

**Colstrip Local Government Review Study Commission
Final Report Introduction**

To the Citizens of Colstrip:

The Colstrip Local Government Review Study Commission, elected by the voters on November 5, 2024, and later supplemented by appointments as needed, presents this final report to the citizens of Colstrip.

As defined by state law, the commission's purpose is to study the current form and powers of local government, review how local services are delivered, and compare them with other forms of government allowed under state law. After completing this review, the commission must submit a final report that recommends either no change, an amendment to the current form of government, or an alternative form of government for the qualified electors to consider. If the commission determines that a change is needed, it may place that proposal before the voters.

Throughout this review, the commission sought input from as many people in Colstrip as possible. It requested opinions and recommendations from local government officials, city employees, and residents. All commission meetings were open to the public, and public comments were received at several meetings. The commission also held public hearings and conducted a citizen survey to better understand community views.

Our recommendations reflect the views shared at public hearings, regular meetings, and through the citizen survey, along with the commission's own independent work.

In this final report, we present our unanimous recommendation to change the current form of government to a Council-City Manager-Mayor structure with five council members. This would replace the current Council-Mayor form. The principal changes include creating a city manager position, shifting day-to-day administration from the mayor to the city manager, clarifying the mayor's presiding and representative role, adding one council seat, clarifying council-staff relationships, and making related conforming amendments to the charter. A plain-language summary of the key differences between the current charter and the proposed amended charter is included with this report.

The proposed amendment to the City Government plan will be placed on the ballot.

November 3, 2026. The change to the form of Government if so approved will take place January 1, 2027

In testimony whereof, we set our hands.

Done at Colstrip City Hall this 10 day of August 2024



Daniel R. Bates

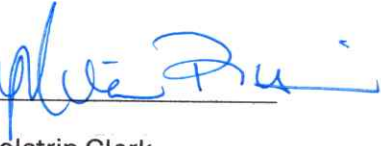


LOCAL GOVERNMENT STUDY COMMISSIONERS

SEAL

ATTEST:

City of Colstrip Clerk

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City of Colstrip Local Government Study Commission

Final Report Summary

Findings of the Study Commission:

After a thorough review of city government, including interviews with the mayor and council members, discussions with residents during commission meetings and the public hearing, and results from a survey of city residents, the Colstrip Study Commission found that:

1. About half of those who provided input expressed concern about the uncertain future of Colstrip's major businesses and the possibility of economic change in the area. They believed the city should be led by someone highly qualified and committed to Colstrip's long-term stability and sustainability, and they felt a hired city manager would be better suited for that role.
2. Many of these same individuals also believed the current mayor has done an excellent job promoting and representing Colstrip at the local, state, and national levels. Numerous comments indicated that Colstrip should continue to have a mayor who can focus on promoting the city and attracting viable businesses to the area.
3. About half of those who shared opinions on Colstrip's form of government said they were satisfied with the current system. A significant number of residents did not offer an opinion or attend meetings, making it difficult to know whether they were uninterested or simply content with the current structure and saw no need for change.

Recommendation:

Based on these findings and the information gathered during its review, the Study Commission concluded that community preference appears to be evenly divided between the two forms of government. Therefore, the most equitable way to decide between the options is to submit the question to the voters of the City of Colstrip. The Commission recommends amending the City Charter to establish a five-member Council-City Manager-Mayor form of government.

Key Provisions of the Proposal:

The proposed changes include electing a fifth council member to maintain an odd number on the council, since the mayor would no longer be a voting member. The proposal would also remove the mayor's direct administrative authority, making the role primarily one of promotion and liaison for the City of Colstrip. In addition, the council would hire a city manager, whose duties would be defined by contract with the City Council.

Comparison of the Present and Proposed Plans for Government:

Under the current plan of government, as set forth in Certificate A, the city is governed by a mayor and a four-member City Council.

Under the proposed plan, as set forth in Certificate B, the city would be governed by a five-member City Council, a mayor, and a city manager.

All other structures and functions of the Colstrip city government would remain unchanged.

In testimony whereof, we set our hands.

Done at Colstrip City Hall this 10 day of August 2006.

T. R. Bate
Daniel R. Bate
[Signature]

LOCAL GOVERNMENT STUDY COMMISSIONERS

SEAL

ATTEST:

[Signature]
City of Colstrip Clerk

City of Colstrip Charter

Key Differences Between the Current Charter and the Final Draft

This document summarizes the principal textual changes between the current charter and the final draft. It is a plain-language comparison, not legal advice.

