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**Intro:** Welcome to the Let’s Talk Government Podcast. A podcast that is provided for you by the department of government at Minnesota State University, Mankato. Located in Minnesota in the United States. I am your host Dr. Pat Nelson, the chairperson of the department of criminal justice. I want to thank you for joining us as we explore different topics related to government. Some may be surprising and some may not, so please enjoy.

**Dr. Nelson:** Welcome to Episode 30 of the let's talk government podcast, Local Government in Minnesota: Forms of Administrative Organization. I am joined by Dr. Miriam Porter from the Urban and Regional Studies Institute in the department of government at Minnesota State University, Mankato. Thank you for joining me Dr Porter. So why don't we start off in general, you know, how is local government organized in general and then in Minnesota?

**Dr. Porter:** Well, Thank you Dr. Nelson. In Minnesota, we have four forms of organizational structure, administrative structure for local governments and that all comes from the Minnesota state statutes. Cities are creatures of the state. The state statues define the powers of cities. And the power of cities influence our day-to-day life; where roads are built, how they're maintained, local economy that affects our jobs and commercial enterprises, police practices, housing needs all fall within the power of cities. The mayor and the city council members are entrusted to make decisions. Their leadership gives that power direction. So, it's always been interesting to me being part of a local government institute, how much attention with the media, that's given to the federal and the state government. But whatever happens at the federal level or the state level, comes to life in our cities. It's those policies that play out in our communities. We implement the policies at the other levels of government. You know for instance right now, President Biden is talking about the infrastructure plan, the federal infrastructure plan, and then the social infrastructure plan. Both of those will directly impact our cities where we live, it will impact the roads, it'll impact social programs that are offered to residents in our community. So again, local governments are subject to the absolute sovereignty of the state legislature, with one limited exception, and the exception is the Home Rule charter. Now the Home Rule charter is established by organizations that determine that's the direction that they want to go. They want to have a charter and they want to be able to come up with their own methods of doing business in their cities. But even with a charter, which is reviewed and put forward by a charter commission, the charter has to be in harmony with the Minnesota constitution and with the state statutes. It can't go above and beyond anything that the state of Minnesota allows. So another interesting aspect of local government that I also find to be intriguing having worked for local government, is that surveys indicate the local governments are the most trusted level of government. People have access to their elected officials and they see the policies implemented. For instance, the park plans being discussed and then eventually they see that park in their neighborhood, so they can see the direct correlation with what their cities are talking about and what their cities are doing. Now as with the business, roles and responsibilities are defined in a way seen as the most effective to carry out the city's mission. Now cities missions vary as far as the verbiage but they all center around issues of health, welfare, and safety of their community. That's the crux, that's the essence of city missions. And when we look at how these roles and responsibilities play out we're talking really about the administrative organization of cities. Now in Minnesota, we have four forms of administrative organization that cities could adopt. The first is the weak mayor council, we have the strong mayor council, the city manager, and the commission. So let's dissect those a bit. Out of 854 incorporated cities in Minnesota, the weak Mayor council plan is the most common and under the weak mayor council plan, the administrative as well as legislative authority is the ultimate responsibility of the City Council. The mayor's powers in a city with the weak Mayor council plan are no greater than those of any other council member, with the exception of some minor duties. Those being presiding at city council meetings or symbolic rules, such as being the spokesperson of the community or sometimes going out to those ribbon cutting ceremonies and cutting the ribbon for a new facility in the city.

**Dr. Nelson:** The mayor and the are still all elected officials.

**Dr. Porter:** Very good point they're all elected officials and they're elected to those roles, even though the reality is under the weak mayor council plan, they aren't differentiated much. The mayor does pretty much what the city council does; has one vote.

