



Council Member Handbook & Code of Conduct

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City Council

City Council is the governing body for the City of Harrison. Council consists of six Council member's and a mayor. For all intents and purposes, the mayor is considered part of City Council. Each Council member serves a term of four years, except the mayor who serves a two-year term.

In addition to specific direction given to the City Administration at Council meetings and workshops, Council also adopts goals, which describe in general terms what types of services and environment the City should provide for its residents. In addition, the City's operating and capital budgets must be approved by Council, as well as appropriations, and purchases, which involve amounts greater than \$1000.00

The Mayor presides at all Council meetings and is recognized as the highest elected City official and for ceremonial purposes the head of the City Government. The Mayor acts as the official designated to represent the City in agreements with other governmental entities, but shall have no administrative duties except as those required by the City Charter. At its first meeting following each regular city election, the City Council will elect one of its members to serve as a Mayor Pro-Tem for a term to coincide with the Mayor's two-year term of office. The Mayor Pro-Tem acts as Mayor during the Mayor's absence or disability.

City Council meets on the first and third Monday of each month at 6:00pm. If either of these days fall on a holiday, Council will meet on the following Monday. The City Council meeting schedule for the entire year is posted on the City's website. In addition, Council will occasionally hold special meetings and will meet in workshops prior to regularly scheduled Council meetings. Workshops are primarily for discussing complex issues and problems of concern to Council.

The Council is responsible for appointing a City attorney who shall act as counsel for and shall be responsible solely to the Council. When requested the attorney shall advise any officer or department head of the City in matters relating to their official capacity.

Compensation for the mayor is \$70 per City Council meeting and \$60 for each regular Council member. For each workshop a member of City Council attends, they will receive \$25 in compensation. A motion to increase pay for Council may only be made by a departing Council member who will not benefit from the proposed wage increase. The motion must be made at their last council meeting, and must be approved by a two-thirds (2/3's) vote by Council.



Council Administrative Support

City Manager

The City Manager is appointed by the Council for an indefinite term to serve as the Chief Administrative Office of the City. In general, the City Manager is responsible for: Ensuring all laws and ordinances are enforced. Verifying the faithful performance of contracts and agreements. Creating and recommending the City budget to Council. Exercising and performing all administrative functions of and for the city. Attending all Council sessions and taking part in discussion. The City Manager does not have voting powers. Other duties may be prescribed by Council as needed.

City Clerk

The City Clerk is appointed by Council for an indefinite term to serve as the chief accountant of the City and maintains the chart of accounts as required by state law. The clerk is also the Clerk of the Council and is required to attend all meetings of the Council. The clerk will keep a permanent journal of all Council proceedings. In the clerk's absence from any regular or special meeting, the Mayor shall appoint a recording secretary for the meeting. The Clerk also serves on the election commission with the mayor and one other City Officer. The Clerk is responsible for overseeing all elections within the City. Other duties may be prescribed by the City Manager as needed.

City Treasurer

The City Treasurer is appointed by the Council for an indefinite term. The treasurer has powers related to the collection and custody of state, county, school district, and city taxes. The treasurer is responsible for any monies as conferred by law upon municipal treasurers in connection with state, county, township and school district taxes upon real and personal property. Other duties may be prescribed by the City Manager as needed.

Duties of Harrison City Council

In the City of Harrison Council members are responsible for establishing policy, adopting the City's Budget, and hiring the City Manager. In addition, the City Council selects the City Attorney, City Auditor, and represents the City on various boards. All Council members provide public leadership while maintaining open lines of communication with constituents.

The following outline is a brief description of the various duties of a Council member. It is not a complete list but it is an example of the duties and responsibilities commonly associated with being a member of City Council.

In addition to the duties and responsibilities listed, a new member of Council should familiarize themselves with the City Charter, and the Code of Ordinances.



I. Establish Policy

- A. Adopt goals and objectives
- B. Establish priorities for public service
- C. Approve programs
- D. Approve/amend the operating and capital project budgets
- E. Review and approve expenditures and payments
- F. Review and approve grant applications
- G. Approve contracts
- H. Approve land use and zoning changes
- I. Resolve appeals

II. Supervision of Administration

- A. Hire City Manager
- B. Appoint Planning Commission, Zoning Board of Appeals, Election Commission, and other boards as needed.
- C. Provide direction to administration
- D. Evaluate performance of City Manager
- E. Review and evaluate programs

III. Supervision of Legal Department

- A. Appoint City Attorney
- B. Evaluate performance of City Attorney

IV. Supervision of Auditor

- A. Appoint City Auditor
- B. Evaluate performance of City Auditor

V. Represent City

- A. Please refer to Boards and Commissions on starting on page 9

VI. Provide Public Leadership

- A. Respond to and relay constituent wishes
- B. Arbitrate conflicting interests
- C. Make decisions to benefit the public



Conduct of Meetings

I. Meetings To Be Public

All regular and special meetings of the Council shall be open to the public, and citizens shall have a reasonable opportunity to be heard in accordance with such rules (i.e. Robert's Rules) and regulations as the Council may determine. All official meetings of the Council and its committees shall be open to the media, freely subject to recording by radio, television and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.

