

November 26, 2001

Mr. Jim Mills
Alderman
110 Oak Hill Circle
Lebanon, TN 37087

Dear Mr. Mills:

Subsequent to our conversation earlier today, I reviewed the Mayor's powers under the Lebanon City Charter. The City of Lebanon has what is referred to as a "strong mayor" form of government, and that is to say that the Mayor has the power to appoint department heads, the city attorney, and city judge (provided he/she is not elected), subject to "advice and counsel of the aldermen and alderwomen comprising the city council." That literally means that the Mayor has to talk to you, but he is free to make whatever appointments he desires after conferring with the aldermen. The Mayor is full time, and he/she has veto power over all ordinances and resolutions passed by the city council.

It is not possible for the city council to enact an ordinance to change the Mayor's appointment powers, because these powers are specifically set forth in the charter, and the charter may be amended by the Legislature only. The city council does have the authority to request the legislature to make amendments to the current charter.

One of the strong points of the strong mayor form of government is that it gives the mayor the power to effectively coordinate the various departments of city government. It is precisely his appointment powers that give him the power to coordinate and hold department heads accountable.

The strong mayor form of government grew out of the "weak mayor" form of government where the mayor did not appoint department heads and had no real power to coordinate activities among departments.

The two greatest weaknesses of the strong mayor form of government are (1) there are no minimum professional qualifications for the mayor, and (2) it is highly political. In response to these weaknesses, many cities changed to the city manager form of government, which is the corporate model. It is less political and sets professional qualifications for a manager to deal with very complex urban problems

There appears to be three ways to deal with this situation: (1) leave everything the way it is in the charter, (2) request the legislature to amend the charter so that the mayor's appointments are subject to confirmation by the aldermen, or (3) change to another form of government that is less political. Of these options, number two is the least desirable, in my opinion. Department heads are currently accountable to the mayor, and if the city makes them subject to confirmation, then the matter of accountability becomes rather cloudy. The city would also be less effective, because the mayor would no longer have the authority to coordinate activities among the various departments.

It is not my job to advocate changing the charter, but if the city decides to do that, I am available to assist.

Please contact me if I may be of further assistance.

Sincerely,

Don J. Darden
Municipal Management Consultant