Topic	Current Charter	Final Draft	Main Difference
Overall structure	Self-government charter with elected mayor as chief executive and chief administrative officer.	Self-government charter with council-manager structure and an elected presiding / ceremonial / PR mayor.	Keeps charter status but shifts day-to-day administration from mayor to city manager.
Council size	4 council members elected at large.	5 council members elected at large.	Adds one council seat.
Council authority	Council is legislative and policy body; mayor holds major executive and administrative authority.	Council remains legislative and policy body and appoints/supervises the city manager.	Strengthens council's direct oversight of administration through the city manager.
Council-staff relationship	No comparable charter section routing staff direction through a manager.	Council and individual members may not direct employees except through the city manager, aside from lawful inquiry or investigation.	Creates a clearer chain of command.
Vice chair / chair role	Council elects a chairman who presides if the mayor is absent.	Council elects a vice chair or mayor pro tempore; vice chair has no greater rank or voting power than other council members.	Clarifies equality among council members and who presides in the mayor's absence.
Mayor's basic role	Mayor is chief executive and chief administrative officer.	Mayor is presiding, ceremonial, public relations, community outreach, and intergovernmental representative officer.	Narrows the mayor's role from administration to meeting leadership and representation.
Mayor's voting power	Mayor breaks tie votes and votes when only two council members are present.	Mayor has no vote and no tie-breaking authority.	Removes mayoral voting role.
Mayor's veto power	Mayor may veto ordinances and resolutions, subject to council override.	Mayor has no veto power.	Removes mayoral veto authority.
Mayor's administrative power	Mayor may supervise departments, prepare the budget, appoint assistants, appoint/remove employees, and administer city affairs.	Mayor has no independent authority to supervise, direct, appoint, suspend, or remove employees or department heads.	Transfers administrative authority away from the mayor.
Absent, vacant, or unfilled mayor	Original charter addressed mayoral absence but did not define inactive, vacant, or unfilled operation in the same way.	Adds Section 3.05 explaining temporary absence and periods when the office is inactive, vacant, or unfilled.	Adds continuity rules for meetings and nonadministrative mayoral duties.
City manager	No city manager article.	Adds Article IV creating a city manager appointed by the council.	Creates a chief administrative officer position with budget, personnel, and operational responsibilities.
City attorney	City attorney appointed by the mayor with council approval (Section 3.10).	City attorney appointed by the council and placed in Article V Judicial (Section 5.02).	Shifts appointment authority from mayor to council.
Department supervision	Department structure article only states departments are prescribed by ordinance.	Departments remain established by ordinance, but administrative supervision runs through the city manager.	Makes administrative supervision explicit.
Public information policy	No comparable charter section.	Adds Section 7.01 requiring a public information and constituent correspondence policy.	Adds a communication-policy requirement.
Vacancy section	Vacancy section fills elective vacancies by council appointment until election and qualification of a successor.	Retains a council appointment process and adds clarification that temporary absence or unfilled-but-not-legally-vacant periods are governed by Section 3.05.	Clarifies the difference between a legal vacancy and a temporary unfilled situation.

APPENDIX A: Existing Form of Colstrip City Government

CHARTER OF THE CITY OF COLSTRIP, ROSEBUD COUNTY, MONTANA PREAMBLE

WE, THE PEOPLE OF THE CITY OF COLSTRIP, COUNTY OF ROSEBUD, STATE OF MONTANA, in accordance with Article XI, Section 5 of the Constitution of Montana, do hereby adopt this Charter.

ARTICLE I

POWERS OF THE CITY OF COLSTRIP

Section 1.01 Powers of the City

The City of Colstrip shall have all powers not prohibited by the Constitution of Montana, the laws of Montana, or this Charter.

Section 1.02 Interpretation of Powers

The powers and authority of this self-government city shall be liberally construed. Every reasonable doubt as to the existence of a city power or authority shall be resolved in favor of the existence of that power or authority.

Section 1.03 Restrictions

1. The mill levy shall be limited to that of Montana municipal governments with general government powers, except with the prior approval of the electors voting on the question in a general or special municipal election.
2. No change in any city license fee, user fee, permit fee or utility charge shall be made without prior public hearings, as prescribed by law.

Section 1.04 Charter Supremacy

As provided by Article XI, Section 5 of the Constitution of Montana, charter provisions herein establishing executive, legislative, and administrative structure and organization are superior to statutory provisions.

Section 1.05 Oath of Office

Appendix A: Existing Form of Colstrip City Government

Before entering upon the duties of office, all elected city officials shall take and subscribe to the oath of office as prescribed in Article III, Section 3 of the Constitution of Montana.

ARTICLE II

CITY COUNCIL

Section 2.01 Legislative Branch

The legislative branch and governing body shall be the city council.

Section 2.02 Composition

1. The City of Colstrip shall have a city council of four (4) members, who must reside for at least one (1) year prior to election and during their entire term of office, within the City limits of the City of Colstrip.

