

# REFORM FROM WITHIN

THE DEVELOPMENT OF THE CITY ADMINISTRATOR  
FORM OF GOVERNMENT IN SMALL MISSOURI CITIES

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UED 1 School of Business and Public Administration 1970

Extension Division

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**PREFACE**

*THIS STUDY is in the nature of an experiment. Originally, the self-assigned task of the author was to survey and analyze city administrator structures in small Missouri cities. However, through attempts to explain the rather innovative phenomena, broad, fundamental questions were raised regarding the reasons for the creation of these structures. This, in turn, suggested questions concerning the political culture in Missouri. For this reason, the author has included a chapter on that very difficult subject, relying primarily on the work of Daniel J. Elazar to gain comparability, fully cognizant that the necessary empirical evidence is in short supply. Still, it is felt that no study of local government in Missouri is satisfactory without relating the work to the wider political culture of the state. Furthermore, although empirical evidence is not available to support all of the author's assertions, it is felt that those engaged in local government in Missouri will attest to their descriptive accurateness.*

*The author wants to thank all of those individuals who gave so kindly of their time in interviews; their cooperation was extraordinary and, of course, crucial to the study. Also, the author's colleague, George F. Nickolaus, was extremely helpful in suggesting points of development and extending encouragement. The suggestions of Robert F. Karsch were also extremely valuable, as were the comments of Lloyd M. Wells, Arthur L. Kalleberg, and Louise Dohm. Sharon Brown, the secretary who so diligently typed the manuscript and bibliography, is also thanked for her efforts. The final responsibility for the work is, of course, the author's.*

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# Reform from Within

## The Development of the City Administrator Form of Government in Small Missouri Cities

### Chapter I

#### Some Theoretical Considerations

##### *The Background in Brief*

This is a study of a new development in local government in Missouri—the establishment by ordinance of the office of city administrator in 13 third and fourth class cities, one village, and several special charter cities. The city administrator form of government—a new form of government in Missouri—is a variation of the mayor-council form with a chief administrative officer (CAO) in charge of administration. Unlike the city manager form, it does not integrate the structure under control of the council, but retains the separation of powers found in the traditional mayor-council form and results in an individual, responsible to the mayor, supervising or managing day-to-day administration.

The most interesting aspect concerning the development of this office is that there are no provisions in the statutes for such a plan. The statutes allow mayors in some instances to appoint various officials, including “such other officers as he may be authorized by ordinance to appoint,”<sup>1</sup> but do not allow delegation of the mayor’s administrative powers to an appointed administrator, something that has occurred formally or informally in many of the administrator cities. This legal factor results in a complication for cities adopting an ordinance establishing the office of city administrator. One of the primary motives behind such establishment is to provide the city with a full-time administrator with duties and authority somewhat comparable to that of a city manager, but the governing bodies cannot legally delegate such authority. In some instances the

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<sup>1</sup>Missouri, *Revised Statutes* (1959), sec. 77.330.

local officials are cognizant of the judiciary's objections to what is termed "illegal delegation of councilmanic or mayoral authority." However, even though aware of such legal restrictions, many local legislative bodies have adopted city administrator ordinances *without approval by the voters in a referendum*.

This last point is extremely important, for it is another motivating factor for passage of such ordinances. The local legislative bodies want to have their cake and eat it too. They desire a full-time administrator with sufficient authority to be effective, but do not wish to risk the question of establishment in a referendum. Furthermore, Missouri statutes provide for the city manager form of government and of course home rule cities may adopt such a structure. In both cases, however, a referendum is required. But, for reasons which will be explained later, cities adopting administrator ordinances wish to avoid a referendum on the issue.

It should be pointed out that the city administrator form, as established by ordinance, was never challenged in court from 1950 (with the first establishment) to 1966 when a civil suit questioning the legality of the Washington, Mo., ordinance was filed in the Circuit Court of Franklin County on Dec. 29, 1967.<sup>2</sup> The circuit court found many sections of the ordinance in conflict with state statutes and declared the ordinance "null and void," and the appointment of the city administrator "illegal and void." Subsequently, the decision was appealed to the Missouri Supreme Court which affirmed the decision in part, but reversed other parts.

With the legality of such ordinances in question, a move developed which led to the introduction of House Bill No. 284 in the 75th session of the Missouri General Assembly (1969). The bill, introduced by Representatives James I. Spainhower (District 117), Don W. Kennedy (District 112), Dick B. Dale, Jr. (District 83), and Marvin E. Proffer (District 156), added the "city administrator" form of government as an option allowed third and fourth class cities. At the time of writing, the bill had passed both houses of the legislature and was only awaiting the governor's signature. The bill, if signed, would legitimize a new form of government for cities of the third and fourth class in Missouri.

The purpose of the following sections is to examine the factors that led to the initiation, push, and establishment of city administrators in 13 cities of the third and fourth class in Missouri. In addition, the city administrator ordinances will be analyzed to determine the differences between these structures and the prescribed mayor-council and city manager forms for third and fourth class cities. Hypotheses also were formulated regarding the backgrounds and qualifications of city administrators and a section contrasting the profiles of city administrators and city managers is included, together with the city administrator's and city manager's perceptions of their offices.

It should also be noted that two primary factors led to the selection of this

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<sup>2</sup>A. R. Pearson et al. v. *City of Washington et al.*, Circuit Court of Franklin County, Missouri, Civil Cause No. 6280, (December 29, 1967).

topic. Local government has been under attack recently for not being innovative and capable of adjusting to the rapid changes that accompany an increasingly technological and urbanized society. In the light of this attack, it is refreshing to note that some local governments in Missouri are practicing innovation, even in the face of extremely difficult legal obstacles. Furthermore, as a student of local government in Missouri for four years, the author has come to regard Missouri in Daniel Elazar's terminology as a very "individualistic-traditionalistic" state.<sup>3</sup> Missouri's political culture appears to be based heavily on the Jeffersonian ideals associated with rural local government. There is as well an attitude of "distrust of those who exercise the powers of office."<sup>4</sup> Because of this factor in Missouri's political culture, the author finds the structural innovation in city administrator cities somewhat surprising, refreshing, and certainly exciting.

### *Hypotheses*

When the study was initiated, several hypotheses were formulated to be tested by analysis of data gained through interviews and analysis of whatever hard socio-economic data were available. Some of the hypotheses which were adhered to but not tested thoroughly because of insufficient data, postulated that the factors of geographic proximity and communication were important in the establishment of city administrator structures. Also important was the migration factor in metropolitan administrator cities.

It was hypothesized after mapping the location of city administrator cities, that these cities would be located in close proximity (roughly 30 miles) to larger cities having the city manager form of government; and that these larger cities would have adopted their professional administrative structure first. In other words, the success of the city manager cities would have provided an incentive for smaller neighboring cities to follow suit, but for various reasons a modified plan was adopted.

In the Kansas City metropolitan region it was noted that all city administrator cities were older communities originally isolated from the central city, but now in the path of urbanization. This factor led to the following hypotheses regarding location plus others regarding initiation, push, types of city administrators hired by administrator cities and the administrator's perception of his own office and that of city managers.

1. Communities located near larger, successful city manager cities, if confronted with serious enough service or administrative problems, will tend to professionalize their bureaucracy by structural reform, but only to the extent allowable by the norms of the community.
  - a. Such reform, if it occurs, will tend to be pushed by incumbent officials

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<sup>3</sup>Daniel J. Elazar, *American Federalism: A View from the States* (New York: Thomas Y. Crowell Company, 1966), p. 6.

<sup>4</sup>John C. Bollens and Henry J. Schmandt, *The Metropolis—Its People, Politics, and Economic Life* (New York: Harper & Row, Publishers, 1965), p. 494.

because of their greater perception of the administrative and service problems.

- b. Incumbent officials will only propose plans for reform that have a reasonable chance of success. If officials perceive a dichotomy or schism in the community—old versus new residents or localites versus cosmopolites—they will not risk structural reform by referendum.
2. Because of the legal questions involved in establishment of the office of city administrator and the lack of community consensus regarding professionalism in government, communities will tend to hire non-professionally trained public administrators. On the other hand, professionally trained public administrators will tend not to be attracted to such communities for the above reasons.
3. Those individuals who accept employment as city administrators will tend to have diverse backgrounds, be more likely to be long-term residents than a city manager, identify less strongly with public administration and management associations, and perceive their office as somewhat different from that of city managers.
4. If the city administrator form of government is legitimized for third and fourth class cities in Missouri, there should be an increase in adoptions because of political cultural characteristics. This includes the desire to avoid referendums on the question of professional or full-time management.

One final point should be touched on. Reform in local government is usually due to outside pressures—if interest group pressures are sufficiently strong, structural changes may be achieved over the objections of the status-quo oriented officialdom and bureaucracy. If the first hypothesis above is verified, it will indicate that reform in local government is sometimes initiated by government officials and that public officials are not always as intransigent as is commonly believed.

*The National Rise of the Strong Mayor-Council Plan with Chief Administrative Officer.*

Because the city administrator structure in Missouri is basically a modification of the strong mayor-council plan with a CAO (chief administrative officer), it is interesting to examine the development of the CAO structure nationally. The basic difference between the Missouri development and the CAO plan nationally is that the mayor-council structure for third and fourth class cities is basically a *weak mayor form* and does not provide for an integrated administrative structure under the chief executive's leadership.

The CAO plan nationally usually develops in cities of substantial size where the political accountability of the bureaucracy is desired. Usually, there also is a relatively strong labor vote where labor leaders harbor a suspicion toward the business community and the business-promoted, corporate-like city manager

structure. As Charles Adrian and Charles Press note,

In many cities, the two leading contenders in campaigns over manager charters have been the local chamber of commerce and local organized labor. The impression that the plan is antithetical to the best interests of organized labor is held by many, though not all, labor leaders in various parts of the country.<sup>5</sup>

Furthermore,

In most core cities, the AFL-CIO works closely with the Democratic Party which is likely to dominate partisan elections. The council-manager plan advocates nearly always favor nonpartisan elections, however, and this is a device that usually favors conservatives and weakens the effectiveness of a labor Democratic coalition.<sup>6</sup>

In response to the second quotation, it is interesting to note that the city manager plan option for third class cities in Missouri requires *nonpartisan elections*.<sup>7</sup> In a traditionally Democratic state which prefers traditional politics, it is not surprising to find that many local officials and citizens oppose any proposal calling for nonpartisan elections. They are more receptive to retaining the traditional mayor-council structure because of its partisan elections.

Adrian and Press also note "the origins of the CAO (strong-mayor form) are somewhat obscure, for the position grew out of the garden-variety mayor-council plans . . ." <sup>8</sup> The city and county of San Francisco appointed an administrator in 1931 and many cities in California have appointed administrators since World War II. However, Adrian and Press point out that California administrators appear to be "managers with reduced administrative authority . . . and are appointed by the council . . . rather than by the mayor."<sup>9</sup> How to classify the CAO plan is a problem, but as Adrian and Press state:

It is listed here . . . because it is a plan that continues the use of the separation-of-powers theory and places formal responsibility for administration in the hands of the mayor, rather than with the council as is the case with the manager plan. In states where cities have broad home rule powers, many of the characteristics of the council-manager plan can be incorporated under the strong-mayor form. As a result, there is no rigid dividing line between the two forms.<sup>10</sup>

Other cities which have established some form of the chief administrative officer system include Philadelphia (1951), New Orleans (1952), Louisville (established by ordinance in 1948), St. Cloud, Minnesota (1952), Boston (1953), Newark (1953), New York (1954), and Los Angeles (1951). The authors note the Los Angeles "officer is probably not a CAO, since Los Angeles is basically a

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<sup>5</sup>Charles Adrian and Charles Press, *Governing Urban America* (3rd ed.; New York: McGraw-Hill Book Company, 1968), p. 212.

<sup>6</sup>*Ibid.*, pp 212-213.

<sup>7</sup>Missouri, *Revised Statutes* (1959), sec. 78.520.

<sup>8</sup>Adrian and Press, *op.cit.*, p. 196.

<sup>9</sup>Adrian and Press, *op.cit.*, p. 196.

<sup>10</sup>Adrian and Press, *op.cit.*, p. 197.

weak-mayor city, and the administrative officer is principally the mayor's budget officer."<sup>11</sup>

The titles of chief administrative officers change from city to city and include "consultant-administrator" in Louisville, "managing director" in Philadelphia, "director of administrative services" in Boston, "business administrator" in Newark, and "city administrator" in New York.<sup>12</sup> The powers of these officers vary slightly between cities, however, they usually include the following:

First, such officers have the power to appoint and remove heads of certain departments and agencies. Normally, this power will be exercised with the approval of the mayor but the power is specifically placed in the office of the CAO. Second, CAO's have the power to supervise the operations of the departments and agencies under their office. Usually, these include only those for which he has appointive power but in some cities his office gives 'general oversight' to other city agencies. Third, the office has the power to provide general advice and assistance to the mayor in many and varied matters, in preparing reports, and in recommending courses of action.<sup>13</sup>

Jewell Cass Phillips describes such a position in detail with respect to the "administrative assistant" at Duluth established in the charter of 1956.

The 'administrative assistant' in Duluth is to be appointed by the mayor and may be removed at the mayor's pleasure. He is to be appointed solely on the basis of his ability to perform the duties and functions of the 'administrative assistant' as prescribed by the charter. It is provided that the person appointed to the position shall have had at least five years of successful administrative or executive experience within the ten years immediately preceding his appointment, of the type that would qualify him for the duties and responsibilities of 'administrative assistant' under the Duluth charter. Residence in Duluth is not a prerequisite to his appointment.

(Furthermore), the 'administrative assistant' . . . has the authority to appoint and to remove all department heads with the approval of the mayor. He has the obligation also to supervise the work of all administrative departments except the city attorney and to keep himself and the mayor informed concerning all administrative affairs of the city. It is the duty of administrative assistant to prepare and submit an annual operating and capital budget and to execute the budget once it is approved. He has the obligation to keep the mayor and the council informed about the fiscal status of the city, to make studies of the internal organization of the various administrative departments and agencies and to require reports of them, and to prescribe accepted standards of administrative departments and agencies. It is the duty of the administrative assistant to attend meetings of the city council when requested by that body,

<sup>11</sup>Adrian and Press, *op.cit.*, p. 197.

<sup>12</sup>George S. Blair, *American Local Government* (New York: Harper & Row, Publishers, 1964), p. 211.

<sup>13</sup>*Ibid.*, pp. 211-212.

to supply such information as the council may require and to perform such other duties as the mayor and council may see fit to impose.<sup>14</sup>

Two modifications of the Duluth office from the pure CAO plan are: (1) council removal of the administrator if it is established in a hearing that the administrator has engaged in political activities, and (2) council appointment of the administrator if the mayor has failed to do so within 90 days of taking office, or after the office becomes vacant.

In the Duluth plan the object appears to be the employment of a competent professional, but one who is barred from politics. This seems somewhat contradictory (political accountability of the bureaucracy through the strong-mayor form, but employment of a chief administrative officer who is barred from politics), but perhaps the desired end can be achieved. In any event, it simulates the city manager system which prescribes the hiring of a professionally trained manager who is, according to theory, prohibited from engaging in politics.

In Missouri, the office of city administrator has been established most frequently in small mayor-council cities of the third and fourth class—a structure which closely approximates the weak-mayor form. In both third and fourth class mayor-council structures, the mayor has limited appointment powers due to the many independently elected officers; i.e., police judge, attorney, assessor, collector, treasurer, and marshal in third class cities, marshal and collector in fourth class cities, and the following (if not otherwise provided for by ordinance): assessor, city attorney, clerk, and street commissioner. Therefore, it cannot be argued that the mayor-council form of government, as prescribed in third and fourth class statutes, is a *strong* mayor-council form, although it is not as “weak” as some similar forms in other states.

Two other points of note in the Missouri situation are: (1) in contrast to the CAO movement nationally, Missouri cities establishing the office of city administrator *are not home rule cities*; that is, they do not have the option of drafting their own charter, but must accept the optional plans as prescribed by statute, and (2) third and fourth class cities in Missouri which have adopted city administrator ordinances are usually small in population. They are smaller than the average Missouri city with the city manager form of government and are pygmies in comparison with CAO cities nationally.

### *Professional Administration in Municipal Government in Missouri*

There are few indices available to use in measuring the extent of professionalization in Missouri municipal government. However, 28 percent of the state's population in 1960 was located in the central cities of Kansas City and St. Louis, so that the professionalization in these two cities determines to some degree the

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<sup>14</sup>Jewell Cass Phillips, *Municipal Government and Administration in America* (New York: The Macmillan Company, 1968), pp. 328-329.

TABLE 1--NUMBER OF CITY MANAGER GOVERNMENTS IN STATES  
WITH POPULATIONS SIMILAR TO MISSOURI<sup>19</sup>

State	1966 Estimated Population	Number of City Manager Governments	Number of Municipalities
North Carolina	4,972,000	104	437
Virginia	4,468,000	84	229
Tennessee	3,866,000	54	297
Georgia	4,446,000	49	512
<u>Missouri</u>	4,564,000	30	856 (927)*
Wisconsin	4,167,000	18	568
Indiana	4,951,000	0	550

\*The figure in parentheses is the G. A. P. total (see footnote 18 below).

extent of professionalization in municipal government in the state.<sup>15</sup> Both cities have a high degree of professionalization because they employ various specialists, they have personnel departments, and recruit nationally for prospective employees. Kansas City is perhaps more professionalized in the sense of being a city manager city with the bureaucracy integrated under the manager and council, but St. Louis is a strong mayor-council city with substantial appointive powers for the mayor. St. Louis, however, has two independently elected officials—the comptroller and treasurer.<sup>16</sup>

The best measure of the degree of professionalization in municipal government is the number of municipalities that have adopted the city manager form of government and according to this measurement, Missouri ranks rather low. Interestingly, although any city of the third class (3,000 or more inhabitants) or a home rule city (10,001 or over) can adopt the city manager form of government, only 30 have done so.<sup>17</sup> This means that out of a total of 150 municipalities eligible to adopt the city manager form of government (third class cities, those cities entitled to third class status including three special charter cities, and constitutional home rule cities), only 20 percent have chosen to do so.<sup>18</sup>

Even more interesting is a comparison of the number of manager governments in Missouri and other states of similar populations.

Table I shows that of the seven states with populations similar to Missouri's, four had considerably more manager governments and only two had less—Wis-

<sup>15</sup>Approximately 55% of the state's total population was located in the Kansas City and St. Louis metropolitan areas in 1960.

<sup>16</sup>International City Managers Association, *The Municipal Year Book—1968* (Washington: I.C.M.A., 1968), p. 225.

<sup>17</sup>Missouri, *Official Manual of the State of Missouri* (1967-68), p. 1081. The "Blue Book" indicates a count of twenty-nine, but the cities of Poplar Bluff and Aurora have adopted the plan since publication, and Mound City has an administrator.

<sup>18</sup>George Nickolaus and Henry Galetschky, "G.A.P. Census of Missouri Municipalities," *Public Affairs Newsletter* (University of Missouri - Columbia: Governmental Affairs Program), III, No. 10 (February, 1969).

<sup>19</sup>The estimated population figures are from the U.S. Bureau of the Census, *1967 Census of Governments, I, "Governmental Organization"* (Washington: U.S. Government Printing Office, 1968), p. 27. The council-manager government figures are from the International City Managers Association, *The City Manager Directory—1969* (Washington: The International City Managers Association, 1969).

consin and Indiana (which had none because of lack of statutory authorization). If the number of city manager governments is taken as a percentage of the state's total number of municipalities, the story is even clearer.

TABLE 2

State	Manager Governments as a Percentage of Total Number of Municipalities
North Carolina	23.8%
Virginia	36.6
Tennessee	18.1
Georgia	9.5
<u>Missouri</u>	3.3
Wisconsin	3.1
Indiana	0

As shown in terms of percentages, the states ranked above Missouri certainly exhibit a greater commitment to the manager form of government—the most professional of the three basic structures of local government. Table 1 also reveals the fragmentation of Missouri's municipal government. Missouri has by far the greatest number of municipalities of the states with similar populations.

