

Elected and Appointed Official Code of Ethical Conduct



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Existing Policy

Elected and Appointed Official Code of Ethical Conduct adopted by the Council in January of 2023

Sexual Harassment Appendix adopted by Council in July of 2024

Code seeks to provide shared expectations and guidelines for elected and appointed officials, including members of City boards, commissions, and committees

BCCs are required by resolution to put the code on their agenda annually for discussion

FYI: City staff are governed by APMs (Administrative Procedure Memoranda), including APM 3-5 and APM 2-33

Existing Policy

Provides expectation for general conduct

Prohibits bullying, harassment (including sexual harassment), and discrimination

Encourages informal conflict resolution

Describes process for reporting and investigating sexual harassment complaints

Outlines possible sanctions for violation

Seeking Recommendations



Referrals

Board of Public Works, Plan Commission, Board of Park Commissioners, Landmarks Commission, Madison Public Library Board, Equal Opportunities Commission, Police Civilian Oversight Board, Transportation Commission, Affirmative Action Commission, Economic Development Committee, Alcohol License Review Committee, Disability Rights Commission

Proposed Additional General Expected Conduct Language

Including:

- Individuals with a wide variety of backgrounds, personalities, values, opinions, lived experiences and goals participate in the democratic process in Madison.
- It is vital to recognize that all Council members and BCC members choose to serve in public office and, therefore, have the obligation to preserve and protect the well-being of the community and its residents.
- [E]very effort should be made to be cooperative and show mutual respect for the contributions made by each other for the good of the community.

Proposed

Conduct Toward City Staff

Including:

- Council and BCC members should refer to staff by their title or formal salutation followed by the individual's last name in public meetings when first introduced.
- All employee performance issues shall be forwarded to the Mayor, the Human Resources Director or the employee's Department/Division Head through professional, private correspondence or conversation.

Proposed

Conduct Toward Members of the Public

Including:

- Elected and appointed officials are expected to treat members of the public with care and respect during public meetings by committing full attention to the speakers or any materials relevant to the topic at hand.
- Questions directed to members of the public testifying should seek to clarify or expand information, not to insult or interrogate.
- All elected and appointed officials should convey to the public their respect and appreciation for the public's participation, input, and opinions.

Proposed

Conduct Toward the Media

- When communicating with the media, elected and appointed officials should clearly differentiate between personal opinions and the official position of the City.
- Council or BCC members should not discuss personnel issues or other matters regarding individual City staff in the media.

Proposed

Guidance on Using Point of Order

- In an instance where a member of the public addressing the body strays from the topic under consideration, exceeds their allotted speaking time, or exhibits behavior or language a Council or BCC member finds inappropriate, they may call point of order and request the issue be addressed.
- The Council President or Chair of the meeting shall rule on the point of order, which does not need a second and is not debatable.
- The Chair's decision shall stand unless challenged and reversed by a majority vote of the members present and voting as an open session of the Common Council or BCC.

Proposed Additional Conflict Resolution Guidance

- Any Council or BCC member who feels a violation of this policy has occurred during or outside of a public meeting may raise the issue privately with the other relevant member.
- If unsuccessful, either member may ask for the assistance of the Common Council Chief of Staff or other appropriate City staff in mediating the issue or conflict.

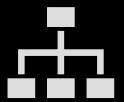
Proposed Process for Council Censure of an Alder

- If the matter remains unresolved, the complaining alder, City employee or community member may file a sworn written complaint with the City Clerk. The Clerk shall provide a copy of the complaint to the party alleged to be in violation. The Clerk shall provide a copy of the complaint to the Department of Civil Rights and Human Resources for review and possible further investigation or mediation, which will then provide a report on their findings to the Common Council Executive Committee.
- Complaints shall first be heard by the Common Council Executive Committee, giving each party to the dispute the opportunity to be heard. If the Common Council Executive Committee, by a majority vote, so recommends, a Censure resolution shall be prepared by the City Attorney stating the findings as directed by the Committee.
- If the Censure resolution is sponsored by at least two alders, it shall be considered by the Common Council. Censure shall only be made upon a majority vote of the entire Common Council.

Discussion Questions



In your experience as a BCC member, what are the most common conduct-related challenges in committee meetings?



Are there any topics related to members of boards, commissions, and committees that you would like covered in this policy?



Do you have any questions or comments about the existing policy?



Thank you!