Meetings may be closed to the public and the media in accordance with the Open Meetings Act.

II. Agenda Distribution

The deadline for items to be placed on the agenda is 4:00 P.M. on the Thursday before the meetings. All items need to be to the City Manager by deadline to be considered for that meeting's agenda. The City Manager has the authority to allow for emergency agenda items. The City Manager shall have the Council Packets delivered to the Council members no later than the Friday before the next regularly scheduled meeting. Council has the authority to add items to the agenda after the deadline with a two-thirds (2/3's) vote.

III. Quorum

A majority of the sworn members of the Council shall constitute a quorum for the transaction of business at all Council meetings. In the absence of a quorum, a lesser number may adjourn any meeting to a later time or date with appropriate public notice.

IV. Attendance at Council Meetings

Election to the City Council is a privilege freely sought by the nominee. It carries with it the responsibility to participate in Council meetings and represent the residents of the City. Attendance at Council meetings is critical to fulfilling this responsibility. In the case of Council members and the Mayor, unexcused absences from four consecutive regular meetings of the Council, or unexcused absences from twenty five (25) percent of meetings in a fiscal year will result in their seat being vacated.

V. Presiding Officer

The presiding officer shall be responsible for enforcing these rules of procedure and for enforcing orderly conduct at meetings. The Mayor is the presiding officer at all Council Meetings. The Mayor Pro Tem shall preside in the absence of the Mayor. In the absence of both the Mayor and the Mayor Pro Tem, the member present who has the longest consecutive service on the Council shall preside.

VI. Disorderly Conduct

The chair may call to order any person who is being disorderly by speaking out of order or otherwise disrupting the proceedings, failing to be germane, speaking longer than the allotted time or speaking vulgarities. Such person shall be seated until the chair determines whether the person is in order. If the person so engaged in presentation is called out of order, he or she shall not be permitted to continue to speak at the same meeting except by special leave of the Council. If the person shall



continue to be disorderly and disrupt the meeting, the chair may order the person be removed from the meeting.

CLOSED MEETINGS

I. Purpose

Closed meetings may be held only for the reasons authorized in the Open Meetings Act, PA 267 of 1976 as amended.

II. Calling Closed Meetings

According to the Michigan Open Meetings Act, the law provides for closed meetings in a few specified circumstances. In order for a public body to hold a closed meeting, two-thirds (2/3's) of its members must vote affirmatively in a roll call. In addition, the purpose for which the closed meeting is being called has to be stated in the meeting before the roll call is taken.

Closed Meetings may be called without a two-thirds vote for the following reasons:

- Considering the dismissal, suspension or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual when the person requests a closed hearing;
- Strategy and negotiation sessions necessary in reaching a collective bargaining agreement when either party requests a closed hearing; and

Other reasons a public body may hold a closed meeting are:

- To consider the purchase or lease of real property;
- To consult with or receive a document prepared by its attorney about trial or settlement strategy in pending litigation.
- To review the contents of an application for employment or appointment to a public office when the candidate requests the application to remain confidential. However, all interviews by a public body for employment or appointment to a public office have to be conducted in an open meeting; and
- To consider material exempt from discussion or disclosure by state or federal statute.

III. Minutes of Closed Meetings

The Clerk or the designated secretary of the Council shall take a separate set of minutes.

These minutes will be retained by the Clerk, shall not be available to the public, and shall only be disclosed if required by a civil action, as authorized by the Michigan Open Meetings Act.

These minutes may be destroyed one year and one day after approval of the minutes of the regular meeting at which the closed session was approved. Council members are required to treat the matters discussed in closed sessions as confidential, not to be discussed with others, or the public.



Discussion and Voting

I. Roll Call

All votes taken by City Council will be taken by roll call. The clerk or prescribing secretary will do roll call for each vote. Roll call will be recited in a random order each time. Voting Council members will vote in the affirmative by saying “ Yes” or “Aye”. Voting Council members will oppose a vote by saying “No” or “Nay”.

