

VILLAGE OF CALEDONIA



CODE OF ETHICS AND CONDUCT FOR ELECTED AND APPOINTED OFFICIALS

June 11th, 2022

STATEMENT OF PURPOSE

The Caledonia Village Council adopts this Code of Ethics and Conduct to assure that all elected and appointed Village officials conduct themselves in a manner that will instill public confidence and trust in the fair operation and integrity of the government of the Village of Caledonia.

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A. **ETHICS**

The citizens and businesses of Caledonia are entitled to have fair, ethical and accountable local government. To this end, the public should have full confidence that their elected and appointed officials:

- Comply with both the letter and spirit of the laws and policies affecting the operation of government;
- Are independent, impartial and fair in their judgment and actions;
- Use their public office for the public good, not for personal gain; and
- Conduct public deliberations and processes openly, unless required by law to be confidential, in an atmosphere of respect and civility.

Therefore, members of the Village Council and of all boards, commissions and committees shall conduct themselves in accordance with the following ethical standards:

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 Caledonia and not for any private or personal interest, and they will ensure fair and equal treatment of all persons, claims and transactions coming before them.

2. **Comply with the Law.**

Members shall comply with the laws of the nation, the State of Michigan, and the Village of Caledonia in the performance of their public duties. These laws include, but are not limited to: the Open Meetings Act, the Freedom of Information Act, Village ordinances and resolutions.

3. **Conduct of Members.**

The professional and personal conduct of members while exercising their office 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 or motives of other members of the Village Council, boards, commissions and committees, Village staff or the general public.

4. Respect for Process.

Members shall perform their duties in accordance with the processes and rules of order established by the Village Council and boards, commissions and committees governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of Council policy decisions by Village staff.

5. Conduct at 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.

6. Decisions Based on Merit.

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

7. Conflicts 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 any government decision in which they have a material financial interest or personal relationship which may give the appearance of a conflict of interest.

8. Gifts and Favors.

In regard to the acceptance and reporting of gifts, members shall not solicit or accept a gift or loan of money, goods, services or other thing of value for his or her benefit which may tend to influence the manner in which the member performs his or her official duties.

Members shall not be a party, directly or indirectly, to any contract between himself or herself and the public body for which he/she serves as an official.

9. Confidential Information.

Members shall respect the confidentiality of information which is deemed confidential by the Open Meetings Act and/or the Freedom of Information Act. Members shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

10. Use of Public Resources.

Members shall not use public resources which are not available to the public in general (e.g., Village staff time, equipment, supplies or facilities) for private gain or for personal purposes.

11. Representation of Private Interests.

In keeping with their role as stewards of the public interest, members of the Village Council shall not appear on behalf of the private interests of third parties before the Council, or any board, commission, committee or proceeding of the Village, nor shall members of boards, commissions or committees appear before their own bodies or before the Village Council on behalf of the private interests of third parties on matters related to the areas of service of their bodies.

12. Advocacy.

Members shall represent the official policies or position of the Village Council, board, commission or committee to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent the Village of Caledonia, nor will they allow the inference that they do.

13. Policy Role of Members.

Members shall respect and adhere to the council-manager structure of Caledonia government. In this structure, the Village Council determines the policies of the Village with the advice, information and analysis provided by boards, commissions, committees, Village staff, and the general public. Except as provided by Village ordinance, members 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 policy decisions of the Village Council.

14. Independence of Boards, Commissions and Committees.

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

15. Positive Workplace Environment.

Members shall support the maintenance of a positive and constructive workplace environment for Village employees, and for citizens and businesses dealing with the Village. Members shall recognize their special role in their dealings with Village staff and shall refrain from creating the perception of inappropriate direction to staff.

B. CONDUCT GUIDELINES

The Conduct Guidelines are designed to describe the manner in which elected and appointed officials should treat one another, Village staff, constituents, and others they come into contact with while representing the Village of Caledonia.

1. Elected and Appointed Officials' Conduct with Each Other in Public Meetings.

Elected and appointed officials are individuals with a wide variety of backgrounds, personalities, values, opinions and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged, even though individuals may not agree on every issue.

a. Honor the role of the chair in maintaining order.

It is the responsibility of the chair to keep the comments of members on track during public meetings. Members should honor efforts by the chair to focus discussion on current agenda items. If there is disagreement about the agenda or the chair's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.

b. Practice civility and decorum in discussions and debate.

Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of debate by a free democracy in action. Free debate does not require nor justify, however, public officials making belligerent, personal, impertinent, slanderous, threatening, abusive or disparaging comments.

c. Avoid personal comments that could offend other members.

If a member is personally offended by the remarks of another member, the offended member should make notes of the actual words used and call for a "point of personal privilege" that challenges the other member to justify or apologize for the language used. The chair will maintain control of this discussion.

d. Demonstrate effective problem-solving approaches.

