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# THE ABCs OF BEING A NEWLY ELECTED OFFICIAL

by Randy Van Vleck



*Congratulations! You have been elected as a city official and have begun serving your community. There is a great deal of information to learn. Keep these ABCs in mind for a solid start to success.*

**Attitude.** The right attitude is essential. You may think that this is your opportunity to “change the world” or at least your little part of it. Municipal government is a complicated business. Before embarking on a crusade of change, take the opportunity to listen and to learn about the business of governing from those who have governed and also from those who are governed.

**Budget.** The budget is much more than dollars and cents. It is the most important policy document you will ever put together. Municipalities must have a budget that is balanced, yet one that provides an appropriate level of services to its inhabitants. Care must be taken to obtain accurate predictions of municipal revenue and to limit spending to an amount that can be covered by anticipated revenues and reserved savings.

**Conflicts of Interest.** As a member of the governing body, you are prohibited from taking an official act (such as voting) for the primary

purpose of directly enhancing your financial interest or the interest of your spouse or dependent child. An elected official should treat the office as a public trust. Full disclosure of real or potential conflicts of interest should be the guiding principle.

**Debt.** A debt is an obligation resulting from borrowing money or entering into contracts for the purchase of goods and services. Debts of governments may also include bonds. No individual elected official may bind the municipality. It is the collective decision of the governing body that is required to bind the municipality financially.

**Employees.** Employees are your most precious asset. Treat your employees with care and respect. Public employees are a rare breed of individuals that are willing to sacrifice the larger salaries of private life for the feeling that they have done something to promote the public good. Employees are there to make the municipality a better place to live and work – a goal

that should be shared with everyone in the public service.

**Freedom of Information.** The activities of public employees and elected officials are the public’s business. The Missouri Open Records and Meetings Act provides the vehicle for making the actions of public officials open to public inspection. You should be mindful that the actions you take are and should be open to the public and that the municipality should strictly comply with the procedures provided for to allow inspection and copying of public records.

**Gifts.** Be cautious of accepting gifts of any kind from businesses, community members and acquaintances. You are in the best position to make an informed and unbiased decision when you have refrained from accepting a gift or favor. Even good decisions can be faulted if your motives have been perceived as influenced.

**Home Rule.** Home rule municipalities are those that have

undertaken the process for adopting a local charter. Home rule municipalities must have a population more than 5,000, and they have the advantage of being able to legislate and act on all matters unless the legislature has expressly prohibited the municipality from acting in a given subject matter.

**Internet.** A wonderful tool that places almost infinite information at your fingertips, including the Missouri Municipal League's website at [www.mocities.com](http://www.mocities.com). Use the internet as a starting point for your research but always rely on primary sources over those found online.

**Judge.** The municipal judge is a partner in the governing of the municipality. The judge is responsible for hearing criminal cases involving the violation of municipal ordinances. Separation of the judicial functions from the executive and legislative branches is the cornerstone of government structure in the United States and Missouri. Make the judge feel like they are a member of the team, while at the same time respecting their boundaries.

**Kickbacks.** A kickback is the illegal act of receiving something of value in exchange for providing help (or a vote) in a secret and dishonest business deal. Kickbacks are one of the most common forms of government corruption and are easily avoided; just say no.

**Liability.** Elected officials will generally not be held liable for acts or omissions that are within the scope of their duties as an elected official. Action that you take that are within the scope of your duties, might give rise to liability of the municipality as you are a duly elected/appointed representative of the municipality.

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**Meetings.** Meetings are the vehicle through which elected officials pronounce the policy objectives of the municipality and through which municipal actions are initiated. Meetings of the governing body are required to be open to the public under the Missouri Open Records and Meetings Act. Meetings can only be closed for a limited number of reasons and only after the proper procedure has been invoked.

**Nepotism.** It is the act of an elected official to name or appoint any person related within the fourth degree to the person giving such employment. In general, the hiring of relatives of elected officials should be avoided or at least strictly scrutinized.

**Open.** Meetings of the governing body and the court must be open to the public. The open and transparent

exercise of government functions is essential to maintaining the trust and legitimacy of government activities.

**Personnel.** Personnel actions fall primarily to the executive branch for action. The supervision and direction of personnel activities is outside the scope of duties of governing body members, and if the municipality employs a manager or administrator, it may be beyond the authority of the mayor as well. There are some actions that require approval of the governing body members, but these are the extraordinary matters. Daily personnel actions should be left to the executive branch, through a manager or other department directors to implement.

**Quorum.** A majority of the members a governing body (not including the mayor in a 4th class city) is a quorum. A quorum of the governing



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body, convened in an open meeting (with a few exceptions) is required to conduct business.

**Respect.** Respect is recognizing value from different opinions and following through with commitments. Respect for the fellow members of the governing body, respect for the citizens whom you serve, and respect for yourself are the ingredients for a highly successful career as an elected official.

**Service.** Your service and sacrifice for choosing to become an elected official are appreciated more than you might imagine. It takes a special individual to make room in their life for the important job of governance. It is complex, sometimes personal and controversial. Whether it is said directly to you or not, let it be known that the citizens of your community thank you for your service and sacrifice to the better good.

**Term of Office.** A term of office is the length of time a person serves in a particular elected office. In most Missouri municipalities the term of office is two (2) years. Some cities have three (3) or four (4) year terms for their officials.

**Unilateral.** Unilateral acts are those actions undertaken by a single individual. You are a member of a team, a team required to act collectively. Elected officials are rarely empowered to act unilaterally. Seek out your team and act collectively.

**Vote.** As an elected official, you speak to the public by your vote. Be prepared to cast a vote on every agenda item, unless you have some sort of conflict of interest or other reason you cannot legitimately vote or participate. Choosing not to vote because the matter is controversial is not responsible. You were placed in an important position of trust to tackle the tough situation and to vote for the betterment of the community.

**Wisdom.** With your wisdom, anything is possible.

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**Yesterday.** Yesterday is history, but tomorrow is a mystery. Look always forward, for the future has yet to be written and you can be the author.

**Zoning.** The ability for a municipality to establish zones throughout and to regulate the construction and use of the land in those particular districts. Zoning is a powerful tool but it is also one that can be abused. Zoning authority must be exercised judiciously and consistently, in doing so, property values will increase and the overall appearance of your municipality will be enhanced.

There you have it. Keep these ABCs handy and refer to them often.

Remember, you occupy a great position of trust and authority. The citizens of your community are looking to you to provide the leadership to lead the community into the future. Remember also that the Missouri Municipal League is just a phone call or email away. □

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