

# **House Bill 147**

# **Council-Manager Act**

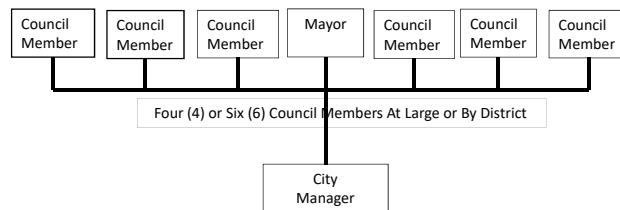
# **Amendment**

ACCMA SUMMER CONFERENCE

Sam S. Gaston, City Manager  
City of Mountain Brook

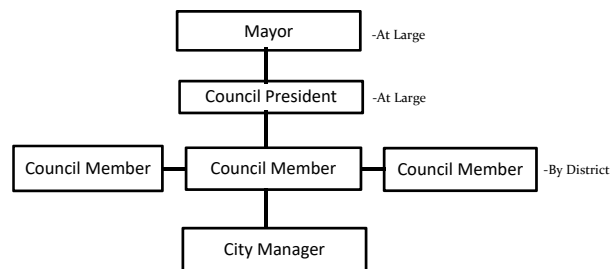
- Slight amendment to the Council-Manager Act of 1982 (City Manager form of government, Sections 11-43A-1 to 11-43A-52 of the Alabama Code).
- Provides a better option for municipalities who want to consider this form of government in the future to tailor its governing body to properly reflect its population and racial make-up.
- Makes it easier for municipalities not to have to obtain special legislation to transition to a Council-Manager form of government.

- Provides for a 5 or 7 member Council, with Mayor being part of the City Council and an appointed, professional City Manager.
- Could be At-Large or District City Council. (Mayor is at large in all scenarios.)



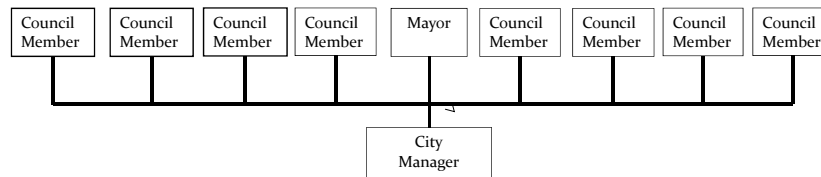
- If you currently have District elections and you change to a Council-Manager form of government under this amendment, you must stay with District elections.
- Class 1, 2 and 3 municipalities are exempt from this Amendment.

Current structure in the Council-Manager Act of 1982 does not work for most communities. Only Tuskegee has used this structure below as provided by the Council-Manager Act of 1982.



## Class 6 Cities Option Council-Manager Act of 1982

- Nine (9) member Council
- Used by Auburn



All other municipalities that have Council-Manager form of government had to obtain special legislation:

- Anniston
- Dothan
- Phenix City
- Talladega
- Vestavia Hills

**To go to this form of government:**

- At least 10% of qualified voters, who voted in the last municipal election, must sign a petition placing this on the ballot.
- Voters must approve the change in government to a Council-Manager form during the election.

**To go to this form of government:**

- House Bill 147 also requires that a majority of the city council supports going to a Council-Manager form of government by passage of a resolution.

## City Manager position by Ordinance

Sections 11-43-20 to 11-43-22 of the Alabama Code

- Alabaster
- Brundidge
- Clay
- Fairfield
- Mountain Brook
- Oneonta
- Pelham
- Pell City
- Sylvania

## City Manager position by Ordinance

- Does not directly supervise: (“engages”)
  1. Police Chief
  2. Fire Chief
  3. Utilities Director
- These are appointed by the City Council.

# Thank God for Mississippi!

## City Manager Comparison

Florida – 276 cities

Georgia- 120 cities

Tennessee- 90 cities

Alabama – 16 cities

Mississippi – 6 cities

Alabama ranks 39<sup>th</sup> in the nation for the number of city managers in each state. Of the 11 states that have fewer managers than Alabama, all have much smaller populations, with the exception of Indiana, and fewer municipalities.

## City Administrators in Alabama

- ◆ Bay Minette
- ◆ Cordova
- ◆ Hoover
- ◆ Foley
- ◆ Gulf Shores
- ◆ Jackson
- ◆ Jacksonville
- ◆ Linden
- ◆ Lineville
- ◆ Livingston
- ◆ Madison
- ◆ Northport
- ◆ Opelika
- ◆ Orange Beach
- ◆ Piedmont

## County Administrators/Managers in Alabama

- 60 Counties have an Administrator.
- Etowah, Jefferson and Shelby have a County Manager.

## History of City Management in Alabama

- Unsuccessful attempts in Sheffield and Dothan to establish professional city management for their communities in the 1930's.
- Alabama Code amended in 1936 to allow municipalities to hire a city manager by ordinance.
- Mountain Brook became the first city in Alabama to employ a city manager in 1942 with Sylacauga being the 2<sup>nd</sup>.
- Council-Manager Act of 1982 used by Auburn and Tuskegee.



Over the years, several municipalities in Alabama employed a city manager by ordinance, but later abandoned the position.

*They include:*

Sylacauga	Clanton
Jackson	Brewton
Jasper	Tuscumbia
Fairhope	Aliceville
Bessemer	Leeds
Prattville	Lanett
Solocomb	

## Approval of the Council-Manager plan by voters

- Dothan approved the Council-Manager form of government in 1958
- Anniston in 1970
- Phenix City in 1977
- Auburn in 1983 (Council-Manager Act of 1982)
- Daphne in 1988, but abandoned it in 1992
- Talladega in 2004
- Tuskegee in 2004 (Council-Manager Act of 1982)

## Approval of the Council-Manager plan by voters – cont'd

- Decatur in 2010, but has yet to be implemented (Council-Manager Act of 1982)
- Vestavia Hills in 2010

### Other attempts:

- Cullman voters rejected the Council-Manager plan in 2000.