Members have a public stage and have the responsibility to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

e. Avoid distracting behavior.

Whispering and sidebar conversations show a lack of respect not only for the chair, but for all those in attendance who are trying to pay attention. Members who wish to speak should direct their comments to everyone in the meeting. Members should also refrain from using cellphones or texting during meetings.

2. Elected and Appointed Officials' Conduct with the Public in Public Meetings.

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

a. Be welcoming to speakers and treat them with care and gentleness.

While questions of clarification may be asked, the official's primary role during public testimony is to listen.

b. Be fair and equitable in allocating public hearing time to individual speakers.

The chair will determine and announce limits on speakers at the start of the public hearing process.

c. Practice active listening.

It is disconcerting to speakers to have members not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time or gazing around the room gives the appearance of disinterest. Members shall try to be conscious of facial expressions, and avoid those that could be interpreted as "smirking," disbelief, anger or boredom.

d. Maintain an open mind.

Members of the public deserve an opportunity to influence the thinking of elected and appointed officials.

e. Ask for clarification, but avoid debate and argument with the public.

Only the chair -- not individual members -- can interrupt a speaker during a presentation. However, a member can ask the chair for a point of order if the speaker is off the topic or exhibiting behavior or language the member finds disturbing.

3. Elected and Appointed Officials' Conduct with Village Staff.

Village governance relies on the cooperative efforts of: a) elected officials, who set policy; b) appointed officials, who advise the elected officials; and c) Village staff, who implement and administer the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

a. Treat all staff as professionals.

Clear, honest communication that respects the abilities, experience and dignity of each individual is expected. Poor behavior toward staff is not acceptable.

b. Do not disrupt Village staff from their jobs.

Elected and appointed officials should not disrupt Village staff while they are in meetings, on the phone, or engaged in performing their job functions in order to have

their individual needs met. Do not attend Village staff meetings unless requested by staff. Even if the elected or appointed official does not say anything, his or her presence implies support, shows partiality, may intimidate staff, and hampers staff's ability to do their job objectively.

c. Never publicly disparage an individual employee.

Elected and appointed officials should never express concerns about the performance of a Village employee in public, to the employee directly, to other Village staff, or to the employee's supervisor. Comments about staff performance should only be made to the Village Manager through private correspondence or conversation. Appointed officials should make their comments regarding staff to the Village Manager or Village President.

d. Do not get involved in administrative functions.

Elected and appointed officials acting in their individual capacity must not attempt to influence Village staff on making appointments, awarding contracts, selecting consultants, processing development applications, or granting Village licenses and permits.

e. Do not solicit political support from staff.

Elected and appointed officials should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from Village staff. Village staff may, as private citizens with constitutional rights, support political candidates, but all such activities must be done away from the workplace.

f. No Attorney-Client Relationship.

Members shall not seek to establish an attorney-client relationship with the Village attorneys contracted to work on behalf of the Village, including their staff. Village attorneys represent the Village and not individual members.

g. Limit Requests for Village Staff Support.

Requests for additional staff support or specific directions for staff -- even in high priority or emergency situations -- should be made to the Village Manager, who is responsible for allocating, directing and managing Village resources in order to maintain a professional, well-run Village government.

4. Council Conduct with Boards, Commissions and Committees.

The Village has established several boards, commissions and committees as a means of gathering more community input. Citizens who serve on boards, committees and commissions become more involved in government and serve as advisors to the Village Council. They are a valuable resource to the Village's leadership and should be treated with appreciation and respect.

C. COMPLIANCE AND ENFORCEMENT

The Caledonia Code of Ethics and Conduct for Elected and Appointed Officials expresses standards of ethical conduct expected for members of the Caledonia Village Council, boards, commissions and committees. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.

The chairs of boards, commissions and committees, the Village President and the Village Council have the additional responsibility to intervene when actions of members are brought to their attention which appears to be in violation of this Code of Ethics and Conduct.

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ACKNOWLEDGMENT

I affirm that I have read and understand the Village of Caledonia Code of Ethics and Conduct for Elected and Appointed Officials. As a member of the Caledonia Village Council or of a Village board, commission or committee, I agree to uphold this Code of Ethics and Conduct for Elected and Appointed Officials. I further agree to conduct myself by the following model of behavior. I will:

- Recognize the worth of individuals 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;
- Conduct my personal and public affairs with honesty, integrity, fairness and respect for others;
- Respect the dignity of individuals and organizations;
- Keep the common good as my highest purpose and focus on achieving constructive solutions for the public benefit;
- Avoid and discourage conduct which is divisive or harmful to the best interests of the Village of Caledonia; and
- Treat all people with whom I come into contact the way I wish to be treated.

Date: _____

Signature

Printed Name