water going to be diverted without flooding anyone if the inifiltration swale fails?

2. Storm Water

- a. The existing subdivision storm pond goes through a grassy swale for treatment of contaminants in the storm water. The new storm water plan will be discharging water straight from asphalt surfaces to the ground water. The

developer will need to address how storm water will be treated in conformance with City of Livingston and DEQ standards.

- b. The existing subdivision has a easement and treatment facilities that are on this property that it is the responsibility of the subdivision to maintain. The proposed plan changes the system from an easily maintained storm water pond to an underground discharge system. In the event that the underground system becomes clogged, who is the developer proposing is responsible for maintaining the storm water facility? How is the developer proposing to put in place enforcement procedures to make sure operation and maintenance of the facilities is maintained? If the existing HOA is still going to be responsible for maintenance of the storm water system, then an agreement between the HOA and the developer needs to be provided. If the property is going to be responsible then the funding, O&M of the facility will need to be laid out for approval.
 - c. Ground water monitoring may be required based on the design depth of the facilities as the NRCS information says that groundwater can be as high as 6 feet in the area.
 - d. Infiltration rates will need to be verified with percolation tests.
 - e. 100 year overflow will need to be contained to easement/directed into roadside ditch shown
 - f. Any changes to offsite storm water will need to be addressed and shown to be in compliance with City and DEQ design requirements. Culvert for Miles Street extension may need a manhole...
3. **Parking spaces-** I didn't check to verify that in conformance with the Code
4. **Traffic** -No traffic report comments.
5. Water comments:
 - a. The fire chief is requesting a fire hydrant in the south parking lot. A fire hydrant extension/easement between the two buildings seems the easiest way to provide this.
 - b. All existing water services that are not going to be used will need to be abandoned at the main.
 - c. FDC's will need to be provided for fire services per fire chief.
 - d. All water final design plans will be reviewed upon submittal for final approval.
6. **Sewer-** no comments based on preliminary report. All sewer final design plans will be reviewed upon submittal for final approval.
7. **Street-**Will need to discuss asphalt patching on Miles Street during design phase. Handi-cap ramps on Miles Street will need to be discussed during design phase. All approach and street final design plans will be reviewed upon submittal for final approval.

From: [Adam Ballew](#)
To: [Jennifer Severson](#); [Shannon Holmes](#); [Jim Woodhull](#); [Josh Chabalowski](#); [Wayne Hard](#); [Planning](#)
Subject: RE: Referral Request for Sheep Mountain Planned Unit Development (PUD) - 101/ 103/ 105 Brookstone St
Date: Thursday, May 22, 2025 2:40:23 PM
Attachments: [image002.png](#)
[image003.png](#)

Jen,

Comment/question on compact parking – Can the curb be pushed 2' to the West to make them 18'?

Thanks,
Adam



Adam Ballew | Project Manager

Livingston Public Works Department
330 Bennett Street
Livingston, MT 59047
406.222.5667
LivingstonMontana.org

From: Jennifer Severson <jseverson@livingstonmontana.org>
Sent: Tuesday, May 6, 2025 2:45 PM
To: Shannon Holmes <sholmes@livingstonmontana.org>; Jim Woodhull <jwoodhull@livingstonmontana.org>; Josh Chabalowski <firechief@livingstonmontana.org>; Wayne Hard <whard@livingstonmontana.org>; Planning <Planning@parkcounty.org>
Cc: Adam Ballew <aballew@livingstonmontana.org>
Subject: RE: Referral Request for Sheep Mountain Planned Unit Development (PUD) - 101/ 103/ 105 Brookstone St

Good Afternoon,

Can you please send me any comments or concerns about this proposed PUD at your earliest convenience? I've attached four slightly updated sheets sent by the applicant since I emailed you the original application pkt (also attached). If you have no concerns or comments, I would appreciate if you could please just shoot me an email stating this so I can include with my staff report.

Thanks much!

Jennifer Severson – Planning Director

City of Livingston
(406) 222-4903

From: Jennifer Severson
Sent: Friday, April 25, 2025 4:57 PM

From: [Josh Chabalowski](#)
To: [Jennifer Severson](#); [Shannon Holmes](#); [Jim Woodhull](#); [Wayne Hard](#); [Planning](#)
Cc: [Adam Ballew](#)
Subject: RE: Referral Request for Sheep Mountain Planned Unit Development (PUD) - 101/ 103/ 105 Brookstone St
Date: Wednesday, May 7, 2025 11:03:13 AM
Attachments: [SHEEPMOUNTAINBROOKSTONE 5.7.2025.pdf](#)
[image003.png](#)

See my attached drawing notes on top of the previous "lighting" slide. I highlighted the need for an additional hydrant location.

