



Administrative Meeting

November 17, 2021

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Subject: An Ordinance amending the approval of personnel policies by the City Commission by amending Section 2-1-3 of the Helena City Code

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Policy Issue

Should Section 2-1-3 of the City Ordinance regarding personnel policies be amended to remove the Commission from adoption of personnel policies generally and add that the Commission is responsible for adopting the employee appeals procedure?

Recommendation and Alternatives

Staff Recommendation

The City of Helena staff recommends amendment of Section 2-1-3 of the City Ordinance to align with the City Charter and the City Manager's responsibility to "appoint, and be administratively responsible for all city employees" and to "administer the employee appeals procedure as adopted by the Commission" in Section 3.02(2)(m). It is within the City Manager's scope of responsibility to administer and manage City employees given the authority to develop, modify, add, and remove personnel policies for efficient and effective personnel management.

Alternatives for Consideration

Leave Section 2-1-3 as is and require City Commission adoption of personnel policies in conflict with City Manager Charter authority to directly supervise and administer all departments of the City and be responsible for all employees.

Legal Review

Completed.

Background Information

Personnel policy development and revision has historically been governed by the City Commission. The Commission deals with administration and employees only in a formal manner through the City Manager. Administrative functions are not delegated to individual members of the Commission. Department Heads are selected and supervised by the City Manager. Employees are supervised and managed by Department Heads under the City Managers direction and authority. As such, it is recommended to amend Section 2-1-3 of the Helena City Code.

This revision to City Code also aligns with City Charter in that the Commission is responsible for adopting the employee appeals process.

Notice of Public Meeting

The general notice via email, posting of agenda on City website and calendar, and social media posts that the December 6, 2021 Commission meeting packet agenda will be completed. Pursuant to § 7-5-103(3), MCA, “[an] ordinance must be read and adopted by a majority vote of members present at two meetings of the governing body not less than 12 days apart.” The same section of the Montana Code goes on to provide that, “after the first adoption and reading, [the ordinance] must be posted and copies must be made available to the public.” Provided the Commission approves a first reading on December 6, 2021, a second reading and public hearing will occur on December 20, 2021. The public hearing will be noticed according to the requirements of § 7-1-4127, MCA.

IAP2 Spectrum Type of Participation

Inform.

Inform and/or Engagement Plan

The process to inform the public and city staff commences with this administrative meeting discussion. If consensus direction to proceed with the formal public hearing process is agreed to the above notices of public meetings will be issued.

Respectfully submitted,

Rachel Harlow-Schalk
City Manager

Attachments: Ordinance
City Charter
IAP2 Checklist