Section 2.03 Powers and Duties

The council shall be the legislative and policy determining body of the city. All powers of the City shall be vested in the city council except as otherwise provided by law or this Charter. The council may override the mayor's veto of an ordinance or resolution with three (3) affirmative votes.

Section 2.04 Term of Office

Members of the council shall be elected for four (4) year overlapping terms of office with two council members elected every two years.

Section 2.05 Election

Council members shall be elected at-large and the election of council members shall be conducted on a nonpartisan basis.

Section 2.06 Chairman of the Council

The council shall have a chairman who shall be elected by the members of the council from their own membership for a term established by resolution. The chairman of the council shall preside when the mayor is absent.

Appendix A: Existing Form of Colstrip City Government

Section 2.07 Presiding Officer of the Council

The presiding officer of the council shall be the mayor who shall decide all tie votes but who shall have no other votes except the mayor will vote at any council meetings, in which only two (2) city council members are present.

Section 2.08 Council Procedures

The council shall, by resolution, adopt its own rules of procedure. A quorum of the council shall consist of not less than three (3) council members present at a meeting of the council, or not less than two (2) council members and the mayor present at the meeting of the council. Unless otherwise required by law, the affirmative vote of the majority of those physically present at a council meeting shall be sufficient to adopt an ordinance or resolution, except at the final reading of an ordinance. Three of the four council members must be present to vote for approval on any final reading of an ordinance

Section 2.09 Compensation of Council Members

The compensation of council members shall be set by resolution.

Section 2.10 Removal of Council Member

A member of the City Council can be removed for the violation or disregard of their duties as required by law, or by their inability to perform the function of their position. Removal of a council member may only be accomplished by a vote of the three (3) other council members and with the approval of the mayor.

ARTICLE III

MAYOR

Section 3.01 The Executive Branch

The mayor shall be the chief executive and chief administrative officer of the city.

Section 3.02 Term of Office

The mayor shall be elected for a four (4) year term of office.

Appendix A: Existing Form of Colstrip City Government

Section 3.03 Election

The mayor, who must reside within the city limits for a period of at least two (2) years preceding the election and during their entire term of office, shall be nominated and elected on a nonpartisan basis.

Section 3.04 Powers and Duties

The mayor shall:

1. enforce laws, ordinances, and resolutions;
2. perform duties required of him by law, charter, ordinance or resolution;
3. administer affairs of the local government;
4. carry out policies established by the council;
5. recommend measures to the council;
6. report to the council on the affairs and financial condition of the city government;
7. execute bonds, notes, contracts, and written obligations of the council, subject to the approval of the council; report to the council as the council may require;
8. chair council meetings and may take part in discussion;
9. execute the budget adopted by the council;
10. appoint, with the consent of the council, all members of boards, except the mayor may appoint without consent of the council temporary committees established by the mayor.

Section 3.05 Administrative Duties

The mayor may:

1. prepare the budget in consultation with the council and department heads;
2. 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 mayor;
3. appoint, with the consent of a majority of the council, all department heads and may remove department heads without the consent of the council and may appoint and remove all other city employees without the consent of the council;
4. exercise control and supervision of all departments and boards to the degree authorized by resolution of the council.

Section 3.06 Legislative Authority

1. The mayor shall decide all tie votes of the council, but shall have no other vote, except the mayor will vote at all council meetings, in which only two (2) council members are present.
2. The mayor may veto ordinances and resolutions, subject to council override by not less than three (3) affirmative votes. The mayors veto power will be more specifically set forth by ordinance.

Appendix A: Existing Form of Colstrip City Government

Section 3.07 Compensation

The compensation of the mayor shall be set by resolution.

Section 3.08 Absence of Mayor

The mayor must receive the consent of the council for an absence from the city for fifteen (15) or more consecutive days.

Section 3.09 Grounds for Removal

The mayor may be removed from office by a finding of a majority of the entire council that, pursuant to law, there is a vacancy in the office of mayor, or by recall of the citizens of Colstrip pursuant to law.

Section 3.10 City Attorney

1. The legal officer of the city shall be the city attorney who shall be appointed by the mayor, with the approval of the council, and who will serve as chief legal advisor to the council, the mayor, and all city departments, offices, and agencies.
2. The city attorney shall represent the city in all legal proceedings unless otherwise determined by the council, and shall perform any other duties prescribed by ordinance.
3. The qualifications, the term of office, and the grounds for removal or suspension of the city attorney are set forth by Montana State statute, but may be changed by the city council through ordinance. Nothing in this charter shall be construed as preventing the city council from employing in special cases on a contract basis additional or other counsel.

ARTICLE IV

JUDICIAL

Section 4.01 City Court

There shall be a city court and a city judge as provided by law.

