

## Duties of Municipal Public Officials

The only criteria for becoming an elected official is “winning the votes”! Which means, most new officials take their office without a real knowledge of what the job entails. Most other municipal government positions require specific education and/or experience. There are also a host of training programs for municipal employees, some being mandatory in order to maintain a level of competence, however there is no requirement for newly elected officials to learn about the government structure for which they now have leadership responsibility. This chapter will provide you with an orientation as a newly elected official that will allow you to get a sense of the responsibilities of your new role and offer insight into what the public and other members of the council will expect of you.

To find out what the job entails, an elected official should start with the municipal charter. The charter is the basic legal document, rather like a constitution, that enables the municipal government to exist and act, and it informs the elected official, in general, about the authority he or she possesses or does not possess. For example, the mayor can ascertain whether the office is exclusively an executive one, an executive and legislative one combined, or predominantly a ceremonial one. The municipal charter will also describe whether the functions of the council members, aldermen, or commissioners are exclusively legislative or both legislative and executive. Every official’s actions must be in compliance with the charter. The charter, in like manner, must be in compliance with all general laws of both the nation and the state, which supersede it.

However, the charter only contains direction in general. The codes, regulations, or ordinances of a municipal government will further inform municipal officials of the concerns they must assume as their own. Officials should also question the “old timers” (officials who were elected before them), the clerk or administrator, the municipal attorney, and staff members at the Maryland Municipal League. The latter will either know the answer to an official’s questions, or they will know where to find the answer.

### Roles and Responsibilities of an Elected Official

First and foremost, you were elected to serve the public good and represent the interests of all citizens in your city or town. It’s important to understand that candidate competition should end with the election results. Now that you are elected, it’s time to meld individual opinions to achieve group objectives. So, what kinds of roles and responsibilities are assumed in your new position? At least a partial answer to this question is offered here for consideration.

**Identifying Community Needs and Determining Priorities.** Identifying the problems and needs of the community is usually less difficult than determining the order in which these issues will be addressed. Various factors including the municipal property tax rate, the availability of similar services from other agencies, and citizens’ desire for services and their willingness to pay for them will influence how you determine priorities. Each community is unique. Each has its own set of problems, and each arranges those problems in a different order of importance. The following suggestions will help a new official determine what the community needs are and how they should be prioritized.

**Observation:** As you go back and forth to work or to city hall, take the opportunity to look for problems that exist or are developing. You may even use a different route at times in order to see more than just one area. Even more systematic is a tour of the city with the rest of the council accompanied by the city administrator, some department heads, and perhaps members of the press. Such a tour especially is valuable for the newly elected official, for you might discover parts of the city you never have seen before and in general observe where the major trouble spots are located. Although there is really no substitute for first-hand observation, there must be additional methods of input of information to supplement the visual approach.

**Talking With Citizens:** Direct interaction with members of the community is desirable both politically and rationally. You should be perceived as accessible, concerned and open-minded—and you will be if

you make a regular practice of talking not just with friends but with strangers and with persons representing various economic levels, professions and occupations, and cultural backgrounds. In talking with citizens you should be concerned primarily with listening; you should avoid arguing or defending. Your whole attitude should be one that reflects a genuine desire to secure information.

In addition to seeking information in a person-to-person setting, you can expect to get unsolicited information and criticism from citizens who seek you out.

**Reading:** As already indicated, a large amount of printed material comes to the attention of city officials: minutes, reports, articles, letters, recommendations, proposed state and federal legislation and much more. While much of this relates to the nature of problems and possible solutions, some of it may help you discover the needs and wishes of the community. A letter or a newspaper article may reveal a problem that had not previously surfaced. Problems in other communities that are spelled out in journals and other printed sources may cause you to ask, "Do we have that same problem in this community?"

**Participating in Formal Council Meetings.** The culmination of determining community needs and priorities and gathering and analyzing data related to those needs should be discussed at the council meeting. Here, under public scrutiny and sometimes accompanied by hostility, suspicion and distrust, the municipal lawmaker must transact the business of the community.

An important element of each council meeting is the agenda. An agenda is an orderly process for discussing business and making decisions. It also serves to protect the council from unproductive use of meeting time. You should suggest that there be a written agenda for each meeting. The meeting agenda is usually assembled by the city manager/administrator or city clerk. Items of business and topics for discussion should be placed on the agenda before each meeting.

During Council meetings it is important that the city officials:

1. Appear attentive, sound knowledgeable and be relatively straightforward and meticulously honest.
2. Have some acquaintance with a systematic and efficient way of handling business that is brought before the council. This includes the development of an agenda that outlines the order in which items of business are to be considered. This agenda should be concise, readily understandable and provide opportunity for the general public to address the council as well as make it possible for the city officials themselves to bring up items of business they would like to have discussed.
3. Bring to the meeting all appropriate documents, notes and memoranda. The material should be arranged in the same order as the agenda so that pertinent data can be consulted immediately.

