Dais of our Lives - Mayors, Council, and Staff Working Together:

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Why Do Mayors, Council Members and Staff Do It?

“I like local politics because it all happens here.”
- Mayor

“We talk to real citizens about individual problems.”
- Councilmember

“Doing work that has real meaning in people's lives, such as land use, services, and so forth. City employees tend to have service as a part of their job motivation; people feel that there is meaning in what they do.”
- City Manager
By the Numbers

Statutory Cities
- 79 Standard Plan Cities: weak-mayor council, elected clerk
- 650 Statutory Plan A Cities: weak-mayor, council, appointed clerk
- 19 Statutory Plan B Cities: council-manager plan

Charter Cities
- 107 Charter Cities – unique to city, may incorporate any of above forms, and may include other modifications; 30 have the council-manager plan

Statutory City: Mayor and Council
Authority is exercised by the mayor and council acting together as a decision-making body.
Pursuant to state statute the mayor and council collectively exercise authority to:

- Control city finances
- Adopt ordinances
- Enter into contracts
- Appoint city personnel (under council-manager plan, appoints only the city manager)
- Appoint committee members
- Establish policies and rules of procedure

Above is for statutory cities. Charters dictate this for Charter Cities but often mirror this same structure.

Mayor in Statutory Cities

Weak-Mayor and Council-Manager forms of government

Cannot act alone

No individual authority over staff

No veto

Mayor - limited additional powers

- Presides at meetings
- Break tie votes for Council Vacancies
- Make Appointments, but subject to council approval
- Cosigns city documents with clerk
- Public & Ceremonial Head of the City – a CRITICALLY important role!!
So What Can Individual Councilmembers Do?

- Participate in council meetings and vote
- Educate themselves on issues & come to meeting prepared
- Act as liaison between city and residents
- Work with staff on issues of individual interest or as delegated by council
- Give Staff heads-up on Questions

Council-Manager Form of Government

Council exercises legislative authority.

Administrative authority is vested in a professional manager appointed by the Council.

- Legal Basis
  - Statutory Plan B
  - Home Rule Charter

Managers have specific legal authorities

- Enforce statutes, ordinances, and resolutions
- Appoint, supervise, and remove most city staff
- Have control over city departments
- Recommend policies and ordinances
- Oversee finances and budget
- Act as chief purchasing agent
- Prepare administrative regulations
- Managers powers are granted by statute or charter, not by council; only the voters can change
But My City Has a City Administrator, Not a Manager

- The title of “Administrator” is not found in State statute
- But it has been commonly adopted in cities by ordinance, resolution, or policy
- Usually found in Plan A or Home Rule Charter cities that have the weak mayor-council plan

Powers of the City Administrator

- May vary substantially from city to city
- In Minnesota, frequently has responsibilities similar to those of a city manager
- Administrative authority legally remains with the council, but much is delegated to the Administrator
- Appointment and removal of employees usually requires explicit council action
- Check any home rule charter provisions

Summary

✔ Know your type of city government
✔ Council governs city as authorized by law
✔ Individual council members have no authority to act alone
✔ Mayors have limited additional authority
✔ Charter cities – check the charter
OK, So Where Does A City Clerk Fit Into All This?

By law, the clerk is usually the “keeper of the records” and runs the elections

• In some smaller cities, the clerk has been given some authority over other department heads – i.e. public works.
• Some cities have broadened the title to “Chief Administrative Officer” as job duties have grown.

Council Oversees the City Through the Manager, Administrator, or Clerk/Administrator

Mayor and Council
City Manager, Administrator
Public Works Department
Administrative Personnel
Fire Department

Mayors, Councilmembers and Staff: A Line Not Always So Clear and Why It Can Be Difficult
The Traditional Model: A Policy-Administration Dichotomy

COUNCIL SPHERE

Sets Policy

STAFF SPHERE

Administers Policy

DIVISION OF RESPONSIBILITY

Clear lines of responsibility are nice, but not always clear. The situation changes based on change in council and administration, as well as size of community.

City staff often helps develop policy

Councils are interested in administration.

