



City Council Code of Conduct

Introductory Pledge

The Maple Plain City Council is committed to practicing principles and conducting business in a fair, ethical, and accountable manner to inspire trust in local government. The Code of Conduct is established for all elected officials of the City of Maple Plain. Where applicable, the principles, behavioral guidelines, and legal obligations expressed in this Code of Conduct shall apply to appointed board, commission and staff members.

Councilmembers must conduct themselves by complying with the following principles, and agree to:

- Comply with the law, including
 - Staying within the City Council's authority
 - Following the open meeting, gift, and conflict of interest laws
- Respect City Council roles and responsibilities when working with staff, boards, and commissions
- Keep current their City Calendar of dates they are not available as to aid in the streamlining of scheduling meetings.
- Be consistent in policy and respect process
- Act and conduct public business in a manner that is consistent with the City's adopted values.
- Fulfill the Council's statutory and fiduciary responsibility to act in the best interest of the City's current adopted priorities, and all its residents, both financially and legally by:
 - Keeping the common good as the highest purpose to focus on achieving constructive solutions for the public benefit
 - Not disclosing private or confidential information of the City, or using that information to advance personal interests
 - Protecting the City's interests and avoiding liability by seeking the advice of legal counsel

Compliance and Enforcement

This Code of Conduct expresses the standards of ethical conduct expected of members of the Maple Plain City Council, staff, and commission members, where applicable. Members themselves have the primary responsibility to assure the public that ethical standards are understood and met and that the public can continue to have full confidence in the integrity of government.

Council Members are expected to uphold the highest standards of conduct and hold themselves and each other accountable. The City Administrator serves in an advisory capacity, and the City Attorney is consulted only when legal compliance issues arise.

Complaint Submission

- Complaints regarding suspected violations of the Code of Conduct should be submitted to the City Administrator.

Resolution and Enforcement Process

1. Legal Compliance Matters

- Complaints involving potential violations of law will be referred to the City Attorney for review and guidance.

2. Non-Legal Code of Conduct Concerns

- Complaints that do not rise to a legal violation but may conflict with the Code of Conduct will be reviewed by the City Administrator.
- The City Administrator will provide a professional opinion and summary of findings, which will be presented to the City Council at a workshop for discussion.
- The Council may determine whether further action is warranted based on the Administrator's findings and Council deliberation.

Determination of Violation

- Only the City Council, through workshop discussion and consensus, may determine whether a violation of the Code of Conduct has occurred, except in matters of legal compliance.

Council Actions Upon Violation

In the event of a violation of the Code of Conduct, the City Council may take action consistent with its adopted rules of procedure and applicable law, including but not limited to public censure or removal from appointed positions.

Additional Compliance Requirements

All elected and appointed officials of the City are also subject to and must comply with the City's:

- Sexual Harassment Policy
- Respectful Workplace Policy

Compliance with the Law

Members must comply with applicable federal laws, state laws, and city ordinances in the performance of their public duties.

Authority

Maple Plain is a statutory A City, powers are granted to the Council as a whole, and not to individual members.

Open Meeting Law

Public deliberations and processes must be conducted openly and transparently. The Minnesota Open Meeting Law (Minnesota Statutes Chapter 13D) requires that meetings of governmental bodies be open to the public to:



Prohibit actions being taken at a non-public meetings where it is impossible for the interested public to become fully informed about a public board's decisions or to detect improper influences assure the public's right to be informed and observe public meetings

The Minnesota Supreme Court has noted that meetings of less than a quorum of a public body held serially to avoid a public meeting or to fashion an agreement on an issue of public business may violate the Open Meeting Law. Serial meetings shall be avoided.

Gifts to the City: City Councilmembers at City Council meetings can recommend acceptance of gifts and donations to the City. All gifts and donations to the City must be accepted by Council resolution.

Logo

Members shall not use the City's name or logo for purpose of endorsing any political candidate or business.

