



**CITY OF LANDER**  
**WORK SESSION COUNCIL MEETING**

Tuesday, February 20, 2024 at 6:00 PM  
City Council Chambers, 240 Lincoln Street

**AGENDA**

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Join Zoom Meeting

<https://us06web.zoom.us/j/81944958399?pwd=rrUFi6SbdoZYbxcjeiZRfbhIrObZWc.1>

Meeting ID: 819 4495 8399

Passcode: 255990

**1. NEW BUSINESS (NON-ACTION ITEMS)**

- A. Presentation on Forms of Municipal Government - Jason Grant, ICMA  
Action item in 2023 Strategic plan

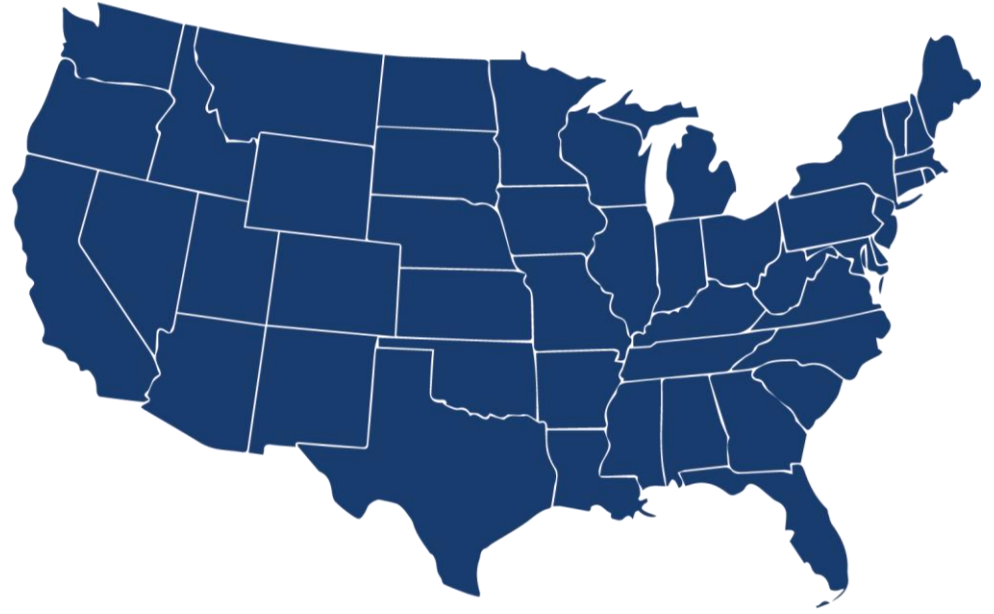
**2. ADJOURNMENT**

# Understanding Council-Manager Form of Government

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# U.S. Constitutional Federal Republic

- Article IV – Guarantees Republican Form of Government (Representative Democracy)
- 10<sup>th</sup> Amendment – Powers not delegated to the to federal government are reserved for States



# Federal and State Powers

Exclusive Federal Powers	Concurrent Powers	Exclusive State Powers
Coin/print money	Taxation	Issue licenses
Regulate interstate and foreign commerce/trade	Pass and Enforce Laws to execute respective powers	Regulating intrastate commerce
Conduct Foreign Policy	Charter banks and corporations	Providing for public safety, health, and welfare
Declare war	Take land for public use with just compensation (eminent domain)	Conduct elections
Assemble, maintain, and regulate a standing army	Establish courts	Ratifying Constitutional amendments
Establish a post office	Borrow money	Exert any powers not delegated to the federal government or prohibited by the Constitution
Establishing rules of naturalization	Build Roads/Infrastructure	<b>Establish local governments</b>

# Understanding Local Government



No Uniform  
Structure



Differs by Location



High Degree of  
Professionalism



Child of the State



Responds to  
Immediate Needs

# Forms of Local Government

Form of Government	Number	Percent
Council-Manager	4,398	40.0%
Mayor-Council	4,171	38.0%
Commission	1,303	11.9%
Town Meeting	1,056	9.6%
Representative Town Meeting	59	0.5%

Source: ICMA Survey Research 2018-2019;  
municipalities with population of 2,500 or more

