

# LEWISTOWN STUDY COMMISSION

## WHAT?

This report recommends changes in the form of Lewis County government to meet the needs of the community. It also includes a list of the members of the study commission and the names of the citizens who have been selected to serve on the study commission.

## WHY?

The study commission was organized to study the present form of Lewis County government and to recommend changes which would be in the best interests of the community.

# LEWISTOWN STUDY COMMISSION

The study commission will meet on June 4, 1956, at 7:30 p.m. in the town hall. At this meeting the study commission will present its report to the town meeting. If a majority of the town meeting members favor the study commission's report, the town meeting will recommend to the voters that they vote on June 4, 1956, to change the form of Lewis County government.

## WHAT SHOULD I DO?

Please read the information in this report so that you can make a choice on June 4. The report begins with a summary of the changes and contains summaries of the two forms of government and the full text of the proposed Charter.

## I HAVE QUESTIONS WHO SHOULD I ASK?

Members of the study commission will answer your questions or visit your group to explain the proposal.

Members are:

- Stacy B. Parish
- Karl Gies
- David E. Fry
- David L. Sather, Jr.
- Anna Zeller





## LEWISTOWN STUDY COMMISSION

- WHAT?** This report recommends changing the form of Lewistown government from Mayor/Council to Commission/City Manager. It also recommends that Lewistown adopt a city Charter and self-government powers.
- WHY?** Montana's Constitution allows citizens to review and change their form of government. The Lewistown Study Commission was elected in November 1994 to study Lewistown government and recommend changes. This is their report.
- WHAT HAPPENS NOW ?** The recommended changes will be on the primary election ballot on June 4, 1996. If a majority of voters favor the recommendations, city government will change effective January 5, 1998. If a majority do not favor the changes, the city will retain its current form of government.
- WHAT SHOULD I DO?** Please read the information in this report so that you can make a choice on June 4. The report begins with a summary of the changes and contains comparisons of the two forms of government and the full text of the proposed Charter.
- I HAVE QUESTIONS, WHO SHOULD I ASK?** Members of the study commission will answer your questions or visit your group to explain the proposal.

Members are:

Bradley B. Parrish  
Karl Gies  
David E. Fry Sr.  
David L. Sather, Jr.  
Anna Zellick



