

CITY OF ALGONAC  
RESOLUTION TO ADOPT  
2016-2018 CODE OF ETHICS AND CONDUCT POLICY

**WHEREAS**, members of City Council occupy positions as Elected Officials requiring adherence to the highest ethical standards, impartiality, and accountability; and;

**WHEREAS**, the Algonac City Council came forth with a request in 2005 to adopt a Code of Ethics and Conduct Policy; and

**WHEREAS**, members of Council did outstanding work in addressing the task of creating a Code of Ethics and developed recommendations presented and adopted by the Council on January 3, 2006; and

**WHEREAS**, in 2014 the City Council directed the City Manager and City Attorney to review the "Code" and bring back any suggested changes to the November 2014 Organizational meeting which were reviewed and adopted by the Council; and

**WHEREAS**, the recently revised Code of Ethics and Conduct Policy has been reviewed by the City Council to its' satisfaction;

**NOW, THEREFORE, IT IS HEREBY RESOLVED** that the Algonac City Council hereby adopts the following as its 2016-2018 Code of Ethics and Conduct Policy.

**Statement of Purpose**

The citizens and businesses of Algonac are entitled to have fair, ethical and accountable local government that has earned the public's full confidence for integrity. The City of Algonac's strong desire to fulfill this mission therefore requires that:

- public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- public officials be independent, impartial, and fair in their judgment and actions;
- public office be used for the public good, not for personal gain; and
- public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the City of Algonac has adopted this Code of Ethics and Conduct for elected officials and members of appointed boards, commissions and committees to assure public confidence in the integrity of local government and its effective and fair operation.

### **1. Act in the public Interest**

Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of Algonac and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the Algonac City Council, boards, commissions and committees.

### **2. Comply with the Law**

Members shall comply with the laws of the nation, the State of Michigan, and the City of Algonac in the performance of their public duties. These laws include, but are not limited to: the Open Meetings Act (MCL sec.15.261); the Freedom of Information Act (MCL sec. 15.231); Public Act 318 of 1968 concerning conflicts of interest (MCL sec. 15.301); Public Act 196 of 1973 (MCL sec. 15.341) concerning a code of ethics for public officers; the Algonac City Charter, its Code of Ordinances, and all duly adopted Resolutions; and the City Council's organizational rules.

### **3. Conduct of Members**

The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges, or verbal attacks upon the character of motives or other members of Council, boards, commissions, committees, administration, staff, or the public.

### **4. Respect for Process**

Members shall perform their duties in accordance with the processes and rules of order established by the City Council, its boards, commissions, and committees that govern the deliberation of public policy issues, meaningful involvement of the public, and implementation of the City Council's policy decisions by administration and staff.

### **5. Conduct of Public Meetings**

Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers, making personal comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings.

### **6. Decisions Based on Merit**

Members shall base their decisions on the merits and substance of the matter at hand.

### **7. Conflict of Interest**

In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decision in which they have a material financial interest or personal relationship that may give the appearance of a conflict of interest. The City Charter shall govern on questions of abstaining.

#### **8. Gifts and Favors**

Members shall comply with the requirements of Public Act 196 of 1973; and specifically section 15.342(4), which states in pertinent part that a public official shall not solicit or accept a gift or loan or money, goods, services, or other thing of value for the benefit of a person or organization which tends to influence the manner in which the public official or employee or another public official or employee performs official duties. Members shall also comply with the requirements of Public Act 317 of 1968; and specifically sections 15.322(1), which states in pertinent part that a public official shall not be a party, directly or indirectly, to any contract between himself or herself and the public entity of which he or she is an official or employee; and section 15.322(2), which states in pertinent part that a public servant shall not directly or indirectly solicit any contract between the public entity or which he or she is an official and any of the following:

- (a) Him or herself.
- (b) Any firm, meaning a co-partnership or other unincorporated association, of which he or she is a partner, member, or employee.
- (c) Any private corporation in which he or she is a stockholder owning more than 1% of the total outstanding stock of any class, if the stock is not listed on a stock exchange, or stock with a present total market value in excess of \$25,000.00, if the stock is listed on a stock exchange, or of which he or she is a director, officer, or employee.
- (d) Any trust of which he or she is a beneficiary or trustee.

