

Brooklyn Park 

Elected Officials

Rules of Procedures and Code of Conduct

June 2002

Reviewed and Approved January 9, 2023

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**CITY OF BROOKLYN PARK
ELECTED OFFICIALS
RULES OF PROCEDURES AND CODE OF CONDUCT**

**(Adopted at City Council Meeting of June 10, 2002)
Reviewed and Approved by City Council on January 9, 2023**

Preamble:

The Brooklyn Park community is entitled to have fair, ethical and accountable local government, which has earned the public's full confidence for integrity. The effective functioning of democratic government requires that:

- Public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;*
- Public officials be independent, impartial and fair in their judgment and actions;*
- Public office be used for the public good, not for personal gain; and*
- Public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.*

It is essential to the proper administration and operation of the City of Brooklyn Park that the City Council be independent and impartial, that elective office with the City of Brooklyn Park not be used for personal benefit, and that the public have confidence in the integrity of the City. In recognition of these goals, the City has adopted this Code of Conduct and Rules of Procedures, which is applicable to all members of the City Council, including when acting in the capacity of EDA Commission Members.

The purpose of this Code is to establish standards of ethical conduct applicable to the City Council Members, including the Mayor, in the discharge of their duties. It prescribes essential restrictions against conflict of interest and other conduct not consistent with good practices while not creating unnecessary barriers to public service.

It is required that all Council Members comply with the law and all other applicable rules and regulations governing the conduct of public officials. The standards in this Code shall not preclude other standards required by law.

The Council’s Statement of Values:

- *Honesty and Integrity:* Honesty and integrity are the cornerstones for building trust, mutual respect and teamwork. Honesty and integrity include maintaining the highest ethical standards, communicating with complete candor and openness, listening and really hearing each other, and a willingness to change our position on an issue if the facts warrant.
- *Respect:* Each person is an individual. Despite differences we may have on issues, we will strive to demonstrate respect and a caring attitude toward each other.
- *Teamwork:* We believe that teamwork is important to our success as an organization. Teamwork requires participation by all to reach consensus on issues, whenever possible. We will work together to achieve win/win solutions that serve the entire community.
- *Information:* We value information that is correct, complete and timely. This is essential for making decisions that are sound and wise. The Council expects staff to be diligent in assuring that its information needs are reasonably met.
- *It’s Okay to Disagree:* While we will strive to reach consensus on issues, we also recognize that we operate in a political environment. At times, our disagreements will only be resolved by voting. To disagree on an issue does not imply dislike for the individual. We believe in being tough on issues, but not on people. Once an issue is resolved, we will move on without grudges or malice.
- *Best for the City:* Ultimately, the interest of each Council and staff member is to do what is best for the City of Brooklyn Park and to uphold the City Charter. This includes assuring open accessible government, fiscal responsibility, a spirit of professionalism, excellence in service, and visionary community leadership. We each take pride in our community.
- *Trust:* The Council and staff of the City of Brooklyn Park are committed to working together within the context of these values. To assure they become a real force in guiding our behavior, we will prominently display them and regularly remind ourselves and each other of their existence. We believe this will be a powerful factor in building the bonds of trust among us.

| Behaviors we need to model to ensure we are an effective and efficient governing body | | | | |
|--|--|--|---|--|
| <i>Listening to understand and being openminded</i> | <i>Respecting, appreciating, and valuing each other</i> | <i>Being prepared and accountable</i> | <i>Being transparent and honest</i> | <i>Willingness to work with others</i> |
| <ul style="list-style-type: none"> • Listen more, talk less • Seek to gain | <ul style="list-style-type: none"> • Respect each other and differences | <ul style="list-style-type: none"> • Be prepared for meetings • Be | <ul style="list-style-type: none"> • Tell the truth • Be honest and transparent | <ul style="list-style-type: none"> • Be willing to work with others |

| | | | | |
|---|--|--|--|--|
| understanding •Be openminded for change •Listen to understand •Flexible and open to others | •Respect and value each other •Always show appreciation •Respect each other | accountable to our constituents and each other •Be aware of your strengths and weaknesses | | |
|---|--|--|--|--|

1. OVERVIEW OF ROLES AND RESPONSIBILITIES

Other resources that are helpful in defining the roles and responsibilities of elected officials can be found in state law, Brooklyn Park City Charter, and City Code.