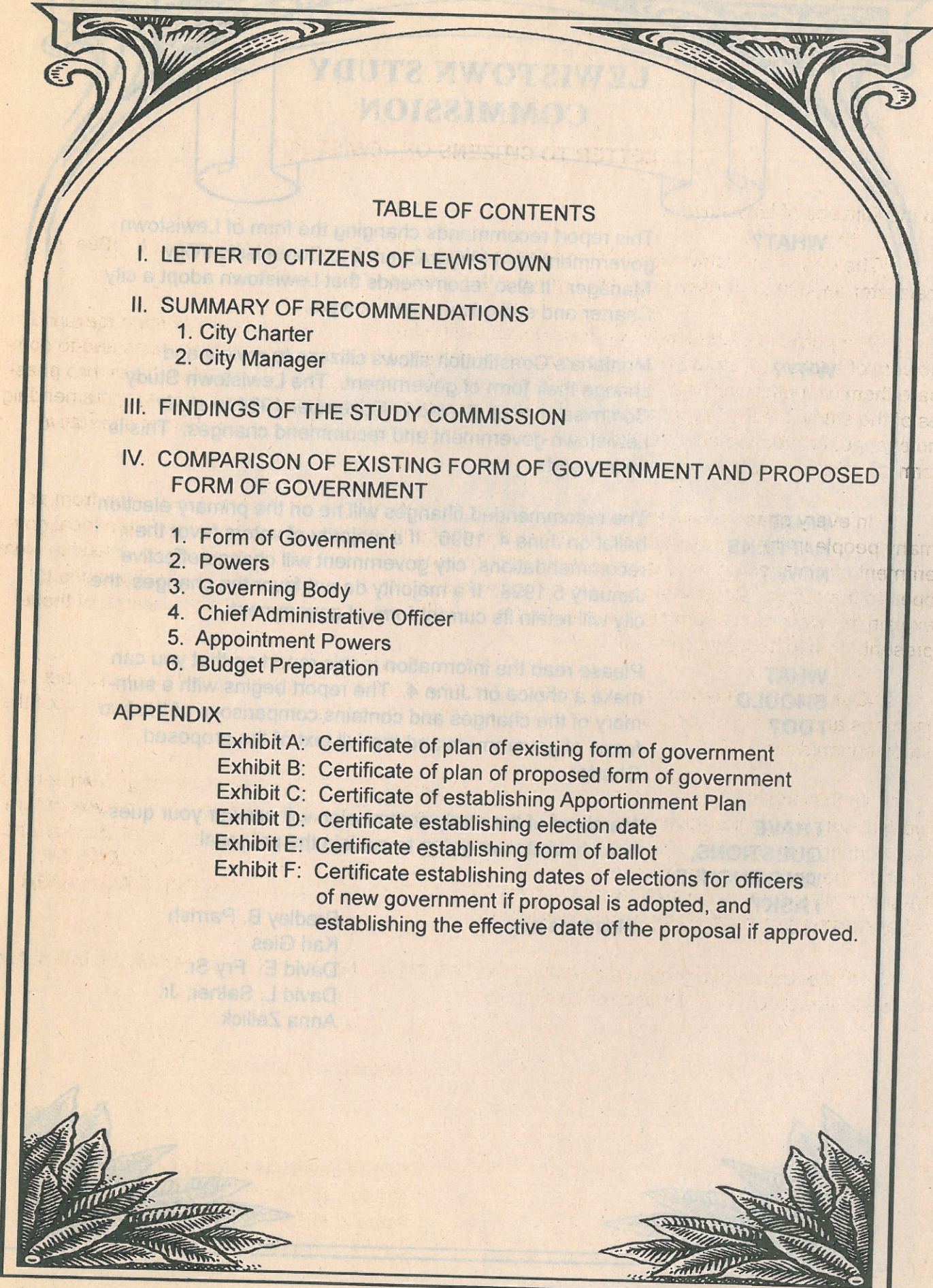


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I. LETTER TO CITIZENS OF LEWISTOWN

To the Citizens of Lewistown:

The City of Lewistown Study Commission elected by the voters on November 8, 1994, or thereafter appointed, present this report to you, the citizens of Lewistown.

The purpose of the study commission, as defined by 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 of the existing form of government, or offer an alternative form of government to the qualified electors.

In every phase of this review the 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. Commission members appeared before various community organizations to explain the work of the commission and also to hear the viewpoints, ideas, and concerns of those present. Public hearings were held.

Our recommendations reflect the thoughts and opinions of those who participated in public hearings and those who attended our regular meetings, in addition to the independent efforts of the 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 LEWISTOWN CAN ACHIEVE THESE GOALS BY ADOPTING THE COMMISSION-MANAGER FORM WITH SELF-GOVERNMENT POWERS.**

The question of adopting this alternative form of government will be placed on the ballot June 4, 1996. We solicit your support for its adoption.

Respectfully submitted,

City of Lewistown Study Commission  
Bradley B. Parrish, Karl Gies  
Anna Zellick, David L. Sather, Jr.  
David E. Fry, Sr.

## II. SUMMARY OF RECOMMENDATIONS

The City of Lewistown 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 City of Lewistown should adopt, effective January 5, 1998, the charter form of government with self-government powers. A commission, or elected legislative body, of seven (7) members shall be elected for four (4) year overlapping terms of office. Six (6) members shall be elected from wards in which they reside and which are apportioned by population. One member of the commission shall be elected at-large. The commission shall then select one of its members to serve as chairman.
2. The commission shall appoint a manager who is the chief executive and chief administrative officer of the city.

## III. FINDINGS OF THE STUDY COMMISSION

### The Charter Form of Government

After a study of over one year, it is the decision of the study commission to recommend changes in the structure and power of city government that will provide a governmental framework to meet the changing needs of the city.

Through our research, discussion, public hearings and testimony of public officials, we identified a need and strong support for change.

Lewistown is growing and there is an urgent need for long-range planning to respond to that growth. We found that city-wide planning for change, growth and capital budgeting was not effectively done. The emphasis is on short-term planning and balancing the annual budget.

We found that the organizational structure that is presently required by statute has been modified by custom and practice in Lewistown. The city council, traditionally the legislative branch of government, and the mayor, the executive branch of government, appear to share some roles.

