

TENTATIVE

+ Final

REPORT

Deer Lodge City

Study

Commission

AUGUST 31, 1986

certificate incurred. Existing govt. lists nonpartisan election. No certificate for proposed form as amended.

THE DEER LODGE CITY STUDY COMMISSION
ON LOCAL GOVERNMENT
300 Main Street, Deer Lodge, MT 59722

Susan Masar, Chairman - 817 Missouri.....846-2057
June Getchell, Secretary-treasurer - 806 St. Mary's...846-2117
Harold Ericson, Ex-officio member - 511 5th.....846-3313

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City Study Commission on Local Government

300 Main Street
City Hall
Deer Lodge, Montana 59722

TO THE CITIZENS OF THE CITY OF DEER LODGE:

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

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 other alternative form of government to the qualified electors.

Study commissioners have attended training seminars, conducted public meetings, studied the local government, made comparisons with other forms and interviewed city officials. We have endeavored to inform the public of the review process and to elicit public participations in all our functions through newspaper articles, advertisements, radio and public forums, open meetings and a telephone opinion poll.

Our findings and recommendations are based on our studies and on information gleaned from the telephone survey. Although we felt change might be beneficial, public opinion did not concur. Eighty-eight percent of the survey respondents believe that the present government is doing "a good or adequate job." Answers to subsequent survey questions on proposed changes confirm this satisfaction. Therefore, the study commission of necessity recommends no change in form of the existing government.

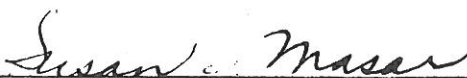
However, we encountered certain problems within the present form which we feel should be rectified. These amount to "housekeeping" items. Of our three recommendations, which follow, only one requires voter approval. We are placing an amendment on the November 4 ballot which if approved will legalize the traditional practice of non-partisan elections in the city of Deer Lodge and will bring the existing government into compliance with state law.

We trust that you will study these recommendations and will express your desires and opinions at a public meeting to be held on Monday, September 29, in the Council Room of City Hall at 7:30 p.m.

Additional copies of our report will be available at no charge in the City Treasurer's Office at City Hall, the office of the Clerk and Recorder at the Powell County Courthouse, the Kohrs Library, Deer Lodge Bank & Trust, Pioneer Federal Savings and Loan, First Security Bank, and at school libraries located at Granville Stuart School, Junior High School and Powell County High.

Respectfully submitted,

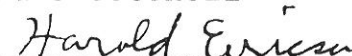
DEER LODGE CITY STUDY COMMISSION



Susan Masar, Chairman



June Getchell



Harold Ericson

SUMMARY OF RECOMMENDATIONS

The Deer Lodge Local Government Study Commission having thoroughly studied our present form of city government and the alternative forms of government available to cities under state law, and having studied the future governmental needs of this city recommends the following:

1. The question of whether or not elections shall be conducted on a partisan or non-partisan basis shall be submitted to the voters of the city as authorized in MCA 7-3-219(2).
2. That the city council institute training programs for any new city employee or elected official not currently covered by such, and that the city council make periodic in-service educational programs available to all city employees.
3. That the present city government avail itself of the opportunity already provided by state law to hire an administrative assistant as authorized in MCA 7-3-212(2).

CERTIFICATE

ESTABLISHING THE OFFICIAL BALLOT
FOR THE NOVEMBER 4, 1986 SPECIAL ELECTION

Instruction to voters: Place an "X" in the box which expresses your preference.

OFFICIAL BALLOT

BALLOT ON AMENDED FOR OF LOCAL GOVERNMENT

Vote for One

For adoption of non-partisan City elections proposed for Deer Lodge by the local government study commission.

For Partisan City Elections.

S E A L

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

Susan S. Masar

Chairman

June C. Gotchell

Secretary-Treasurer

Harold Ericson

Ex-Officio

FINDINGS AND RECOMMENDATIONS OF THE
DEER LODGE CITY STUDY COMMISSION

We, the Deer Lodge City Study Commssion, believe our responsibility is to implement the wishes of the people of Deer Lodge and we conclude that there is no desire for significant change at this time.

In two years of study we have been favorably impressed with the overall efficiency and management of Deer Lodge government. The city is fortunate to have the loyalty and dedication of employees who serve for minimal financial compensation.

However, we feel that management of city government would be enhanced by additional training programs and the employment of an administrative or research assistant.

Currently there is little or no in-service education and/or training for many new city employees and elected city officials. Therefore, we recommend that the council look into availability of professional training either in the public or private sector and that this training be required of any incoming municipal employee who is not covered by other training programs. Further, we recommend that monies be set aside in the budget for the continued implementation of this training.

