

Presentation Prepared for the
Start of Charter Review
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Municipal Charters

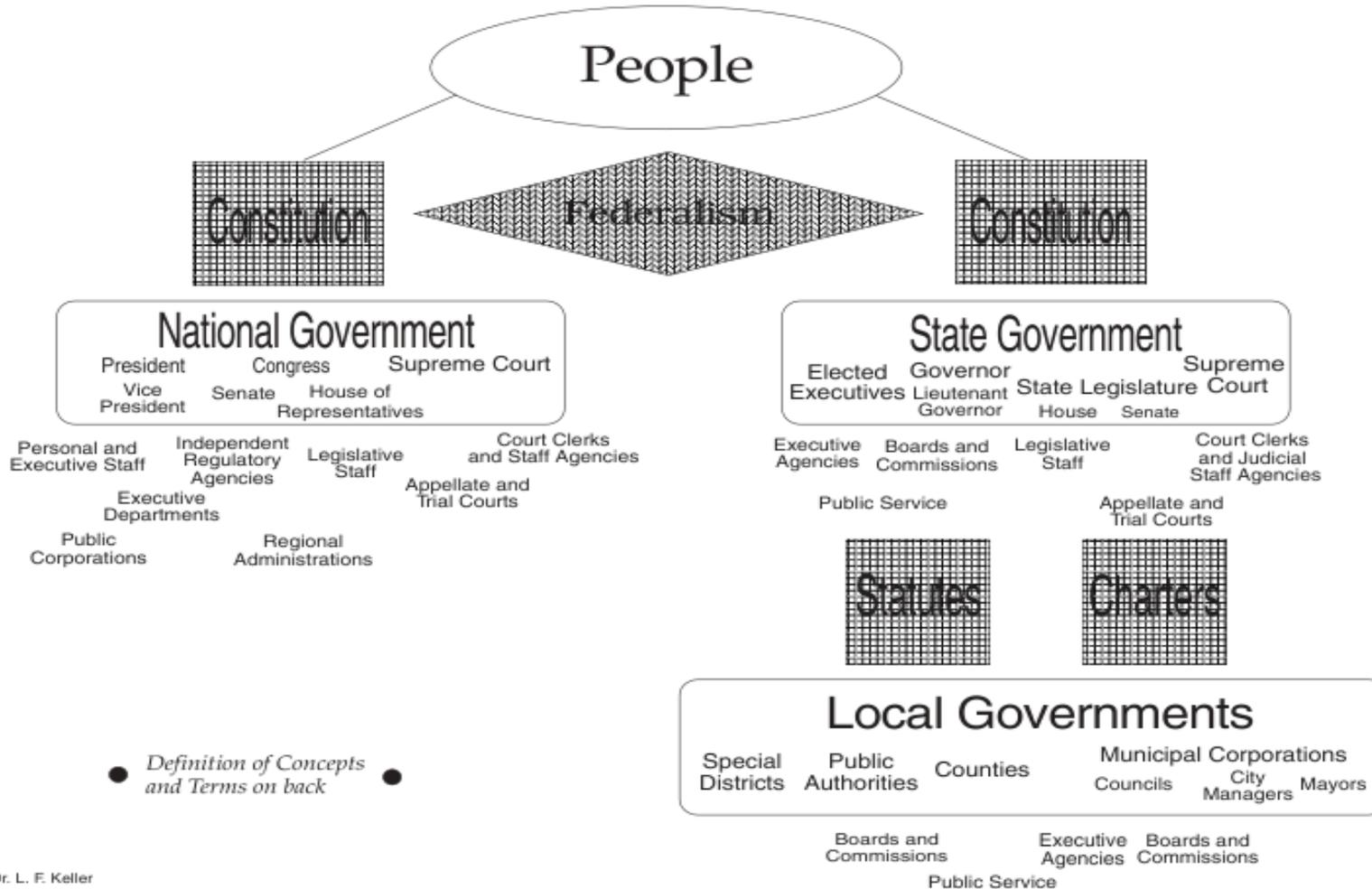
Overview and History

... A page of history is worth a volume of logic



A Federal Republic

Philosophical Structure of American Government



Rise of the Concept of a Municipality

Roman need to govern ancient cities that had no ties to Rome other than suffering conquest