Two generalizations may be made: (1) Missourians appear to prefer small municipalities which tends to lessen the probability of professionalization, and (2) the relatively few city manager governments indicates a relatively small commitment to professionalization in municipal government. Two further statistics adding credence to the above include: (1) Missouri's 114 counties, most of which which are rural and decentralized, and (2) the state's 440 special road districts—by far the greatest number of any state, which again lessens the probabilities of professionalization because of small geographic jurisdiction and tax base.<sup>20</sup>

### *Methodology*

Any study of Missouri local government is fraught with problems, the most important being the lack of basic hard data. For example, until a year ago, the assessed valuation of real and personal property in municipalities could not be found in any single place or document. Until the Missouri Municipal League under Executive Director Jay Bell undertook a study of municipal taxation and revenue, cities would have had to be surveyed individually to gain figures on assessed valuation.<sup>21</sup> The Bureau of the Census has incomplete data on the number of municipalities in the state; a recent Governmental Affairs Program (University of Missouri-Columbia) survey indicated there were 927 incorporated

<sup>20</sup>U.S., Bureau of the Census, *op.cit.*, pp. 381-383.

<sup>21</sup>Missouri Municipal League, *Taxation and Revenue in Missouri Municipalities* (Jefferson City: Missouri Municipal League, 1968). The League did not survey all municipalities in Missouri, but did send questionnaires to all of its 343 members plus additional cities with over 1,000 population.

municipalities of all classes in Missouri,<sup>22</sup> whereas the Bureau of the Census reported 856 in its 1967 Census of Governments.<sup>23</sup> No one is sure of the total number of governmental units in the state, but certain incomplete surveys indicate there may be twice the number of governmental units reported by the Census Bureau.

The above indicates problems similar to those encountered in this study. There is no data bank with information on which cities or villages have adopted administrator ordinances, although the Missouri Municipal League has several on file. A mailing questionnaire was considered for identification purposes, but was decided against because of perceived shortcomings and the availability of more fruitful alternatives, including the League. Interestingly, although there is some condescension on the part of city managers toward city administrators, there is communication between city administrators and managers at meetings of the Missouri Chapter of the International City Managers (now Management) Association. Therefore, after gaining copies of city administrator ordinances on file at the League, the city managers were surveyed about the existence of city administrator cities. Several additional cities were identified and in interviewing, several more were found (either third and fourth class cities, villages, or special charter cities). Later, still another city with a city administrator was identified.

After municipalities which had established the office of city administrator by ordinance were identified, the interviewing process started. This consisted of a series of orally-administered, semi-structured interviews to supplement information received from ordinances and officers of the Missouri Chapter of the I.C.M.A. The questionnaire was designed to elicit information concerning community characteristics (again, because of the lack of basic hard data), personal information on the city administrator, structural characteristics including any aberrations from the optional forms of government authorized by statute, the administrator's opinions regarding the effectiveness of the structure, the administrator's assessment of his office as contrasted with that of a typical city manager, and the reasons for establishment of the office, including identification of initiators and pushers. Additional questions concerning establishment were asked of participants identified by city administrators or others. Newspapers were also examined to get information regarding the passage of city administrator ordinances, but in too many cases, the newspapers were weeklies and did not adequately report background material.

The interviewing process was started by questioning existing city administrators, although information regarding original establishment had to be gained from elected officials, past or present, as well as other knowledgeable. Unfortunately, resource limitations did not allow coverage of all participants, but interviews were added whenever gaps in knowledge or contradictions in responses were found. Again, resource limitations even curtailed the study design to some

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<sup>22</sup>Nickolaus & Galetschky, *op.cit.* It should be noted that the Governmental Affairs Program had access to information not available to the Bureau of the Census; i.e., a thorough study by the Missouri Municipal League, the "Blue Book," and a specially designed questionnaire which was utilized with extensive follow-ups.

<sup>23</sup>U.S., Bureau of the Census, *op.cit.*, p. 381.

extent. Originally, it was planned to develop a sample of city administrator and city manager cities with similar characteristics and location, and to analyze the reasons for the different structural approaches undertaken to professionalize bureaucracies. However, again, the enormity of resources needed to accomplish the above dictated the rather different approach utilized here.

Often, after interviewing city administrators and the participants involved in the establishment of the structure, the original hypotheses were read to the respondent. Many agreed with them, but others agreed with parts while denying the validity of others (these responses will be discussed later). As utilized, the orally-administered, semi-structured interviewing technique was found to be highly successful because of the excellent cooperation of the respondents.

At the end of the interview with city administrators, three requests were made of the respondent: (1) a request for a copy of his city's administrator ordinance as well as other pertinent ordinances, (in the event they were not available at the Missouri Municipal League office), (2) a request for any hard data regarding community characteristics to supplement the interviewee's responses, and (3) the identification of other administrator cities to act as a check on information already gained.

In conclusion, the filing of a taxpayer's suit against the city of Washington, Mo., proved to be fortuitous in timing because of opening up the legal question regarding passage and implementation of administrator ordinances. Also, the legislative response to the ruling of the judiciary leads to some excellent insights regarding the political process in Missouri. It is hoped that future studies will supplement the material here. For example, additional studies which would be of great benefit include: (1) a substantial effort to analyze the political culture of Missouri, (2) a detailed case study of the "experiment" in Centralia, (3) a comparative study to ascertain the reasons communities having similar characteristics adopted either the city administrator ordinance or, alternately, the city manager form of government, and (4) a comprehensive case study of the passage of House Bill No. 284 authorizing the city administrator form of government for cities of the third and fourth class.

## Chapter II

# The Setting

### *The Political Culture of Missouri*

Although the concept and study of political culture is relatively new to political science,<sup>1</sup> it is particularly appropriate when applied to Missouri. The state is basically conservative, with characteristics of both southern and border states and has in some ways a unique past and political tradition. Political culture as defined by Daniel J. Elazar is the “particular pattern of orientation to political action in which each political system is imbedded.”<sup>2</sup> Elazar further describes the concept:

Political culture, like all culture, is rooted in the cumulative historical experiences of particular groups of people . . . Though little is known about the precise ways in which political culture is influential, it is possible to suggest some ways in which the differences in political culture are likely to be significant.

Three aspects of political culture stand out as particularly influential in shaping the operations of the state political systems within the context of American federalism. They are (1) the set of perceptions of what politics is and what can be expected from government, held by both the general public and the politicians; (2) the kinds of people who become active in government and politics, as holders of elective offices, members of the bureaucracy, and active political workers; and (3) the actual way in which the art of government is practiced by citizens, politicians, and public officials in the light of their perceptions. In turn the cultural components of individual and group behavior in the various political systems make themselves felt at three levels: in the kind of civic behavior dictated by conscience and internalized ethical standards; in the character of law-abidingness displayed by citizens and officials; and in the positive actions of government.<sup>3</sup>

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<sup>1</sup>See Gabriel A. Almond, “Comparative Political Systems,” *The Journal of Politics*, XVIII (Aug. 1956), pp. 391-409.

<sup>2</sup>Daniel J. Elazar, *American Federalism: A View from the States* (New York: Thomas Y. Crowell Company, 1966), pp. 84-85.

<sup>3</sup>*Ibid.*

Elazar argues convincingly that the United States is indeed a federal system in opposition to those who declare that all power has gravitated to Washington, D. C., and that it

... becomes very likely, if not inevitable, that each state will possess its own particular characteristics simply by virtue of its settled existence over generations.

(Furthermore), in turn, its bundle of individual characteristics is what transforms each state into a civil society, possessing a political system that is in some measure autonomous. And despite the apparently great and continuing pressures for centralization, *this autonomy is no mean thing*. (Emphasis added.)<sup>4</sup>

Therefore the state's political culture may be treated as unique to some degree and important in affecting recent political and structural developments. One of the major difficulties in examining the political culture of Missouri, however, is the lack of hard data—there is little centralized information on basic matters relating to local government—and information pertaining to attitudes of the population on questions relating to local government. (For example, attitudes toward professionalism in local government and attitudes regarding fragmentation, representation, levels of expenditures, etc.)<sup>5</sup> Because of this shortage of data, the following pages will rely heavily on the findings of Elazar, plus other information and factors considered applicable in describing and explaining Missouri's political culture.

Missouri has been nicknamed "the show-me state." This may mean many things to many people, but it generally refers to skepticism regarding change, change in institutions or the old ways of doing things. The state entered the Union on Aug. 10, 1821, as a slave state,<sup>6</sup> but remained within the Union and fought on the Union side in the Civil War.<sup>6A</sup> Its estimated population as of 1967 was 4,605,000, which ranked it 13th in the nation.<sup>7</sup> As of 1960, the population was classified as 66.6 percent urban, and 33.4 percent rural.

According to the 1967 Census of Governments, "Missouri ranks 11th among the states in number of local governments, with 2,917 as of January, 1967."<sup>8</sup>

<sup>4</sup>*Ibid.*, p. 6.

<sup>5</sup>The University of Missouri - Columbia does have a Public Opinion Survey Unit, which has been in existence for several years, but the POSU has channeled most of its effort in assessing attitudes toward candidates for office and various state-wide issues.

<sup>6</sup>The Council of State Governments, *The Book of the States—1968-69* (Chicago: The Council of State Governments, 1968), p. 547.

<sup>6A</sup>Missouri actually had two governments during the Civil War, however. The regularly elected legislature and Governor Claiborne F. Jackson were southern sympathizers. However, the legislature passed a bill calling for a state convention to deal with the question of Missouri's relationship to the Union, and not one secessionist was elected. After several military and political events, federal troops from St. Louis (primarily German and Union in sympathy) occupied Jefferson City (the capital). The regularly elected but deposed legislature passed an act declaring Missouri's secession from the Union, but did not continue to meet during most of the War, although it sent representatives to the Southern Confederacy. In its absence, the state convention body was reconvened in Jefferson City and became the provisional government of Missouri. It declared all offices vacant and elected Hamilton R. Gamble governor on July 22, 1861.

<sup>7</sup>*Ibid.*

<sup>8</sup>U. S. Bureau of the Census, *1967 Census of Governments, I, "Governmental Organization"* (Washington: U. S. Government Printing Office, 1968), p. 381.

However, recent incomplete surveys suggest that the Bureau of the Census figure is low. Therefore, it can be stated rather emphatically that Missouri is fragmented, at least with respect to numbers of governmental units. This would appear to reflect the strength of Jeffersonian tradition, and the population's commitment to "grass roots" democracy.

Jeffersonian ideals are based upon rural values. Jefferson believed in maximum political freedom and a minimum of governmental activity, and declared, "I am for a government rigorously frugal and simple." Furthermore, he considered public power potentially dangerous to liberty and was in favor of dispersing it. "It is not by the consolidation or concentration of powers, but by their distribution, that good government is effected."<sup>9</sup> Local responsibility and local government, as in the New England town meeting, were the means by which "all matters, great and small, can be managed to perfection."<sup>10</sup> Jeffersonian values are still a powerful force in American politics and are evident in Missouri, particularly outstate Missouri.

Although the great number of local governments in Missouri is the best indication of Jeffersonian values, there are other indicators. Some of these include: (1) the fact that 24 counties have the rural township form of government with elected officers including collectors and assessors (in counties with the township form there are no county assessors or collectors),<sup>11</sup> and the fact that attempts to abolish the townships have been consistently defeated; (2) the commitment to decentralization in county government, with the election of as many as 25 officials; (3) the preference of many municipalities for fourth class status when they are eligible for third class status and increased revenues after an affirmative vote of the people—fourth class statutes also prescribe a decentralized mayor-council form of government only, whereas third class statutes provide for optimal forms, including mayor-council, commission, and city manager; (4) the deep suspicions of many municipal populations toward the city manager form of government; (5) the penchant of Missourians for voting on every conceivable issue—Missourians appear to be committed to direct democracy at the local level (during a five-month period from Nov. 5, 1968 to April 1, 1969, Columbia citizens went to the polls four times to vote on a variety of issues in addition to officers); and (6) the adherence to extraordinary voting majorities required for passage of general obligation and revenue bonds (2/3 and 4/7)<sup>12</sup> which reflects a commitment to conservatism and a suspicion of non-property owners—something Thomas Jefferson would understand. In summary, Missourians are suspicious of government and are highly opposed to big government; yet they appear to have no objections to creating small, personal governments. Many individuals apparently feel small governments are acceptable, particularly if they

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<sup>9</sup>Quoted in Leonard D. White, *Introduction to the Study of Public Administration* (New York: The Macmillan Company, 1955), p. 16.

<sup>10</sup>*Ibid.*

<sup>11</sup>Martin L. Faust, *The Constitution and the Administrative Structure* (University of Missouri: Research Center of the School of Business and Public Administration, 1964), pp. 34-35.

<sup>12</sup>Missourians defeated a proposed constitutional amendment on November 5, 1968, which lessened the requirements to 60% for general obligation bonds, and a simple majority for revenue bonds.

hold office or employment in one or other rewards are involved.

With respect to politics, Missouri is predominately Democratic although there are certain areas which have been consistently Republican. In presidential elections, the state has gone Democratic in every contest since 1932, with the exceptions of 1952 and 1968, when Eisenhower and Nixon carried the state.<sup>13</sup> In state, national, and county elections from 1958-66, 61 counties have voted solidly Democratic, whereas 31 have gone Republican and 23 have been close or divided.<sup>14</sup> Therefore, although Daniel Elazar reports Missouri as a two-party state, since 1932 it is apparent that Missouri belongs in the "modified one-party Democratic" state category<sup>15</sup> despite Nixon and Eisenhower carrying the state.

The "modified one-party" characteristic both reflects and contributes to conservatism in Missouri. It reflects the commitment to Jeffersonian values and contributes to conservatism because of the Democratic Party's absorption on the great number of center voters (thus leaving modernists as a small, ineffectual minority). This can be demonstrated further by reflecting on the historical migration patterns. Missouri was settled by immigrants from Virginia and Kentucky, who had an influence in writing the original constitution and who assured a continuing role for county government in the state.

In comparing Missouri with the other 49 states in the Union several interesting factors come to light. For example, the norm or issue involving the greatest internal unity vis-a-vis the federal government is in Elazar's terminology "the maintenance of the state's political patterns."<sup>16</sup> In other words, whereas the southern states have the highest internal unity, particularly with respect to federal programs involving civil rights, Missouri has somewhat less internal unity, but it involves *preserving its existing political patterns*. Another contrast can be made with Minnesota; the norm or issue of greatest unity there is the "maintenance of (the) state's cultural patterns."<sup>17</sup> In Minnesota, the cultural patterns lead to a consensus that "the state is more 'honest,' more 'community-minded,' more 'stable,' more 'homey,' and more concerned with the individual than are the centers of the nation and more 'vital' and 'progressive' than its immediate neighbors; that all this is due to the state's more isolated position; and that it is worth preserving."<sup>18</sup> Again, Missouri ranks somewhat lower in internal unity, but together with four other states located "along the middle of the country between North and South," the major concern is with "maintenance of the established political patterns which give them (the border states) power against various pressures, usually external."<sup>19</sup>

A typology developed by Elazar is also useful in comparing or contrasting

<sup>13</sup>Robert F. Karsch, *The Government in Missouri* (10th ed.; Columbia: Lucas Brothers Publishers, 1968), p. 21.

It should also be added that because of the extensive use of paper ballots, Missouri was the last state in the Union to complete the count of votes in the November 5, 1968, presidential election.

<sup>14</sup>*Ibid.*, p. 23

<sup>15</sup>Elazar, *op.cit.*, p. 122.

<sup>16</sup>Elazar, *op.cit.*, p. 16.

<sup>17</sup>*Ibid.*

<sup>18</sup>Elazar, *op.cit.*, p. 20. It should be pointed out that the attitudes referred to above often come out in the *Minneapolis Tribune's* "Minnesota Poll."

<sup>19</sup>Elazar, *op.cit.*, p. 22.

Missouri with other states. After first declaring that “the United States as a whole shares a general political culture,” and that this culture “is rooted in two contrasting conceptions of American political order” including: (1) “the political order conceived as a market place in which the primary public relationships are products of bargaining among individuals and groups acting out of self-interest,” and (2) the political order conceived as a commonwealth (“a state in which the whole people have an undivided interest—in which the citizens cooperate in an effort to create and maintain the best government in order to implement moral principles”), he develops his basic typology which includes the concepts of ‘individualistic,’ ‘moralistic,’ and ‘traditional.’

The individualistic political culture according to Elazar

... emphasizes the conception of the democratic order as a marketplace. In its view, a government is instituted for strictly utilitarian reasons, to handle those functions demanded by the people it is created to serve.

... Since the individualistic political culture emphasizes the centrality of private concerns, it places a premium on limiting community intervention—whether governmental or non-governmental—into private activities to the minimum necessary to keep the marketplace in proper working order.

... The individualistic political culture holds politics to be just another means by which individuals may improve themselves socially and economically. In this sense politics is a ‘business’ like any other that competes for talent and offers rewards to those who take it up as a career.<sup>20</sup>

Several other points regarding individualistic political cultures are interesting because of their descriptive accuracy when applied to Missouri.

Such a political culture encourages the maintenance of a party system that is competitive, but not overly so, in the pursuit of office. Its politicians are interested in office as a means of controlling the distribution of the favors or rewards of government rather than as a means of exercising governmental power for programmatic ends.

... Furthermore, there is a strong tendency among the public to believe that politics is a dirty—if necessary—business, better left to those who are willing to soil themselves by engaging in it ... Since a fair amount of corruption is expected in the normal course of things, there is relatively little popular excitement when any is found unless it is of an extraordinary character.<sup>21</sup>

Two last points in the description are particularly interesting because of their application to Missouri.

The political culture is ambivalent about the place of bureaucracy in the political order. In one sense, the bureaucratic method of operation flies

<sup>20</sup>Elazar, *op.cit.*, p. 88

<sup>21</sup>Elazar, *op.cit.*, p. 89

in the face of the favor system that is central to the political process . . . In the end, bureaucratic organization is introduced within the framework of the favor system; large segments of the bureaucracy may be insulated from it through the merit system but the entire organization is pulled into the political environment at crucial points through political appointment at the upper echelons and, very frequently, the bending of the merit system to meet political demands.<sup>22</sup>

Although this ambivalence toward the place of bureaucracy is most applicable to the state level, a similar ambivalence appears at the local level in Missouri; i.e., the low number of manager governments vis-a-vis the total number of municipalities and the adoption of the office of city administrator by ordinance in lieu of the city manager plan.

Elazar's second type of political culture, the moralistic, "emphasizes the commonwealth conception as the basis for democratic government." In this type "both the general public and the politicians conceive of politics as a public activity centered on some notion of the public good and properly devoted to the advancement of the public interest." In addition, government is considered a positive instrument with a responsibility to promote the general welfare and the citizen is expected to participate in the political affairs of his commonwealth. In the latter regard, party regularity is not of prime importance although it is considered a useful political device; "regular party ties can be abandoned with relative impunity for third parties, special local parties, or nonpartisan systems if such changes are believed helpful in gaining larger political goals." One of the consequences of these attitudes toward political parties is the increased amateur participation in politics in moralistic states.

The third type, the traditionalistic political culture, is "rooted in an ambivalent attitude toward the marketplace coupled with a paternalistic and elitist conception of the commonwealth." As Elazar describes it,

It reflects an older, pre-commercial attitude that accepts a substantially hierarchical society as part of the ordered nature of things, authorizing and expecting those at the top of the social structure to take a special and dominant role in government. Like its moralistic counterpart, the traditionalistic political culture accepts government as an actor with a positive role in the community, but it tries to limit that role to securing the continued maintenance of the existing social order. To do so, it functions to confine real political power to a relatively small and self-perpetuating group drawn from an established elite who often inherit their 'right' to govern through family ties or social position.

