



Livingston City Commission Agenda

September 15, 2026

5:30 PM

City – County Complex, Community Room

<https://us02web.zoom.us/j/83262033970?pwd=ElThx44EeLm7DCB8GloDj28vaFljc.1>

Meeting ID: 832 6203 3970

Passcode: 196207

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

"I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."

4. 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)

5. Consent Items

A. APPROVAL OF MINUTES FROM SEPTEMBER 1, 2026, REGULAR MEETING PG.4

B. APPROVAL OF CLAIMS PAID 8/27/26 - 9/9/26 PG.17

C. JUDGES MONTHLY REPORT FOR JULY 2026 PG.26

D. APPROVAL OF COLIN FRAZER TO LBID BOARD PG.28

E. CONSIDERATION OF OPEN CONTAINER SPECIAL EXCEPTION REQUEST FOR A PUBLIC EVENT ON SEPTEMBER 19, 2026 PG.33

F. AGREEMENT 20287 WITH LIVINGSTON YOUTH SOCCER ASSOCIATION PG.39

G. AGREEMENT 20288 WITH LIVINGSTON LIGHTNING SPECIAL OLYMPIC TEAM PG.50

6. Proclamations

A. A PROCLAMATION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, DECLARING SEPTEMBER 16-20, 2026 AS POLLUTION PREVENTION WEEK IN LIVINGSTON, MONTANA PG.56

7. Scheduled Public Comment

8. Action Items

- A. CONTINUATION OF PUBLIC HEARING REGARDING RESOLUTION 5207: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ESTABLISHING STORMWATER RATES FOR ALL CUSTOMERS OF THE CITY OF LIVINGSTON STORMWATER SYSTEM. [PG.58](#)**
- B. RESOLUTION 5208: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, TO AUTHORIZE CHANGES TO THE LIVINGSTON URBAN AREA HIGHWAY SYSTEM AND TO AUTHORIZE THE CHAIR TO SIGN RELATED AGREEMENTS BETWEEN THE CITY OF LIVINGSTON AND THE MONTANA DEPARTMENT OF TRANSPORTATION. [PG.63](#)**
- C. DISCUSSION OF REQUEST FOR 2-HOUR PARKING ON SOUTH B STREET [PG.67](#)**
- D. UPDATE ON GATEWAY WELLNESS CENTER PROJECT [PG.74](#)**
- E. DISCUSSION OF OUTDOOR POOL IN MILES PARK [PG.77](#)**
- F. DISCUSSION AND DIRECTION TO STAFF REGARDING TOWN HALL MEETING [PG.81](#)**
- G. CLOSED SESSION TO DISCUSS LEGAL STRATEGY PURSUANT TO MCA 2-3-203(4)(a)**

9. City Manager Comment

10. City Commission Comments

11. Adjournment

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 Chair. 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).

The Chair shall have the discretion to solicit comments from the public in the following order: (1) residents of the City, (2) business owners or operators in the City, (3) other organizations conducting operations in the City, and (4) residents, businesses or organizations from outside the City. The Chair may limit each person's comment period to not less than three (3) minutes.

- **Meeting Recording:** An audio and/or video recording of the meeting, or any portion thereof, may be purchased by contacting the City Clerk. 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 City meetings, please contact the City Clerk at least 24 hours in advance of the specific meeting you are planning on attending.

File Attachments for Item:

A. APPROVAL OF MINUTES FROM SEPTEMBER 1, 2026, REGULAR MEETING



Livingston City Commission Agenda

September 01, 2026

5:30 PM

City – County Complex, Community Room

Join Zoom Meeting

<https://us02web.zoom.us/j/85012693053?pwd=1gvRSOVou93BYTGIIcNEsmxwDn2pbl.1>

Meeting ID: 850 1269 3053

Passcode: 335538

1. Call to Order

5:33 pm Chair Nootz called the meeting to order.

2. Roll Call

- Chair Nootz
- Vice Chair Willich
- Commissioner Daniels
- Commissioner Wilcox
- Commissioner O'Neill

City Staff Present

- City Manager Grant Gager
- Chief of Police Wayne Hard
- Policy Analyst Greg Anthony
- Finance Director Paige Fetterhoff
- Public Works Director Shannon Holmes
- Planning Director Jennifer Severson

3. Pledge of Allegiance

"I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."

Chair Nootz asked the room to stand for the pledge of allegiance

4. 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:

- Melanie Maganias expressed concern about the outdoor pool closing.
- Jane Jarret expressed concern about mail notices, and she wondered why new subdivisions are being passed before handling a railroad crossing.
- Ellen Collin expressed that the outdoor pool should stay open. She asked if they are going to close the fire station in town, or fund it and keep it open.
- Patty Smith asked about the budget and understanding the FY year is different than the calendar year and asked about that in relation to property tax.
- Chris expressed appreciation for the elongated yellow zones throughout downtown, but wondered why they are not all the same length. He also wondered about shortening a certain ADA zone.
- Leslie Feigel asked about the cemetery perpetual care fund and expressed concern about the grass at the cemetery.
- Debbie Egan expressed concern about stormwater billing.
- Jay Keifer asked about the vote for the airport board at the last meeting, and expressed concern about enforcing ordinances.
- Linda Tang expressed concern about the trees at the cemetery.
- Britney Chabalowski expressed her thoughts and read a statement regarding Commissioner Comments at the last City Commission meeting.

Chief Hard attempted to bring the room to order.

Chair Nootz called a recess.

Chair Nootz stated that the process is if a Commissioner has an issue with something, they are to state "point of order" and it automatically interrupts the meeting, and they would get the floor to bring an issue to the Chair. Then the Chair would make a decision on the issue.

- Brittney/Dr. Chabalowski continued her comment about the last City Commission meeting's Commissioner Comments.
- Quentin Schwarz commented in reference to the last City Commission meetings Commissioner Comments, and stated it is the responsibility of the Commission to hire the Fire Chief, and he expressed concern about not having the facts during the hire process.
- Edleeta Shans read a quote and applied it to our community.

Chair Nootz asked about the outdoor City pool.

The City Manager stated the operation of the outdoor pool is not funded past August 2026, and the plan is to not reopen that pool. There are no plans finalized for what will happen with the pool; that decision will come back before the Commission.

Chair Nootz asked about noticing of stormwater.

Chief Hard brought the room to order.

Chair Nootz clarified that when someone from the public wants a legal opinion, there is a process that City staff has to follow. Questions will be answered by the City Manager or City staff, and it will be reviewed by staff to determine if a legal opinion is required.

Chair Nootz asked again about the stormwater mailer.

The City Manager stated there was an issue with the timing of the stormwater mail for the rate notification. He stated that his recommendation is to open the public hearing on

Resolution 5207, accept public comment, then continue that public hearing to a date certain on September 15. At that time, they would take any more public comment that would come in, then the Commission would have an opportunity to act on that item then.

The City Manager answered questions regarding the Commission approving subdivisions and stated that property owners in the State of Montana have property rights that include the right to subdivision. There are certain criteria that subdivisions are evaluated against. He recalled when he first started here, he had to deal with the aftermath of the City being sued after a previous Commission rejected a specific subdivision.

The City Manager stated that LFR is fully staffed and well-resourced and is still providing EMS and Fire services to the community. He stated that is not going to change for the next 2 years as they have an operating levy for ambulance service that remains in place to ensure that service, as determined by the voters several years ago, continues to operate. He stated that the Commission does have an upcoming conversation related to the renewal of that levy for ambulance service. He looks forward to having this conversation with the community to see how they would like to see ambulance services provided to the community. He stated it is not his intention or the intention of the City Commission to end ambulance service, or meaningfully change the service being provided. He stated LFR staff are very qualified to provide service to all of Park County, and he stated confidently that he does not fear for the future of their jobs or of their work, and there is a place for them in the future of ambulance service in Park County.

The City Manager addressed the question about property tax regarding the timing of the Wellness Center. The Wellness Center will come online in February, and the building will be built, pools will be filled, and the building will be operational by November. He stated that the City of Livingston works with their special bond counsel on the timing of these types of actions.

The City Manager addressed comments about the yellow painting. He stated that the yellow in some ways is unique to each intersection or each location because there are considerations about corner distance and also distance from curb cuts. He stated he will have the Streets Division go back and review the handicap parking space brought to his attention tonight.

The City Manager addressed the cemetery. He stated the irrigation system out there is very old, and the team is working with it, but they are struggling with the system as they work through repairs.

Chair Nootz asked about using the cemetery perpetual fund.

Finance Director Fetterhoff stated that 50% of all plot sales go to the perpetual cemetery fund. That fund is required to remain intact until all the plots are sold, and at that point the money is used to support the maintenance of the cemetery where there is no more revenue from plot sales. She stated as of right now the other 50% from plot sales goes into the general fund to help with maintenance of the cemetery.

The City Manager addressed comments made about holes in LPD and LFR and stated the police department is entirely funded out of the general fund, and the general fund is balanced and operating revenues exceed operating expenditures in FY26/27. The general fund does not have a hole in it and neither does the police or fire department funded from the general fund. He stated there is a separate ambulance fund that funds ambulance operations of LFR and there has been some declining revenue in that fund over the years since 2022. He stated that he and the Finance Director have been working with the Fire Chief to try and understand why that is.

Chair Nootz addressed a comment made that Commissioners **are** taking bribes and stated they don't take bribes for votes.

The City Manager stated he does not bribe the Commission for votes.

5. Consent Items

- A. APPROVAL OF MINUTES FROM AUGUST 18, 2026, REGULAR MEETING**
- B. APPROVAL OF CLAIMS PAID 8/13/26 - 8/26/26**
- C. APPROVAL OF PURCHASE ORDER 20277 WITH JACKSON GROUP PETERBILT**
- D. AGREEMENT 20284 WITH MIKE COLEMAN CONSTRUCTION**
- E. AGREEMENT 20285 WITH TD&H FOR CONSTRUCTION ADMINISTRATION SERVICES**

Commissioner O'Neill motioned to approve Consent Items A-E, seconded by Commissioner Willich. Unanimously approved.

6. Proclamations

- A. A PROCLAMATION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, DECLARING SEPTEMBER 8, 2026 AS 988 DAY IN LIVINGSTON, MONTANA.**

Chair Nootz read the proclamation.

The City Manager stated that the BRIDGE Team will be at the Farmers Market tomorrow spreading the word about 988 Day.

Commissioner Wilcox reminded everyone of the importance of asking for help and practicing the skill of asking for help.

Commissioner Daniels expressed thanks to the BRIDGE Team, and expressed appreciation for the proclamation.

Vice Chair Willich expressed the importance of the proclamation.

Commissioner O'Neill stated mental health is important and agreed with fellow Commissioners.

7. Scheduled Public Comment

- A. POSSIBLE RE-ALIGNMENT OF CITY STREET**

The City Manager stated this item is presented by landowner Tim Watson regarding the concept he has shared. He stated there is some utility to the project to the community. He introduced Tim Watson to present the project.

Tim Watson gave a brief presentation of the project proposal.

Chair Nootz clarified what she heard was that the current road has challenges because of the orientation and terrain. The proposal is to take the road up and go west and possibly land swap to keep trails in place.

Vice Chair Willich clarified the markings on the map given to them from Mr. Watson.

The City Manager stated there is no action for the Commission on this item. It is a presentation of a concept that Mr. Watson has and looking to see if they are in favor of this or not, or would like staff to continue to work with Mr. Watson knowing there will be several parts of the project that would come back before them for items to vote on.

Commissioner Wilcox asked if the City would service water and sewer out to this area.

The City Manager stated the City would not contemplate putting water and sewer out there at this time. He stated if they were going to do that, it would be in cooperation with Mr. Watson or whoever else owns the area at that time.

Tim Watson stated under the PUD he does not have to put services to that piece of property unless whoever develops it develops the upper end into high density, but they would be responsible for running the water and sewer across and paying for that.

Commissioner Wilcox asked if this is the correct route to take for this project.

Public Works Director Holmes stated that based on the Geotech, it would be a reasonable corridor to run water and sewer. Knowing he would build to the City's design standards at 7%, it is something that they could accommodate. He stated that leaving it as gravel vs. paving it would be the best option to be able to run water and sewer up there.

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

Public comment was offered by:

- Kiersten Holycross asked about traffic.
- Patricia Grabow expressed thoughts about the Watson property as a whole.
- Linda Tang expressed liking the land swap.
- Edleeta Shans expressed liking the idea of this new road.
- Karrie Kahle thanked Mr. Watson for reaching out to groups about the trails.
- David Fuentes stated this would be a great thing and feels the City should consider this.

Chair Nootz asked about traffic and the trails.

The City Manager stated they have not done traffic counts in that area, so he can't speak to that at this time. He stated they are happy to look at that with any project. He stated that in his conversations with Mr. Watson, those bike trails will be maintained and enhanced in some ways.

Commissioner O'Neill stated he likes this and encourages Mr. Watson to take the next step and talk with the County Commission.

Commissioner Wilcox thanked the Watson family for being great neighbors to Livingston HealthCare and stated she is in favor of this project.

Commissioner Daniels stated she is in support of this project.

Vice Chair Willich stated this project solves a lot of problems that are currently out there and feels the landowner is receptive and responsive to the community with the project. He likes the idea of this project.

Chair Nootz expressed that this is a very thoughtful proposal and appreciates the mindfulness of public access. She stated this seems like it benefits many people involved.

8. Action Items

A. INTRODUCTION TO 5-YEAR GROWTH POLICY REVIEW

The City Manager stated this item is an introduction to the City's process of reviewing and updating the Growth Policy. He stated that MCA states the Growth Policy is scheduled to be reviewed, and if necessary, updated every 5 years. The last Growth Policy was updated in June of 2021 and we have hit the 5-year mark. The goal this evening is to review some of the data that has been collected regarding the community, then begin the process and discussion with the Commission about the process the City will follow to update the Growth Policy. He invited Director Severson to present.

Director Severson stated they have been working with planners from Interstate Engineering to prepare some background data analysis. She introduced Brent Moore and Megan Bixler from Interstate Engineering.

Brent and Megan gave a brief presentation.

Chair Nootz asked for clarification on the process.

The City Manager stated this is the first step to updating the Growth Policy and wanted to give an update to the Commission and community. He would like the Commission's input on what they would like to see from the process and their expectations, so they can be addressed at a staff level. He stated it is the goal and was approved in the budget to bring on a consultant team to work with the community through the Growth Policy process, and they expect that will be about an 8-to-10-month process. The consultant team will assess current goals, objectives, and strategies and determine what new ones might need to be added on. They will also work on the appendices including the housing action plan, and some of the downtown master plan, parks master plan, and annexation policy.

Vice Chair Willich asked about the industry share chart.