ARTICLE V DEPARTMENT STRUCTURE

Appendix A: Existing Form of Colstrip City Government

Section 5.01 Organization of Departments

The organization of city departments shall be prescribed by ordinance.

ARTICLE VI GENERAL PROVISIONS

Section 6.01 Amendment of Charter

This Charter may be amended only as prescribed by state law.

Section 6.02 Effective Date

This Charter shall become effective on July 1, 2004.

Section 6.03 Vacancy in Office

An elected office under this Charter becomes vacant as prescribed by law. When any vacancy occurs in any elective office, this position shall be considered open and subject to nomination and election at the next general municipal election in the same manner as the election of any person holding the same office, except the term shall be limited to the unexpired term of the person who originally created the vacancy. Pending such election and qualification the council shall, by majority vote of the members, appoint a qualified person within 30 days of the vacancy to hold the office until the successor is elected and qualified.

Section 6.04 Severability

If any provision of this Charter is held invalid, the other provisions of this Charter shall not be affected thereby. If the application of the Charter or any part of its provisions, to any person or circumstance is held invalid the application of the Charter and its provisions to other persons or circumstances shall not be affected thereby.

ARTICLE VII TRANSITION PROVISIONS

Section 7.01 General Transition

Transition to this charter form of government shall be as prescribed by law. The city council may provide for such transition by ordinance, rule, or resolution not inconsistent with law. The provisions of this transition article shall not be published as part of the Charter after July 1, 2006.

Appendix A: Existing Form of Colstrip City Government

Section 7.02 City Employee

No city employee or elected city official currently holding a city office will lose employment or elected position solely because of adoption of this Charter. Existing elected city officials shall continue in office until the end of the term for which they were elected.

Section 7.03 Review of Existing Ordinances

All city ordinances, resolutions, and rules of the City of Colstrip shall remain in effect until reviewed, revised, or repealed by the city council. The city council shall review and, where necessary, revise or repeal all city ordinances to provide for compliance and consistency with this Charter and state law by July 1, 2005.

Certification

Section A.01 Certification

We, the Study Commissioners of the City of Colstrip, do hereby certify that this is the existing plan of government summarized in this Appendix.

In testimony whereof, we set our hands.

Done at Colstrip City Hall this 10 day of August 2024.



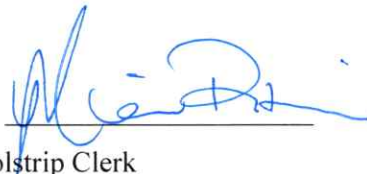
GARRICK GOODHEART



SEAL

ATTEST:

City of Colstrip Clerk



LOCAL GOVERNMENT STUDY
COMMISSIONERS

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City of Colstrip Charter

CHARTER OF THE CITY OF COLSTRIP, ROSEBUD COUNTY, MONTANA

PREAMBLE

Relevant Montana law: Mont. Const. art. XI, § 5; MCA §§ 7-3-101, 7-3-102, 7-3-141(2)(c), 7-3-192.

WE, THE PEOPLE OF THE CITY OF COLSTRIP, COUNTY OF ROSEBUD, STATE OF MONTANA, in accordance with Article XI, Section 5 of the Constitution of Montana, do hereby adopt this Charter.

ARTICLE I

POWERS OF THE CITY OF COLSTRIP

Section 1.01 Powers of the City

Relevant Montana law: MCA §§ 7-1-101, 7-1-102, 7-1-111, 7-1-112, 7-1-113, 7-3-302.

The City of Colstrip shall have all powers not prohibited by the Constitution of Montana, the laws of Montana, or this Charter.

Section 1.02 Interpretation of Powers

Relevant Montana law: MCA §§ 7-1-106, 7-3-101(2).

The powers and authority of this self-government city shall be liberally construed. Every reasonable doubt as to the existence of a city power or authority shall be resolved in favor of the existence of that power or authority.

Section 1.03 Restrictions

Relevant Montana law: MCA §§ 7-1-114(1)(g), (3), 15-10-420, 15-10-425, 7-6-4013, 69-7-111 through 69-7-112, 7-1-4127.

The mill levy shall be limited to that of Montana municipal governments with general government powers, except with the prior approval of the electors voting on the question in a general or special municipal election. No change in any city license fee, user fee, permit fee or utility charge shall be made without prior public hearings, as prescribed by law.

Section 1.04 Charter Supremacy

Relevant Montana law: MCA §§ 7-1-101, 7-1-105, 7-1-111 through 7-1-114, 7-1-4121(1), 7-3-105.

As provided by Article XI, Section 5 of the Constitution of Montana, charter provisions herein establishing executive, legislative, and administrative structure and organization are superior to statutory provisions.

Section 1.05 Oath of Office

Relevant Montana law: MCA §§ 7-1-4137, 7-3-161, 7-1-4141, 7-1-4142, 2-6-1003, 2-6-1006.

