To Adopt a Code of Ethics for City Officials and Employees

- WHEREAS, the Bloomington Common Council finds that public office is a public trust and that any effort to realize personal financial gain through public office other than compensation provided by law is a violation of that trust; and
- WHEREAS, the Common Council further finds that in order to strengthen the faith and confidence of the people of the city in their government, they should be assured that the financial interests of holders of public office present neither a conflict nor the appearance of a conflict with the public trust; and
- WHEREAS, the Common Council further finds that the goal of sustaining public confidence in government can be furthered by the adoption of a Code of Ethics to provide reasonable standards and guidelines for the ethical conduct of city officials and employees;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. The following Code of Ethics for City Officials and Employees is adopted:

CODE OF ETHICS FOR CITY OFFICIALS AND EMPLOYEES

In addition to state provisions on conflicts of interest and official misconduct, all city officials and employees shall be governed by the following standards and guidelines:

- (1) No city official or employee should use his public office or any confidential information received through his bolding public office to obtain financial gain other than compensation provided by law.
- (2) No city official or employee should solicit or accept anything of value, including a gift, loan, political contribution, reward, or promise of future employment based on an understanding that the vote, official action, or judgment of the city official or employee would be influenced thereby.
- (3) No city official or employee should enter into any contract with a governmental body unless the contract has been awarded through an open and public process, including prior public notice and subsequent public disclosure.
- (4) No city official or employee should request or permit the unauthorized us'e of city-owned vehicles, equipment, materials, facilities, or other property for personal gain or for the gain of others.
- (5) No city official or employee should enter into the decision-making process in dealings by the city or its agencies in any matter in which he has an interest other than the general interest of the community.

Any city official or employee who, in the discharge of his official duties, would be required to take an action that would directly or indirectly affect a financial interest of himself, a member of his immediate family, or a business with which he is associated, other than an interest of a minimal nature or an interest that is not distinct from that of the general public, should either explain the potential conflict to the presiding officer or the employee's supervisor, and ask that he be excused from voting, deliberating, or taking action on the matter, or should explain the potential conflict to the presiding officer or the employee's supervisor and state for the public record why he is able to participate fairly, objectively, and in the public interest despite the potential conflict.

SECTION II. This resolution shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 6th day of December, 1979.

Tomilea Allison, President Bloomington Common Council

SIGNED and APPROVED by me upon this Zthe day of December, 1979.

rancis X. McCloskey, Mayor City of Bloomington

ATTEST Nor à Clerk

SYNOPSIS

This resolution, sponsored by Councilmember Richardson, adopts a code of ethics for city officials and employees to set guidelines for ethical conduct. The Code specifies the principles to be followed and the procedure to be used in conflict situations.

CITY OF BLOOMINGTON

Interdepartmental Memo

то:	JEFF RICHARDSON	SUBJ:	ETHICS RESOLUTION
FROM:	FRANCE KOMORQSKE	DATE:	10/1/79
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Attached is the first draft of your ethics resolution; I followed your directions, with the exception of the following:

- I have excluded all references to candidates since the city doesn't have jurisdiction over them; I think a code of ethics for city folks should only cover those people that the Mayor or Council could actually go after for violations.
- 2. I took out the definitions since most are self-explanatory and they imply a more mandatory character to the Code; the Code itself has more of affguidelines and standards" character.
- 3. I've changed all the "shall's" to "should" since it doesn't make sense to make the provisions mandatory if there's nothing we can do if they're violated (of course the official can be censured and not reappointed, or the employee can be suspended, fired, etc., but these are generally beyond the realm of the Council).
- 4. I dropped that section on "membership of governmental bodies" since we had so much trouble with it in committee, and it is nearly impossible to draft it so that it's not meaningless.
- 5. I'm not sure if we should include the guideline numbered 4; what evil were we trying to eradicate with it?

I think the way it's now drafted, it's simple and easy to understand; it could be posted around the city building, or the mayor could get some millage out of it by requiring all city employees to sign it (this is what happened in Louisville when theirs was adopted).

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COMMITTEE REPORT SHEET Legislative #: Appropriation Ordinance - Ordinance - Resolution $\frac{79-3}{1}$ To adopt a Code of Ethics of <u>Title</u>: and Employees Committee: Joint Mtg. Z Public Facilities ____ Community Development ____ $\langle \rangle$ chardson Submitted by: Meeting Date: ****** ***** Committee Recommendation: VOTE OF AYES: 5, NAYS: 0, FOR DO PASS RECOMMENDATION. AS AMENDED ******************************** *********** Signatures of Councilmembers: A $(\lambda \leq$