# Form of Government by Population

Population Range	Mayor-Council	Council-Manager
Over 1,000,000	67%	33%
500,000 – 1,000,000	54%	43%
250,000 – 499,999	50%	50%
100,000 – 249,999	26%	74%
50,000 – 99,999	32%	67%
25,000 – 49,999	38%	61%
10,000 – 24,999	44%	54%
5,000 – 9,999	44%	54%
2,500 – 4,999	55%	44%
Under 2,500	57%	42%

# Manager v. Mayor as CEO

Manager	Mayor
Hire/Fire all department heads based on professional qualifications	Hire/Fire all department heads as at-will positions
Assure effective and efficient operation of government to achieve Council goals and objectives	Assure operation of government achieves goals and objectives of the mayor
Offers policy recommendation at request of Council, but has no power to overturn or solicit public influence on Council decisions	Offers policy recommendation to Council whether requested or not, can veto any Council decision, and seeks public influence on Council decisions
Can be removed at any time by simple majority vote of Council	Cannot be removed from office for the duration of their term regardless of performance
Obligated to fully and faithfully administer government to achieve Council adopted outcomes	No requirement to achieve the adopted outcomes of Council



# Role of Mayor

Council-Manager	Mayor-Council
Advance a vision for the city	Advance a vision for the city
Serve as official spokesperson for the city	Serve as official spokesperson for the city
Serve as ceremonial head of the city	Serve as ceremonial head of the city
Meet with constituents	Meet with constituents
Identify solutions to citywide problems	Identify solutions to citywide problems
Develop policy recommendations for Council consideration	Develop policy recommendations for Council consideration
Set Council agenda and run oversee all Council meetings	Run daily operation of Government and oversee all department heads
Vote on all items before Council with a city-wide perspective	Veto any Council action they disagree with to require 2/3 majority of Council to approve

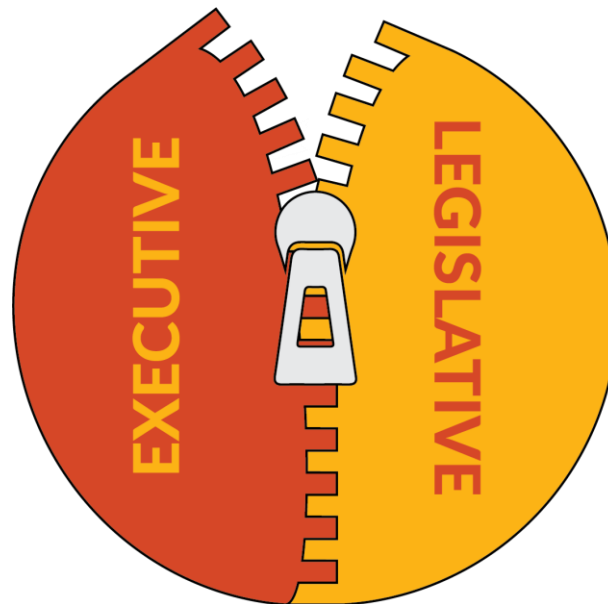
# Form of Government Considerations

## Separate or Unified Powers

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Calls for **separation of powers** are generally made in the name of **expediency**.

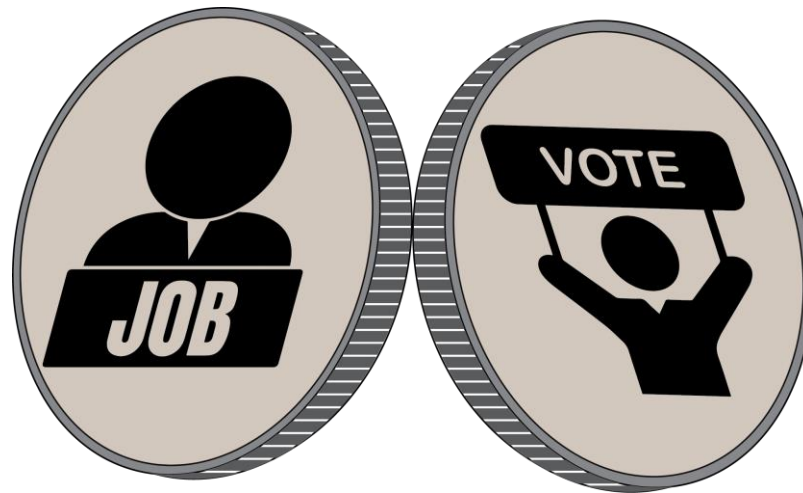
Calls for **unified power** are generally made in the name of **effectiveness**.