Conflict of Interest

A conflict of interest occurs when any councilmember who has a "financial interest" in, or who may receive a financial benefit as a result of, any action, or if there is potential for the appearance of conflict of interest, takes part in the official decision on the action. Questions about a potential conflict of interest should be discussed with the City Administrator.

Contractual Conflict of Interest: Minnesota Statute Section 471.87 (with certain exceptions): A public officer who is authorized to take part in any manner in making any sale, lease, or contract in an official capacity shall not voluntarily have a personal financial interest in that sale, lease, or contract or personally benefit financially therefrom.

Non-Contractual Conflict of Interest: Non-contractual matters may include such things as Council decisions on zoning, local improvements, and the issuance of licenses. Although not generally prohibited by state law, an interested councilmember or board or commission member most likely should abstain from participating in the Council discussion and from voting on these issues.

Members who have an actual or potential conflict of interest must:

- Disclose the conflict of interest to the group, and
- Abstain from the official discussion, debate, and vote

This is only a general summary of these laws and obligations that apply to elected and appointed officials. Specific situations or questions should be referred to the City Administrator or City Attorney.

Roles of Council, Staff, and Commissions

Councilmembers, staff, and board and commission members are all part of a team committed to serving the residents of Maple Plain both today and in the future. To be effective, members must come to meetings with an open mind, think strategically about City issues, and delegate details of



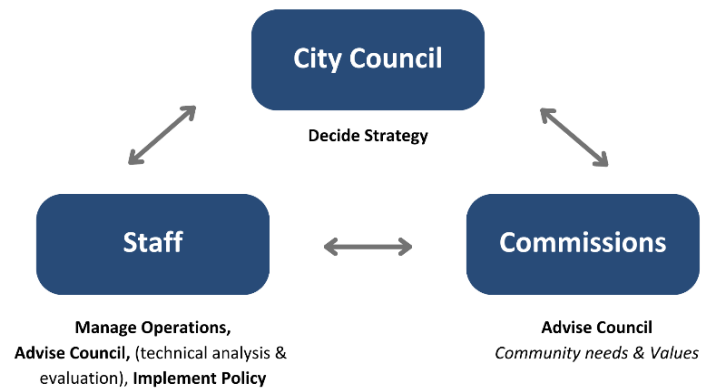
implementation to staff. Councilmembers must strive to maintain a culture of trust, respect, and candor as a Council and when working with staff and boards/commissions.

In order to facilitate smooth and efficient meetings, the City Council shall follow Robert's Rules of Order to govern the conduct of its meetings. Additionally, all members shall abide by the guidelines set forth in the Open Meeting Law, ensuring transparency, accountability, and public access to meetings and decisions.

(Open Meeting Law Refer to Appendix A)

(Robert's Rules of Order Refer to Appendix B)

Examples of decisions and actions for each role include the following:



City Council:

- Make policy-level decisions. Hire and Terminate Staff, Supervise the City Administrator.
- Approve:
 - Budget and work-related plan
 - Ordinances and policy decisions
 - Variances and rezoning requests
- Appoint representatives to advisory boards and commissions

City Administrator and Staff

- Provide professional and technical advice to the Council
- Manage operations and staff
- Propose budget and policies
- Carry out Council decisions
- Deliver services
- Equitably enforce codes and policies

Advisory Boards and Commissions

- Provide a community perspective
- Propose work plan items
- Advise the Council
- Hold hearings as directed by the Council
- Assist as directed in the work plan with engagement efforts

To act in accordance with the City's adopted values and in a manner that is productive for the body, the City Council adopts the following principles of respectful behavior that apply to all councilmembers and members of boards and commissions. These guidelines are provided to ensure each member's contributions are valued and through the collective contributions of all, the Council will operate most effectively. These guidelines are ideals and singular or occasional actions that are not consistent do not necessarily constitute a violation of this Code of Conduct, however, repeated and/or intentional violations of one or more of these principles may result in City Council action.