As long as the building is fully sprinkled, has sufficient fire alarm/KNOX box entry/fire protection/smoke & heat detection/ emergency exit lighting, and the aforementioned hydrant addition, I am good.

Josh Chabalowski
 Fire Chief
 Livingston Fire Rescue
 414 East Callender St
 Livingston, MT 59047
 P: (406) 222-2061
 C: (813) 751-6911
Firechief@livingstonmontana.org



From: Jennifer Severson <jseverson@livingstonmontana.org>
Sent: Tuesday, May 6, 2025 2:45 PM
To: Shannon Holmes <sholmes@livingstonmontana.org>; Jim Woodhull <jwoodhull@livingstonmontana.org>; Josh Chabalowski <firechief@livingstonmontana.org>; Wayne Hard <whard@livingstonmontana.org>; Planning <Planning@parkcounty.org>
Cc: Adam Ballew <aballew@livingstonmontana.org>
Subject: RE: Referral Request for Sheep Mountain Planned Unit Development (PUD) - 101/ 103/ 105 Brookstone St

Good Afternoon,

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City of Livingston

(406) 222-4903

From: Jennifer Severson

Sent: Friday, April 25, 2025 4:57 PM

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Cc: Adam Ballew <aballew@livingstonmontana.org>

Subject: Referral Request for Sheep Mountain Planned Unit Development (PUD) - 101/ 103/ 105 Brookstone St

Good Afternoon,

Please see attached an application for the Sheep Mountain PUD. Can you please review the information and let me know if you have questions, concerns, or would like the applicant to provide additional details?

If possible, **please provide your response by Monday May 5th**. If you don't have any questions/ concerns/ comments, I'd appreciate if you could please respond by email to me and let me know that.

Have a great weekend all!

