

## Municipal Government in Iowa

Iowa has an official count of 944 incorporated municipalities. This means that Iowa has more towns and cities per thousand people than any state in the union. Only two states, Illinois with 1,251 and Pennsylvania with 1,003, have more incorporated cities and towns than does the State of Iowa.

Municipalities in Iowa are classified by the state legislature into three basic categories: first, cities of more than 15,000 people; second, cities of more than 2,000, but less than 15,000 population; third, towns are incorporated municipalities with less than 2,000 people. (Villages are areas that have been platted but have never been incorporated.)

Four cities in Iowa still operate under charters granted them by the Iowa General Assembly prior to 1857. These four, usually called the special charter cities since each charter was granted individually by the legislature, are Davenport, Muscatine, Camanche, and Wapello. All other cities, that were granted charters before the Constitution of 1857, determined that incorporation under general law rather than by special charter was to be followed. They have been reconstituted and returned their charters.



The 940 municipalities incorporated under the general law provisions are subject to plenary control of the Iowa General Assembly. This means that the legislature has the power to create and the power to abolish municipalities. It should be immediately added that the Iowa legislature has not abused this authority, and no municipality has arbitrarily been abolished in Iowa even though some list a population of less than 20 people.

CITIES OF IOWA OF MORE THAN 15,000  
POPULATION

<i>City</i>	<i>Population</i>		
	<i>1940</i>	<i>1950</i>	<i>1960</i>
Des Moines	159,819	176,954	208,982
Cedar Rapids	62,120	72,149	92,035
Sioux City	82,364	84,035	89,159
Davenport	66,039	73,640	88,981
Waterloo	51,743	64,354	71,755
Dubuque	43,892	49,528	56,606
Council Bluffs	41,439	45,184	55,641
Ottumwa	31,570	33,640	33,871
Clinton	26,270	30,379	33,589
Iowa City	17,182	27,018	33,443
Mason City	27,080	27,593	30,642
Fort Dodge	22,904	25,025	29,399
Ames	12,555	23,105	27,003
Marshalltown	19,240	19,750	22,521
Muscatine	18,286	19,483	20,997
Keokuk	15,076	16,144	16,316

Fifty-three percent of the total population of Iowa reside in the cities and towns of more than



2,500 population, according to the 1960 United States Census. It should be noted that more than half of the citizens of Iowa now live in the 15 most populous counties.

The municipal home rule statute which was passed by the Iowa General Assembly in 1963 has been interpreted by the Iowa Supreme Court as being legal but did not grant any powers to the municipalities other than those granted by state statute. In spite of the lack of "home rule" the people of Iowa's municipalities have been permitted a great deal of latitude in determining for themselves the form of municipal government they desire. Iowa statutes permit four forms of municipal government: mayor-council, commission, council-manager by referendum, and council-manager by ordinance. (In addition, the four special charter cities are all using the mayor-council government even though technically their charters could be amended to utilize one of the other forms if their citizens should desire.)

#### FORMS OF GOVERNMENT IN IOWA CITIES AND TOWNS

as of January 1966

Special Charter Cities (Mayor-council)	4
Commission governed cities	4
Council-Manager by Referendum	7
Council-Manager by Ordinance	13
Weak Mayor-Council	916
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	944 Total



*Mayor-Council Government*

The 916 Iowa municipalities that use the mayor-council system of government concentrate the policy making and administrative supervision in the council. The ordinances of the municipal corporation are enacted by the popularly elected members of the council by a majority vote. In those municipalities with fewer than two thousand residents, the council is composed of five members elected at large on a non-partisan basis, usually for a two year term. (The state statutes permit four year terms if by a popular referendum such an ordinance has been authorized.) In those municipalities of more than two thousand using the mayor-council system, the city may be divided into as many wards as the council may determine, with one councilman elected from each ward and two elected at large. Most of the eligible cities employ this alternative rather than electing the council at large. In addition to the policy making duties the councils also supervise through committees the various municipal functions, i.e. public safety, street department, public health, et cetera. The council members receive a stipulated fee for each council meeting but receive no pay for their administrative supervisory tasks. One of the major policy making powers of the council is to set the property tax rate for municipal taxes. The maximum permitted for operating funds is thirty mills. Only with special permission from the state



comptroller may the thirty mill municipal property tax limit be exceeded.

The mayor, in the mayor-council municipalities, is elected separately from the councilmen. He, like the members of the council, is elected for a two year or four year term, on a non-partisan basis (although local parties may occasionally nominate slates for the ballot these are considered to be non-partisan). The salary received by the mayor is whatever is established by the council. It usually is a token amount as the post is considered to be a part-time one just as are the council positions. The mayor does not have a vote on substantive matters, ordinances, and resolutions, but does have the veto power. However, the veto may be over-ridden by a two-thirds vote of the council. The mayor is usually considered a "figure head" and ceremonial post, although he does preside at council meetings and may be authorized to perform certain administrative functions. His appointive powers are limited and most appointments must be approved by the council.