Municipal – all but foreign affairs

American cities are legally corporations – thus they need charters

Rise of the Modern American Municipality

First Urban
Revolution –
creating the
walking city



Post Reconstruction
1880 to 1920

Inadequate
Governments and
Political Party Rule

By 1900 **New York City** – formed by a merger of
Brooklyn and Manhattan joined by three other
boroughs reaches three and a half million people

Modern Municipal Government



Reform Movement
1880 to 1920

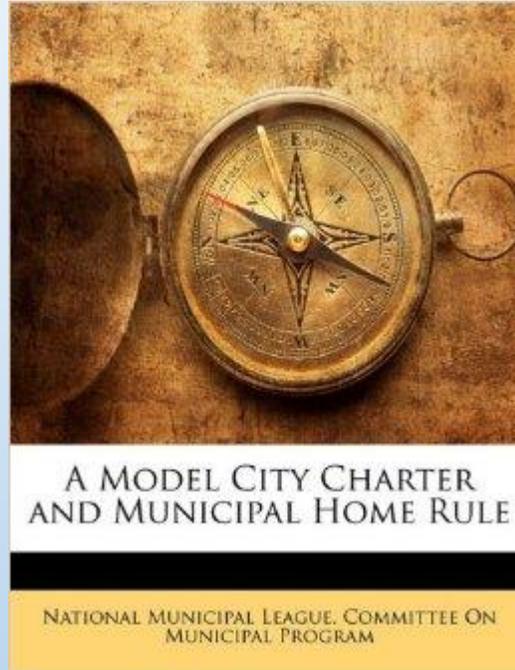
Non-Partisan systems,
Commission and
Council-Manager Plans



Strong Mayor and Council-Manager Systems of
Governing reform politics

Rise of Home Rule for Cities

Political Party Rule
and Politics becomes
focused on rewards –
Honest Graft

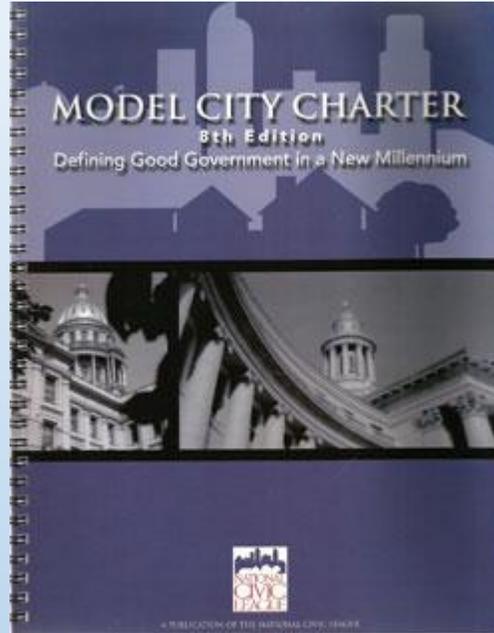


State versus local
municipalities over
control and rewards

Reformers seek cities along the lines of the
historic city states such Athens and Rome

A Charter for the Modern City

After the Second
Urban Revolution no
one charter fits all



A Charter alone
does not solve
public problems

The search is for a legal document that modernizes government, involves active citizens and prepares a community to face problems with a concern for the long term public interest

The Purpose and Function of a Charter

A [home rule] C[harter] is not the act of a Government, but of a people constituting a government, and a government without a constitution is a power without right.

Thomas Paine

A Charter establishes the process, context and mechanisms for a community to make decisions about solving problems and facing the future

The Core of a Municipal Charter

Form of Government

Structure, Process and Roles of City Council

Other offices of government and relation to
Council and Chief Executive

Financial Requirements and Processes

*"Good decisions come from experience.
Experience comes from making bad decisions."*

- Mark Twain (1835 - 1910), American Novelist and Journalist

The Core of a Municipal Charter, Part 2

Elections, Initiative and Referendum

Ethics, both substance and Process

Roles and Processes for Citizen Participation

Training and Development of Officeholders

"The sign of an intelligent people is their ability to control emotions by the application of reason."