Jennifer

Jennifer Severson, AICP – Planning Director

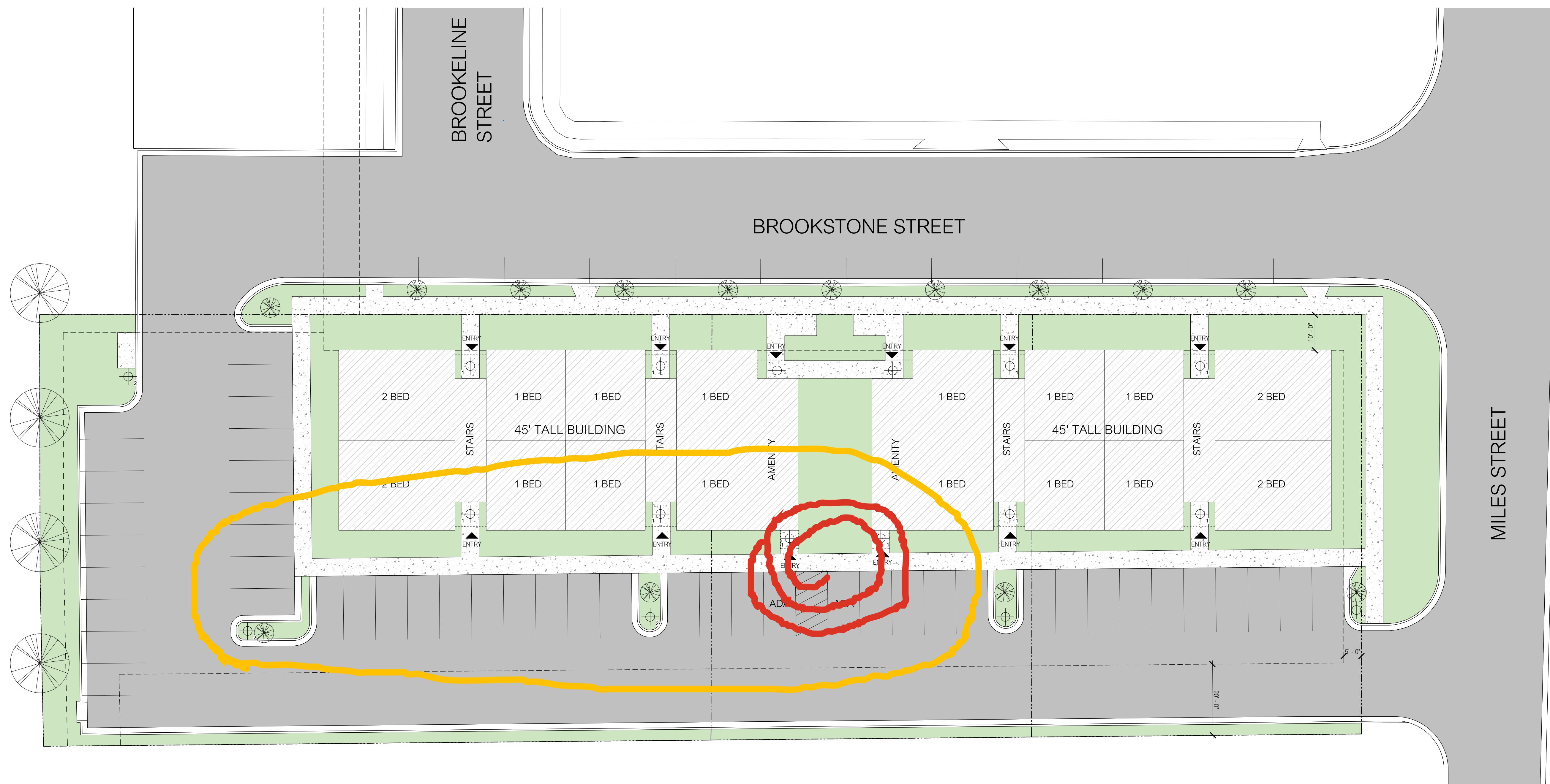
City of Livingston

220 E. Park St.

Livingston, MT 59047



(406) 222-4903

jseverson@livingstonmontana.org



1//A10 SITE PLAN
1/16" = 1'-0"

LIGHTING LEGEND

- | | |
|---|---|
|  | EXTERIOR SURFACE MOUNT LED DOWNLIGHT |
|  | EXTERIOR LED BOLLARD PARKING LOT LIGHTING |

ALL SITE LIGHTING TO COMPLY WITH LIVINGSTON MUNICIPAL CODE CHAPTER 18

ΔSPEKT.
ARCHITECTURE & DESIGN

1103 North Pinecrest Dr.
Bozeman, MT 59715
aspektarch.com
406.317.5333

PRELIMINARY
NOT FOR
CONSTRUCTION

REVISIONS

PROJECT

LAH
SHEEP MOUNTAIN
RESIDENCE

101, 103, 105 BROOKESTONE ST,
LIVINGSTON, MT 59047

SHEET _____

SITE LIGHTING PLAN
04.15.2025

A10

© 2025 ASPEKT ARCHITECTURE LLC

From: [Jim Woodhull](#)
To: [Jennifer Severson](#)
Subject: RE: Referral Request for Sheep Mountain Planned Unit Development (PUD) - 101/ 103/ 105 Brookstone St
Date: Tuesday, May 6, 2025 3:03:09 PM
Attachments: [image002.png](#)

No concerns for the Building Dept.

From: Jennifer Severson
Sent: Tuesday, May 6, 2025 2:45 PM
To: Shannon Holmes <sholmes@livingstonmontana.org>; Jim Woodhull <jwoodhull@livingstonmontana.org>; Josh Chabalowski <firechief@livingstonmontana.org>; Wayne Hard <whard@livingstonmontana.org>; Planning <Planning@parkcounty.org>
Cc: Adam Ballew <aballew@livingstonmontana.org>
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Jennifer Severson – Planning Director

City of Livingston
 (406) 222-4903

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Sent: Friday, April 25, 2025 4:57 PM
To: Shannon Holmes <sholmes@livingstonmontana.org>; Jim Woodhull <jwoodhull@livingstonmontana.org>; Josh Chabalowski <firechief@livingstonmontana.org>; Wayne Hard <whard@livingstonmontana.org>; Planning <Planning@parkcounty.org>
Cc: Adam Ballew <aballew@livingstonmontana.org>
Subject: Referral Request for Sheep Mountain Planned Unit Development (PUD) - 101/ 103/ 105 Brookstone St

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If possible, **please provide your response by Monday May 5th**. If you don't have any questions/ concerns/ comments, I'd appreciate if you could please respond by email to me and let me know

that.

Have a great weekend all!