1.1 Mayor

- Elected “at-large” for a 4-year term
- Recognized as head of the City Government for all ceremonial purposes
- Presides over meetings of the City Council
- Has the same speaking and voting rights as any other member
- Executes and authenticates legal instruments requiring signature
- Strives to lead the Council into an effective, cohesive working team

1.2 Mayor Pro Tem

- Appointed by the City Council at the first meeting of the year
- Performs the duties of the Mayor if the Mayor is absent, disabled, or otherwise unable to participate in a matter or is the subject of a complaint under this code

1.3 All Council Members

All members of the City Council, including the Mayor and Mayor Pro Tem, have equal votes. No Council Member has more power than any other Council Member, and all should be treated with equal respect.

1.4 The Mayor and All Council Members

- Refer to one another formally during public meetings as “Mayor (last name)”/ “Council Member (last name)”
- Wait to speak until acknowledged by the Mayor
- Honor efforts by the Mayor to efficiently manage the meeting and to focus discussion on current agenda items
- Treat all staff as professionals
- Treat members of the public politely and respectfully

- When a conflict of interest arises, the Council member shall abstain from the vote and be available for comment from the podium only
- Council Members are encouraged to give support for the majority position once votes have been taken
- Fully participate in City Council meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others
- Prepare in advance of meetings, including contacting staff with any questions in order to be familiar with issues on the agenda
- Represent the City at ceremonial functions
- Be respectful of 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 Brooklyn Park government
- Demonstrate honesty and integrity in every action and statement
- Participate in scheduled activities

2. RULES OF PROCEDURES

- 2.1 **Regular Meetings:** Shall be held at 6:00 p.m. on the first, second and fourth Mondays of each month in the Council Chambers of City Hall, 5200 85th Ave. N., Brooklyn Park, Minnesota. No meeting shall be held on a legal holiday, but shall be held at the same hour on the next succeeding day that is not a holiday.

Open Forum will begin at 6:00 p.m. at all regular meetings with the exception of the work sessions. Members of the public should be advised of the guidelines of the Open Forum. The Open Forum will provide members of the public an opportunity to comment, ask questions or present a problem relating to city business that is not already a part of the agenda. Each speaker will be asked to limit his/her comments to three (3) minutes and can only address the Council one time during the Open Forum. No action will be taken. Staff will follow up with a response regarding the status of the concern. Open Forum will be held no longer than 15 minutes. If no one is in attendance for the Open Forum or if 15 minutes is not needed for this purpose, the regular meeting shall begin immediately or after Open Forum business has been conducted.

- 2.2 **Special Meetings:** The Mayor or any three (3) members of the Council may call Special meetings. Three days written notice is required. Notice shall include specific purpose of the meeting in addition to the time, date and location of meeting.
- 2.3 **Emergency Meetings:** Emergency meetings may be called by the Mayor or any three (3) members of the Council due to circumstances that, in the judgment of the public body, require immediate consideration. At least four (4) hours' notice (either in writing or by telephone) is required.

- 2.4 **Executive Sessions:** Executive Sessions are closed meetings and may be called only for those reasons specified in state law. State Statute requires that the Council pass a motion at a public meeting announcing their intention to go into a closed meeting, the subject matter to be discussed and the time and place of the executive session. Executive sessions will be taped when required by State law. When the executive session is complete, the Council shall return to the public meeting and summarize the action taken at the executive session. Council Members are to maintain confidentiality relating to any non-public discussion items.
- 2.5 **Cancellation of Meetings:** Meetings may be cancelled by the Mayor or, in the Mayor's absence, by the Mayor Pro Tem due to insufficient agenda items, lack of a quorum, inclement weather and/or other similar reasons. Council Members must be notified in writing or by telephone at least four (4) hours in advance whenever possible.
- 2.6 **Meeting Minutes:** Minutes of all meetings (except Executive Sessions) shall be kept by the City Clerk and shall represent an official record of the Council proceedings. Minutes shall be submitted to the Council for approval and to the Mayor for signature. Lack of such approval or signature shall not invalidate the minutes as official records.
- 2.7 **Cablecast/Webcast Meetings:** To the extent possible, all regular meetings and special Council meetings shall be cablecast/webcast. Video will be retained by the City Clerk for one year and be available to the public for viewing.
- 2.8 **Audio-taped Meetings:** Executive Sessions dealing with labor negotiation discussions will be audio taped; those tapes will be retained for two years after the contracts are signed.
- 2.9 **Meeting Attendance:** Council Members are expected to attend all meetings. However, when unable to attend a meeting, Council Members should notify either the Mayor or the City Clerk. The Mayor shall announce the Council Member's absence.
- 2.10 **Break:** The Council may recess to a ten-minute break at 9 p.m.
- 2.11 **Adjournment:** Unless otherwise agreed to by at least a majority of the Council, all meetings of the Council shall be adjourned by 10:00 p.m. The Mayor should manage the meeting to conform to the adjournment time.

