



**TWO  
RIVERS**  
WISCONSIN

CITY OF TWO RIVERS,  
WISCONSIN  
CODE OF CONDUCT FOR  
ELECTED OFFICIALS  
ADOPTED: \_\_\_\_\_

## TABLE OF CONTENTS: CODE OF CONDUCT FOR ELECTED OFFICIALS

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Section 1.	<u>Purpose and General Policy</u>	2-3
Section 2.	<u>Conduct with Elected Officials</u>	3
Section 3.	<u>Conduct with City Staff and the Public</u>	3-4
Section 4.	<u>Prohibited Activity and Ethics</u>	4
Section 5.	<u>Complaint and Enforcement Procedure</u>	4-5
Section 6.	<u>Communications and Technology</u>	5
Section 7.	<u>Acknowledgement Statement</u>	5

This Code of Conduct is adopted pursuant to authority granted to the Council under Wis. Stat. §62.11(3)(a) and (e), applicable to the Council under Wis. Stat. §64.07(1), and Wis. Stat. §19.59(1m) and (4). The applicable provisions of Wis. Stat. §19.59, the statutory Code of Ethics for Local Government Officials, Employees and Candidates, and Wis. Stat. §946.13, prohibiting private interest in public contracts, are incorporated by reference in this Code.

This Code of Conduct shall apply to the Standing Committees of the Council described in Section 2-2-4 of the Municipal Code of the City, and their members.

### **SECTION 1: Purpose and General Policy**

It is the policy of the City of Two Rivers to uphold, promote, and demand the highest standards of ethics from its elected officials.

Accordingly, members of the City Council shall maintain the utmost standards of personal integrity, trustworthiness, honesty, and fairness in carrying out their public duties. Councilmembers must comply with all applicable laws, avoid any improprieties in their roles as public servants, and never use their City position or authority improperly or for personal gain.

This Code of Conduct has been created to ensure that all officials have clear guidelines for carrying out their responsibilities and managing their relationships with each other, City staff, the citizens of Two Rivers, and all other private and governmental entities.

### **SECTION 2: Conduct with Elected Officials**

- A. Civility and Decorum:** Difficult questions and criticism of ideas are legitimate elements of a free democracy, but Councilmembers must not be hostile, degrading, or defamatory when debating a contentious issue. Members should assume their colleagues have appropriate motives and the public's interest in mind.

- B. Respectful Discourse:** Councilmembers shall not make belligerent, impertinent, slanderous, threatening, abusive, or personally disparaging comments in public meetings or individual encounters.
- C. Honor the Chair:** The Council President is responsible for keeping comments on track during meetings. Members must honor efforts to focus discussions on the current agenda.
- D. Attention to Proceedings:** Council Meetings should be devoted exclusively to the conduct of public business. Members should give their full attention to the agenda and refrain from conducting private business during meetings.

### SECTION 3: Conduct with City Staff and the Public

#### Interactions with City Staff:

- A. Professionalism:** Councilmembers should treat all staff as professionals, utilizing clear, honest communication that respects the abilities and dignity of each individual.
- B. No Public Criticism:** Councilmembers shall never demean or personally attack an employee regarding their job performance in public, including statements to the media or on social media. Performance concerns must be forwarded privately to the City Manager.
- C. Respect Administrative Authority:** The Council shall not attempt to supersede the administration's powers by giving direct orders to the City Manager, Department Heads, or subordinate staff.

#### Interactions with the Public:

- A. Welcoming Environment:** Councilmembers are expected to treat citizens with care and respect, making every effort to be fair and impartial when listening to public testimony.
- B. Clarification over Debate:** Questions directed by Councilmembers to the public should seek to clarify or expand information, not to criticize or debate.
- C. Unofficial Settings:** Councilmembers must avoid making overt or implicit promises to the public that the Council will vote a certain way or that City staff will take specific actions.