4. Be equipped with a reasonable knowledge of your city's/town's parliamentary procedure to keep the meeting moving smoothly and efficiently, with a clear indication as to the exact disposition of each item. However, too much attention on procedure can cause the meetings to bog down in complicated rules.
5. Make every attempt to eliminate personal remarks that are intended to ridicule or "put down" another person. Regardless of the actual relationships between one official and another, the general atmosphere of any council meeting should be relaxed, friendly, efficient and dignified. Sarcasm, innuendos and name-calling are approaches to be avoided in interacting with the other officials, staff and the general public. This does not mean to suggest that falsehoods, misinterpretations, distortions and challenges to one's integrity or honesty should be left unanswered. They should be answered, and sometimes vigorously, but these rejoinders should address the facts rather than the qualities of the person being addressed.

Public hearings are a type of formal council meeting. Such hearings, which are mandatory for some business matters, should be viewed as a serious effort on the part of city officials to secure as much information as possible about the matter before a final decision is made. Two general suggestions can be made with respect to the conduct of public hearings:

1. City officials should do everything possible to encourage as much participation in the discussion of the issue as possible. Although limits may have to be placed on how much time any individual can talk, everyone who wishes to be heard should be allowed "his/her day in court." Public hearings can be tiring, and there is a temptation to close the discussion before everyone has spoken. Officials should resist this temptation and err in the direction of permitting "overtalk" rather than "undertalk." In general, city officials should avoid debating with citizens at a public hearing; instead, they should encourage citizens to express themselves. You can help in this process by looking directly at the person talking, by using nonverbal cues such as nodding affirmation, and physically leaning in the direction of the speaker. At the same time try to avoid such negative, nonverbal cues as scowling, appearing to read a paper or other document, talking to another official, or using facial expressions that suggest ridicule or contempt.

2. City officials should not feel compelled to make a decision on the basis of the number of citizens expressing a certain point of view. Although the numbers speaking on one side of an issue may be employed as one factor in arriving at a solution, it should not be the only factor. There is no easy way to determine to what extent the speakers represent their claimed constituents; the other side may be far more numerous but far less vocal. Decisions should be the result of a careful balancing of the facts and arguments both from the point of view of those directly concerned and of the community at large, with all citizen input given equal consideration, if not equal weight.

**Interacting with Citizen Boards and Commissions.** Citizen participation in finding answers to complex questions that face city councils today can be secured in a number of ways. The most formal and efficient method is through the use of committees, commissions and boards. Such bodies are meant to make recommendations and decisions after sifting and analyzing data. Both committee members and city officials should keep in mind that, for the most part, citizen committees and commissions are advisory in nature, and the council must make the ultimate decision.

The council decision may not always agree with the board recommendation, for city officials must be concerned with the interrelationship of those decisions with decisions made in other areas. For example, changes recommended by a parks committee may not have taken into account traffic problems that would be created by such a change. One solution is to send proposed legislation to every possible board. However, caution should be exercised, since this practice may complicate and slow down the decision-making process and perhaps increase the relevant costs.

## **Conflict Resolution**

One of the first things you will discover as a newly elected official is that there is potential for differences of opinion on the council, particularly with major or controversial issues. The debate can often become very emotional and the real issues can fan out of focus. It is important to remain calm, stick to the issues and try to understand the other points of view. Some principles of conflict resolution follow:

**Managing Conflict.** When handling difficult or hostile situations, focus on your desired outcome and keep the following in mind ...

- Remain open. Be curious about what the real message is. “Tell me more ...” Do not look for blame or excuses. Do not be judgmental.
- Remain empathetic. Put yourself in the other person’s shoes. Actively listen with understanding. Clarify what is really bothering the person.
- Remain constructive. Focus on the issue—the problem.
- Work at problem solving. Ask effective questions.
- Remain involved. Offer help. “How can I help ...” “What if ...” Focus on the desired outcome.
- Remain action oriented. Focus on solutions, results. Commit to action. Follow through on commitments.

**Prepare for Resolution.** There’s no substitute for preparation. Preparation is a key to successful outcomes. To prepare to deal with the conflict ask yourself some questions:

- How important is the outcome?
- Does this involve a short-term or long-term relationship?
- How important is the relationship?
- Am I the best person to negotiate in this situation?
- How many issues are involved; should we separate them?
- Do we agree on which issue is most pressing?
- Do we have a deadline?
- What does the other side need most from me?
- What do I need most from the other party?
- Where might the process get hung up?
- Is the conflict emotionally charged beyond what seems predictable by the immediate problem?
- Is this worth the time and energy required?
- What else do I need to know before I begin?

Early in the process, gain agreement that:

- There is a conflict.
- The common goal is to resolve it.
- What’s been done so far hasn’t worked.

Make the commitment to understand first, then to be understood.

