

What is Role Clarity? Or, Did You Run for the Right Office?

In order to know your authority, you have to know your role. Problems often arise when municipal officials and employees confuse their roles with that of other officials. And that's where role clarity comes in.

In some cases, laws define your role. The mayor is the chief executive of the city. Councilmembers are part of a legislative body. Sometimes the law is clear about who performs certain functions and these are discussed in detail in the *Handbook for Mayors and Councilmembers* as well as *The Selected Readings for the Municipal Official* prepared by the League. At other times, the law is silent, leaving it to local officials to determine how best to proceed.

In those circumstances, if you don't have discussions about your roles and expectations, you're going to have confusion and conflict. The laws aren't always clear about who performs each function. What actions are executive? What are legislative? You need to have discussions aimed at clearly understanding and agreeing on the responsibilities of each participant, and on the limits of your roles.

Avoiding role confusion is a key to achieving the type cooperation necessary for a municipality in Alabama to thrive. Alabama law establishes a system that is based on separation and balance of powers. In a municipal government, the mayor and the council each have their own duties and responsibilities. Problems occur when either feels the need to take on the functions of the other.

It is important for each individual to study the responsibilities assigned to the office they occupy, to look at the policies and practices that the city or town has followed in the past. As a starting point and as a reference tool, it is important to study this manual and become familiar with the laws related to the office you occupy.

Each municipal office is vested with the authority it needs to accomplish what is needed on behalf of the community and serve the interests of representative government. With that in mind, local governments were set up for each elected position to act both as a source of power and a check on the power of the other. Through working together and negotiating to find solutions, a municipal government best represents the citizens.

Keep in mind that confusion over roles is much easier to resolve prior to acting. Once you've stepped on someone else's official toes, they will be much more resistant to working with you to resolve any difficulties. If you wonder whether you have the authority to take some action, check the League's publications, contact your attorney or call the League office for advice. Discuss problems openly with other officials, not in an insulting manner, of course, but in a way that seeks only a proper and legal solution to issues you see. It may be that there are good reasons for their action, or lack of action.

League attorneys spend a great deal of time helping officials better understand their roles. They write articles, meet with officials and answer hundreds of questions from our members each year that arise simply due to a lack of clarity regarding the specific roles performed by different municipal officials. Those who work or serve municipalities have a responsibility to learn their roles. They need to ask questions and seek the advice of others.

Conflict Resolution – Agree to Disagree

Obviously, despite everyone's best intentions, there will be times when conflicts arise. Admittedly, sometimes conflict is necessary and even healthy. Good compromises sometimes arise from conflict discussions.

But often, conflict leads to . . . well . . . more conflict.

How can you resolve conflicts in a way that smooths the road for future development? That is the purpose of conflict resolution.

To start with, not everyone is cut out for conflict resolution. Some of us, even if we don't like conflict, aren't afraid to stand by our positions and refuse to acknowledge alternative views even exist, much less consider the possibility that someone else's suggestion may be better.

How do conflicts arise? Here are some areas that lead to conflict:

- Expecting or demanding to “win” every conflict. This will limit your effectiveness as people become less willing to work with you.
- You are not the issue – the citizens are. You have a responsibility to represent them, not yourself, on the council.
- It’s me against them. This may be the case – especially if you expect or demand to win every conflict.
- Making conflicts out of things that are just discussions.
- Wanting to make the “other side” look “bad”. This often comes back to haunt both sides at election time.
- Refusing to understand that not everyone shares your ideas and goals.
- Refusing to accept the limitations on the job you were elected to (mayor or council – see the discussion on role clarity, above.)
- Allowing personality to enter into negotiations. Again – it is NOT about you.

What leads to conflict? Here are a few issues that can cause conflict. Keep in mind that these can be good or bad:

- Struggles for power or control.
- Struggles for resources.
- A desire to help/protect “my people.”

How can you resolve conflict?

