RESOLUTION NO. R16-168

A RESOLUTION TO REVISE THE CODE OF CONDUCT FOR OFFICIALS OF CITY OF STOCKBRIDGE

WHEREAS, the City of Stockbridge ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia and is charged with being fiscally responsible concerning the use and expenditure of all public funds; and

WHEREAS, the City Council desires to revise the code of conduct for the officials of the City of Stockbridge;

THEREFORE, THE CITY COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY RESOLVES:

SECTION 1. Approval of Agreement. The Code of Conduct attached hereto as Exhibit A is hereby approved.

SECTION 2. Public Record. This document shall be maintained as a public record by the City Clerk and shall be accessible to the public during all normal business hours of the City of Stockbridge.

SECTION 3. Authorization of Execution. The Mayor or Mayor Pro Tem is hereby authorized to sign all documents necessary to effectuate this Resolution.

SECTION 4. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

SECTION 5. Effective Date. This resolution shall become effective immediately upon its adoption by the Mayor and City Council of the City of Stockbridge as provided in the City Charter.

SO RESOLVED this 25th day of October, 2016.

ANTHONY S. FORD, Mayor Pro Tem

ATTEST:

(SEAL)
VANESSA HOLIDAY, City Clerk

APPROVED AS TO FORM:

MICHAEL WILLIAMS, City Attorney

CITY OF STOCKBRIDGE CODE OF CONDUCT

Council Member Conduct with One Another

This council is composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, each council member has chosen to serve in public office in order to preserve and protect the present and the future of the city of Stockbridge. This common goal should be acknowledged even as council members may "agree to disagree" on contentious issues.

In Public Meetings

1. **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. Council members shall preserve order and decorum during council meetings, and shall not, by conversation or other action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer or this Code of Conduct. Council members shall, when addressing staff or members of the public, confine themselves to questions or issues then under discussion, shall not engage in personal attacks, shall not impugn the motives of any speaker, and shall at all times, while in session or otherwise, conduct themselves in a manner appropriate to the dignity of their office.

(Examples of misconduct include but are not limited to the following: yelling, shouting, fighting, making unwelcome physical contact, aggressive or bullying behavior, use of foul language, ignoring and/or interrupting the Presiding Officer.)

2. **Honor the Role of the Mayor in Maintaining Order**. It is the responsibility of the Mayor to keep the comments of the council members on track during all meetings. Council members should honor efforts by the Presiding Officer to focus discussion on current agenda items. If there is a disagreement about the agenda or the Presiding Officer's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedures.

3. **Avoid Personal Comments that Could Offend other Council Members**. If a council member is personally offended by 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 right of a council member to address the council on a question of personal privilege shall be limited to cases in which his or her integrity, character or motives are assailed, questioned or impugned. The Mayor will maintain control of this discussion.

(Examples of misconduct include but are not limited to the following: making personal criticisms, singling out members for ridicule and/or mentioning the names of other council members in a negative light.)

4. **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.

5. **Code of Ethics**. In addition to the requirements of the City's Ethics Ordinance, Council members shall conduct themselves so as to bring credit upon the city as a whole, and to set an example of good ethical conduct for all citizens of the community. Council members should constantly bear in mind these responsibilities to the entire electorate, and refrain from actions benefiting any individual or special interest group at the expense of the city as a whole. Council members should likewise do everything in their power to insure impartial application of the law to all citizens, and equal treatment of each citizen without regard to race, national origin, sex, social station, or economic position.

In Private Encounters

1. **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.

2. **Be Aware of the Insecurity (Non Confidentiality) of Written Notes, Voicemail, 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 Email message were forwarded to others? Written notes, voicemail messages and Email should be treated as potentially "public" communication!

(Examples of misconduct include but are not limited to the following: forwarding e-mails to others without the sender's knowledge or consent; allowing others to have access to official e-mail or voicemail messages; and/or blind copying messages to non-City persons without the recipient's knowledge.)

3. **Even Private Conversations can have 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 noticed.

4. **Quick Tips**:

a. Preserve dignity and self-respect.
b. Listen for the message even if you don't agree with it.
c. Respect others as they are.
d. Express your independent perspective and be clear in stating that you are not speaking for the entire Council if you have not been authorized by the entire Council to do so.
e. Participate intelligently.
f. Be willing to delegate and let others make decisions.

g. Lead from the front of the parade.
h. Control all you should not all you can.
i. Use few words after much thought rather than many words after little thought.
j. Seek to create change and overcome the influence of conventional wisdom.
k. Recognize when you need outside experts.
l. Recognize the efforts of others.
m. Continuously pursue excellence.