We found that members of the city council actively participate in the management of city departments. This has the advantage of bringing additional expertise to city problems. It also has a disadvantage of creating confusion in departments as well as blurring the lines between the policy maker and the administrator. We believe that a separation of the legislative and executive functions is needed.

Our present structure technically allows that separation. The increasing complexity of laws and regulations relating to personnel, unions, payroll, benefits, and the environment seems to force a mixture of legislative and executive duties. We believe a charter form of government with a city manager will solve this problem.

Elected officials would continue to be accountable to the public. The city manager would, in turn, be accountable to the elected officials.

The 1972 Montana Constitution allows local governments to prepare a charter to design a form of government to meet its needs. The charter is much like a state constitution. It describes how the government is organized and explains what powers it can and cannot have. A charter is unlike a constitution in that it is subject to the provisions of both the United States and the Montana Constitutions. The legislature retains authority over some portions of the charter. We believe a charter gives Lewistown greater control over handling its problems.

The proposed charter for the City of Lewistown contains seven major sections. The sections set forth the 1) powers of the city; 2) organization of the legislative branch (city commission); 3) powers and duties of city manager; 4) the judicial branch; 5) department structure; 6) general provisions and 7) transition provisions if the charter is adopted.

The major differences between the present form of government and the charter are presented below.

### Election of Self-Government Powers

Local governments may choose between general government powers or self-government powers. General government powers allow a city only those powers specified by law. Self-government powers allow a local government all powers not prohibited by law.

Adoption of self-governing powers allows the city the opportunity to act and react to changing circumstances in a timely manner.

### A Different City Council

The present council has six members elected from three wards. The mayor now acts as chairman of the council and may break tie votes.

The charter proposes electing six commission members from three wards and adding a seventh member elected from the city at large.

The commission members shall select a chairman from the members of the commission.

The study commission believes that by retaining the ward system, each part of the city will have a voice in city matters.

### City Manager

The most important task of the city commission is to appoint a city manager. The manager serves at the pleasure of the council and is responsible to the council.

The city manager would be the city's chief administrative officer. The manager would administer the programs and policies set forth by commission. The manager would be a professional, hired by the commission on the basis of merit only. While administrative duties are centralized in the office of the city manager, the manager has no vote on commission decisions and no veto authority

over ordinances and resolutions. The manager reports directly to the commission, serves at the commission's pleasure, and can be replaced by the commission.

#### IV. COMPARISON OF EXISTING FORM OF CITY GOVERNMENT WITH THE PROPOSED FORM

##### 1. FORM OF GOVERNMENT

The City of Lewistown Study Commission is proposing the charter form of government with a commission and manger. The charter is a written document which must be approved by the voters. The charter has seven (7) major sections that deal with each area of government.

The charter sets forth the commission-manager form of government. The manager is hired on the basis of merit and qualifications. The city commission, elected by city residents continues to set policy and goals for the city.

##### 2. POWERS

The City of Lewistown will adopt self-governing powers under the proposed form of government. The city currently has adopted general government powers. Under general government powers state law defines what government can and cannot do. Generally, only these powers would give the city flexibility in shaping government structure.

##### 3. GOVERNING BODY

Under the form of government proposed by the City of Lewistown Study Commission, the city commission will have seven (7) members. Six will be elected from wards apportioned by population and one at large. The commissioner at large has only the powers of the other commission members. The chairman of the commission who presides at meetings is selected from among the members of the commission.

The terms of office are four years with overlapping terms to provide continuity.

Under the current form of government, the council is composed of six members elected from wards apportioned by population. An elected mayor serves as chairman of the council and votes to break ties.

##### 4. CHIEF ADMINISTRATIVE OFFICER

A major change is proposed by the City of Lewistown Study Commission in the form of the chief administrative officer of the city.

Under the proposed commission-manager form, the chief administrative officer of the city is an appointed official, chosen on the basis of merit and qualifications by the city commission. The city manager would be a full-time employee. The duties of the manager are set forth in the charter.

The manager serves at the pleasure of the commission and may be removed by the commission. The commission establishes the manager's job description and evaluates the manager's performance.

##### 5. APPOINTMENT POWERS

Under the form of government proposed by the City of Lewistown Study Commission, the commission appoints and removes the manager. The manager appoints the department heads and employees. The commission appoints members of boards and committees.