#### **9. Confidential Information**

Members shall respect and abide the confidentiality of information that is deemed privileged or exempt from disclosure by the Open Meetings Act at MCL section 15.268 or the Freedom of Information Act at MCL section 15.243, and not use such confidential information to advance their personal interests.

#### **10. Use of Public Resources**

Members shall not use City resources unavailable to the general public, such as City staff time, equipment, supplies, or facilities for private gain or personal purposes. Members shall not use the city's name or logo for the purpose of endorsing any political candidate or business.

#### **11. Representation of Private Interests**

Members of Council shall not appear on behalf of the private interests of third parties before the City Council, or before any board, commission, committee, or at any

proceeding of the city; nor shall members of boards, commissions, and committees appear before their own bodies or before the City Council on behalf of the private interests of third parties on matters related to the areas of their service on those bodies.

#### 12. **Advocacy**

Members shall represent the official policies or position of the City Council, board, commission, or committee to the best of their ability when designated as delegates for this purpose. When presenting their individual contrary opinions and positions, members shall explicitly state their views do not represent the City of Algonac and will not imply that they do.

#### 13. **Policy Role of Members**

Members shall respect and adhere to the council-manager structure of Algonac city government as established in the Algonac City Charter, Section 4.6, with respect to the City Manager's relationship to the City Council. In this structure, the City Council determines the policies of the City with the advice, information, and analysis provided by the public, boards, commissions, committees, and City administration and staff. Except as provided by ordinance, members shall not interfere with the administrative functions of the City or with the professional duties of City administration or staff; nor shall they impair the ability of administration or staff to implement City Council policy decisions.

#### 14. **Independence of Boards, Commissions, and Committees**

Because of the value of the independent advice of boards, commissions, and committees to the public decision-making process, members of City Council shall refrain from using their position to influence unduly the deliberations or outcomes of board, commission, and committee proceedings.

#### 15. **Positive Workplace Environment**

Members shall support the maintenance of a positive and constructive workplace environment for City employees, citizens, and representatives of businesses dealing with the City. Members shall refrain from creating the perception of inappropriate direction to staff.

#### 16. **Implementation**

As an expression of the standards of conduct from members expected by the City, the Algonac Code of Ethics and Conduct is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions. For this reason, a review of this Code of Ethics and Conduct shall be included in the regular orientations for newly elected and appointed officials.

## **17. Compliance and Enforcement**

The City of Algonac Code of Ethics and Conduct expresses standards of ethical conduct expected for members of the Algonac City Council, boards, commissions, and committees. Members themselves have the primary responsibility to assure that ethical standards are understood and met so that the public may continue to have full confidence in the integrity of government.

As a member of the Algonac City Council or of an Algonac board, commission, or committee, I agree to follow and uphold the Code of Ethics and Conduct for elected and appointed officials adopted by the City Council. I will conduct myself by the following model of behavior:

- Recognizing the worth of individuals and appreciate their individual talents, perspectives, and contributions;
- Helping create an atmosphere of respect and civility where individual members; City administration and staff; and the public are free to express their ideas and work to their full potential;
- Conducting my personal and public affairs with honesty, integrity, fairness, and respect for others;
- Respecting the dignity of individuals and organizations;
- Keeping the common good as my highest purpose and focusing on achieving constructive solutions for the public benefit;
- Avoiding and discouraging conduct that is divisive or harmful to the best interests of Algonac; and
- Treating all people with whom I come in contact in the way I wish to be treated.

## **18. Scheduled Review and Bi-Annual Adoption**

This Code of Ethics and Conduct shall be reviewed bi-annually, or sooner if necessary, by the City Council, boards, commission, and committees, and the City Council shall consider recommendations from boards, commission, and committees and up date it as necessary in November of even-numbered years.