## Administration-Politics Dichotomy

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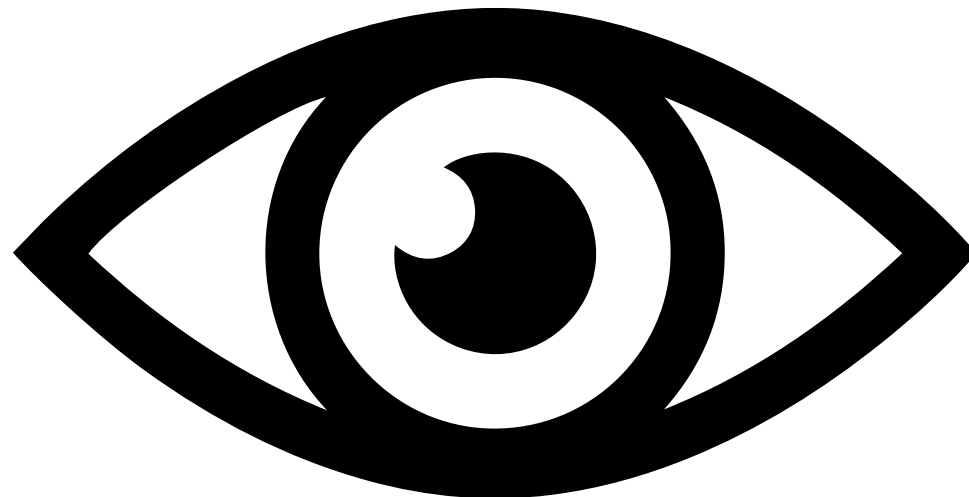
The debate on form of government generally centers upon whether the Chief Executive should be a professional with the proven knowledge, skills and abilities necessary to run a government organization or an individual popularly elected by the people to serve the will of majority voters.



## Accountability

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The desire to hold the executive accountable for effective, efficient, or equitable governance is the primary concern raised in form of government challenges.



## Corruption

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Distrust in government is growing at all levels (federal, state, and local). While local government still fares better than trust in federal or state government, it is on the decline. Fears of corruption from elected officials and government employees is a major issue in form of government debates.



## Representation

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Operating under a republican form of government (representative democracy), the issue of representation in government is of particular concern for communities.

Communities considering changes to their form of government often seek to address how to assure government represents the needs and interests of the people



## Partisanship

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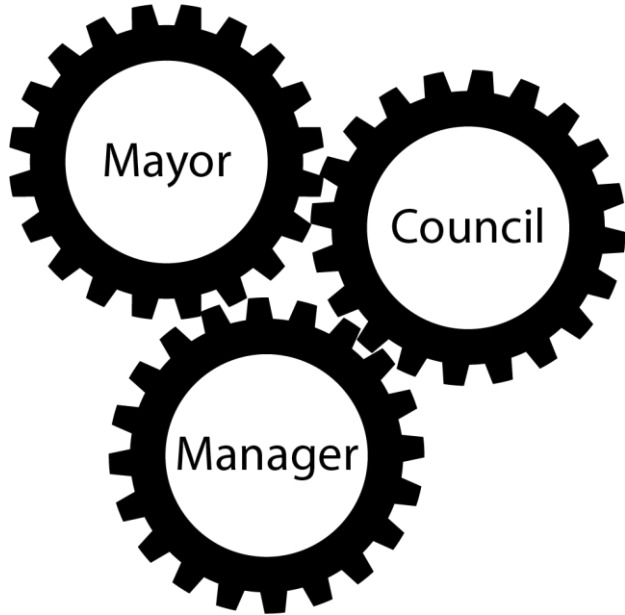
Form of government is itself a non-partisan issue. However, advocates for and against council-manager or mayor-council governments often seek solutions to either reduce or increase political partisanship in the administration of programs and services.