The website Community Tool Box (<http://ctb.ku.edu/en>) has an excellent overview on conflict resolution. The information below summarizes this information along with some suggestions and thoughts from the League.

There are several steps to successfully negotiating the resolution of a conflict:

1. Understand the conflict
2. Communicate with the opposition
3. Brainstorm possible resolutions
4. Explore alternatives
5. Choose the best resolution

Other things to keep in mind include:

1. You may want to use a third party mediator
2. You may have to cope with stressful situations and pressure tactics

1. Understand the conflict

As a starting point, it is important to define and understand your own position and interests and work to understand those of the opposition. You should be able to articulate:

- What are my interests?
- What do I really care about in this conflict?
- What do I want?
- What do I need?
- What are my concerns, hopes, fears?

As difficult as it may be, you should also strive to understand:

- What are the interests of my opposition?
- If I were in their shoes, what would I really care about in this conflict?
- What do they want?
- What do they need?
- What are their concerns, hopes, fears?

Interests play an important role in better understanding conflict. Often, groups waste time “bargaining over positions.” Instead of explaining what the interests of their position are, they argue about their “bottom line.” This is not a useful way to negotiate, because it forces groups to stick to one narrow position. Once they are entrenched in a particular position, it will be embarrassing for them to abandon it. They may spend more effort on “saving face” than on actually finding a suitable resolution. It is usually more helpful to explore the group’s interests, and then see what positions suit such interests.

Keep in mind that there may be more than one set of interests. Many issues involve complicated interplay of interests that may be represented by more than one party. Working to understand each one’s reason for their position can help you find a workable solution.

2. Communicate with the opposition

You shouldn’t begin negotiating with those on the other side until you’ve been able to understand the interests and goals of the parties. Here are some tips for productive talks:

- *Listen to what the other side has to say.* Hearing their position may help you realize that the conflict either isn’t as severe as first thought, or lead to a workable solution.
- *Let everyone participate who wants to.* People need to express their views. Let them talk if they want to. This also gives them a stake in the outcome and can help them work toward a compromise. If nothing else, it will at least make you seem more reasonable and open.
- *Rationally explain the reasons for your position, and let the other side express theirs. Don’t try to avoid your emotions, but don’t let them take control. The other side needs to know what you feel strongly about. You may even find there are areas you give on and others you can’t. The other side will need to do the same.*
- *Don’t, however, react to emotional outbursts!* When discussing emotional positions, people often react strongly. Try to avoid reacting in kind. This will often lead to more conflict rather than creating an atmosphere where negotiation is possible.
- *Be an active listener.* An old technique that works well is to rephrase what you’re hearing as a question: “Let me see if I’m following you. You’re saying that... Have I got that right?” Or, you may say, “What I hear you saying is. . .” to help you see if you’re accurately understanding their position.
- *Avoid early judgments.* Keep asking questions and gathering information.
- *Don’t tell the opposition, “It’s up to you to solve your problems.” Work to find a solution for everyone.*
- *Find a way to make their decision easy.* Try to find a way for them to take your position without looking weak, but don’t call it a way for them to “save face.” Egos are important in negotiations!

3. Brainstorm Possible Resolutions

Once the dialogue starts, you can begin thinking about solutions. Examine the interests of all parties, paying close attention to common interests. Often, all parties will share some common goal and are just

looking at different methods of achieving the same thing.

You may want to brainstorm with all parties, or begin with those who support your position. In either case, work on coming up with as many ideas as possible. At the start, if possible it is best not to judge or criticize ideas. What may seem like a strange offer or suggestion at first may blossom into the best solution for all after a more complete discussion. And be sure to look for win-win compromises that let all sides get something they want.

4. Choose the best resolution

After discussing the issue more fully, your goal is to use the input of both sides to get the best result for everyone. Which resolution gives both groups the *most*? That resolution is probably the best.

5. Explore alternatives

There will be times when, despite your hard work and good will, you cannot find an acceptable resolution to your conflict. Be prepared for this before you begin. What are your deal killers? What can you not afford to give up? And what will happen if you fail to reach an agreement?