**Dr. Nelson:** Okay, Thank you.

**Dr. Porter:** Now, in the weak mayor council plan often city administrators are appointed because of their professional qualifications. Now this isn't a political appointment this is based on the knowledge, skills ability and credentials of the individual that's appointed to that position. So that's a strong mayor or the weak Mayor council plan and it has nothing to do with physical strength, it just has authority and power. Now let's take a look at the strong mayor council plan. Now on the ballot in Minneapolis, we're looking at a strong Mayor council plan as being the potential for the city. And it's relatively rare in Minnesota. Right now, St. Paul, Duluth and St. Cloud are the only cities with the strong mayor council plan of government. Now in this form of government, the mayor is generally responsible for the operation of all administrative agencies and departments within the city. He or she can appoint, remove department heads and other subordinate staff. Of course it's subject to civil service provisions but he has that or she has that authority. It's not the same as being a council member. Actually they don't have a vote. The mayor doesn't have a vote but the American veto, whatever the council votes in of course, the council can come in override that vote. And the mayor prepare-- or the weak mayor-- or the strong mayor excuse me, prepares, administers the budget that the council approves. So then the council's functions are to set policy to be legislators. They pass budgets and bond issues and they review the mayoral and the administrative actions. So they do have some oversight dealt with the mayor does but not any direct authority. Now the third plan is the council manager form of government and there are quite a number of cities in Minnesota with the council manager form of government. And under this plan the administrative part of the city duties are all done by the city manager. The city manager is responsible for overseeing all the operations of the city. And with this, the city manager is appointed by the full city council, by majority vote of the city council and can be removed at any time that the city council deems appropriate. He or she is an at will employee. And with this appointment, in addition to the administrative duties that the city manager has, here she also advises the city council on policy, sets up policy alternatives, may make a recommendation to the City Council and then whatever the city council decides, that person will implement the policy.

**Dr. Nelson:** So, in this type of plan, Dr. Porter, the city manager can have a longer duration than the elected officials, right? A city manager could be a long-term employee.

**Dr. Porter:** That is another really good point yes. We have city managers, like the city manager of Mankato was, previous to the one currently in the office, was in his position for 27 years. So, they have the-- again they'll serve at the pleasure of the city council. If it's not going well or if the city council changes, they can replace the city manager. So at Minnesota State University we have a program in local government management. We train city managers and have a number in various communities, not only in Minnesota, but throughout the United States and currently in 10 different countries. So, city management is quite up and coming although it's been around since the 1920s. It's a profession that a lot of cities are giving you know a lot of credence to.

**Dr. Nelson:** That is just so amazing your guys’ institute reaches that far, you're so involved in this. So what are some benefits of having a city manager instead of just having elected officials running a city?

**Dr. Porter:** Well, it brings in the professional component. Not that a mayor and a city council aren’t professional but they are a political people and they need to be responsive to politics. A city manager takes more of a neutral role in providing information, gathering information, and providing it. And everybody has equal access to having their information passed through to the city council. There's not going to be politics to stop that. So that neutral rule and a professionally trained person who understands organizations, city organizations, city departments, and the needs of the local politicians, is I think the greatest benefit and why a lot of cities have gone to that form of government.

**Dr. Nelson:** That makes a lot of sense.

**Dr. Porter:** Now the last form of government is not even used in Minnesota anymore in whole, but it's on the record, and the City of Minneapolis use it in part and is called the commission form of government. And under the commission form of government elected council members are responsible for particular departments in addition to legislative duties and so the council member may be also a department head. The mayor in the commission form of government has the same powers and duties as the council members. But while that is popular in some parts of the country more than others and it has lost a lot of popularity, it is no longer a pure system. A commissioner form of government is no longer pure system but rather charter cities take on part of that rule, will use part of the commission rule.

**Dr. Nelson:** So with the commission system I know it's not used in Minnesota; would that be more effective in a smaller local government or larger? Or is it kind of spread across the board in other states?

**Dr. Porter:** Well actually we've seen commission more at the county level than at the city level historically and it is not, again, not so much not in Minnesota, but it has been more of an East Coast form of government. And that probably was an offspring of the town hall and then they had their people elected to do certain jobs, take on certain departments, and it was just an offshoot and that's where it remains but still it's very rare. To give you a breakdown, now this is in the 100 largest cities in the country, 47 have strong mayor governments, 46 have council manager governments, 6 have hybrid, which is what Minneapolis currently has is a hybrid, and 1 has commission. So in all of the United States just one has adopted the pure city commission form of government in the East Coast. Again you might find counties run more on the commission form of government.