Before entering upon the duties of office, all elected city officials shall take and subscribe to the oath of office as prescribed in Article III, Section 3 of the Constitution of Montana.

ARTICLE II

CITY COUNCIL

Section 2.01 Legislative Branch

Relevant Montana law: MCA §§ 7-1-104, 7-1-4122, 7-3-301, 7-3-302.

The legislative branch and governing body shall be the city council.

Section 2.02 Composition

Relevant Montana law: MCA §§ 7-3-311, 7-3-317, 7-4-4104.

The City of Colstrip shall have a city council of five (5) members. Each council member must reside within the city limits for at least one (1) year prior to election and during the entire term of office.

Section 2.03 Powers and Duties

Relevant Montana law: MCA §§ 7-1-104, 7-1-4122, 7-1-4123, 7-1-4124, 7-3-301, 7-3-304, 7-3-305, 7-3-312.

The council shall be the legislative and policy-determining body of the city. All powers of the city are vested in the council except as otherwise provided by law or this Charter. The council shall appoint and supervise the city manager, establish policy, adopt the budget, appoint boards and committees as provided by law or ordinance, and provide oversight of city administration through the city manager. The council shall not exercise administrative direction over city employees except through the city manager, except for lawful inquiry or investigation.

Section 2.04 Term of Office

Relevant Montana law: MCA §§ 7-3-316, 7-3-318, 7-3-161, 7-4-4107.

Council members shall be elected for four (4) year overlapping terms, with seats staggered as provided by ordinance and transition provisions.

Section 2.05 Election

Relevant Montana law: MCA §§ 7-3-313, 7-3-314, 7-3-318; Title 13, chapter 1, part 4, MCA.

Council members shall be elected at large and on a nonpartisan basis unless changed in a manner permitted by law.

Section 2.06 Vice Chair

Relevant Montana law: MCA §§ 7-3-315, 7-1-4121(22), 7-1-104.

The council shall elect from among its own members a vice chair, who may be designated by ordinance or council rules as mayor pro tempore, for a term established by resolution. The office of vice chair does not confer greater rank, authority, or voting power than any other council member. All council members hold the same legislative rank and power, except that the vice chair shall preside at council meetings when the mayor is absent or unable to act and shall perform any other duties assigned by this Charter, ordinance, resolution, or council rules.

Section 2.07 Presiding Officer of the Council

Relevant Montana law: MCA §§ 7-3-315, 7-1-4121(2), 7-1-4122, 7-3-301.

The mayor shall preside at council meetings and may participate in discussion, but the mayor shall have no vote, no veto power, and no authority to break tie votes. If the mayor is absent or unable to act, the vice chair shall preside. If both are absent, another council member designated by council rules shall preside.

Section 2.08 Council Procedures

Relevant Montana law: MCA §§ 7-1-104, 7-1-4123, 7-1-4141, 7-1-4142; Title 7, chapter 5, parts 1 and 41, MCA; Title 2, chapter 3, MCA.

The council shall adopt rules of procedure by resolution. A quorum of the council consists of three (3) council members. Unless otherwise required by law or this Charter, action by the council requires the affirmative vote of a majority of the council members present and voting. Final adoption of an ordinance shall require the vote required by law.

Section 2.09 Compensation of Council Members

Relevant Montana law: MCA § 7-4-4201.

The compensation of council members shall be set by resolution.

Section 2.10 Removal of Council Member

Relevant Montana law: MCA §§ 7-4-4111, 7-4-4112; Title 2, chapter 16, part 6, MCA.

A council member may be removed from office or the office may be declared vacant only as provided by law. No mayoral approval is required.

Section 2.11 Standing Committees and Council Liaisons

Relevant Montana law: MCA §§ 7-1-104, 7-1-4123, 7-1-4124, 7-1-4141, 7-1-4142, 7-3-312, 7-3-304(14).

The council may establish standing committees, advisory committees, and council liaison assignments by ordinance or resolution.

Examples of possible committee or liaison areas include public safety and emergency services, infrastructure and utilities, housing and community development, senior services, finance and budget, parks, recreation, and community facilities, public communications, and other issue areas identified by the council.

ARTICLE III

MAYOR

Section 3.01 Office of Mayor

Relevant Montana law: MCA §§ 7-3-301, 7-3-315, 7-1-4121(2), 7-1-4122.

There shall be an elected mayor of the City of Colstrip. The mayor is the city's presiding, ceremonial, public relations, community outreach, and intergovernmental representative officer as provided by this Charter. The mayor is not the chief executive officer or chief administrative officer of the city.

Section 3.02 Election and Term

Relevant Montana law: MCA §§ 7-3-314, 7-3-315, 7-3-318, 7-4-4104, 7-4-4107.

