

Tentative Final Report

2024-2026

City of Sidney Local Government Review Board

Study Commissioners

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1. Introduction

The City of Sidney Local Government Review Board was established pursuant to Article XI, Section 9 of the Montana Constitution and Title 7, Chapter 3 of the Montana Code Annotated, which requires periodic voter review of local government. This review process provides the community with an opportunity to evaluate the City's current form, structure, powers, and service responsibilities and to consider alternative forms or powers of government authorized under Montana law.

Throughout the review process, the Board held public meetings, analyzed Montana statutes and constitutional provisions, examined governance structures used in other comparable Montana municipalities, and gathered feedback from residents, elected officials, staff, and community stakeholders.

This Tentative Final Report summarizes the Board's work, outlines the options considered, and presents recommendations and ballot questions for voter consideration.

2. Letter to the Citizens of Sidney

To the Citizens of Sidney:

The Sidney Local Government Review Board respectfully submits this Tentative Final Report to the residents of the City of Sidney.

The purpose of the Local Government Review process is to periodically examine the structure and powers of local government and determine whether changes should be considered by the voters. Over the course of this review, the Board examined Sidney's current representation structure, reviewed self-governing powers authorized under Montana law, evaluated practices used by other Montana municipalities, and gathered feedback through public outreach and discussion. Following its review, the Board voted to recommend retaining Sidney's current Mayor-Council form of government without change.

The Board also voted to place two separate questions before the voters:

1. A proposed change to the City Council representation structure while maintaining six council members and three wards; and
2. Whether the City of Sidney should adopt self-governing powers.

This report provides background information, analysis, and explanation regarding those proposals so that voters may make informed decisions.

The Board thanks the residents of Sidney for their participation, feedback, and engagement throughout this process.

Respectfully submitted,

City of Sidney Local Government Review Board

Janet Sergent, Chair

Wade Whiteman

Jordan Mayer

3. Summary of Study Commission Activities

The Sidney Local Government Review Board conducted its review over approximately eighteen months. During that time, the Board held public meetings, did public outreach, reviewed Montana statutes and constitutional provisions relating to local government, examined examples from other Montana communities, and discussed community concerns related to representation, governance, and local authority.

Public participation and transparency were central components of the review process. Meetings were open to the public, public comment was accepted throughout the process, and meeting materials were made available consistent with Montana open meeting laws. The Board:

- Conducted regular public meetings and work sessions
- Reviewed Montana constitutional and statutory provisions relating to local government review
- Reviewed forms and powers of government available under Montana law
- Examined examples from other Montana municipalities regarding ward representation, at-large representation, and self-governing powers
- Reviewed public comments and survey feedback
- Discussed representation, governance, administrative flexibility, and local authority

In early 2025, prior to the commencement of the formal review process, members of the Local Government Review Board attended study commissioner training provided by the MSU Local Government Center. During this training, Board members received an overview of the purpose and responsibilities of the local government review process, the current powers, form, and structure of the City of Sidney, and the alternative forms of government and powers authorized under Montana law.

In April 2026, members of the Board attended Local Government Review and governance-related training sessions referenced in Board meeting minutes. The training focused on the forms and powers of government available under Montana law and the procedural responsibilities of local government review boards. Including:

- General governing powers versus self-governing powers
- Charter governments
- Ward and at-large representation structures
- Statutory and constitutional limitations on local governments
- Ballot requirements and voter education responsibilities
- Examples of governance structures utilized by other Montana municipalities

4. Findings of the Study Commission

Scope of Review

The Board examined the City of Sidney's current structure of representation and powers under Montana law. Sidney currently operates under a Mayor-Council form of government with general governing powers. We currently have:

- Three wards
- Six council members
- Two council members elected from each ward
- Four-year staggered terms
- Every two years, one council member from each ward is elected (3 are up for election at one time)

Representation Findings

The Board discussed the strengths and limitations of the current representation structure. Board members reviewed examples from other Montana municipalities utilizing ward-based, at-large, and hybrid representation structures.

Supporters of the existing structure emphasized:

- Strong neighborhood representation
- Direct accountability between council members and ward residents
- Geographic balance throughout the community
- Familiarity and continuity within the existing election structure

Supporters of a hybrid representation structure emphasized:

- Increased citywide accountability
- Broader representation of community-wide issues
- Greater opportunity for collaboration between council members
- Retaining ward representation while incorporating citywide elected positions
- Increase likeliness of voter participation

Following discussion and review, the Board determined that presenting a hybrid representation structure to voters would allow residents to directly determine whether a combination of ward and at-large representation would better serve the community moving forward.

Under the proposed structure:

- Sidney would continue to have three wards
- Sidney would continue to have six council members

- One council member would be elected from each ward
- Three council members would be elected at-large by all city voters
- Council members would continue serving staggered four-year terms

The proposed election cycle would maintain staggered elections every two years, with either:

- One ward seat and two at-large seats elected, or
- Two ward seats and one at-large seat elected

Self-Governing Powers Findings

The Board also reviewed the differences between general governing powers and self-governing powers under Montana law.

Under general governing powers, municipalities may exercise only those powers specifically authorized by state law.

Under self-governing powers, municipalities may exercise powers not prohibited by the Montana Constitution, state law, or the municipality’s charter.

The Board reviewed educational materials, statutory language, examples from Montana municipalities, public comments, and information presented during governance training sessions.

Considerations Discussed in Support of Self-Governing Powers

Board discussions identified several reasons some communities choose to adopt self-governing powers, including:

- Increased local flexibility
- Greater ability to address local concerns without seeking additional state authorization
- Additional flexibility in local administration and organization
- Ability to tailor ordinances, procedures, and local programs to community needs
- Increased local control over administrative and operational decisions

Supporters of self-governing powers often described the concept as providing local governments with a broader toolbox for local problem solving while still remaining subject to constitutional and statutory limitations.