. . . Where the traditionalistic political culture is dominant in the United States today, political leaders play conservative and custodial rather than initiatory roles unless pressed strongly from the outside.

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<sup>22</sup>Elazar, *op.cit.*, p. 89. In support of the above, at the state level only "about one third of the state's administrative force" is under a merit system, and this may be due to federal pressures in programs involving federal monies. See Karsch, *op.cit.*, p. 132.

... Traditionalistic political cultures tend to be instinctively anti-bureaucratic because bureaucracy by its very nature interferes with the fine web of informal interpersonal relationships that lie at the root of the political system and which have been developed by following traditional patterns over the years.<sup>23</sup>

In summary, although Elazar breaks down his typology into eight components (moralistic, moralistic-individualistic, individualistic-moralistic), and although each state has various sub-cultures, generally speaking the moralistic political culture states are found in the North, the traditionalistic cultures in the South, and the individualistic cultures in the middle of the nation.<sup>24</sup>

However, he finds Missouri to be *the only state having an individualistic-traditional political culture*. This means the individualistic culture is dominant, but that there is a strong traditionalistic strain.<sup>25</sup> It is apparent, then, if Elazar's data is reliable, that Missouri is a conservative state with its own unique political patterns and attitudes. Furthermore, Elazar finds that Missouri has a large number of variables that affect and emphasize state-local political conflict. The variables include: (1) political sub-cultures, (2) the general culture, (3) sectionalism, (4) urban-rural splits, (5) metropolitan versus non-metropolitan interests, (6) localism, and (7) inter-metropolitan problems.<sup>26</sup> Without going into detail in describing these variables, it is interesting to point out that *Elazar finds only two states with the full complement of variables which tend to exacerbate state-local and state-local-federal conflict: Missouri and Pennsylvania*. As the author states, "all things being equal, we might well expect a higher degree of state-local conflict where there are more variables." Furthermore, "there is some evidence that those states with more active variables do less governmentally to help their civil communities than their sisters."<sup>27</sup> And finally, "the two states with the most cleavages, Pennsylvania and Missouri, are located at particularly critical crossroads in the overall national pattern," whereas "those states off the beaten path have the fewest cleavages."

## *The Legal Structure of Local Government in Missouri*

### *Introduction*

Given Missouri's political culture, including the commitment to Jeffersonian values which support governmental fragmentation, it is not surprising that there is much legislation applicable to local government—a variety of enabling acts

<sup>23</sup>Elazar, *op.cit.*, pp. 92-94.

<sup>24</sup>Elazar, *op.cit.*, p. 108

<sup>25</sup>Elazar, *op.cit.*, p. 110

<sup>26</sup>Elazar, *op.cit.*, pp. 180-186.

<sup>27</sup>Elazar, *op.cit.*, p. 184. This can easily be verified by examining the amount of state aid available to cities in Missouri. Missouri ranks 31st in intergovernmental payments to local governments and 88% of what is transferred goes to school districts. Information from U. S. Bureau of the Census, *State Government Finances in 1968*. (Washington: U.S. Government Printing Office, 1969.)

authorizing many types of local governments or quasi-governmental bodies. A recent count indicated there are approximately 101 classifications of cities, counties, towns, and villages in the Missouri statutes and 22 acts authorizing establishment of various types of special districts.<sup>28</sup>

As creatures of the state, municipal corporations and other political subdivisions have no inherent powers of their own, but derive these powers from the constitution of the state and the legislative acts of the General Assembly. The laws that govern Missouri's 114 counties, 892 municipalities, 329 townships, and 742 special districts are scattered throughout 564 chapters and 6,000 pages of the Missouri Revised Statutes. Over a period of more than a century these laws have been added to, amended, deleted, and revised, but no attempt has been made to reorganize or codify them into one thorough-going and systematic municipal code.

It is virtually impossible for one dealing with local government in Missouri to become an authority to the extent of even knowing all the various provisions relating to local governments contained in the Missouri statutes, much less to be conversant in their full meaning and import.<sup>29</sup>

As to legislation applicable to local government, there is a great deal of it and no one is familiar with the entire package. As the statement above points out, *there has not been a systematic codification of laws pertaining to local government in more than a century*. It would appear that the legal setting closely resembles and reflects the political culture of Missouri with its many operating variables and complexities.

### *Organization of Cities*

It is not necessary to discuss all types of local governments, but only the framework available to cities. In this regard, Missouri's Constitution authorizes the General Assembly to establish uniform laws for cities of various populations. It also allows the General Assembly to prescribe the method or requirements that must be fulfilled before a city may move from one class of uniform laws to another. The Constitutional provision reads:

Sec. 15. Classification of cities and towns—uniform laws—change from

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<sup>28</sup>This count was arrived at by a cooperative effort of personnel with the University of Missouri-Columbia (Governmental Affairs Program), and the State Department of Community Affairs. Research assistants under legal direction coded all statutes pertaining to cities, counties, towns, and villages by class and function. In the process of going through all twenty-two volumes of *Vernon's Annotated Missouri Statutes*, they discovered 101 classifications.

<sup>29</sup>Peter W. Salsich, Jr., *Local Government in Missouri: The Crossroads Reached* (Jefferson City: Office of State and Regional Planning and Community Development, reprinted from the *Missouri Law Review*), p. 74. Mr. Salsich formerly was General Counsel for the State Office and Co-Chairman of the Governor's Advisory Council on Local Government Law. The numerical data is from the 1962 Census of Government.

special to special law. The general assembly shall provide by general laws, for the organization and classification of cities and towns. The number of such classes shall not exceed four; and, the powers of each class shall be defined by general laws so that all such municipal corporations of the same class shall possess the same powers and be subject to the same restrictions. The general assembly shall also make provisions, by general law, whereby any city, town or village, existing by virtue of any special or local law, may elect to become subject to, and be governed by, the general laws relating to such corporations.<sup>30</sup>

The General Assembly may establish up to four classes of cities and towns by general laws; for example, cities of a certain population size will operate under prescribed general state-wide laws and all cities of the same class would then have the same powers and restrictions. There are also provisions for the incorporation of villages. Many laws have been passed which are applicable for only one city. This is done by making it appear that a special law has general applicability through population classification. A bill will be passed stating that it has state-wide (general) applicability for, say, cities of more than 100,000 population located in a county of the second class. The result, when analyzed, is that the law affects only one city in the state, making it a special rather than a general law. It is this procedure of passing special legislation under the guise of general law that has resulted in the numerous classifications of cities even though the Constitution specifies no more than four. Furthermore, there is a home rule provision (Article VI, sec. 19) which allows cities with over 10,000 inhabitants to draft their own charters outlining the organization of municipal government and there are also cities which were granted special charters by the General Assembly before 1875, and have continued to operate under special charters even though they may not be amended.

To add to the confusion, there are optional forms of government available to cities of the first, second, third, and fourth class. This means that cities operating under these statutes have a choice in the form of government they elect to use, although each class has a different set of options. To clarify, the following table summarizes the classes and options.

Two points should be made with respect to classification of cities in Missouri: (1) there are at present no cities operating under first and second class statutes, and (2) no city may change its classification or form of government **WITHOUT A VOTE OF THE PEOPLE**. In addition, there may be two referendums necessary if a city of the fourth class wishes to move to third class and adopt the commission form of government; the first vote would be on the change of classification and the second would involve the question of the form of government. It is evident that these requirements deter many cities from moving from one class to another. As reported in a study by George F. Nickolaus and Henry Galetschky, the result is many improperly classified cities.<sup>31</sup>

<sup>30</sup>Missouri, *Constitution* (1945), Art. 6, sec. 15.

<sup>31</sup>George F. Nickolaus and Henry Galetschky, "G.A.P. Census of Missouri Municipalities," *Public Affairs Newsletter* (University of Missouri - Columbia: Governmental Affairs Program), III No. 10 (February, 1969).

TABLE 3--CLASSIFICATION OF MISSOURI CITIES AND  
OPTIONAL FORMS OF GOVERNMENT AUTHORIZED

Class of City	Population Requirement	Optional Forms of Government Authorized by Statute
I	65,000 or more	Mayor-Council
II	27,501-99,999	Commission
III	3,000-29,999	Council-Manager
IV	201-2,999	Mayor-Council
Constitutional Charter City (Home rule)	10,001	Commission
Special Charter	- - - - -	Council-Manager
		Mayor-Council
		Any republican form of government
		Dependent upon bill passed by General Assembly before 1875; may not be amended.

TABLE 4--NUMBER OF IMPROPERLY CLASSIFIED CITIES  
IN MISSOURI

Number	Classification
35	4th class cities <u>should</u> be villages.
19	3rd class cities <u>should</u> be 4th class cities.
37	Villages <u>should</u> be 4th class cities.
7	Villages <u>could</u> be 3rd class cities.
52	4th class cities <u>could</u> be 3rd class cities.
5	Spècial charter cities <u>could</u> be 3rd class cities.
7	4th class cities <u>could</u> adopt a constitutional (home rule) charter.
21	3rd class cities <u>could</u> adopt a constitutional charter.

Total 183

Cities desiring to change their classification or form of government are faced with the necessity of having a vote on the issue. Approval is often difficult to achieve and fourth class cities have only one form of government to choose from—the mayor-council form. The basic forms of government authorized by statute are summarized as follows.

*Forms of Government*

The Missouri statutes authorize three basic forms of government for cities, although all three are not available to all classes of cities. The oldest and most prevalent structure both in the nation and Missouri—the mayor-council form—is authorized for all but second class cities.<sup>32</sup> The authorized mayor-council struc-

<sup>32</sup>The discussion of forms of government is reprinted from the work, *Handbook for Missouri Municipal Officials* (University of Missouri - Columbia: Governmental Affairs Program, 1967), pp. 6-7, by Richard R. Dohm.

ture is generally termed a "weak mayor" form. This means that the mayor does not have a great deal of appointive power (many administrative officers are elected) and consequently has little administrative power. This form of structure approximates the federal government in that it includes the concept of separation of powers (executive and legislative) and some checks and balances; however, it does not provide for a strong executive, although in fourth class cities the office of mayor includes enough powers to allow potentiality for leadership.

In fourth class "weak mayor" structures, there is a board of aldermen elected for two years (two aldermen from each ward and not less than two wards), a mayor elected for four years who presides over the council, and an assessor, collector, treasurer, police judge, marshal, and attorney elected for two years each. In this case, the number of elected posts is many and supports the "weak mayor" label.

The council-manager or city manager structure unifies the administrative services and functions under a city manager who is appointed by and responsible to the council. The plan resembles a school district government, where a school superintendent is appointed and responsible to an elected school board and supervises the staff or organization, or a business organization where a president of the company is appointed and responsible to a board of directors. The elected council is responsible, in theory, for policy-making in a manager plan city and in turn holds the city manager responsible for supervising the administrative functions. The council in the pure form may hire and fire the manager at will, not merely for cause. The manager plan in third class cities also calls for election of a mayor who sits on the council. He has no administrative authority or veto power, but may vote as a member of the council and occasionally appoints members of advisory boards. The manager plan does not incorporate the concept of separation of powers, but reflects a unitary approach to local government.

The third basic structure is the commission form of government. This is the least popular form today and is declining in use. The commission form developed during a crisis in Galveston and represents a unitary approach to local government. In the commission plan, the council acts not only as a policy-making body, but each councilman also directly heads or supervises an administrative department. "One of the commissioners is given the title of mayor, but he does not have veto power, nor does he exercise administrative jurisdiction over the administrative departments other than his own."<sup>33</sup>

The commission plan as provided for in second class cities organizes work of the city into five departments, as follows: safety and public affairs, revenue, health and sanitation, streets and public utilities. The mayor heads the department of safety and public affairs, which includes principally the activities of police and fire protection. Each commissioner is elected by the people as the head of a specific department. The commission plan for third class cities differs somewhat from that of the

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<sup>33</sup>Faust, *op.cit.*, p. 43.

second class cities. In the first place, the number of commissioners may be three, four, or five, depending upon the population of the city. Although the administrative work is again distributed among five departments, one commissioner or superintendent may head two departments in the smaller cities where the number of commissioners is less than five. Another difference is found in the arrangement whereby the members of the council decide among themselves who among them shall head the respective departments. The one exception is the mayor, whom the law designates as the head of the department of public affairs.<sup>34</sup>

Missouri has a rather unique political culture and is heavily Jeffersonian in ideology. It is the only state having an "individualistic-traditional" political culture, according to the classification of Daniel Elazar, and the state's governmental structure accurately reflects the political patterns and traditions.

In analyzing local governmental structures, it is apparent that the situation is highly complex and indeed confusing to many. It is not surprising to find local government officials unfamiliar with the statutes applicable to their city and some are not even aware of their city's status. However, although most would condemn the legal complexities, others have found it a stimulus for innovation.

Perhaps because of the complexity and the unlikelihood that general populations are familiar with statutory requirements and prohibitions, local governing bodies feel free to experiment upon occasion. In addition, some local governing bodies have practiced innovation in governmental structure beyond that authorized by statute. The next chapter will discuss the introduction of the city administrator plan in Missouri, the reasons for its establishment, the adoption of the plan by 13 third and fourth class cities, and present some generalizations regarding the types of cities which have established the office of city administrator.

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<sup>34</sup>Faust, *op.cit.*, p. 49.

## Chapter III

# Initiation and Push

### *Experiment in Centralia—Initiation of the City Administrator Form of Government in Missouri*

The city administrator form of government was introduced in Missouri by passage of an ordinance in Centralia on March 20, 1950.<sup>1</sup> Centralia was a community of 2,460 inhabitants in 1950. It is located in northeast Boone County (which is located in the center of the state) about 30 miles from Columbia, and roughly 14 and 24 miles from Mexico and Moberly respectively. Interestingly, the communities of Columbia, Mexico, and Moberly are all larger than Centralia, and all have adopted the city manager form of government by home rule or options allowed cities of the third class. Centralia, then, is at the center of a triangle formed by the three larger cities, all of which adopted the city manager form of government prior to the passage of Centralia's city administrator ordinance in 1950.<sup>2</sup>

Because passage of Centralia's ordinance occurred 19 years ago, it is difficult to obtain precise information regarding the initiation and push of the plan. However, it was possible to obtain interviews with the present city administrator, the mayor at time of passage, a member of the Board of Aldermen in 1949, and two knowledgeable attorneys, both of whom had been city attorney for a number of years. It should also be noted that Centralia has one dominant industry, the A. B. Chance Company, which makes electrical supplies and experienced substantial growth after World War II.<sup>3</sup> The company had gross sales of about \$67 million in 1968 and is by far the largest employer in the community. Furthermore, the company has not ignored civic affairs, but has taken an interest in the city's growth and management. At least one employee of the company has been elected to the Board of Aldermen each term and three of the seven present board members are employed by the company.<sup>4</sup> The founder of the com-

<sup>1</sup>Centralia, Missouri, *City Ordinances*, c. City Administrator, sec. 47 (1950), "Office of the City Administrator Created."

<sup>2</sup>Missouri, *Official Manual of the State of Missouri* (1967-68), p. 1081. Columbia adopted a home rule charter in 1949, while Mexico also adopted the plan in 1949, and Moberly in 1944.

<sup>3</sup>Interview with Philip Grimes, June 13, 1969. Mr. Grimes, an attorney, practices primarily in Columbia, but has a satellite office in Centralia and was mayor of that city in 1950.

<sup>4</sup>Interview with Carroll Bryson, Centralia attorney and former city attorney, July 15, 1969.

pany was also an alderman in the early 1940's. Because of its dominance as the primary employer, individuals are sensitive to any implication that Centralia is a company town; however, interviewees sometimes remarked that the company had negative influence in the sense that if it had opposed passage of a city administrator ordinance, it would not have passed.

None of the respondents could identify an individual who initiated the concept of city administrator, but several were in agreement on two points: (1) the city was growing and there was a definite need for some one person to oversee day-to-day administrative problems, and (2) the arguments pro and con for the city manager plan were prevalent in the struggle for the manager form in Columbia (1948-49) and were introduced in discussions of Centralia's Board of Aldermen.<sup>5</sup> All respondents indicated the mayor-council form of government was having problems in 1950. As Philip Grimes stated, "the Board of Aldermen would meet sometimes until 1 a.m. with problems concerning city government; the committee system was in danger of breaking down."<sup>6</sup> Nathan Toalson, president of the A. B. Chance Company, stated that "the mayor was not full-time and he and the Board of Alderman could not administer the day-to-day tasks."<sup>7</sup> Furthermore, according to Toalson, the city was used to having one man supervise the governmental functions. For years the city engineer ran the government and therefore passage of the city administrator ordinance did not result in any great change. Toalson also declared the city manager plan was talked about because of the Columbia effort "and arguments spilled over into Centralia."<sup>8</sup>

However, the city manager plan was never really considered for Centralia. In the first place, the city had only 2,460 inhabitants in 1950 and did not qualify for third class status. Just as important was the conviction of all respondents that the city manager form of government wasn't suitable for Centralia. As Grimes put it "the city manager plan would have a hard time passing in an election. The people would be reluctant to delegate power to a city manager. Also, the fact that a professionally trained public administrator would command a large salary."<sup>9</sup> Another former city attorney, R. E. Ausmus Sr., put it somewhat more strongly: "this town does not want the city manager form. I don't think it would pass in Centralia."<sup>10</sup> On this same point Nathan Toalson declared "I don't think people in Centralia would be interested in the manager form of government today. People probably wouldn't favor the at-large elections that are required of the manager plan under third class statutes."<sup>11</sup> It seems apparent that the manager plan is not favored in Centralia, at least by the respondents, but a full-time manager was desired to take the pressures off the mayor and the Board of Aldermen and give direction in routine administrative matters.

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<sup>5</sup>Interviews with Nathan Toalson, President of A. B. Chance Company, July 23, 1969, and Philip Grimes, *op. cit.*

<sup>6</sup>Interview with Philip Grimes, *op. cit.*

<sup>7</sup>Interview with Nathan Toalson, *op. cit.*

<sup>8</sup>Interview with Nathan Toalson, *op. cit.*

<sup>9</sup>Interview with Philip Grimes, *op. cit.*

<sup>10</sup>Interview with R. E. Ausmus, Sr., attorney and former Centralia city attorney, July 16, 1969.

<sup>11</sup>Interview with Nathan Toalson, *op. cit.*

The points that appeared to bother the respondents concerning the city manager form of government included: (1) the high salary usually commanded by a professionally trained manager, (2) the at-large elections required under third class statutes, and interestingly, (3) the belief that the manager plan vested too much authority in the manager. With respect to this last point, one respondent referred to the dictatorial powers of city managers and the fact that the present city administrator—Howard Burton—“never exceeded his authority.” Another respondent was under the impression that city managers had contracts and indicated he did not like the idea of tenure for a manager. It appears that there are some strong misconceptions regarding the city manager plan, either because of lack of information or a deeper ideological bias. However, it should be noted that *the push for a city administrator came from the Board of Aldermen*, perhaps with the support of the A. B. Chance Company, although the role of the company cannot be reconstructed. Initiation may have come from the company, but this cannot be verified. It can be assumed, however, that the company provided at least tacit support for the ordinance; neutrality might have been interpreted as opposition by noncompany members of the Board of Aldermen.

There can be no doubt that the city administrator plan has been accepted by Centralians. Those interviewed were unanimous in the opinion that the plan has been well accepted and the long tenure of Howard Burton—who was born in Sturgeon (a town only a few miles away) and started work for the city of Centralia in 1946—indicates acceptance.

All those interviewed expressed the opinion that if an election were held on whether or not to adopt the manager plan, it would be defeated. If the issue were retention of the city administrator form, it would be sustained.

One final point of incongruity should be noted. Although some respondents indicated they disapproved of the amount of authority granted to city managers under that form, Howard Burton, the present city administrator, acts as purchasing agent for the city with authority to purchase without approval items costing less than \$200, and has “complete control and responsibility over all personnel of the three principal departments . . . unless otherwise restricted by ordinance.”<sup>12</sup> Burton, as it turns out, may employ and discharge all employees except police. A more thorough discussion of the ordinance has been left for Chapter IV.