### SECTION 4: Prohibited Activity and Ethics

- A. Conflicts of Interest:** Councilmembers are expected to avoid conflicts of interest, as well as the appearance of conflicts, to ensure decisions are made in an independent and impartial manner. No member may use their position to obtain financial gain or anything of substantial value for themselves, their immediate family, or an associated organization.
- B. Anti-Discrimination and Harassment:** The City Council is committed to fostering a work and operational environment free of discrimination and harassment. No

Councilmember shall harass or make offensive comments based on race, color, sex, religion, age, disability, sexual orientation, gender identity, or national origin.

- C. **Representing the City:** When communicating with the media or speaking before another agency, members must clearly state whether their statement reflects a personal opinion or the official stance of the City.
- D. **Closed Sessions:** Councilmembers must hold all closed session information in strict confidence. Members shall not divulge any aspect of closed session deliberations unless expressly authorized by the Council or required by law.

## **SECTION 5: Complaint and Enforcement Procedure**

A. **Filing a Complaint** Any person who believes an elected official has violated this Code of Conduct may file a signed, written complaint with the City Clerk. To initiate the process, the complaint must clearly identify:

1. The complainant's name and contact information.
2. The name of the City official accused.
3. A brief statement of the facts constituting the alleged violation, including the dates it occurred.

Note: A person who knowingly makes a false, misleading, or unsubstantiated statement in a complaint filed in bad faith may be subject to penalty.

### **B. Mandatory Public Hearing**

The enforcement of this Code relies on peer accountability and transparency rather than formal judicial or quasi-judicial proceeding.

1. **Scheduling the Public Hearing:** If the City Clerk determines the filed complaint is complete, they will forward it to the City Council to schedule a mandatory public discussion.
2. **The Hearing:** The accused official will be called to appear before the City Council. Rather than an evidentiary trial with cross-examinations, the body will hold a guided, mandatory hearing regarding the facts of the complaint. The goal is to openly address the grievance, hear from the involved parties, clear up misunderstandings, and ensure future adherence to the Code. The Council shall allow for public comment, including comment from the complainant and the accused official, subject to the body's ordinary rules of discussion.
3. **Participation in Hearing:** Participation in the hearing shall be limited to the complainant, the accused official, any relevant witnesses identified by either party, and members of the City Council. No general public comment shall be taken during the hearing. The presiding officer shall have the authority to recognize speakers, maintain order, and ensure that all testimony remains relevant to the matters outlined in the complaint.

**C. Penalties and Sanctions** Following the discussion, the City Council will deliberate and determine what action, if any, is necessary. It is the intent of the Council to educate and, when necessary, discipline members using progressive measures. Sanctions require a majority vote (for censure) or an affirmative vote of 3/4 of the Council (for removal). Possible sanctions include:

1. An informal censure by the Council, made as part of a motion in a public meeting.
2. A formal censure by the Council, published in the City official newspaper.

## **SECTION 6: Communications and Technology**

### **A. Use of Electronic Devices During Meetings**

1. **Focus on City Business:** Electronic devices may be used during meetings as an alternative to printed materials or to look up information relevant to matters being considered by the Council but Council Members should not use their devices during meetings for things not related to City business.
2. **Public Records Warning:** Electronic communications (e.g., text, email, or instant messaging) sent or received by Council Members during a meeting may create public records subject to disclosure under Wisconsin's Public Records Law. If they relate to matters being addressed by the Council, they must be shared with the Council as a whole.

### **B. Social Media and Newsletters**

1. **Differentiating Opinions:** When communicating on social media on matters within the authority of the City, Council Members should clearly differentiate between personal opinions and the official position of the City. Each Council Member represents one vote, and until a vote is taken, their positions are merely their own.
2. **Personnel Matters:** Councilmembers should not initiate discussions of City personnel issues or other matters regarding individual City staff on social media.

## **SECTION 7: Acknowledgement Statement**

Upon or prior to the swearing-in of each newly-elected or re-elected member of the City Council, the City Clerk shall provide such member with a copy of this Code of Conduct and shall request their signed acknowledgement of having received and reviewed it.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_