Because daily demand for services hinders a part-time administration from keeping abreast of other city needs, we recommend that Deer Lodge hire an administrative or research assistant. Such an assistant, we believe, would permit time for in-depth studies of local needs; afford greater opportunities to keep city government abreast of current trends, practices and state laws regulating local government, and also would allow time for research into available opportunities for procuring grants and other non-tax revenues.

And finally in keeping with the tradition of non-partisan city elections, the study commission urges the voters to approve the proposed amendment on the November 4 ballot. At present, municipal officers in Deer Lodge are elected on a non-partisan basis. After May 2, 1977, state law requires partisan elections for any unchanged mayor-council form of government. If citizens of Deer Lodge desire to keep non-partisan elections of city officials, they must vote to amend the existing form, thereby legalizing this type of election. Failure to do so may result in mandatory partisan elections to bring Deer Lodge municipal government into compliance with state law.

The present form of government will remain the same and the above recommendations are made to strengthen the existing form.

Respectfully submitted

DEER LODGE STUDY COMMISSION

CERTIFICATE

ESTABLISHING THE EXISTING PLAN OF GOVERNMENT FOR THE
CITY OF DEER LODGE, MONTANA

If retained by the voters, the government of Deer Lodge municipality shall be organized under the following provisions of MCA 7-3-113 which authorizes the elected city official form of government:

7-3-113. Statutory basis for elected city official form of government. (1) For the purpose of determining the statutory basis of existing units of local government after May 2, 1977, each unit of local government organized under the general statutes authorizing the elected city official form of government shall be governed by the following sections:

- (a) 7-3-201;
- (b) 7-3-202(1);
- (c) 7-3-203;
- (d) 7-3-212(2);
- (e) 7-3-213(3);
- (f) 7-3-214(2);
- (g) 7-3-215(2);
- (h) 7-3-216(2);
- (i) 7-3-217(3);
- (j) 7-3-218(2);
- (k) 7-3-219(2);
- (l) 7-3-220(1);
- (m) 7-3-221(3);
- (n) 7-3-222(2);
- (o) 7-3-223(2);

(2) This form has terms of 4 years for all elected officials. The size of the commission shall be established by ordinance, but it may not exceed 20 members.

These sections establish the following form of government which shall be called the COMMISSION-EXECUTIVE FORM.

7-3-201. Commission-executive form. The commission-executive form (which may be called the council-executive, the council-mayor, or the commission-mayor form) consists of an elected commission (which may be referred to as the council) and one elected executive (who may be referred to as the mayor) who is elected at large.

7-3-202(1). Nature of government. The plan of government submitted to the qualified electors shall determine the powers of the local government unit by authorizing general government powers.

7-3-203. Duties of executive. The executive shall:

- (1) enforce laws, ordinances, and resolutions;
- (2) perform duties required of him by law, ordinance, or resolution;
- (3) administer affairs of the local government

- (4) carry out policies established by the commission;
- (5) recommend measures to the commission;
- (6) report to the commission on the affairs and financial condition of the local government;
- (7) execute bonds, notes contracts and written obligations of the commission, subject to the approval of the commission;
- (8) report to the commission as the commission may require;
- (9) attend commission meetings and may take part in discussions;
- (10) execute the budget adopted by the commission;
- (11) appoint, with the consent of the commission, all members of boards; except the executive may appoint without the consent of the commission temporary advisory committees established by the executive.

7-3-212(2). Administrative assistants. The executive may appoint one or more administrative assistants to assist him in the supervision and operation of the local government, and such administrative assistants shall be answerable solely to the executive.

7-3-213(3). Supervision of personnel. The executive may appoint with the consent of a majority of the commission, all department heads and remove department heads and may appoint and remove all other department employees.

7-3-214(2). Veto power. The executive may veto ordinances and resolutions, subject to override by a two-thirds vote of the commission.

7-3-215(2). Preparation of budget. The executive may prepare the budget in consultation with the commission and department heads.

7-3-216(2). Administrative supervision and control. The executive may exercise control and supervision of all departments and boards to the degree authorized by ordinance of the commission.

7-3-217(3). Financial officer. A financial officer (who may be called the treasurer) shall be selected as provided by ordinance.*

7-3-218(2). Selection of commission members. The commission shall be elected by districts in which candidates must reside and which are apportioned by population.

7-3-219(2). Type of election. Local government elections shall be conducted on a nonpartisan basis.