Don't forget to look at the issues from your opponent's point of view? What are they unwilling to compromise on? What will happen to them if there is no agreement? How can you make your choice a better alternative for them to consider?

Third Party Mediator

Many negotiated arrangements involving elected officials will not need detailed conflict resolution efforts. In fact, most of us are involved in conflict resolution throughout each day, usually in more informal environments. Two employees may discuss something in the hallway, both with competing interests and as the discussion develops, they are using conflict resolution techniques just as a discussion tool.

But some negotiations need a more structured setting. Some may even need a third party mediator to help find a solution.

This person should not be someone from either side, but should be someone both sides accept as fair. A mediator can help both sides set measurements to help find a fair agreement. Depending on the extent of the discussion, and the significance of the disagreement and outcome, this may be a hired person, or it may just be someone both sides are willing to accept. This is a person who is not from your group or your opponent's group, but whom you both trust to be fair.

You may even want to have the mediator run a brainstorming session.

Coping with Stressful Situations and Pressure Tactics

Despite your best efforts, there will be times when those with opposing views simply refuse to come to the table or work with you in good faith. In this situations, you should assess your strengths and those who support any other views. Which side is likely to prevail in an all-out battle for supremacy?

If you think you hold the cards, you may want to stand firm. If not, you need to carefully consider the consequences of losing. Should you accept the opposing view, even if you have to swallow it with a grain of salt? Would this be a good time to alter your own position to one that is more acceptable to the other side. The public may see your adjustment as good faith. Or, they may see it as weakness. These are factors you need to consider. Are you willing not only to go to the wall for your position, are you willing to deal with and accept the consequences of that position.

What if your opponent simply refuses to even come to the table? One thing to see is if there are others who can help you get them to the table? If there are several parties on the other side, you may want to see if you can move one of them to a more compromising position, then see if they would be willing to help

you sell that to the others. Is public sentiment on your side? If your opponent is another elected official, perhaps there are constituents that can encourage compromise.

All of these create stressful situations. You may be the one who feels so strongly that you don't want to even consider other positions. But this is rarely in the best interests of an elected official. Most citizens want to see their local representatives working together and not stifling government. Be careful not to be seen as the stumbling block where a reasonable compromise is possible.

Are you a Facilitator, a Rubber Stamper or a Roadblock?

In discussing ways to be a better, more effective municipal official, these three categories are very descriptive of the roles officials assume.

Webster defines a "Facilitator" as someone who brings about an outcome. This is a person who helps a group of people understand their common objectives and assists them to plan to achieve them.

A "Rubberstamper" is someone who essentially approves every action of the body, someone who doesn't truly contribute to an outcome but instead simply has a ministerial role in achieving that outcome, usually by voting.

A "Roadblocker" is someone who stands in the way of the outcome. This is a person who feels that decisions have to go through them. No decision is too minor that it should be taken without their input – and usually without them having the last word.

These three roles could be defined as the Good, the Bad and the Ugly. Everyone who serves on a board, including a municipal council, serves in one of these roles. The goal, of course, is to have all councilmembers serving as facilitators, helping to move meetings along, contributing worthy advice when they have pertinent information to add, but not preventing council action just to show the power they possess.

Being a member of any board requires respecting the views of your fellow members. Often this may mean biting your tongue rather than speaking. It may require tact that you don't think you have. But the successful operation of your municipality depends largely on your ability to relate to and work with other members. After all, a municipal council can only act as a body, by voting.

The mayor and each council member must be able to trust each other and know that actions and words will be respected by other members. Gaining that trust may take time but losing it only takes an instance. When you walk that fine line, always keep in mind that each member shares the same goal with you – *helping your city or town grow, prosper and serve the citizens.*

You want to be known as a facilitator, not a rubber stamper or roadblocker.

Which one are you? And how can you be sure that you are assisting the entity you serve rather than standing in the way or simply filling a seat?