### *Other 3rd and 4th Class Cities with City Administrators:*

#### *The St. Louis Metropolitan Area*

From 1963 to 1969, 12 other third and fourth class cities adopted city administrator ordinances, or created the title of “clerk-administrator” for their chief

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<sup>12</sup>Centralia, Missouri, *City Ordinances*, *op.cit.*

executive officer. There was a gap of 13 years, however, before another city followed the Centralia experiment. (See Table 5.)

The second city to adopt an ordinance establishing such an office—in this instance the title was “administrative assistant”—was Woodson Terrace, a small outlying suburb of 6,048 inhabitants (1960) in St. Louis County. On his own admission, Jack Brown, the present mayor, initiated the concept of an administrative assistant. Mayor Brown works for Union Electric Power Company and travels extensively in the St. Louis area. Brown declared that in observing many other city manager cities, he came to the conclusion that they were more progressive and business-like. In the process of buying real estate for Union Electric, he became committed to the form “because it puts city government under a professional.”<sup>13</sup> Brown pointed out he was a part-time mayor and “didn’t have time to carry out the necessary administrative duties.” Also, the city clerk was a woman and had some difficulty in dealing with male contractors. “I suggested to the Board of Aldermen the creation of an office of administrative assistant and the city attorney went along with the idea.”<sup>14</sup> It should be noted, however, that the ordinance established an office of “administrative assistant,” the assistant to be appointed by the mayor with the “consent and approval of a majority of the members elected to the Board of Aldermen,” and responsible for duties assigned by the mayor.<sup>15</sup> The administrative assistant, W. L. Pigg, does not employ or discharge employees, but makes recommendations to the mayor and board. He coordinates matters and gathers data, however, and handles the budget for the public works and parks departments; the budget committee of the board supervises other budgets.

The initiation and push for an administrative assistant to the mayor came from the mayor himself in Woodson Terrace, and appears to have been accomplished without any knowledge of the Centralia experiment. However, the office or position is somewhat different than that in Centralia; the “assistant” is just that—an administrative assistant to the mayor without more than coordinative authority. The major reason for establishment, in Mayor Brown’s words, is that a “part-time unpaid mayor can’t keep up with day-to-day administrative duties.” Furthermore, “the office would be accepted in a vote on the issue, although there was a little criticism at first to the effect that the mayor was giving away too much authority, and that the city was paying two salaries for executives (an erroneous impression); Bill (the administrative assistant) has more than paid his way in negotiating contracts for the city.”<sup>16</sup>

With the initiation and implementation of the office of administrative assistant in Woodson Terrace, it can be assumed that the idea spread among other municipalities in the St. Louis metropolitan area. Washington, located in Franklin County which is now part of the metropolitan area, adopted an administra-

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<sup>13</sup>Interview with Jack Brown, Mayor of Woodson Terrace, March 26, 1969.

<sup>14</sup>*Ibid.*

<sup>15</sup>Woodson Terrace, Missouri, *City Ordinances*, no. 555, “An Ordinance Establishing the Office of Administrative Assistant; Prescribing the Duties: Term of Office and Compensation Thereof.”

<sup>16</sup>Interview with Mayor Jack Brown, *op.cit.*

TABLE 5--MISSOURI 3RD AND 4TH CLASS CITIES HAVING  
ADMINISTRATOR ORDINANCES

Name	County	Population		Date of Incor- poration	Status	Date of Ordinance	Name and Title of Administrator
		1950	1960				
Belton	Cass	1233	4897	1880	4th	7-16-1963	Arnold Davis - City Adminis- trator
Brentwood	St. Louis	7504	12,250	1919	4th	2-19-68	E. R. Michener - City Admin- istrator
Centralia	Boone	2460	3200	1857	4th	3-20-50	Howard Burton - City Admin- istrator
Crystal City	Jefferson	3499	3678	1911	3rd	10-11-63	Vacancy - City Supervisor
El Dorado Springs	Cedar	2618	2864	1881	3rd	6-21-65	Vacancy
Glendale	St. Louis	4930	7058	1916	4th	no ord. as yet*	Dale Stithem - Clerk Adminis- trator
Grandview	Jackson	1556	10,116	1929	4th	5-24-65	Ken Vanderslice - City Admin- istrator
Grant City	Worth	1184	1061	1863	4th	- - - -	Vacancy
Harrisonville	Cass	2530	3510	1849	4th	5-19-65	Stephen Berley - City Admini- strator
Lee's Summit	Jackson	2554	8267	1868	4th	7 - 1964	Vacancy, formerly Glen Barton City Administrator
Washington	Franklin	6850	7961	1839	3rd	9-6-66	DIESTABLISHED BY COURT City Administrator
Webb City	Jasper	6919	6740	1876	3rd	8-7-67	Vacancy
Woodson Terrace	St. Louis	616	6048	1954	4th	5-2-63	W. L. Pigg - Administrative Assistant

\* Dale Stithem was hired as an administrator, but the Board of Aldermen has not passed an ordinance as yet, although Stithem is introduced at public meetings by the title of administrator. The Board is waiting to see the fate of a bill in the General Assembly which legitimizes the administrator form before passing an ordinance.

TABLE 6--OTHER IDENTIFIED MUNICIPALITIES WITH ADMINISTRATOR OFFICERS

Name	Status	1960 Population	County
Lake Winnebago	Village		Jackson
Liberty	Special Charter	8,908	Clay
Bridgeton	Constitutional Home Rule Charter	7,820	St. Louis
St. Joseph	Constitutional Home Rule Charter	79,673	Buchanan
Pleasant Hill	Special Charter	2,689	Cass

tor ordinance in September, 1966, and Brentwood, a second tier suburb in St. Louis County passed such an ordinance in February, 1968. Glendale, located just southwest of Brentwood, did not pass an ordinance, but added the word "administrator" to the title of clerk. The city was waiting to see the fate of House Bill No. 284 in the legislature (authorizing the administrator plan for third and fourth class cities) before passing an ordinance. Only the city of Washington drafted a rather strong ordinance delegating many powers to the city administrator; the other cities were evidently more sensitive to legal implications, or drafted short and rather vague ordinances. It should be noted again that only the Washington ordinance has been challenged in court.

### *The Kansas City Metropolitan Area*

The third city to adopt the city administrator form of government was Belton, an older community located just south of Kansas City in Cass County. The city's population in 1950 was 1,233, but grew to 4,897 by 1960.<sup>17</sup> Therefore, before 1960 the city did not have sufficient population to move from fourth class to third class (3,000), but by 1960 the city could have held an election on change of status.

Although Belton followed the path of other administrator municipalities in not holding elections on change of status or the city manager plan, it was somewhat different in that a reform issue appeared in the general election of 1961.<sup>18</sup> From a case study by Robert J. Saunders, the first administrator, it is evident there was dissatisfaction in the community with the incumbent mayor and his supporters in city hall in 1961. Interestingly, the Board of Aldermen also opposed the incumbent mayor's attempted return to office and supported a reform

<sup>17</sup>*Official Manual of the State of Missouri, op.cit.*, p. 1260.

<sup>18</sup>Robert J. Saunders, "The Role of an Unofficial City Manager," (unpublished Master's dissertation, School of Public Administration, University of Kansas, 1965), Robert J. Saunders was the first city administrator hired by Belton, and wrote his Masters of Public Administration thesis about the experience. Saunders is presently a local government specialist for the Center of Management Studies at the University of Missouri - Kansas City. All information concerning the initiation in Belton is from this source.

candidate. The reform platform included a proposal to “secure a ‘city manager’ for the city” to aid in making the city operation more businesslike and efficient. The reform candidate for mayor was elected to office in April of 1961, and immediately proceeded to carry out his campaign promises. As Saunders explains in his case study:

The clerk tendered his resignation to be effective as soon as a successor could be found. His resignation had been expected and coincided with a promotion in his banking job. Thus provided with a unique opportunity to combine the part-time city clerk’s job with a full time administrator, the mayor and council voted unanimously and moved toward this goal. An advertisement was placed in the local paper for a ‘full time city clerk to be in charge of the city offices.’<sup>19</sup>

Saunders was just finishing his graduate program in city management at the University of Kansas and was informed of the advertisement, so he applied for the job.

As to the reasons the city council decided to hire an administrator rather than hold an election on adopting the manager plan, Saunders only reports that “adoption of formal council manager government seemed impractical and unnecessary to the council.”<sup>20</sup> He adds that the new mayor and council were somewhat confused as to the role of an administrator and he had informed the city fathers during interviewing that “he would accept the job on the condition that he be delegated overall administrative authority by a formal and detailed ordinance and be allowed to approach the job as a ‘professional city manager.’”<sup>21</sup> To this effect, three ordinances were drafted: (1) an ordinance appointing Saunders as city clerk, (2) a second creating the office of city administrator and appointing Saunders, and (3) a third which set forth an “administrative code” for the city. The first two ordinances were passed unanimously, but the third was not passed for two years. It should be noted that the “administrative code” authorized the city administrator to appoint and dismiss employees of the administrative service.<sup>22</sup> Also, as Saunders reports:

In December 1963, the International City Managers Association notified the administrator that the provisions of the administrative ordinance were such that they were adding Belton, Missouri to the directory of council-manager governed cities.<sup>23</sup>

In conclusion, it would appear that the initiation and push for the city administrator form came from outside government in Belton. However, as Saunders reports, *the Board of Aldermen unanimously supported the reform candidate and opposed the incumbent mayor.* It would appear that Saunders wanted powers somewhat commensurate to that of a city manager and that with the passage of an

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<sup>19</sup> *Ibid.*, p. 10.

<sup>20</sup> *Ibid.*

<sup>21</sup> *Ibid.*, p. 11.

<sup>22</sup> *Ibid.*, Appendix B.

<sup>23</sup> *Ibid.*, p. 14.

“administrative code,” this was achieved. To anticipate a later point, in the light of the Washington, Mo., court decision, Saunders’ authority to appoint and dismiss employees was questionable. To anticipate still another point, the Washington decision declared a section of an ordinance making the city administrator the chief executive of the city “illegal and void.” In the Belton “administrative code,” however, the following section assigns the same status to the city administrator.

### Section 3. CITY ADMINISTRATOR

(A) Chief Executive. The City Administrator shall be the Chief Executive and Administrative Officer of the City government, shall enforce the laws of the City and require the faithful performance of all administrative duties . . .<sup>24</sup>

It would seem likely that if the Belton ordinance had been challenged in court, the decision would have gone against the city.

One more point should be made. Robert J. Saunders is a young, articulate, and knowledgeable man who has had some impact on the suburban and central city officials in the Kansas City area. He is familiar with many of the officials and their problems and has had extensive contact with local governments through his position with the University of Missouri-Kansas City. In the opinion of the author, Saunders was instrumental in communicating the concept of the city administrator form of government in the Kansas City area.<sup>25</sup> However, it should be pointed out that Saunders was convinced of the legality of the administrator form because of the section in the fourth class statutes allowing mayors to appoint “such other officers as he may be authorized by ordinance to appoint.”<sup>26</sup> The Washington court decision did not occur until April, 1969, so there was no way to divine what a court’s thinking might be on the question. In an interview with Saunders on Feb. 28, 1969, Saunders reported that the administrative code ordinance “was probably too strong, but I never operated that way.”<sup>27</sup> A last point is that the city of Belton was having difficulties under the old structure and the mayor and council decided that full-time management was a necessity.

Other third and fourth class municipalities in the Kansas City area which have adopted the city administrator form of government include Grandview (1965), Harrisonville (1965), and Lee’s Summit (1964). In addition, the village of Winnebago has an administrator, as do the special charter cities of Liberty and Pleasant Hill, all located in the Kansas City area. In the case of Grandview, according to the present city administrator Ken Vanderslice, the push for an administrator came from former mayors.<sup>28</sup> In Harrisonville, Stephen Berley, pres-

<sup>24</sup>*Ibid.*, Appendix B. A more detailed discussion concerning the reasoning behind the action will be found in later chapters.

<sup>25</sup>Saunders also accepted a position as administrator in Liberty (in the Kansas City region) following his employment in Belton.

<sup>26</sup>Missouri, *Revised Statutes* (1959), sec. 77.330.

<sup>27</sup>Interview with Robert J. Saunders, former city administrator of Belton, February 28, 1969.

<sup>28</sup>Interview with Ken Vanderslice, City Administrator of Grandview, February 19, 1969.

ent city administrator, stated that he thought the push came from former mayor Theodore F. Behler, who instituted the office in 1965.<sup>29</sup> In Lee's Summit, Dr. Ralph A. Powell, former mayor, reported "the initiation and push came from the mayor and council. I didn't have time to perform the administrative duties."<sup>30</sup> In the case of Lee's Summit, the office of city engineer was combined with that of administrator, and a professional engineer—Glen Barton—was employed at the time of the interview.

### *Some Generalizations Concerning Cities with Administrators*

In mapping cities of the third and fourth class with city administrators, several interesting patterns appear (See map on page 38). Eight of the 12 cities (excluding Washington) are located in the two largest metropolitan regions—St. Louis and Kansas City—whereas another four are located outstate. Also, of the four outstate communities—Centralia, Eldorado Springs, Webb City, and Grant City—three are located within 20 miles of larger communities having the city manager plan. Centralia has already been identified as located within a triangle of three larger communities having the manager plan, whereas Eldorado Springs is roughly 20 miles from Nevada, and Webb City is within 10 miles of Joplin. Only Grant City is beyond the 20 mile limit, being located about 30 miles from Maryville, another manager city. It can be assumed that the larger manager cities have had some influence in outstate communities adopting administrator ordinances, but except for Centralia, data was not obtained on this question.

In focusing on third and fourth class administrator cities in metropolitan

TABLE 7--AGE OF 3RD AND 4TH CLASS ADMINISTRATOR CITIES IN METRO AREAS, AND POPULATION GROWTH FROM 1950 TO 1960

City	Date Incorporated	1950 Population	1960 Population	Percent Increase
Belton	1880	1233	4,897	200.9
Brentwood	1919	7504	12,250	63.2
Crystal City	1911	3499	3,678	5.1
Glendale	1916	4930	7,048	42.9
Grandview	1929	1556	10,116	500.5
Harrisonville	1849	2530	3,510	38.7
Lee's Summit	1868	2554	8,267	200.2
Woodson Terrace	1954	616	6,048	800.8
	Average			
	Population:	3055	6,976	

Source: Official Manual - State of Missouri 1967-68

<sup>29</sup>Interview with Stephen Berley, City Administrator of Harrisonville, February 20, 1969.

<sup>30</sup>Interview with Dr. Ralph A. Powell, former mayor of Lee's Summit, February 27, 1969.

regions, however, some interesting points of comparison are evident. Except for Woodson Terrace, all were incorporated 40 or more years ago, and two are actually over 100 years old. Therefore, with respect to location, all but Woodson Terrace were far from central cities when they were established. However, the outward migration from central cities has resulted in an in-migration for these same cities, with the exception of Crystal City, and old residents have observed the changing characteristics of their communities due to urbanization. As Rex R. Campbell and John J. Hartman point out in their study of migration from 1950 to 1960:

... the in-migration was highest in and around the larger cities, as in Clay, Platte, Cass, and Johnson Counties around Kansas City, and Warren, Lincoln, Franklin, St. Charles, Jefferson, and St. Louis Counties around St. Louis City. In addition, Camden County (the Lake of the Ozarks), Greene County (Springfield), Boone County (University of Missouri), Cole County (the state capital), and Pulaski County (Ft. Leonard Wood), all gained population through in-migration.<sup>31</sup>

Another interesting point regarding migration pertains to age and sex characteristics. Campbell and Hartman point out:

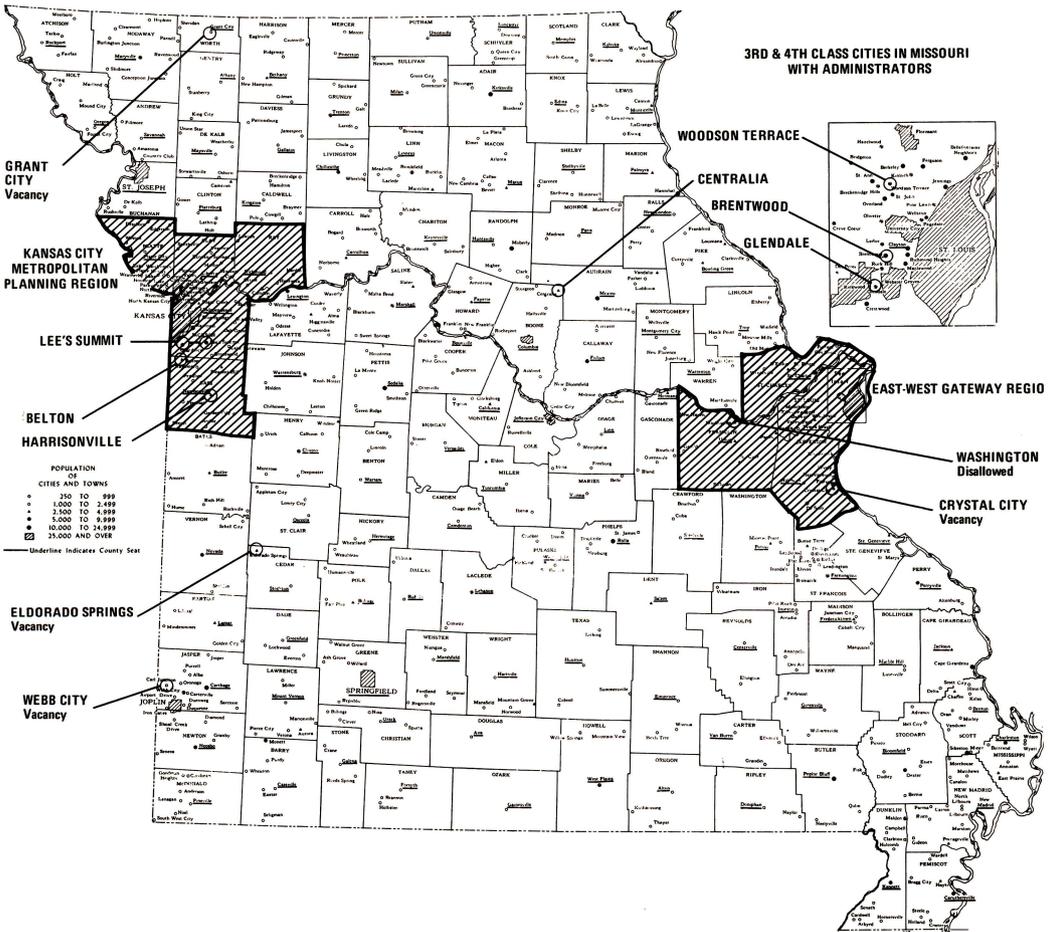
When age and sex migration rates were examined for suburban counties, ... the largest net in-migration was by persons in the 30 to 40 age category, followed closely by persons 25 to 29 and 40 to 44 years old. Evidence indicates that much of this migration consisted of families, because there were large increases in children 10 to 15 years of age.<sup>32</sup>

In the case of the eight metropolitan area administrator cities, the growth between 1950 and 1960 was often spectacular. Belton trebled in population, Woodson Terrace grew more than 800 percent during the decade, Lee's Summit gained more than 200 percent, and Grandview increased its population by more than 500 percent. Only Crystal City, which is really outside of the metropolitan area, grew at a relatively small rate—5.1 percent. The average population for all eight cities in 1950 was 3,055, but by 1960, it had more than doubled with 6,976. The in-migration factor was extremely important, although it might also be termed an out-migration from the central cities and close-in suburbs. For example, the city of St. Louis lost population during the same decade.

