

**VILLAGE OF PORT SANILAC
CODE OF CONDUCT**



**Prepared by the Ordinance Committee
Council Approved November 4, 2014**

Village of Port Sanilac

Code of Conduct

The three “Rs” of the Village of Port Sanilac Government Leadership: Roles, Responsibilities and Respect

The Forth Class City Act, Home Rule, and the Michigan Municipal League provide detailed information on the roles and responsibilities of the President, President ProTem, and Council Members. Until now, what has not been clearly written down is a Code of Conduct for Port Sanilac’s elected officials.

This Code of Conduct is designed to describe the manner in which Council members should treat one another, Village staff, constituents, and others they come in contact with in representing the Village of Port Sanilac.

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The constant and consistent theme throughout the conduct guidelines is “respect.” Demonstrating respect for each individual through words and actions is a touchstone that can help guide Council Members to do the right thing in all situations.

Overview of Roles & Responsibilities

Other resources that are helpful in defining the roles and responsibilities of elected officials can be found in publications of organizations such as Michigan Municipal League (MML) and International City Management Association (ICMA).

President

- Acts as the official head of the Village for all ceremonial purposes
- Chairs Council Meetings
- Calls for special meetings
- Recognized as spokesperson for the Village
- Selects substitutes for Village representation when the President cannot attend
- Recommends subcommittees as appropriate for Council approval
- Leads the Council into an effective and cohesive working team
- Signs documents on behalf of the Village

- Serves as official delegate of the Village

President ProTem

- To be appointed by the President
- Performs the duties of the President if the President is absent or disabled
- Chairs Council Meetings at the request of the President
- Represents the Village at ceremonial functions at the request of the President

All Council Members

All members of the Village Council, including the President and President Protem, have equal votes. No Council Member has more power than any other Council Member, and all should be treated with equal respect. The President will cast the tie breaking vote if needed.

All Council Members should:

- Fully participate in Council Meetings and other public forums while demonstrating respect, consideration, and courtesy to others.
- Prepare in advance of Council Meetings and be familiar with issues on the agenda.
- Represent the Village at ceremonial functions at the request of the President.
- Be respectful of other people's time. Stay focused and act efficiently during public meetings.
- Serve as a model of leadership and civility to the community.
- Inspire public confidence in the Village's government.
- Provide contact information with the Village Clerk in case an emergency or urgent situation arises while the Council Member is out of town.
- Demonstrate honesty and integrity in every action and statement.
- Participate in scheduled activities to increase team effectiveness and review Council procedures, such as the Code of Conduct.

Meeting Chair

The President will chair official meetings of the Village Council, unless the President Protem or another Council member is designated as Chair of a specific meeting.

- Maintains order, decorum, and the fair and equitable treatment of all speakers
- Keeps discussion and questions focused on specific agenda items under consideration
- Makes parliamentary rulings with advice, if requested, from the Village Clerk who acts as an advisory parliamentarian. Chair rulings may be overturned if a Council Member makes a motion as an individual and the majority of the Council votes to overrule the Chair.

Policies & Protocol Related to Conduct

Ceremonial Events

Requests for a Village representative at ceremonial events will be handled by Village staff. The President will serve as the designated Village representative. If the President is unavailable then Village staff will determine if the event organizers would like another representative from Council. If yes, then the President will recommend which Council Member should be asked to serve as a substitute. Invitations received at the Village Office are presumed to be for an official Village representative.

Correspondence Signatures

Council Members do not need to acknowledge the receipt of correspondence, or copies of correspondence, during Council Meetings. Village staff will prepare official letters in response to public inquiries and concerns. These letters will carry the signature of the President unless the President requests that they be signed by another Council Member or Village staff. If correspondence is addressed only to one Council Member, that Council Member should check with the Village staff on the best way to respond to the sender.

Legislative Process

The Village uses parliamentary procedure for meeting management.

Non-agenda Items

During a designated period of the agenda, citizens, Council Members, and staff may bring forth issues of questions that are not on the meeting's agenda. Topics should be legislative items requiring action by the President or the Council, study issues for future consideration, and requests for information. Each speaker, citizen, or elected official, will be limited to two minutes.

Public Announcements in Council meetings

Council Members who want to speak first during the public portion of the Council meeting should notify the Chair in advance. Otherwise, Council Members will be recognized when the Chair acknowledges them. Council Members, like members of the public who use this portion of the agenda to recognize achievements or promote an event, will be limited to two minutes each and should keep their focus on matters of community-wide interest.