**Dr. Nelson:** So does Minnesota state statute allow cities to be a hybrid or do they have to choose?

**Dr. Porter:** Well they're allowed to be a hybrid to their charter. So cities in adopted charter can really put into play whatever configuration that they want as long as it conforms with the state statutes, the charter gives them that leeway.

**Dr. Nelson:** So since you mentioned charter here why don't-- can you explain a little bit about what a charter is? How a would a city be formed—city government be formed under a charter?

**Dr. Porter:** Well first of all, you have a charter commission that is appointed. And the charter commission is generally appointed by elected officials and those people have the charge to review the city charter which is really the policies, procedures, guidelines, rules, structures of that city. And they can make recommendations based on the elected officials requests or public sentiment but they really can formulate whatever the city sees is the best configuration to do city business. And charters are periodically reviewed and in the case of Minneapolis, the charter commission reviewed the form of government for administration and is making a recommendation to put on the ballot for a strong mayor form of government in the city of Minneapolis.

**Dr. Nelson:** Why is it important that the people of the city get a chance to vote on a charter amendment? Why not just make an amendment and have the city council approve it?

**Dr. Porter:** Well we get into our representative government and our ability to have a say in things, again we’re talking about how cities affect our day-to-day life. We're able then to have the say on how our day-to-day life will be impacted by the configuration of city business, how administration is evolving and unfolding. So that allows us to have some input into all of that.

**Dr. Nelson:** Well I imagine it also stops a politician from just changing the charter on whim to benefit them. It has to go to the people.

**Dr. Porter:** Oh that's an excellent point yes. It has to go through the charter commission process.

**Dr. Nelson:** So you mentioned that there were three cities right now that have the strong mayor council system in place and those seem to be three of the four largest cities in Minnesota. Is there some benefit to having the strong mayor in a large city?

**Dr. Porter:** Well you know that's another really interesting question. If you look at St. Cloud, St. Cloud is not a particularly large city it’s more like a suburb. Duluth again is more like, you know, is a smaller city. St Paul is, I think the second largest in Minnesota, but we have Rochester, Bloomington, city manager forms of government. You know if we look at that top 100 in population in the United States. Now let's take Phoenix for instance. Phoenix has 1.5 million people and Phoenix has a city manager form of government. Then we have Minneapolis who, according to the 2019 census had a little over 420,000 people and that has the hybrid. We’ll talk a little bit more in detail on the City of Minneapolis if you'd like to do that. So Minneapolis is a hybrid and its part commission part executive committee. So, Minneapolis, we have a committee made up of the mayor and members of the 13 persons city council that come together as an executive committee. And the executive committee pretty much runs the administrative aspect of the city and makes recommendations to the city council as a whole.

**Dr. Nelson:** I just like to note I was an employee of Minneapolis, so many times in the media right now you will hear that department chairs then have 14 bosses with the executive committee, the mayor, and the City Council. So that's what you're talking about the executive committee are those 14 people, right?

**Dr. Porter:** Well the executive committee actually isn't 14 people but it is the mayor, the city council president, and up to three members of the city council. And the executive committee makes recommendations to the whole city council and that's when the 14, they call it the 14-boss problem, comes into play. But the executive committee is a smaller group which is composed of the city council. Now, the city departments are overseen by the executive committee in Minneapolis and the executive committee decides on who to-- what names to forward to hire people. Now that process starts with the executive committee and then it passes to the city council and the executive committee also decides who can be terminated or makes that recommendation, but that again passes through the city council. So, with this ballot question. The issue is to take some of what is considered confusion out of the, you know, process in running city departments, hiring personnel, firing personnel, and centralizing that in the mayor-- in a strong mayor. And so, the administrative responsibilities then are focused with that mayor and there's a single chain of command under the mayor and this distinguished the mayor from the legislative functions. So the mayor is responsible for the administration of the

city of Minneapolis, would be responsible for the city of Minneapolis. And then the city council would be the people that are making policy and looking to legislate for the city of Minneapolis. But the mayor would be responsible totally for fire department, health department, community planning, economic development, emergency management, public works, all of those and continue to be responsible for the planning or for the police department. The council would remain in charge of the purse, the money, the budget, the council would continued to be the body that passes the budget, mayor would make the recommendation in this case.