The increase in population in the metropolitan administrator cities resulted in two factors: (1) tremendous pressures on local government to provide services for the rapidly increasing population, and (2) an apparent conflict between the old and new residents regarding the necessary levels of service, primarily in the Kansas City region. Robert Saunders described the problem in Belton, just prior to the establishment of the office of city administrator.

<sup>31</sup>Rex T. Campbell and John J. Hartman, *Migration in Missouri 1950-1960*, Research Bulletin 887 (Columbia: University of Missouri College of Agriculture, 1965), p. 4.

<sup>32</sup>*Ibid.*, pp. 15-16.



However, the most important charges were brought against city efficiency. Belton had grown from a static population of 1,000 to over 5,000 by 1961. Citizens knew business volume had grown and the amount of money involved had likewise increased. Still, city operating procedures had changed only slightly over the years. The city did not operate from a budget and no one seemed to know how much a given operation cost or how much money was actually expended. It was all the part-time city clerk could do to keep the books and pay the bills and carry out the other essential work of certifying ordinances . . .<sup>33</sup>

Traditional mayor-council government with a part-time mayor and city clerk broke down under population and service pressures in Belton and the same problems occurred in other cities which eventually adopted the administrator plan. As Dr. Ralph A. Powell, former mayor of Lee's Summit, put it,

<sup>33</sup>Saunders, *op. cit.*, p. 9.

Every city comes to the place where they have too much work for the part-time mayor and council. The governing body can't keep up with the work. One possibility would be to make the mayor full time and pay him an adequate salary, or another is to hire a professional. In the case of a full time paid mayor, he might be voted out of office with the loss of continuity. Also, however, mayors are infrequently qualified for the demands of a full time managerial job, although some are.<sup>34</sup>

Therefore, service pressures would build up in rapidly growing communities to the point where professional or full-time administration would be suggested as a possible solution. The crucial variable then would be the attitudes held by the citizenry regarding professionalization in government and their perceptions regarding the potentiality of increased costs that might accompany professionalism.

It is more difficult to document the existence of friction between old and new residents in administrator cities, but administrators in the Kansas City region alluded to the problem many times. As pointed out, the administrator cities in the Kansas City region were older cities that have just recently experienced the effects of rapid urbanization.

Ken Vanderslice, city administrator of Grandview, agreed emphatically with the assessment of friction in the community between old and new residents, and pointed out that "the community once voted on the questions of third class status and the manager form, but both were turned down because of the potential increase in the tax levy."<sup>35</sup> Glen Barton, former engineer and city administrator of Lee's Summit, indicated that "the increase in population is from the Kansas City metropolitan area, not outstate."<sup>36</sup> He further indicated that there wasn't as much commuting population in Lee's Summit as some other Kansas City suburbs and there was "a hard core of old residents, but they are now a minority;" however, there were and are disagreements over service levels.

In Harrisonville, also in the Kansas City region, Stephen Berley reported that there was an in-migration "mostly from the metro area, but also an influx from outstate."<sup>37</sup> Arnold Davis of Belton, also in the Kansas City area, stated that from 1955 to 1965 there was an influx of blue collar workers from Kansas City.<sup>38</sup> In Woodson Terrace located in St. Louis County, Mayor Jack Brown reported his community had expanded about as far as possible and that the city consisted primarily of "union blue collar workers and the population was a commuting one."

With respect to city administrator cities in the Kansas City region, then, the migration patterns and testimony appear to support the hypothesis regarding different levels of service desired by new residents as opposed to old. Further evidence of the friction is the fact that in every case, the city administrator reported that a vote on retention of the administrator plan would be close but

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<sup>34</sup>Interview with Dr. Ralph A. Powell, *op.cit.*

<sup>35</sup>Interview with Ken Vanderslice, *op.cit.*

<sup>36</sup>Interview with Glen Barton, former City Administrator and Engineer of Lee's Summit, February 27, 1969.

<sup>37</sup>Interview with Stephen Berley, *op.cit.*

<sup>38</sup>Interview with Arnold Davis, City Administrator of Belton, February 20, 1969.

would probably pass, *whereas they believed a vote on adoption of the manager plan would fail*. One further point relating to administrator cities in the Kansas City region is the fact that the city of Kansas City has had the city manager form of government since 1926. It is probable that central city residents migrating to the suburbs brought with them some commitment to the concept of professionalism in government, but ran into a local population that favored traditional politics and structures and low taxes. The result—initiators and supporters of professionalism in government realized that a vote on the issue of the manager plan would fail because of the potentiality of increased taxes and an anti-professionalism bias; therefore, the adoption of a modified manager plan and the creation of the office of city administrator.

Although the conflict of new versus old residents was not as evident in the St. Louis metropolitan region, a factor of similarity was found in both metropolitan areas. That is, in practically every case the initiation and push came from governmental officials in office. The push for reform was from within and it is likely that the politicians correctly assessed their constituencies and concluded that any vote on the city manager plan would be negative. This conclusion reflects the differing attitudes in the communities regarding professionalism in government. Furthermore, in the case of those communities having large blue collar working populations, it is not surprising that an antipathy existed to the manager plan. Again, however, there appears to be solid acceptance of the city administrator plan.

With respect to outstate communities, data was only obtained on Centralia because every other administrator community had a vacancy during the time of study. The four outstate cities were approximately the same size as the average metropolitan administrator city in 1950, but did not experience the phenomenal growth during the 1950-1960 decade.

TABLE 8--OUTSTATE 3RD AND 4TH CLASS ADMINISTRATOR CITIES

City	Date Incorporated	1950 Population	1960 Population
Centralia	1857	2,460	3,200
Eldorado Springs	1881	2,618	2,864
Grant City	1863	1,184	1,061
Webb City	1876	6,919	6,740

Source: Official Manual - State of Missouri 1967-68

As can be seen from the above table, only two of the four cities gained in population from 1950 to 1960 and the gain was very slight. The other two cities—Grant City and Webb City—actually lost population during the same time period.

The reasons for Centralia adopting the administrator plan have already been explained, but involved service and administration problems, the lack of legal authority to vote on adoption of the manager plan, and anti-manager plan at-

titudes of the population including the governmental officials. Interviews were not conducted in the other outstate administrator cities, so explanations are not available for their actions. However, as pointed out, the outstate communities are in close proximity to larger, growing, manager cities. Also, at the time of study, all but Centralia had vacancies in their administrator offices. This in itself is interesting, and the only explanation that can be put forth is that the need for full-time management is not sufficient in these communities to assure the continued employment of a relatively high salaried manager or administrator. The inclination is to return to traditional politics and structures.

## Chapter IV

# Analysis of City Administrator Ordinances and the Washington Court Decision

### *Introduction*

The legal structure of local government has been described in Chapter I and alluded to in other sections. However, it is necessary to go more deeply into the statutes governing the operation of third and fourth class cities in order to analyze and assess city administrator ordinances. The following pages attempt to summarize in tabular form the cities of the third and fourth class, mayor-council, and city manager forms. A second section reports on the Washington court decision and its implications for cities with city administrator ordinances.

The next three tables show that the statutes pertaining to third and fourth class cities, mayor-council form, are somewhat similar. The major differences are that: (1) third class cities have a higher potential taxing rate—\$1 per \$100 assessed valuation as opposed to 75¢, (2) third class cities must have a minimum of four wards rather than two, (3) the item veto power of the mayor on expenditures in third class cities, (4) the potentiality of having an appointed police chief rather than an elected marshal in third class cities, and (5) the potentiality of a greater number of appointed officials (by the mayor and board of aldermen) in fourth class cities. However, if the extent of the mayor's appointive power is the criterion for determining the "*strong* mayor-council" form, then the third and fourth class mayor council forms above do not meet the test; here, the mayor shares his appointive power with the council or board of aldermen. Also, the number of independently elected officials is rather large, although fourth class cities have an option with respect to the assessor, attorney, clerk and street commissioner; they originally are appointed, but may be elected if the board of aldermen passes an ordinance prescribing such. Again, however, the basic plan resembles a "*weak* mayor" form because of the mayor's shared and limited appointive authority.

With respect to the third class manager-council plan (city manager form), the story is somewhat different. Here there are nonpartisan elections with at-large councilmen (five), and the council is the only elective body—there are no

TABLE 9--SUMMARY OF STATUTES PERTAINING TO 4TH CLASS CITIES: MAYOR-COUNCIL FORM\*  
(Chapter 79)

Duties and Powers of the Bd. of Aldermen	Number & Type of Elected Officials	Number and Type of Appointed Officials	Duties and Powers of Mayor
Bd. controls finances; Passes ordinances; Publishes semi-annual financial statements; May remove elected or appointed officials by 2/3 independently of mayor; Fixes compensation by ordinances; Prescribes duties of officers by ordinance; After an election Bd. may by ordinance approve appointment of: 1-Collector 2-Chief of Police; Can over-ride mayor's veto by 2/3.	Mayor; Marshal; Collector; Bd. of Aldermen; By ordinance the election of: 1-Assessor 2-City Attorney 3-Clerk 4-Street Commissioner	The mayor, with consent of Bd. of Aldermen, "shall have power to appoint:" 1-Treasurer 2-City Attorney 3-Assessor 4-Street Commissioner 5-Night Watchman AND "such other officers as he may be authorized by ordinance to appoint;" and, if approved in election, the appointment of: 6-Chief of Police 7-Collector	Preside over council, but no vote except in ties; General supervision over all officers and affairs of city, and sees that laws and ordinances are complied with; Approves bills, has veto power; Signs the commissions and appointments of all city officers, and approves all official boards unless otherwise prescribed by ordinance; Signs all orders, drafts, and warrants for money; Enforces laws, and can deal with negligent sub-ordinant officers; Can remit fines and forfeitures; Can grant reprieves and pardons for misdemeanors.
*Taxing Limit - By ordinance 75¢ per \$100 assessed valuation (94, 250) Election by Wards - Not less than two Number of Aldermen on Board - Two from each ward Type of Election - Partisan Population Requirement - 201-2,999		The Mayor may remove any elective or appointed official with majority of council approving.	

TABLE 10--SUMMARY OF STATUTES PERTAINING TO 3RD CLASS CITIES: MAYOR-COUNCIL FORM\*  
(Chapter 77)

Duties & Powers of the Council	Number & Type of Elected Officials	Number & Type of Appointed Officials	Duties & Powers of Mayor
Bd. controls finances (with mayor); Passes ordinances; Can override resolutions and orders of expenditure of revenues by 3/4; Remove any elective officer (with mayor) by 2/3.	Mayor, 4 yr. term; Councilmen, 2 yrs; Police Judge; Attorney; Assessor; Collector; Treasurer; Marshall (except where merit system police department).	Police chief where merit system police department. The mayor, with consent of the council "shall have power to appoint a" 1-Street Commissioner AND "such other officers as he may be authorized by ordinance to appoint" 77.330	Presides over council, but no vote except in ties; "Superintending control of all the officers and affairs of the city;" Item veto on general appropriation bill; Veto powers on resolutions and orders which involve expenditures of revenues; Budget officer - shall make report on estimates of necessary appropriations and revenue receipts; Require any officer to show financial accounts or other records; Signs appointments and approves all official bonds; Remove for cause shown any elective officer (with consent of council); Enforce ordinances.

\*Taxing Limit - By ordinance, \$1 per \$100 assessed valuation (94.060)

Election by Wards - Not less than four

Number of Councilmen - Two from each ward

Type of Election - Partisan

Population Requirement - 3,000-29,999

**TABLE 11--SUMMARY OF STATUTES PERTAINING TO 3RD CLASS CITIES: COUNCIL-MANAGER FORM\***  
(74.430 - 78.640)

Duties & Powers of the Council	Number & Type of Elected Officials	Number & Type of Appointed Officials	Duties & Powers of the City Manager
Passes ordinances; Appoints city manager; Fixes salaries; Appoints: 1-City Clerk 2-Assessor 3-Treasurer	Councilmen - 5 (mayor elected from council)	City Manager Clerk Assessor Treasurer	Appoints all officials but clerk, assessor and treasurer; Administrative head of city government (serves at pleasure of council or may be "employed for a term not to exceed one year;" Sees that ordinances and laws are complied with; Exercises control over all departments and divisions; Sees that terms of franchises are kept; Recommends measures for adoption by council; Prepares and submits to council annual budget; Files monthly financial statements; NOTE: No qualifications for manager, but he must be resident of city at time of appointment.

\*Taxing Limit - By ordinance, \$1 per \$100 assessed valuation (94.060)  
 Election at Large  
 Number of Councilmen - Five; mayor is elected from council  
 Type of Election - Nonpartisan  
 Population Requirement - 3,000-29,999

independently elected officials. The council appoints the city manager and the clerk, assessor, and treasurer, and the city manager appoints all other officials or employees. The city manager is also the administrative head of the government and serves at the pleasure of the council, although he may be employed for a term not to exceed one year.” The third class manager plan then provides for a rather integrated administrative structure under the direction of the city manager, who is responsible to the policy-making city council. As noted previously, though, many communities and city officials object to: (1) the nonpartisan feature of the manager plan, (2) the small number of councilmen elected at-large, and (3) the extent of administrative authority given the manager. Furthermore, many officials from fourth class cities are reluctant to see their community achieve third class status because of the greater taxing authority (\$1 as opposed to 75¢ ) Also, in the case of Woodson Terrace, the city is not interested in voting to achieve third class status because it would entail a paid fire department. At present, the city belongs to a community fire protection district.<sup>1</sup>

In conclusion, although the statutes pertaining to mayor-council governments in third and fourth class cities are extremely complex and confusing, many communities in Missouri still prefer to operate under the traditional structure with partisan and ward elections, and the semi-separation of powers between mayor and council with the mayor acting as chief administrator of the city. Even when crucial service problems force mayor-council cities to consider full time management, they are reluctant to consider the optional city manager structure authorized for third class cities. Again, it must be pointed out that cities **MUST VOTE ON CHANGE OF STATUS OR CHANGE OF STRUCTURE.**

### *Analysis of City Administrator Ordinances*

The following city administrator ordinances were obtained and analyzed, although analysis was hampered somewhat by the variety of duties and responsibilities assigned to the administrators: (1) Belton, Kansas City metropolitan region, (2) Brentwood, St. Louis County, (3) Centralia, outstate Missouri, (4) Crystal City, St. Louis metropolitan region, (5) El Dorado Springs, outstate Missouri, (6) Grandview, Kansas City metropolitan region, (7) Harrisonville, Kansas City metropolitan region, (8) Lee’s Summit, Kansas City metropolitan region, (9) Washington, St. Louis metropolitan region, (10) Webb City, outstate Missouri, and (11) Woodson Terrace, St. Louis County.

The first category for analysis—the qualifications necessary for office—indicates municipalities expect different things from their city administrators. The city ordinances of Belton, Grandview, and Washington recommend that the candidate have an undergraduate degree in public administration or the equivalent, whereas Lee’s Summit and Centralia recommend employment of a regis-

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<sup>1</sup>Interview with W. L. Pigg, Administrative Assistant of Woodson Terrace, March 26, 1969.

tered professional engineer. Crystal City's and El Dorado Springs' only qualifications for office relate to the character of those under consideration; in both cases the ordinances state the candidate "shall be of good moral character." (See Table 1 in Appendix for a tabular summary of ordinances.) In almost every case, the candidate must be 25 years of age, and become a resident of the city, usually within 30 days. (It should be noted that the residency qualification comes under scrutiny of the Supreme Court. See the section dealing with the Washington court case.)

Concerning tenure of office, most ordinances do not set a limitation, although El Dorado Springs specifies a contract for one to two years, and the Woodson Terrace ordinance prescribes the same two-year term as the mayor. With respect to the appointment procedure, city administrators are always appointed by the mayor and board of aldermen or council, depending on whether the city operated under fourth or third class statutes (the legislative body is known as the board of aldermen in fourth class cities, and council in cities of the third class). The removal procedure is similar to that of appointment, except in the case of Centralia, where the board of aldermen may remove the administrator without the consent of the mayor.

The duties and powers of city administrators vary considerably from city to city. It should also be pointed out that in the case of Belton, the ordinance itself merely creates the office and makes an appointment. In actuality, the "administrative code," another ordinance, delegates the appointment authority to the city administrator. Most ordinances require the city administrator to "supervise the administration" or to "direct the supervision of all the appointed employees;" many require the city administrator to "excute and enforce all ordinances;" and most direct the administrator to prepare annual budgets and reports. Still others include language directing the administrator to assign and establish rules and regulations for employees, and make recommendations to the governing bodies.

On the crucial point of the city administrator's appointment and removal powers, there are also differences. The ordinances that might be termed "strong" in the sense of assigning appointment and removal powers to the city administrator include: (1) Belton, (2) Centralia, (3) Crystal City (now vacant), (4) Grandview, (5) Harrisonville, (6) Lee's Summit, and (7) Washington. However, in El Dorado Springs (now vacant) the city administrator *recommends* the appointment and dismissal of employees, and in Webb City (vacant), Woodson Terrace, and Brentwood, there is no mention of appointment authority. (Glendale in St. Louis County does not yet have an ordinance.) More enlightenment can be gained, however, by examining the findings of the Franklin County Circuit Court and the Missouri Supreme Court regarding the Washington ordinance.

*A. R. Pearson, et al. vs. City of Washington, et al.—Cause No. 6280*

On Sept. 6, 1966, the city of Washington, Mo., passed an ordinance over

the veto of the mayor “to create the office of city administrator.”<sup>2</sup> The ordinance authorized the mayor and council of the third class city to hire, as administrator, “a graduate of an accredited University or College, majoring in Public or Municipal Administration,” or an individual having “the equivalent qualifications and experience in Financial, Administration and/or Public Relations fields.”<sup>3</sup> Among other things the ordinance provided for the following:

1. Authorized the hiring of an administrator “who shall be and/or become a resident of the City of Washington within thirty (30) days of his appointment . . .”

2. Designated the administrator as “the Chief Administrative Officer of the City government . . .”

3. Required the City Administrator to submit, for council action, “an Administrative Code dividing the Administrative Service of the City of Washington into Departments under the City Administrator . . .”

4. Required the City Administrator to draft and present to the City Council a personnel wage classification system.

5. Delegated to the City Administrator “the power to appoint, dismiss, suspend and discipline officers and employees in the Administrative Service under his control except as otherwise provided by law.”

6. Prepare and submit annual reports to the Council.

7. Prepare an annual budget document with the “estimates of the financial needs and resources of the City for each ensuing year . . .”

8. Authorizes the City Administrator to “supervise the purchase of all materials, supplies, and equipment, . . . let contracts necessary for operating or maintenance of city services for amounts up to and including \$500.”

9. Authorized the City Administrator to “recommend to the governing body (from time to time) adoption of such measures as he may deem necessary or expedient for the health, safety, or welfare of the community or for the improvement of administrative services.”<sup>4</sup>

In addition, Section 5 of the Washington Ordinance prohibited the council from interfering in the appointment process delegated to the city administrator and added that “except for the purpose of inquiry, the council and its members shall deal with the administrative service solely through the City Administrator and neither the council nor any member thereof shall give orders to any subordinates of the City Administrator, either publicly or privately.”<sup>5</sup>

There were two clauses in the ordinance which recognized the possibility of ordinance conflict with state statute. In Section 4 under the title “Powers” (Subsection i), the ordinance states: “At no time shall the powers or duties of the City Administrator supersede the action of the Mayor and the City Council.” Also, Section 9 entitled “Saving Clause” specifies that “if any section, sub-

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<sup>2</sup>Washington, Missouri, *City Ordinances*, c. City Administrator, Ordinance No. 3297 (1966) “Office of the City Administrator Created.”

<sup>3</sup>*Ibid.*, Section 3. Qualifications.

<sup>4</sup>*Ibid.*, secs. 1-4.

<sup>5</sup>*Ibid.*, sec. 5.

section, or sentence, clause, or phrase of this ordinance if (sic) for any reason held invalid, such decision or decisions shall not affect the validity of the remaining portions of this ordinance.”