Megan stated that it started out comparing the Growth Policy to what they saw as updated numbers. She stated that the chart from 2021 shows what the Growth Policy stated was the industry makeup at that time.

Chair Nootz recalled the process for the Growth Policy in 2021 and how much the process has improved this time around. She thanked Planning Director Severson and the City Manager for their work on this, and she likes the process the City Manager has laid out. She stated she is hoping to see meetings for the public in various places around town. She likes the idea of rolling the annexation policy into this. She expressed that combining all of these plans into one place would be great for the community and staff.

Vice Chair Willich reviewed the numbers from the presentation. He stated that he is looking forward to seeing what the community thinks about the Growth Policy. He likes the idea of having this all-in-one document and making it user-friendly.

Commissioner Wilcox agreed that there should be a lot of opportunities for the community to give their input on the Growth Policy. She wondered if a town hall on the data from the presentation and process for the Growth Policy would be a good idea. She expressed liking the idea of doing the annexation policy, and also making it interactive online.

Commissioner O'Neill liked that the presentation data was in the packet.

Commissioner Daniels agreed with her fellow Commissioners.

B. CONSIDERATION OF REMOVAL OF RIVER DRIVE FROM MONTANA DEPARTMENT OF TRANSPORTATION URBAN SYSTEM

The City Manager stated this item is a discussion and requested approval of staff to proceed with working with MDT to remove River Dr. and about 3 blocks of 9th Street from the Urban System. He stated that the Urban System extends throughout Livingston and is a statewide network intended to ensure access to key points within communities and throughout the state. He stated the state urban system provides access to certain funding, but with that funding comes restrictions on how the City may operate, maintain, and improve the road corridors. He stated that this section was on the Urban System because the Civic Center used to be the armory for the National Guard. While they would lose certain funding resources, it's important to know that River Dr. from View Vista to its intersection with 9th Street sits in the URA area. The City does have a source of funding to fund that work that may occur in there, such as the Veterans Memorial and retaining wall on the south side of River Dr. He stated this would also go before the local Park County Transportation Commission before it moved up to the statewide MDT Commission.

Commissioner Wilcox asked why it would be stopping at the high school and not taking it all the way to H Street.

The City Manager stated that is not something they contemplated as part of this project. He stated the URA area does not really extend out past the school district property all that far.

Commissioner Wilcox asked if we remove this area from the Urban Route System, can it be added back after the URA Board no longer exists.

The City Manager stated that a community does have the opportunity to request segments be added or removed from the Urban System, and it is a final action of the State Transportation Commission.

Vice Chair Willich asked how this will work with the Silver Jackets' possible levee road restructuring.

The City Manager stated as far as the U.S. Army Corps of Engineers is concerned, the levee does not exist, and for flood control and floodplain mapping, the top of the roadway is the effective elevation in that area. He stated they will be working with the local floodplain manager, Director Severson, to obtain a local permit to be able to do that work. He stated that removing MDT from the equation will hasten that work and lower the cost because that retaining wall is part of the right-of-way.

Public comment was offered by:

- Linda Tang wondered about the ability to park on River Dr.

The City Manager stated there is not a design done for that area, and they are not talking about reconfiguring the roadway. He stated that staff is aware of the parking needs and issues and current usage patterns of the park and they do recognize the value of the current parking areas and the proximity not only to the horseshoe pits, but also the gazebo. It is staffs' intention to leave accessible parking for the community.

Commissioner O'Neill asked if doing this would assist in the plans from the Parks Master Plan.

The City Manager stated yes, and many other improvements such as sidewalks.

Commissioner Wilcox stated she does not see an issue with this.

Commissioner Daniels expressed agreement and especially likes this for safety reasons.

Vice Chair Willich clarified that by doing this they would not have to ask MDT for permission to do improvements in this area, and that MDT won't pay for it, but the City won't have to ask permission.

The City Manager stated yes, that is correct.

Chair Nootz clarified that this would be fewer studies done for projects. She likes the idea of local control.

Commissioner Wilcox motioned to approve this item, seconded by Commissioner Daniels. Unanimously approved.

Vice Chair Willich motioned for a 5-minute break, seconded by Commissioner Daniels. Unanimously approved.

C. RESOLUTION 5204: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, LEVYING 100% OF THE COST FOR STREET MAINTENANCE AND IMPROVMENTS DISTRICT NO. 1 FOR FISCAL YEAR 2026-2027 IN THE AMOUNT OF \$1,459,503, AND ASSESSING ALL PROPERTY WITHIN THE DISTRICT.

The City Manager stated this item will set the assessment for the street maintenance district, which is a citywide maintenance district. This district funds the street maintenance and improvement work throughout the year. In FY27 that work is expected to include a resurfacing of the Bennett Street crossing, subsequent improvements to the 5th Street crossing, and normal routine maintenance. He stated the prior year the average residential property was assessed approximately \$268.60 and is expected to be \$300.93 for the current year. He stated for commercial properties it is expected to increase \$33 from \$646 to \$679.

Public comment was offered by:

- Linda Mahr asked since this is going to raise residential property tax it will depend on how expensive someone's property is.
- Edleeta Shans expressed being excited about the Bennett Street crossing repair.

The City Manager stated that the average residential property is expected to increase approximately \$32. He stated the concrete crossing panels being installed by BNSF are 40 feet wide and the standard travel lane is about 12 feet wide, and with that they do anticipate room on the Bennett Street crossing for a bike and pedestrian pathway across the tracks.

Vice Chair Willich motioned to approve this item, seconded by Commissioner Daniels. Unanimously approved.

D. RESOLUTION 5205: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ESTIMATING THE COST OF MAINTAINING LIGHTS AND SUPPLYING ELECTRICAL CURRENT TO SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 20 IN THE AMOUNT OF \$58,169 FOR FISCAL YEAR 2026-2027 AND LEVYING AND ASSESSING 49.3% OF THE ESTIMATED COSTS AGAINST EVERY PARCEL OF PROPERTY WITHIN SAID DISTRICT FOR THAT PART OF THE COST WHICH ITS TAXABLE VALUE BEARS TO THE TAXABLE VALUE OF THE DISTRICT.

The City Manager stated this item seeks to set the assessment amount for FY27 for the light maintenance district related to the electrical current and defense. He stated this is a citywide district and for FY27 the average residential property assessment is expected to be \$20.26 and approximately \$48 for commercial properties.

Public comment was offered by:

- Linda Mahr asked if the average amount is based on the value of the property.

The City Manager stated the assessment is based on the valuation of properties.

Vice Chair Willich motioned to approve this item, seconded by Commissioner Daniels. Unanimously approved.

E. RESOLUTION 5206: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, MODIFYING SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 20 BY REPLACING STREET LIGHTS AND OTHER APPURTENANCES THEREIN AND TO LEVY AND ASSESS 49.3% OF THE ESTIMATED COST OF \$46,831 FOR FISCAL YEAR 2026-2027 AGAINST EVERY PARCEL OF PROPERTY WITHIN SAID DISTRICT FOR THAT PART OF THE COST WHICH ITS TAXABLE VALUE BEARS TO THE TAXABLE VALUE OF THE DISTRICT.

The City Manager stated this item specifies an amount for replacing appurtenances in the light maintenance district, which is a citywide district. In FY27 the average residential assessment is expected to be \$20.26 and for commercial properties, \$48.87.

Vice Chair Willich motioned to approve this item, seconded by Commissioner Daniels. Unanimously approved.

F. RESOLUTION 5207: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ESTABLISHING STORMWATER RATES FOR ALL CUSTOMERS OF THE CITY OF LIVINGSTON STORMWATER SYSTEM.

The City Manager stated **this** item is looking to establish stormwater rates for all customers of the City of Livingston. He reminded everyone from earlier in the meeting that there was a noticing issue and it is staff's recommendation that the City Commission not finally act upon this tonight, but instead receive public comment and continue this item to a date certain, that date being September 15, 2026. He stated the methodology for this will be the residential equivalent factor, and based on a survey the community performed, the residential equivalent factor will be charged for all single-family homes in the City of Livingston. Multifamily properties would be charged based on their size in relation to the established residential equivalent factor, as would commercial and industrial properties. In no case would any single-family residential, multifamily, or commercial property be assessed less than 1 residential equivalent factor. The residential equivalent factor is almost 2,600 sq. ft., which is the average impermeable surface area observed in the survey of single-family homes in the City of Livingston.

Public comment was offered by:

- Edleeta Shans expressed believing in having clean water for everyone and the lagoon and river, and maintaining the banks. She stated this is an environmental responsibility.
- Nick Curry asked how it was calculated, who did the calculations, whether gravel impacts the amount, whether there are remedies available, whether there will be a chance to review and verify calculations, and whether he can remove some impermeable surfaces.

The City Manager stated that the City worked with Headwaters Economics and AE2S Engineering over the last year and a half. The City, with GIS, did a 100% review of all commercial and industrial properties in the City of Livingston. Using aerial imagery, they did an assessment of all the impermeable surface areas. They also did a sampling size starting out at 5%, but doubled it to 10% of residential properties in the City, again using the aerial imagery. What they found was the average residential property has approximately 2,590 sq. ft. of impermeable surface area, and that is the residential equivalency factor. For commercial, it will be calculated by looking at the total impervious surface area on the commercial property and dividing that by 2,590 to determine exactly how many equivalent residential units that commercial property holds and will be billed accordingly. He stated there are opportunities for property owners to challenge their bill for stormwater, and that was included in the ordinance the City Commission passed. Property owners are able to remove impermeable surface; they would let the City know, then their bill would be adjusted.

Chair Nootz asked about retention ponds.

The City Manager stated the property owner would work with the City on this.

Commissioner Wilcox motioned to move this item to a date certain on September 15th, seconded by Commissioner Daniels. Unanimously approved.

G. RECONSIDERATION OF CITY COMMISSION ACTION ON JUNE 10, 2026

The City Manager reminded the Commission that this is an action item where certain people's rights to privacy are at stake. He let the Commission know he will waive his individual right to privacy in this matter, and requested the Commission confine their discussion to their actions as a Commission, his actions as an employee, and refrain from speaking in the public forum on other people's actions.

Commissioner Daniels stated that after the June 10th decision she did not feel good about the decision she made, and didn't feel her decision was made on the totality of the facts. She decided at the next meeting that she would like to rescind her vote. She stated that she motioned to discuss this at a later time with a second from Vice Chair Willich.

Vice Chair Willich stated that he also didn't feel good after the decision on June 10th. He stated that context is important and the route they took to make the decision they did was convoluted, confusing, and inappropriate. He stated there was no audio with the video they saw at the June 10th meeting. He stated, in his opinion, that what the City Manager said was not a threat, but a rhetorical question. He stated that the City Manager was acting well within his right to manage his employees.

Commissioner Daniels stated she likes to make decisions based on facts and not feelings.

Public comment was offered by:

- Linda Mahr asked what the accusation was that they voted on.
- Kiersten Holycross expressed not seeing anything concerning in the videos, but it was hard to determine much with no audio. She expressed being proud of the Commission for reconsidering this.
- Vickie Van Busker stated that the City Manager shows respect to everyone who speaks, and she feels the situation appeared more like a boss and employee who didn't follow instructions. She thanked the Commission for reconsidering.

- Edleeta Shans stated when things like this happen, it's a buildup of things over time, then comes the thing that puts it over the top. She was in the room on the day in question and didn't hear anything of significance in the hall.
- Nicki Bosco expressed thanks to the Commission for their efforts in this.

Commissioner O'Neill stated the situation was unfortunate and the information presented wasn't appropriate. He hopes everyone learns from this and hopes more professionalism goes into something like this in the future. He stated this is the right thing to do.

Commissioner Wilcox stated this is the right thing to do. She expressed that the process was uncomfortable and confusing. She stated that they hope to learn and do better next time. She appreciates the opportunity to address this again.

Commissioner Daniels stated that what was presented to them was not something she could accurately make a decision on.

Vice Chair Willich stated he doesn't usually like to go back on decisions that have been made, unless he made a mistake, and he admitted that he did make a mistake and didn't make the right decision on June 10th.

Chair Nootz expressed agreement with fellow Commissioners. She stated that Commissioner O'Neill brought up good points on June 10th about process and the employee handbook. She reminded everyone that the original decision they had to decide on was if there was a violation of a policy in the employee handbook. She stated that it is unfortunate that the City Manager has been the target of many things over the last year and a half. She expressed that words do matter, but agreed with Vice Chair Willich that context matters.

Vice Chair Willich stated this will require 2 motions. The first would be to revisit the decision made on June 10th, and the 2nd would be within that motion to remove any disciplinary action for the City Manager.

The City Manager stated the process would be a motion to rescind the vote on June 10th, and a second motion would be for the remedy or new corrective action.

Commissioner Daniels motioned to rescind the Commission votes made at the hearing on June 10th, 2026, seconded by Vice Chair Willich. Unanimously approved.

Vice Chair Willich motioned to exonerate Grant Gager's record based on decisions made at the June 10th, 2026, hearing, seconded by Commissioner Daniels. Unanimously approved.

H. CLOSED SESSION TO DISCUSS LEGAL STRATEGY PURSUANT TO 2-3-203(4)(a)

Chair Nootz motioned to enter closed session, seconded by Vice Chair Willich. Unanimously approved.

9. City Manager Comment

The City Manager addressed a question from last City Commission meeting regarding stormwater and dot 13 on the map. He stated that the dot was not misplaced he stated it pretty well described in the stormwater PER. He shared the [stormwater project page](#) on the City website.

10. City Commission Comments

Commissioner O'Neill thanked everyone for the meeting tonight.

Commissioner Wilcox thanked everyone for the productive meeting.

Commissioner Daniels thanked everyone for a productive meeting.

Vice Chair Willich stated thank you very much.

Chair Nootz read a poem from Wendel Berry.

11. Adjournment

10:09pm Chair Nootz motioned to adjourn, seconded by Vice Chair Willich. Unanimously approved.

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 Chair. 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).

The Chair shall have the discretion to solicit comments from the public in the following order: (1) residents of the City, (2) business owners or operators in the City, (3) other organizations conducting operations in the City, and (4) residents, businesses or organizations from outside the City. The Chair may limit each person's comment period to not less than three (3) minutes.

- **Meeting Recording:** An audio and/or video recording of the meeting, or any portion thereof, may be purchased by contacting the City Clerk. 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 City meetings, please contact the City Clerk at least 24 hours in advance of the specific meeting you are planning on attending.