II. Ordinances And Resolutions

A vote on all ordinances and resolutions shall be taken by a roll call vote and entered in the minutes unless it is a unanimous vote. All ordinances when legally enacted shall be recorded by the clerk in a book to be called “The Ordinance Book”, and placed in the Code of Ordinances manual. It shall be the duty of the mayor and the clerk to authenticate such record by their official signatures.

III. Duty to Vote

Election to a deliberative body carries with it the obligation to vote. Council Members present at a Council meeting shall vote on every matter before the body, unless otherwise excused or prohibited from voting by law. A Council Member who is present and does not respond to a roll call vote shall be counted as voting with the prevailing side and shall be so recorded, unless otherwise excused or prohibited by law from voting (abstaining). Conflict of interest, as defined by city ordinance 11.200, shall be the sole reason for a member to abstain from voting. A Council member is duty bound to announce all conflicts of interest. The remaining members shall decide if the conflict requires the member to abstain.

IV. Rules of Voting

Every Council decision shall be adopted or passed by the affirmative vote of at least four (4) members of Council. Unless by the affirmative vote of at least four members of the Council: no office shall be created or abolished; no tax or assessment be imposed; street, alley or public ground be vacated; real estate or any interest therein be sold or disposed of; private property be taken for public use; any vote of the Council be reconsidered or rescinded at a special meeting. No member of the Council shall vote on any question in which he is financially interested or any question concerning his own official conduct; (Ethics Ordinance 11.200) but on all other questions, every member of the Council present shall vote.

Every Council decision on all votes, which are not unanimous, the vote of each member shall be recorded by roll call and published in the regular proceedings, but where the vote is unanimous, it shall only be necessary to so state. The Council shall determine the rules of its proceedings, and keep a journal thereof in the English language, which shall be signed by the city clerk and mayor. A synopsis of each Council meeting shall be published within two weeks in a legal newspaper printed and circulated in the city, selected by the Council, but each item of business shall be condensed to a statement of its substance by the clerk, under direction of the Council unless otherwise provided by charter, or the general laws of the state, and except that any pertinent points of any resolution or motion shall not be omitted, nor any vote of the Council;



Addressing City Council

I. General Rules

Each regular Council meeting agenda shall provide for reserved time for public comment. The presiding officer shall have discretion to allow a member of the public to speak at times other than reserved time for public comments.

II. Length of Presentation

Any person who addresses the Council during a Council meeting or public hearing shall be limited to 3 minutes per individual presentation. The Clerk will maintain the official time and notify the presiding officer when the speaker's time is up. The presiding officer shall have the authority to extend the time any person has to speak.

III. Addressing the Council

When addressing the Council the member of the public shall be asked state their name and home address prior to their comments, however they do have the right to address Council without providing this information. Remarks from the public shall be confined to the question at hand and addressed to the chair in a courteous tone. No person shall have the right to speak more than once on any particular subject without the consent of the presiding officer and until all other persons wishing to be heard on that subject have had the opportunity to speak. Statements during the public comment portion of the meeting may pertain to items not on the agenda.

Miscellaneous

I. Vacancy on City Council

Should a vacancy occur in any elective office, the Council shall within thirty (30) days after the vacancy occurs, appoint a qualified elector to fill the vacancy. If the vacant seat is not filled within thirty days, or if there are three (3) or more vacant positions simultaneously, the City Clerk shall call a special election to fill the vacant seat(s).

II. Oath of Office

Every officer elective or appointive, before entering upon the duties of their office, is required to take their oath of office, and filing the oath with the City Clerk. Failure to comply with this provision of the charter within ten days of notification of their election or appointment, the officer shall be deemed to have declined the office. Council has the authority by resolution to extend the time in which the officer may complete their oath of office.

III. Committees

The Mayor shall appoint all members to committees of the Council unless otherwise provided by ordinance or law. The committee's Liaison member shall serve until the next City Council election. The Mayor or Council by resolution may establish special committees for a specific period. The resolution or appointment must specify the task of the special committee and the date of its dissolution.

Current Committees: Police and Fire, Parks and Rec, Cemetery, Admin, and DPW



IV. Normal Working Hours

All full time employees are scheduled to work 40 hours a week. Working hours for

A. City Hall

City Hall employees are scheduled 7:30am to 4:30pm Monday thru Friday; closing from 12-1 for lunch.

