

Local Government Study Commission Final Report For The City Of Shelby

LETTER TO THE CITIZENS OF SHELBY

To the Citizens of the City of Shelby:

The Shelby Study Commission elected by the voters on November 6, 1984, or thereafter appointed, present this final report to you, the citizens of Shelby.

The purpose of the study commission, as defined in state law, is "to study the existing form and powers of a local government and procedures for delivery of local government services and to compare them with other forms available under the laws of the state". After completing these two phases of the study, it is the responsibility of the study commission to submit a final report recommending no change, or propose an amendment to the existing form of government or offer an alternative form of government to the qualified electors.

In every phase of this review, this study commission sought advice and information from as many people in the city as possible. Opinions and recommendations were solicited from local government officials, community organizations and citizens. All meetings of the study commission were open to the public. Public hearings were held; a survey of citizen attitudes was made.

Our recommendations reflect the thoughts and opinions of those who participated in public hearings, those who attended our regular meetings, and those who responded to a survey, in addition to the independent efforts of this study commission.

In this final report we present our recommendations for an alternative form of government that we feel will provide the governmental services expected by the people both today and in the future. Our concern has been to provide a form of government that will be responsive to local citizens and provide the opportunity for devising solutions to local problems. We feel the citizens of Shelby can achieve these goals by adopting the Commission-manager form of government.

We solicit your support for its adoption.

Respectfully submitted,

Susan Johnson
Charles H. Kerner
W. Pat Barber D.C.
Ruth Flood

Shelby Study Commission

CERTIFICATE ESTABLISHING THE PROPOSED PLAN OF GOVERNMENT FOR THE CITY OF SHELBY

Upon approval of the majority of voters the government of the City of Shelby shall be organized under the following provisions of Section 7-3-301.

These sections establish the following form of government which shall be called a COMMISSION-MANAGER for this city.

7-3-301 Commissioner-manager form. The commission-manager form (which may be called the council-manager form) consists of an elected commission (which may be called the council) and a manager appointed by the commission, who shall be the chief administrative officer of the local government. The manager shall be responsible to the commission for the administration of all local government affairs placed in his charge by law, ordinance, or resolution.

7-3-303. Appointment of manager. The manager shall be appointed by the commission for an indefinite term on the basis of merit only and removed only by a majority vote of the whole number of the commission.

7-3-304. Duties of the manager. The manager shall:

1. Enforce laws, ordinances, and resolutions.
2. Perform the duties required of him by law, ordinance, or resolution.
3. Administer the affairs of the local government.
4. Direct, supervise, and administer all departments, agencies, and offices of the local government unit except as otherwise provided by or ordinance.
5. Carry out policies established by the commission.
6. Prepare the commission agenda.
7. Recommend measures to the commission.
8. Report to the commission on affairs & financial condition of the local government.
9. Execute bonds, notes, contracts, and written obligations of the commission, subject to the approval of the commission.
10. Report to the commission as the commission may require.
11. Attend commission meetings and may take part in the discussion, but may not vote.
12. Prepare and present the budget to the commission for its approval and execute the budget adopted by the commission.
13. Appoint, suspend, and remove all employees of local government except as otherwise provided by law or ordinance.
14. Appoint members of temporary advisory committees established by the manager.

We, the Study Commission of the City of Shelby, do hereby certify that this is the Proposed Plan of Government approved by the Study Commission of Shelby.

CERTIFICATE ESTABLISHING THE OFFICIAL BALLOT FOR THE JUNE 3, 1986 SPECIAL ELECTION

Instructions to voters: Place an "X" in the box which express your preferences.

OFFICIAL BALLOT

BALLOT ON ALTERNATIVE FORM OF LOCAL GOVERNMENT

Vote for One.

- For adoption of the commission-manager form of Government proposed in the report of the Shelby Local Government Study Commission.
- For the existing form of government.

We, the Study Commissioners of the City of Shelby do hereby certify that this is the official ballot approved by the Study Commissioners of the City of Shelby.

In testimony whereof, we set our hands.

Done at 8:00 a.m. this 12th day of March.

Ruth Flood
Susan Johnson
W. Pat Barber D.C.
Charles H. Kerner

LOCAL GOVERNMENT STUDY COMMISSION

Respectfully submitted;

Jorge Goyzuela
 Shelby Study Commission

SEAL

We, the Study Commission of the City of Shelby do hereby certify that this is the official apportionment plan for the commission manager form of government approved by the Study Commission for the City of Shelby. In testimony whereof, we set our hands. Done at 8:00 a.m. this 12th day of March, 1986.