3. AGENDAS

The Agenda shall be prepared by the City Clerk and City Manager and shall contain the order of business of each meeting. It shall be delivered to Council Members each Thursday preceding the Monday meeting to which it pertains. Agenda items will be scheduled to meet the differing needs of those in attendance. The agenda and all supporting public material shall also be made available to the general public by noon on the Friday preceding a Council meeting and at the Council Meetings.

- 3.1 **Deadline for Agenda Items:** Generally, items to be considered should be submitted to the City Manager's office by noon on the Wednesday preceding the meeting. The City Manager may choose not to schedule items for a particular meeting when, in his/her opinion, other business to be considered at that meeting will likely consume the available time. Any two Council Members may request that the city manager place an item on an upcoming meeting agenda.
- 3.2 **Approval of Agenda:** The Mayor, Council Members or staff may propose additions, deletions or changes to the agenda. A majority vote of the Council is required to approve the agenda as proposed/amended. Any changes after the agenda has been formally approved shall require a two-thirds (2/3) vote of the Council.
- 3.3 **Consent Agenda:** Routine and non-controversial items shall be placed on the Consent Agenda which will be approved by one blanket motion. Any Council Member may request that items be withdrawn for separate consideration. If a Council Member has a question on a Consent Agenda item, they are to ask staff ahead of time, rather than having it pulled off for discussion during the meeting.

4. PUBLIC INPUT

Council Members recognize that public input is an essential component in the decision making process. Members further acknowledge the necessity of ensuring that persons who wish to speak be afforded an orderly opportunity to do so. 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.

- 4.1 **Restrictions:** Questions and comments from the public during a council meeting shall be limited to the subject under consideration. Depending on the length of the agenda and the number of persons wanting to participate, the Mayor may limit the time available for public comment and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers. No persons shall enter into any discussion without being recognized by the Mayor. After a motion has been made or after a public hearing has been closed, no person shall address the Council without first securing permission from the Mayor.

- 4.2 **Public Hearings:** After a presentation by staff, the applicant shall have the right to speak first. Speakers representing either pro or con points of view will be allowed to follow. The Mayor will determine how much time will be allowed for each speaker (generally 3 to 5 minutes) and ask speakers to line up to speak. Council Members will not express opinions during the public hearing portion of the meeting except to ask pertinent questions of the speaker or staff. Council Members should refrain from arguing or debating with the public and should always show respect for different points of view. The Mayor 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. The Mayor or Council shall notify the speaker when the allotted time has expired to accommodate others wishing to speak.
- 4.3 **Addressing the Council:** Any member of the public desiring to address the Council shall complete an Addressing the Council Form and present it to the Clerk. The Mayor will call on the individual when that agenda item is discussed.

5. COUNCIL PROCEDURES/PROTOCOL

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 the Council may “agree to disagree” on contentious issues. It is expected that there will be support for the majority position once votes have been taken. Roberts Rules of Order will be followed. The City Attorney will act as Parliamentarian.

- 5.1 **Motions:** Motions are a formal method of bringing business before the Council and for stating propositions on which the Council will move to make a decision. All motions require a second and a motion shall not be withdrawn by a mover without the consent of the person seconding it. No debate/discussion shall take place without a motion being placed on the floor.
- 5.2 **Voting Procedures:** Unless abstaining, every Council member shall vote. Failure to vote shall be recorded as a yes vote except in situations where a roll call vote has been requested. Tie votes shall be lost motions when all Council Members are present. If a tie vote results at a time when less than all members of the Council are present, the matter shall automatically be continued to the agenda of the next regular meeting unless otherwise ordered by the Council.

6. CODE OF CONDUCT AND ETHICS

6.1 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.