From the ordinance, it appears that the city administrator of Washington had approximately the same powers as a city manager under the manager form of government. The major difference would appear to be the lack of structural integration associated with a third class city, mayor council form, but even this was circumscribed somewhat by the development of an “administrative code” outlining “functions and duties of the administrative units and officials of the government.” Certainly the city administrator was both budget and personnel officer and in the latter capacity could hire and fire personnel freely.

The city of Washington was the first test case with a civil suit filed in the Circuit Court of Franklin County on Dec. 29, 1967.<sup>6</sup> The suit was initiated by a former mayor of Washington, A. R. Pearson, together with 11 other businessmen and former city officials. The plaintiffs were evenly matched politically, six Democrats and six Republicans, and were allegedly concerned about what they considered the illegal delegation of authority to the city administrator. According to Arthur Filla, the present city clerk of Washington, the plaintiffs only wanted particular sections of the ordinance scrutinized by the Court; they did not particularly want all of the ordinance declared null and void.<sup>7</sup> It is reputed, however, that former mayor Pearson is a political power in Washington and Franklin County; he is presently the county assessor and resigned as mayor of Washington to allow his appointment as assessor by the governor. Also, August G. Strubberg, mayor of Washington at the time the suit was filed, questioned the delegation of many of his powers to the city administrator under the ordinance.

The Circuit Court’s “findings of facts and judgment” went against the city and the ordinance. The Circuit Court found Section 4 of the ordinance “in violation of Sections 77.260 and 77.350 of the State laws governing defendant city,” specifically, the wording calling for the city administrator to be “the Chief Administrative Officer of the City government” with the charge of enforcing the laws of the city.<sup>8</sup> Furthermore, the Court found the ordinance in violation of state statute with respect to the following points:

1. The development of an administrative code and a personnel wage classification system.
2. The city administrator’s power to appoint, dismiss, suspend, and discipline personnel in the administrative service.
3. The city administrator’s charge to ‘recommend . . . adoption of such measures as he may deem necessary or expedient for the health, safety, or welfare of the community or for the improvement of administrative services.’
4. The section prohibiting the council from interfering in the appointment or removal of employees.

<sup>6</sup>*A. R. Pearson et al., vs. City of Washington et al.*, Civil Cause No. 6280. (December 29, 1967).

<sup>7</sup>Telephone interview with Arthur Filla, City Clerk of Washington, June 17, 1969.

<sup>8</sup>*Pearson et al., op.cit.*

In conclusion, the judgment was as follows:

It is hereby adjudged that said ordinance No. 3297 of defendant city is null and void and the appointment of defendant Kent D. Leichliter, as 'city administrator,' is illegal and void.<sup>9</sup>

Following the decision by the Circuit Court, the defendants appealed the decision to the Supreme Court of Missouri. The Supreme Court ruled somewhat differently in that it affirmed parts of the lower court's decision, but reversed others. After first declaring that municipal corporations owe their origins to and their powers from the state and that municipalities may not exercise a power prescribed by statute in a way not specified by statute, the Supreme Court made the following points among others.

... While in some situations a city may by ordinance regulate the administrative or ministerial duties of an officer, *State ex rel. Skrainka Const. Co. v. Reber*, supra, it has no power, in the absence of a charter or statutory provision conferring it, to transfer by ordinance to another those duties of an officer which are assigned to him by charter or statute. 62 C.J.S. *Municipal Corporations* 545, p. 1007. Also, it is well established that a municipal corporation cannot surrender or contract away its governmental functions and powers. *Stewart v. City of Springfield*, 350 Mo. 234, 165 S.W. 2d 626; *Aquamsi Land Co. v. City of Cape Girardeau*, 346 Mo. 524, 142 S.W. 2d 332.

Other points made by the Supreme Court include the following.

The trial court held that the provision in Section 4 of the ordinance which provided that the City Administrator shall be the "Chief Administrative Officer of the City government and shall supervise the enforcement of the Laws of the City and \* \* \* shall execute and supervise the enforcement of all ordinances, rules, regulations, orders and directives promulgated by the Mayor and Council \* \* \*" violated (sec) 77.260 and 77.350, and we agree. The statutes place this duty in the mayor. While the mayor may obtain help and advice on these matters from a city employee, whether or not he be called a city Administrator, the ordinance purports to transfer this right and duty from the mayor to an employee of the city contrary to the terms of the statutes.

... Section 4 (1) under "Duties" was held to be in conflict with (sec) 77.290. We do not agree. (Sec.) 77.290 requires the mayor to communicate to the council "such measures as may, in his opinion, tend to the improvement of the finances, the police, health, security, ornament, comfort and general prosperity of the city." Section 4 (1) requires that City Administrator "recommend to the governing body (from time to time) adoption of such measures as he may deem necessary or expedient for the health, safety, or welfare of the community or for the improvement

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<sup>9</sup>*Pearson et al., op.cit.*

of the administrative services.” This is the privilege of any resident of the city and the ordinance in no way attempts to dilute the duty or right of the mayor to perform his statutory duty in this respect.

... Section 5 of the ordinance, in effect, denies the council any right or authority to regulate or control the selection or retention of employees of the city in what is termed the administrative service. This was held by the trial court to violate (Sec.) 77.330 and 77.340, and we agree. Those statutes vest these powers and duties in the mayor and council and they cannot be delegated.

... The ordinance creates the office of City Administrator (but it is immaterial what title is given it) and provides that the appointment be made by the mayor with the advice and approval of the council. See Sec. 77.330. By the ordinance the City Administrator is given certain powers and duties such as making studies, investigations and reports, and advising the council, boards, committees and agencies of the city. There is no contention that the city was without authority to do this, or that the whole ordinance must be held to be invalid for constitutional reasons. We cannot say that the council would not have passed Ordinance 3297 containing these provisions if it had known of the invalidity of those provisions herein held invalid.

We reverse those portions of the judgment which hold: (1) the entire ordinance to be invalid, (2) that the appointment of the City Administrator was “void,” and (3) that Section 4 (1) of the ordinance under “Duties” is void.

... The judgment of the trial court is reversed in the respects above noted; otherwise it is affirmed.<sup>10</sup>

In summary, the Missouri Supreme Court negated the decision of the Circuit Court in that it ruled that only certain sections of the Washington ordinance were in conflict with the statutes, not the entire document. Furthermore, the Supreme Court overturned a specific ruling. It declared that it was permissible that the city administrator *recommend* adoptions of measures to the mayor and council—this is the privilege of any citizen.

In addition, the Supreme Court sustained the Circuit Court in its declaration that Section 3 of the ordinance (the city administrator shall be/or become a resident of the city within 30 days) was in violation of state statute (77.380). The Supreme Court declared

We understand the ruling of the trial court to be that the ordinance cannot reduce these statutory qualifications, and that its provisions purporting to do so are void. We agree.<sup>11</sup>

The statutory provision regarding residency provides that all officers elected or appointed to office under the city government shall be

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<sup>10</sup>*A. R. Pearson et al. vs. City of Washington*, Supreme Court of Missouri, Div. No. 2, Vol. 439, S. W. 2d, p. 756 (April 14, 1969).

<sup>11</sup>*Ibid.*

qualified voters under the laws and, constitution of this state and the ordinances of the city, and, except the city sextons, must be residents of the city.<sup>12</sup>

From the above, it appears that municipalities must hire administrators who are voting residents of their cities (one year in the state, 6 months in the county, 30 days in the precinct). However, House Bill No. 284 states that an administrator "must be at least 21 years of age, (and) a resident of the city while serving as City Administrator . . ." There is therefore some confusion on the point of residency; it is quite likely, however, that the Legislature did not intend to prohibit cities from hiring non-residents, but this point would in the final analysis have to be determined by court action.

In conclusion, although the Supreme Court invalidated many sections of the Washington ordinance, a close reading leads one to believe that an administrative ordinance might be drafted which would give sufficient authority to a city administrator to enable him to supervise personnel effectively, but which would avoid the illegal delegation of mayoral and council powers. For example, the ordinance called for the city administrator "to appoint, dismiss, suspend, and discipline officers and employees." One wonders what the Supreme Court's reaction would be if the ordinance merely stated that the city administrator *could recommend appointment, dismissal, etc.*, that official action would have to be taken by the elected officials before appointment or dismissal was accomplished. It is felt strongly that wording of this nature would be acceptable from a legal point of view and thus an ordinance couched in different language might stand the scrutiny of the Court.

What is also interesting is that although the civil suit against Washington was filed on Dec. 29, 1967 and was known to be in process by all city administrators interviewed and some elected officials, there have been no suits filed in any other administrator city, although, six other cities have ordinances with sections delegating appointive and dismissal authority to administrators. It is possible that because of the potentiality of other civil suits, various communities and administrators supported House Bill No. 284 legitimizing the form for third and fourth class cities. This will be discussed further in a later chapter.

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<sup>12</sup>Missouri, *Revised Statutes* (1959), (Cumulative Supplement, 1967), sec. 77.380.

## Chapter V

# City Administrators' Perceptions of Office and Characteristics

### *Introduction*

The structure of mayor-council and manager plans in third and fourth class cities has been discussed as well as city administrator ordinances and the judiciary's decisions regarding the Washington ordinance. The following pages will examine the perceptions individual administrators hold toward their office as well as their assessment of the similarities and differences between their office and that of a city manager.

### *City Administrators' Perceptions of Office*

The responses of administrators to the question of how they perceived their office varied and in the case of Woodson Terrace and Brentwood, the ordinances were substantially weaker than many others, thus assuring rather different responses. Also, it will be remembered that Glendale did not yet have an ordinance at the time of interviewing.

In the case of Grandview, the city administrator Ken Vanderslice felt his office "was fully as strong as that of a city manager."<sup>1</sup> Furthermore, he stated "although the legal restrictions are played down, the semi-legal nature of the structure demands more innovation on the part of the administrator."<sup>2</sup> He admitted that the city administrator form is not as unified as the manager plan (it is still a mayor-council structure), but felt "the structure is unified informally through my office and the budgetary process." Vanderslice would support the contention that the ability of a manager or administrator to achieve objectives informally is more important than the formal grant of authority. Vanderslice appears to have the same appointment and dismissal powers as a city manager

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<sup>1</sup>Interview with Ken Vanderslice, City Administrator of Grandview, February 19, 1969.

<sup>2</sup>*Ibid.*

over non-elected officials or employees, but cannot administer the activities of independently elected officials except by informal means; this, then, would be the main difference between his administrative structure and that of a city manager in the pure form.

In Centralia, the situation is somewhat different, although the city administrator—Howard Burton—does appoint and remove all employees except the police and the volunteer fire fighters. As Burton described his office,

I work more closely with the board of aldermen or council than a manager. Everyone knows me and if a citizen has a problem they come to me first. They don't see me as having as much authority as, say, Don Allard (city manager of Columbia)—and they will often go directly to an individual department head. I think a city administrator ought to take the brunt of the calls and problems off the shoulders of the mayor and the board of aldermen. We have 30 people on the payroll and we need someone to supervise and direct their activities, and also to set day-by-day priorities. My major accomplishment has been to keep complaints down.<sup>3</sup>

It would appear that Burton does not perceive his office as the same as a city manager and attempts to confine his role to that of acting as a buffer between the citizenry and the board of aldermen and mayor. He does directly administer three departments, however, and coordinates other activities. The major difference, again, between Centralia's administrator form and the pure city manager structure is found in Burton's lack of control of any independently elected officials and his own perception of his role and office. Burton does not strike one as being an authoritarian in any way; a better description would be "low key." It should also be remembered that Burton is a long-time resident of Centralia, having gone to work for the Water and Light Department as a lineman right after World War II.

With respect to Harrisonville, Stephen Berley, the city administrator, stated: I really see no real difference between the office of city administrator and a city manager. I don't even think about the legal requirements. The people in Harrisonville became aware of the many problems due to growth and decided they needed a full-time administrator. There are just too many problems because Harrisonville is so close to Kansas City.<sup>4</sup>

Berley also has appointment and removal powers, but indicated he works very closely with the board of aldermen. It should also be pointed out that Berley felt the voters would approve the manager plan: "People see no real difference between the office of administrator and a city manager." However, Berley had not been a resident of the community when the city administrator ordinance was passed and could not relate any reasons why the city has gone the administrator route rather than vote to change its status (it had sufficient population as of

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<sup>3</sup>Interview with Howard Burton, City Administrator of Centralia, July, 1968.

<sup>4</sup>Interview with Stephen Berley, City Administrator of Harrisonville, February 20, 1969.

1960) and adopt the manager plan. One suspects that the community or at least the elected officials did not favor the manager plan, or steps would have been taken to have an election on the issue. However, the important point is that Berley, who was a recent graduate of Northern Illinois' Public Administration Program, did not perceive any difference between his office and that of a city manager. He was satisfied that he had about the same authority as a city manager (the Harrisonville ordinance would also tend to bear him out).

In the case of Lee's Summit, Glen Barton was the first individual to hold the title of city administrator; prior to his appointment the office was "director of public service." As he explained it, Barton, in the process of negotiating over his appointment, bargained out the responsibility for supervising the police and fire departments, collector (even though he is an elected official), and the clerk. Barton, it will be remembered, is actually a professional civil engineer as well as administrator. He stated he "had complete control over all appointments and removals, subject to the board of aldermen's control."<sup>5</sup> This appears to be a contradiction, but Barton probably meant that the board only ratified his decisions with the prescribed formal action. On the status of his office, Barton stated:

I can't see where any more authority could be delegated to my office. I feel I'm comparable to a city manager, and I think the community reacts favorably to my position. Also, I feel that to be able to answer to the public, an administrator has to have sufficient authority, particularly to fend off accusations of favoritism. To most people, the city administrator is the same as a city manager. However, the people probably wouldn't support it in an election until a few years have elapsed.

Furthermore,

The semi-legal nature of the office doesn't bother me, but I would like to see a bill passed authorizing the form.<sup>6</sup>

As to why Lee's Summit did not attempt to change its status to third class and adopt the manager plan, Barton explained "the city attorney recommended against going third class; he advised waiting until the 1970 census which would probably show we had sufficient population to go home rule (10,001)." Dr. Ralph Powell seconded the explanation by saying, "We considered the third class route, but most people prefer to go the constitutional (home rule) charter route. We didn't have sufficient population in 1960 and did not want to take a special census so we decided to wait until 1970."<sup>7</sup> No reasons were given for not liking the manager option under third class statutes.

Arnold Davis, city administrator of Belton, was the third administrator appointed by the city (Robert Saunders, it will be remembered, was the first). Davis had spent 23 years in the U. S. Air Force and retired as a Lt. Col. and pilot in 1965. He explained that he was a friend of the city attorney's and heard of the position through him. Davis said that the mayor and board of aldermen have the formal appointment and removal powers, although Davis selects and

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<sup>5</sup>Interview with Glen Barton, City Administrator of Lee's Summit, February 27, 1969.

<sup>6</sup>*Ibid.*

<sup>7</sup>Interview with Dr. Ralph Powell, former mayor of Lee's Summit, February 27, 1969.

submits names of prospective employees to the board; also, he usually submits a single name for a single position.<sup>8</sup> Davis stated "I don't feel I have the same authority as a bona fide city manager." When asked if it would make a difference if the administrator plan was legitimized by the General Assembly, he replied that the structure would still be different and that it wouldn't be quite comparable to the city manager option.

As to the possibility of Belton changing its status from fourth class city to third, Davis explained there had been no push for such an action. Also on the question of the manager option, Davis stated "It would fail if it got on the ballot, but there is not a ghost of a chance of its getting on the ballot."

In the St. Louis metropolitan area, the responses of the city administrators were quite different primarily because of the difference in concept and enabling ordinances. E. R. Michener of Brentwood explained that he had initiated the title and duties because the public would have trouble reaching the mayor or chief executive officer. He was city clerk, but the public usually "did not want to talk to a clerk."<sup>9</sup> He added that he gets along a lot better with the public under the title of "administrator."

Michener has been in the St. Louis area many years in private business, and was with the city 11 years prior to being made "city clerk-city administrator." He explained that the "only difference between the office of city administrator and city manager is the amount of legal authority to hire and fire. I stand behind the elected officials." In further explanation, however, he stated "I can accomplish the same things as a city manager informally; for example, I can get a man fired." It should also be pointed out that Michener is *the* budget officer. The author was under the impression, after seeing his ledgers, that Michener had set up an excellent accounting and budgeting system, but that he probably was the only one who could understand it. He also explained that he would refuse to buy equipment requested by the board of aldermen if he didn't have the money for it.

It should be pointed out that the Brentwood ordinance merely changed the title of the city clerk to "City Clerk-City Administrator." It did not confer any new duties or powers upon the office holder. However, Michener, because of his thorough knowledge of city affairs gained in 11 years of experience, operates as a chief administrative officer by informal means.

In the case of Glendale in St. Louis County, Dale Stithem has the informal title of "administrator," but the city has not yet passed an ordinance establishing the office of city administrator. As Stithem pointed out, they were familiar with the court proceedings in Washington and House Bill No. 284, and were waiting to see the fate of the bill before formalizing the new office. Stithem explained that the mayor always introduced him as the "administrator" at public meetings, but that his official title was "city clerk."

The board of aldermen operates on a committee system and a member of

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<sup>8</sup>Interview with Arnold Davis, City Administrator of Belton, February 20, 1969.

<sup>9</sup>Interview with E. R. Michener, City Clerk-City Administrator of Brentwood, March 26, 1969.

the committee is appointed budget director for the city, although Stithem does the actual work of compiling figures and making estimates of revenues. Although he favors an ordinance establishing the office of administrator, he stated he "would like an ordinance with teeth in it, or none at all."<sup>10</sup>

As to the differences between the administrator and city manager plans, Stithem declared:

The committee system would be eliminated under the manager plan, and the extent of legal authority to hire and fire would be greater under the manager plan. Also, the latitude a city manager would be given on personally approving budget expenditures. I get the same things done, but I can't carry the same size stick with the police and fire. I have some influence but not as much as a city manager.<sup>11</sup>

In summary, it should be noted that Stithem is a retired army officer who was formerly the city manager of De Soto, and administrative assistant to the city manager at Emporia, Kans. He learned of the opening at Glendale through an advertisement in the Missouri Municipal League magazine. As he explained it, the former city clerk of Glendale had retired and "the city wanted more than a city clerk." The aldermen decided they were spending too much time on administrative details.

In Woodson Terrace, the administrator is really the "administrative assistant" to the mayor. W. L. Pigg is a former superintendent of a private water supply company and general manager of a municipal water system in Belleville, Ill. He has been with the city three years and acts as a personnel man by screening prospective employees and handles the budgets for the public works and park departments. Pigg feels his office is "similar to a city manager's" but feels he doesn't have anywhere near the power or authority of a manager; also, "the pay is different."<sup>12</sup> Pigg mentioned that in his opinion "the manager plan would never go here; it means putting your eggs in one basket and people would resent the high salary of a city manager." On the other hand, "people have accepted the office of administrative assistant to the mayor." Mayor Jack Brown explained that the administrative assistant cannot hire and fire street employees, but that he does screen prospective employees. He has to get the approval of the mayor and board of aldermen before employing an individual. Mayor Brown explained that the city also advertised in the Missouri Municipal League for a man to fill the office.