File Attachments for Item:

B. APPROVAL OF CLAIMS PAID 8/27/26 - 9/9/26

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
AMERICAN WATER WORKS ASSOCIATION							
10005	AMERICAN WATER WORKS AS	SO303771	MEMBERSHIP DUES - 9/1/26-8/3	08/31/2026	248.00	248.00	09/03/2026
Total AMERICAN WATER WORKS ASSOCIATION:					248.00	248.00	
AMTRUST NORTH AMERICA							
10002	AMTRUST NORTH AMERICA	2026.08.10	WORKERS' COMP	08/10/2026	890.00	890.00	09/03/2026
Total AMTRUST NORTH AMERICA:					890.00	890.00	
ARC LIFEGUARD INSTRUCTOR TRAINER							
10007	ARC LIFEGUARD INSTRUCTOR	000123	LIFEGUARD TRAINING	08/13/2026	600.00	600.00	09/03/2026
Total ARC LIFEGUARD INSTRUCTOR TRAINER:					600.00	600.00	
BAKER, CRYSTAL							
10009	BAKER, CRYSTAL	2026.08.09	CRISIS CONF TRAVEL REIMB -	08/09/2026	402.02	402.02	09/03/2026
Total BAKER, CRYSTAL:					402.02	402.02	
BERG, CHRISTOPHER							
10008	BERG, CHRISTOPHER	5	SOFTBALL UMPIRE SERVICES (	08/27/2026	570.00	570.00	09/03/2026
Total BERG, CHRISTOPHER:					570.00	570.00	
BIG BRAND TIRE & SERVICE							
10008	BIG BRAND TIRE & SERVICE	2205-1014997	2013 GMC SIERRA - (4) TIRES -	08/26/2026	1,448.96	1,448.96	09/03/2026
Total BIG BRAND TIRE & SERVICE:					1,448.96	1,448.96	
BNSF RAILWAY COMPANY							
10006	BNSF RAILWAY COMPANY	24W-23074	BENNETT STREET WATER LOO	09/03/2026	48,899.00	48,899.00	09/04/2026
Total BNSF RAILWAY COMPANY:					48,899.00	48,899.00	
BOUND TREE MEDICAL, LLC							
2662	BOUND TREE MEDICAL, LLC	86334262	EMS PT SUPPLIES	08/27/2026	641.98	641.98	09/03/2026
2662	BOUND TREE MEDICAL, LLC	88335736	EMS PT SUPPLIES	08/28/2026	31.90	31.90	09/03/2026
Total BOUND TREE MEDICAL, LLC:					673.88	673.88	
BRUCE E. BECKER, P.C.							
10000	BRUCE E. BECKER, P.C.	2026.08.01	CCONTRACTED SERVICES - 08/	08/01/2026	4,000.00	4,000.00	09/03/2026
Total BRUCE E. BECKER, P.C.:					4,000.00	4,000.00	
BRUMMEL, JORDAN							
10002	BRUMMEL, JORDAN	2026.08.26	ICAC ANNUAL MEETING -LODGI	08/26/2026	399.91	399.91	09/03/2026
Total BRUMMEL, JORDAN:					399.91	399.91	
CALIBRE PRESS							
73	CALIBRE PRESS	179073	TRAINING - W. HARD/A. EMANU	09/01/2026	718.00	718.00	09/03/2026
Total CALIBRE PRESS:					718.00	718.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
CENTRON SERVICES							
682	CENTRON SERVICES	2026.07.26	3069 COLLECTIONS - JULY 202	07/28/2026	6.67	6.67	09/03/2026
Total CENTRON SERVICES:					6.67	6.67	
CITY OF LIVINGSTON							
131	CITY OF LIVINGSTON	2026_08	DISBURSEMENT TO THE CITY	08/31/2026	6,918.58	6,918.58	08/31/2026
Total CITY OF LIVINGSTON:					6,918.58	6,918.58	
FISHER SAND AND GRAVEL							
2904	FISHER SAND AND GRAVEL	67788	1/2 BLOCKS	04/18/2026	1,350.00	1,350.00	08/27/2026
2904	FISHER SAND AND GRAVEL	68522	FULL BLOCKS	04/25/2026	475.00	475.00	08/27/2026
Total FISHER SAND AND GRAVEL:					1,825.00	1,825.00	
HANSER'S WRECKER LIVINGSTON, INC							
1687	HANSER'S WRECKER LIVINGST	LIV6493	HEAVY DUTY TRACTOR TOWIN	06/23/2026	900.00	900.00	08/27/2026
1687	HANSER'S WRECKER LIVINGST	LIV7780	LOCKOUT SERVICES (3 VEHICL	08/26/2026	100.00	100.00	09/03/2026
Total HANSER'S WRECKER LIVINGSTON, INC:					1,000.00	1,000.00	
HARRIS, COURTNEY							
10009	HARRIS, COURTNEY	6	SOFTBALL UMPIRE SERVICES (	08/27/2026	330.00	330.00	09/03/2026
Total HARRIS, COURTNEY:					330.00	330.00	
HIGH COUNTRY WILDLIFE CONTROL							
10002	HIGH COUNTRY WILDLIFE CON	42226	PEST CONTROL - AUGUST 2026	08/24/2026	215.00	215.00	09/03/2026
Total HIGH COUNTRY WILDLIFE CONTROL:					215.00	215.00	
HOLDER, CORBIN B.							
10009	HOLDER, CORBIN B.	11	SOFTBALL SCOREKEEPER SE	08/27/2026	75.00	75.00	09/03/2026
Total HOLDER, CORBIN B.:					75.00	75.00	
JON M HESSE PC							
10005	JON M HESSE PC	11513	PROFESSIONAL SERVICES - 7/	08/26/2026	10,947.82	10,947.82	09/03/2026
Total JON M HESSE PC:					10,947.82	10,947.82	
KELLEY CREATE							
10006	KELLEY CREATE	IN2421743	COPIER LEASE - 8/30/26 - 9/29/2	08/26/2026	103.93	103.93	08/27/2026
Total KELLEY CREATE:					103.93	103.93	
LASHINSKI, DANIEL							
10003	LASHINSKI, DANIEL	2026.08.16	DRONES TRAINING - MEALS/MI	08/16/2026	161.95	161.95	09/03/2026
10003	LASHINSKI, DANIEL	2026.09.02	UNMANNED AIRCRAFT TRAININ	09/02/2026	175.00	175.00	09/03/2026
Total LASHINSKI, DANIEL:					336.95	336.95	
LIVINGSTON ACE HARDWARE - #122005							
26	LIVINGSTON ACE HARDWARE -	I50291	ELEC BATTERY 2032	08/07/2026	17.99	17.99	09/03/2026
26	LIVINGSTON ACE HARDWARE -	I55388	FASTENERS	08/17/2026	17.48	17.48	09/03/2026
26	LIVINGSTON ACE HARDWARE -	I55916	ADAPTER	08/18/2026	15.98	15.98	09/03/2026

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
26	LIVINGSTON ACE HARDWARE -	I56463	BRUSH SET/ROLLER/PAINT/PRI	08/19/2026	89.94	89.94	09/03/2026
26	LIVINGSTON ACE HARDWARE -	I57134	FOAM SOLVENT	08/20/2026	11.99	11.99	09/03/2026
26	LIVINGSTON ACE HARDWARE -	I57214	LEADER HOSES	08/20/2026	55.97	55.97	09/03/2026
26	LIVINGSTON ACE HARDWARE -	I57298	COUPLER	08/20/2026	9.99	9.99	09/03/2026
26	LIVINGSTON ACE HARDWARE -	I58927	SWITCH BOX	08/24/2026	7.99	7.99	09/03/2026
26	LIVINGSTON ACE HARDWARE -	I58969	ROYAL SATIN BASE INTERIOR	08/24/2026	36.99	36.99	09/03/2026
26	LIVINGSTON ACE HARDWARE -	I59265	TARP STRAPS	08/24/2026	13.16	13.16	09/03/2026
26	LIVINGSTON ACE HARDWARE -	I59397	SIMPLE GREEN CLEANER/FAS	08/25/2026	31.33	31.33	09/03/2026
26	LIVINGSTON ACE HARDWARE -	I59398	BLEACH/VINEGAR/FLP DISC/CU	08/25/2026	112.48	112.48	09/03/2026
26	LIVINGSTON ACE HARDWARE -	I59497	FASTENERS/CLEANER/VINEGA	08/25/2026	80.46	80.46	09/03/2026
26	LIVINGSTON ACE HARDWARE -	I59605	X SHAPE LINE	08/25/2026	89.98	89.98	09/03/2026
26	LIVINGSTON ACE HARDWARE -	I59872	FIRE MAINT SUPPLIES	08/26/2026	19.99	19.99	09/03/2026
26	LIVINGSTON ACE HARDWARE -	I60912	E1 HAZMAT SUPPLIES	08/28/2026	15.98	15.98	09/03/2026
26	LIVINGSTON ACE HARDWARE -	X90165	GALV NIPPLE	08/19/2026	4.59	4.59	09/03/2026
26	LIVINGSTON ACE HARDWARE -	X90836	CONTRACTOR BAGS/ELECTRI	08/25/2026	30.98	30.98	09/03/2026
Total LIVINGSTON ACE HARDWARE - #122005:					663.27	663.27	
LIVINGSTON HEALTH CARE							
55	LIVINGSTON HEALTH CARE	200504552	770747857	08/15/2026	47.00	47.00	09/03/2026
55	LIVINGSTON HEALTH CARE	200504553	770750400	08/23/2026	47.00	47.00	09/03/2026
Total LIVINGSTON HEALTH CARE:					94.00	94.00	
LOGAN LANDFILL							
10007	LOGAN LANDFILL	128795	DISPOSAL FEES	08/11/2026	530.00	530.00	08/27/2026
10007	LOGAN LANDFILL	128826	DISPOSAL FEES	08/12/2026	1,199.00	1,199.00	08/27/2026
10007	LOGAN LANDFILL	128861	DISPOSAL FEES	08/13/2026	1,040.00	1,040.00	08/27/2026
10007	LOGAN LANDFILL	128895	DISPOSAL FEES	08/14/2026	1,168.00	1,168.00	08/27/2026
10007	LOGAN LANDFILL	128929	DISPOSAL FEES	08/15/2026	1,054.00	1,054.00	08/27/2026
10007	LOGAN LANDFILL	128949	DISPOSAL FEES	08/17/2026	1,109.00	1,109.00	08/27/2026
10007	LOGAN LANDFILL	128990	DISPOSAL FEES	08/18/2026	1,148.00	1,148.00	08/27/2026
10007	LOGAN LANDFILL	129022	DISPOSAL FEES	08/19/2026	1,209.00	1,209.00	08/27/2026
Total LOGAN LANDFILL:					8,457.00	8,457.00	
MEYER ELECTRIC AND GROUNDS REPAIR, LLC							
3812	MEYER ELECTRIC AND GROUN	1551	PIT LIGHT REPAIR	04/02/2026	160.00	160.00	08/27/2026
Total MEYER ELECTRIC AND GROUNDS REPAIR, LLC:					160.00	160.00	
MILLER, KELLY							
10009	MILLER, KELLY	08.08-15.26	C.I.T. CONFERENCE MEALS REI	08/26/2026	331.00	331.00	08/27/2026
10009	MILLER, KELLY	08.08-15.26A	C. BAKER LODGING/MILEAGE E	08/26/2026	682.51	682.51	08/27/2026
Total MILLER, KELLY:					1,013.51	1,013.51	
MONTANA LINEN SUPPLY LLC							
10007	MONTANA LINEN SUPPLY LLC	599477	BAR MOPS (100)	08/14/2026	60.24	60.24	09/03/2026
10007	MONTANA LINEN SUPPLY LLC	600977	MAT	08/21/2026	28.35	28.35	08/27/2026
10007	MONTANA LINEN SUPPLY LLC	600977	MAT	08/21/2026	28.35	28.35	08/27/2026
10007	MONTANA LINEN SUPPLY LLC	600977	MAT	08/21/2026	28.35	28.35	08/27/2026
10007	MONTANA LINEN SUPPLY LLC	600977	MAT	08/21/2026	28.34	28.34	08/27/2026
Total MONTANA LINEN SUPPLY LLC:					173.63	173.63	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
MURDOCH'S RANCH & HOME SUPPLY							
3688	MURDOCH'S RANCH & HOME S	INV-023301854	GOPHER TRAP	07/30/2026	35.96	35.96	09/03/2026
3688	MURDOCH'S RANCH & HOME S	INV-023325664	CHECK VALVE	07/31/2026	24.99	24.99	09/03/2026
3688	MURDOCH'S RANCH & HOME S	INV-023333308	DEWALT 20V BATTERY/DEWALT	07/31/2026	209.98	209.98	09/03/2026
3688	MURDOCH'S RANCH & HOME S	INV-023414585	LIGHT BAR MARKER/TERMINAL	08/04/2026	44.46	44.46	09/03/2026
3688	MURDOCH'S RANCH & HOME S	INV-023445304	WIRE/COBALT 15 PC KIT/5 PC K	08/07/2026	82.47	82.47	09/03/2026
3688	MURDOCH'S RANCH & HOME S	INV-023551086	BRASS SWIVEL/PSI LIQUID FILL	08/11/2026	49.97	49.97	09/03/2026
3688	MURDOCH'S RANCH & HOME S	INV-023580209	NOTEBOOK/LEATHER GLOVES	08/13/2026	41.97	41.97	09/03/2026
3688	MURDOCH'S RANCH & HOME S	INV-023580542	LIFT STATION MAINT	08/13/2026	6.06	6.06	09/03/2026
3688	MURDOCH'S RANCH & HOME S	INV-023595667	BOLTS/FRICTION TAPE/SERVIC	08/14/2026	54.45	54.45	09/03/2026
3688	MURDOCH'S RANCH & HOME S	INV-023683786	3/4 IN TANK FITTING	08/18/2026	9.99	9.99	09/03/2026
3688	MURDOCH'S RANCH & HOME S	INV-023716381	12V ADAPTER W/SWITCH	08/20/2026	24.99	24.99	09/03/2026
3688	MURDOCH'S RANCH & HOME S	INV-023718883	EXTENSION LEAD WIRE	08/20/2026	24.98	24.98	09/03/2026
3688	MURDOCH'S RANCH & HOME S	INV-023795163	M12 INFLATOR AIR COMPRESS	08/24/2026	139.99	139.99	09/03/2026
3688	MURDOCH'S RANCH & HOME S	INV-023812791	IND 2IN X 25FT PVC COUPLED	08/25/2026	69.99	69.99	09/03/2026
3688	MURDOCH'S RANCH & HOME S	INV-023820132	POLY NIPPLE/ADAPTER/GASKE	08/25/2026	15.97	15.97	09/03/2026
Total MURDOCH'S RANCH & HOME SUPPLY:					836.22	836.22	
NEWMAN SIGNS INC.							
64	NEWMAN SIGNS INC.	425165	UNDERPASS SIGNAGE	07/27/2026	109.52	109.52	08/27/2026
Total NEWMAN SIGNS INC.:					109.52	109.52	
NORTHWESTERN ENERGY							
151	NORTHWESTERN ENERGY	0107897-1 202	228 W Callender	08/11/2026	1,252.82	1,252.82	09/03/2026
151	NORTHWESTERN ENERGY	0708370-2 202	8th & Park Sprinklers	08/20/2026	22.64	22.64	09/03/2026
151	NORTHWESTERN ENERGY	0709793-4 202	City Shop Building 50% 406 Benn	08/14/2026	179.82	179.82	09/03/2026
151	NORTHWESTERN ENERGY	0709793-4 202	City Shop Building 50% 406 Benn	08/14/2026	179.83	179.83	09/03/2026
151	NORTHWESTERN ENERGY	0709794-2 202	WRF 316 Bennett	08/09/2026	322.68	322.68	09/03/2026
151	NORTHWESTERN ENERGY	0709796-7 202	97 View Vista Drive	08/14/2026	22.05	22.05	09/03/2026
151	NORTHWESTERN ENERGY	0709869-2 202	Carol Lane	08/14/2026	142.00	142.00	09/03/2026
151	NORTHWESTERN ENERGY	0709870-0 202	G Street Park - 422 S G	08/14/2026	73.83	73.83	09/03/2026
151	NORTHWESTERN ENERGY	0709871-8 202	Star Addition - Lights	08/14/2026	328.03	328.03	09/03/2026
151	NORTHWESTERN ENERGY	0709873-4 202	800 W Cambridge - Pump Station	08/14/2026	44.13	44.13	09/03/2026
151	NORTHWESTERN ENERGY	0709874-2 202	Werner Addition Pump	08/10/2026	691.18	691.18	09/03/2026
151	NORTHWESTERN ENERGY	0709875-9 202	900 River Drive Pump	08/10/2026	6,702.73	6,702.73	09/03/2026
151	NORTHWESTERN ENERGY	0709876-7 202	132 South B Street - B St Well	08/11/2026	2,731.28	2,731.28	09/03/2026
151	NORTHWESTERN ENERGY	0709877-5 202	200 E Reservoir (north side hill)	08/20/2026	2,042.91	2,042.91	09/03/2026
151	NORTHWESTERN ENERGY	0709878-3 202	227 River Drive - Concessions sta	08/11/2026	301.66	301.66	09/03/2026
151	NORTHWESTERN ENERGY	0709879-1 202	227 River Drive - Softball Field	08/11/2026	861.02	861.02	09/03/2026
151	NORTHWESTERN ENERGY	0709880-9 202	200 River Drive - Pool	08/20/2026	2,968.65	2,968.65	09/03/2026
151	NORTHWESTERN ENERGY	0709881-7 202	229 River Drive - Civic Center	08/20/2026	554.68	554.68	09/03/2026
151	NORTHWESTERN ENERGY	0709882-5 202	229 River Drive - Pump Civic Cent	08/20/2026	1.08	1.08	09/03/2026
151	NORTHWESTERN ENERGY	0709891-6 202	15 Fleshman Creek-Cemetery Wo	08/14/2026	48.85	48.85	09/03/2026
151	NORTHWESTERN ENERGY	0709892-4 202	40 Water Tower Avenue	08/14/2026	74.60	74.60	09/03/2026
151	NORTHWESTERN ENERGY	0709894-0 202	56 Water Tower	08/09/2026	519.86	519.86	09/03/2026
151	NORTHWESTERN ENERGY	0709914-6 202	1011 River Dr - Edge Water Sewe	08/10/2026	36.83	36.83	09/03/2026
151	NORTHWESTERN ENERGY	0719058-0 202	3 Rogers Lane Lift Station	08/10/2026	64.09	64.09	09/03/2026
151	NORTHWESTERN ENERGY	0719271-9 202	601 Robin Lane - Well	08/20/2026	3,465.54	3,465.54	09/03/2026
151	NORTHWESTERN ENERGY	0719272-7 202	4 Billman Lane - Well	08/20/2026	3,612.59	3,612.59	09/03/2026
151	NORTHWESTERN ENERGY	0719358-4 202	Street Lights - Livingston	08/20/2026	3,041.37	3,041.37	09/03/2026
151	NORTHWESTERN ENERGY	0719373-3 202	229 River Drive	08/20/2026	30.88	30.88	09/03/2026
151	NORTHWESTERN ENERGY	0720048-8 202	330 Bennett 1/4	08/09/2026	261.31	261.31	09/03/2026
151	NORTHWESTERN ENERGY	0720048-8 202	330 Bennett 1/4	08/09/2026	261.31	261.31	09/03/2026
151	NORTHWESTERN ENERGY	0720048-8 202	330 Bennett 1/4	08/09/2026	261.30	261.30	09/03/2026
151	NORTHWESTERN ENERGY	0720113-0 202	229 River Drive - CC Building	08/20/2026	130.34	130.34	09/03/2026