The mayor shall be elected at large and on a nonpartisan basis. The mayor must reside within the city limits for at least two (2) years preceding election and during the term of office. The term of office shall be four (4) years unless changed in a manner permitted by law.

Section 3.03 Duties of the Mayor

Relevant Montana law: MCA §§ 7-3-315, 7-1-4141, 7-1-4142; Title 7, chapter 3, part 3, MCA.

The mayor shall:

- (1) preside at council meetings;
- (2) recognize speakers, facilitate discussion, and help maintain orderly procedure;

- (3) participate in council discussion but shall not vote, veto, or break tie votes;
- (4) serve as a ceremonial, public relations, community outreach, legislative, and intergovernmental representative of the city as assigned by this Charter, ordinance, resolution, or council rules; and
- (5) perform other duties assigned by law that are consistent with this Charter.

Section 3.04 Limitations of the Mayor

Relevant Montana law: MCA §§ 7-3-301, 7-3-304, 7-3-305, 7-1-4121(2), 7-1-4122.

The mayor is not the chief executive officer or chief administrative officer of the city and has no independent authority to supervise, direct, appoint, suspend, or remove city employees or department heads except as expressly provided by law and consistent with this Charter. The mayor has no veto power and no authority to break tie votes.

Section 3.05 Operation During Temporary Absence and During an Inactive, Vacant, or Unfilled Mayor Position

Relevant Montana law: MCA §§ 7-3-315, 7-4-4111, 7-4-4112, 7-1-4137.

The office of mayor is a continuing elected office under this Charter. References in this Charter to an inactive, vacant, or unfilled mayor position mean that the office continues to exist but is temporarily not occupied or its functions are temporarily not being exercised by an incumbent because of vacancy, failure to qualify, failure to elect, absence, or another lawful circumstance.

During any period when the mayor is absent or the office of mayor is inactive, vacant, or unfilled, the vice chair shall preside at council meetings. If the vice chair is absent or unable to act, another council member designated by council rules shall preside.

During any period when the office of mayor is inactive, vacant, or unfilled, ceremonial, public relations, community outreach, legislative, intergovernmental, and other nonadministrative duties of the mayor may be assigned by ordinance, resolution, or council rules to the vice chair or another authorized official. No independent mayoral vote, veto, tie-breaking authority, or administrative supervisory authority shall be exercised while the office is inactive, vacant, or unfilled.

Section 3.06 Removal of Mayor

Relevant Montana law: MCA §§ 7-4-4111, 7-4-4112; Title 2, chapter 16, part 6, MCA.

The mayor may be removed from office or the office may be declared vacant only as provided by law. The right of recall is preserved as provided by law.

Section 3.08 Compensation

Relevant Montana law: MCA §§ 7-4-4201, 7-4-4111, 7-4-4112.

The compensation of the mayor shall be set by resolution. If the office of mayor is inactive, vacant, or unfilled, no compensation shall be paid for that office except as otherwise authorized by law, ordinance, or resolution.

ARTICLE IV

CITY MANAGER

Section 4.01 Office of City Manager

Relevant Montana law: MCA §§ 7-3-301, 7-1-4121(2), 7-1-4122.

There shall be a city manager who is the chief administrative officer of the city.

Section 4.02 Appointment, Suspension, Removal, and Interim Replacement

Relevant Montana law: MCA §§ 7-3-303, 7-3-304, 7-3-305, 7-4-4201.

The city manager shall be appointed by the council for an indefinite term on the basis of merit, training, experience, and executive and administrative qualifications, without regard to political beliefs. The city manager serves at the will of the council and may be suspended or removed by the affirmative vote of a majority of the whole number of council members. In the event of a vacancy or temporary inability to serve, the council may appoint an interim or acting city manager and may assign temporary administrative authority by resolution or contract until a successor is appointed.

Section 4.03 Powers and Duties

Relevant Montana law: MCA §§ 7-3-301, 7-3-304, 7-3-305, 7-1-4121(5), 7-1-4122; Title 7, chapter 6, part 40, MCA.

The city manager shall administer the affairs of the city; direct, supervise, and administer all departments, agencies, and offices of the city except as otherwise provided by law or ordinance; carry out policies established by the council; recommend measures to the council; report to the council on the affairs and financial condition of the city; prepare and present the budget; execute the budget adopted by the council; appoint, suspend, and remove all employees of the city except as otherwise provided by law or ordinance; execute bonds, notes, contracts, and written obligations of the council, subject to council approval; and perform any other duties prescribed by law, ordinance, resolution, or contract. The city manager shall ordinarily exercise direction through department heads, supervisors, and the established chain of command except as required by law, policy, or emergency.