**Principled Negotiation.** Collaborative conflict resolution requires that we be both: *Cooperative and Assertive—Soft on People and Hard on Issues*. It also requires that we turn conflicts into opportunities for mutual gain.

The criteria for good resolutions:

- It is a wise solution
- It is an efficient solution
- It improves the relationship involved (or at least doesn't damage it)

Conflict resolution takes place at three levels:

- The substance of the conflict
- The process of resolving it
- The relationships between the parties

Negotiation is a basic means of getting what we want from others. It is back and forth communication designed to reach an agreement when you and the other side have some interests that are shared and others that are opposite.

Whether we are conscious of it or not, we are negotiating the process for resolving a conflict with every move we make. Effective conflict resolution requires skill in managing that process. Most people have these skills to some degree, even though they may not consistently practice them.

**Conflict Resolution.** Four principles of effective WIN/WIN conflict resolution are:

1. Separate **people** from the problem. All people have their own perceptions, needs, fears, deep held values and emotions.
  - Establish rapport & trust—build a working relationship.
  - Frame your relationship as joint problem-solvers.
  - Discuss each other's perceptions.
  - Work to understand **first**, then to be understood.
  - Continuously work to separate the relationship from the substance of the conflict.If you perceive a people problem, immediately diagnose what the cause of the problem is. Examine to understand if the cause is perceptual, emotional, or communication.
2. Focus on **interests**, not positions. When negotiators bargain over positions, they often tend to lock themselves into those positions.

The more each defends the position, the more committed they become to it. The more each tries to persuade the other side of the impossibility of changing the position, the more difficult it becomes. Our ego often becomes identified with our position.

Get off your position and explore interests. Arguing over positions too often produces unwise agreements, is inefficient, and jeopardizes an ongoing relationship. For a wise solution reconcile interests, not positions.

3. Invent **options** for mutual gain. In most negotiations there are four major obstacles that interfere with the inventing of an abundance of options:
  - Premature judgment
  - Searching for the single answer
  - The assumption of the fixed pie
  - Thinking that “solving their problem is their problem”

We need to understand these constraints to overcome them.

To explore and create inventive options:

- A) Separate the act of inventing options from the act of judging them. **Brainstorm...**

*Before brainstorming:*

- Define your purpose
- Choose a few participants (5-8 people)
- Change the environment
- Design an informal atmosphere
- Choose a facilitator

*During brainstorming:*

- Seat the participants side by side facing the problem
- Clarify the ground rules - including the no criticism rule
- Brainstorm ... record the ideas in full view

*After brainstorming:*

- Star the most promising ideas
- Invent improvements for promising ideas
- Set up a time to evaluate ideas and make decisions

- B) Broaden the options on the table rather than look for a single answer
  - C) Search for mutual gains
  - D) Explore ways of making their decisions easy
4. Insist on using objective criteria for agreeing on solutions. Early in the process, set objective standards, procedures, or common goals that will be used to arrive at a fair and mutually agreeable solution.

### **A PROCESS MODEL OF WIN/WIN CONFLICT RESOLUTION**

- A. Make a choice to manage the conflict or resolve it.
  - Understand your interests & points of view.
  - Don't get stuck on a position.  
(Let go of your preconceived solution)
  - Figure out who you need to communicate with.
  - Check your commitment
    - ... to your interests
    - ... to a win/win resolution.
- B. Reframe the conflict into a shared problem.
  - Jointly establish objective criteria.
  - Understand the other's interests and points of view.
  - Explain your interests and points of view.
- C. Engage in joint problem solving.
  - Generate a large number of potential solutions.
  - Match solutions to criteria.
  - Choose: Yes—resolution.
- D. FOLLOW UP, FOLLOW UP, FOLLOW UP

**Questioning Techniques.** Questions can help you understand other interests and points of view, explore specific information with greater depth, maintain a focus in your interactions, clarify information and perceptions, and let the other person know you are interested in his/her concerns, desired outcomes, etc.

- *Ask for clarification.* Avoid confusion, misunderstandings, contradictions and ambiguity: I'm not sure I understand—does that mean...? You said the time it took was not a concern, however, I sense that you're uncomfortable with this deadline. Am I wrong? Help me understand what you mean by those parameters.
- *Check for understanding.* Explore where the other party is: Are you ready to explore options to...? Am I explaining this clearly? Does this solution seem effective in addressing this issue?
- *Leading comment.* In a non-threatening manner, ask for more information without really asking a question: I'm concerned about... I'd like your perspective. The team isn't really convinced... I know you're experienced in that area...
- *Logical inquiry.* Welcome rational thinking to the process: What's the logical next step? What do you suppose led him to oppose our suggestion? What part of the process are you concerned with?
- *Seek and support.* Ask for assistance, agreement, support, help: Would you agree this is a wise choice? What might be the best way to communicate that thought? Could you help me explore a more effective way to do that?
- *Hypothetical question.* Explore possibilities, encourage lateral thinking, welcome imaginative ideas.