ATTEST *Elizabeth Morrison*
 CLERK AND RECORDER
 OF TOOLE COUNTY

W. Pat Barber D.C.
Charles H. Kerner

LOCAL GOVERNMENT STUDY COMMISSION

CERTIFICATE ESTABLISHING THE DATE OF THE ELECTION AT WHICH THE ALTERNATIVE FORM OF GOVERNMENT SHALL BE PRESENTED TO THE ELECTORS OF THE CITY OF SHELBY

The alternative form of government proposed by the Local Government Study Commission shall be submitted to the voters of the City of Shelby at the Primary election to be held on June 3, 1986.

SEAL

We, the Study Commissioners of the City of Shelby do hereby certify that this is the date of the special election approved by the Study Commissioners of the City of Shelby. In testimony whereof, we set our hands. Done at 8:00 a.m. this 12th day of March, 1986.

ATTEST *Elizabeth Morrison*
 CLERK & RECORDER
 OF TOOLE COUNTY

W. Pat Barber D.C.
Charles H. Kerner

LOCAL GOVERNMENT STUDY COMMISSION

SUPPLEMENTARY REPORT TO THE CITY OF SHELBY

The Shelby City Study Commission has spent 16 months studying the local government. During that time, elected officials and department heads were interviewed. The city budget was examined. Citizens were surveyed. The form of government was studied and compared with others allowed by Montana statute. The delivery of services was examined.

One service that was brought to the attention of the study commission was that of law enforcement. The specific concern that was mentioned was that of a true consolidation. At present, the city law enforcement is provided by the county sheriff through an interim agreement with the city and the county. This arrangement has worked well since its inception; however, we recommend that the City Council investigate in more detail the feasibility of a true consolidated law enforcement.

Respectfully submitted,

Susan Johnson
Charles H. Kerner
W. Pat Barber D.C.
Ruth Flood

Shelby Study Commission

CERTIFICATE

ESTABLISHING THE DATES OF THE FIRST PRIMARY AND GENERAL ELECTIONS FOR OFFICERS OF THE NEW GOVERNMENT OF THE CITY OF SHELBY IF THE ALTERNATIVE PROPOSAL IS APPROVED AND ESTABLISHING THE EFFECTIVE DATE OF THE PROPOSAL IF APPROVED.

The date of the primary election for officers of the new government of the City of Shelby shall be held at a special election on June 2, 1987.

The date of the general election for officers of the new government of the City of Shelby shall be held at a special election on November 3, 1987.

The effective date of the alternative plan of local government of the City of Shelby takes effect when the new officers take office at 10:00 a.m. January 4, 1988.

We, the Study Commissioners of the City of Shelby do hereby certify that these are the dates of the special primary and general elections and the effective date of the alternative plan of local government of the City of Shelby approved by the Study Commissioners of the City of Shelby.

In Testimony whereof, we set our hands.

Done at 8:00 a.m. this 12th day of March, 1986.

ATTEST *Elizabeth Morrison*
 CLERK & RECORDER
 OF TOOLE COUNTY

Ruth Flood
Susan Johnson
W. Pat Barber D.C.
Charles H. Kerner

LOCAL GOVERNMENT STUDY COMMISSION

TABLE OF COMPARISON

| | Existing Form | Proposed | Comments |
|---------------------------------|---|--|---|
| 1. FORM OF Government | Mayor-Council | Council-Manager Form. Elected Council determines policy. Manager is hired to administer policy. | Allows for full time administration of city business. |
| 2. Powers | General Government powers. State law defines what government may do & specifically how it shall do it. | SAME | NO CHANGE |
| 3. Governing Body | Council is elected by ward, non-partisan. Mayor elected at large, non-partisan. | SAME | NO CHANGE |
| 4. Term | 6 Council members, 4-year overlapping. Mayor, four years. | SAME | NO CHANGE |
| 5. Presiding officer | Mayor | SAME | NO CHANGE |
| 6. Duties | Council is the Legislative Policy-making Body. | SAME | NO CHANGE |
| 7. Chief Administrative Officer | Mayor | City Manager directs & supervises administration in all departments of city govt. | A trained professional will operate the day-to-day business. |
| 8. Appointive Powers | Mayor appoints & removes all department heads. | City Manager directs & removes all dept. heads. | Enhancement of responsible department heads. |
| 9. Budget Preparation | Mayor shall prepare and execute the Budget with the approval of the Council. | City Manager shall prepare the budget with the approval of the Council. | A trained professional shall be responsible for budget application. |
| 10. Powers of Mayor | Mayor shall appoint and remove City employees, prepare and execute the Budget, administer the local government, and have the power to veto. | Mayor shall function as chairman of the City Council, administer the local government, and have the breaking vote. | Administrative duties of the Mayor shall become the responsibility of the City Manager. |