

City of Sleepy Eye

Code of Conduct for Elected and Appointed Officials

Section 1. Purpose.

The City council of the City of Sleepy Eye ("City") is committed to responsible, principled and efficient local governance. The City council determines that a code of conduct for its members, as well as the members of the various boards and commissions of the City, is essential to promote this goal and trust in City government. By eliminating conflicts of interest and providing standards for conduct in City matters, the City council hopes to promote the faith and confidence of the citizens of Sleepy Eye in their government, to provide positive and constructive leadership to City employees, and to encourage its citizens to participate in City governance through service on its council and boards and commissions.

Section 2. Scope of Policy.

This policy shall apply to the Mayor, City Councilors, and all appointed members of the City's boards and commissions.

Section 3. Standards of Conduct.

Subd. 1. After taking oath of office as an elected official, or accepting appointment to a City board or commission, every elected and appointed official of the City agrees to conduct themselves in accordance with the following standards of conduct:

- a. The professional and personal conduct of elected and appointed City officials must be above reproach and avoid even the appearance of impropriety. Officials shall not Participate in a matter that affects the person's financial interests or those of a business with which the person is associated, unless the effect on the person or business is no greater than on other members of the same business classification, profession, or occupation.
- b. The Mayor and City council support the maintenance of a positive and constructive work place environment for City staff, private citizens and businesses dealing with the City. Officials shall recognize their roles, as delineated in the City charter, City code and state statutes and in individual dealings with City staff, and shall not interfere with,

undermine or otherwise act inconsistently with the organizational structure of the City pursuant to which the City Council has delegated to the City Manager the duties and responsibilities to manage and supervise all operations of all City departments and to coordinate and direct the personnel functions of the City, including all responsibility for appointing and disciplining City employees.

- c. The City is well-served when policy is shaped by a diversity of viewpoints, experiences and backgrounds; however policy discussions and debates shall at all times remain civil and respectful. Officials shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the council, boards, commissions, staff or the public intended to disrupt and not further the City's business.
- d. Openness and transparency in the conduct of City business promote public trust in government. Officials shall at all times comply with the open meeting law.
- e. On occasion, the public interest in open and transparent governance is outweighed by competing policy priorities to protect sensitive information. Officials shall maintain the confidentiality of non-public information that was gained by reason of the official's public position, including information concerning property, personnel or legal affairs of the City, if the information was not public data or was discussed at a closed session of the City council. Officials shall neither disclose such confidential information, without proper legal authorization, nor use such information to advance their personal, financial or other private interests.
- f. Officials shall not disclose information that was received, discussed, or decided in conference with the City's legal counsel that is protected by the attorney-client privilege unless a majority of the City council has authorized the disclosure.
- g. Officials shall not use their public position to solicit personal gifts or favors, to secure special privileges or exemptions for themselves or for others, or in any other manner for personal gain.
- h. Except as specifically permitted pursuant to Minn. Stat. 471.895, officials shall not accept or receive any gift of substance, whether in the form of money, services, loan, travel, entertainment, hospitality, promise, or any other form, under circumstances in which it could be reasonably expected to influence the person, the person's performance of official action, or be intended as a reward for the person's official action.

Subd. 2. Except as prohibited by the provisions of Minn. Stat Sec. 471.87, there is no violation of subdivision 1.a. of this section for a matter that comes before the City council or City board or commission if the official publicly discloses the circumstances that would violate these standards and refrains from

participating in the discussion and vote on the matter. Nothing herein shall be construed to prohibit a contract with a member of the City council under the circumstances described under Minn. Stat. Sec. 471.88, if proper statutory procedures are followed.

Section 4. Complaint, Hearing.

Any person may file a written complaint with the City manager alleging a violation of the standards of conduct in section 3. The complaint must contain supporting facts for the allegation. The City council may hold a hearing after receiving the written complaint or upon the council's own volition. A hearing must be held only if the City council determines (1) upon advice of the City attorney, designee, or other attorney appointed by the council, that the factual allegations state a sufficient claim of a violation of these standards or rise to the level of a legally-recognized conflict of interest, and (2) that the complaint has been lodged in good faith and not for impermissible purposes such as delay. The City council's determination must be made within 30 days of the filing of the allegation with the City manager. If the council determines that there is an adequate justification for holding a hearing, the hearing must be held within 30 days of the City council's determination. At the hearing, the person accused must have the opportunity to be heard. If after the hearing, the council finds that a violation of a standard has occurred or does exist, the council may, subject to and legal requirements or prohibitions, censure the person, refer the matter for criminal prosecution, request an official not to participate in a decision, or remove an appointed member of an advisory board or commission from office.