Kramer City Council Handbook on Code of Conduct and Code of Ethics for 2025

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Title A. Ethics and Purpose

**Policy Purpose:** The City Council has adopted a Code of Ethics and Conduct for its council members, it’s city working groups and committees, to ensure the integrity of local government and its effective, and fair operation.

**Ethics:** The residents and businesses of Kramer are entitled to have fair, ethical, and accountable local government which has earned the public’s full confidence for integrity. In keeping with the City of Kramer commitment to transparent, effective, and trustworthy city government requires:

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

The Ethics section of the City’s Code of Ethics and Conduct provides guidance on questions of right and wrong.

1. Act in Public Interest. Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of Kramer and not for any private or personal interest, and they will ensure fair and equal treatment of all people, claims and transactions coming before the City Council, boards and/or commissions.
2. Comply with both the spirit and the letter of the Law and City Policy. Members shall comply with the laws of the nation, the State of North Dakota and the City of Kramer in the performance of their public duties. These laws include, but are not limited to:
3. The United States and North Dakota constitutions; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and City ordinances and policies.

**Conduct of Members.** The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the Council, boards and commissions, the staff, and/or public.

**Respect for Process.** Members shall perform their duties in accordance with the processes and rules of order established by the City Council and board and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City staff.

**Conduct of Public Meetings**. Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

**Decisions Based on Merit**. Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

**Communication.** Members shall publicly disclose substantive information that is relevant to a matter under consideration by the Council or boards and commissions, which they may have received from sources outside of the public decision-making process.

**Conflict of Interest.** To assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest, or where they have an organizational responsibility or personal relationship which may give the appearance of a conflict of interest. In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts; and they shall abstain from participating in deliberations and decision-making where conflicts may exist.

**Gifts and Favors.** Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public offices that are not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised.

**Confidential Information.** Members shall respect the confidentiality of information concerning the property, personnel, and/or affairs of the City. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial, and/or other private interests.

**Use of Public Resources.** Members shall not use public resources not available to the public in general, such as City staff time, equipment, supplies or facilities, for private gain or personal purposes.

**Representation of Private Interests.** Members of Council shall not appear on behalf of the private interests of third parties before the Council or any board, commission, or proceeding of the City, nor shall members of boards and commissions appear before their own bodies or before the Council on behalf of the private interests of third parties on matters related to the areas of service of their bodies.

**Advocacy.** Members shall represent the official policies or positions of the City Council, board or commission to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the City of Kramer, nor will they allow the inference that they do. Council members and committee members have the right to endorse candidates for all Council seats or other elected offices. It is inappropriate to mention or display endorsements during Council meetings, board/commission meetings, or other official City meetings.

**Policy Role of Members**. Members shall respect and adhere to the city council structure of the City’s government as outlined by the North Dakota Code 40-04.1-01. In this structure, the City Council determines the policies of the City with the advice, information, and analysis provided by the public, committees and working groups, and City Auditor.

Independence of committees and working groups. Because of the value of the independent advice of these groups to the public decision-making process, members of the Council shall refrain from using their position to influence the deliberations or outcomes of committee proceedings.

**Positive Work-Place Environment.** Members shall support the maintenance of a positive and constructive work- place environment for City appointees and for residents and businesses dealing with the City. Members shall recognize their special role in dealings with City employees to in no way create the perception of inappropriate direction to staff.

B. Agenda Setting

The agenda is the official guide for Council meetings. Prepared by the mayor/president and auditor, the agenda includes current legislative and policy issues that Council reviews and, on which the Council may take action.

1. By law and subject to very limited exceptions, the Council cannot act on items or issues which are not listed on the agenda.
2. The City Auditor may meet with the mayor, and other members of the Council as necessary, to collaborate on the setting of the agenda. Unless otherwise specifically directed by the Council.
3. The City Auditor shall have final authority to set the agenda for their respective areas of administrative responsibility.

C. Conduct with the Media**.**

Committee members are not authorized to represent the city outside of official council meetings unless they are specifically authorized to do so. Council members are frequently contacted by the media for background and quotes.

* The best advice for dealing with the media is to never go "off the record"
* Most members of the media represent the highest levels of journalistic integrity and ethics and can be trusted to keep their word. But one bad experience can be catastrophic. **Words that are not said cannot be quoted.**
* The Mayor/President is the official spokesperson for the City-on-City positions.
* The Mayor/President is the designated representative of the Council to present and speak on an official City position.
* If an individual Councilmember is contacted by the media, the Councilmember should be clear about whether their comments represent the official City position or a personal viewpoint.
* 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.

D. Code of Conduct and Ethics Training for City Officials.

City Council members, committee members, and the city auditor must review the City of Kramer Code on Conduct and Code of Ethics on an annual basis. Review and acknowledge understanding by signing the annual update.

E. 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 and/or removed from the Council Chambers.

F. Inappropriate City Council Member Behavior.

Council members should refer to the City Auditor or City Attorney as appropriate, concerning proper conduct in their dealings with Council members, City Auditor, or the public. Members of the city council and its appointees may be disciplined in accordance with standard City procedures for such actions to include the removal from committee or working group membership, removal from specified council appointed duties, and serious violations may result in forfeiture of the office.

G. Compliance and Enforcement.

The Code of Ethics and Conduct expresses standards of ethical conduct expected for members of the City Council, City Auditor, committees and working groups.

1. Members themselves have the primary responsibility to ensure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.
2. The Mayor and Council members have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Ethics and Conduct are brought to their attention.
3. 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 President of the City Council.
4. It is the responsibility of the mayor to initiate action if a Council member’s behavior may warrant sanction. If no action is taken by the mayor, the alleged violation(s) can be brought up with the full Council in a public meeting.

Signature below is acknowledgment that have read the “Code of Conduct and Ethics Policy of the City of Kramer,” that you understand its principles, and that you will make every endeavor to comply with these principles, serve as an example, and help others achieve ethical goals.

Mark Timbrook, City Council Judy Peters, City Council

Eunice Timbrook, City Council Tiffany Bacon, City Council

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