Council Member Conduct with City Staff

Governance of the city of Stockbridge relies on the cooperative efforts of all council members, 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.

1. **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.

(Examples of misconduct include but are not limited to the following: yelling, shouting, fighting, making unwelcome physical contact, aggressive/bullying behavior and/or use of foul language against a staff member.)

2. **Direct Administrative and Operational Questions to City Management**. Questions of city staff and/or requests for additional information that would be of interest to all councilors should be directed to the City Manager or designee. The City Manager should be copied on any request. 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.

3. **When Possible, Keep Communication with City Staff Short, to the Point and at the Best Possible Time**. Every effort should be made to limit disruption to the work of city staff. Council members should avoid making requests to staff who are in meetings, on the phone, or engrossed in performing their job functions.

4. **Never Publicly Criticize an Individual Employee**. Council members should refrain from expressing concerns about the performance of a city employee in public or to the employee directly. Comments about staff performance should only be made to the City Manager through private correspondence or conversation.

5. **Do Not Get Involved in Administrative Functions**. Council members shall not attempt to unethically influence or coerce the City Manager or department heads concerning either their actions or recommendations to council about personnel, purchasing, awarding contracts, selection of consultants, processing of development applications, or the granting of city licenses and permits.

6. **Check with City Staff on Correspondence Before Taking Action**. Before sending correspondence, council members should check with the City Manager to see if an official city response has already been sent or is in progress.

7. **Do not Attend City Staff Meetings Unless Requested by Staff**. Even if the council member does not say anything, the council member's presence implies support, or may show partiality, intimidate staff, and hamper staffs ability to do their job objectively.

8. **Legal Advice**. Before requesting research or other action by the City Attorney, Council members are encouraged to consider consulting with the City Manager or obtain the concurrence of Council to ascertain whether the request or action can be accomplished more cost-effectively by alternative means.

Council Member Conduct with the Public

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.

In Public Meetings

1. **Be Welcoming to Speakers and Treat Them with Care and Gentleness**. Because personal concerns are often the issue of those who come to present to the council, council members should remember that how they treat the speaker will either help them relax or push their emotions to a higher level of intensity.

(Examples of misconduct include but are not limited to the following: yelling, shouting, arguing and/or otherwise exhibiting rude behavior towards speakers.)

2. **Give the Appearance of 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 or 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.

3. **Ask for Clarification, But Avoid Debate and Argument With the Public.** Only the Chair (and not individual council members) may interrupt a speaker during a presentation. However, a council member may ask the Mayor 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 Mayor 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 should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Council member's personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing.

4. **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 appear to be intimidating or aggressive.

In Unofficial Meetings

1. **Make no Promises on Behalf of the Council or Staff**. It is inappropriate to overtly or implicitly promise council action, or to promise city staff will do something specific (i.e. fix a pothole, replace flowers, fix a leak, etc.) When approached by the public to correct a situation, council members should refer them to the City Manager.

2. **Speak with One Voice.** 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 the facts or city policies as they relate to council action. Objectively present the council's collective decision or direction, even when you may not agree. If you feel the need to express your own opinion, state it in terms such as: "I would have preferred "x" but the council wanted "y" so that's what we will be doing." Explaining council decisions, without giving your personal criticism of the council's actions, will serve to strengthen the community's image of the city council. In addition, when speaking on matters of public concern that do not involve actions of the council, if you offer your own opinion be clear in stating that you are not speaking for the entire Council if you have not been authorized to do so.

(Examples of misconduct include but are not limited to the following: acting in a manner contrary to the official expressed will of the council; activing working against the stated objectives of the Council; and/or representing other interests against the interests of the City.)

3. **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 their actions. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by council members. It is a serious and continuous responsibility.

(Examples of misconduct include but are not limited to the following: While in public or on social media, making personal criticisms, singling out members for ridicule and/or mentioning the names of other council members in a negative light.)

The Stockbridge Council Principles of Proper Conduct:

- Keep promises
- Be dependable
- Build a solid reputation
- Participate and be available
- Demonstrate patience
- Show empathy
- Hold onto ethical principles under stress
- Listen attentively

- Study thoroughly
- Keep integrity intact
- Overcome discouragement
- Go above and beyond, time and time again
- Model a professional manner
- Respect one another as individuals
- Respect validity of different opinions
- Respect the democratic process
- Respect the community we serve.