For purposes of the transition to the city manager form of government, the charter includes the language "no current city employee shall lose employment solely because of the adoption of this charter."

##### 6. BUDGET PREPARATION

Under the form of government proposed by the City of Lewistown Study Commission, the city manager prepares the budget with the cooperation of the department heads. The commission modifies and approves the budget.

Under current procedures, the budget is prepared by the mayor in cooperation with department heads. It is then modified and approved by the council.

The manager would work with the department heads and the commission to establish long-range goals for the city. With long-range goals in place, the manager could begin to budget to meet these goals and objectives.

**CITY OF LEWISTOWN**  
**COMPARISON OF SPECIFIC CHARACTERISTICS OF THE**  
**MAYOR-COUNCIL AND COMMISSION-MANAGER FORMS OF**  
**GOVERNMENT**

CHARACTERISTICS	PRESENT FORM OF GOVERNMENT	PROPOSED FORM OF GOVERNMENT	COMMENTS
<b>FORM OF GOVERNMENT</b>	<b>MAYOR-COUNCIL</b> Elected council performs policy making functions. Elected mayor administers government with the advice and consent of the council.	<b>CHARTER with COMMISSION-MANAGER</b> Elected commission performs policy-making functions. Manager is hired to administer policy with commission direction.	Separation of executive (administrative) and legislative powers is blurred with mayor-council form. With commission-manager form the executive and legislative powers are separated. The manager is appointed on the basis of experience and training.
<b>POWERS</b>	<b>GENERAL GOVERNMENT POWERS</b> State Law defines what city government may do and specifically how it shall do it.	<b>SELF-GOVERNMENT POWERS</b> City government shall exercise any power which the state does not prohibit. Legislative power is vested in the commission.	Self-government powers bring to the city the power to act in its own best interest, and flexibility in shaping government structure.
<b>GOVERNING BODY</b>			
Size	6 council members elected by ward	7 commission members, 6 elected from three wards, plus one elected at large.	Number is increased from six to seven
Election	Nonpartisan	Nonpartisan	No change
Term	Four year overlapping terms	Four year overlapping terms	No change
Presiding Officer	Mayor		
Duties	Administers city government	The chairman is selected by the members of the commission.	The chairman presides at commission meetings, but has no executive or administrative authority

**CHIEF ADMINISTRATIVE OFFICER**

The elected mayor administers the government on a part time basis.

The hired manager administers government on a full time basis.

The voters now determine who shall administer government. The proposal allows the commission to hire the administrator on the basis of merit and skills.

**Powers and Duties**

The mayor carries out the policies of the council, advises the council, executes the budget, and enforces laws, ordinances and resolutions.

The manager carries out the policies of the commission, advises the commission, executes the budget, and enforces laws, ordinances and resolutions.

The role of chairman will be to serve as a voting commission member and and preside over commission meetings and perform civic duties. The Chairman's role is legislative. The Manager's role is administrative.

**Appointment Powers**

The mayor appoints department heads and members of boards and commissions with the consent of the council.

The commission appoints and removes the manager. The manager appoints department heads and employees. The commission appoints the members of boards and committees.

Department heads are appointed on the basis of their qualifications under both forms. The commission will be responsible for appointing the manager and members of boards and committees.

**Budget Preparation**

The Mayor prepares the budget in cooperation with department heads. Budget is then modified and approved by the city council.

The Manager prepares the budget with the cooperation of department heads. The commission considers, modifies and approves the budget.

The manager balances priorities set by the commission with available resources, and also balances the needs of each department with overall needs and the resources of the community.



CERTIFICATE

ESTABLISHING THE EXISTING PLAN OF GOVERNMENT  
FOR THE  
CITY OF LEWISTOWN, MONTANA

If retained by the voters, the government of Lewistown shall remain organized under the following provisions of 7-3-113, M.C.A. which authorizes the municipal council-mayor form of government.

**7-3-113. Statutory basis for municipal council-mayor government.** (1) For the purpose of determining the statutory basis of existing units of local government, each unit of local government organized under the general statutes authorizing the municipal council-mayor form of government, which does not adopt a new form, shall be governed after May 2, 1977 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(2); (City Ordinance authorizes an appointed treasurer pursuant to 7-4-4102(4)(c)

M.C.A.)