6.1.1 In Public Meetings

- A. **Practice civility, professionalism 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, however, allow 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 should conduct themselves in a professional manner at all times, including listening actively during Council meetings.
- B. **Honor the role of the Mayor or Mayor Pro Tem in maintaining order.** It is the responsibility of the Mayor to keep the comments of Council Members on track during public meetings. Council Members should honor efforts by the Mayor to focus discussion on current agenda items. If there is disagreement about the agenda or the Mayor's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.
- C. **Avoid comments that personally attack other Council Members.** If a Council Member is personally attacked by the comments of another Council Member, the offended Council Member should make notes of the actual words used and may call for a "point of order" to challenge the other Council Member to justify or apologize for the language used. The Mayor will maintain control of this discussion.
- D. **Demonstrate effective problem-solving approaches.** Council Members have a responsibility to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.
- E. **Be punctual and keep comments relative to topics discussed.** Council Members have made a commitment to attend meetings and partake in discussions. Therefore, it is important that Council Members be punctual and that meetings start on time. It is equally important that discussions on issues be relative to the topic at hand to allow adequate time to fully discuss scheduled issues.

- F. **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 or functions.
- G. **Council Decisions.** Once a majority decision of the governing body has been made, respect that official position and defend it if needed, even if you personally disagreed.

6.1.2 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, social media and email.** Technology allows words written or said without much forethought to be distributed wide and far. How would you feel if this voicemail message was played on a speaker phone in a full office? What would happen if this email message was forwarded to others? Written notes, social media postings, voicemail messages and email 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.
- D. **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.

6.2 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. Belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments toward 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 to the City Manager, City Attorney, or Department Heads, unless otherwise directed by the City Manager. The City Manager should be copied on or informed of any request.
- C. **Council direction to staff.** In accordance with Charter Section 2.10, individual Council Members cannot give direction to city staff either publicly or privately. The Council as a body may provide staff direction on matters that come before the Council.

Requests for follow-up or directions to staff should be made only through the City Manager or the City Attorney 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 for information of interest to all Council Members will be made available to the entire Council so that all have equal access to the information.

- D. **Do not disrupt City staff from their jobs.** Except in extraordinary circumstances, Council Members should not disrupt City staff while they are in meetings, on the phone, or engrossed in performing their job functions.
- E. **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.
- F. **Do not get involved in administrative functions.** Council Members must not attempt to influence City staff on the making of employment or personnel decisions, awarding of contracts, selecting of consultants, processing of development applications, or granting of City licenses and permits.
- G. **Do not attend City staff meetings without permission from 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.
- H. **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.
- I. **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.

- J. **Council, EDA and Commission agendas.** Staff’s responsibility is to provide Council Members the information needed for informed decision-making. Every effort should be made to ask staff questions regarding Council, EDA and commission agendas before the meeting.
- K. **Don’t speak ill of other Council Members to staff.** Staff has the responsibility to treat all Council Members equally. It puts staff in a compromising position when one Council Member criticizes other Council Members to staff.
- L. **Don’t spring surprises on Council Members or City staff, especially at formal meetings.**

6.3 Council Conduct With The Public

6.3.1 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 fair and equitable in allocating public hearing time to individual speakers.** The Mayor will determine and announce limits on speakers at the start of the public hearing process and ensuring those with Brooklyn Park addresses have an opportunity to speak. Generally, each speaker will be allocated three minutes with applicants or their designated representatives may be allowed more time. If many speakers are anticipated, the Mayor 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 agreed upon by the Council.

- B. **Ask for clarification, but avoid debate and argument with the public.** Only the Mayor – not individual Council Members – can interrupt a speaker during a presentation. However, a Council Member can 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 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.

- C. **No personal attacks of any kind, under any circumstance.** 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.
- D. **Follow parliamentary procedure in conducting public meetings.** The City Attorney serves as advisory parliamentarian for the City and is available to answer questions or interpret situations according to parliamentary procedures. Final rulings on parliamentary procedure are made by the Mayor, subject to the appeal of the full Council.

6.3.2 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, plow a specific street, plant new flowers in the median, 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. **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 conduct in the City of Brooklyn Park. Honesty and respect for the dignity of each individual should be reflected in every word, communication, (whether in social media or otherwise), and action taken by Council Members, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

6.4 Council Conduct with the Media

Council Members may be contacted by the media for background and quotes.

- A. **The Mayor is the official spokesperson for the representative on City position.** The Mayor is the designated representative of the Council to present and speak on the official City position. If an individual Council Member is contacted by the media, the

Council Member should be clear about whether their comments represent the official City position or a personal viewpoint.

- B. **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.
- C. **The best advice for dealing with the media is to never go "off the record."**
- D. **Inform the City Manager or Communications Manager.** If contacted by the media, the City Manager or Communications Manager should be informed. When possible the City Manager or Communications Manager should be consulted before communicating to the media.