# Council-Manager Structure

# Collaborative Government

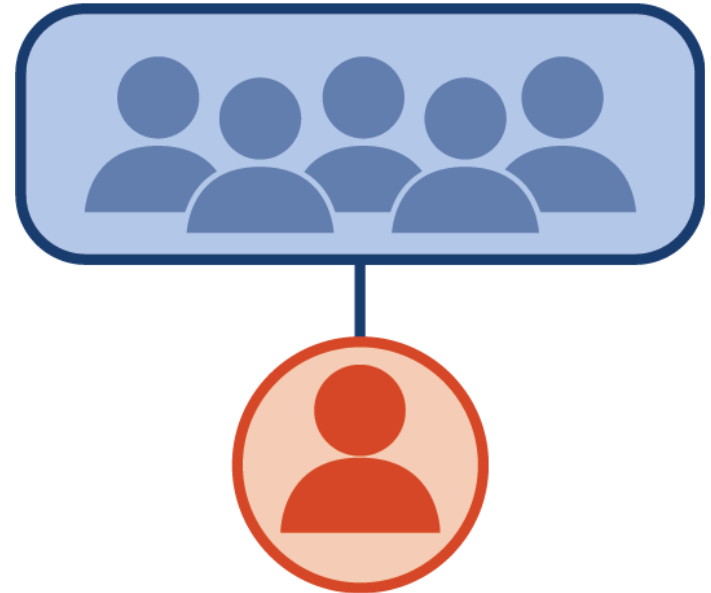


- **Mayor** is accountable for providing strong leadership that results in a clear direction and policy guidance for the Council.
- **Council** is accountable for determining what outcomes are best suited to address the needs and interests of the people they are elected to represent.
- **City Manager** is accountable for the effective and efficient operation of government to deliver on the goals adopted by the elected body.

# How It Works

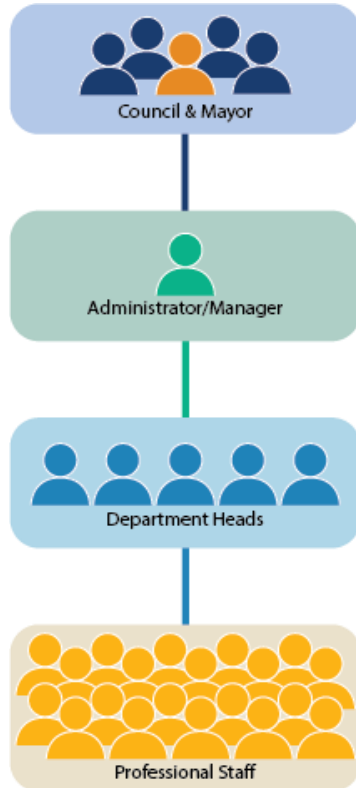
## *Appointing a Manager*

- Manager appointed by majority vote of council for a definite or indefinite term
- Council (inclusive of the mayor) may terminate the manager by a majority vote at any time
- Appointment should be based on professional experience, administrative qualifications, and education. Political affiliations should not influence appointment.



# How It Works

## Hiring Staff



- Elected Body Hires Manager/Administrator
- Manager/Administrator hires Department heads
- Department heads hire professional staff

# How It Works

## *Budget Process*

- In consultation with the elected body, the manager prepares a budget for its *consideration* based on the elected body's adopted strategic priorities
- Elected body makes any changes to the proposed budget it deems necessary and relevant
- Manager is responsible for administering the budget as ultimately approved by the elected body.



# Role of City Manager

- Works in partnership with elected officials to offer professional expertise and experience for consideration in their policy decisions
- Provides strategic planning to support long-term, community-wide benefits for the community rather than short-term political gains
- Assures that staff at all levels of government have the knowledge, skills, and abilities to deliver the programs and services to the people
- Support the Council by assuring its vision and policies are carried out *fully* and *faithfully* by staff regardless of personal or political sentiment toward the Council's vision or policies

# WalletHub's Best Run Cities

## Where Council-Manager Cities Fare Better:



### EDUCATION

% in Top 10  
CM: 29% (6)  
MC: 14% (4)

% in Top 25  
CM: 67% (14)  
MC: 36% (10)



### HEALTH

% in Top 10  
CM: 19% (4)  
MC: 18% (5)

% in Top 25  
CM: 62% (13)  
MC: 39% (11)

### \$ ECONOMY

% in Top 10  
CM: 38% (8)  
MC: 7% (2)