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
151	NORTHWESTERN ENERGY	0720122-1 202	400 North M	08/20/2026	12.90	12.90	09/03/2026
151	NORTHWESTERN ENERGY	0720176-7 202	Weimer Park	08/14/2026	32.43	32.43	09/03/2026
151	NORTHWESTERN ENERGY	0802599-1 202	608 W Chinook	08/20/2026	39.28	39.28	09/03/2026
151	NORTHWESTERN ENERGY	0933715-5 202	710 W Callender	08/20/2026	32.27	32.27	09/03/2026
151	NORTHWESTERN ENERGY	1134866-1 202	N 2nd & Montana & Chinook	08/14/2026	32.32	32.32	09/03/2026
151	NORTHWESTERN ENERGY	1134879-4 202	N 7th & Montana & Chinook	08/14/2026	26.93	26.93	09/03/2026
151	NORTHWESTERN ENERGY	1155965-5 202	229 River Drive	08/14/2026	27.98	27.98	09/03/2026
151	NORTHWESTERN ENERGY	1290352-2 202	School Flasher Park & 13th	08/14/2026	14.16	14.16	09/03/2026
151	NORTHWESTERN ENERGY	1441030-2 202	D & Geyser Well House	08/11/2026	2,552.01	2,552.01	09/03/2026
151	NORTHWESTERN ENERGY	1452951-5 202	Starlow on Monroe	08/10/2026	200.44	200.44	09/03/2026
151	NORTHWESTERN ENERGY	1493850-0 202	412 W Callender	08/14/2026	59.10	59.10	09/03/2026
151	NORTHWESTERN ENERGY	1498936-2 202	I90 & 89S-ing	08/14/2026	22.64	22.64	09/03/2026
151	NORTHWESTERN ENERGY	1594141-2 202	9th & 10th Lift Station	08/10/2026	62.85	62.85	09/03/2026
151	NORTHWESTERN ENERGY	1613803-4 202	M & N on Callender	08/14/2026	37.32	37.32	09/03/2026
151	NORTHWESTERN ENERGY	1728687-3 202	Transfer Station 408 Bennett Stre	08/09/2026	441.20	441.20	09/03/2026
151	NORTHWESTERN ENERGY	1747570-8 202	D & E on Callender	08/14/2026	28.22	28.22	09/03/2026
151	NORTHWESTERN ENERGY	1747572-4 202	F & G on Callender	08/14/2026	12.73	12.73	09/03/2026
151	NORTHWESTERN ENERGY	1893530-4 202	600 W Park	08/14/2026	37.41	37.41	09/03/2026
151	NORTHWESTERN ENERGY	1893536-1 202	E Street & Alley	08/14/2026	18.67	18.67	09/03/2026
151	NORTHWESTERN ENERGY	1893541-1 202	18 W Park	08/14/2026	60.14	60.14	09/03/2026
151	NORTHWESTERN ENERGY	1906055-7 202	815 North 13th - Soccer Fields (Irr	08/14/2026	2.78	2.78	09/03/2026
151	NORTHWESTERN ENERGY	2023479-5 202	900 W Geyser Street School Light	08/14/2026	22.64	22.64	09/03/2026
151	NORTHWESTERN ENERGY	2023484-5 202	1100 W Geyser Street School Lig	08/14/2026	22.50	22.50	09/03/2026
151	NORTHWESTERN ENERGY	2114861-4 202	132 South B Street Lights	08/14/2026	106.59	106.59	09/03/2026
151	NORTHWESTERN ENERGY	2138754-3 202	G Street Park - Mike Webb Park	08/14/2026	570.36	570.36	09/03/2026
151	NORTHWESTERN ENERGY	2171060-3 202	Scale House 408 Bennett Street	08/14/2026	96.68	96.68	09/03/2026
151	NORTHWESTERN ENERGY	3015965-1 202	330 Bennett - Fire Training Center	08/14/2026	56.97	56.97	09/03/2026
151	NORTHWESTERN ENERGY	3093003-6 202	114 West Summit	08/14/2026	20.21	20.21	09/03/2026
151	NORTHWESTERN ENERGY	3093027-5 202	105 West Park	08/14/2026	36.51	36.51	09/03/2026
151	NORTHWESTERN ENERGY	3141997-1 202	C & D on Lewis	08/14/2026	17.12	17.12	09/03/2026
151	NORTHWESTERN ENERGY	3184602-5 202	202 South 2nd	08/14/2026	31.04	31.04	09/03/2026
151	NORTHWESTERN ENERGY	3210240-2 202	616 River Drive	08/14/2026	23.27	23.27	09/03/2026
151	NORTHWESTERN ENERGY	3258086-2 202	2800 East Park Lift Station	08/14/2026	97.28	97.28	09/03/2026
151	NORTHWESTERN ENERGY	3258262-9 202	320 Alpenglow Lift Station	08/09/2026	166.91	166.91	09/03/2026
151	NORTHWESTERN ENERGY	3267010-1 202	330 Bennett - Compactor	08/09/2026	179.40	179.40	09/03/2026
151	NORTHWESTERN ENERGY	3287727-6 202	320 Alpenglow LN-	08/14/2026	45.55	45.55	09/03/2026
151	NORTHWESTERN ENERGY	3386783-9 202	Btwn G and H on Clark	08/14/2026	24.75	24.75	09/03/2026
151	NORTHWESTERN ENERGY	3386845-6 202	Btwn I and K on Callender	08/14/2026	24.63	24.63	09/03/2026
151	NORTHWESTERN ENERGY	3386846-4 202	Btwn 7th and 8th on Summit	08/14/2026	12.51	12.51	09/03/2026
151	NORTHWESTERN ENERGY	3506014-4 202	Brookstone/Elm	08/14/2026	6.39	6.39	09/03/2026
151	NORTHWESTERN ENERGY	3566038-0 202	114 East Callender	08/14/2026	34.53	34.53	09/03/2026
151	NORTHWESTERN ENERGY	3566039-8 202	115 East Lewis	08/14/2026	30.75	30.75	09/03/2026
151	NORTHWESTERN ENERGY	3585235-9 202	New WRF 316 Bennett	08/09/2026	13,307.52	13,307.52	09/03/2026
151	NORTHWESTERN ENERGY	3643752-3 202	115 East Clark	08/14/2026	168.57	168.57	09/03/2026
151	NORTHWESTERN ENERGY	3643753-1 202	112 East Clark	08/14/2026	49.00	49.00	09/03/2026
151	NORTHWESTERN ENERGY	3678204-3 202	502 River Dr. Pmp	08/11/2026	457.67	457.67	09/03/2026
151	NORTHWESTERN ENERGY	3725873-8 202	340 Bennett	08/14/2026	39.19	39.19	09/03/2026
151	NORTHWESTERN ENERGY	3753023-5 202	410 Bennett Transfer St Shop	08/09/2026	406.33	406.33	09/03/2026
151	NORTHWESTERN ENERGY	3787060-7 202	Green Acres Lights	08/14/2026	85.92	85.92	09/03/2026
151	NORTHWESTERN ENERGY	3787427-8 202	Green Acres	08/14/2026	256.98	256.98	09/03/2026
151	NORTHWESTERN ENERGY	3828216-6 202	203 W Callender	08/14/2026	47.79	47.79	09/03/2026
151	NORTHWESTERN ENERGY	3837245-4 202	220 E Park	08/12/2026	267.79	267.79	09/03/2026
151	NORTHWESTERN ENERGY	3867654-0 202	2222 Willow Dr. Lt A	08/14/2026	42.60	42.60	09/03/2026
151	NORTHWESTERN ENERGY	3913678-3 202	Green Acres Park -	08/09/2026	350.93	350.93	09/03/2026
151	NORTHWESTERN ENERGY	3950711-6 202	Scenic Drive & Sweetgrass Lane	08/14/2026	56.62	56.62	09/03/2026
151	NORTHWESTERN ENERGY	4094896-0 202	207 Antelope Drive LT (FedEx)	08/10/2026	39.86	39.86	09/03/2026
151	NORTHWESTERN ENERGY	4134094-4 202	200 E Reservoir	08/14/2026	67.18	67.18	09/03/2026

