

RESOLUTION NO. R22-22

A RESOLUTION OF THE CITY COUNCIL SETTING THE SALARY OF THE CITY COURT JUDGE EFFECTIVE JULY 1, 2022 TO JANUARY 1, 2026.

WHEREAS, the City of Laurel City Council previously adopted R15-51, which set the City Court Judge's salary pursuant to an adopted scale to provide both certainty and fairness to the City and elected City Court Judge; and

WHEREAS, the City of Laurel City Council thereafter adopted R17-71, which set the City Court Judge's salary for the four-year term of January 2018 to January 2022; and

WHEREAS, R17-71 specified that the City Council would set the City Court Judge's salary for the four-year term of January 2022 to January 2026 through the budget process for Fiscal Year 2021-2022 and every four years thereafter; and

WHEREAS, the City of Laurel set the City Court Judge's salary for January 2022 forward through the budget process for Fiscal Year 2021-2022; and

WHEREAS, the City Court Judge's salary has been paid since January 2022 in accordance with the budget approval for Fiscal Year 2021-2022; and

WHEREAS, since the City Court Judge's salary was set for Fiscal Year 2021-2022 forward, the City Court Judge has requested a salary increase; and

WHEREAS, the Mayor has the authority to recommend and the City Council has the authority to approve, pursuant to the Laurel Municipal Code 2.68.100, a change in the salary of the City Court Judge by way of Resolution.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Laurel, Montana that the City Court Judge's salary for the four-year term beginning January 2022 to January 2026 shall be set as follows:

1. Commencing January 1, 2022 to July 1, 2022: The City Court Judge's salary will remain as was previously set by the City of Laurel through the budget process for Fiscal Year 2021-2022. No retroactive changes will occur with regard to the City Court Judge's salary.
2. Commencing July 1, 2022 to January 1, 2023: The City Court Judge's salary shall be increased by Two Percent (2%). This change shall not be retroactive, but shall be in effect from July 1, 2022 to January 1, 2023.

3. Commencing January 1, 2023 to January 1, 2024: The City Court Judge's salary shall be increased by an additional Two Percent (2%) from the previous partial-year period of July 1, 2022 to January 1, 2023.
4. Commencing January 1, 2024 to January 1, 2025: The City Court Judge's salary shall be increased by an additional Two Percent (2%) from the previous year of January 1, 2023 to January 1, 2024.
5. Commencing January 1, 2025 to January 1, 2026: The City Court Judge's salary shall be increased by an additional Two Percent (2%) from the previous year of January 1, 2024 to January 1, 2025.

BE IT FURTHER RESOLVED by the City Council of the City of Laurel, Montana that the City Court Judge's salary for the four-year term beginning January 2026 to January 2030 shall be set through the budget process for Fiscal Year 2025-2026 and every four years thereafter; and

BE IT FURTHER RESOLVED by the City Council of the City of Laurel, Montana that the City Court Judge's increased salary shall be incorporated into the City of Laurel's annual General Fund Budget, effective July 1, 2022.

Introduced at a regular meeting of the City Council on the 10th day of May, 2022, by Council Member Wilke.

PASSED and APPROVED by the City Council of the City of Laurel the 10th day of May, 2022.

APPROVED by the Mayor the 10th day of May, 2022.

CITY OF LAUREL

Dave Waggoner, Mayor

ATTEST:

Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

Michele L. Braukmann, Civil City Attorney

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City of Laurel

P.O. Box 10
Laurel, Montana 59044



DEPARTMENT

CITY JUDGE WAGE INFORMATION FOR CONSIDERATION BY CITY OF LAUREL CITY COUNCIL

CITY OF LAUREL CITY COUNCIL MEETINGS:

Workshop: May 3, 2022
Public Meeting: May 10, 2022

GENERAL FACTUAL INFORMATION

The City of Laurel City Court Judge has requested a compensation increase from her existing wages of \$43,360, plus fringe benefits of health insurance through the City of Laurel's health insurance plan.

City Council Members have already been presented with substantial information on this topic, in meetings on, in part, 9.21.2021, 12.21.2021, 1.18.2022, and 3.1.2022. That information is available to the public and all City Council Members, in relationship to those City Council Workshops in 2021 and 2022.