% in Top 25  
CM: 71% (15)  
MC: 36% (10)



### SAFETY

% in Top 10  
CM: 33% (7)  
MC: 11% (3)

% in Top 25  
CM: 62% (13)  
MC: 43% (12)

## Where Mayor-Council Cities Fared Better:



### INFRASTRUCTURE & POLLUTION CONTROL

% in Top 10  
CM: 10% (2)  
MC: 25% (7)

% in Top 25  
CM: 38% (8)  
MC: 57% (16)

# Research Findings

- Municipal governments with a higher concentration of powers (i.e. mayor-council) tend to have more bureaucratized administrations (Lupuente).
- Mayor-Council cities are less likely to implement cost-saving strategies when compared to municipalities with the council-manager form of government (Aguado).
- Mayor-council cities are more likely to offer ineffective financial incentives for economic development opportunities, which are linked to declines in population and economic base when compared to financial incentives implemented in council-manager cities (Feiock, Jeong, & Kim).
- Council-Manager cities have stronger budgetary solvency compared with mayor-council cities. (Jimenez).
- Council-manager governments have been shown to be more likely than mayor-council governments to utilize sophisticated revenue forecasting and expenditure analysis techniques, prepare multiyear budgets, emphasize strategic planning and long-term policy priorities, realize efficiency gains, lower per capita spending for basic services, and engage in other practices designed to promote long-term budget stability (Marlowe).





# Research Findings

- Council-Manager governments 57% less likely to have corruption convictions (Nelson & Afonso).
- Council-Manager governments more likely to make economic development decisions based on strategic plan guidance (Feiock & Kim).
- Political influence of a mayor on the appointment of the chief administrative officer has a negative influence on the financial outcomes of local government (Lee, Park, & Butler).
- Municipalities headed by a city manager are associated with increased bond ratings (Dove).
- Council-Manager cities tend to be equipped with more advanced information systems, which lead to improved efficiency over mayor-council cities (Kim)



# Key Questions for Consideration

# Key Questions to Consider

- Should the chief executive officer of the city be accountable to the people on a daily basis or to the electorate once every four years?



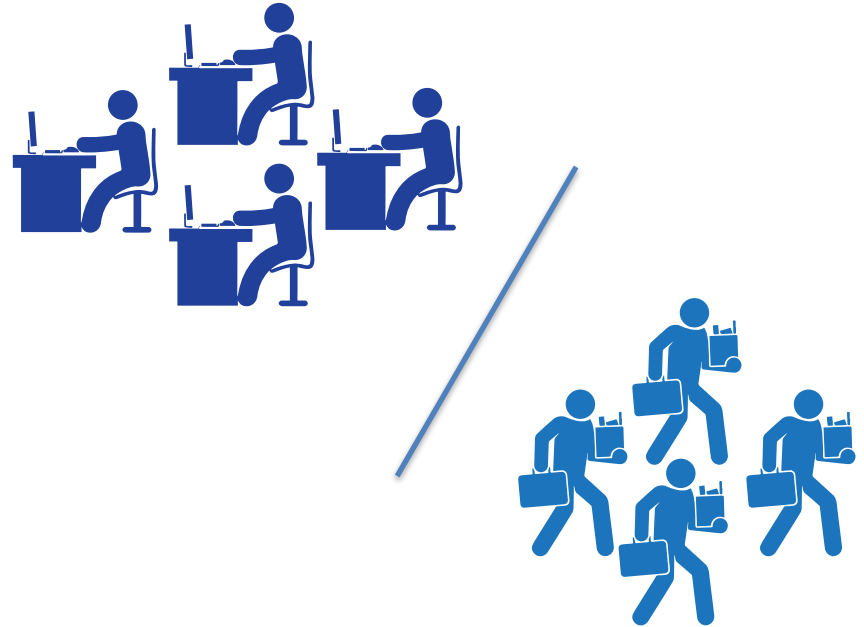
# Key Questions to Consider

- Should department heads be hired based on qualifications or political allegiance?



# Key Questions to Consider

- Do organizations thrive with consistent and effective service, or with regular turnover at the most senior-level positions?



# Key Questions to Consider

- Is running the city a full-time job or part-time activity?



# Questions?

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