- (j) 7-3-218(2)
- (k) 7-3-219(2); (City Resolution authorizes nonpartisan elections pursuant to 13-2-104(1)

M.C.A.)

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

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

**7-3-216. Administrative supervision and control.** The executive may exercise control and supervision of all departments and boards to the degree authorized by ordinances of the commission.

**7-3-217. Financial officer.** A financial officer (who may be called the treasurer) shall be appointed by the executive with the consent of the council. (City Ordinance authorizes an appointed treasurer pursuant to 7-4-4102(4)(c) M.C.A.)

**7-3-218. 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. Type of election.** Local government elections shall be conducted on a nonpartisan basis. (City Resolution authorizes nonpartisan elections pursuant to 13-1-104(1) M.C.A.)

**7-3-220. 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. Presiding officer of the 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).

**7-3-222. Terms of commission members.** Commission members shall be elected for over-

**7-3-223. Size of commission and community councils.** The size of the commission shall be six (6), and community councils to advise commissioners may be authorized by ordinance.

**7-3-224. Terms of elected officials.** The term of office of elected officials shall be four (4) years.

We, the Study Commissioners of Lewistown, Montana, do hereby certify that this is the existing Plan of Government as established by Section 7-3-113 M.C.A.

In testimony whereof, we set our hands.

Done at Lewistown, this  
12th day of March, 1996.

ATTEST: IS/ Sue E. Glenn  
Sue E. Glenn, City Clerk

IS/ Bradley B. Parrish  
Bradley B. Parrish, Chair

IS/ David L. Sather, Jr.  
David L. Sather, Jr.

IS/ Anna Zellick  
Anna Zellick

IS/ David E. Fry, Sr.  
David E. Fry, Sr.

IS/ Karl Gies  
Karl Gies

## CERTIFICATE

### ESTABLISHING THE PROPOSED PLAN OF GOVERNMENT

#### FOR LEWISTOWN, MONTANA

#### CHARTER OF THE CITY OF LEWISTOWN

#### PREAMBLE

WE THE PEOPLE OF LEWISTOWN, COUNTY OF FERGUS, STATE OF MONTANA, TO PRESERVE OUR HERITAGE, TO MAINTAIN OUR QUALITY OF LIFE AND TO PROVIDE FOR THE FUTURE OF LEWISTOWN, in accordance with Article XI, Section 5 of the Constitution of Montana, do hereby adopt this Charter.

#### ARTICLE I POWERS OF THE CITY

##### Section 1.01 Powers of the City of Lewistown.

The City of Lewistown 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 self-government powers and authority of this 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

The mill levy shall be limited to that of Montana municipal governments with general governments powers, except with the prior approval of a majority of the electors voting on the question in a general or special municipal election.

##### Section 1.04 Charter Supremacy

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



**ARTICLE II  
LEGISLATIVE BRANCH**

**Section 2.01 City Commission**

The legislative branch shall consist of the city commission which shall be the governing body of the city.

**Section 2.02 Composition**

The City of Lewistown shall have a city commission of seven (7) members, two of whom shall be elected from each of three (3) wards and one (1) who shall be elected at large.

**Section 2.03 Qualifications for Office**

Every resident of the City of Lewistown who is 18 years of age or older, a citizen of Montana and a qualified elector pursuant to Article IV, Section 2 of the Montana Constitution is eligible to hold the office of commissioner for the ward in which he or she resides or the office of the commissioner elected at large.

**Section 2.04 Term of Office**

Members of the commission shall be elected for four (4) year overlapping terms of office.

**Section 2.05 Election**

Local government elections shall be conducted on a nonpartisan basis. With the exception of the member elected at large, commission members shall be elected by wards in which candidates must reside and which are apportioned by population. One commission member from each ward, shall be elected every two years.

**Section 2.06 Vacancy in Office**

The office of commissioner becomes vacant as prescribed by law.

**Section 2.07 Removal from Office**

A commissioner may be removed from office by a finding, adopted by the affirmative vote of four (4) commissioners, that the office has become vacant as prescribed by law, or by the recall of the commissioner by the electors of Lewistown, as prescribed by law.

**Section 2.08 Filling Vacancy on the Commission**

When a vacancy occurs in the office of commissioner, the position shall be considered open and subject to nomination and election at the next general municipal election, except the term of office shall be limited to the unexpired term of the person who originally created the vacancy. Pending such election and qualification the commission shall appoint within 30 days of the vacancy, by the affirmative vote of four (4) commission members, a person possessing the qualifications for

office required by law and this Charter to hold the office until the successor is elected and qualified.