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
151	NORTHWESTERN ENERGY	4298969-9 202	408 BENNETT AUX	08/09/2026	66.29	66.29	09/03/2026
151	NORTHWESTERN ENERGY	4367508-1 202	54 WATER TOWER AVE	08/09/2026	221.81	221.81	09/03/2026
151	NORTHWESTERN ENERGY	4407815-2 202	Fleshman Cr Rd Shop	08/09/2026	10.77	10.77	09/03/2026
Total NORTHWESTERN ENERGY:					52,555.08	52,555.08	
NTOA							
10006	NTOA	112267/09.202	MEMBERSHIP RENEWAL (A. EM	09/01/2026	50.00	50.00	09/03/2026
Total NTOA:					50.00	50.00	
PACIFIC STEEL & RECYCLING							
3743	PACIFIC STEEL & RECYCLING	9425223	H R STRIP/20' ANGLE/40' CHAN	08/21/2026	620.18	620.18	09/03/2026
Total PACIFIC STEEL & RECYCLING:					620.18	620.18	
RAUSER BUILDERS, LLC							
10008	RAUSER BUILDERS, LLC	1088	FIRE STATION IMPROVEMENTS	07/14/2026	3,324.18	3,324.18	08/31/2026
Total RAUSER BUILDERS, LLC:					3,324.18	3,324.18	
RDO EQUIPMENT							
3592	RDO EQUIPMENT	E0390116	2024 HAMM HD 14I VV TANDEM	08/27/2026	70,000.00	70,000.00	09/03/2026
Total RDO EQUIPMENT:					70,000.00	70,000.00	
RICK'S REFRIGERATION, INC.							
3023	RICK'S REFRIGERATION, INC.	30942	FIRE BLDG REPAIR - A/C UNIT	08/24/2026	93.75	93.75	09/03/2026
Total RICK'S REFRIGERATION, INC.:					93.75	93.75	
RIVERSIDE HARDWARE LLC							
3659	RIVERSIDE HARDWARE LLC	280217	TEE PVC/PLUG/ADAPTER/FAST	08/06/2026	8.96	8.96	09/03/2026
Total RIVERSIDE HARDWARE LLC:					8.96	8.96	
ROCKY MOUNTAIN SUPPLY INC							
10006	ROCKY MOUNTAIN SUPPLY INC	12849	RUBY FIELDMASTER	08/21/2026	3,199.86	3,199.86	08/27/2026
10006	ROCKY MOUNTAIN SUPPLY INC	12864	RUBY FIELDMASTER	08/26/2026	3,601.86	3,601.86	09/03/2026
Total ROCKY MOUNTAIN SUPPLY INC:					6,801.72	6,801.72	
RUBIN, CARI							
10005	RUBIN, CARI	2026.08.20	MILEAGE REIMB - 8/20/26 - HR-	08/20/2026	33.93	33.93	09/03/2026
Total RUBIN, CARI:					33.93	33.93	
SCHWARTZER, JESSIE							
10004	SCHWARTZER, JESSIE	9	SOFTBALL SERVICES (7 GAME	08/27/2026	210.00	210.00	09/03/2026
Total SCHWARTZER, JESSIE:					210.00	210.00	
SKAGGS, MIKE							
3412	SKAGGS, MIKE	2026.08	REIMBURSE TOWELS	08/24/2026	41.98	41.98	08/27/2026
Total SKAGGS, MIKE:					41.98	41.98	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
STEER IN TRAILER SALES							
10009	STEER IN TRAILER SALES	14506	2027 LOAD TRAIL 24" CAR HAU	08/29/2026	9,500.00	9,500.00	09/02/2026
Total STEER IN TRAILER SALES:					9,500.00	9,500.00	
STUCK, MATT							
10009	STUCK, MATT	8	SOFTBALL UMPIRE SERVICES (	08/27/2026	450.00	450.00	09/03/2026
Total STUCK, MATT:					450.00	450.00	
TEAR IT UP L.L.C.							
2999	TEAR IT UP L.L.C.	B70679	220 E PARK SHREDDING	09/02/2026	65.34	65.34	09/03/2026
Total TEAR IT UP L.L.C.:					65.34	65.34	
THE MAIN PRINT SHOP							
10006	THE MAIN PRINT SHOP	25786	PUBLIC MEETING NOTICE	08/28/2026	2,034.99	2,034.99	09/03/2026
Total THE MAIN PRINT SHOP:					2,034.99	2,034.99	
TOWN & COUNTRY FOODS - LIVINGSTON							
2595	TOWN & COUNTRY FOODS - LI	2026.08.24	RESTITUTION - SHERWOOD	08/26/2026	167.53	167.53	08/27/2026
Total TOWN & COUNTRY FOODS - LIVINGSTON:					167.53	167.53	
TRANSUNION RISK & ALTERNATIVE							
3376	TRANSUNION RISK & ALTERNA	380349-20260	INVESTIGATIVE RESEARCH - 8/	09/01/2026	100.00	100.00	09/03/2026
Total TRANSUNION RISK & ALTERNATIVE:					100.00	100.00	
U.S. POSTAL SERVICE							
1157	U.S. POSTAL SERVICE	2026.08.28	POSTAGE FOR PUBLIC NOTICE	08/28/2026	1,931.09	1,931.09	08/28/2026
Total U.S. POSTAL SERVICE:					1,931.09	1,931.09	
UPS STORE #2420, THE							
292	UPS STORE #2420, THE	12608242420A	DUI KIT SHIPMENT - MMMZPX3	08/24/2026	13.73	13.73	08/27/2026
292	UPS STORE #2420, THE	12609012420B	DUI KIT SHIPMENT - MMMZPX3	09/01/2026	67.42	67.42	09/03/2026
Total UPS STORE #2420, THE:					81.15	81.15	
USA BLUEBOOK							
1430	USA BLUEBOOK	SC47641	SERVICE CHARGE	03/27/2026	14.51	14.51	08/27/2026
1430	USA BLUEBOOK	SC48793	SERVICE CHARGE	05/01/2026	14.73	14.73	08/27/2026
Total USA BLUEBOOK:					29.24	29.24	
UTILITIES UNDERGROUND LOCATION							
3472	UTILITIES UNDERGROUND LO	6085098	EXCAVATION NOTIFICATIONS	08/31/2026	43.32	43.32	09/03/2026
3472	UTILITIES UNDERGROUND LO	6085098	EXCAVATION NOTIFICATIONS	08/31/2026	43.31	43.31	09/03/2026
3472	UTILITIES UNDERGROUND LO	6085098	EXCAVATION NOTIFICATIONS	08/31/2026	43.31	43.31	09/03/2026
3472	UTILITIES UNDERGROUND LO	900093	LIV01 - 7/1/2024 - 6/30/2025	08/21/2026	26.64	26.64	08/27/2026
3472	UTILITIES UNDERGROUND LO	900093	LIV01 - 7/1/2024 - 6/30/2025	08/21/2026	26.64	26.64	08/27/2026
3472	UTILITIES UNDERGROUND LO	900093	LIV01 - 7/1/2024 - 6/30/2025	08/21/2026	26.64	26.64	08/27/2026
Total UTILITIES UNDERGROUND LOCATION:					209.86	209.86	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
WAGNER, DANIEL J.							
10009	WAGNER, DANIEL J.	7	SOFTBALL UMPIRE SERVICES (	08/27/2026	30.00	30.00	09/03/2026
Total WAGNER, DANIEL J.:					30.00	30.00	
WESTERN PEAKS LOGISTICS LLC							
10008	WESTERN PEAKS LOGISTICS L	1284WPL-14-8	COURIER SERVICE	07/31/2026	549.56	549.56	09/03/2026
Total WESTERN PEAKS LOGISTICS LLC:					549.56	549.56	
WISPWEST.NET							
2087	WISPWEST.NET	598018	INTERNET - 9/8/26-10/7/26	08/22/2026	59.27	59.27	09/03/2026
2087	WISPWEST.NET	598018	INTERNET - 9/8/26-10/7/26	08/22/2026	79.48	79.48	09/03/2026
Total WISPWEST.NET:					138.75	138.75	
YELLOWSTONE NEWS GROUP							
10005	YELLOWSTONE NEWS GROUP	767579	BIDS - BENNETT STREET	08/20/2026	655.45	655.45	08/27/2026
Total YELLOWSTONE NEWS GROUP:					655.45	655.45	
YUVAN, BRAEDEN							
10007	YUVAN, BRAEDEN	10	SOFTBALL SCOREKEEPER SE	08/27/2026	315.00	315.00	09/03/2026
Total YUVAN, BRAEDEN:					315.00	315.00	
Grand Totals:					242,113.61	242,113.61	

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

File Attachments for Item:**C. JUDGES MONTHLY REPORT FOR JULY 2026**

LIVINGSTON CITY COURT
MONTHLY FINANCIAL REPORT

Month: July 2026

Dismissed	11
Fines	5
Bond Forfeitures	20
Dismissed Plea Agreements	
Pre Trial Diversion/Deferred	0

Monthly Total: 36

Paid-Bond Forfeit/Fines/Time Payments:	\$ 3,648.17
Contempt Fines	\$ 0.00
Parking Enforcement & Police issued Parking Tickets:	\$ 3,709.00
Copies/Research	\$ 1.75

TOTAL \$ 7,358.92

MLEA Surcharge:	\$ 196.00
TECH Surcharge:	\$ 180.00
Victim/Witness Surcharge:	\$ 260.84
MISD Surcharge:	\$ 320.00
Court Costs	\$ 45.00

TOTAL: (\$1,001.84)

Total amount credited to City of Livingston General Fund: \$6,357.08

I hereby certify that this is a true and correct statement of the amount of fines/fees/costs which were fully paid and credited with Livingston City Court during the month of: July 2026

Prepared by: Carol Schaeffer Date: 8/31/26
Hon. Carol Schaeffer
Livingston City Judge

File Attachments for Item:

D. APPROVAL OF COLIN FRAZER TO LBID BOARD



LivingstonMontana.org | PublicComment@LivingstonMontana.org | 406.823.6000

DATE: September 15, 2026
TO: Chair Nootz and City Commissioners
FROM: Grant Gager, City Manager
RE: Staff Report for Appointment to the Livingston Business Improvement District Board of Trustees

Recommendation and Summary

The City Manager is recommending the Commission approve the appointment of Colin Frazer to the Livingston Business Improvement District Board of Trustees by adopting the following motion:

"I move to appoint Colin Frazer to the Livingston Business Improvement District Board of Trustees."

The reasons for the recommendation are as follows:

- The Livingston Business Improvement District Board of Trustees consists of seven property owners within the District who are selected by the appointing authority of the City of Livingston with approval of the City Commission
- Members of the Board of Trustees are appointed to four year terms, except when filling a vacancy, in which case the appointment is for the remainder of the unexpired term.
- Colin Frazer owns The Gem and The Owl, including property within the District, and has applied to serve on the Board of Trustees.
- The LBID Board reviewed Mr. Frazer's application and voted to recommend his appointment to fill the seat vacated by James Langteaux.

Introduction and History

The Livingston Business Improvement District is governed by a seven member Board of Trustees consisting of property owners within the District. Trustees are selected by the appointing authority of the City of Livingston with approval of the governing body of the City. Following the initial staggered appointments, members are appointed to four year terms. When a vacancy occurs during a term, the vacancy is filled for the remainder of the unexpired term.

The Board administers the affairs of the District and has responsibilities that include landscaping and beautification of public areas, promoting private investment and business expansion, and



promoting business activity and tourism through advertising, marketing, events, and other activities supporting the District.

Analysis

The City Commission is being asked to approve the appointment of Colin Frazer to the Livingston Business Improvement District Board of Trustees to fill the seat vacated by James Langteaux.

Mr. Frazer owns The Gem and The Owl, including property within the District. His application states that he has owned businesses for a decade, is a full time MSU professor, holds a Master's Degree in Art, and has previous experience serving on the board of a nonprofit trail advocacy organization. He expressed an interest in serving because he cares about the health of the community and its small businesses and wants to see Livingston thrive.

The LBID Board reviewed Mr. Frazer's application on July 28, 2026 and voted to recommend his appointment. The appointment will fill the vacancy created when James Langteaux sold his downtown business and moved

Fiscal Impact

Staff anticipates no fiscal impact associated with this appointment.

Strategic Alignment

This appointment will fill a vacancy on the Livingston Business Improvement District Board of Trustees and support the continued administration and activities of the District.

Attachments

- Attachment A: Application of Colin Frazer



LBID BOARD MEMBER VOTE

Tuesday, July 28, 2026 | 2 pm
124 South Main, Suite 210 and Via Zoom hybrid

Present: Dale Hopkins, Megan Eubank, Jeff Galli, Alex Pinson, Dale Sexton

Disussion/Action Items

- A. Board Membership** – The Board reviewed an application by Downtown Business owner Colin Frizer who owns both The Owl and The Gem. He has been a business owner for over a decade and full time MSU college professor with a Masters in Art. We acknowledge his efforts to honor legacy businesses, like naming the coffee shop, “The Gem” in honor of its location in the historic Tom’s Jewelers business and maintaining the historic Owl bar neon, building and corner bar vibe. Dale Hopkins made a motion to accept his application/Jeff Galli seconded the motion/with a quorum of the board voting yea on his application. The LBID Board recommends his Board Membership, replacing the seat vacated by James Langteaux who sold his Downtown Business and moved.

Board of Directors

Chair: Lauren Silano | **Vice Chair:** Dale Hopkins | **Secretary/Treasurer:** Megan Eubank
Members: Jeff Galli | Alex Pinson | Dale Sexton



LBID Board Application

Date of Application: 7.23.26

Name: Colin Frazer

Signed: *Col*

Address: PO Box 126

E-mail address: colin@theowllivingston.com

City & Zip Code: Livingston MT 59047

Cell Phone: 5037523782

Other phone: _____

1. Are you a resident of the City of Livingston? Yes
 2. Are you a registered voter? Yes
 3. Will you be at least 18 years of age at the time of the appointment? Yes
 4. What business or building do you own in the District and why are you interested in this appointment? I own The Gem and The Owl (including property). I care deeply about the health of our community and its small businesses. I want to see Livingston thrive in its next chapter.
 5. Describe any background, experience and interests that you have which may assist you in performing the responsibilities of this appointment:
 - A. Occupation: From an expedition outdoor guide to full-time MSU professor. Owned my own businesses for a decade.
 - B. Education: Masters Degree in Art
 - C. Experience (please attach a detailed resume if desired): Lived in SW Montana for 20 years.
 6. Have you previously served on any boards or governmental positions?
Yes, I 've been on the board of a non-profit trail advocacy organization
 7. Are you currently serving on any Community Boards? No
 - A. If yes, please describe those boards. _____
 8. Current Employer? Self-Employed
 9. Are you available for night meetings? Yes
 10. Are you available for daytime meetings? Yes
 11. Do you foresee any potential conflicts of interest that you might have in executing the duties of this appointed office? No.
 12. If appointed, how would you deal with a conflict of interest if it arose?
Recuse myself from decisions having to do with any of my direct interests.
- Other relevant information? Thrilled to be of service to my community.

**Return completed applications to LBID Executive Director Kris King at
 info@downtownlivingston.org or mail to: PO Box 284, Livingston, MT 59047**

File Attachments for Item:

**E. CONSIDERATION OF OPEN CONTAINER SPECIAL EXCEPTION REQUEST FOR A PUBLIC
EVENT ON SEPTEMBER 19, 2026**



LivingstonMontana.org | PublicComment@LivingstonMontana.org | 406.823.6000

DATE: September 15, 2026
TO: Chair Nootz 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 a public event on September 19, 2026, 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 a public event on September 19, 2026."

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 at Miles Park 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: 2026 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: Frank O'Connor

Organization: Frank O'Connor for County Commissioner

Email Address: FrankOConnor@gmail.com Tax ID Number: _____

Address: 612 Bluebird Lane City, State, Zip: Livingston, MT 59047

Mobile Phone: 406-223-2511 Work Phone: _____

Group insuring event: Eventsured

Insurance Company: _____ Policy Number: _____

Insurance Agent: _____ Insurance Phone: _____

Insurance Address: _____

Event Information

Name of Event: _____ Date of Event: 7/19/20

Event Type: Band Approx # of Attendees: 300

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

Set up Begins: <u>3pm</u>	Event Begins: <u>5:00pm</u>	Event ends: <u>9pm</u>	Cleanup Complete: <u>10pm</u>
---------------------------	-----------------------------	------------------------	-------------------------------

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

The Max. customer appreciation / Frank O'Connor for County Commissioner

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?

yes

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

X 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)

yes

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

yes

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:

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, _____ 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:**F. AGREEMENT 20287 WITH LIVINGSTON YOUTH SOCCER ASSOCIATION**



DATE: September 15, 2026
TO: Chair Nootz and City Commission
FROM: Maggie Tarr, Recreation Director
RE: Staff Report for LYSA Facility Use Agreement

Recommendation and Summary

Staff recommends the City Commission approve the Facility Use Agreement with Livingston Youth Soccer Association (LYSA) for youth soccer practices at Sacajawea Park and Green Acres Park by adopting the following motion:

"I move to approve the Facility Use Agreement with Livingston Youth Soccer Association for use of Sacajawea Park and Green Acres Park for youth soccer practices."

