

ORDINANCE #201
VILLAGE COUNCIL MEMBERS ETHICAL CODE

THE VILLAGE OF DECATUR, VAN BUREN COUNTY, MICHIGAN ORDAINS:

Section 1. Preamble.

A. The citizens of Decatur are entitled to have fair, ethical and accountable local government that has earned the public's full confidence for integrity.

B. Furthermore, the effective functioning of democratic government 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.

C. To this end, the Decatur Village Council adopts this Code of Ethics for Decatur Village Council Trustees to assure public confidence in the integrity of local government and its effective and fair operation.

Section 2. Code of Ethics.

A. Acts in the public interest. Recognizing that stewardship of the public interest must be their primary concern, Village Council Trustees will work for the common good of the people of Decatur 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 Decatur Village Council.

B. Compliance with law. Village Council Trustees shall comply with the laws of the nation, the State of Michigan, and the Village of Decatur in the performance of their public duties. These laws include, but are not limited to: the United States and Michigan constitutions; the Village of Decatur Charter; laws pertaining to conflicts of interest, contracts with public entities, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and Village ordinances and policies.

C. Respect for process. Village Council Trustees shall perform their duties in accordance with the processes and rules of order established by the Village Council governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Village Council by Village staff.

D. Conduct of public meetings. Village Council Trustees 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 comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings.

E. Communication. Village Council Trustees shall publicly share substantive information that is relevant to a matter under consideration by the Village Council, which they may have received from sources outside of the public decision-making process.

F. Full disclosure.

1. A Village Council Trustee in the performance of their public duties shall not act upon any matter in which they have a material financial interest, or where they have a legal or fiduciary duty to another organization or entity or personal relationship that may give the appearance of a conflict of interest, without disclosing the full nature and extent of the interest to the other members of the Village Council on the official record. Such disclosure must be made before the time to perform their duty or concurrently with the performance of the duty.
2. The disclosure required by this subsection shall not supplant, but instead shall supplement, any disclosure of a personal, contractual, financial, business, employment or pecuniary interest required by state statute.

G. Gifts, favors, and loans.

1. A Village Council Trustee shall refrain from financial and business dealings that would tend to reflect adversely on the Trustee's impartiality, interfere with the performance of their public duties or exploit their official position. A Village Council Trustee should not take any special advantage of services, goods or opportunity for personal gain that is not available to the public in general.
2. A Village Council Trustee and any family member claimed as a dependent of the Trustee shall refrain from soliciting or accepting any gifts, loans or favors except that a Trustee and a family member claimed as a dependent of the Trustee may:
 - A. Accept a gift or honorarium, not exceeding a value of one hundred dollars (\$100.00), for services rendered in the performance of their public duties or other activity devoted to the improvement of cities, communities and the lives of citizens.
 - B. Accept ordinary social hospitality; a gift, bequest, favor or loan from a relative; a wedding or engagement gift; a loan in the regular course of business from a lending institution on the same terms as generally available to the public; and a scholarship, grant or fellowship awarded on the same terms as applied to other applicants.
 - C. Accept any other gift, favor or loan only if the donor is not a person or entity whose interests have come or are likely to come before the Village Council.
 - D. Solicit and accept campaign contributions.

H. Confidential information. Village Council Trustees shall respect the confidentiality of information concerning the property, personnel or affairs of the Village. They shall neither disclose nor divulge to an unauthorized person confidential information acquired in the course of their duties in advance of the time prescribed for its authorized release to the public without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

I. Use of public resources. Public resources, including Village staff time, equipment, supplies, and facilities, not available to the public in general shall only be used for the benefit of the public and not for a Village Council Trustee's personal or private use.

J. Representation of private interests. In keeping with their role as stewards of the public interest, a Village Council Trustee shall not appear on behalf of the private interests of third parties, including their spouses and family members within the third degree of consanguinity to the Village Council Trustee or their spouse, before the Village Council or any board, committee, council or proceeding of the Village.

K. Advocacy. Village Council Trustees shall represent the official policies or positions of the Village Council to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, Village Council Trustees shall neither state nor imply that they represent the opinions or positions of the Village Council or the Village of Decatur.

