

City of Scottsbluff, Nebraska

Monday, February 6, 2017

Regular Meeting

Item Reports6

Council to receive presentation and consider adoption of the City Council Code of Conduct.

Staff Contact: Kent Hadenfeldt, City Attorney

CITY COUNCIL CODE OF CONDUCT

Council Conduct with Other Councilmembers

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

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, Councilmembers 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 comments of Councilmembers on track during public meetings. Councilmembers should honor efforts by the Chair to focus discussion on current agenda items. If there is a disagreement about the agenda or the Chair’s actions, those objections should be voiced politely and with reason, following the procedures outlined in parliamentary procedure.

Private Communications

Nothing should be said privately to another Councilmember that one is not willing to repeat publicly. All communications with other Councilmembers should be regarded as potentially public communications.

Council Conduct with City Staff

Except for purposes of reasonable inquiry, the Councilmembers shall deal with the administrative service solely through the City Manager and are not permitted to give orders to any of the subordinates of the City Manager, either publicly or privately.

Never publicly criticize an individual employee

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

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 Councilmembers

toward an individual participating in 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 or to push their emotions to a higher level of intensity.

- **Give the appearance of active listening**

It is disconcerting to speakers to have Councilmembers 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, gazing around the room gives the appearance of disinterest. Be aware of facial expressions, especially those that could be interpreted as smirking, disbelief, anger or boredom. Council should be attentive and free to ask questions to clarify or expand the information presented. Personal opinions of the Councilmembers may be shared after the presentations are complete.

IN UNOFFICIAL SETTINGS

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

Councilmembers 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 City policy and to refer to City staff for further information. It is inappropriate to overtly or implicitly promise Council action, or to promise City staff will do something specific (fix a pothole, remove a library book, plant new flowers in the median, etc.).

- **Make no personal comments about other Councilmembers**

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

- **Remember that despite its population figures, Scottsbluff is a small town at heart**

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

Council Conduct with Other Public Agencies

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

If a Councilmember appears before another governmental agency or organization to give a statement on an issue, the Councilmember must clearly state if his or her statement reflects personal opinion or is the official stance of the City

If the Councilmember is representing the City, the Councilmember must support and advocate the official City position on an issue, not a personal viewpoint of the Councilmember adverse to the City position.

If the Councilmember is representing another organization whose position is different from the City, the Councilmember should request the City Council excuse them from voting and state

their reasons for doing so. Then allow a City Council vote to excuse the Councilmember from voting on the issue if it significantly impacts or is detrimental to the City's interest. Councilmembers should be clear about which organizations they represent and inform the Mayor and Council of their involvement.

Council Conduct with the Media

Councilmembers 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 levels of journalistic integrity and ethics, and can be trusted to keep their word. But one bad experience can be catastrophic. Words that are not said cannot be quoted.

- **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.

Adopted _____
Date

Scottsbluff City Council:

_____ Randy Meininger, Mayor

_____ Raymond Gonzales, Council Member

_____ Jordan Colwell, Council Member

_____ Scott Shaver, Council Member

_____ Mark McCarthy, Council Member