

CHAPTER 6

CITY OFFICERS AND EMPLOYEES

SECTION:

- 1-6-1: Appointment and Removal of Officers
- 1-6-2: Bonds of Officers
- 1-6-3: Code of Ethics

1-6-1: **APPOINTMENT AND REMOVAL OF OFFICERS:**

- A. The mayor shall, with the consent of the city council, appoint a clerk/treasurer, attorney, engineer, superintendent of water systems, fire chief and such other officers as may be deemed advisable for the efficient operation of the city.
- B. Any appointive officer may be removed by the mayor for any cause by him deemed sufficient, but such removal shall be by and with the affirmative vote of one-half ($\frac{1}{2}$) plus one of the members of the full council; provided, that the city council, by the unanimous vote of all its members, may, upon its own initiative, remove any appointive officer. (1996 Code)

1-6-2: **BONDS OF OFFICERS:** The following officers shall give bonds to the city with two (2) or more sufficient sureties in the penal sums as follow; provided, that surety bonds may be furnished at the expense of the city in lieu of personal bonds:

City clerk/treasurer \$200,000.00 (1996 Code)

1-6-3: **CODE OF ETHICS:**

- A. Declaration of Policy:
 - 1. The public judges its government by the way public officials and employees conduct themselves in the posts to which they are elected or appointed.
 - 2. The people will have a right to expect that every public official and employee will conduct himself in a manner that will tend to preserve public confidence in and respect for the government he represents. Such confidence and respect can best be promoted if every public official and employee, whether paid or unpaid, and whether elected or appointed, will uniformly:
 - a. Treat all citizens with courtesy, impartiality, fairness and equality under the law; and

b. Avoid both actual and potential conflicts between their private self-interest and the public interest.

B. Definitions: The terms used in this section are hereby defined as follows:

FINANCIAL INTEREST: Any interest which shall yield, directly or indirectly, a monetary or other material benefit (other than the duly authorized salary or compensation for his services to the city) to the official or employee or to any person employing or retaining services of the official or employee.

OFFICIAL OR EMPLOYEE: Any person elected or appointed to, or employed or retained by, any public office or public body of the city whether paid or unpaid and whether part time or full time.

PERSON: Any public or private corporation, firm, partnership, association, organization, government or any other group acting as a unit, as well as a natural person.

PERSONAL INTEREST: Any interest arising from blood or marriage relationships or from close business or political association whether or not any financial interest is involved.

PUBLIC BODY: Any agency, board, body, commission, committee, department or office of the city.

C. Fair and Equal Treatment:

1. Impartiality: No official or employee shall grant or make available to any person any consideration, treatment, advantage or favor beyond that which is the general practice to grant or make available to the public at large.

2. Use of Public Property: No official or employee shall request, use or permit the use of any publicly owned or publicly supported property, vehicle, equipment, labor or service for the personal convenience or the private advantage of himself or any other person. This rule shall not be deemed to prohibit an official or employee from requesting, using or permitting the use of publicly owned or publicly supported property, vehicle, equipment, material, labor or service for which it is the general practice to make available to the public at large or which are provided as a matter of stated public policy for the use of public officials and employees in the conduct of official business.

D. Conflicts of Interest:

1. Public Disclosure of Financial or Personal Interest:

a. No official or employee, either on his own behalf or that of any other person, shall have any financial or public interest in any business or transaction with any public body unless he shall first make full public disclosures of the nature and extent of such interest.

b. Whenever the performance of his official duties shall require any official or employee to deliberate and vote on any matter involving his financial or personal interest, he shall publicly disclose the nature and extent of such interest and disqualify himself from participating in the deliberation as well as in the voting.

c. No official or employee shall engage in private employment with, or render services for, any private person who has business transactions with any public body unless he shall first make full public disclosure of the nature and extent of such employment or services.

2. Representation of Private Persons: No official or employee shall appear on behalf of any private person, other than himself, before any public body in the city.

3. Receiving Gifts: No official or employee shall accept any gift, whether in the form of money, thing, favor, loan or promise, that would not be offered or given to him if he were not an official or employee.

4. Disclosing Confidential Information: No official or employee shall, without prior formal authorization of the public body having jurisdiction, disclose any confidential information concerning any other official or employee, or any other person, or any property or governmental affairs of the city. (1996 Code)