- Marya Mannes (1904 - 1990), American Author and Critic

Forms of Municipal Government

Decisions on the Form of Government is the most critical as it has implications for all of the Charter

Forms of Government are significant but like charters generally don't solve community problems

Forms of Government do create political cultures, environments which can facilitate a community dealing with its problems and building a better future



"Noise proves nothing. Often a hen who has merely laid an egg cackles as if she had laid an asteroid." ... Mark Twain



Forms of Municipal Government: A Short Overview

Current **Forms of Government** were created by reformers focused on improving governance

Governance is making and implementing public policies, providing services to citizens and greatly determining their quality of life

A **Form of Government** is the most important structure by which **Governance** is performed

"Imagination is more important than knowledge. Knowledge is limited. Imagination encircles the world." - Albert Einstein

Council-Mayor Form of

Elected Chief Executive *Government*

Strong or Weak

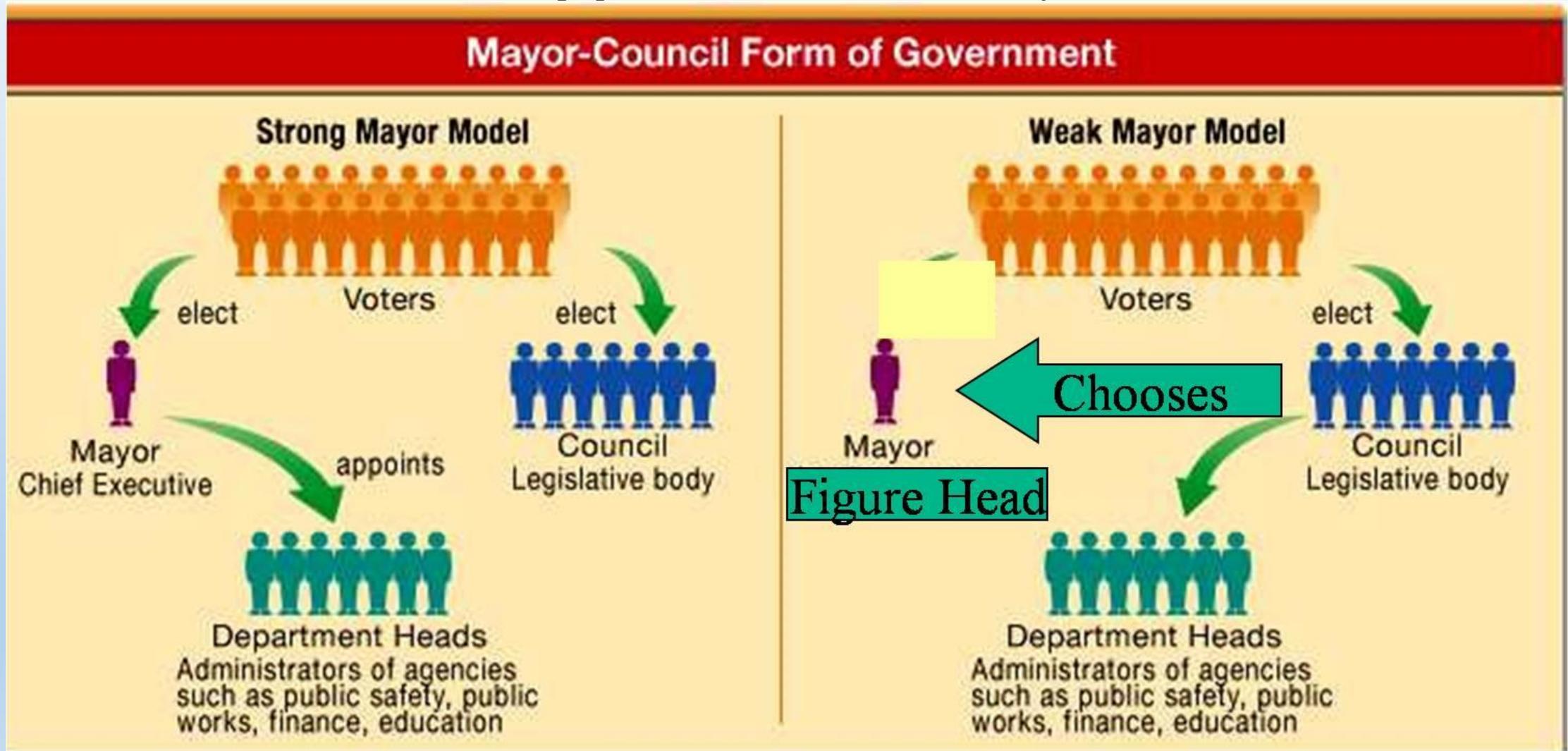
Type of Mayor depends upon explicit grant of authority as chief executive, veto authority and control of appointments and budgets

