

Sec. 2-1. - Policy.

It is hereby declared to be the policy of the city that the proper operation of democratic government requires that public officers be independent, impartial and responsible only to the people of the city; that no officers or members of any standing committee or board shall permit any interest, financial or otherwise, direct or indirect, or engagement in any business, transaction or professional activity to conflict with the proper discharge of their duties in the public interest; that public office not be used for illegal or improper personal gain; and that the city council at all times shall be maintained as a nonpartisan body. To implement such a policy, the city council deems it advisable to enact a standard of conduct for all officers, whether elected or appointed, paid or unpaid, to serve not only as a guide for official conduct of the city's public servants, but also as a basis for discipline for those who refuse to abide by its terms, the overriding interest being that officers of the city shall at all times strive to avoid even the appearance of impropriety.

The city further recognizes that public servants are also members of society and, therefore, cannot and should not be without any personal and economic interest in the decisions and policies of government; that public servants retain their rights as citizens to interests of a personal or economic nature, and their rights to publicly express their views on matters of general public interest. It is not the intent of this article to thwart the opportunity of public servants to enjoy their rights as citizens of the community.

(Ord. No. 97-6, § I, 2-10-97)

Sec. 2-2. - Purpose.

The purpose of this article is to:

- (1) Encourage the highest ethical standards by city officers, elected officials and employees in conducting official business; Employees are also held to this higher standard of ethical behavior as governed by the City Manager's employee policies found in the City's Policy Library on the City's website.
- (2) Establish minimum guidelines for ethical standards of conduct to be followed by city officers and elected officials; and,
- (3) Provide a mechanism for punishment of those officers and elected officials who violate the established standard of conduct.

(Ord. No. 97-6, § I, 2-10-97)

Sec. 2-3. - Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Business entity means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership trust, or any other entity recognized by law.

City council or *councilmember* means the elected legislative and governing body of the city consisting of the mayor, mayor pro tem and councilmembers.

Officer means city charter officers, specifically, the City Manager, City Attorney, and Municipal Court Judge and any appointive member of a city board, commission, or committee set up by city council action, ordinance, charter, state law, or federal law on a permanent or ad hoc basis.

(Ord. No. 97-6, § I, 2-10-97)

Sec. 2-4. - Standards of conduct.

(a) *Prohibition against gifts.*

- (1) Councilmembers and officers of the city shall not accept or solicit any gift, favor, or service from any person or business entity doing business with the city that might reasonably tend to influence councilmembers and officers in the discharge of their official duties or grant any improper favor, service or thing of value.
- (2) Several factors are considered in evaluating whether a gift is prohibited including the value of the gift, any preexisting relationship between the donor and donee, whether the benefit of the gift flows to the city or to an individual city officer and whether any consideration is given in exchange for the gift. Those items or services that do not constitute prohibited gifts include, but are not limited to, the following: 1) political contributions made and reported in accordance with state law; 2) awards publicly presented in recognition of public service; 3) entertainment, meals or refreshments furnished in connection with public events, appearances or ceremonies related to official city business, if furnished by the sponsor of such public event.
- (3) Any item offered to a councilmember and officer of the city may be donated to a charitable organization or be presented to the city.

(b) *Personal financial interest.* Councilmembers and officers of the city shall not participate in a vote or decision on any matter in which they have a direct or indirect substantial financial interest. Where ownership of stock in a corporation is involved, such stock ownership in an amount in excess of one percent of the stock of such corporation shall constitute substantial interest.

(c) *Confidential information.* Councilmembers and officers of the city shall not disclose information that could adversely affect the property, government, or affairs of the city; nor directly or indirectly use any information gained solely by reason of their official position or employment for their own personal gain or benefit or for the private interest of others.

(d) *Use of city property.* Councilmembers and officers of the city shall not use city supplies, equipment or facilities for any purpose other than to conduct official city business, unless otherwise provided for by law, ordinance or city policy.

(e) *Conflict of interest.* Councilmembers and officers of the city shall not represent or appear on behalf of themselves or on behalf of the private interests of others before the city council or any city board, commission or committee when a conflict of interest exists or represent the private interest of others in any action or proceeding involving the city.

(Ord. No. 97-6, § I, 2-10-97)