Several points stand out from the above interviews: (1) there is a difference in the ordinances themselves, at least with respect to the amount of authority delegated to the administrator, (2) ordinances and offices in the Kansas City metropolitan area are generally stronger than those in the St. Louis area (perhaps due to the influence of Robert Saunders), (3) individuals with graduate work in public administration usually were working with greater delegated au-

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<sup>10</sup>Interviews with Dale Stithem, City Clerk of Glendale, March 26, 1969

<sup>11</sup>*Ibid.*

<sup>12</sup>Interview with W. L. Pigg, Administrative Assistant to the Mayor of Woodson Terrace, March 26, 1969.

thority spelled out in ordinance, (4) individuals with graduate work in public administration or an engineering degree (Berley, Vanderslice, and Barton) not only had stronger ordinances but felt their office was comparable to that of a city manager, whereas those without graduate work or engineering degrees felt their office was not comparable, even though the ordinance might be "strong," (Belton and Centralia), and (5) all administrators were familiar with the Washington case and House Bill No. 284 but indicated they knew of no suits pending in their communities. Also, there was virtual unanimity that a vote on the city manager plan would fail in their municipalities, whereas a vote on retention of the administrator plan would be close, but probably would pass. Furthermore, in the case of E. R. Michener, the action was one of elevating the city clerk. It should be mentioned that this elevation has proved of great interest to other city clerks in the St. Louis metropolitan area and Michener has been asked to explain his office and duties at conferences for city clerks. However, in every other city surveyed, the administrator was someone other than a former city clerk (outstate municipalities excluded, except for Centralia). Three of the four cities surveyed in the Kansas City area had hired administrators with graduate work in public administration or an engineering degree, and Centralia had elevated a long-term resident who was in charge of the Water and Light Department. In the St. Louis area, the only man with graduate work in public administration was the administrator of Washington (which had a "strong" ordinance) and the plan was disallowed by court action. Elsewhere in the St. Louis area, Pigg was a former water utilities manager and Stithem was an ex-army officer; only Michener of Brentwood was a city clerk prior to the title change, although he had been acting as city administrator informally.

### *City Administrator—City Manager Characteristics*

#### *Introduction*

Prior to interviewing, a major hypothesis concerning city administrator cities in Missouri related to the factor of localism in administration. It was assumed that because of the ambivalence of these communities regarding professionalism and structural integration in government, the city establishing the office would be more likely to hire a local or long-term resident as administrator (rather than a professionally trained outsider who would command a higher salary) to minimize potential objection or opposition to the action. This would indicate, of course, a greater commitment to full-time management than professional public administration, but such a stand would probably be realistic in the face of any actual or potential opposition.

In addition, if the above were verified, it was presumed that city administrators would not relate as strongly as city managers to either the International City Managers Association (now the International City Management Association), or the Missouri Chapter of I.C.M.A., because of their lack of graduate training in administration, their diverse backgrounds, and their greater local orientation.

Although it is difficult to verify or disprove these assumptions on the basis of interviews with nine city administrators, some preliminary conclusions can be drawn. It should be pointed out, however, that there were five vacancies among city administrator cities at the time of interviewing in addition to the vacancy due to the Washington court decision. The administrator and manager cities surveyed are listed in Table 1, together with their 1960 populations.

TABLE 12--3RD AND 4TH CLASS ADMINISTRATOR AND MANAGER CITIES

City Administrator Cities	1960 Population	City Manager Cities	1960 Population
Belton (K. C. Metro.)	4,897	Berkeley	18,676
Brentwood (St. Louis Metro.)	12,250	Bonne Terre	3,219
Centralia	3,200	Cameron	3,674
Glendale (St. Louis Metro.)	7,048	Cape Girardeau	24,947
Grandview (K. C. Metro.)	10,116	Charleston	5,911
Harrisonville (K. C. Metro.)	3,510	Clayton	15,245
Lee's Summit (K. C. Metro.)	8,267	Columbia	36,650
Liberty (K. C. Metro.)	8,909	De Soto	5,804
Woodson Terrace (St. Louis Metro.)	6,048	Excelsior Springs	6,473
		Ferguson	22,952
		Flat River	4,515
		Gladstone	14,502
		Independence	84,771
		Joplin	39,958
		Kansas City	475,539
		Marceline	2,872
Average Population of City Administrator Cities	7,138	Maryville	7,946
		Mexico	12,889
		Neosho	7,452
		Nevada	8,416
		Olivette	8,257
		Sikeston	13,765
		Springfield	95,865
Average Population of City Manager Cities Excluding Kansas City	21,387	University City	51,249
		Warrensburg	9,689
		Webster Groves	28,990

### *Education*

City administrators generally have less formal education than the average city manager in Missouri. Five of the eight interviewed have high school diplomas, four have undergraduate degrees, and one has a graduate degree in public administration. Many, however, have done some work in college or other post-high school work, but have not completed their degrees. In contrast, of the 26 Missouri city managers surveyed, 23 have undergraduate degrees, and 15 or 57.6 percent have graduate degrees—10 in city management or public administration

TABLE 13--CITY ADMINISTRATOR-MANAGER PROFILE

	City Administrator (Nine Respondents)	City Manager (26 Respondents)
<u>Education (highest degree completed)</u>		
High School Graduate	5	3
College Graduate	4	23
Graduate Degree (Masters)	1	15
<u>Average Age</u>	44.8	40.8
<u>Previous Occupation Fields</u>		
Engineering & Public Works	1	7
Education Administration	-	1
Other City Administration	-	2
Private Business	2	3
Other Government	1	-
Military	2	-
Government Consulting (PAS)	-	1
<u>Apprenticeship in City Government</u>		
City Interns, Administrative Assistants or Assistant Managers	3	8
<u>Membership in Professional Associations</u>		
International City Managers Assoc.	4--44.4%	25--96.1%
Missouri Chapter--I. C. M. A.	4--44.4%	16--61.5%
Nat. Society of Prof. Engineers	1	2
American Public Works Assoc.	-	8
American Water Works Assoc.	1	2
American Society for Public Admin.	1	6
Public Personnel Association	-	2
American Society of Civil Eng.	-	1
Missouri Municipal Utilities Assoc.	-	1
Missouri Water & Sewer Conference	1	-
Missouri Municipal Clerks & Finance Officers Association	2	-
Traffic Engineers Assoc.--St. Louis	1	-
<u>Compensation</u>		
\$ 7,000 - 7,999	2	-
8,000 - 8,999	-	1
9,000 - 9,999	1	1
10,000 -10,999	2	3
11,000 -11,999	1	2
12,000 -12,999	1	5
13,000 -13,999	-	1
14,000 -14,999	-	1
15,000 -15,999	1	2
16,000 -16,999	-	2
17,000 -17,999	-	3
18,000 -18,999	-	1
over 19,000	-	4
	Average \$10,584	Average \$15,248

(see Table 13). With graduate degrees, it is interesting to note that the Kansas University Masters in Public Administration Program, with an emphasis in city management, produced six of the 15 city managers with graduate degrees. Other institutions of higher learning represented in the manager ranks include: (1) Princeton—1, (2) Iowa—1, (3) New York—1, (4) Minnesota—1, (5) Michigan—1, (6) Rhode Island—1, (7) University of Missouri - Columbia—1, (8) Pennsylvania—2.

### *Age*

Initially, it was suspected that the age of city administrators would encompass greater extremes than city managers and that the average age would be considerably higher. In actuality, the average age of city administrators is only slightly higher than that of city managers—44.8 to 40.8. However, the oldest interviewee was found in the ranks of the city administrators—72 years-of-age. It can be stated that the differences are not substantial enough to warrant any firm conclusions. At present, city administrator cities located in metropolitan areas are seeking professionally trained men and have attracted several young individuals who have either completed their graduate programs in public administration, or who are in the process of completing such programs. Outstate communities might be more likely to hire local residents from either within or without city government, although the number of vacancies in outstate communities precludes any firm conclusions.

### *Work Experience*

It was assumed initially that city administrators would have more diverse backgrounds or would have been recruited from many different fields in contrast to most of the city managers. A dichotomy is reflected in the ranks of the city administrators. Of those interviewed, several were either assistant managers in city manager cities prior to accepting their present position or had interned with a city as part of their graduate public administration-city management curriculum. On the other hand, two of the nine had been career military officers and became city administrators upon their retirement from the service. Two city administrators had been in private business (one had assumed the position of city clerk and then initiated an ordinance change that made him a city clerk-administrator) and one had worked for a private water supply company. In metropolitan areas the desire appears to be for professionally trained individuals, but the need for full-time administration is the greater and non-professionally trained individuals with some administrative experience are sometimes employed.

In contrast, eight of the city managers interned with a city as part of a graduate curriculum, or worked as assistant city managers. In other words they had

decided upon a career in municipal government rather early and had not taken employment in other fields for any length of time. In addition, seven of the managers surveyed had been previously employed in the fields of engineering or public works, a number almost as great as those with early city administrative experience. Although some managers may have been in the military before accepting a position as city manager, none reported they had retired from the service prior to accepting a position as city manager.

### *Membership in Professional Associations*

Before interviewing, it was postulated that city administrators would identify with a quite different set of professional associations than city managers. This was verified to some degree, although there was little appreciable difference between young city administrators and city managers in their professional affiliations. Of the city administrators, four belong to the I.C.M.A. and the Missouri Chapter of I.C.M.A.; two hold membership in the Missouri Clerks and Finance Officers Association; one belongs to the American Water Works Association, one to the National Society of Professional Engineers, one to the American Society of Public Administration, and one to the Missouri Water and Sewer Conference. Of the two who hold membership in the Missouri Clerks and Finance Officers Association, one joined upon becoming city clerk after a long career in private business and the other joined after appointment as city clerk upon retirement from the military. It is suspected that the office of city clerk is more prominent as a source of recruitment than is indicated here, but one must be cautious about generalizing on this point. Although the city clerks are often the major administrative officers in smaller communities, they include women who are not careerist oriented and sometimes include men in the 50s and 60s who run the city administration, but do not want to be legitimized as city administrators through formal action.

In contrast, 25 of the city managers surveyed belong to the I.C.M.A. and 16 to the Missouri Chapter of I.C.M.A. The associations mentioned next often were the American Public Works Association, the American Society of Public Administration, and the Missouri Clerks and Finance Officers Association, in that order. Also, two referred to their membership in the Public Personnel Association, and two in the American Water Works Association.

The city administrators identify with and hold membership in the I.C.M.A. to a lesser degree than city managers, although four of the nine do belong to both the international and state associations. None of the city managers reported holding the office of city clerk prior to becoming a city manager. There appears to be a total commitment to I.C.M.A. on the part of city managers, whereas city administrators (excluding the young members) identify with a variety of associations depending on their previous work experience. It should also be added that city administrators generally do not participate in as many professional associations as city managers. Many managers hold membership in as many as six

associations relating to some facet of management or their previous training. It can be stated fairly strongly that city managers are more sensitized to professionalism at the present time, but this might change if the city administrator form of government is legitimized. One major problem, discussed in the following paragraphs, pertains to salary. City administrator cities are generally smaller than manager cities and are therefore less able to pay the salaries necessary to attract professionally trained administrators. The prevailing attitudes in these smaller communities often preclude the possibility of paying salaries sufficient to attract professionally trained men. Few members of the community may have a comparable income and the councils are therefore reluctant to attach a relatively high salary to the position.

### *Compensation*

Differentials in salaries are prominent between city administrators and city managers as might be expected. City administrators generally are paid less than managers, again because of the smaller population and tax base found in city administrator cities, the lack of legitimacy, prevailing attitudes, and the willingness to employ non-professionally trained residents. The need in smaller administrator cities is for full-time management, not necessarily full-time *professionally-trained* public administrators.

The average annual salary for city administrators is \$10,584, with the highest salary—\$15,000—going to an engineer who also carries the title of administrator. The lowest salary paid a city administrator is \$7,058, but most range from \$9,000 to \$12,000. With respect to city managers, the story is quite different. The highest paid city manager makes \$32,500 annually, whereas the lowest is paid \$8,000. The usual range is \$10,000 to \$17,000. The average salary for city managers in Missouri is \$15,248, or some \$4,664 higher than the average for city administrators.

### *Conclusions*

Although it was suspected initially that city administrators would tend more often to be long-time residents of their respective cities, this could not be verified. Too many outstate communities had vacancies at the time of the study, an interesting point in itself, but one which precludes generalizations on this point. In the case of Centralia, the long-term resident factor was borne out; however, in metropolitan city administrator cities, or those very close to metropolitan areas, the administrator often was a young careerist who had completed graduate work in city management or public administration, or was enrolled in such a degree program.

As far as education, previous work experience, identification with professional associations, and salary, the presuppositions were generally verified. The

city managers generally had more formal education and their previous work experience indicated they were more mobile and had more experience in the field of public administration. Also, city managers generally reported greater identification with the I.C.M.A.

Recruitment for city administrators was often undertaken locally without resort to I.C.M.A. personnel services and their previous work experience reflected different patterns and identifications. One third of the city administrators interviewed were either retired military men or retired businessmen who had been employed as city clerk and then elevated the office into that of clerk-administrator. As far as compensation is concerned, city administrators are not as well paid as city managers. The difference was substantial in average salaries and range.

Another major conclusion relates to governmental structure and the size and type of communities that have adopted city administrator ordinances. Because of the nebulous status of the plan, due to some degree of anti-professionalism in the community and the legal developments, it does not result in a situation where high salaried, outside city administrators can be readily hired—this would only inflame those already harboring anti-professional feelings and certainly lessens the attractiveness of the situation for a professional public administrator seeking employment. Also, city administrator communities are generally smaller in population and tax base and therefore are unable to pay the prevailing salaries necessary to attract a professionally-trained public administrator. The result is the hiring of city administrators who have some managerial experience, but experience often gained in unrelated fields.

In the last analysis, however, the development of the city administrator plan reflects a distinct need for full-time management in small communities, a need recognized by the elected officials in city hall and the International City Managers Association. The I.C.M.A. recently embarked on a systematic study of its criteria for membership and associational goals and objectives. The result was a change in name to the International City *Management* Association (July 1, 1969), and a broadening of the "criteria for recognizing a municipality with a position of overall management." Three Missouri municipalities having professionally trained city administrators are presently recognized by the I.C.M.A.<sup>13</sup> and with the broadened criteria, undoubtedly more administrator cities will gain membership shortly.

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<sup>13</sup>The International City Management Association, *The Municipal Year Book—1969* (Washington: The International City Management Association, 1969), pp. 488-489. The three municipalities are Belton, Harrisonville and Lake Winnebago.

## Chapter VI

# The Legislative Response and Conclusions

### *Introduction*

With the Circuit Court of Franklin County declaring the Washington administrator plan “illegal and void,” and the subsequent Supreme Court decision,<sup>1</sup> the status of the administrator plan in 12 other third and fourth class cities became questionable to say the least. City administrators were well aware of the court decision and were undoubtedly anxious that legislative action be taken to legitimize the plan. Interestingly, the initial push for General Assembly or legislative action did not come from any city already having the plan; the push came from a city that wanted the plan but had been deterred from passing an ordinance because of awareness of the legal difficulties.

### *The City of Marshall and House Bill No 284*

The city of Marshall, located in Saline County in outstate Missouri, is one of the few Missouri cities which has adopted the city manager plan and subsequently abandoned the plan. An attempt was made to adopt the plan in 1922, but the effort failed. No further attempt was made until Feb. 3, 1948, but the plan was approved by a vote of 1,160 to 843.<sup>2</sup> However, on May 25, 1954, another election was held on the question of retaining the plan, and opponents carried the day by a margin of 190 votes—1,514 to 1,324. According to J. Leo Hayob, the manager of the Marshall Chamber of Commerce for 17 years, the plan was dropped because of the complacency of its supporters and the opposition of county Democratic leaders (the Saline County Courthouse is located in Marshall).<sup>3</sup> Although the county Democratic leaders could not vote in the city

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<sup>1</sup>See Chapter IV.

<sup>2</sup>J. Leo Hayob, *History of Marshall, Missouri* (Marshall: Chamber of Commerce, reprinted from the Saline County History Book, 1967), p. 5.

<sup>3</sup>Interview with J. Leo Hayob, Manager of the Marshall Chamber of Commerce, August 13, 1969.

election, at least those who were non-residents, they opposed the concept of the manager plan preferring to see Marshall with the traditional mayor-council structure.

According to Russell I. Nicholas, present mayor pro-tem of the Council, there "is no sentiment to return to the city manager form of government."<sup>4</sup> There "is too much hard feeling among the anti-manager plan voters." However, as Nicholas emphatically stated, "someone has to run the city. We knew that Washington and Harrisonville had city administrators and originally talked of elevating the city clerk to that position, or an engineer or public works director." Therefore, the city council and former councilmen, plus Leo Hayob, pushed the idea of passing an ordinance and hiring a city administrator.

The original idea came from Leo Erhardt, a former councilman and legalist for the Gulf, Mobile, and Ohio Railroad. Erhardt travels several states on business for the G.M. & O. and was aware that Washington and Harrisonville had hired city administrators. Erhardt explained that several years ago some citizens talked of resurrecting the city manager plan, but the group never got organized.<sup>5</sup> He further stated that there was a schism in the community between traditionalists and reformers, with the traditionalists objecting to "the at-large elections and the nonpartisan aspects of the third class city manager plan."<sup>6</sup> On the other hand the council realized it was unable to cope with day-to-day administrative problems (again, the members were and are part-time), and even many constituents would say "we need a full-time manager or someone to run the town." A group consisting of present councilmen, former councilmen, and a representative of the Chamber of Commerce, "did some exploratory work and wrote other cities for their administrator ordinances." They quickly became aware "that it was in violation of state statutes in Washington."<sup>7</sup> At that point the group requested that Representative James I. Spainhower have the State Legislature Research Committee draft a bill authorizing the city administrator form of government for third and fourth class cities. This was done and Representative Spainhower then brought the proposed bill to the attention of the Marshall group which requested some minor modifications. The bill was then introduced in the House of Representatives and read for the first time on Jan. 28, 1969.

As it turned out, there was surprisingly little resistance to House Bill No. 284 in the General Assembly. Most of the proposed amendments were made in the House, but the final House vote was 146 to 4 in favor, and the Senate the vote was unanimous—27 to 0.<sup>8</sup> The major House amendment provided that any city of the third and fourth class (with the exception of third class manager cities):

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<sup>4</sup>Interview with Russell I. Nicholas, Mayor Pro Tem, August 13, 1969.

<sup>5</sup>Interview with Leo Erhardt, former councilman and attorney for the Gulf, Mobile, and Ohio Railroad, August 13, 1969.

<sup>6</sup>*Ibid.*

<sup>7</sup>*Ibid.*

<sup>8</sup>Missouri, *House Journal*, March 26, 1969, pp. 830-831. *Missouri Senate Journal*, June 19, 1969, pp. 1143-1144.

may by ordinance provide for the employment by the governing body with the approval of the mayor of a city administrator who shall be the chief administrative assistant to the mayor and who shall have general superintending control of the administration and management of the city, subject to the direction and supervision of the mayor.<sup>9</sup>

The amendment was made because of fear there might be a deadlock or extreme differences between the governing body and the mayor over the appointment of an administrator; therefore, there must be concurrence.<sup>10</sup> Also, in contrast to an earlier draft, it specifies that the city administrator shall be “the chief administrative assistant to the mayor,” whereas previously the administrator was merely “subject to the will of the (governing) body.”

According to Jay Bell, executive director of the Missouri Municipal League who supported the bill strongly in both houses, there was another attempted amendment by Representative Norbert J. Jasper, 108th Legislative District—Washington. This amendment would have required a positive vote of the people before a city could adopt the administrative form of government.<sup>11</sup> The effect of this amendment, of course, would be to nullify the attempt to gain in small communities a professional or full-time manager without a vote of the people. The proposed amendment was defeated.

Other provisions of the bill (signed into law by Gov. Warren Hearnes on Aug. 7, 1969) specify that the city administrator must be at least 21 years of age, “a resident of the city while serving as city administrator,” and that the job must be full-time. With respect to the residency requirement, it appears this means the administrator must reside in the city after appointment, but does not specify that he be a voting resident at the time of employment.

Section 3 of the bill is interesting in the light of the court decisions because of its grant of authority to an administrator for the employment and discharge of all officers and employees “except elected officers,” although “the governing body may make reasonable rules and regulations governing the same.”<sup>12</sup> As will be remembered, the Circuit and Supreme Court decisions specifically called attention to the sections in the Washington ordinance which granted appointment and removal authority to the city administrator and termed them an illegal delegation of mayoral and councilmanic authority, although elected officials remain independent.