The reasons for the recommendation are as follows:

- LYSA will use Sacajawea Park and Green Acres Park Monday through Friday, September 1 through October 16, 2026, between 4:00 and 7:30 PM.
- The agreement is part of the City's larger cooperative arrangement with LYSA, which provides care and maintenance of the Northside Park soccer facility.

Introduction and History

LYSA provides youth soccer programming in Livingston and utilizes City park facilities for seasonal practices. The proposed agreement formalizes LYSA's use of Sacajawea Park and Green Acres Park for the 2026 fall soccer season.

Analysis

The agreement authorizes LYSA to conduct youth soccer practices at the designated parks during the approved dates and times. LYSA remains responsible for participant supervision, facility care, insurance, and compliance with City requirements.

**Fiscal Impact**

No separate facility-use fee is proposed. Use of the parks is recognized as part of the larger cooperative arrangement under which LYSA provides care and maintenance of the Northside Park soccer facility.

Strategic Alignment

The agreement supports community access to youth recreation opportunities and continued partnership with a local youth sports organization.

Attachments

- Attachment A: Livingston Youth Soccer Association Facility Use Agreement
- Attachment B & C: Certificates of Insurance

FACILITY USE AGREEMENT

This Facility Use Agreement ("Agreement") is made and entered into this 1 day of September, 2026, by and between the City of Livingston ("CITY"), a municipal corporation, and Livingston Youth Soccer Association ("LYSA").

1. Facility Use Agreement

The City grants LYSA the right to use Sacajawea Park and Green Acres Park for youth soccer practices and related activities during the following periods:

- Monday through Friday, September 1 through October 16, 2026, between 4:00-7:30 PM.

2. Fee for Use

Use of Sacajawea Park and Green Acres Park under this Agreement is provided as part of the larger cooperative agreement between the CITY and LYSA, under which LYSA provides care and maintenance of the Northside Park soccer facility. No separate facility use fee will be charged for the use described in this Agreement unless otherwise specified in writing. Any additional costs related to maintenance, amenities, or utilities beyond the scope of the larger agreement shall be the responsibility of LYSA unless otherwise specified in writing.

3. Permitted Use and Restrictions

- The facilities shall only be used for youth soccer practices.
- LYSA shall have non-exclusive use of a designated portions of the premises during the length of this Agreement. The property will generally remain available for the City and community's beneficial use throughout the Agreement.
- LYSA shall ensure that all activities comply with CITY regulations, including but not limited to noise, safety, and facility care policies.
- No modifications to the facility, including but not limited to structural changes, temporary installations, signage, or field adjustments, shall be made without prior written approval from the CITY.
- LYSA is responsible for ensuring participants and spectators adhere to all facility rules and guidelines.
- LYSA shall ensure that all facilities are left in the condition that existed prior to use. Any issues with CITY facilities shall be reported to the CITY when they are discovered.
- This Agreement, and the related use of facilities, is not transferrable to any other party.

4. Liability, Insurance and Risk Management

- LYSA shall carry a comprehensive public liability insurance policy, insuring against loss and damages for personal injury or death and/or property loss, damage, or destruction arising out of or in connection with its use of the facility, with the minimum liability limit of \$750,000 per claim and not less than \$1.5M per occurrence.
- LYSA shall provide the CITY a Certificate of Insurance, and a Certificate of Additional Insured naming the CITY as an additional insured party.

- LYSA is responsible for proactively identifying, assessing, and mitigating potential hazards and liabilities to ensure a safe and supportive environment for athletes, staff, and spectators. This includes but is not limited to developing policies regarding weather-related risks, identifying and addressing potential hazards on the field, ensuring proper use of equipment, enforcing appropriate age divisions in competitive play, and conducting background checks and training for all adults involved in LYSA programs.
- LYSA shall protect, indemnify, defend and save the CITY harmless from and against all claims, liabilities, demands, damages, losses, expenses, including legal fees and costs, causes of action and judgments, arising from LYSA’s negligent acts or omissions or those of any sub-contractor, agent, or anyone directly or indirectly volunteering for or employed by LYSA.

5. Scheduling and Coordination

- LYSA must coordinate with City regarding facility availability and scheduling.
- LYSA shall notify City of any scheduling conflicts or special event requests as soon as possible.
- Any scheduling conflicts between LYSA and other permitted users will be resolved by CITY.

6. Cancellation and Termination

- The CITY reserves the right to cancel or reschedule LYSA’s access to the facilities due to unforeseen circumstances, including but not limited to weather, maintenance, or emergencies.
- Either party may terminate this Agreement with seven (7) days’ written notice, delivered via email, certified mail, or in-person delivery with acknowledgment of receipt.

7. Governing Law and Dispute Resolution

This Agreement shall be governed by the laws of the State of Montana. Any disputes that remain unresolved shall be resolved in the Park County District Court, Montana.

8. Signatures

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

City of Livingston

Livingston Youth Soccer Association

Grant Gager
City Manager

By: _____
Title: _____
Date: _____
Phone: _____



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD)

9/2/202

43

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

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

PRODUCER LIC #40558248 Player's Health Cover USA Inc. 200 Southdale Center Edina MN 55435	CONTACT NAME: PHONE (A/C, No. Ext): 612-345-9683 FAX (A/C, No): E-MAIL ADDRESS: certificates@playershealth.com
INSURED Montana Youth Soccer Association 65 E. Broadway St. Butte MT 59701	INSURER(S) AFFORDING COVERAGE INSURER A: SiriusPoint America Insurance Company INSURER B: AXIS Insurance Company INSURER C: Everspan Indemnity Insurance Company INSURER D: INSURER E: INSURER F:
	NAIC # 38776 37273 16882

COVERAGES**CERTIFICATE NUMBER:** 330381**REVISION NUMBER:** 1

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☒ LOC OTHER:	Y		PLH01GL10000740	9/1/2026	9/1/2027	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 5,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000 PARTICIPANT LEGAL LIAB \$ 2,000,000
A	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☒ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS ONLY			PLH01GL10000740	9/1/2026	9/1/2027	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	☒ UMBRELLA LIAB ☒ EXCESS LIAB DED ☐ RETENTION \$ 0			PHX1EII-000026-01	9/1/2026	9/1/2027	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 5,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N ☐	N / A				PER STATUTE E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
C	Participant Accident Medical			SRPOCGU01-000051	9/1/2026	9/1/2027	PER INJURY LIMIT \$ 100,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate issued for activities sanctioned or approved by the state soccer association. Certificate Holder is Additional Insured as required by written contract or written agreement, subject to endorsement PH-GL-CW-0057. Coverage is primary and noncontributory where required by written contract or written agreement. This certificate is issued on behalf of: Livingston YSA
LYSA Fall Rec Soccer
Intend to use for practice/training during the fall soccer season

CERTIFICATE HOLDER**CANCELLATION**

City of Livingston - Green Acres Park 220 E Park Street Livingston MT 59047	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Don Pullen</i>
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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED – WHERE REQUIRED UNDER
CONTRACT OR AGREEMENT
(PRIMARY AND NON-CONTRIBUTORY WHERE
REQUIRED UNDER CONTRACT)**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SECTION II – WHO IS AN INSURED is amended to include any person or organization to whom you become obligated to include as an additional insured under this policy, as a result of any written contract or written agreement you enter into which requires you to furnish insurance to that person or organization of the type provided by this policy and is fully executed prior to an "occurrence", but only with respect to liability arising out of your operations or premises owned by or rented to you. However, the insurance provided will not exceed the lesser of:

- a. The coverage and/or limits of this policy; or
- b. The coverage and/or limits required by said contract or agreement.

Coverage afforded to these additional insured parties will be primary to, and non-contributory with, any other insurance available to that person or organization where required of you by written contract or written agreement.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

WAIVER OF TRANSFER OF RIGHTS OF RECOVERY

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

The following is added to Paragraph 8. **Transfer Of Rights Of Recovery Against Others To Us** of **Section IV – Conditions**:

If, prior to the time of an “occurrence”, you waive any right of recovery against a specific person or organization for injury or damage as required under an “insured contract”, we will also waive any rights we may have against such person or organization.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD) 9/2/2021 46

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

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

PRODUCER LIC #40558248 Player's Health Cover USA Inc. 200 Southdale Center Edina MN 55435	CONTACT NAME: PHONE (A/C, No, Ext): 612-345-9683 FAX (A/C, No): E-MAIL ADDRESS: certificates@playershealth.com
INSURED Montana Youth Soccer Association 65 E. Broadway St. Butte MT 59701	INSURER(S) AFFORDING COVERAGE INSURER A: SiriusPoint America Insurance Company INSURER B: AXIS Insurance Company INSURER C: Everspan Indemnity Insurance Company INSURER D: INSURER E: INSURER F:

COVERAGES

CERTIFICATE NUMBER: 330386

REVISION NUMBER: 1

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☒ LOC OTHER:	Y		PLH01GL10000740	9/1/2026	9/1/2027	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 5,000,000 PRODUCTS - COMP/OP AGG PARTICIPANT LEGAL LIAB \$ 1,000,000 \$ 2,000,000
A	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☒ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS ONLY			PLH01GL10000740	9/1/2026	9/1/2027	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	☒ UMBRELLA LIAB ☒ EXCESS LIAB ☐ OCCUR ☐ CLAIMS-MADE DED RETENTION \$ 0			PHX1EII-000026-01	9/1/2026	9/1/2027	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 5,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N ☐	N / A				PER STATUTE E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
C	Participant Accident Medical			SRPOCGU01-000051	9/1/2026	9/1/2027	PER INJURY LIMIT \$ 100,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate issued for activities sanctioned or approved by the state soccer association. Certificate Holder is Additional Insured as required by written contract or written agreement, subject to endorsement PH-GL-CW-0057. Coverage is primary and noncontributory where required by written contract or written agreement. This certificate is issued on behalf of: Livingston YSA
LYSA Fall Rec Soccer
Intend to use for practice/training during the fall soccer season

CERTIFICATE HOLDER

City of Livingston - Sacajawea Park
220 E Park Street
Livingston MT 59047

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Don Pullen

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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED – WHERE REQUIRED UNDER
CONTRACT OR AGREEMENT
(PRIMARY AND NON-CONTRIBUTORY WHERE
REQUIRED UNDER CONTRACT)**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SECTION II – WHO IS AN INSURED is amended to include any person or organization to whom you become obligated to include as an additional insured under this policy, as a result of any written contract or written agreement you enter into which requires you to furnish insurance to that person or organization of the type provided by this policy and is fully executed prior to an "occurrence", but only with respect to liability arising out of your operations or premises owned by or rented to you. However, the insurance provided will not exceed the lesser of:

- a. The coverage and/or limits of this policy; or
- b. The coverage and/or limits required by said contract or agreement.

Coverage afforded to these additional insured parties will be primary to, and non-contributory with, any other insurance available to that person or organization where required of you by written contract or written agreement.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

WAIVER OF TRANSFER OF RIGHTS OF RECOVERY

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

The following is added to Paragraph 8. **Transfer Of Rights Of Recovery Against Others To Us** of **Section IV – Conditions**:

If, prior to the time of an “occurrence”, you waive any right of recovery against a specific person or organization for injury or damage as required under an “insured contract”, we will also waive any rights we may have against such person or organization.

File Attachments for Item:

G. AGREEMENT 20288 WITH LIVINGSTON LIGHTNING SPECIAL OLYMPIC TEAM



DATE: September 15, 2026
TO: Chari Nootz and City Commission
FROM: Maggie Tarr, Recreation Director
RE: Staff Report for Livingston Lightning Special Olympics Facility Use Agreement

Recommendation and Summary

Staff recommends the City Commission approve the Facility Use Agreement with the Livingston Lightning Special Olympics Team for basketball practices at the Livingston Civic Center.

"I move to approve the Facility Use Agreement with the Livingston Lightning Special Olympics Team for use of the Livingston Civic Center."

Introduction and History

Livingston Lightning has requested use of the Livingston Civic Center for Special Olympics basketball practices on Sundays from September 13 through November 8, 2026, excluding October 25, from 4:00–5:00 PM.

Analysis

The agreement provides Livingston Lightning non-exclusive use of the Civic Center for basketball practices at \$25.00 per hour. The team may also use City basketballs and necessary practice equipment during scheduled practices. The agreement establishes requirements for scheduling, facility care, insurance, liability, and appropriate use of City equipment.

Fiscal Impact

Facility use will be charged at \$25.00 per hour in accordance with the agreement.

Strategic Alignment

The agreement supports access to inclusive recreation opportunities and community use of City recreation facilities.

Attachments

- Attachment A: Livingston Lightning Special Olympics Team Facility Use Agreement

FACILITY USE AGREEMENT

This Facility Use Agreement ("Agreement") is made and entered into this 10 day of September, 2026, by and between the City of Livingston ("CITY"), a municipal corporation, and Livingston Lightning Special Olympics Team ("Livingston Lightning").

1. Facility Use Agreement

The City grants Livingston Lightning the right to use the Livingston Civic Center for basketball practices and related activities during the following periods:

- Sundays, September 13 through November 8, 2026, excluding October 25, from 4:00-5:00 PM.

2. Fee for Use

The use of the facility is granted at a rate of \$25.00 per hour. Any additional costs related to maintenance, amenities, or utilities shall be the responsibility of Livingston Lightning unless otherwise specified in writing.

3. Permitted Use and Restrictions

- The facility shall only be used for basketball practices.

Livingston Lightning has permission to use City of Livingston basketballs and necessary practice equipment during scheduled practice times. All City equipment shall be used appropriately and returned to its designated storage location after each use.

- Livingston Lightning shall have exclusive use of a designated portion of the premises during the length of this Agreement.
- Livingston Lightning shall ensure that all activities comply with CITY regulations, including but not limited to noise, safety, and facility care policies.
- No modifications to the facility, including but not limited to structural changes, temporary installations, signage, or field adjustments, shall be made without prior written approval from the CITY.
- Livingston Lightning is responsible for ensuring participants and spectators adhere to all facility rules and guidelines.
- Livingston Lightning shall ensure that all facilities are left in the condition that existed prior to use. Any issues with CITY facilities shall be reported to the CITY when they are discovered.
- This Agreement, and the related use of facilities, is not transferrable to any other party.