Jennifer

Jennifer Severson, AICP – Planning Director

City of Livingston

220 E. Park St.

Livingston, MT 59047

(406) 222-4903

jseverson@livingstonmontana.org



REV. MELISSA JOHANSEN

405 Brookline Street, Unit B | 630.981.7910 | johansenmelissa@gmail.com

June 4, 2025

Livingston Consolidated Land Use Board
220 E. Park Street
Livingston, MT 59047

Dear Members of the Livingston Consolidated Land Use Board:

I am writing in support of the proposed Sheep Mountain Residences development. I have lived in Livingston and on Brookline Street for the past nearly four years. I was really excited to hear about this proposed project for a number of reasons. I drive past these currently vacant lots at least a couple of times a day and I am looking forward these lots being developed rather than the current eyesore the vacant lots are right now. The proposed design of the buildings will go well with the existing Brookstone development on Brookline and Miles Streets. I'm looking forward to have a new vibrant community of people living just at the end of my street.

Although this letter reflects only my personal thoughts and I do not speak for my places of employment, through my work in Livingston, I have learned a lot about community needs. Through hearing from a variety of non-profit organizations in Livingston and Park County and through reading reports on community needs, it is clear that more housing is urgently needed. I am glad this project will provide a place for 48 households to live. I am especially pleased that this project will offer affordable housing through the LIHTC program. Over the years I have lived and worked in Livingston, I have become aware of quite a few individuals and families who have struggled to make ends meet with the extreme cost of most housing in Livingston. This will offer a much needed alternative for some households. When I attended the information session on May 21, I was very impressed with the developer's concern and focus on creating places of residence that would offer dignity for those living there. As a member of this community, I want all people who live in Livingston to be able to live in dignified housing where they are able to thrive.

Through working in a retail/service industry job in Livingston that serves both residents and tourists, I have learned how hard it is for my coworkers to get and keep housing they can afford. I am really glad that this housing will serve some of the people in working in Livingston in retail/service industry jobs so that the needs of the residents and tourists will be able to be met by these vital workers. Knowing that it is sometimes difficult for my employers to find workers, I hope this project will help keep up with the increased demand for housing units for workforce housing. It's also reassuring to know my current and potential future coworkers will have this great housing option.

Thank you for your consideration of this vital development for the future of Livingston and the people living and working here!

Sincerely,

Rev. Melissa Johansen

Boundary

ΔSPEKT.

ARCHITECTURE & DESIGN

Sheep Mountain Residences

Affordable Housing Action Plan

APRIL 2025



PROJECT SUMMARY

The Sheep Mountain Residences PUD proposes new multi-family housing on three parcels located along Brookestone St. in the North-East area of Livingston, and includes 48 units of affordable housing. Two buildings will occupy three aggregated lots. Each building will be a 3-story apartment building which provides a total of 48 units, 100% of which are affordable housing units.

All 48 units will be offered at or below 60% AMI thresholds. All units will meet the city's requirements for Affordable Housing as identified as a Public Benefit in Livingston Municipal Code Sec. 30.47.D.1.b.i . All units offered will be contractually obligated, by way of a written plan, to assure ongoing affordability to the affordable housing agency for a period of not less than 50 years.

AFFORDABLE HOUSING SUMMARY

Both buildings will provide a total of 48 units for rent, 100% of which will be affordable dwellings meeting the criteria of Livingston Municipal Code Sec. 30.47.D.1.b.i. Building 1 will provide 17 units with rental rates at 50% of AMI thresholds and 7 units at 60% of AMI thresholds. Building 2 provides 24 affordable dwelling units for rent at 60% of AMI thresholds.

All units in the Project will be rent restricted for a period of 50 years and will comply with the affordability levels established by the U.S Department of Housing and Urban Development (HUD) and administered by the Montana Board of Housing. The federal and state programs will monitor and ensure the project is complying with resident income and allowable rents. HRDC is a co-general partner in the Project and will serve as the property manager and will be responsible for compliance.

<u>TYPE OF HOUSING (OWNERSHIP)- PERCENTAGE OF AMI</u>	<u>UNIT QTY.</u>	<u>% OF HOMES</u>	<u>DURATION</u>
Multi-Household Dwellings (Rental) - 50% of AMI (PHASE 1)	17	35.42%	50 YEARS
Multi-Household Dwellings (Rental) - 60% of AMI (PHASE 1)	31	64.59%	50 YEARS
TOTAL	48	100%	

Specifically, this application seeks to utilize the following incentives:

- Residential Density Bonus - 25% (30.47.D.1.a.i.)
- Waived impact fees (30.47.D.1.a.iii.)