The Board also discussed examples of local authority that may be impacted by self-governing powers, including:

- Local nuisance and noise ordinances
- Administrative organization and procedures
- Ethics and disclosure policies

- Recreation and local service programs
- Local licensing or operational regulations where not preempted by state law

Considerations Discussed Against Self-Governing Powers

The Board also discussed concerns commonly associated with self-governing powers, including:

- Concerns regarding the use of a charter restrict the city in the future in unknown ways today
- Concerns regarding public understanding of self-governing authority
- Self-governing powers are not irreversible. Future voters retain the ability through Montana’s local government review and election processes to return the City to general powers if the community later determines that is appropriate.

Board members also emphasized that self-governing powers do not:

- Allow the City to override state or federal law
- Provide unlimited governmental authority
- Override constitutional protections or rights
- Remove the Legislature’s ability to limit or preempt local authority

The Board concluded that the issue of self-governing powers involves long-term questions regarding local authority and flexibility and is therefore appropriate for direct voter consideration.

5. Comparison of Existing and Proposed Plans of Government

a. Comparison of Specific Characteristics

Characteristic	Existing Structure	Proposed Structure
Number of Wards	3	3
Number of Council Members	6	6
Ward Representatives	2 per ward	1 per ward
At-Large Representatives	None	3
Terms of Office	4 years staggered	4 years staggered
Election Cycle	1 seat per ward every 2 years	Combination of ward and at-large seats every 2 years
Government Powers	General Governing Powers	Self-Governing Powers if approved

b. Recommendations and Reasons

The Board recommends presenting both proposals directly to the voters.

The Board determined that:

- The proposed hybrid representation structure could improve balance between ward representation and citywide accountability
- Maintaining six council members preserves representation levels while modernizing the structure
- The question of self-governing powers is appropriate for voter consideration because it affects the long-term authority and flexibility of the City

The Board also recognizes that reasonable arguments exist both in favor of and against self-governing powers and changes to representation structure.

6. Minority Report

Pursuant to Montana law, Jordan Mayer submits the following Minority Report.

While I respect the work completed by the Board and support providing voters with clear choices, I believe additional caution should be exercised regarding the adoption of self-governing powers.

Self-governing powers provide broader local authority and flexibility; however, they may also create uncertainty regarding the extent of local governmental powers and increase the potential for inconsistent regulation or legal disputes. Additionally, self-governing powers may lead to increased regulation or governmental expansion, reduced consistency between local governments across the state, and broader authority being exercised by future elected officials than currently exists under general governing powers.

I also believe the current representation structure has historically provided strong geographic representation through direct ward-based elections. While Sidney may not be a large community, it is diverse enough that a majority of City Council representation originating from one area or neighborhood could influence decision-making in a way that may not fully reflect the interests of the community as a whole.

The proposed hybrid representation model is an approach currently being explored by many communities and may offer potential benefits; however, it remains relatively untested in comparison to more traditional ward-based structures. As a result, the long-term impacts and potential unintended consequences of such a system remain uncertain.

For these reasons, I believe voters should carefully consider both the potential benefits and potential drawbacks associated with the proposed changes.

I also believe voters should consider the relatively limited level of public participation during the review process compared to the overall population of the City of Sidney. Public attendance at Local Government Review Board meetings totaled approximately twenty-five (25) individuals across five meetings, excluding Board members and City staff, and the public survey received approximately eighty-one (81) responses. While those who participated provided valuable input, these participation levels represent only a small portion of the community. Given the significance and long-term impact of potential changes to the City's governmental powers and representation structure, I believe broader public engagement would provide greater confidence that the proposed changes reflect the informed preferences of the community as a whole.

Respectfully submitted,

Jordan Mayer

7. Supplementary Report

The Board may include supplemental materials, public comments, survey summaries, or additional explanatory information in this section prior to adoption of the Final Report.

8. Certificate A - Existing Plan of Government

The City of Sidney currently operates under a Mayor-Council form of government with general governing powers as authorized under Montana law.

The current representation structure consists of:

- Three wards
- Six council members
- Two council members elected from each ward
- Four-year staggered terms

9. Certificate B – Proposed Plan of Government - Representation Change

If approved by the voters, the proposed representation structure shall consist of:

- Three wards
- Six council member's total
- One council member elected from each ward
- Three council members elected at-large
- Four-year staggered terms

Elections shall continue every two years on a staggered basis.

10. Certificate C – Proposed Plan of Government - Self-Governing Powers

If approved by the voters, the City of Sidney shall adopt self-governing powers pursuant to Article XI, Section 6 of the Montana Constitution.

The City shall retain its existing Mayor-Council form of government unless otherwise modified by law.

11. Certificate D – Establishing the Election Date

The proposed ballot questions shall be submitted to the voters of the City of Sidney at the November 2026 General Election.

12. Certificate E – Official Ballot Language

Question 1 – Representation Structure

Shall the City of Sidney revise its council representation structure from:

- Three wards with two council members elected from each ward?

to:

- Three wards with one council member elected from each ward and three council members elected at-large citywide?

FOR the proposed representation change

AGAINST the proposed representation change

Question 2 – Self-Governing Powers

Shall the City of Sidney adopt self-governing powers pursuant to Article XI, Section 6 of the Montana Constitution?

FOR adopting self-governing powers

AGAINST adopting self-governing powers

13. Certificate F – Effective Date If Approved

If approved by the voters, the proposed changes shall take effect January 1, 2027, unless otherwise provided by law.

14. Appendix

a. City of Sidney Local Government Review Survey

The appendix shall include survey materials, public outreach summaries, and related supporting documents utilized during the Local Government Review process.