Section 4 of the bill states that the mayors and councils of third and fourth class cities “shall retain all the powers given to it by the laws applying to the city before the city administrator form of government was adopted . . .”<sup>13</sup> It further adds that:

all laws governing the city under its prior form of government and not inconsistent with the provisions of this act shall apply to and govern

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<sup>9</sup>Missouri, 75th General Assembly, House Bill No. 284.

<sup>10</sup>Telephone interview with Jay Bell, Executive Director of the Missouri Municipal League, August 19, 1969.

<sup>11</sup>*Ibid.*

<sup>12</sup>House Bill No. 284, *op.cit.*

<sup>13</sup>House Bill No. 284, *op.cit.*

the city after it adopts this form of government. All bylaws, ordinances, and resolutions lawfully passed and in force at the time the city administrator form of government is adopted shall remain in force until repealed or altered by the council or board of aldermen.<sup>14</sup>

The bill authorizes cities of the third and fourth class (except manager cities) to hire an administrator who acts as administrative assistant to the mayor and is responsible for the general supervision of the city administration. He is employed by the “governing body with the approval of the mayor,” (there must be agreement between the two) and serves “at the pleasure of the appointing authority.”<sup>15</sup> Beyond this charge, a grant of authority is made to the administrator enabling him to employ and discharge all but elected officials. Interestingly, it is assumed that the initiation of employment of an administrator would be by council or board ordinance and the mayor would give his approval by signing it into law (as in any other ordinance). Removal would follow the same route. This, in essence, gives the initiative to the governing body and further weakens the separation of powers between council and mayor. This provision accomplishes a further modification from the ideal-typical chief administrative officer (CAO) plan by increasing the role of the council in the appointment and removal of the administrator. In conclusion, the bill is short—consisting of four sections and 38 lines—but legitimizes a practice started in Centralia in 1950.

### *Conclusion*

As stated in Chapter II, Missouri is somewhat unique in its political culture. The state is quite conservative politically and Jeffersonian values are still strong. There is no better example of Jeffersonian values than the commitment to fragmentation in local government. Although the practice of fragmenting local government may not be a conscious policy, it corresponds to the Jeffersonian belief that the concentration of powers is “bad,” and that powers should be widely distributed to effect good government. In a more positive sense, as argued by Jeffersonians, the creation of many local governments increases local responsibility and strengthens grass roots politics. Although this premise may be debated, the result in Missouri cannot; there are a great many local governments and they are increasing in numbers.

In addition, the conservative political culture is reflected in many statutory restrictions and requirements concerning local government and other factors. A body of statutory law has been built up over 100 years that has been untouched by codification or extensive reorganization. The result is complexity to the point of mystification; again, no one individual is totally familiar with the statutes pertaining to local government, including municipalities. Local government officials are themselves unfamiliar with the statutes pertaining to their unit and

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<sup>14</sup>House Bill No. 284, *op.cit.*

<sup>15</sup>House Bill No. 284, *op.cit.*

the result in some cases may be their oversensitivity to legal restrictions because of lack of knowledge, or, on the other hand, innovative tendencies.

Furthermore, Missouri does not support local government strongly, particularly in the area of grants-in-aid or revenue sharing. The present state policy consists of pushing the concept of "creative localism," which might be more reasonable if municipalities had residual powers, rather than operating within a unitary framework with multitudes of restrictions.

It was in this environment of confusion, restrictions, and an "individualistic-traditional" political culture that the city administrator form of government was born. In the author's opinion, the development of a new form of government in this particular setting was surprising and certainly innovative. An innovative act undertaken in Centralia in 1950 has led to legislative authorization for a new optional form of government for third and fourth class cities. It allows small municipalities to employ someone akin to a chief administrative officer (CAO) to act as supervisor over day-to-day administration.

### *Hypotheses*

With respect to the hypotheses outlined in Chapter I, the proximity factor—larger city manager cities providing an impetus for nearby smaller cities to embark on professionalization—played a part in some instances, but perhaps not in every case. In the Kansas City metropolitan region it was influential because of Kansas City's long established manager government, but the leadership and communication role of Robert Saunders was also very important.<sup>16</sup> In the St. Louis metropolitan area it also played a part in the sense that some key elected officials witnessed what they perceived to be the superior functioning of manager cities, and consequently moved their communities toward professionalization, or at least full-time management.

In outstate Missouri, Centralia at least can be cited as a case where larger neighboring communities had an effect; the Board of Aldermen of Centralia was well aware of the manager adoptions in three larger, nearby cities, and discussions regarding the suitability of such a plan for Centralia were undertaken by the Board. However, once again the dichotomy of the local population over reform and professionalization in city government led to a compromise in the form of an administrator ordinance. Therefore, it is felt the data substantiates the first part of the initial hypothesis; namely,

communities located near larger, successful city manager cities, if confronted with serious enough service or administrative problems, will tend to professionalize their bureaucracy by structural reform, but only to the extent allowable by the norms of the community.<sup>17</sup>

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<sup>16</sup>See Chapter III, "Initiation and Push."

<sup>17</sup>Chapter I, page 4.

In every case, the major reasons for considering and adopting ordinances establishing the office of city administrator were the increased problems due to larger populations, or other factors weighing upon existing administrations. There were problems—they had to be met—full-time management was needed but the incumbent officials recognized the resistance to the city manager structure; therefore, the accommodation between needs on the one hand and popular attitudes and legal constraints on the other.

What is particularly interesting is the fact that in most instances, the initiation and push came from incumbent elected officials, sometimes in alliance with chambers of commerce. (This is not unusual because of their affinity for the corporate-like city manager structure; if the manager form can't be instituted, the administrator form is a good compromise.) Only in the case of Belton was the push tied to an election where the reform candidate for mayor won after promising to work for establishment of the city manager form. This factor contradicts the often prevailing image of the "intransigency" of elected officials, but is obvious when one considers the part-time nature of mayors and councilmen in third and fourth class cities. Often it is difficult to get individuals to run for part-time elected offices and once elected these same individuals realize the difficulties of attempting to cope with administrative and service problems on a part-time basis. They perceive their shortcomings and usually arrive at a point where they consider full-time management a necessity. As to the alternative of a paid, full-time mayor, many of these same officials will argue that it is not always possible to get a "qualified" man elected and there is also the lack of continuity factor—the full-time mayor be defeated in any given election. For these reasons, a paid, full-time manager or administrator is considered the best arrangement.

It is also evident from the accumulated data that elected officials are highly perceptive of and sensitive to the attitudes of their constituents. Hard data indicate that in metropolitan communities there has been a substantial increase in population, most of it reflecting the outward migration from central cities. Greater demands are made upon the traditionally organized governments and the existing bureaucracies are hard put to satisfy these demands. Part-time elected officials deduce that full-time management, perhaps professionally trained, is the answer, but are confronted with attitudes favoring the continuation of traditional government and opposed to a reform government organized around a city manager. These schisms are evident in Belton, Grandview, Lee's Summit, Centralia, Marshall,<sup>18</sup> and Washington. There was difficulty in verifying the existence of schisms in the other communities studied, but it is likely that schisms exist in all third class cities with administrators, or the communities would have voted in the manager plan. In the case of fourth class cities, there might be opposition to operating under third class statutes, rather than the city administrator structure per se. (It will be remembered that fourth class cities may adopt the manager plan if

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<sup>18</sup>J. Leo Hayob, Manager of the Marshall Chamber of Commerce, reported that there is still a schism in Marshall between traditionally-oriented people and those who want to improve the local structure. In addition, "many do not favor paying a professional a big salary." Interview, with J. Leo Hayob, *op.cit.*

their population (3,000), entitles it to third class status. However, it is likely that if a fourth class city adopted the manager plan in an election, it would automatically achieve third class status and have to operate under those statutes.) The case of Marshall is enlightening. Marshall adopted the manager plan in the late 1940's and then abandoned it in 1954. There is still support for a reform government, but there is also hostility. The result is a compromise involving the proposed city administrator form.

With respect to the second hypothesis (the tendency to hire non-professionally trained public administrators because of anti-professional attitudes in the community, and the unattractiveness of such communities to public administrators) the findings are mixed. Centralia appears hesitant to employ an outside, trained professional, although the city did hire two professionals in the past. It is likely this presupposition does hold for other outstate communities, but the many vacancies preclude verification. In metropolitan areas, however, there appears to be little hesitancy in employing professionally trained public administrators. A more limiting factor is the salary necessary to attract competent, experienced professionals; it appears that the usual salary attached to the position appeals primarily to newly graduated students of public administration who do not resist the compromise features of the structure. However, if the community desires an experienced administrator, individuals from other than public backgrounds may be employed (for example, the military). There is little doubt, however, that experienced city managers will not be attracted to cities with administrator structures because of the relatively low salaries involved (\$10,584 average as opposed to \$15,248), and the structural aberrations from the pure manager plan (ward instead of at-large elections, partisan instead of nonpartisan elections, and the continuance of many elective offices). Communities adopting the administrator form are usually smaller than manager cities and cannot afford the rather large salaries necessary to attract experienced city managers. Any schism between traditionalists and reformers precludes high salaries—the anti-professional traditionalists will oppose high salaries vociferously.

Hypothesis number three regarding the characteristics of city administrators (more diverse backgrounds, more likely to be long-term residents than city managers, identify less strongly with city manager associations, and perceive their office quite differently from the office of city manager) is partly borne out by the data. Although the city administrator group is small, they appear to represent more diverse backgrounds than city managers. Again, there is no real verification for the likelihood of their being long-term residents, but there is no doubt they identify less strongly than managers with professional, public or managerial associations.

Also, with respect to perception of their office as contrasted with the office of city manager, there are differing responses. The younger, professionally trained city administrators realize their structures are more decentralized than manager forms, but feel they can overcome such decentralization through informal controls. However, those not professionally trained in public administration feel there are distinct differences and that their role is weakened by the tradi-

tional mayor-council framework. When queried, these latter individuals would declare "I do not have the authority of a city manager." There is an element of psychology here; those who have not had graduate training or haven't had years of experience on the job are more likely to be insecure and view their positions as weaker than a city manager. This view probably changes as their experience in public management increases. One city administrator with years of experience as city clerk was not as adamant in describing his position this way. *However, there is no doubt that the mayor-council structure is more decentralized than the third class manager form and that city administrators have less appointive powers than managers*, even with the grant of authority given them by House Bill No. 284. The question still remains, "Is it possible for a city administrator to overcome the decentralized aspects of the mayor-council form through informal controls?" It is in this area that the mettle of a city administrator is thoroughly tested.

With respect to the last hypothesis (legitimization of the administrator form leading to an increase in adoptions), one still must be cautious in generalizing. Obviously, small municipalities can now gain professional or full-time administrative leadership without a vote of the people, but there is still strong resistance to any movement away from traditional government in many communities. It will be interesting to see the number of communities which adopt the plan in the next few years.

TABLE 1--SUMMARY OF IMPORTANT PROVISIONS OF ORDINANCES ESTABLISHING OFFICE OF CITY ADMINISTRATOR

City	Qualifications for Office	Tenure of Office	Appointment Procedure for City Administrator	Removal Procedure	Duties and Responsibilities	Powers of City Administrator
Belton	25 yrs. of age; Become resident; Undergrad. degree in Public Admin. or equivalent	Indefinite	By Mayor with approval of majority of Board of Aldermen		Supervise Admin; Supervise enforcement of laws; Recommend appointments of employees; Prepare and present annual report; Prepare budget; Appoint and discharge employees (adminis- trative code); Chief executive officer (administrative code);	Assign employees; Establish rules and regs. for employees; Investigate affairs of any department; Direct any dept. to per- form work of any other; Appoint committees of administrative personnel
Brentwood Centralia	(The Brentwood ordinance merely substitutes the term 25 yrs. of age; Become resident; Recommendation that he be an engineering graduate	Indefinite	“city clerk-city administrator” for “city clerk.” By Mayor with advice and consent of Bd. of Aldermen (this has been changed to ap- pointment by Bd. of Aldermen.)	4 of Bd. of Aldermen w/Mayor; or 5 of Bd. of Aldermen	Full control over Light, Water and Sewer and Street Departments; Coordinate other activities; Recommend management policies for depart- ments;	Power and control over city real estate; Appoint and discharge employees of 3 depts. under his control; With standing committees he may recommend classification of em- ployees and wages; Purchase items under \$300 without approval; Enter into contracts with committee approval; Make rules and regs. for dept. employees.
Crystal City (vacant)	25 yrs. of age; Become resident; “shall be of good moral character”	Indefinite	By Mayor with advice and consent of City Council		Direct supervision of all appointed employ- ees; Execute and enforce all ordinances; Supervise activities of Park Bd., Library Bd., Police Dept. and Fire Dept.; Recommend wage class- ification system; Propose annual budget;	Power and control over city real estate; Appoint and discharge appointed employees; Purchase all operating supplies; Enter into contracts with prior consent of council

Appendix

City	Qualifications for Office	Tenure of Office	Appointment Procedure for City Administrator	Removal Procedure	Duties and Responsibilities	Powers of City Administrator
Crystal City (continued)					Attend meetings of council, Park Bd., and Library Bd.; Prepare reports on request; Advise boards and committees, agencies and depts.	
El Dorado Springs (vacancy)	25 yrs. of age; Become resident; "shall be of good moral character"	Contract for 1 to 2 yrs.	By Mayor with advice and consent of Council		Supervise execution of all ordinances; Supervise activities of boards and departments; Initiate and supervise inventory control; Supervise work of all city employees; Recommend purchase of tools and equip.; Propose annual budget; Attend meetings of council and boards; Prepare reports; Advise boards, committees, agencies, depts., and officials	Purchase all operating supplies; Supervise all real and personal city property; Has direct supervision over all but elected officials; Recommends appointments and discharge of employees; Enter into contracts with prior consent of council.
Glendale Grandview	(Informal appointment as clerk-administrator until passage of House Bill No. 284) Become resident; College grad. in Pub. or Municipal Admin., or equivalent experience in Financial, Admin., or Pub. Relations fields;		By Mayor with majority of Board of Aldermen		Prepare annual report; Prepare budget report; Aid in preparing council agenda	Appoint and discharge employees of administrative service; Appoint to acting capacity in administrative service; Assign according to classification; Prescribe rules and regs. for administrative service; Investigate affairs of any dept., division, bureau or office; Employ consultants with prior approval of council; Set aside actions of dept. heads and supersede him in office; Delegate duties;

City	Qualifications for Office	Tenure of Office	Appointment Procedure for City Administrator	Removal Procedure	Duties and Responsibilities	Powers of City Administrator
Grandview (continued)						Appoint administrative committees; Power to appear before Bd. of Aldermen at any meeting;
Grant City (vacancy) Harrisonville	(no ordinance available)  Become resident;	Indefinite	Majority of Board of Aldermen	By majority of council; Public hearing if requested;	Prepare annual budget; Prepare annual report; Make financial recommendations; Recommend to governing body measures for health, safety or welfare of city or improvement of admin. services; Attend all meetings of the council; See that all laws and ordinances are enforced; Devote his entire time to official duties.	Appointment and discharge of all officers and employees; Consolidate or combine offices, positions, depts., or units under his jurisdiction; Let contracts of \$1,000 and under; Investigate affairs of any division or department; Award contracts and make purchases in an emergency;
Lee's Summit	Registered Professional Engineer in Missouri, or be eligible for registration, OR 5 years experience in administration of municipal departments. OR recognized engineering degree in lieu of 5 yrs. ex.				Administrative charge of operating departments except for city clerk and collector; Performs all duties the Mayor legally assigns him with authorization and approval of council; Advise with individual aldermen from time to time; Work with public on day-to-day solutions of problems; Work with consulting engineers and contractors employed by city.	Appoint or discharge for cause personnel of operating depts. with approval of majority of Council (public hearing provided for)
Washington	Become resident; College grad. in Pub. or Municipal Admin., or have equivalent qualifications and experi-		By Mayor with advice and majority approval of majority of City Council		Draft administrative code; Be Chief Administrative Officer of City; Draft personnel wage	Appoint, discharge, suspend, and discipline employees; Designate himself to fill vacancy;

City	Qualifications for Office	Tenure of Office	Appointment Procedure for City Administrator	Removal Procedure	Duties and Responsibilities	Powers of City Administrator
Washington (continued)	ence in Fin. , Administrative and/or Pub. Relations Fields				classification system; Prepare annual report; Prepare budget; Aid in preparing Council agendas; Supervise purchasing; Insure efficient use of all city property; Recommend to governing body adoption of such measures deemed necessary or expedient for health, safety or welfare of city and improvement of admin. service; Devote his entire time to official duties;	Let contracts for \$500 and under; Assign employees; Prescribe rules and regs. for admin. agencies under his authority; Investigate affairs of any dept. , div. bureau, or office; Employ consultants with prior council approval; Advise all boards, committees, agencies, depts. , and officials; Recommend changes; May set aside any action of dept. head and supersede dept. head; Direct any dept. to perform work of any other dept. ; Designate committees from administrative service; Appear at any council meeting.
Webb City (vacant)			By Mayor with Council approval	By Mayor with consent of Council	Be purchasing agent; Be budget officer; Make monthly progress reports; Coordinate supervision and operation of all depts. , with approval of Mayor; Maintain liaison with all city's boards and committees; Attend all Council meetings; Responsible for Council minutes; Coordinate federal aid programs;	

City	Qualifications for Office	Tenure of Office	Appointment Procedure for City Administrator	Removal Procedure	Duties and Responsibilities	Powers of City Administrator
Webb City (continued)					Attend state and regional conferences and programs at direction of Mayor; Keeping public informed of municipal government; Prepare a proposed agenda for Council; Perform related work prescribed by Mayor and City Council,	
Woodson Terrace	Qualified resident of city	2 years (same as Mayor)	By Mayor with majority of Board of Aldermen		Assistant to Mayor and performs duties assigned by Mayor; Maintenance of city vehicles and equipment and can set rules for equipment use; Other duties as set by Mayor and Board;	Holds titles of Street and Park Commissioner; Holds title of Administrative Assistant and Deputy City Clerk and Building Commissioner; Expend \$200 or under for equipment repairs

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## *Interviewees*

- Ausmus, R. E., Sr., Attorney and former City Attorney of Centralia. July 16, 1969.
- Barton, Glen. Former City Administrator and Engineer of Lee's Summit. February 27, 1969.
- Bell, Jay. Executive Director of the Missouri Municipal League. August 19, 1969.
- Berley, Stephen. City Administrator of Harrisonville. February 20, 1969.
- Brown, Jack. Mayor of Woodson Terrace. March 26, 1969.
- Bryson, Carroll. Centralia attorney and former City Attorney. July 15, 1969.
- Burton, Howard. City Administrator of Centralia. July, 1968.
- Davis, Arnold. City Administrator of Belton. February 20, 1969.
- Erhardt, Leo. Former councilman of Marshall and attorney for the Gulf, Mobile, and Ohio Railroad. August 13, 1969.
- Filla, Arthur. City Clerk of Washington. June 17, 1969.
- Grimes, Philip. Attorney who practices primarily in Columbia, but has a satellite office in Centralia, Mayor of Centralia, 1950. June 13, 1969.
- Hayob, J. Leo. Manager of the Marshall Chamber of Commerce. August 13, 1969.
- Michener, E. R. City Clerk-City Administrator of Brentwood. March 26, 1969.
- Nicholas, Russell I. Mayor Pro Tem of Marshall. August 13, 1969.
- Pigg, W. L. Administrative Assistant of Woodson Terrace. March 26, 1969.
- Powell, Ralph A. Former Mayor of Lee's Summit. February 27, 1969.
- Saunders, Robert J. Former City Administrator of Belton. February 28, 1969.
- Stithem, Dale. City Clerk of Glendale. March 26, 1969.
- Toalson, Nathan. President of A. B. Chance Company, Centralia. July 23, 1969.
- Vanderslice, Ken. City Administrator of Grandview. February 19, 1969.

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