Members shall:

- Treat people with courtesy, politeness, and kindness
- Encourage others to express their opinions and ideas
- Listen to what others have to say
- Use the ideas of others to improve decisions and outcomes
- Recognize and respect differences
- Prepare for the issues at hand (read the packet, ask questions prior to the meeting when you are able)
- Focus on the business of the body
- Consider only legally related information in decisions
- Act as a decision-maker, not an advocate

Members shall not:

- Speak over or cut off another individual's comments
- Insult, disparage, or put down people or their ideas
- Bully other members, staff, or citizens display a pattern of belittling, demeaning, judging, act in a violent manner or patronizing comments
- Violence or the threat of violence will not be tolerated
- Grandstand – offering their political beliefs or world views unrelated to the matter at hand during discussions
- Have distractions, such as cell phone use during meetings.

Working with Staff:

City Council shall:

- Hire, fire, and supervise the City Administrator.
- Set the strategic direction for the City
- Consider and approve budget and related work plan, and monitor performance relative to those items
- Consider and approve policy decisions
- Consider and approve development proposals
- Consider and approve variances and rezoning requests
- Appoint citizens to citizen advisory boards and commissions
- Approve and amend work plans

City Council shall not:

- Individually direct the activities of staff.
- Individually direct the activities of boards, commissions or other resident groups
- Individually approve policies, projects etc.
- Individually commit City resources or staff to specific causes
- Individually enforce policies, City Code, etc.
- Individually speak or prepare official correspondence on behalf of the City unless authorized by the City Administrator or City Council.



Councilmembers must use the following guidelines working with City staff:

- Respect staff as valued resources and members of our team
- Support the maintenance of a positive and constructive workplace environment for City employees where individual councilmembers, City staff, and the public are free to express their ideas and work to their full potential
- Provide direction to the City Administrator as a body and not direct the work of individual staff members
- Encourage staff to focus on the big picture in reports
- When possible, notify the City Administrator in advance of a Council meeting of questions or requests to pull items from the consent agenda so the appropriate staff can compile the information needed
- Agree that the information they ask of the City Administrator will be shared equally with all councilmembers
- Copy the City Administrator on all communications with staff, including questions

Working with Boards and Commissions

Maple Plain's boards and commissions are established by the City Council and serve as advisors to the Council. Specific board and commission roles are to:

- Investigate matters within the scope of the board or commission or as specifically directed by the Council
- Advise the Council by communicating the viewpoint or advice of the commission
- At the direction of the Council, hold hearings, receive evidence, conduct investigations, and, based on such hearings, evidence, and investigations, make decisions and recommendations to the Council

City Councilmembers shall use the following guidelines working with boards and commissions:

- View boards and commissions as vitally important resources to support team decision-making
- Communicate effectively with boards and commissions to ensure they have the tools to successfully conduct their work
- Give clear direction as a body and take adequate time to review the result of their deliberations
- Because of the value of the independent advice of boards, commissions, and task forces to the public decision-making process, members of the Council must refrain from using their position to influence the deliberations or outcomes of boards, commissions, and task force proceedings
- Councilmembers will attend board, commission, committee, working group, or task force meetings when appointed by the Council as a City Council Liaison. When councilmembers attend a meeting:
 - They are primarily there to listen, observe, and communicate relevant information between the Council and the board or commission.
 - They should strive for good communication by reporting to the full Council at the following regular City Council meeting.



Working with the Community

Residents. City staff are the first call for help for its residents. Councilmembers should refer residents who have concerns to the City Administrator. If a resident has contacted the City Administrator but is still not satisfied, the councilmember should discuss it with the City Administrator. If a resident receives conflicting information from different councilmembers or staff, that complicates the situation for the resident and could increase liability for the City.

Business or other interests:

The purpose of a City Council meeting is to review the information needed to make decisions and vote on matters presented. It is not feasible to conduct all business in a public meeting. Particularly around development projects, business interests might ask a councilmember or commission member to meet outside of a formal meeting to facilitate idea generation about proposals.

The City Council's overarching principles for working with the community, applicable to councilmembers and board and commission members, include:

- Never grant special consideration, treatment, or advantage.
- Respect the sensitivity of personal information.
- Honor established rules regarding public testimony and communicate the rules.
- Make ourselves available to all parties on an equal basis and not advocate for a certain point of view.
- Be cautious about how we participate in meetings or events and not prejudge the issue before the Council has had a chance to deliberate.