6.5 Council Conduct with Other Public Agencies

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. Even if the Council Member is representing his or her own personal opinions, remember that this still may reflect upon the City as an organization.

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.

6.6 Council Conduct with Boards and Commissions

The City has established several Boards and Commissions as a means of gathering more community input. Residents who serve on Boards and Commissions 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 Commission meeting in the role as liaison.** "Liaison" means non-voting member of a commission who shall speak on behalf of the Council (or staff) as a whole, not as an individual, thus providing a communication link between the commission and Council (or staff).
- B. **Limit contact with Board and Commission Members.** It is inappropriate for a Council Member to contact a Board or Commission member to lobby on behalf of an individual, business, or developer. Council Members may contact members of the Commission and staff liaison in order to clarify a position taken by the Board or Commission.

- C. **Remember that Boards and Commissions serve the community, not individual Council Members.** The City Council appoints individuals to serve on Boards and Commissions, and it is the responsibility of Boards and Commissions to follow policy established by the Council. But, Board and Commission members do not report to individual Council Members, nor should Council Members feel they have the power or right to threaten Board and Commission members with removal if they disagree about an issue.
- D. **Be respectful of diverse opinions.** A primary role of Boards and Commissions 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 must be fair and respectful of all residents serving on Boards and Commissions.

7. CODE OF ETHICS

7.1 Open Meeting Law

- A. State law requires that, with certain exceptions, meetings of the City Council be open to the public. A meeting is a gathering of a majority of City Council Members at which City business is discussed. It is not necessary that action be taken for a gathering to constitute a “meeting.”
- B. A meeting does not include chance, social gatherings as long as public business is not discussed.
- C. A majority of Council Members should not communicate with each other by phone, email, in-person, or otherwise, to discuss City business.
- D. Use of social media does not violate the open meeting law as long as the social media use is accessible to all Members of the public.

See Minnesota Statutes, Chapter 13D for further information regarding the Open Meeting Law.

7.2 Gift Law

A City Council Member cannot accept a gift from someone who has an interest in any matter involving the City. A “gift” includes money, property, a services, a loan, forgiveness of a loan, or a promise of future employment. A “gift” does not include:

- A. campaign contributions;
- B. items costing less than \$5;

- C. items given to members of a group, the majority of whose members are not local officials;
- D. gifts given by family members; or
- E. food or beverages given at a reception, meal or meeting at which a Council Member is making a speech or answering questions as part of a program

See Minnesota Statutes, Section 471.895 and City Charter, Section 14.04(A) for further information regarding the Gift Law.

7.3 Conflict of interest

- A. City Council Members cannot have a personal financial interest in a sale, lease, or contract with the City.
- B. City Council Members cannot participate in matters in which the Council Member’s own personal interest, financial or otherwise, is so distinct from the public interest that the Council Member cannot be expected to fairly represent the public’s interest when voting on the matter.

See Minnesota Statutes, Sections 471.87-.88 and City Charter, Section 14.04(A) for further information regarding conflicts of interest.

8. ACCOUNTABILITY/CONSEQUENCES

8.1 A potential action for failing to comply with this code of conduct may include the following:

1. **Admonition.** An admonition shall be verbal or written statement made by the Mayor to the Council Member.
2. **Reprimand.** A reprimand shall be administered to the Council Member by letter. The letter shall be approved by the City Council and shall be signed by the Mayor, or by the Mayor Pro Tem if the Mayor position is vacant, or if the matter involves the Mayor.
3. **Censure.** A censure shall be administered pursuant to a formal resolution adopted by the Council.

8.2 Council Members’ Behavior and Conduct

- A. City Council Members who violate the code of this conduct are subject to admonition, reprimand, or censure. Any violations that potentially constitute criminal conduct shall be handled by the criminal justice system.