Elected Officials and Staff are Different, but Complementary

Council and Staff Have Fundamentally Different Perspectives in the City Government:

Council – the Elected Representatives

Staff – the Appointed Specialists
Similarly, they respond to a fundamentally different question:

Council – What Do You Hear?
Staff – What Do You Know?

What Exactly Does Staff Do to Support Council?

- Research the pros and cons
- Think through long-range implications
- Recall the history of why things were done
- Keep track of the Finances!
- Present reasonable options
- Make recommendations based on professional judgment
- Avoid getting involved in politics
- Stay balanced on policy
- Accept decision
- Implement well

Remind the Mayor

The duties of the chair or presiding officer are all about procedure—running the meeting well.
The duties DO NOT INCLUDE:
- lecturing or criticizing group members to make them vote the way you want,
- trying to convince people that you are right and they are wrong, or
- exercising that leadership position to determine the outcome of the vote.
During the meeting, mayor is not responsible for the decision the group makes. Mayors are the facilitator and the servant of the group.
Remind Councilmembers

The duties of the councilmembers are to come to meeting prepared, follow the process, use the rules, respect the chair and vote. This includes calling for points of information, points of order, calling the question when necessary.

The duties DO NOT INCLUDE:

• Talking over someone else or interrupting
• Making personal accusations or assumptions
• Assuming you have all the information you need
• Engaging public/residents during the meeting, whether at public comment time or via use of cell phone/social media
• Proving a point to yourself or public by playing “gotcha” politics with Staff

But With Energy, Enthusiasm, and Good Intentions There Can Be Problems!

Danger!

How Bad Can It Be?
Roles Can Get Confused

Laws Can Be Misunderstood or Broken

Meetings Can Become In-Efficient
Feelings Can Become Personal

Some Nuts & Bolts Policies Help

Mayors or Council Members Acting Alone

Confusion about who makes what decisions
Loss of accountability
Loss of council ability to work as team
Access to Government Data

Private Data
Includes much personnel data.
Elected officials may view if their duties so require.
Individual elected officials cannot view unless authorized by council.
*Work with the city attorney

Public Data
Elected officials follow general access procedures.

Open Meeting Law

Meetings must be open to public
Meeting = Quorum (majority) of elected officials, dealing with city matters
*Limited exceptions

Liability for intentional violations
Civil penalty up to $300
Costs and attorney’s fees up to $13,000
Forfeiture of office with three violations

Defamation

A reputation-damaging statement that a speaker or writer shares, knowing it’s false.

Some such statements are protected if:
They are true
Matters of opinion
Legally ‘privileged’

Councilmember acting alone, but in council role, may not be protected.
Communications

Good communication is a must, not an option.

A two way street!

And finally...

For Staff

Recognize that people run for office for a reason!
- They’re just plain interested and generally supportive
- They don’t like what’s going on
- They feel they can do a better job
- They are interested in just one or two critical issues

Appreciate Your Mayor and Councilmembers.
Learn to value the perspective that elected officials bring to the business of city government.

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Newly elected officials are sometimes skeptical of the current council and staff.

Steps to take:
- Help correct misperceptions, if any, by being open and honest.
- Help convince newly elected officials that staff has a vested interest in their success and will provide all information necessary to help.

Develop trust through shared goals and a history of achievement.

For Mayors and Councilmembers

Learn to appreciate what your staff does. Their Success is Your Success!

Be as supportive as you can, even as you hold them accountable
Set an expectation of civility.
Praise in public; Critique in private.
Communicate, communicate, communicate!

Take responsibility for your own training as an elected official.
“People didn’t elect me to be stupid!”

Tools for when things go downhill

- Workshops
- Strategic Plans
- Sessions with newly elected in own city
- League Resources
- Collaboration Program
Do Elected Officials and Managers Think It’s All Worth It?

"Personally, I find my council work so rewarding that I’ll never be able to give back to the community what they’ve given to me.”
-Councilmember

"The job’s not BS, even if it sometimes feels like it!"
-City Manager

Questions?
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