Elected Legislature - Council or Commission

Elected at-large or from wards or districts, or a combination of the two

Separation of Powers

Council-Mayor Form of



Commission Form of Government

Elected Commissioners

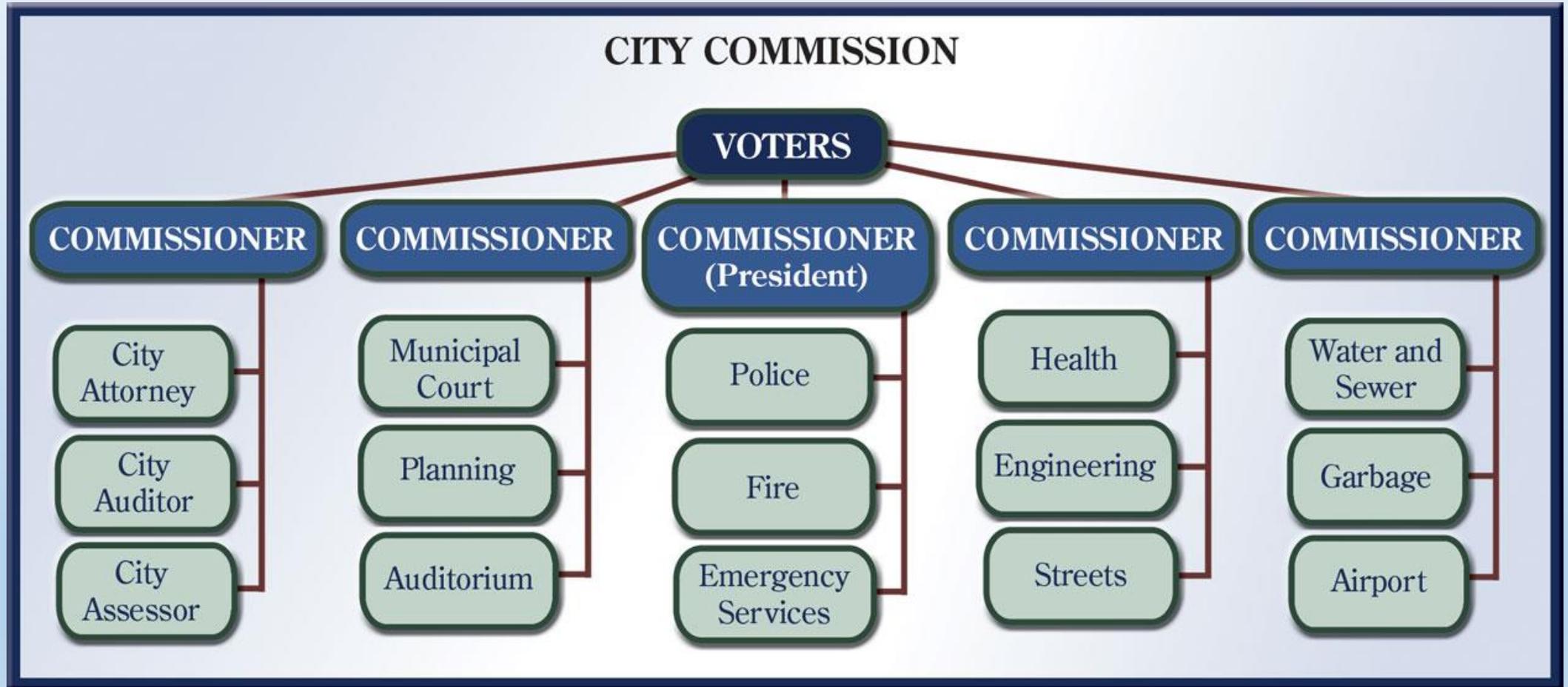
Typically at Large Elections

Collectively the Commissioners are legislators

Individually the Commissioners are Directors of Administration;
each directs a different department or departments