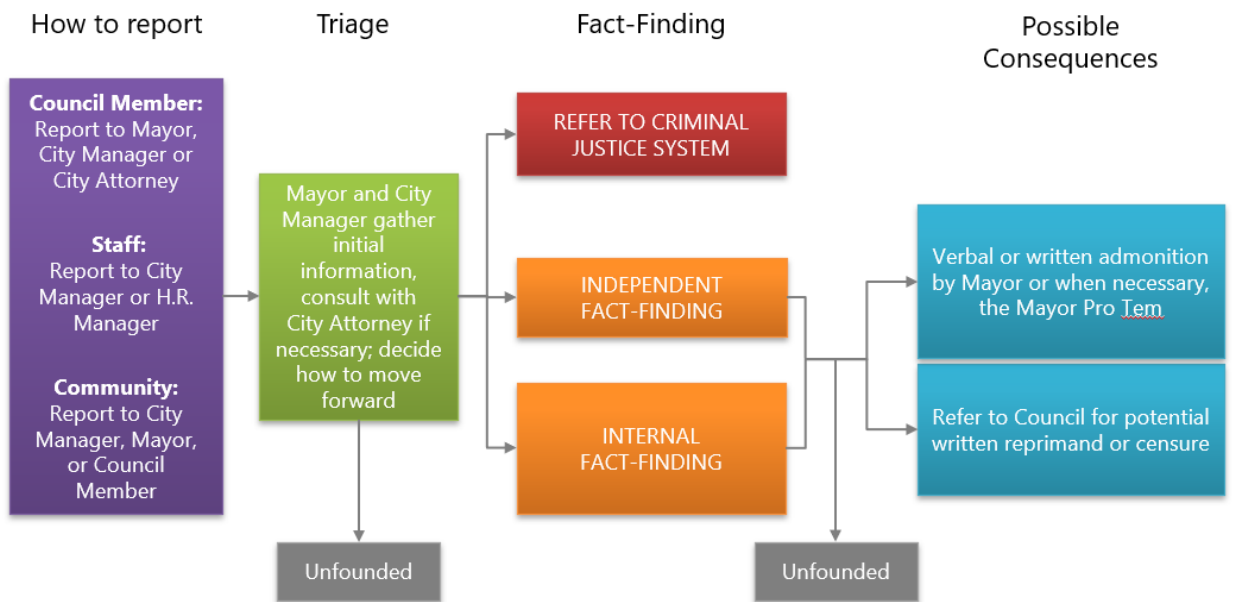
B. Factors that will be considered in determining the appropriate consequence include but are not limited to the following: seriousness of the violation and number of preceding violations.

C. Procedures for reporting:

1. A member of the Brooklyn Park City Council may report a potential code of conduct violation by a member of the City Council by bringing the matter to the attention of the Mayor, City Manager, or City Attorney.
2. A Brooklyn Park staff member may report a potential code of conduct violation by a member of the City Council by bringing the matter to the attention of the City Manager or Human Resources Manager.
3. If the potential violation involves the Mayor, it should be brought to the attention of the Mayor Pro Tem, City Manager or City Attorney.
4. A community member may report potential code of conduct violations by a member of the City Council to the Mayor, City Manager or any member of the City Council.

D. Upon receipt of a complaint, the following diagram highlights the process that will be used:

Reporting and Addressing Possible Code of Conduct Violations



- E. For inappropriate statements or conduct by Council Members occurring during a Council meeting, a verbal correction by the Mayor will normally be the first step to address the matter either during or outside of the Council meeting. Further incidents may be addressed by subsequent verbal corrections accompanied by use of the gavel. Repeated incidents can give rise to the Mayor not recognizing the offending Council Member to speak. A Council Member can request that the Mayor take any of these actions against an offending Council Member if the Mayor has not done so on his/her own.

- F. If the Mayor and/or Mayor Pro Tem are unable to be involved in reviewing the code of conduct complaint for any reason, the matter will be reviewed by the next most senior member of the Council that is not involved in the complaint.

Postlude

It all comes down to respect.

- 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.

9. GLOSSARY OF TERMS

9.1 Glossary

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| Admonition | An act or action of admonishing; authoritative counsel or warning |
| Attitude | The manner in which one shows one's dispositions, opinions, and feelings |
| Behavior | External appearance or action; manner of behaving; carriage of oneself civility Politeness, consideration, courtesy |
| Censure | Express severe disapproval of (someone or something), typically in a formal statement |
| Civility | Formal politeness and courtesy in behavior and speech |
| Conduct | The way one acts; personal behavior |
| Courtesy | Politeness connected with kindness |
| Decorum | Suitable; proper; good taste in behavior |
| Manners | A way of acting; a style, method, or form; the way in which things are done |
| Point of order | An interruption of a meeting to question whether rules or bylaws are being broken, such as the speaker has strayed from the motion currently under consideration |
| Point of personal privilege | A challenge to a speaker to defend or apologize for comments that a fellow Council member considers offensive |
| Propriety | Conforming to acceptable standards of behavior |
| Protocol | The courtesies that are established as proper and correct |
| Reprimand | Express sharp disapproval or criticism of (someone) because of their behavior or actions. |
| Respect | The act of conducting one's behavior in a courteous manner. |