**Section 2.09 Chairman of the Commission**

The commission members shall select a chairman from the members of the commission.

**Section 2.10 Powers and Duties**

1. The commission shall be the legislative and policy determining body of the city. All governing powers of the city shall be vested in the city commission except as otherwise provided by law or this Charter, and the commission shall provide for the exercise thereof and for the performance of all duties and obligations imposed by law or this Charter.

2. All members of boards, other than temporary advisory committees established by the manager, shall be appointed by the commission.

**Section 2.11 Legislative Action**

The affirmative vote for four (4) members of the commission shall be required for all official actions of the commission. A minimum of four (4) commission members must be present when official actions are taken by the commission.

**Section 2.12 Procedure**

The commission shall establish its rules of procedure and the time and place of meetings by resolution.

**Section 2.13 Compensation**

The compensation of the commission shall be set by resolution of the city commission.

**ARTICLE III  
EXECUTIVE BRANCH**

**Section 3.01 The Manager**

The manager, who shall be the chief executive and chief administrative officer of the city, shall be appointed by the commission for an indefinite term on the basis of merit only and may be removed only by the affirmative vote of four (4) members of the commission.

**Section 3.02 Duties of the Manager**

The manager shall:

1. enforce laws, this Charter, and resolutions;
2. perform the duties required by law, this Charter, ordinance, or resolution;
3. administer the affairs of the city government;
4. direct, supervise, and administer all departments, agencies, and offices of the city except as otherwise provided by law, this Charter 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 the affairs and financial condition of the city 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 the city except as otherwise provided by law or ordinance;
14. appoint members of temporary advisory committees established by the manager.

**Section 3.03 Administrative Duties**

Employees appointed by the manager and his or her subordinates shall be administratively responsible to the manager. Neither the commission nor any of its members may dictate the appointment or removal of any employee whom the manager or any subordinates are empowered to appoint. Except for the purpose of inquiry or investigation under this Charter, the commission or its members shall deal with the city employees who are subject to the direction and supervision of the manager solely through the manager, and neither the commission nor its members may give orders to any such employees, either publicly or privately.

**Section 3.04 Compensation**

The compensation of the manager shall be set by resolution of the city commission.

**ARTICLE IV  
JUDICIAL BRANCH**

**SECTION 4.01 CITY COURT**

There shall be a city court as prescribed by law.

**ARTICLE V  
DEPARTMENT STRUCTURE**

**Section 5.01**

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 law.

**Section 6.02 Effective Date**

This Charter shall become effective on January 5, 1998.

**Section 6.03 Oath of Office**

Before assuming 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.

**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  
TRANSITIONAL PROVISIONS**

Section 7.01 General Transition

Transition to this charter form of government shall be as prescribed by law. The Lewistown Study Commission shall provide for such transition with an advisory plan consistent with law. The provisions of this transition article shall not be published as part of the Charter after January 1, 1999.

Section 7.02 Continuation in Office

No current city employee shall lose employment solely because of the adoption of this Charter. All persons holding elective office at the time this Charter is adopted may continue in office until the officers of the new government are elected, qualified and sworn into their respective office, at which time all now existing elected offices of city government shall be vacated.

Section 7.03 Review of Existing Ordinances

All city ordinances, resolutions and rules of the City of Lewistown shall remain in effect until reviewed, continued, revised or repealed by the city commission. The city commission shall review and, where necessary, revise or repeal all city ordinances to provide for compliance and consistency with this Charter and state law no later than January 1, 2000.

SEAL

We, the Lewistown Study Commission, do hereby certify that this is the proposed plan of government approved by the Lewistown Study Commission.

In testimony whereof, we set our hands.

Done at Lewistown this 12th day of March, 1996.

ATTEST; /s/ Sue E. Glenn  
Sue E. Glenn, City Clerk

/s/ Bradley B. Parrish  
Bradley B. Parrish

/s/ David L. Sather, Jr.  
David L. Sather, Jr.

/s/ Anna Zellick  
Anna Zellick

/s/ David E. Fry, Sr.  
David E. Fry, Sr.