Public Meeting Hearing Protocol

The applicant or appellant shall have the right to speak first. The Chair will determine the length of time allowed for this presentation. Speakers representing either pro or con points of view will be allowed to follow. The Chair will determine how much time will be allowed for each speaker, with 10 to 20 minutes the standard time granted. The applicant or appellant will be allowed to make closing comments. The Chair has the responsibility to run an efficient public meeting and has the discretion to modify the public hearing process in order to make the meeting run smoothly.

Council Members will not express opinions during the public hearing portion of the meeting except to ask pertinent questions of the speaker or staff. "I think" and "I feel" comments by Council Members are not appropriate until after the close of the public hearing. Council Members should refrain from arguing or debating with the public during a public hearing and shall always show respect for different points of view.

Travel Expenses

The policies and procedures related to the reimbursement of travel expenses for official Village business by Council Members are outlined in the Village Travel Policy. All Council travel in excess of the allowed budget, in which the Council Member expects to officially represent the Village and/or be reimbursed by the Village for travel costs, must

be approved in advance by the Council. The travel policy and budget for the Council should be reviewed at each annual budget cycle.

Council Conduct with One Another

Councils are comprised of 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 future of the community. In all cases, this common goal should be acknowledged even as Council may “agree to disagree” on contentious issues.

In Public Meetings

- **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 a free democracy in action. This does not allow, however, Council Members to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated.

- **Honor the role of the Chair in maintaining order**

It is the responsibility of the Chair to keep the Council Members on track during public meetings. Council 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.

- **Avoid personal comments that could offend other Council Members.**

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

- **Demonstrate effective problem-solving approaches**

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

In Private Encounters

- **Continue respectful behavior in public**

The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.

- **Be aware of the insecurity of written notes, voicemail messages, and e-mail**

Technology allows words written or said without much forethought to be distributed widely. Would you feel comfortable to have your note faxed to others? How would you feel if this voicemail message was played on a speaker phone in a full office? Written

notes, voicemail messages, and e-mail should be treated as potentially “public” communication.

· **Even private conversations can have a public presence**

Elected officials are always on display – their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations can be eavesdropped upon, parking lot debates can be watched, and casual comments between individuals before and after public meetings noted.

Council Conduct with Staff

Governance of a Village relies on the cooperative efforts of elected officials, who set policy, and 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.

· **Treat all Staff as professionals**

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

· **Limit contact to specific Village Staff**

Questions of Village staff and/or requests for additional background information should be directed only to the Village Manager, Department Heads. The Village Manager should be copied on any request. Requests for follow-up or directions to Staff should be made through the Village Manager when appropriate. When in doubt about what each staff contact is appropriate, Council Members should ask the Village Manager for direction. Materials supplied to a Council Member in response to a request will be made available to all Council Members so that they have equal access to information.

· **Do not disrupt staff from their jobs**

Council Members should not disrupt Village staff while they are at meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met.

· **Never publicly criticize an individual employee**

Council Members should never express concerns about the performance of a Village employee in public, to the employee directly, or to the employee’s manager. Comments about staff performance should only be made to the Village Manager through private correspondence or conversation.

· **Do not get involved in administrative functions**

Council Members must not attempt to influence Village staff on the making of appointments, awarding of contracts, selecting consultants, processing of development applications, or granting of Village licenses and permits.

· **Check with Village staff on correspondence before taking action**

Before sending correspondence, Council Members should check with the Village staff to see if an official Village response has already been sent or is in progress.

· **Do not attend meetings with Village staff unless requested by staff**

Even if the Council Member does not say anything, the Council Member's presence implies support, shows partiality, intimidates staff, and hampers staff's ability to do their job objectively.

· **Limit requests for staff support**

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

· **Do not solicit political support from staff**

Council Members 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.

Council 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 Council Members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

· **Be welcoming to speakers and treat them with care and gentleness**

The way that Council treats people during public hearings can do a lot to make them relax and not push their emotions to a higher level of intensity.

· **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. Generally each speaker will be allocated 2 minutes with applicants and appellants or their designated representatives allowed more time. If many speakers are anticipated, the Chair may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers. No speaker will be turned away unless he or she exhibits inappropriate behavior. Each speaker may only speak once during the public comment section unless Council requests additional clarification later in the process. After the close of the public hearing, no more public testimony will be accepted unless the Chair reopens the public hearing for a limited time and specific purpose.

- **Ask for clarification, but avoid debate and argument with the public**

Only the Chair – not individual Council Members – can interrupt a speaker during a presentation. However, a Council Member can ask the Chair for a point of order if the speaker is off the topic or exhibiting behavior or language the Council Member finds disturbing. If speakers become flustered or defensive by Council questions, it is the responsibility of the Chair to calm and refocus the speaker and to maintain the order and decorum of the meeting. Questions by Council Members to members of the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Council Members' personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing is closed.