4. Liability, Insurance and Risk Management

- Livingston Lightning shall carry a comprehensive public liability insurance policy, insuring against loss and damages for personal injury or death and/or property loss, damage, or destruction arising out of or in connection with its use of the facility, with the minimum liability limit of \$750,000 per claim and not less than \$1.5M per occurrence.
- Livingston Lightning shall provide the CITY a Certificate of Insurance, and a Certificate of Additional Insured naming the CITY as an additional insured party.

- Livingston Lightning is responsible for proactively identifying, assessing, and mitigating potential hazards and liabilities to ensure a safe and supportive environment for athletes, staff, and spectators. This includes but is not limited to developing policies regarding weather-related risks, identifying and addressing potential hazards on the field, ensuring proper use of equipment, enforcing appropriate age divisions in competitive play, and conducting background checks and training for all adults involved in Livingston Lightning programs.
- Livingston Lightning shall protect, indemnify, defend and save the CITY harmless from and against all claims, liabilities, demands, damages, losses, expenses, including legal fees and costs, causes of action and judgments, arising from Livingston Lightning's negligent acts or omissions or those of any sub-contractor, agent, or anyone directly or indirectly volunteering for or employed by Livingston Lightning.

5. Scheduling and Coordination

- Livingston Lightning must coordinate with City regarding facility availability and scheduling.
- Livingston Lightning shall notify City of any scheduling conflicts or special event requests as soon as possible.
- Any scheduling conflicts between Livingston Lightning and other permitted users will be resolved by CITY.

6. Cancellation and Termination

- The CITY reserves the right to cancel or reschedule Livingston Lightning's access to the facility due to unforeseen circumstances, including but not limited to weather, maintenance, or emergencies.
- Either party may terminate this Agreement with seven (7) days' written notice, delivered via email, certified mail, or in-person delivery with acknowledgment of receipt.

7. Governing Law and Dispute Resolution

This Agreement shall be governed by the laws of the State of Montana. Any disputes that remain unresolved shall be resolved in the Park County District Court, Montana.

8. Signatures

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

**City of Livingston
Team**

Livingston Lightning Special Olympics

Grant Gager
City Manager

By: _____
Title: _____
Date: _____
Phone: _____



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD)

09/10/20

53

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

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

PRODUCER American Specialty Insurance & Risk Services, Inc. 7609 W. Jefferson Blvd., Suite 100 Fort Wayne IN 46804	CONTACT NAME: PHONE (A/C, No. Ext): FAX (A/C, No): E-MAIL ADDRESS: INSURER(S) AFFORDING COVERAGE INSURER A: Philadelphia Indemnity Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	NAIC # 18058
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COVERAGES **CERTIFICATE NUMBER:** 1002520840 **REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC ☒ OTHER: OTHER	N		PHPK2638240-020	12/31/2025	12/31/2026	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ Excluded PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 5,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000
A	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☒ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS ONLY			PHPK2638240-020	12/31/2025	12/31/2026	COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ NON-OWNED/HIRED AUTO \$ 1,000,000
	UMBRELLA LIAB ☐ EXCESS LIAB ☐ DED ☐ RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N ☐ N / A					PER STATUTE E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

- Coverage applies to the following: SPECIAL OLYMPICS MONTANA, PO BOX 3507, GREAT FALLS, MT 59401.

- Named Insured (cont'd): All Special Olympics Accredited U.S. Programs

CERTIFICATE HOLDER

Livingston Recreation

229 River Drive

Livingston

MT 59047

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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ADDITIONAL REMARKS SCHEDULE

AGENCY American Specialty Insurance & Risk Services, Inc.		NAMED INSURED Special Olympics, Inc.	
POLICY NUMBER PHPK2638240-020		2600 Virginia Avenue NW Floors 10 & 11	
CARRIER Philadelphia Indemnity Insurance Company	NAIC CODE 18058	Washington, DC 20037 EFFECTIVE DATE: 12/31/2025	

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,

FORM NUMBER: ACORD 25 FORM TITLE: CERTIFICATE OF LIABILITY INSURANCE - Certificate #1002520840

- The Hired Auto Physical Damage limit contains a \$1,000 collision deductible and a \$100 other than collision deductible (for commercially rented vehicles only). Nonowned and Hired Auto (NOHA) liability is excess of any valid and collectible insurance.

- Coverage for property you rent or occupy, property loaned to you and property in the care, custody, or control of the Insured, \$100,000 limit subject to a \$2,500 deductible per loss, excluding watercraft, aircraft, and autos.

- Coverage applies to SPECIAL OLYMPICS MONTANA, LIVINGSTON LIGHTNING BASKETBALL PRACTICE from September 11, 2026 through November 11, 2026.

File Attachments for Item:

**A. A PROCLAMATION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA,
DECLARING SEPTEMBER 16-20, 2026 AS POLLUTION PREVENTION WEEK IN LIVINGSTON,
MONTANA**



Proclamation

Of the Livingston City Commission

Declaring September 16-20 2026, as Pollution Prevention Week
in Livingston, Montana

WHEREAS, Pollution Prevention Week provides an opportunity to recognize the important role that local governments, businesses, organizations, and residents play in protecting public health, conserving natural resources, and preventing pollution before it enters our environment; and

WHEREAS, the City of Livingston is committed to responsible stewardship of our community's natural resources through the operation and maintenance of essential public infrastructure, including water, wastewater, stormwater, streets, and solid waste services; and

WHEREAS, effective stormwater management helps reduce pollutants carried by rain and snowmelt from streets, parking areas, and other surfaces into local waterways, supporting cleaner water and the long term health of the Yellowstone River and surrounding watershed; and

WHEREAS, the City of Livingston continues to strengthen its stormwater management efforts and invest in systems and practices that protect water quality, support reliable infrastructure, and help safeguard the natural resources upon which our community depends; and

WHEREAS, pollution prevention is a shared responsibility, and residents, businesses, City staff, and community partners can each contribute by properly disposing of waste, conserving water, reducing pollutants, and taking everyday actions that help keep Livingston and the Yellowstone River clean for future generations.

NOW, THEREFORE, BE IT RESOLVED, on behalf of the Livingston City Commission, I, Melissa Nootz, Chair, do hereby proclaim September 16-20, 2026, to be Pollution Prevention Week in Livingston, Montana.

Further, I encourage all residents, businesses, and community partners to join in protecting our water, land, and natural resources through responsible practices and pollution prevention.

Signed this ___ day of September, 2026

Melissa Nootz, Chair
Livingston City Commission

Emily Hutchinson
City Clerk

Livingston, Montana

File Attachments for Item:

A. CONTINUATION OF PUBLIC HEARING REGARDING RESOLUTION 5207: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ESTABLISHING STORMWATER RATES FOR ALL CUSTOMERS OF THE CITY OF LIVINGSTON STORMWATER SYSTEM.



DATE: September 1, 2026
TO: Chair Nootz and City Commissioners
FROM: Paige Fetterhoff
RE: Staff Report for Resolution 5207

Recommendation and Summary

Staff is recommending the Commission Approve Resolution 5207 to implement stormwater rates for FY 2026-2027.

"I move to approve Resolution Number 5207 and authorize the Chair to sign the resolution."

The reasons for the recommendation are as follows:

- Currently the cost of building and maintaining our existing stormwater infrastructure is supported through our street maintenance district and our sewer fund. Establishing a stormwater fund along with related user fees will shift this cost to a stormwater fund creating transparency in the actual cost of operating and maintaining our stormwater system.
- The creation of a stormwater fund will create a designated funding source for stormwater.

Introduction and History

The Livingston City Commission has been evaluating funding the management of stormwater in preparation for regulatory requirements requiring treatment of stormwater. In April 2023, the City adopted a Preliminary Engineering Report and a Stormwater Utility Feasibility Study was presented in December 2024. At its meeting on July 21, 2026, the Commission began to adopt regulatory language to enable the collection of fees.

Analysis

Rates charged per property will be based upon a Residential Equivalent Factor (REF). The REF is a unit of measurement that quantifies the level of runoff a property generates based on its combined impervious surface areas. One (1) REF is equivalent to 2,590 square feet of impervious surface area, which equates to the City's residential median. Multi-family, commercial, and governmental properties (i.e., non-residential) are charged based on their respective impervious surface areas relative to the City's residential property median. For example, a non-residential property with five (5) times the impervious surface area as a residential property is assigned five (5) REFs, with their charge scaled accordingly.

**Fiscal Impact**

The establishment of users fees for the stormwater fund will create \$550,000 in revenue annually.

Strategic Alignment

Continue to support operations and the infrastructure of the City.

Attachments

- Resolution 5207

RESOLUTION NO. 5207

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, ESTABLISHING STORMWATER RATES FOR ALL CUSTOMERS OF THE CITY OF LIVINGSTON STORMWATER SYSTEM.

WHEREAS, the City of Livingston is authorized to construct, reconstruct, operate, and maintain a stormwater system under Section 7-13-4301, M.C.A. The City intends to operate the Stormwater Utility as an enterprise fund, i.e. that the cost of providing the services to the general public on a continuing basis are financed or recovered through user charges and are not supported by the general tax levy; and

WHEREAS, 69-7-101 *et seq.* Montana Code Annotated (MCA), authorizes the City of Livingston to establish and increase utility rates when deemed necessary by the City Commission; and

WHEREAS, The City Commission of the City of Livingston, Montana intends to establish a stormwater fee for the purpose of defraying the cost of upgrading, repairing and maintaining the City Stormwater system in the monthly amounts listed and described in Exhibit A attached here to and by this reference said exhibit is made a part hereof

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

1. Notice of Hearing: that a public hearing was held by the City Commission at 5:30 p.m. on September 1st, 2026, at which time the public was invited to attend and comment on its intent. The hearing was held at 414 E. Callender Street, Livingston MT.
2. Effective Date: that fees will become effective for the Stormwater System starting July 2026, to be assessed on the 2026 property taxes
3. Storm Sewer Fee: that the following rates, fees, and charges are found to be just, reasonable, and necessary for the continued operation of the municipal storm sewer system and that the proposed rates, fees, and charges are fit to be adopted:
 - a. A fee of \$7.00 per month per Residential Equivalent Factor (REF), as defined in Livingston Municipal Code.
 - b. Regardless of actual size, each single-family residential property is charged 1 REF.
 - c. Each multi-family property is charged based upon its relation to the established REF size. Number of REFs charged shall be determined by dividing impervious area by REF size. No commercial property shall be charged less than 1 REF.
 - d. Each multi-family property is charged based upon its relation to the established REF size. Number of REFs charged shall be determined by dividing impervious area by REF size. No commercial property shall be charged less than 1 REF.
 - e. Regardless of size, commercial property will be assigned an REF of no less than 1.

PASSED AND ADOPTED by the City Commission of the City of Livingston, this 1st day of September, 2026.

MELISSA NOOTZ - Chairperson

ATTEST:

APPROVED AS TO FORM:

EMILY HUTCHINSON
City Clerk

JON HESSE
City Attorney

File Attachments for Item:

B. RESOLUTION 5208: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, TO AUTHORIZE CHANGES TO THE LIVINGSTON URBAN AREA HIGHWAY SYSTEM AND TO AUTHORIZE THE CHAIR TO SIGN RELATED AGREEMENTS BETWEEN THE CITY OF LIVINGSTON AND THE MONTANA DEPARTMENT OF TRANSPORTATION.



LivingstonMontana.org | PublicComment@LivingstonMontana.org | 406.823.6000

DATE: September 1, 2026

TO: Chair Nootz and City Commissioners

FROM: Grant Gager, City Manager

RE: Resolution 5208: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, TO AUTHORIZE CHANGES TO THE LIVINGSTON URBAN AREA HIGHWAY SYSTEM AND TO AUTHORIZE THE CHAIR TO SIGN RELATED AGREEMENTS BETWEEN THE CITY OF LIVINGSTON AND THE MONTANA DEPARTMENT OF TRANSPORTATION.

Recommendation and Summary

The City Manager is requesting City Commission approval of the removal of River Drive from the Urban System. The following motion may be used:

"I move to approve Resolution 5208 and Authorize the Chair to Sign."

The reasons for the recommendation are as follows:

- River Drive is currently on the Montana Department of Transportation Urban System.
- Roads on the Urban System are eligible for additional funding from the State of Montana but are subject to certain restrictions.

Introduction and History

The Montana Department of Transportation designates certain roads as part of the statewide Urban System. These routes provide connectivity to certain critical locations within the State. Roads on the Urban System are eligible for additional funding from the State of Montana but are subject to certain restrictions on use.

At its meeting on September 1, 2026, the City Commission agreed in principle to removal of River Drive from the Urban System.

Analysis

Livingston, Montana



Local control of these roadway segments will provide the greatest opportunity to balance mobility, safety, recreation, tourism, and community character. With River Drive largely existing within the Urban Renewal Area, alternative funding mechanisms exist to fund improvements.

The Montana Department of Transportation requires approval of a Resolution to proceed with the change.

Fiscal Impact

Removal of the road segments from the Urban System will reduce eligibility for certain state funding for roadway improvements on the affected segments.

Strategic Alignment

Local control of the River Drive will enable the City to ensure that it functions for the community.

Attachments

- Attachment A: Resolution 5208

RESOLUTION NO. 5208

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, TO AUTHORIZE CHANGES TO THE LIVINGSTON URBAN AREA HIGHWAY SYSTEM AND TO AUTHORIZE THE CHAIR TO SIGN RELATED AGREEMENTS BETWEEN THE CITY OF LIVINGSTON AND THE MONTANA DEPARTMENT OF TRANSPORTATION.

WHEREAS, the City of Livingston, in coordination with Park County, requested revisions to the Urban Highway System; and

WHEREAS, in response to the request, the Montana Department of Transportation (“MDT”) conducted a review of the routes proposed for removal and the surrounding roadway network to determine eligibility and to provide recommended actions to the City and County; and

WHEREAS, based on that MDT review, the City agrees that the removal of River Drive between View Vista Drive and Ninth Street as well as Ninth Street between River Drive and Geyser Street is an appropriate action; and

WHEREAS, when routes are proposed for removal from the Urban Highway System, MDT requires the entity with jurisdictional authority to adopt a resolution accepting jurisdiction and maintenance for the roadways being removed.

NOW, THEREFORE, BE IT RESOLVED that the City Commission of the City of Livingston, Montana, concurs with the proposed changes to the Functional Classification Recommendations and Highway System Recommendations and accepts jurisdiction and maintenance for the roadways identified for removal as set forth earlier in these recitals.

BE IT FURTHER RESOLVED that the Chair of the Livingston City Commission and City Manager are authorized to sign the maps reflecting the proposed changes prepared by MDT and the City Maintained Urban Highway System Routes Citywide Memorandum of Agreement between the City of Livingston and the Montana Department of Transportation.

