



**MICHIGAN
ASSOCIATION
OF MAYORS**

Role of the Mayor - President

Christopher J. Johnson
MML General Counsel



Your Role...and why it is important

- Understanding your role is the key to how successful you will be.
- Knowing your role will help your community succeed!

Important First Step:

- For Mayors and Home Rule Village Presidents:

- Read your Charter!

- For General Law Village Presidents:

- Read the General Law Village Act!

- (MCL 61.1 et. seq.)

Michigan Local Government

- **Local control in Michigan is constantly evolving**
 - subject to state legislative agenda, appellate court interpretation
- **Local governments are granted existence by State constitutions, they are political subdivisions**
- In Michigan, the 1963 Michigan Constitution grants home rule authority to cities and villages (initially the 1908 Constitution) Art VII, Sec 22 and Art VII, Sec 34

Local Government Authority

- Is a matter of:
- Constant evolution... and interpretation via
- **legislation** — some statutes empower, some constrain
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- **court opinions** re: statutes and constitution
- **public opinion**

Types of Local Governments in Michigan

- Counties -Delegated powers only (83)
- Townships — General Law and “Charter” (1240, inc. 138 charter townships)
- Villages — General Law and Home Rule (253)
- Cities — Home Rule, 4th Class, 5th Class, SC (280)
- Special Purpose Units — e.g. school districts, intermediate school districts, authorities, district libraries (and so on)

County Government/Functions

- Largest unit of government except for state itself
- Delegated powers only
- Delegated powers interpreted narrowly by courts

County Government/Functions

- Criminal justice
- Civil and criminal court functions
- Record keeping
- Tax assessing and collecting
- Road acquisition, construction, and maintenance (Townships do not maintain streets and roads)

General Law Townships (MCL 41.1)

- Limited discretion in organizational structure (it must follow state law)
- The governing board is the Board of Trustees, either 5 or 7 total members depending on the size of the township
- Elected supervisor, clerk and treasurer serve on board, with a vote
- Township Board may hire a manager

Village Government

Two types village government:

General Law and Home Rule

Village Government

- Historically formed when greater population density led to need for increased services

Licensing and regulation

Establish own water supply, sewerage

Control and maintain own streets, roadways

*Villages remain a part of the township

Residents vote in village and township elections

Subject to both village and township taxes

Governing Structure — General Law Village

- General Law Villages are organized and governed under the GLV Act.
- The GLV Act is not the equivalent of a home rule city charter.
- It is a state statute....but some key options have been provided for, most notably for a village manager.

Council/Commission - Manager form of government

- This form of government was created in the early 1900's
- The purpose was to bring professional management to government
- The professional manager is more equipped to handle municipal issues than a person who has the most votes in the last election

Election of Mayor in Council/Manager form of Government

- Can be elected at large by the city
- Can be elected by a majority of the council/commission

Strong Mayor Form of Government

- Usually elected in a city-wide election
- Is the chief administrative official
- Does not have a vote on council, but often has veto power

City/Village Council

- Policy-making body for local unit of government
- Responsible for long and short-term goal setting
- Responsible for adopting budget and any capital improvement plan
- May only act as a body, through resolutions and ordinances
- **Council can, and should, adopt rules and procedures**

City/Village Council

- City/Village Council Members may only act as a council.
- Individual members of council should not be directing staff or interfering with day to day operations of the City/Village. You are just one member.
- A majority of council is necessary to provide direction to administration.

General Law Village Presidents

- A general law village may have a manager.
- If it does not, the Village President assumes the role of the chief administrative officer.

City/Village Manager Role:

- Responsible for implementing policy to achieve council goals and responsible to report status to council
- Generally responsible for day-to-day operations
- Compared to the corporate structure, the manager is the CEO

Charter = Constitution

- local unit of gov't state and federal
- _____
- Charters must include a few items like elections, tax rate, OMA, protect peace, health, safety
- May include numerous other provisions like for water, sewer, streets, special assessment
- May not include millage greater than 20 mills

Ordinance = Statute

- local legislative act
- law or act

local unit

state and federal

- NOTE: a resolution does not have the force of law; an ordinance does

Responsibilities of the Presiding Officer

- Acknowledge members wishing to speak
- Be courteous to members of council and to the public
- Enforce fairly the rules of the public body
- Enforce fairly the public comment portion of meetings
- Ensure that the rules of the Open Meetings Act are followed, especially when going into a closed session.

Responsibilities of the Presiding Officer

- If a question from the public may be simply answered, go ahead. Council, however, is under no obligation to respond to questions during the public comment portion of a meeting.
- Resist debate during public comment portion of a meeting. Presiding officer may state, “Your comments are noted. Thank you.” (In other words, this is not question and answer time in the U.K. House of Commons).

Think about the kind and content of communication with the Manager.

- What information do you need? (Critical infrastructure; budget priorities; where do we buy the pencils?)
- If the information is important to you, it should be important to all of the council.
- Playing “Gotcha” does not build healthy personal relationships with fellow council or staff members.

Think about the kind and content of communication with your fellow members

- As I mentioned before, you need to act as a body. That means that you need to win over your fellow members to accomplish your goals.
- And there are the State's sunshine laws: The Freedom of Information Act and the Open Meetings Act.

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And we're here to help!

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Ann Arbor (734) 662-3246

Lansing (517) 485-1314