Section 4.04 Meetings

Relevant Montana law: MCA § 7-3-304(11).

The city manager shall attend council meetings, may take part in discussion, and shall not vote.

Section 4.05 Administrative Relationships

Relevant Montana law: MCA § 7-3-305.

Except for the purpose of lawful inquiry or investigation, neither the council nor any individual council member shall deal with city employees who are subject to the direction and supervision of the city manager except through the city manager, and neither the council nor any council member may give orders to those employees publicly or privately. Neither the council nor any individual council member may dictate the appointment or removal of any employee whom the city manager or the city manager's subordinates are empowered to appoint. Employees appointed by the city manager and the city manager's subordinates shall be administratively responsible to the city manager.

Section 4.06 Temporary Advisory Committees

Relevant Montana law: MCA §§ 7-3-304(14), 7-3-312.

The city manager may appoint members of temporary advisory committees established by the city manager, unless otherwise provided by ordinance.

Section 4.07 Compensation

Relevant Montana law: MCA §§ 7-3-303, 7-4-4201.

The compensation of the city manager shall be set by contract, resolution, or ordinance as authorized by law.

ARTICLE V

JUDICIAL

Section 5.01 City Court

Relevant Montana law: MCA §§ 3-11-101, 3-11-201 through 3-11-206, 7-1-4122(4).

There shall be a city court and a city judge as provided by law.

Section 5.02 City Attorney

Relevant Montana law: MCA §§ 7-4-4601 through 7-4-4606, 7-4-4113, 7-1-4124(4).

The legal officer of the city shall be the city attorney, appointed by the council, who shall serve as chief legal advisor to the council, the city manager, the mayor, and all city departments, offices, and agencies.

The city attorney shall represent the city in all legal proceedings unless otherwise determined by the council and shall perform any other duties prescribed by ordinance.

The qualifications, term of office, and grounds for removal or suspension of the city attorney shall be as provided by law or ordinance. Nothing in this Charter prevents the council from employing special counsel by contract when needed.

ARTICLE VI

DEPARTMENT STRUCTURE

Section 6.01 Organization of Departments

Relevant Montana law: MCA §§ 7-1-4121(24), 7-1-4123(9), 7-1-4124(11), 7-3-304(4), 7-4-4110.

The organization of city departments shall be prescribed by ordinance.

Section 6.02 Administrative Supervision

Relevant Montana law: MCA §§ 7-3-301, 7-3-304(4), 7-3-305, 7-1-4121(5), 7-1-4122(3).

Administration of city departments shall run through the city manager except as otherwise provided by law or ordinance. No elected official other than the city manager may exercise independent administrative supervision over city departments except as expressly provided by law and consistent with this Charter.

ARTICLE VII

GENERAL PROVISIONS

Section 7.01 Public Information and Correspondence Policy

Relevant Montana law: MCA §§ 2-3-103, 2-3-203, 2-3-212, 2-6-1003, 2-6-1006, 2-6-1012 through 2-6-1014, 7-1-4127, 7-1-4141, 7-1-4142.

The city shall maintain by ordinance or resolution a public information and constituent correspondence policy establishing intake channels, routing, response expectations, retention practices, and public-facing communication methods, including electronic, mailed, posted, and other notification tools authorized by the council.

Section 7.02 Amendment of Charter

Relevant Montana law: MCA §§ 7-3-103, 7-3-149, 7-3-150, 7-3-151, 7-3-192, 7-3-193.

This Charter may be amended only as prescribed by state law.

Section 7.03 Effective Date

Relevant Montana law: MCA §§ 7-3-103(1), 7-3-156, 7-3-160, 7-3-161, 7-3-193.

This amended Charter shall take effect on January 1, 2028, except as otherwise provided in the transition article and as permitted by Montana law.

Section 7.04 Vacancy in Office

Relevant Montana law: MCA §§ 7-4-4111, 7-4-4112, 7-1-4137, 7-4-4104.

An elected office under this Charter becomes vacant as prescribed by law.

When a vacancy occurs in an elective office, the council shall appoint a qualified person within 30 days to serve until a successor is elected and qualified at the next general municipal election, all as provided by law.

This section governs the filling of a legal vacancy in an elective office. Temporary absence or other periods in which the office is unfilled but not legally vacant are governed by Section 3.05.

Section 7.05 Severability

Relevant Montana law: Title 1, chapter 2, MCA; MCA §§ 7-1-4121(1), 7-3-103.

If any provision of this Charter is held invalid, the remaining provisions and applications that can be given effect without the invalid provision or application are not affected.

ARTICLE VIII

TRANSITION

Section 8.01 General Transition

Relevant Montana law: MCA §§ 7-3-156, 7-3-157, 7-3-193.

Transition to this Charter as amended shall be as prescribed by law. The council may provide for orderly transition by ordinance, rule, or resolution not inconsistent with law.