1. Understand that you're all working toward the same goal.

This particular statement doesn't mean that everyone agrees on exactly what the goal is, or even how to obtain it. Rather, it recognizes that there is a specific reason the entity the members serve exists, and that goal should be to serve the needs of that entity.

Of course, reasonable people will and should differ as to the objective of the entity they serve. In the case of a municipality, are you trying to increase population? Build infrastructure? Attract new business? All of these (and many, many more) are legitimate reasons for serving on a municipal council.

Instead, this suggestion recognizes that despite differences of opinion, each of you should respect the views of others, even if they differ. For example, one councilmember may think that enacting a new zoning ordinance is vital to encourage proper growth of the municipality while another opposes the ordinance on the grounds that it interferes with individual use of property.

This difference of opinion does not mean that they are not working toward the same goal. They just have a difference of opinion as to how to obtain that goal. Hopefully, members of a municipal governing

body ran for office with the same purpose in mind – helping their municipality and community become the best it can be.

Reaching this objective will mean different things to different people. You have to work together, compromising where necessary, to achieve your own particular objectives that help your municipality obtain the ultimate goal.

2. Feel free to raise an issue or concern. Your opinion matters. Value the contributions of all members, including your own.

Municipal councils determine their course of action by a vote of the members. Not all entities function this way, of course. The President's cabinet members may express their views, but ultimately, the President alone makes the decisions. Sometimes they follow the views of cabinet members, sometimes they ignore their input entirely. Cabinet members have no right to complain if the President refuses to even ask for their input. Members who feel that they are being ignored or ineffective have little recourse and often resign.

A municipal council functions differently. Each member must be free to express their own view in order to reach consensus. Too often, people refuse to listen to the comments of others because they disagree. Just as often, others are simply too timid to express themselves. Each member has an obligation to comment on matters of public concern before the body. Those who refuse to allow them to speak do themselves and the public that elected them a disservice. Similarly, councilmembers who don't feel comfortable speaking cheat the public of their valuable input.

3. Don't take opinions that differ personally, but instead respect and learn from these differences of opinion.

It is no exaggeration to suggest that this should be the first item on the list. People sometimes have difficulty recognizing that others have views that differ from their own. Once they adopt a position and passionately support it, any opposition can seem personal to them. After all, if your position or suggestion is correct, the only reason someone could differ must be personal, right?

Wrong. Each of you bring our own experiences, opinions and, yes, preconceived notions, to any discussion. Persons disagreeing with you may be basing their opinions on incorrect assumptions or information. In that case, logical questioning may correct those misconceptions. On the other hand, your opinion may be faulty. Examine the opposing view to see if it has merit. You may change your mind or a discussion over the difference of opinion may lead you to a compromise position that is better than either of you started with.

It is also important to remember that no one knows everything, not even you. In a council, the majority view wins. The council acts as a body, not as a group of individuals, and by agreeing to serve, you have agreed to accept the views of the body.

4. Agree to disagree. Once a board decision has been made, commit to it.

Commit to support council decisions even if they aren't yours. In fact, supporting a decision can be especially important when you disagree with it. It is the action of the body you were elected to represent. Attacking it outside the meeting rarely accomplishes anything constructive. And when you doubt this advice, see guideline # 3.

Individuals who refuse to support group decisions can be astoundingly destructive. This encourages others to attack the entity and its decisions. An individual member may start to see himself or herself as a loner and start working at cross purposes to the good of the council. This can undermine an otherwise functioning entity.

Members should examine themselves and their motives. If they continue to oppose a decision after it has been made, are they truly acting in the best interests of the body? Or are they so committed to their own

notions and goals that they simply cannot accept that others could reach a different conclusion? And if you are consistently taking positions that differ from those made by the body, perhaps it is time to listen more closely to the views others express at meetings.

5. Ask informed questions. Come prepared to meetings and hold each other accountable.

Learn about issues facing your municipality, then ask questions to learn more. And if you are unclear what issue is being discussed, ask questions to find out. It is important that you understand what decisions are on the table.

