
CITY OF ALGONAC

CODE OF ETHICS & CONDUCT

Effective November 12, 2018 thru November 9, 2020

BACKGROUND

The Algonac City Council came forth with a request in 2005 to adopt a Code of Ethics and Conduct Policy. This policy applies to city council, appointed members of boards and commissions and volunteers, hereinafter referred to collectively as “members”. The first policy was adopted by the Council on January 3, 2006. The policy was updated and adopted in November 2014 and again in 2016.

STATEMENT OF PURPOSE

The citizens and businesses of Algonac are entitled to have fair, ethical and accountable local government. The City of Algonac's strong desire to fulfill this mission therefore requires that:

- Members comply with both the letter and spirit of the laws and policies affecting the operations of government;
- Members be independent, impartial, and fair in 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.

CODE OF ETHICS & CONDUCT

1. Act in the Public Interest

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, administration, staff, or the public.

4. Respect for Process

Members shall perform their duties in accordance with established processes and rules of order.

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

Members shall not use their official positions to influence any 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.

When a decision or action would create a personal financial impact, a Member shall promptly disclose the conflict of interest and shall not participate in the decision or in any manner influence others who participate.

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 more than \$25,000, 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 to endorse any political candidate or business.

11. Representation of Private Interests

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

12. Advocacy

Members shall represent the official policies or position of the city 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

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 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

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

Every Member has the 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. Every Member shall:

- Recognize the worth of individuals and appreciate their individual talents, perspectives, and contributions;
- Help create an atmosphere of respect and civility where everyone is free to express their ideas and work to their full potential;
- Conduct personal and public affairs with honesty, integrity, fairness, and respect for others;
- Respect the dignity of individuals and organizations;
- Focus on achieving constructive solutions for the public benefit;
- Avoid and discourage conduct that is divisive or harmful to the best interests of Algonac; and
- Treat all people the way I wish to be treated.

18. Social Media

- There's really no such thing as "delete" on the Internet, so think before posting.
- Be careful discussing things where emotions run high (e.g. politics and religion) and show respect for others' opinions.
- It's a small world. Remember that what you say can be seen all over the world.
- Be respectful and considerate, no trolling, troll baiting, or flaming anybody.
- Be yourself, not a city spokesperson.

- If you make a mistake, correct it immediately and be clear about what you've done to fix it. Contact the city manager if it's a real doozy.
- Don't post confidential or non-public information.
- Don't respond to an offensive or negative post. There's no winner in that game.

19. 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 such recommendations and update it as necessary in November of even-numbered years.

CERTIFICATE OF ADOPTION

This is certified to be a complete and accurate revised set of the Organizational Rules of City Council adopted on this 12th day of November, 2018.



Sandra Boelke, City Clerk