**Dr. Nelson:** **[inaudible].** You can't let just one person control the budget. You need to definitely have oversight by the city council on where the money is being spent. I think that's important too.

**Dr. Porter:** It is so important to have that input from the various perspectives. Now opponents of the strong mayor form of government are saying that one problem with the administration being focused with the mayor, is that when people-- the people that turn out to vote in Minneapolis tend to be more in the affluent community. And so they're the people that are electing the mayor, this is what the opponents are saying. And so the more concentration of power that is put in the mayor, the more concentration of power that is put in the wealthy neighborhoods or the community. They also feel that there's going to be less transparency with all the power centered in that elected position.

**Dr. Nelson:** It’s important to note though, the mayor is elected city wide but then the council people are voted on by wards or districts depending on what city you're in. So you have more contact or connection with your council person than the mayor. So that might be some of the concern as well is that the mayor has so much power. I mean the entire city votes for him which means the more affluent people would be choosing who's running the city.

**Dr. Porter:** That’s a good point. That is another good point. Now it's interesting Dr. Nelson I was having dinner this past weekend with a couple of people from the City of Minneapolis who are very much engaged in what's going on in the city. And we talked about the ballot question and we talked about then forms of government and they were leaning toward the strong mayor feeling that that might be the best option. But interestingly, they knew nothing about the city manager form of government. That, that had never been part of the discussion or public discussion in the city of Minneapolis. Now when they heard about the city manager form of government and the fact that you have a professional executive, kind of like a board of directors who appoint CEO who then administers the day to day but totally under the guidance of the elected officials, so the elected board. They liked that concept but they said it was never framed as a question for us on the ballot, that only the strong mayor from a government. But it's interesting to me that the city manager form of government would have addressed a lot of the issues of control in the mayors with an elected official, and transparency, and the ability of all the council members to consider and address issues that are facing the community. You know have that brought to them as a body, as a whole, but they are the ones that direct the policy, they don't implement the policy. So they oversee the implementation that you have a professional taking on that role but that didn't come up with the city of Minneapolis so that's interesting how that all came about.

**Dr. Nelson:** It is really interesting because they would actually address some concerns and some missteps that have happened in Minneapolis. Especially when you have a newly elected official who's still trying to get up to speed and then an event occurs and they have no reference. Where if you had a professional city manager that could be in the mayor's ear or the city council persons ear saying; here this is how we do this and why, so that you can tell your constituents instead of saying; yeah it was on page 85 of the manual we handed you, I know you haven't had a chance to read that yet. So there might be some consistency there, right?

**Dr. Porter:** That's a real-life situation you were describing for the mayor of Minneapolis coming on new and having a series of crises to deal with. So, of course you know that's my field so I'm an advocate and proponent of it but you know given what I've heard about the city of Minneapolis and their problems, that would have been something I would have suggested that they consider. Would have been you know, to take a look at the city manager form of government and how well it has worked in very large cities like San Antonio, Texas and again in Phoenix, Arizona, and cities much, you know, three times larger than Minneapolis.

**Dr. Nelson:** Well and that professionalism would be so important because you don't have to have any credentials to get elected. You can be elected as a city council person with no understanding of local governments or public administration. So having a professional that could help navigate that or interpret, would be really important. They just don't have that in the government.

**Dr. Porter:** And you know that is so true. That's not to say that a mayor city council can’t have education in the field and be knowledgeable but a person that, that is their role, that's their, you know appointed role and the city council has all the power as the body that it always has to be a majority of council members directing the city manager. The city manager can’t add on one or two city council members, nor can he or she meet with one or two city council members. They have to have open meetings so it becomes a much more transparent process when you have a city manager involved.

**Dr. Nelson:** So I know we've talked about Minneapolis quite a bit. What do you see for our smaller cities? I know you've done a lot of work with area cities in southwestern Minnesota, in Minneapolis, St. Paul suburbs. What kind of government do they kind of take on?