B. DPW

DPW employees are scheduled to work 6:00am-4:30pm Monday through Friday; taking a 30-minute lunch around 11:00am. In addition, DPW employees have a weekend rotation to ensure proper maintenance of the City and its equipment.

C. Fire Department

The fire chief is currently a part-time salaried position. Normal working hours are 6:00am to 4:30am Monday through Wednesday. The remaining firefighters are volunteer or “on-call” employees, therefore come in as needed based on their availability.

D. City Police

The City contracts police services through the Clare County Sheriff’s department.

[Working hours are subject to the discretion of Council, and may be changed at any time.]

V. Boards and Commissions

City Council and the City Charter have established a number of permanent boards and commissions to assist City Council and the administration. Council following established procedures appoints these positions. The Mayor or City Manager notifies Council members when a vacancy occurs on a board or commission. The current boards and commissions are listed below.

A. Planning Commission

Meets Second Tuesday of each month. Consists of a total of nine (9) members who shall be appointed by the mayor. The City Manager serves as the ex-officio member of the commission. It is the duty of the planning commission to discharge all duties required by the Michigan Planning and Enabling Act for the City of Harrison. Duties include but are not limited to making recommendations for zoning ordinance updates, and completing site plan reviews for new and established businesses.

B. Zoning Board of Appeals (ZBA)

Meets as needed. Consists of not less than five (5) members appointed by the City Council. The ZBA acts as balance to the planning commission. The ZBA shall hear and decide appeals from and review any order, requirements, decision or determinations made by an administrative official charged with the enforcement of zoning ordinances. Act 207, P.A. 1921, State of Michigan, which states that the City Council may act as a Zoning Board of Appeals.

C. Downtown Development Authority (DDA)

Meets the Third Tuesday of each month. The DDA shall consist of nine (9) members including the



City Manager or appointed representative. The DDA focuses on the economic growth of the mapped DDA area.

D. Board of Review

Meets four times per year Consists of three (3) members appointed by City Council who must be residents of the City for at least 12 months and have real or personal property assessed in the City. Board of Review is responsible for considering, and correcting the tax roll.

VI. Adopting the Budget

No later than the first regular City Council meeting in December, the Council shall, by resolution adopt the budget for the next fiscal year. In the same resolution, make an appropriation for the money needed for municipal purposes during the ensuing fiscal year. Additionally, the resolution should provide for a levy of the amount necessary to be raised by taxes upon real and personal property.

VII. Roles

Operation of the city government shall be divided into two broad general divisions, policy forming and administrative. It shall be the duty of the city Council to pass such legislation of the government; and to hire a city manager who shall carry out such policies, and, in general, be charged with and responsible for all administrative duties. It shall be the duty of every member of the Council and every candidate for a seat on the Council to preserve this distinction between the policy forming and administrative functions of the city government.

- A.** No candidate for a seat on the Council shall promise employment to any person, the letting of any contract, or the purchase of any equipment or supplies, or promise any other favor, or emolument or expenditure of the city for the purpose of securing votes, but this provision shall be held to apply to any promise which any candidate for a seat on the Council may make regarding the advancement or consummation of any public improvement, the passage of any legislation, or any other question of public policy within the authority of the Council.

- B.** Except for purpose of inquiry, the Council and its members shall deal with the administrative service for which the manager is responsible solely through the manager, and neither the Council nor any member thereof shall give orders to any subordinate employee of the city, either publicly or privately; neither shall any member of the Council direct or request: (a) the appointment of any person to, or the removal of any person from, any employment or office for which the city manager is responsible; (b) the purchase of any specific materials or equipment; or (c) the recommendation of any specific firm or person for the letting of a city contract. It is not the intention of this provision to prevent frank discussion of the business of the city between the manager and any member of the Council at any time, but to prevent the personal favoritism or prejudice of any member of the Council from hampering the administration of the city as above set forth.

VIII. City Documents/E-Mails

City documents & emailed documents are property of the City of Harrison. City Council and City Employees have access to these documents on a daily basis. In no circumstance does the Employee



have the right to discuss or give out copies of documents or emailed documents to any member of the public. If a person of the public wishes to see a City document or email, ask them to contact the Clerk's office directly. A FOIA request may be required depending on the request.