/s/ Karl Gies  
Karl Gies

**CERTIFICATE  
FOR THE APPORTIONMENT  
OF COMMISSIONER WARDS**

Wards described by census block with population and deviation from ideal are shown.

	<u>Population</u>	<u>Mean</u>	<u>Deviation from Ideal</u>
Ward 1	1,843	1,769	+4%
Ward 2	1,759	1,767	Nil
Ward 3	1,706	1,769	-3%

SEAL

We, the Lewistown Study Commission, do hereby certify that this is the official apportionment plan for commissioner wards approved by the Study Commission of Lewistown.

In testimony whereof, we set our hands.

Done at Lewistown this 12th day of March, 1996.

ATTEST; /s/ Sue E. Glenn  
Sue E. Glenn, City Clerk

/s/ Bradley B. Parrish  
Bradley B. Parrish

/s/ David L. Sather, Jr.  
David L. Sather, Jr.

/s/ Anna Zellick  
Anna Zellick

/s/ David E. Fry, Sr.  
David E. Fry, Sr.

/s/ Karl Gies  
Karl Gies

CERTIFICATE

ESTABLISHING THE DATES OF THE FIRST PRIMARY AND GENERAL ELECTIONS FOR OFFICERS OF THE NEW GOVERNMENT OF LEWISTOWN, MONTANA 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 Lewistown, Montana shall be held at a special election on September 9, 1997.

The date of the general election for officers of the new government of Lewistown, Montana shall be held at a special election on November 4, 1997.

The effective date of the alternative plan of local government of Lewistown, Montana takes effect when the new officers take office on January 5, 1998.

We, the Study Commissioners of Lewistown 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 Lewistown approved by the Lewistown Local Government Study Commission.

In testimony whereof, we set our hands.

Done at Lewistown this 12th day of March, 1996.

ISI Bradley B. Parrish
Bradley G. Parrish, Chair

ISI David L. Sather, Jr.
David L. Sather, Jr.

ISI Anna Zellick
Anna Zellick

ISI David E. Fry, Sr.
David E. Fry, Sr.

ISI Karl Gies
Karl Gies

Seal

ATTEST: ISI Sue E. Glenn
Sue E. Glenn, City Clerk

CERTIFICATE

ESTABLISHING THE OFFICIAL BALLOT FOR THE JUNE 4, 1996 SPECIAL ELECTION

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

OFFICIAL BALLOT BALLOT ON THE ALTERNATIVE FORM OF GOVERNMENT

Vote for One.

[ ] FOR adoption of the self-government charter with the manager plan of government proposed for Lewistown by the Lewistown Local Government Study Commission.

[ ] FOR the existing form of government.

We, the Lewistown Study Commissioners, do hereby certify that this is the official ballot approved by the Lewistown Local Government Study Commission.

In testimony whereof, we set our hands.

Done at Lewistown this 12th day of March, 1996.

ISI Bradley B. Parrish
Bradley B. Parrish, chair

ISI David L. Sather, Jr.
David L. Sather, Jr.

ISI Anna Zellick
Anna Zellick

ISI David E. Fry, Sr.
David E. Fry, Sr.

ISI Karl Gies
Karl Gies

SEAL

ATTEST: ISI Sue E. Glenn
Sue E. Glenn, City Clerk

**CERTIFICATE**

**ESTABLISHING THE DATE OF THE SPECIAL ELECTION  
AT WHICH THE ALTERNATIVE FORM OF GOVERNMENT  
SHALL BE PRESENTED TO THE ELECTORS OF  
LEWISTOWN, MONTANA**

The alternative form of government proposed by the Local Government Study Commission shall be submitted to the voters of Lewistown at a special election to be held with the general election on June 4, 1996.

We, the Study Commissioners of the City of Lewistown do hereby certify that this is the date of the special election approved by the Lewistown Local Government Study commission.

In testimony whereof, we set our hands.

Done at Lewistown, Montana this 12th day of March, 1996.

/S/ Bradley B. Parrish  
Bradley B. Parrish, Chair

/S/ David L. Sather, Jr.  
David L. Sather, Jr.

/S/ Anna Zellick.  
Anna Zellick

/S/ David Fry, Sr.  
David Fry, Sr.

/S/Karl Gies  
Karl Gies

SEAL

ATTEST: /S/ Sue E. Glenn  
Sue E. Glenn, City Clerk