7-3-220(1). Chairman of commission. The commission shall have a chairman who shall be elected by the members of the commission from their own number for a term established by ordinance.

7-3-221(3). Presiding officer of commission. The presiding officer of the commission shall be the executive, who shall decide all tie votes of the commission but shall have no other vote (the chairman of the commission shall preside if the executive is absent).

*Changed from elected to appointed by City Ordinance #4, January 19, 1981 as recorded in City Records, vol. 10, page 460.

7-3-222(2). Terms of commission members. Commission members shall be elected for overlapping terms of office.

7-3-223(2). Size of commission and community councils. The size of the commission, which shall be a number not less than three, shall be established when the form is adopted by the voters and community councils to advise commissioners may be authorized by ordinance.

We, the Study commissioners of the City of Deer Lodge do hereby certify that this is the existing Plan of Government as established by Section 7-3-113 MCA.

S E A L

In testimony whereof, we set ou hands.

Done at Deer Lodge this 17th
day of September 1986.

Susan Mason
June C. Getchell
Harold Ericson

ATTEST: Barbara M. Onice

VOTER REVIEW SURVEY
DEER LODGE LOCAL GOVERNMENT STUDY COMMISSION
1986

Prepared by:
LOCAL GOVERNMENT CENTER, DEPARTMENT OF POLITICAL SCIENCE
MONTANA STATE UNIVERSITY

SEX: 1. Male
2. Female

Hello. My name is _____ and I am conducting a voter opinion survey for the Deer Lodge Local Government Study Commission. Would you be willing to help in the review of our city government by answering a few opinion questions? Your answers will be completely anonymous.

1. IF NO: Thank you very much. Goodbye.

2. IF YES: Do you live within the city limits of Deer Lodge?

IF YES: Go to Instructions.

IF NO: Thank you very much but today we are only seeking the opinions of Deer Lodge residents. Goodbye.

INSTRUCTIONS:

I am going to ask you a few opinion questions about Deer Lodge City government. Then, I will ask you to select the answer which most nearly expresses your personal view. OK?

1. In general, do you feel your city government is doing a:

1. Good
2. Adequate, or
3. Poor job.
4. Don't know (Don't read 4 or 5)
5. Refused

2. If you could vote tomorrow, would you vote to:

1. Keep city government just the way it is, or
2. Make some changes in city government.

Example of change, if any: _____

3. Don't know (Don't read 3 or 4)
4. Refused

3. If you were a Deer Lodge city councilman, which problem would you give most attention to:

1. Identify Problem: _____

2. No opinion
3. Refused

Now, I would like to learn your opinion of some possible changes being considered by the City Study Commission to improve our city government.

4. At present two councilmen are elected from each of our four city council wards (districts). Do you think we should:

1. Continue to elect two councilman from each ward (district), or
2. Change to the election of only one councilman from each ward.
3. No opinion (Don't read 3 or 4)
4. Refused

5. At present, each city councilman is elected only by the voters in his own ward (district). Do you think we should:
1. Continue to elect each councilman by just the voters in his own ward (district), or
 2. Change to the election of each councilman by all city voters.
 3. Don't know (Don't read 3 or 4)
 4. Refused
6. At present, city councilmen are elected to a four year term of office. Do you think more people would seek election to city council if the term were shortened to two years?
1. Yes
 2. No
 3. No opinion
 4. Refused
7. Would you agree or disagree with the following statement:
- "The day-to-day problems of city government require the attention and experience of a full-time, professional administrator"
1. Agree
 2. Disagree
 3. No opinion
 4. Refused
8. Do you think Deer Lodge needs a professional manager to run the day-to-day business of city government?
1. Yes IF YES, CODE AND GO TO 9.
 2. No IF NO, CODE AND GO TO 10.
 3. Don't know
 4. Refused
9. Would you be willing to pay 2 or 3% more in your property taxes to hire a professional manager?
1. Yes
 2. No
 3. Don't know
 4. Refused
10. Would you favor the employment of a professional manager if it would not raise your property taxes?
1. Yes
 2. No
 3. No opinion
 4. Refused

11. Which of the following categories includes your age?

1. Under 20
2. 20-39
3. 40-59
4. 60 or older
5. Refused

(Don't read 5)

12. Are you registered to vote in Deer Lodge?

1. Yes
2. No
3. Refused

13. Is the east side of Deer Lodge home for you or the west side?

1. East side
2. West side
3. Don't know
4. Refused

Thank you very much for your time and patience. The anonymous results of this survey will be reported in the local newspaper soon.
Goodbye.