No Separation of Powers

Commission Form of Government



Commission/Council - Manager Form of Government

Elected Commissioners or Council Members

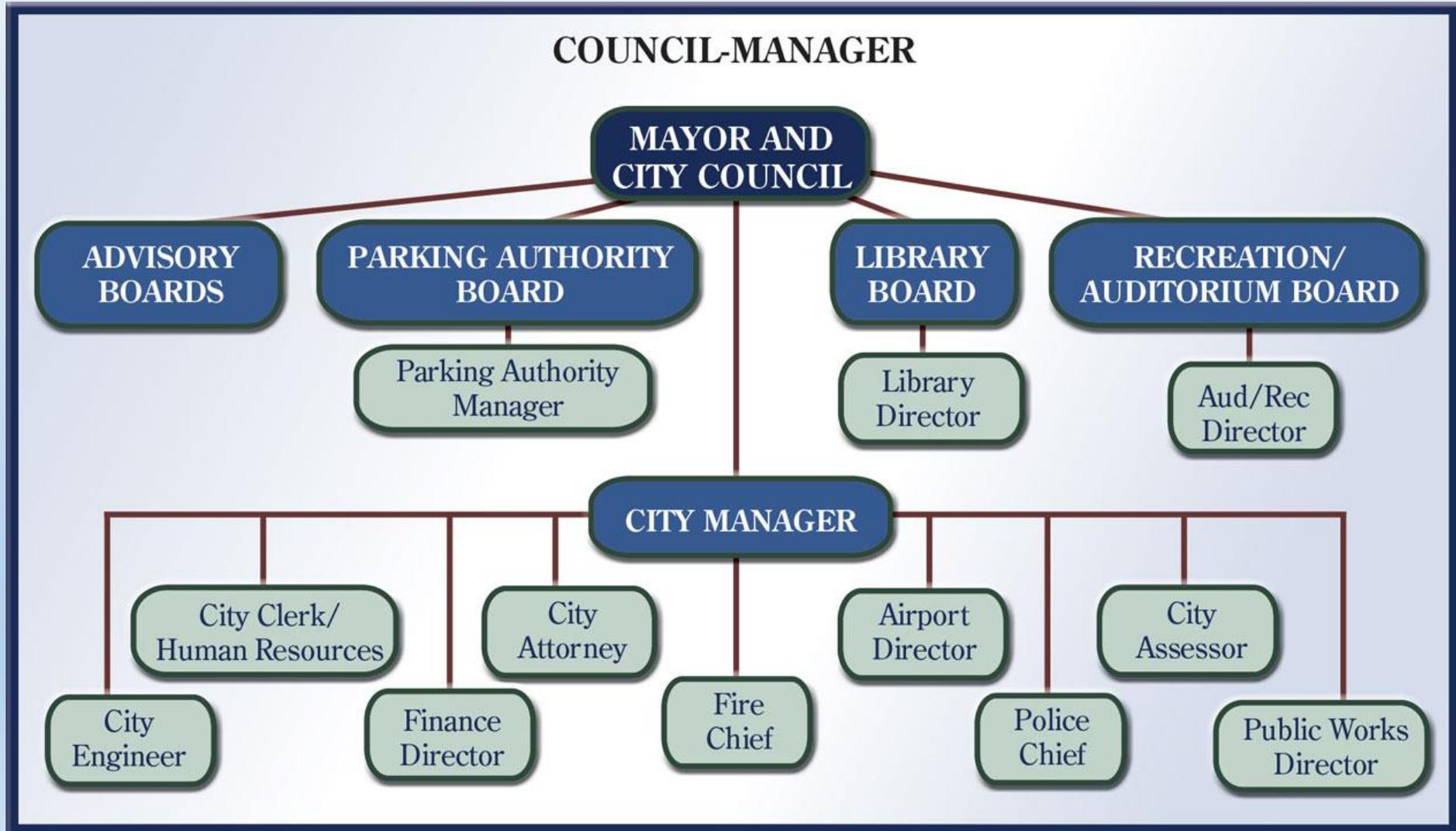
Often by at Large Elections

Commission/Council appoints a chief executive,
the City Manager, who serves at its pleasure

City Manager has sole administrative
authority and administers the budget

No Separation of Powers

Commission/Council Manager Form of Government



Forms of Municipal Government: Some Strengths and Weaknesses

Forms of Government are significant but like charters generally don't solve community problems