**Dr. Porter:** Well most of them I deal with have the weak near form of government, where they appoint a city administrator or they have a council manager form of government. So they do have professional people in an administrative role. Now, one point that I think often we aren't aware of; what is the difference between a city administrator and a city manager? A city administrator really has all of the responsibilities of overseen departments and advising the city council, implementing policy. But he or she typically can't hire or fire personnel. That is part of the role of the city council. The city manager typically has the ability to hire and fire personnel.

So that's the primary distinguishing factor between those and one comes out of the home rule charter, the city manager, and the other comes out of the state statutes, the city administrator. So that's what distinguishes the two.

**Dr. Nelson:** Well and that makes sense, especially for, I think of smaller cities where the mayor and the city council members also have full time jobs that they've been elected to represent their constituents, but they also have to do their job. So they don't want to worry about who is doing the right paperwork and that type of thing. Where a city administrator and manager is that professional that fills that role.

**Dr. Porter:** Oh, that is so true. Often, council members don't even have offices in city hall. They come in for the meeting say, you know, might come in and meet with the staff and the city administrator and manager, but they-- you're right they have jobs that they have to work full time. And so, it's you know really volunteering for their community in these roles and it is important to have somebody who has a pretty good feel for the complexities of local government and you know when you think about the state statutes and the processes you know to do a public improvement, you have to know state statutes that will guide you through the process of doing the public improvement in special assessments to pay for it. So there's so many pieces to the complex of local government. It’s hard for someone to just come in and be expected to know that. It takes really, most of our students go off to become city managers, have master’s degrees in the field of city management, and have done internships for a period of 6 months to a year prior to taking on that role.

**Dr. Nelson:** Well and there's so much relationship building as well. Because I mean cities are not an island upon themselves. They are part of counties, there are other cities nearby that they work with cooperatively, there's regions, so there needs to be relationship building and if you only have a mayor and an elected council that doesn't have time to go do that then you're really losing out on opportunities with grants and infrastructure.

**Dr. Porter:** So true. So true that those-- they’re relationships and responsibilities to know what the counties expect in the city to do you know. For instance the job of waste control is part of the county function but they have passed that on to the city so cities have to work closely with garbage and recycling, you know with the county government who has the overall responsibility. But the cities are responsible for the day-to-day management of it, and regional government, and planning for infrastructure, transportation, being part of those systems is all very important.

**Dr. Nelson:** So I would just like to go back to something you mentioned and I don't know if our listeners are aware of but-- and I hate to put you on the spot, but could you kind of briefly describe what you meant about the Open Meeting Law**.** I mean, why does it exist? Why can't city manager meet with him, just individual city council persons?

**Dr. Porter:** Well no as far as one person who can but if you have a couple of them together are having a discussion, then that should be something that is done in the public forum. Now there's exceptions to that. If it has to do with a lawsuit or a personnel issue, then you can go into a closed session. But if it has to do with the general day to day business it has to be done in a public forum where public can have input. And the public needs to be informed that there's a public hearing or there's a city council. So, it's part of the transparency and I think also it helps with the trust of local government. When people know that they can go to the department, they can go to the city council meetings, where they can attend a public hearing. So I think that, that's why we do see local governments are more trusted. And we value that local government.

**Dr. Nelson:** Right, accountability. Well thank you for letting me interrupt with questions. You have any kind of closing thoughts on local government or anything I didn't ask about you'd like to mention?

**Dr. Porter:** Well it's the most dynamic aspect of our government because it's really where the action is. And it's really fascinating and I always hope that people become involved with their local governments. There are so many opportunities in the way of volunteerism, serving on commissions, serving as an elected official, and you become part of the community and grow with it. So I hope that knowing a little bit more about how communities are structured might be something that will entice people to become part of it.

**Dr. Nelson:** For everybody who says my vote doesn’t matter, at local government level it really does matter. It impacts you the most, it impacts your friends and family and it really can have a huge influence.

**Dr. Porter:** So true. Every single vote counts.

**Dr. Nelson:** Well thank you Dr. Porter I always love having great conversations with you and I thank you for joining me today.

**Dr. Porter:** Well thank you for all your great questions Dr. Nelson.