AFFORDABLE UNIT MATRIX

UNITS AT 50% AMI	% OF HOMES	UNIT QTY.	UNIT SIZE (SF)	RENT (MONTHLY)
One Bedroom	22.92%	11	528	\$ 901
Two Bedroom	8.33%	4	768	\$ 1,081
Three Bedroom	4.17%	2	1,104	\$ 1,249
Total	35.42%	17		
UNITS AT 60% AMI				
1 Bedroom	43.75%	21	528	\$ 1,081
2 Bedroom	16.66%	8	768	\$ 1,297
3 Bedroom	4.17%	2	1,104	\$ 1,499
Total	64.59%	31		
<hr/>				
TOTAL	100%	48		

Note: Rents shown are gross rents. utilities paid directly by the tenant are deducted from rent pursuant to HUD and MBOH requirements.

From: [Jennifer Severson](#)
Bcc: [Baily Goodwine](#); [Becky Moores](#); [Caitlin Chiller](#); [Forrest Huisman](#); [Frank O'Connor](#); [Jessie Wilcox](#); [John Kalmon](#); [Quentin Schwarz](#)
Subject: FW: Additional information to share with CLUB members
Date: Wednesday, June 18, 2025 4:44:00 PM

Good Afternoon,

Please see information below from Katherine Daly at Park County Housing Coalition in response to questions about the Sheep Mountain PUD that came up during last Wednesday's LUB meeting.

Cheers!

Jennifer Severson – Planning Director

City of Livingston
 (406) 222-4903

From: Katherine Daly <kdaly@thehrdc.org>
Sent: Thursday, June 12, 2025 8:57 AM
To: Jennifer Severson <jseverson@livingstonmontana.org>
Subject: Additional information to share with CLUB members

Good morning, Jennifer.

I am writing to follow up on questions I heard from the Consolidated Land Use Board Members during and after last night's meeting.

If you could please forward this additional information along to the board, I would greatly appreciate it. Please let me know if there are other questions that would be helpful for me to address.

Q: Additional information about the LIHTC program

This explainer from Shelterforce is fantastic: <https://shelterforce.org/2023/11/30/lihtc-for-regular-people/>

Q: HRDC's property management experience in Livingston and local staff

HRDC's property management arm, RPM, manages the following rental properties in Livingston. Those with asterisks next to them included LIHTC financing:

- *Bluebunch Flats (37 rent-restricted apartments)
- Livingston Cottages (12 rent-restricted tiny homes)
- *Miles Building (40 apartments designated for elderly and disabled households)
- *Sherwood Inn (49 apartments designated for elderly and disabled households)
- Summit Place (8 apartments designated for disabled households)

RPM's Livingston-based team includes a Program Manager, a Site Manager, an Assistant Site Manager, and two Property Maintenance Coordinators.

HRDC also operates the [Southwest Montana Community Housing Trust](#) to support access to home ownership. The trust stewards 12 land trust homes near the Livingston Cottages, as well as two additional homes on Livingston's east side.

Q: Where can I find a video of the Coalition's 2024 work plan presentation

Here's a direct link to the video: https://www.canva.com/design/DAF-MeqZG3Q/50gWSfpsVGOHEP7NFw4bRw/view?utm_content=DAF-MeqZG3Q&utm_campaign=designshare&utm_medium=link&utm_source=recording_view, which can also be found on the Coalition's website at the bottom of this page: <https://www.parkcountyhousing.com/projects-3>.

Q: Is there research supporting the link between healthy housing and wellbeing?

Here's a link to Housing as a determinant of health equity: A conceptual model, a 2019 paper published in *Social Science & Medicine*. The authors identify four housing-related factors (a home's cost to its residents, its physical condition, its neighborhood context, and the residential continuity it offers) that have demonstrated impacts on health equity outcomes: <https://www.sciencedirect.com/science/article/abs/pii/S0277953619305659>. If anyone would like a full copy of the article, I can share that with them.

Thank you!

Katherine

Katherine Daly

*Park County Housing Coalition Program Manager
She/They*

p: (406) 723-1941

w: www.parkcountyhousing.com

w: www.thehrdc.org

121 S 2nd Street | Livingston, MT 59047