Forms of Government do create political cultures, environments which can facilitate a community dealing with its problems and building a better future

Council-Mayor Form of Government

Strengths *Strengths and Weaknesses*

Elected Chief Executive can mobilize electoral support

Campaigns can highlight issues publicly

Can form political coalitions

Connections via Party to other
units and levels of government

Council-Mayor Form of Government

Weaknesses *Strengths and Weaknesses*

Mayor can be popular but ineffective

Mayoral candidates seldom have managerial or administrative backgrounds

Mayor can dominate the agenda

Can slight and sometimes ignore Council

May not deal with unpopular issues that could thwart political ambition

Commission Form of Government

Strengths and Weaknesses

Strengths

Commissioners experience internal issues at the work level

Non-partisan which matches voters more and more declaring independent as their political status

Typically 5 to 9 Commissioners so it is possible to reach consensus by deliberation

Unlikely to have one person dominate agenda

Commission Form of Government

Strengths and Weaknesses

Weaknesses

Difficult to cope with conflicts among commissioners

Leadership difficult to establish

Coordination of administration very difficult to accomplish

Difficult to conduct inter-unit and inter-governmental relations

Commission/Council - Manager Form of Government Strengths and Weaknesses

Strengths

Empowers Council – People’s Representatives

Chief Executive educated professional

Hiring of the City Manager facilitates Council identifying issues

City Manager in but not of the local politics

Accountability of the City Manager
for how governing is conducted

Commission/Council - Manager Form of Government Strengths and Weaknesses

Weaknesses

Partisan Politics are difficult to address

Depends upon the quality of Council

Can lack political leadership

Citizens may lack understanding of the system

Forms of Municipal Government: Hybrid Systems

Many Current **Forms of Government** were modified over time and place

Many were created as political compromises to obtain better **governance** when **reform** is not supported

Both major **Forms of Government** have been modified

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Council-Mayor Hybrid Forms of Government

Elected Chief Executive

Typically Strong Mayor

Mayor may preside over Council, including setting agenda and appointing committee members

Elected Legislature - Council or Commission

Elected at- large or from wards or districts, or a combination of the two

Separation of Powers

Council-Mayor Hybrid Forms of Government

Chief Administrative Officer

Appointed by and terminated by the Mayor

Administrative or other qualifications

Has Administrative Authority

CAO Office created by Charter or Ordinance

Strong Mayor retains most political

authority such as Veto

Council-Manager Hybrid Forms of Government

Appointed Chief Executive

Elected Legislature - Council or Commission

Elected at- large or from wards or
districts, or a combination of the two

No Separation of Powers

Council-Manager Hybrid Forms of Government

Elected Mayor or similar office

Mayor has policy and appointive authority

May nominate City Manager

May initiate termination of Manager

City Manager accountable to Council

Appointment and Termination require

Majority or supra-majority vote of

Council

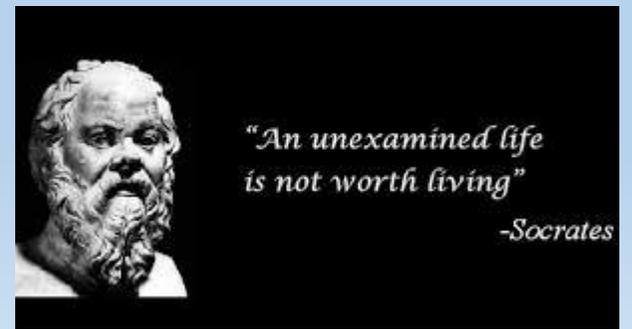
Municipal Charters and Politics

Unless written locally, charters are provided by state legislatures

Ability to and the process for writing a local charter controlled by state law

Writing or reviewing a charter an opportunity to educate a community

As with any representative body a charter or charter review committee must seriously but civilly deliberate



Concluding Remarks

All public activities in a community are political

Politics is a process by which a community determines the “authoritative allocation of values” – that is what is valuable to the community as a whole

The quality of politics is determined by how it is done and creates the public character of the community

ANYONE WHO
SAYS THEY ARE NOT
INTERESTED IN POLITICS
IS LIKE A DROWNING MAN
WHO INSISTS HE IS NOT
INTERESTED IN WATER.

MAHATMA GANDHI