These principles help ensure fairness, transparency, and integrity in the council's interactions with the community.

Meeting requests by residents and businesses

1. **AFTER DECISION:** If a councilmember is invited to a meeting about an issue the Council has decided upon, that member may explain how the Council arrived at that decision
2. **DURING DISCUSSION:** If a councilmember is invited to a meeting about an issue that will be before the Council in the future, the councilmember must uphold the above principles for working with the community, and:
 - a. Must not make a decision about an issue to come before the City Council until the process allows.
 - b. Must be sensitive to the fact that the councilmember is not hearing everyone and give equal consideration to all feedback regardless of the way it was received.
3. **DURING SPECIFIED ENGAGEMENT PROCESS:** If a councilmember meets with a resident during a planned engagement process, they must notify the resident that they are there to listen and encourage them to participate through the established process to engage. The councilmember should ensure that staff receives any feedback provided by residents.

Intergovernmental Relations



Members must represent positions approved by the City Council to the best of their ability when working with:

- Legislative bodies
- Federal or state agencies
- Other local governments, such as school boards or counties

If an individual councilmember's opinion differs from the City position or a matter agreed upon by the full Council, members must explicitly state that their opinion does not represent that of the City Council or the City of Maple Plain, nor should they make any inference to the contrary.

Social Media Use

The term "social media" refers to forms of electronic communication through which users create online communities to share information, ideas, personal messages, and other content. Some examples include, but are not limited to, internet-based platforms, such as Facebook, Instagram, X, and YouTube.

Purpose

This policy establishes guidelines for elected officials' use of social media to ensure transparency, protect constitutional rights, and minimize legal risks associated with online communication.

I. Scope

This policy applies to all elected officials of the City of Maple Plain who use social media in any capacity related to their official role.

II. Definitions

Official Page: A social media account used to communicate city-related information or conduct city business.

Personal Page: A social media account used for private, non-governmental purposes.

Campaign Page: A social media account used exclusively for election-related activities.

III. Page Management Guidelines

A. Personal Pages

1. Clearly identify as personal and not used for city business.
2. Refer city-related inquiries to official channels.
3. Avoid discussing city business to prevent liability.

B. Campaign Pages

1. Include disclaimers that the page is for campaign purposes only.
2. Do not use city resources or staff for campaign content.
3. Refer constituents to official pages for city business.

C. Official Pages



1. Use only for city-related communication.
2. Clearly state the purpose of the page.
3. Avoid deleting or blocking comments unless legally justified.
4. Refer operational matters to city staff.

IV. First Amendment Compliance

Elected officials must respect free speech rights on official pages. The following content may be removed:

1. Obscenity or pornography
2. True threats or incitement to violence
3. Defamation (false statements of fact)
4. Personal information posted without consent
5. Commercial spam
6. Statutorily confidential information
7. Viewpoint discrimination is strictly prohibited. Comments cannot be removed or users blocked based on disagreement with city policies or officials.

V. Blocking and Comment Moderation

Blocking users should be a last resort and narrowly tailored.

Document all moderation actions and efforts to mitigate issues.

Periodically review blocked users for potential reinstatement.

Avoid blanket statements like “inappropriate comments will be removed,” which may be unconstitutional.

VI. Determining State Action

Officials are considered to be acting in an official capacity when:

1. They have actual authority to speak on behalf of the city (via ordinance, policy, or custom).
2. They purport to use that authority in their posts (e.g., making announcements not available elsewhere).

Posts that merely share public information without invoking authority are more likely personal.

VII. Best Practices

1. Keep personal, campaign, and official pages separate.
2. Know your authority and act within it.
3. Use social media to inform and engage, not to criticize staff or other officials.
4. Maintain civility and professionalism in all interactions.

VIII. Training and Enforcement

Elected officials will receive training on this policy upon assuming office and periodically thereafter.