L. Policy role of members.

1. Village Council Trustees shall respect and adhere to the Village-Manager structure of Decatur Village government as outlined by Village of Decatur Ordinance #117. In this structure, the Village Council determines the policies of the Village with the advice, information, and analysis provided by the public, subordinate boards, committees and commissions, and Village staff.
2. Village Council Trustees therefore shall not interfere with the administrative functions of the Village or the professional duties of Village staff; nor shall they impair the ability of staff to implement Village Council policy decisions.

M. Independence of boards and commissions. Because of the value of the independent advice of subordinate boards, committees, and commissions to the public decision-making process, members of the Village Council shall, except when the Council Trustee is a member of the public body, limit their participation in the proceedings of such subordinate public bodies to the communication of requested information and providing factual information relevant to the discussion at hand and shall not otherwise attempt to unduly influence the deliberations or outcomes of the proceedings.

N. Positive workplace environment.

1. Village Council Trustees shall support the maintenance of a positive and constructive workplace environment for Village employees and for citizens and businesses dealing with the Village. Village Council Trustees shall recognize their special role in dealings with Village employees so as to in no way create the perception of inappropriate direction to staff nor, except for the purpose of inquiry, give specific orders to subordinates of the Village Manager or Village Attorney.
2. Because Village Council Trustees actions and comments contribute to the environment in which all Village employees must work, in order to create and promote a positive work environment under no circumstances shall a Village Trustee, either in public or private, intimidate, humiliate, or otherwise abuse a Village employee.
3. Any conversations between Village Trustee and Village employee shall be no different in nature than that of Village resident and Village employee.

O. Compliance and enforcement.

1. This Code of Ethics for Decatur Village Council Trustees expresses standards of ethical

conduct expected for members of the Decatur Village Council. Village Council Trustees themselves have the primary responsibility to assure that they understand and meet the ethical standards expressed in this code of ethics and that the public can continue to have full confidence in the integrity of government.

2. All Village Council Trustees shall have a responsibility to intervene when they learn of actions of another Village Council Trustee that appear to be in violation of the Code of Ethics. Upon acquiring reasonable suspicion of a violation of the Code of Ethics, the President shall set, or any three Council Trustees may require the setting of, a public hearing at a regular or special meeting of the Village Council to determine whether a violation of the Code of Ethics occurred and, if so, what sanctions shall be imposed for the violation.

3. The Village Council may impose sanctions on Village Council Trustees whose conduct does not comply with the Village's ethical standards. Sanctions may include reprimand, formal censure, loss of committee assignment, restrictions on budget or travel, and removal from office by the governor in the manner and for the causes provided by law.

4. A violation of this code of ethics shall not be considered a basis for challenging the validity of a Village Council decision.

P. Implementation.

1. As an expression of the standards of conduct for Village Council Trustees expected by the public, this Code of Ethics is intended to be self-enforcing. It therefore becomes most effective when Village Council Trustees are thoroughly familiar with it and embrace its provisions.

2. For this reason, ethical standards shall be included in the regular orientations for newly elected or appointed Village Council Trustees. At the first regular meeting of the Village Council in December of each year, Village Council Trustees entering office shall sign a statement affirming that they have read and understand the Code of Ethics for Decatur Village Council Trustees.

3. In addition, the Village Council shall annually review the Code of Ethics for Village of Decatur Council Trustees.

Section 3. Council Trustee Statement of Acknowledgment.

Model of Excellence
Decatur Village Council

Commissioner Statement

As a member of the Decatur Village Council, I agree to uphold the Code of Ethics adopted by the Village Council and conduct myself by the following model of excellence. I will:

-Recognize the worth of individual members and appreciate their individual talents, perspectives, and contributions;

-Help create an atmosphere of respect and civility where individual members, Village staff, and the public are free to express their ideas and work to their full potential;

-Respect the dignity and privacy of individuals and organizations;

-Respect and maintain the nature of confidential and privileged information and opinions acquired as a result of my position;

-Conduct my public affairs with honesty, integrity, fairness and respect for others;

-Avoid and discourage conduct that is divisive or harmful to the best interests of Decatur; and

-Keep the common good as my highest purpose and focus on achieving constructive solutions for the public benefit.

I affirm that I have read and fully understand the Code of Ethics for Decatur Village Council Trustees

Signature

Date

Section 4. Effective Date. This Ordinance shall become effective April 1st 2017.

Adopted by the Village Council of the Village of Decatur, Michigan on this 6th day of March 2017.