

**TOWN OF LAKEVIEW  
RESOLUTION NO. 1156**

**A RESOLUTION OF TOWN OF LAKEVIEW ESTABLISHING A CODE OF ETHICS AND DECORUM  
POLICY.**

**WHEREAS**, the Town Council desires to ensure and promote an environment of honesty, integrity, impartiality, openness, and transparency in all its affairs; and

**WHEREAS**, the Town Council has determined to advance this cause by adopting a Code of Ethics and Decorum; and

**WHEREAS**, this Code of Ethics and Decorum shall apply to all Town officials including all elected and appointed officials, staff, and volunteers; and

**WHEREAS**, this Code of Ethics and Decorum is not intended to legislate morality but to convey general expectations of appropriate conduct.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Lakeview hereby adopts the following Code of Ethics:

**Definitions:**

1. "Town Official" means any elected official, employee, appointee to a board or commission, or citizen volunteer authorized to act on behalf of the Town of Lakeview, Oregon.
2. "Ethics" means positive principles of conduct. Some ethical requirements are enforced by federal, state, or local law; others rely on training or on individuals' desire to do the right thing. The provisions of this Resolution which are not otherwise enforced by law shall be considered advisory only.

Trust: The purpose of town government is to serve the public. Town officials treat their office as a public trust.

1. The Town's powers and resources are used for the benefit of the public rather than any official's personal benefit.
2. Town officials promote public respect by avoiding even the appearance of impropriety.
3. Policymakers place long-term benefit to the public as a whole above all other considerations, including the concerns of important individuals and special interests. The public interest includes protecting the rights of under-represented minorities.
4. Administrators implement policies in good faith as equitably and economically as possible, regardless of their personal views.
5. Whistleblowing is appropriate on unlawful or improper actions.
6. Citizens have a fair and equal opportunity to express their views to Town officials.
7. Town officials do not give the appearance of impropriety or personal gain by accepting personal gifts.
8. Town officials devote Town resources, including paid time, working supplies, and capital assets, to benefit the public.
9. Political campaigns are not conducted on Town time or property.

**Objectivity:** Town officials' decisions are based on the merits of the issues. Judgment is independent and objective.

1. Town officials avoid financial conflict of interest and do not accept benefits from people requesting to affect decisions.
2. If an individual official's financial or personal interests will be specifically affected by a decision, the official is to disclose the conflict and withdraw from participating in the decision.
3. Town officials avoid bias or favoritism and respect cultural differences as part of decision-making.
4. Intervention on behalf of constituents or friends is limited to assuring fairness of procedures, clarifying policies or improving service for citizens.

**Accountability:** Open government allows citizens to make informed judgments and to hold officials accountable.

1. Town officials exercise their authority with open meetings and public records.
2. Officials who delegate responsibilities make sure work is carried out efficiently and ethically.
3. Campaigns for election allow the voters to make an informed choice on appropriate criteria.
4. Each Town employee and appointee is encouraged to improve Town systems by identifying problems and proposing improvements.
5. Town government systems are self-monitoring with procedures in place to promote appropriate actions.

**Leadership:**

1. Town officials obey all laws and regulations.
2. Town officials do not exploit loopholes.
3. Leadership facilitates, rather than blocks, open discussion.
4. Officials avoid discreditable personal conduct and are personally honest.
5. All Town departments and work teams are encouraged to develop detailed ethical standards, training, and enforcement.

This resolution will become effective immediately upon passage.

Adopted by the Town of Lakeview Town Council on August 22, 2023.

\_\_\_\_\_ In Favor

\_\_\_\_\_ Opposed

**Town of Lakeview, Oregon**

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Raymond Turner, Mayor

**A RESOLUTION OF TOWN OF LAKEVIEW ESTABLISHING A CODE OF ETHICS AND DECORUM POLICY.**

**Ethics and Decorum.**

- (1) State Ethics Law. Council members will review and observe the requirements of the State Ethics Law (ORS 244.010 to 244.179).
- (2) Conflict of Interest. In every case in which a council member is faced with a potential conflict of interest or actual conflict of interest, as those terms are defined by ORS 244.020, the nature of the conflict must be disclosed during the public meeting and recorded in the minutes. If an actual conflict of interest exists, the council member, after disclosing the nature of the conflict, shall remove themselves from the meeting and refrain from participating in both the discussion and vote on the issue.
- (3) General Ethical Standards. Council members shall maintain the highest standards of ethical conduct and assure fair and equal treatment of all persons, claims and transactions before the council. Council members are to refrain from:
  - (a) Disclosing confidential information or making use of special knowledge or information before it is made available to the general public.
  - (b) Making decisions involving business associates, customers, clients, and competitors.
  - (c) Requesting preferential treatment for themselves, relatives, associates, clients, coworkers, or friends.
  - (d) Taking actions which benefit special interest groups at the expense of the city as a whole.
  - (e) Engaging in repeated violations of these council rules of procedure.
- (2) Decorum. In general, council members shall conduct themselves so as to bring credit upon the government of the town of Lakeview by respecting these rules of procedure and the rule of law, ensuring non-discriminatory delivery of public services, and keeping informed concerning the matters coming before the council.
  - (a) Council members shall preserve decorum during meetings, and shall not, by conversation or action, delay or interrupt the proceedings or refuse to obey the orders of the presiding officer or these rules of procedure.
  - (b) Members of the town staff and all other persons attending meetings shall observe the council's rules of procedure and adhere to the same standards of decorum as council members.