In 2015, the City of Laurel City Council adopted R15-51, which set the City Court Judge's salary pursuant to an adopted scale. That adopted scale was as follows:

Judge Salary Matrix

Years of Service	Additional Pay Re-Election	Yearly Salary
Year 1		\$ 35,000.00
Year 2		\$ 35,254.00
Year 3		\$ 35,508.00
Year 4		\$ 35,762.00
Year 5	\$ 500.00	\$ 36,516.00
Year 6		\$ 36,770.00
Year 7		\$ 37,024.00
Year 8		\$ 37,278.00
Year 9	\$ 500.00	\$ 38,032.00
Year 10		\$ 38,286.00
Year 11		\$ 38,540.00
Year 12		\$ 38,794.00
Year 13	\$ 500.00	\$ 39,566.00
Year 14		\$ 39,820.00
Year 15		\$ 40,074.00
Year 16		\$ 40,328.00
Year 17	\$ 500.00	\$ 41,082.00
Year 18		\$ 41,336.00
Year 19		\$ 41,590.00
Year 20		\$ 41,844.00
Year 21	\$ 500.00	\$ 42,598.00
Year 22		\$ 42,852.00
Year 23		\$ 43,106.00
Year 24		\$ 43,360.00
Year 25	\$ 500.00	\$ 44,132.00
Year 26		\$ 44,386.00
Year 27		\$ 44,640.00
Year 28		\$ 44,894.00
Year 29	\$ 500.00	\$ 45,648.00

\$500 Additional Salary for Re-Election - Beginning January 1 after re-election

In 2017, the City of Laurel City Council thereafter adopted R17-71, which set the City Court Judge's salary for the four-year term of January 2018 to January 2022. R17-71 specified that the City Council would set the City Court Judge's salary for the four-year term of January 2022 to January 2026 through the budget process for Fiscal Year 2021-2022 and every four years thereafter. The City of Laurel set the City Court Judge's salary for January 2022 forward through the budget process for Fiscal Year 2021-2022.

The Mayor has recommended an increase in the City Court Judge's salary, to acknowledge her request for increased compensation, while also evaluating the overall City of Laurel and City Court budget, comparable salary information, and resources of the City of Laurel, with a 2-2-2 percent increase each year, through the remainder of the City Court Judge's elected term.

The following is intended to provide comparative wage information for Council’s consideration, in evaluating the Mayor’s recommendation regarding the City Court Judge’s wage increase over the course of the following three years.

RECENT 2022 MONTANA LEAGUE OF CITIES AND TOWNS SALARY SURVEY

The recent Montana League of Cities and Towns Salary Survey, which collects data including starting and maximum salaries and minimum education/experience requirements throughout the State of Montana has published the following information relevant to the City Judge position:

Starting Salary: \$19,092
 Maximum Salary: None Reported

** Note: The comparison also appeared to have been drawn related to Justices of the Peace that may serve in dual capacities, although that was not formally-clarified. **

ADDITIONAL COMPARABLE INFORMATION

Information Applicable to Class 3 Municipalities of Similar Size to the City of Laurel:

As reported in the last MSU Local Government salaries survey, the wages for Class 3 Municipalities, of similar size to the City of Laurel, related to the City Court Judge, are as follows:

City/Town Name	Population	Salary Range	Attorney	Court of Record
Dillon	4,369	\$46,283 with 2% increase each year	Yes	No
Columbia Falls	6,464	\$60,389, last increase was 5%	Yes	Yes
Polson	5,060	\$25,441	No	
Belgrade	9,503	\$31,800 to \$37,510	Yes	Yes
Laurel	7,222	\$42,851	No	No

The MSU Local Government Services Department published the last “official” study on City and Municipal Court Judge Salaries as follows. As you can see from the below, the only locations that have increased compensation significantly have been Columbia Falls and Whitefish.

Job Title	City Judge ⁶⁰ Hourly, \$	Annual Salary
<i>Miles City</i>		
Anaconda	19.50 ⁶⁵	40,563.43
Havre		
Belgrade		
Livingston	18.28	38,012.16
Whitefish	33.42	69,513.60
Lewistown		
Sidney		
Glendive	18.50 ⁶⁷	16,236.00
Columbia Falls	25.22	52,457.60
Hamilton	21.59	44,907.20
Survey City		
Average	21.64	45,011.20
Montana Median	19.20 ⁶⁸	

The only two significantly higher salaries, in comparison to the City of Laurel, are Whitefish and Columbia Falls.