SURVEY ANALYSIS

DEER LODGE VOTER REVIEW OPINION SURVEY

PREPARED BY THE

LOCAL GOVERNMENT CENTER, MONTANA STATE UNIVERSITY

This analysis encompasses the three interrelated components of the Deer Lodge Voter Review Survey: (1) Demographic characteristics of the sample; (2) Citizen perceptions of the performance of city government; and (3) Citizen attitudes toward contemplated changes in city government.

1. Demographic Characteristics of the Sample:

I note that Powell County is home for approximately 6,900 persons of whom some 4,000 reside within the city limits of Deer Lodge. Our survey random sample included 254 city residents of whom 167 (66%) live on the "east side" of your community and 84 (33%) live on the "west side. Although the sample size is a bit smaller than I would prefer, I am generally satisfied that the proportional distribution of the sample reflects, within approximately plus or minus 5%, the actual distribution of opinion. This is further confirmed by the age distribution of the respondents reflected at Q-11 indicating that some 39% of the respondents were between the ages of 20 and 39 and that 58% were over the age of 40. This relatively mature sample age distribution generally conforms to the actual distribution of ages in Powell County. Finally, I note that some 86% of the survey respondents indicated that they are registered to vote in Deer Lodge thereby assuring you that you not only have a valid survey of citizen opinion but also of voter opinion.

2. Government Performance:

Questions 1, 2 and 3 were designed to provide you with a general assessment of community opinion concerning the present performance of city government. Thus, Q-1 indicates that 88% of our survey respondents believe that your present city government is doing a "good" or "adequate" job which compares quite favorably with results we have seen using this same question in other Montana communities. Moreover, I note no significant difference between the perceptions of east side and west side residents as reflected in our cross-tabulation of survey results from both neighborhoods. This generally favorable assessment of your city government appears to be confirmed by the results of Q-2 which reflects a narrow majority opinion (52%) that government should be maintained the way it is. However, please recall that the limits of our statistical confidence are approximately plus or minus 5% which means that the actual community opinion favoring no change in your city government lies somewhere between 47% and 57%. I also note that there is somewhat more support for changes in city government on the west side (43%) than on the east side (39%). This same pattern recurs in Q-3 where

a very substantial fraction of the respondents (72%) were able to identify a problem worthy of city council attention but the west side respondents were somewhat more prone to do so (75%) than east side respondents (71%).

On balance, it appears that while there is general community satisfaction with the performance of city government there does seem to be a significant awareness of certain problems in your community and there does seem to be a sizeable minority segment of the community, especially on the west side, prepared to accept change in city government.

3. Attitudes Toward Contemplated Changes in City Government Structures:

Question 4 was designed to assess community attitudes toward changing the present ward system of electing an eight member city council, comprised of two councilmen per ward, to the election of only one councilmen per ward. Based upon the overwhelming support (79%), on both the east side and the west side, for retention of the present system, I do not believe that a recommendation to your voters to change to single member districts will pass at this time. Moreover, even though Q-5 indicates that the support for adoption of an "at large" system of electing city councilmen is somewhat stronger (40%), it too falls short of our plus or minus 5% limit and would also probably fail at the polls. Here I note significantly more support for the present ward system on the west side (64%) than on the east side (54%). Question 6, on the other hand, does seem to suggest that on both the east and west sides there might be some support for changing to a two year term of office. Please recall, however, that the wording of this question does not directly address whether the respondent actually favors the two year term. Hence, I would be very conservative in the interpretation of this item.

Questions 7,8,9 and 10 all seek to measure the extent of community support for your contemplated recommendation of changing from the present council-mayor form of government to the commission-manager form. As indicated by the responses at Q-7, there is a slight majority (52%) of sample opinion supporting the concept of full-time, professional administration of city government affairs. However, this support fades when translated to the question of whether your community actually needs a professional city manager. Q-8 indicates that nearly 59% don't think so. Questions 9 and 10, however, both indicate that the issue of professional city management is closely related in the minds of the respondents to the costs of engaging a professional manager. I note at Q-9, for example, that opinion is nearly evenly split on the question of willinness to pay an additional 2 or 3% in property taxes to hire a professional manager and that a significant majority (55%) would favor hiring a professional manager if it would not raise property taxes. In all four questions there is somewhat more support on the west side than on the east side for the proposal to hire a city manager.

In my opinion, if your Study Commission decides to proceed with a recommendation to the electorate of Deer Lodge to change to the commission-manager form of government, you will have to undertake a major voter information effort focusing on the relative costs of your present council-mayor form of government as compared to the relative costs of the commission manager form. The electoral outcome would, in my opinion, still be very close indeed.