- (c) The presiding officer shall preserve decorum during meetings and shall decide all points of order, subject to appeal of the council.
- (d) Any person or persons who disrupts a meeting, making it impossible for the meeting to be conducted, shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer. In case the presiding officer should fail to act, any member of the council may obtain the floor and move to require enforcement of this section; upon affirmative vote of the majority present, the sergeant-at-arms shall be authorized to remove the person or persons, as if the presiding officer had so directed. Before the sergeant-at-arms is directed to remove any person from a council meeting for conduct described herein, that person should be given a warning by the presiding officer to cease their conduct. A warning is not required, but will generally be given to provide the person an opportunity to correct their behavior.
- (e) All members of the council and town staff are to refer to council members and the mayor by their title and last name during council meetings and work sessions.

#### **Council Code of Conduct.**

- (1) Public meetings. The council is composed of persons with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite these differences, all have chosen to serve the town of Lakeview. In all cases, the common goal of “agree to disagree” on contentious issues shall be acknowledged by all council members. In a public meeting, council members are to:
  - (a) Practice civility, professionalism, and decorum in discussions and debate. Council members are to conduct themselves in a professional matter at all times. Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of government. This does not allow, however, council members to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that threaten others will be tolerated.
  - (b) Respect the role of the presiding officer in preserving order. It is the responsibility of the presiding officer to keep the council on track during meetings. Council members should respect the presiding officer’s efforts to focus discussions on current agenda items and to maintain order.
  - (c) Demonstrate effective problem-solving approaches. Council members with disparate points of view are to strive to find common ground and seek a compromise that benefits the city as a whole.
  - (d) Be punctual and keep comments relative to topics discussed. Council members have made a commitment to attend meetings and partake in discussions. Therefore, it is important that council members be punctual and that meetings start on time. It is equally important that discussions on issues be relative to the topic at hand to allow adequate time to fully discuss scheduled issues.

- (e) Remember to strive to participate in a dialogue with fellow councilors instead of engaging in behavior that is more readily attributable to debate. This should include avoiding those behaviors generally described as blocking in nature.
  - (f) Mobile devices and personal electronic devices shall be silenced during council meetings. In deference to the meeting at hand, council members should make every effort to refrain from sending or receiving electronic communication of a personal nature during council meetings, though as volunteers it may sometimes be necessary to send or receive urgent/emergency family or business communications.
  - (g) Participation in the entirety of the meeting is expected, particularly for those items denoted as an action item wherein the council is expected to render a decision. If a council members needs to excuse themselves from a meeting, or a portion thereof, even if only momentarily, the council person must ensure the mayor is aware of their departure and return so that the mayor can properly manage the meeting and any actions taken by the council.
- (2) Interactions with town staff. For the town of Lakeview to be successful, there must be a cooperative effort between elected officials who set policy and city staff who implement and administer the council's policy. Every effort should be made to be cooperative and show mutual respect for the contributions made by each person.
- (a) Treat all staff as professionals. Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.
  - (b) Do not interfere with the town's administration. The council, and its members, shall deal with town officers and employees who are subject to the direction and supervision of the town administrator solely through the town administrator, and neither the council nor its members shall give orders to any such officer or employee, either publicly or privately.
  - (c) Refrain from undermining town administrator. Respect the administrative functions of the town administrator and refrain from actions that would undermine the town administrator's authority.
  - (d) Limit individual contact with town officers and employees so as to not influence staff decisions, recommendations, or actions to prevent interference with staff work performance.
  - (e) Individual inquiries and requests for information from staff is to be limited to those questions that may be answered readily as part of the staff's day-to-day responsibilities. Multiple and continuous individual inquiries and requests for information, when taken cumulatively, have the ability to negatively interfere with the town's administration to perform efficiently and complete assigned tasks. If the town administrator believes that the number of individual inquiries being asked of staff is to such a degree that staff's ability to perform their essential tasks is being compromised, the town administrator shall bring the issue to the town council for discussion and direction on how to proceed.