Section 8.02 Existing Employees and Elected Officials

Relevant Montana law: MCA §§ 7-3-158, 7-3-160, 7-3-161, 7-3-193.

No city employee or elected official shall lose employment or office solely because of adoption of this amended Charter. Existing elected officials shall continue in office until the end of the term for which they were elected, except as altered by lawful transition provisions.

Section 8.03 Review of Existing Ordinances

Relevant Montana law: MCA §§ 7-3-106, 7-3-157, 7-3-159, 7-3-193.

Existing ordinances, resolutions, and rules remain in effect until amended or repealed. The council shall review and revise ordinances, rules, committee assignments, and administrative procedures as needed for consistency with this amended Charter.

ARTICLE IV

CERTIFICATION

Section B.07 Certification

We, the Study Commissioners of the City of Colstrip, do hereby certify that this is the proposed amended plan of government as summarized in this Appendix and proposed in the amended charter.

Appendix B: Proposed Amended Colstrip City Charter

In testimony whereof, we set our hands.

Done at Colstrip City Hall this 10 day of August 2024.



Daniel R. Bate



LOCAL GOVERNMENT STUDY
COMMISSIONERS

ATTEST: 

City of Colstrip Clerk/Treasurer

APPENDIX C:

Establishing Election Date

Certificate Establishing the Date of the Election at Which the Proposed Amendment to the Existing Self-Government Charter Shall Be Presented to the Electors of the City of Colstrip.

The proposed amendment to the existing self-government charter recommended by the Local Government Study Commission shall be submitted to the voters of the City of Colstrip at a special election to be held with the general election on November 3, 2026.

We, the Study Commissioners of the City of Colstrip, do hereby certify that this is the election date approved by the Study Commissioners of the City of Colstrip.

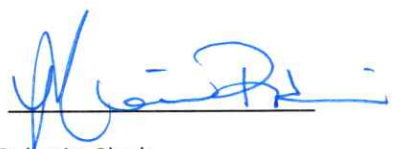
In testimony whereof, we set our hands.

Done at Colstrip City Hall this 10 day of August 2026.

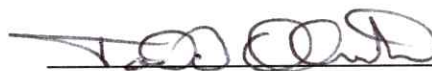
 GARRICK GOODHEART

SEAL

ATTEST:


City of Colstrip Clerk


Daniel R. Bates


LOCAL GOVERNMENT STUDY COMMISSIONERS

APPENDIX D:

Ballot Issue

Certificate Establishing the Official Ballot for the November 3, 2026.

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

OFFICIAL BALLOT

BALLOT ON THE PROPOSED AMENDMENT TO THE EXISTING SELF-GOVERNMENT CHARTER OF THE CITY OF COLSTRIP

Vote for one:

☐ FOR adoption of the amendment to the existing charter proposed for the City of Colstrip proposed by the Colstrip Local Government Review Commission.

☐ FOR the existing charter without amendment.

Election administration note: Ballot order must be administered in accordance with MCA 7-3-150(2), including any required rotation of the existing and proposed options.

We, the Study Commissioners of the City of Colstrip, do hereby certify that this is the form of the ballot question

approved by the Study Commissioners of the City of Colstrip.

In testimony whereof, we set our hands.

Done at Colstrip City Hall this 10 day of August 2026.

 GARRICK GOODHEART

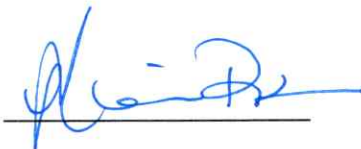
 Daniel R. Bates

 STUDY COMMISSIONERS

LOCAL GOVERNMENT STUDY COMMISSIONERS

SEAL

ATTEST:


City of Colstrip Clerk

APPENDIX E:

Certificate Establishing the Primary and General Election Dates for New Officers of the Government of the City of Colstrip if the Charter Amendment/Change in Plan of Government Is Approved and Establishing the Effective Date If Approved

The date of the primary election for new officers of the government of the City of Colstrip shall be held on September 14, 2027.

The date of the general election for new officers of the government of the City of Colstrip shall be held on November 2, 2027.

The effective date of the Charter Amendment/Change in Plan of Government for the local government of the City of Colstrip takes effect on January 1, 2028.

We, the Study Commissioners of the City of Colstrip, do hereby certify that these are the dates of the primary and general elections and the effective date of the change in plan of local government of the City of Colstrip as approved by the Study Commissioners of the City of Colstrip.

In testimony whereof, we set our hands.

Done at Colstrip City Hall this 10 day of August 2026.



Daniel R. Bates



LOCAL GOVERNMENT STUDY COMMISSIONERS

ATTEST: 
City Clerk/Treasurer