IX. Observed Municipal Holidays

Council approves which holidays are observed by the City of Harrison. If a holiday falls on a Sunday, the following Monday is observed as the holiday; if a holiday falls on a Saturday, the preceding Friday is observed. Current observed holidays are:

- New Year's Day
- Good Friday
- Memorial Day
- Fourth of July
- Labor Day
- Thanksgiving
- Day after Thanksgiving (Black Friday)
- Christmas Eve
- Christmas Day
- New Year's Eve

Code of Conduct

This Code of Conduct is designed to describe the manner in which Council Members should treat one another, City staff, constituents, and others they come into contact with in representing the City of Harrison.

The constant and consistent theme through all of the conduct guidelines is "respect." Council Members experience huge workloads and tremendous stress in making decisions that could impact thousands of lives. Despite these pressures, elected officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each individual through words and actions is a touchstone that can help guide Council Members to do the right thing in even the most difficult situations.

I. Overview of Roles and Responsibilities

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

A. Mayor

- Acts as the official head of the City for all ceremonials purposes
- Chairs Council meetings
- Calls for special meetings



- Recognized as spokesperson for the City
- Selects substitute for City representation when Mayor cannot attend
- Makes judgment calls on proclamations, Special Orders of the Day, etc.
- Recommends subcommittees as appropriate for Council approval
- Leads the Council into an effective, cohesive working team
- Serves as official delegate of the City

B. Mayor Pro-Tem

- Performs the duties of the Mayor if the Mayor is absent or disabled
- Chairs Council meetings at the request of the Mayor
- Represents the City at ceremonial functions at the request of the Mayor

C. All Council Members

- Fully participate in City Council meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others
- Prepare in advance of Council meetings and be familiar with issues on the agenda
- Represent the City at ceremonial functions at the request of the Mayor
- 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 Harrison government
- Provide contact information with the City 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 this Code of Conduct.

D. Meeting Chair

- The Mayor will chair official meetings of the City Council, unless the Mayor Pro-Tem 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 item under consideration

E. Former Council Members

Past members of the City Council who speak to the current City Council about a pending issue should disclose who they are speaking on behalf of (individual or organization).



II. Policies and Protocols Related to Conduct

A. Ceremonial Events

City staff will handle requests for a City representative at ceremonial events. The Mayor, any Council member or the City Manager may serve to represent the City in an official capacity. Invitations received at City Hall are presumed to be for official City representatives. Invitations addressed to Council Members at their homes are presumed to be for unofficial, personal consideration. City Hall will send all received invitations to all of Council upon receipt.

B. Correspondence and Document Signatures

Council Members do not need to acknowledge the receipt of correspondence, or copies of correspondence, during Council meetings. City staff will prepare official letters in response to public inquiries and concerns. These letters will carry the signature of the City Manager or Mayor.

If correspondence is addressed to only one Council Member, the Council Member should check with staff on the best way to respond to the sender.

C. Endorsement of Candidates

Council Members have the right to endorse candidates for all Council seats or other elected offices. It is inappropriate to mention endorsements during Council meetings or other official City meetings.

D. 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 3 minutes each and should keep the focus on matters of community wide interest.

E. 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 3 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 shall refrain from arguing or debating with the public during a public hearing and



shall always show respect for different points of view. Main motions may be followed by amendments, followed by substitute motions. Any Council Member can call for a point of order. Only Council Members who voted on the prevailing side may make motions to reconsider.

III Council Conduct with One Another

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.

In public meetings:

A. Use Formal Titles

The Council should refer to one another formally during public meetings as Mayor, Mayor Pro-Tem or Council Member followed by the individual’s last name.

B. Practice Civility and Decorum During 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.

C. Honor the Role of the Chair in Maintaining Order

It is the responsibility of the Chair to keep the meeting on track. 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.

D. 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:

A. Continue Respectful Behavior in Private

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

B. Be aware of the Insecurity of Written Notes, Voicemail Messages, and Email.

Technology allows words written or said without much forethought to be distributed wide and far. Would you feel comfortable to have this note faxed to others? How would you feel if this voicemail message was played on a speakerphone in a full office? What would happen if this e-mail message were to be forwarded to others? Written notes,



voicemail messages and e-mail should be treated as potentially public communication.

C. 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 will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted.

IV. Council Conduct with City Staff

Governance of a City relies on the cooperative efforts of elected officials, who set policy, and City 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 towards staff is not acceptable.

B. Limit Contact to Specific City Staff

Questions of City staff and/or requests for additional background information should be directed only to the City Manager, or in limited situations Department Heads. The Office of the City Manager should be copied on any request.

Requests for follow-up or directions to staff should be made only through the City Manager when appropriate. When in doubt about what staff contact is appropriate, Council Members should ask the City Manager for direction. Materials supplied to a Council Member in response to a request will be made available to all members of the Council so that all have equal access to information.