- (A) Inquiries and requests that are not readily answered by staff must be directed to the town administrator, who will assign inquiries and requests to appropriate city staff and track progress of the assignments. This process eliminates possibilities of town staff duplicating each other's efforts or a request being overlooked.
  - (B) Inquiries and requests requiring more than two hours of staff time must be approved by the council.
  - (C) A council member who desires major policy, ordinance research, or other staff assistance should first raise the issue at a council work session. The council will decide whether to proceed with the issue or ordinance before staff time is spent.
  - (f) Do not disrupt staff from their jobs. Council members should not disrupt town staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met.
  - (g) Never publicly criticize an individual town employee. The council should never express concerns about the performance of a town employee in public, to the employee directly (aside from the town administrator), or to the employee's supervisor (unless the supervisor is the town administrator). Comments about staff performance should only be made to the town administrator through private conversation or correspondence.
  - (h) Do not solicit political support from town employees. Council members are prohibited by ORS 260.432, and these rules of procedure, from soliciting any type of political support (financial contributions, display of posters or yard signs, name on support list, etc.) from town staff. As private citizens, while on their own personal time, town staff may choose to support political candidates, but they must do so away from town offices and not utilize town property.
- (3) Interactions with town attorney. Requests to the town attorney for legal advice may not be made by a council member without the concurrence of the council. Before requesting research or other action by the town attorney, council members are encouraged to consider consulting with the town administrator to determine if the request or action can be accomplished more cost-effectively.
- (a) Outside a council meeting, a council member should make requests for the town attorney through the town administrator, an exception to this are issues related to the performance of the town administrator, and in those exceptional instances it shall be the mayor who contacts the town attorney.
  - (b) This provision is not intended to limit a council members ability to seek clarity on procedural questions related to these rules of procedures or how a council meeting is run since the city attorney is designated as the council's parliamentarian. Questions that are thought to be procedural in nature are to be emailed to the town attorney, copying the town administrator. The town attorney, in their sole discretion, will decide if the question being posed is procedural or legal in nature. If the town attorney believes the question is

procedural in nature, they may provide the requisite answer to both the inquiring council member and the town administrator.

- (4) Interactions with the public during meetings. Making the public feel welcome at a public meeting is important. No signs of partiality, prejudice or disrespect should be evident on the part of council members toward an individual participating in a meeting. Every effort should be made to be fair and impartial in listening to the public.
- (a) Be welcoming. Speaking in front of council can be a difficult or intimidating process for some people. Some issues the council undertakes may affect people's daily lives, property, and livelihood. Some decisions are emotional. The way that council treats people during public meetings can do a lot to make them relax or to push their emotions to a higher level of intensity. As such, council members are encouraged to be welcoming and to treat members of the public with respect and care.
  - (b) Be an active listener. Active listening is when you listen with all your senses and give the speaker your full attention. It is disconcerting to speakers to have council members not look at them when they are speaking. It is of course fine to look at documents and take notes; but, reading for a long period of time or gazing around the room gives the appearance of disinterest. Also, be aware of your facial expressions and body language so that speakers do not misinterpret you as being bored, emotional, or hostile.
  - (c) No personal attacks. Council members do not make personal attacks, even if they are the recipients of personal attacks. Be aware of body language and tone of voice. The goal is for council members to remain professional and welcoming.
- (5) Interactions with the public in non-meeting settings. Council members will engage with the public in non-meeting settings on a regular basis. While the council member is not always in a public forum during those interactions, they may still be acting as a public official or representing the city. During these interactions, council members are directed to remain professional and adhere to these rules of procedure.
- (a) Make no promises on behalf of the council or town staff. Council members will frequently be asked to explain a council or administrative decision, or to give their opinion about an issue as they meet and talk with citizens in the community. It is appropriate to give a brief overview of a town policy or action; but, it is inappropriate to overtly or implicitly promise a particular council action, or to promise town staff will do something specific.
  - (b) Make no personal comments about other council members or town staff. It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other council members and town staff, including their opinions and actions.

#### **Representing Town Positions and Personal Positions.**

- (1) Written communication. In written communication with other officials or groups and in letters for publication, such as "to the editor," council members should be careful to decide whether to speak only for themselves or for the council.

- (a) In speaking for the council:
  - (A) Prior permission from a majority of the council is required.
  - (B) If the communication involves the explanation of a position, policy, practice, or regulation, the draft copy is to be circulated to the council for comment prior to its distribution, unless the council waives this requirement.
  - (C) Letters to other elected officials or agencies on town issues shall be discussed with the appropriate town staff so that any efforts the administration is involved in from a lobbying perspective can be effectively coordinated.
- (b) In speaking as an individual, a council member is free to take any position which they feel is appropriate. However, when it is a point of view different from a council position, this fact should be included in the letter and the use of town stationary, letterhead, seal or other identifying information is prohibited.
- (2) Communication with news organizations and the media. The mayor is the designated representative of the council to present and speak on the official town position. Council members are not authorized to represent the town to a news organization or the media unless specifically authorized to do so by a majority of the council. If an individual council member is contacted by a news organization or the media, the council member should be clear about whether their comments represent the official town position or a personal viewpoint.