- **No personal attacks of any kind, under any circumstances**

Council Members should be aware that their body language and tone of voice, as well as the words they use, can be intimidating or aggressive.

- **Follow parliamentary procedure in conducting public hearings**

The Village Clerk serves as the advisory parliamentarian for the Village and is available to answer questions or interpret situations according to parliamentary procedures. Final rulings on parliamentary procedure are made by the Chair, subject to the appeal of the full Council.

In Unofficial Settings

- **Make no promises on behalf of the Council**

Council Members will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of Village policy and to refer to Village staff for further information. It is inappropriate to overtly or implicitly promise Council action, or to promise Village staff will do something specific (fix a pothole, remove a library book, plant flowers, etc.).

- **Make no personal comments about other Council Members**

It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory remarks about other Council Members, their opinions and actions.

- **Remember that Port Sanilac is a small town**

Council Members are constantly being observed by the community every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the Village. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by Council Members, 24 hours a day, 7 days a week. It is a serious and continuous responsibility.

Council Conduct with Other Public Agencies

- **Be clear about representing the Village or personal interests**

If a Council Member appears before another governmental agency or organization to give a statement on an issue, the Council Member must clearly state: 1) if his or her statement reflects personal opinion or is the official stance of the Village; 2) whether this is the majority or minority opinion of the Council. If the Council Member is representing the Village, the Council Member must support and advocate the official Village position on an issue, not a personal viewpoint. If the Council Member is representing another organization whose position is different from the Village, the Council Member should withdraw from voting on the issue if it significantly impacts or is detrimental to the Village's interest. Council Members should be clear about which organizations they represent and inform the President and Council of their involvement.

- **Correspondence also should be equally clear about representation**

Village letterhead may be used when the Council Member is representing the Village and the Village's official position. A copy of official correspondence should be given to the Village Clerk to be filed in the Clerk's office as part of the permanent public record. Village letterheads should not be used for correspondence by Council Members representing a personal point of view, or a dissenting point of view from an official Village position. However, should Council Members use Village letterhead to express a personal opinion, the official Village position must be stated clearly so the reader understands the difference between the official Village position and the viewpoint of the Council Member.

Council Conduct with Boards and Committees

The Village has established several Boards and Committees as a means of gathering more community input. Citizens who serve on Boards and Committees 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.

- **If attending a Board or Committee meeting, be careful to only express personal opinions.**

Council Members may attend Board or Committee meetings, which are always open to any member of the public. However, they should be sensitive to the way their participation – especially if it is on behalf of an individual, business, or developer – could be viewed as unfairly affecting the process. Any public comments by a Council Member at a Board or Committee meeting should be clearly made as individual opinion and not a representation of the feelings of the entire Village Council.

• **Limit contact with Board and Committee members to questions of clarification**

It is inappropriate for a Council Member to contact a Board or Committee member to lobby on behalf of an individual, business, or developer. It is acceptable for Council Members to contact Board or Committee members in order to clarify a position taken by the Board or Committee.

• **Remember that Boards and Committees serve the community, not individual Council Members**

The Village Council appoints individuals to serve on Boards and Committees, and it is the responsibility of Boards and Committees to follow policy established by the Council. But Board and Committee members do not report to individual Council Members, nor should Council Members feel they have the power or right to threaten Board and Committee members with removal if they disagree about an issue. Appointment and re-appointment of a Board or Committee member should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. A Board or Committee appointment should not be regarded as a political "reward."

• **Be respectful of diverse opinions**

A primary role of Boards and Committees is to represent many points of view in the community and to provide the Council advice based on a full spectrum of concerns and perspectives. Council Members may have a closer working relationship with some individuals serving on Boards and Committees, but must be fair and respectful of all citizens on Boards and Committees.

• **Keep political support away from public forums**

Board and Committee members may offer political support to a Council Member, but not in a public forum while conducting official duties. Conversely, Council Members may support Board and Committee members who are running for office, but not in an official forum in their capacity as a Council Member.

• **Inappropriate behavior can lead to removal**

Inappropriate behavior by a Board or Committee member should be referred to the President, and the President should counsel the offending member.

Council Conduct with the Media

Council Members are frequently contacted by the media for background and quotes.

• **The best advice for dealing with the media is to never go "off the record"**

Most members of the media represent the highest level of journalistic integrity and ethics, and can be trusted to keep their word. But one bad experience can be catastrophic. Words not said cannot be quoted.

• **The President or the Village Business Manager is the official spokesperson for Village positions**

The President is the designated representative of the Council to present and speak on the official Village position. If an individual Council Member is contacted by the media, the Council Member will direct them to the President or the Village Business Manager.