PASSED AND ADOPTED by the City Commission of the City of Livingston, Montana, this 15th day of September, 2026.

MELISSA NOOTZ – Chair

ATTEST:

EMILY HUTCHINSON – City Clerk

APPROVED AS TO FORM:

JON HESSE – City Attorney

File Attachments for Item:

C. DISCUSSION OF REQUEST FOR 2-HOUR PARKING ON SOUTH B STREET



DATE: September 15, 2026

TO: Chair Nootz and City Commissioners

FROM: Grant Gager, City Manager

RE: Discussion of Request for 2-hour Parking Area

Recommendation and Summary

The City Manager is providing the Commission an opportunity to review and discuss a request from the Park County Commission to add a two-hour parking area on South B Street. Such a change would require modification to the Livingston Municipal Code so the City Manager is seeking direction before proceeding. As such, no motion is requested nor required from the Commission.

The reasons for the discussion are as follows:

- The Park County Commission has requested that the area in front of 222 South B Street be included in the City's two-hour parking area.
- The two-hour parking area is established within the Livingston Municipal Code and requires an Ordinance to modify.

Introduction and History

Section 9-246 of the Livingston Municipal Code (LMC) provides for the establishment of two-hour parking zones in certain areas of the City. Included in these areas is " B Street from Park Street to Lewis Street" as denoted in LMC 9-246.A.1.a.

Changes to the LMC are accomplished via Ordinance with a required two readings and public hearing.

Analysis

The City has received a request from the Park County Commission to establish a two-hour parking zone in front of 222 S. B Street, which is between Lewis and Clark Streets. Before initiating the Ordinance text amendment process, City Staff is seeking direction from the Commission regarding the requested change given the existing off-street parking at 222 S. B Street. Additionally, South B Street has long served as non-time-restricted parking for downtown employees providing all-day parking that is proximate to Main Street businesses.

**Fiscal Impact**

There is no fiscal impact arising from this discussion.

Strategic Alignment

Consideration of intergovernmental requests helps ensure strategic alignment across partners.

Attachments

- Attachment A: County Request Letter



Park County Commission

414 East Callender Street
Livingston, MT 59047
June 30th 2026

Livingston City Commission

220 East Park Street
Livingston, MT 59047

Request to Change Parking in Front of 222 South B Street to Two-Hour Parking

Dear Livingston City Commission,

The Park County Commission respectfully requests that the parking spaces located in front of 222 South B Street be changed to two-hour parking.

Park County is in the process of taking over the building at 222 South B Street, which will be occupied by both MSU Extension and the Park County Health Department. These departments provide important public services and will have regular daily visitors accessing the facility. Converting the on-street spaces in front of the building to two-hour parking would help ensure that members of the public are able to find convenient short-term parking when visiting these offices.

We recognize the importance of maintaining adequate long-term parking in the downtown area and have taken steps to help offset any potential impact this change may have. Park County has added 14 off-street parking spaces in the adjacent lot, which are rented to downtown business owners and property owners. These additional off-street spaces help reduce demand for long-term on-street parking and provide an alternative for those needing extended parking downtown.

For these reasons, Park County respectfully requests the City Commission's consideration of changing the parking spaces in front of 222 South B Street to two-hour parking in order to better serve the public accessing county services at that location.

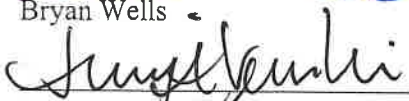
Thank you for your consideration of this request. Please let us know if you need any additional information.

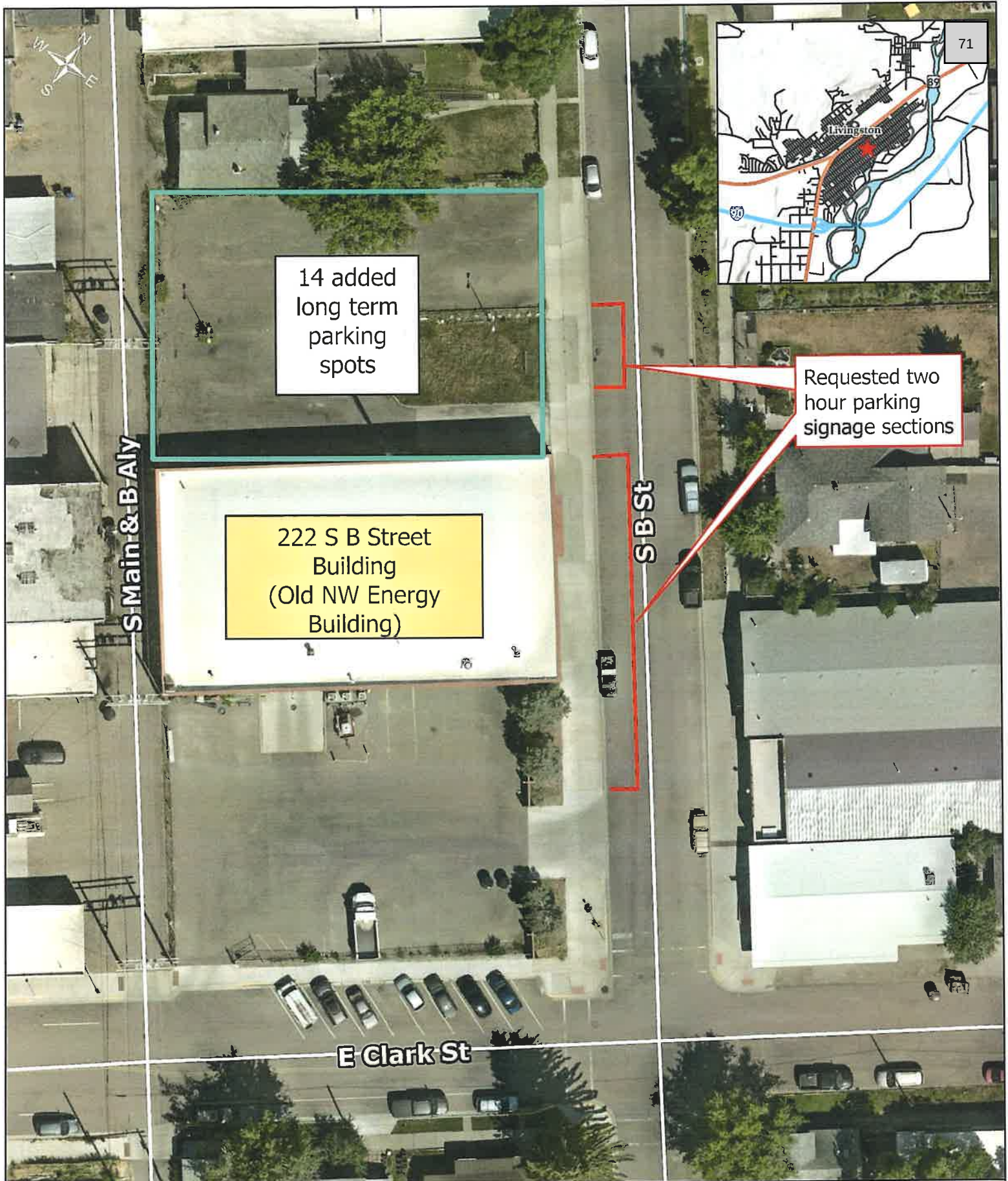
Sincerely,

PARK COUNTY COMMISSION


Michael Story


Bryan Wells


Jennifer Vermillion



0 20 40 60 80
Feet

Request for 2 Hour Parking Area

File Attachments for Item:

D. UPDATE ON GATEWAY WELLNESS CENTER PROJECT



LivingstonMontana.org | PublicComment@LivingstonMontana.org | 406.823.6000

DATE: September 15, 2026
TO: Chair Nootz and City Commissioners
FROM: Grant Gager, City Manager
RE: Update on Gateway Wellness Center Project

Recommendation and Summary

The City Manager is providing an update on the Gateway Wellness Center project. As such, no motion is requested nor required from the Commission.

The reasons for the discussion are as follows:

- The City is collaborating with the 4 Ranges Community Recreation Foundation on the development of a wellness center after voter approval of the project in March 2024.
- The City Commission requested that the City Manager provide periodic updates on the project.

Introduction and History

The 4 Ranges Community Recreation Foundation (Foundation) was formed in 2018 to support the creation and operation of community recreation facilities in the City of Livingston. In 2019, the Foundation performed both community needs and fundraising assessments. On March 7, 2023, the City and Foundation approved a memorandum of understanding to guide their work on the wellness center project.

On March 19, 2024, voters in the City of Livingston approved a referendum to create a special district to support operations of the wellness center which would be constructed by the Foundation using donated funds. Since that time, the City has collaborated with the Foundation on the development of the Gateway Wellness Center.

Analysis

Since the election, the City and Foundation have made significant progress on the project and several events are upcoming.

Fiscal Impact

There is no fiscal impact arising from this project update.

Livingston, Montana



Strategic Alignment

The improvement of community recreation facilities is related to several objectives of the growth policy, including:

- 2.2.2.: Establish Livingston as a community recognized for its diverse recreational opportunities, and parks and trails system.
- 3.2.1.: Locate community facilities where they will best serve the needs of the community.

Additionally, the City Commission identified the Wellness Center as a high priority at its January 24, 2026, work session and has requested updates on the project.

Attachments

- None

File Attachments for Item:

E. DISCUSSION OF OUTDOOR POOL IN MILES PARK



LivingstonMontana.org | PublicComment@LivingstonMontana.org | 406.823.6000

DATE: September 15, 2026
TO: Chair Nootz and City Commissioners
FROM: Grant Gager, City Manager
RE: Discussion of Outdoor Pool Operations and Facility

Recommendation and Summary

The City Manager is providing the Commission an opportunity to discuss the operations and facility of the Miles Park outdoor pool. If desired, the City Commission may use the following motion:

"I move to direct the City Manager to _____ the City's outdoor pool."

The reasons for the discussion are as follows:

- The City has adopted a budget that did not fund the pool operations past August 2026.
- The City Commission has recently received questions regarding the pool operations and staff would like to plan in accordance with the Commission's preferences.

Introduction and History

The City outdoor pool in Miles Park was constructed in 1949. Since that time, the pool has hosted educational, fitness, and recreational programming for the Community. The pool has been accessible to all users through a fee-based system. In 2026, the outdoor pool operated for approximately 65 days serving approximately 280 households (representing roughly 450 unique individuals) that purchased a seasonal pass product in addition to camps, classes, and other users.

However, over the past 30 years, the pool has experienced difficulties with the structure and systems of the pool resulting in periodic closures of varying length. In some years, the City was unable to open the pool during the summer. Recently, the City has worked through electrical, mechanical, and other issues which have resulted in sporadic closures. There are several known issues with the pool including:

- Unidentified leaks which result in approximately 700-1,000 gallons per hour of water loss.
- Non-functioning water circulation system.
- Periodic failures of chlorination system.



- Periodic failures of water pumps.
- Periodic failures of electrical circuits

In 2018, members of the Community initiated a process to evaluate needs for recreational amenities. The resulting Community Needs Assessment identified a new pool, indoor walking track, and additional gymnasium space as the three most needed facilities.

In March 2023, the City and 4 Ranges Community Recreation Foundation approved a memorandum of understanding to guide their work on the Gateway Wellness Center project that includes those amenities identified in the Community Needs Assessment. The facility is scheduled to open in February 2027. The Gateway Wellness Center will be accessible to all City residents with no access fee due to the passage of the operating levy in March 2024. Non-City residents may access the facility, including pools, for a fee.

Analysis

Given the condition of the outdoor pool, City staff appreciates the Commission's discussion and direction regarding the outdoor pool's future operation and facility. To help the discussion, the following items from City planning documents are provided:

- The Downtown Master Plan encourages the City "If a new Wellness Center provides new pool facilities, be intentional about activating the site of the existing pool with a community-oriented use."
- The Parks Master Plan recognized that the closure of the outdoor pool would provide opportunities for the Community. That plan identified a priority goal to "Determine best use for existing swimming pool space once it is no longer in use."

Fiscal Impact

There is no fiscal impact arising from this discussion.

Strategic Alignment

The improvement of community recreation facilities is related to several objectives of the growth policy, including:

- 2.2.2.: Establish Livingston as a community recognized for its diverse recreational opportunities, and parks and trails system.
- 3.2.1.: Locate community facilities where they will best serve the needs of the community.

Attachments

- Attachment A: [2024 Downtown Master Plan](#)



- Attachment B: [2025 Parks Master Plan](#)

File Attachments for Item:

F. DISCUSSION AND DIRECTION TO STAFF REGARDING TOWN HALL MEETING



LivingstonMontana.org | PublicComment@LivingstonMontana.org | 406.823.6000

DATE: September 15, 2026
TO: Chair Nootz and City Commissioners
FROM: Grant Gager, City Manager
RE: Discussion of Town Hall Meeting

Recommendation and Summary

The City Manager is providing the Commission an opportunity to discuss a potential upcoming Town Hall. As such, no motion is requested nor required from the Commission.

The reasons for the discussion are as follows:

- The Commission has indicated an interest in holding Town Halls.
- During its May 5, 2026, meeting the Commission agreed to wait until after the summer season to hold the next Town Hall.

Introduction and History

On January 14, 2026, the City Commission held a work session to identify its 2026 priorities. At that meeting, the Commission identified improving public communications as a high priority. As part of that conversation, and in subsequent discussions, the City Commission expressed interest in holding "Town Hall" meetings.

On April 14, 2026, the City Commission held a town hall meeting focused on the Livingston Shop Complex in conjunction with the Montana Department of Environmental Quality.

During its May 5, 2026, meeting the Commission agreed to wait until after the summer season to hold the next Town Hall. This was based on feedback from the public and a recognition of the myriad events that occur between the Memorial Day and Labor Day holidays.

Analysis

The conduct of "town hall" meetings outside of regular City Commission meetings is allowable under state law with appropriate public notice and planning. To assist the City Manager in developing a plan for the coming Town Hall, direction is requested from the Commission related to the scheduling, location, and content of the meeting. Specifically, the City Manager would appreciate direction on each of the items as follows:



- Schedule: The Commission indicated a preference for holding the meeting on a Tuesday evening in earlier discussion.
- Location: Possible locations include the Community Room, Northside Fieldhouse, Shane Center, Senior Center, School Facilities or other locations in the City of Livingston. The Commission could also select locations outside of the City.
- Content: Aside from a topic of discussion, how would the City Commission like to conduct the meeting (e.g. structured question and answer, facilitated conversation).

Fiscal Impact

There is no fiscal impact arising from this discussion.

Strategic Alignment

The Commission identified communication as a high priority at its January 14, 2026, work session.

Attachments

- None