Few things side-track a meeting more than diversions onto paths that don't relate to the issue at hand. While it is true that there are no stupid questions, try to keep your questions relevant. When this happens, other members should find ways to gently move the discussion back onto the issue. Notice the word "gently." Don't attack other members, roll your eyes or sigh deeply when there is confusion about the exact nature of the discussion. After all, the reason a member is confused may be because of the way you've expressed yourself.

6. Don't talk just to hear yourself speak.

There are two aspects to this advice. First, don't ramble. Try to keep your comments succinct and, as indicated above, on point.

The second aspect has long been a source of complaint about meetings, but may be even more of an issue in this day of social media and interactive communication. It has never been as easy as it is today to express a viewpoint to vast numbers of people. Some social commentators have suggested that this may lead some to feel that they have to try to demonstrate their expertise on every subject, or voice an opinion on every subject. As Abraham Lincoln once said, it is better to remain silent and be thought a fool than open your mouth and remove all doubt.

This may seem to contradict the advice above about expressing your view. You should feel free to express yourself, but don't express yourself for the sole goal of making sure you've had your say. Comments should be succinct as well as relevant. And if someone else has already made your point, it may be sufficient to simply say "I agree."

7. Seek additional information or background before presenting opinion as fact.

Presumptions and assumptions are dangerous. Much more often than any of us care to admit, we present information as fact that is based on nothing more than conclusions we've drawn without a thorough investigation. As noted above, there is nothing wrong with asking questions to seek additional information. Seeking information is part of the investigatory process. Problems arise when a board member draws conclusions without conducting an adequate inquiry or, even worse, acts without sufficient information in order to force the body reach a conclusion he or she desires.

8. Challenge "groupthink."

This may seem to contradict the earlier advice to commit to board decisions. Groupthink occurs when a highly cohesive group is so concerned with maintaining unanimity that it fails to evaluate all other alternatives and options. Groupthink members see themselves as part of an in-group working against an out-group that is opposed to their goals.

The way to avoid this is, of course, to seek the advice of others and to encourage councilmembers to express their own views. But once all views are expressed and a vote is taken, councilmembers should work to find ways to support the decision.

9. Trust is essential. Keep confidential discussions confidential.

In a council setting, this problem arises most often when one member reveals information that is discussed during an executive session, or when a member shares information outside a meeting with another member, only to have it disclosed at an inopportune time or even revealed in the media.

Of course, council meetings are subject to the Open Meetings Act (OMA). This advice should not be taken as encouraging discussions on municipal business outside a publicly convened meeting. But the confidentiality of discussions held in compliance with the OMA should be respected.

Members have to know that they can trust other members. One of the reasons state law recognizes the right of councils to meet in executive session is so that the members will be able to freely discuss sensitive matters. If a member discloses the content of these discussions, that freedom has been destroyed.

10. Keep outside matters out of the council chamber.

Councilmembers rarely serve without some outside contact with other members. There may be some pre-existing relationship between them. Additionally, while serving, councilmembers have contact with each other outside meetings. They may work together, go to church together or volunteer at the same facilities. Sometimes, this contact can be negative. Perhaps they were on opposing sides in a lawsuit or compete in business. But whether it is negative or positive, these outside matters must not be allowed to intrude into a council meeting. Decisions should be made on their facts, not because one member either likes or dislikes another.

Conclusion

Officials must know their roles, and understand those of other officials, without trying to exceed their own power and authority. This means recognizing and identifying the limitations on your role and respecting those of others.

Conflicts, though, are an inevitable consequence of serving as a municipal official. Negotiation and compromise will be necessary to become the best official you can be. By working together with your fellow officials, you will find municipal service rewarding and exciting, and help your community grow and develop.

Good luck. It is our hope that this information will help guide you and your fellow officials as you carry out the duties you were elected to perform and that the spirit of cooperation and compromise will always be your guiding principle.