• **Choose words carefully and cautiously**

Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.

Sanctions

• **Public disruption**

Members of the public who do not follow proper conduct after a warning in a public hearing may be barred from further testimony at that meeting or removed from the Council Chambers.

• **Inappropriate Staff behavior**

Council Members should refer to the Village Manager any Village staff or to the Village attorney any attorney's staff who do not follow proper conduct in their dealings with Council Members, other staff, or the public. These employees may be disciplined in accordance with standard Village procedures for such actions.

• **Council Members Behavior and Conduct**

Council Members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council, lose seniority or committee assignments (both within the Village or with inter-governmental agencies) or have official travel restricted. Serious infractions of the Code of Conduct could lead to other sanctions as deemed appropriate by the Council.

Council Members should point out to the offending Council Member infractions of the Code of Conduct. If the offenses continue, then the matter should be referred to the President in private. If the President is the individual whose actions are being challenged, then the matter should be referred to the President Pro Tem.

It is the responsibility of the President to initiate action if a Council Member's behavior may warrant sanction. If no action is taken by the President, the alleged violation(s) can be brought up with the full Council in a public meeting.

If violation of the Code of Conduct is outside of the observed behaviors by the President or Council Members, the alleged violation should be referred to the President. The President should ask the Village Manager and/or the Village attorney to investigate the allegation and report the findings to the President. It is the President's responsibility to

take the next appropriate action. These actions can include, but are not limited to: discussing and counseling the individual on the violations; recommending sanction to the full Council to consider in a public meeting; or forming a Council ad hoc subcommittee to review the allegation and present the findings of its investigation as well as to recommend sanction options for consideration of the full Council. Videotaping of the complaint hearing should be used for a Council ad hoc subcommittee.

• **Ad hoc Committee**

The ad hoc committee for reviewing allegations of misconduct shall be composed of two members of the Village Council, appointed by the President and the subject to approval by the Village Council, and a resident of the community who is not involved in any form of village governance. This person will be selected by a Council Member and his/her appointment is subject to approval by the Village Council.

Principles of Proper Conduct

Proper conduct is...

- ❑ **keeping promises**
- ❑ **being dependable**
- ❑ **building a solid reputation**
- ❑ **participating and being available**
- ❑ **demonstrating patience**
- ❑ **showing empathy**
- ❑ **holding onto ethical principles under stress**
- ❑ **listening attentively**
- ❑ **studying thoroughly**
- ❑ **keeping integrity intact**
- ❑ **overcoming discouragement**
- ❑ **going above and beyond, time and time again**
- ❑ **modeling professional behavior**

proper conduct is NOT...

- ❑ **showing antagonism or hostility**
- ❑ **deliberately lying or misleading**
- ❑ **speaking recklessly**
- ❑ **spreading rumors**
- ❑ **stirring up bad feelings, divisiveness**
- ❑ **acting in a self-righteous manner**

- **Respect for one another as individuals...respect for the validity of different opinions...respect for the democratic process...respect for the community that we serve.**

Checklist for Monitoring Conduct

- ☐ Will my decision/statement/action violate the trust, rights, or good will of others?
- ☐ What are my interior motives and the spirit behind my action?
- ☐ If I have to justify my conduct in public tomorrow, will I do so with pride or shame?
- ☐ How would my conduct be evaluated by people whose integrity and character I respect?
- ☐ Even if my conduct is not illegal or unethical, is it done at someone else's painful expense?
- ☐ Is my conduct fair? Just? Morally right?
- ☐ If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?
- ☐ Does my conduct give others reason to trust or distrust me?
- ☐ Am I willing to take an ethical stand when it is called for? Am I willing to make my ethical beliefs public in a way that makes it clear what I stand for?
- ☐ Do I exhibit the same conduct in my private life as I do in my public life?
- ☐ Can I take legitimate pride in the way I conduct myself and the example I set?
- ☐ Do I listen and understand the views of others?
- ☐ Do I question and confront different points of view in a constructive manner?
- ☐ Do I work to resolve differences and come to mutual agreement?
- ☐ Do I support others and show respect for their ideas?
- ☐ Will my conduct cause public embarrassment to someone else?

VILLAGE OF PORT SANILAC
CODE OF CONDUCT DISCLOSURE

To Employees, volunteers, contractors and/or trustees,

I _____ a _____ have read the Code of Conduct Hand Book and acknowledge that I understand what I have read. I am willing to uphold and respect the standards of the Village of Port Sanilac, of Michigan. I also acknowledge this document will be held in my file in the Village office as a testimony of my understanding.

Signature: _____ Date: _____