Factors For Evaluation, as it Relates to These Statistics:

- The City of Whitefish is a Court of Record.
- The City of Columbia Falls is also a Court of Record.
- The City of Whitefish is a Municipal Court, not a City Court.
- The City of Whitefish Judge is a lawyer. Her name is Judge Caitlin Overland. Here is Judge Overland's background: Judge Overland was born and raised in Montana. She received a bachelor's degree from Northwestern University and later graduated from Lewis & Clark Law School, cum laude. Immediately following law school, Judge Overland returned to Montana and clerked for the Montana Supreme Court. Judge Overland then moved to the Flathead Valley to begin serving as a Deputy Flathead County Attorney. During her time with the County Attorney's Office, Judge Overland worked on a wide range of legal matters including criminal prosecutions, youth court, civil litigation and land use law. She also maintains a private legal practice focusing on soil and water conservation. The Whitefish City Council appointed her to serve as Municipal Court Judge in December 2021.

- The City of Columbia Falls Judge is also a lawyer. Her name is Judge Kristi Curtis. Here is Judge Curtis's background: Judge Curtis was a Whitefish City Prosecutor prior to becoming the City of Columbia Falls Judge. Prior to joining the Bench, Judge Curtis had over 11-years experience as the prosecutor in Kalispell and Whitefish. Judge Curtis has been a licensed attorney for 36 years. In 1981, she graduated from Santa Clara Law School, passed the California Bar, and began working for a mid-sized firm in the SF Bay Area. In 1986, she became the only female partner. She handled all phases of civil litigation, including jury trials and appeals. The firm dissolved in 1998, and she became "Of Counsel," enabling her to move to Montana in 2000. Judge Curtis was then a Judge Pro Tem from 1994 to 2000 at the Municipal and Superior Court level (akin to District Court). In 2006, Judge Curtis passed the Montana Bar and was hired as the prosecutor in Kalispell where she stayed until 2015. In 2015, the City of Whitefish chose to move its prosecutorial duties from an outside contract to an in-house position. Judge Curtis was hired as the Whitefish Deputy City Attorney. She served in that position until being elected to the Bench for the City of Columbia Falls in 2017. Prior to being elected to the Bench, Judge Curtis tried over 100 criminal jury trials and hundreds of bench trials. She served as a Judge Pro Tem in Kalispell Municipal Court and Flathead Justice Court. She is now the elected Municipal Court Judge.
- Both of the aforementioned Judges are full-time Judges in courts-of-record and/or Municipal Courts.

Additional Comparative Information, Also Related to the Above:

Laurel:

Laurel has a population of approximately 6,800 citizens. Laurel's City Judge makes approximately 44k per year plus fringe benefits. As noted above, Laurel is a "court of no record," it is not a Municipal Court, and any person can serve as Judge, once elected, and not be an attorney, assuming they receive annual training.

Anaconda:

Anaconda has a population of approximately 9,100 citizens. Anaconda's City Judge makes approximately 40k per year. Judge Pahut also serves as Justice of the Peace for the County, including being City Judge. He serves not only the City of Anaconda, but the entire County of Deer Lodge, Montana.

Livingston:

Livingston has a population of approximately 7,600 citizens. Livingston's City Judge makes approximately 38k per year. She only acts as City Judge, not Justice of the Peace.

Hamilton:

Hamilton has a population of approximately 4,800 citizens. Hamilton's City Judge makes approximately 45k per year. Judge Royce McCarty is the City Judge in Hamilton. Judge McCarty served as Ravalli County Attorney Chief Civil Deputy from July 2019 until he was elected last year in 2021. He is a graduate of both Hamilton High School and the University of Montana's School of Law.

Lewistown:

Lewistown has a population of approximately 5,600 citizens. Lewistown's City Judge, Kelly Mantooth, also serves as Justice of the Peace for the entire County of Fergus. He makes \$49,688 per year. He serves the City of Lewistown and the entire County of Fergus as a Justice of the Peace. The population of the entire City of Lewistown and the County of Fergus is approximately 12k individuals that he is serving as Judge for.