If the municipality does not have a police court or a municipal court, the mayor is empowered to serve as a magistrate, serving as the judge in mayor's court. The jurisdiction is limited to the area included in the municipality and to the enforcement of ordinances of the municipal corporation. Maximum fines that may be levied are 30 days in jail and/or \$100 fines.



*Commission Cities*

The "Des Moines Plan" of municipal government centers all of the administrative powers and the policy making authority in five commissioners who are elected at large, on a non-partisan basis for two year terms. One is elected to the post of Mayor (Superintendent of Public Affairs), a second elected Commissioner of Finance, a third elected Commissioner of Public Safety, a fourth is the Commissioner of Public Works, and the fifth elected commissioner is head of the park and recreation department. As of January 1966, only Cedar Rapids, Burlington, Ottumwa and Fort Dodge of all the Iowa municipalities use the plan that bears the name of the State's capitol city. (Des Moines used the system from 1907 to 1950 and made several improvements in the plan originally made famous in Galveston, Texas. These improvements earned it the title—"The Des Moines Plan.")

The commissioners are full time municipal employees, receiving a salary as stipulated in the Iowa statutes. The larger the population of the city the higher the pay authorized for the commissioners. Each heads the department that his title would indicate but collectively each week the commissioners meet, with the mayor presiding, to enact ordinances and establish the over-all policies of the city.

Iowa cities that have abandoned the plan in-



clude Mason City, Sioux City, Des Moines, and Keokuk. Nationally the system is losing favor with most cities and they leave the plan in favor of council-manager government.

### *Council-Manager Cities*

Two forms of council-manager government are permitted by the Iowa Code. A municipality may by popular referendum adopt the council-manager form of government, which requires election of five councilmen at large, for four year terms, on a staggered basis. The council names the city manager who has 20 administrative powers as delegated in the Iowa statutes. The council members concentrate on policy making and turn over all of the administrative operation of the city government to the appointed city manager, who has no set tenure but serves as long as his services are satisfactory to a majority of the council members. This professional administrator need not be a resident of the community in which he serves as the chief administrative official. His salary is set by the council with no limitations by state law. It usually is quite similar to the salary received by the school superintendent in the city, thus varying from more than \$20,000 a year in Des Moines to about \$10,000 in the smaller municipalities with council-manager systems.

The 20 duties of manager empower him to completely control virtually every aspect of municipal administration. He has control of personnel, pur-



chasing, finance including budgeting and accounting, public safety, public health, public works, planning, parks and recreation, and any public utilities owned by the city unless special boards have been established to control the latter activities. The success of the council-manager plan depends upon the quality of both the council, who names and fires the manager, and the city manager. The final authority of course resides in the hands of the city council.

Seven Iowa Cities using the plan by referendum and the dates it was first effective in these cities are: Webster City (1916), Dubuque (1920), Council Bluffs (1950), Des Moines (1950), Iowa City (1951), Sioux City (1954), and Chariton (1966). Two cities in Iowa have adopted the plan by vote of the people and then after a period of years abandoned it; they are Mason City, which used the plan from 1927 until discarded in 1944, and Ottumwa (1954 to 1960).

#### *Council-Manager by Ordinance*

The second manager plan, that is allowed under Iowa law, enables the city council in any municipality, other than those using the commission plan or manager plan by referendum, to enact an ordinance providing for the establishment of the position of city manager. The administrative authority granted to the city manager may be as great or as little as the council shall decree in the ordinance creating the post. In some instances, such as



Marion, the council has given the manager nearly the same powers as he has under the referendum plan. In other cities, the manager has been merely a title given to the man in charge of the municipal water plant or in other so-called manager cities to the head of the street department.

Since Clarinda in 1915 became one of the first, if not the first, city west of the Mississippi River to employ a manager, more than thirty Iowa municipalities have used this council-manager plan by ordinance. However, only thirteen Iowa municipalities are currently listed by the International City Managers' Association as council-manager by ordinance cities. By far the largest in this category of Iowa cities is Ames which first initiated the program in 1920 and has left it basically unchanged since that time.

In these cities the mayor is elected independently of the council, while in the manager plan by referendum the mayor is selected each year by the council members from their own number. The duties of the mayor are to preside at the council sessions, exercise a limited veto, make a few minor appointments, and act as the ceremonial and community leader. Both the mayor and members of the council devote only part-time to their respective positions just as they do in the council-manager by referendum cities.

The manager plan is drawing new converts throughout the United States every year with more



than two thousand cities now having city managers in charge of their municipal affairs. This is not to imply, however, that the mayor-council plan will ever completely disappear as both the smallest municipalities and the largest metropolitan cities appear to continue to adhere to this system.