C. Do Not Disrupt City Staff from Their Job

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

D. 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.

E. Do Not Get Involved in Administrative Functions

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



F. Check with City Staff on Correspondence Prior to Taking Action

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

G. Limit Requests for Staff Support

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

H. 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 City staff. City staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

V. 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.

A. Be Welcoming to Speakers and Treat Them with Care And Gentleness

The number one fear of the average person is public speaking. For many people addressing Council may be a brand new experience for them. On top of that, often times they are speaking about issues that are personal to them creating heightened emotions. The way that Council treats people during public hearings can do a lot to make them relax or to push emotions to a higher level of intensity. As a result, it is vital to listen first and then carefully formulate each response.

B. Be Fair and Equitable in Allocating Public Hearing Time to Individual Speakers

Never make the speaker feel rushed or pressured get through their presentation quicker. Visitors should be allotted the same amount of time to speak about their prospective issues, and be given the same amount of attention, and respect.

The Chair will determine and announce limits on speakers at the start of the public hearing process. Generally, each speaker will be allocated three 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 hearing unless the 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 and specific purpose

C. Active Listening

It is disconcerting to speakers to have Council 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 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.

D. 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 focus 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.

E. 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, could appear intimidating or aggressive.

In Unofficial Settings:

A. 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 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, change an ordinance, etc.)

B. Make No Personal Comments about Other Council Members

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

C. Remember that Harrison 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 City of Harrison. 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, seven days a week. It is a serious and continuous responsibility.



VI. Council Conduct with Other Public Agencies

A. Be Clear About Representing The City 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 City; 2) whether this is the majority or minority opinion of the Council.

If the Council Member is representing the City, the Council Member must support and advocate the official City position on an issue, not a personal viewpoint.

If the Council Member is representing another organization whose position is different from the City, the Council Member should withdraw from voting on the issue if it significantly affects or is detrimental to the City's interest. Council Members should be clear about which organizations they represent and inform the Mayor and Council of their involvement.

B. Correspondence Also Should Be Equally Clear About Representation

City letterhead may be used when the Council Member is representing the City and the City's official position. A copy of official correspondence shall be given to the City Clerk to be filed in the Clerk's Office as part of the permanent public record.

It is best that City letterhead not be used for correspondence of Council Members representing a personal point of view, or a dissenting point of view from an official Council position.

However, should Council Members use City letterhead to express a personal opinion, the official City position must be stated clearly, so the reader understands the difference between the official City position and the viewpoint of the Council Member.

VII. Council Conduct with Other Boards and Committees

The City 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 City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect.

A. If Attending a Board or Committee Meeting, Be Careful to Only Express Personal Opinions

Council Members may attend any Board or Committee meeting, 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 City Council.

B. 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 Commission.



C. Remember That Boards and Committees Serve the Community, Not Individual Council Members

The City 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. However, 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 to a Board or Committee 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 used as a political “reward.”

D. 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 with 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 serving on Boards and Committees.

E. Keep Political Support Away From Public Forums

Board and Commission 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.

VIII. COUNCIL CONDUCT WITH MEDIA

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

A. 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. Nevertheless, one bad experience can be catastrophic. Words that are not said cannot be quoted.

B. The Mayor Is The Official Spokesperson On City Council Positions

The Mayor is the designated representative of the Council to present and speak on the City Council’s official position. If the media contacts an individual Council Member, the Council Member should be clear about whether their comments represent the official City position or a personal viewpoint.

C. 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.



IX. Sanctions

A. 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.

B. Inappropriate Staff Behavior

Council Members should refer to the City Manager, or to the City Attorney staff who do not follow proper conduct in their dealings with Council Members, other City staff, or the public. These employees may be disciplined in accordance with standard City procedures for such actions. (Please refer to the section on Council Conduct with City Staff for more details on interaction with Staff.)

C. Council Members Behavior and Conduct

City 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 City of Harrison or with inter-government agencies). Serious infractions of the Code of Ethics or Code of Conduct could lead to other sanctions as deemed appropriate by Council.

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

It is the responsibility of the Mayor to initiate action if a Council Member's behavior may warrant sanction. If the Mayor takes no action, 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 Mayor or Council Members, the alleged violation should be referred to the Mayor. The Mayor should ask the City Manager and/or the City Attorney to investigate the allegation and report the findings to the Mayor. It is the Mayor'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; the investigation and its findings, as well as to recommend sanction options for Council consideration.



