



**WORK SESSION MEETING
OF THE
CITY COUNCIL
City of Maplewood, Missouri**

City Council Chambers, City Hall
7601 Manchester Road, Maplewood, MO 63143

**Tuesday, September 9, 2025
6:00 PM**

AGENDA

1. Call to Order
2. Roll Call
3. Discussion about amending the City Council Code of Ethics and the Board and Commission Code of Ethics
4. Continued Discussion about Neighborhood Investments in City-Owned Properties in Ward 2
5. Adjournment

Accessibility Notice

The City of Maplewood is committed to making public meetings accessible to all residents. To request accommodations or assistance, please contact the Deputy City Clerk at cityclerk@maplewoodmo.gov or 314-646-3602, or Relay Missouri at 800-736-2966 (TTY). Please make your request at least 48 hours prior to the meeting to ensure appropriate arrangements can be made.

Virtual Access

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Posted on September 5, 2025, at Maplewood City Hall and maplewoodmo.gov

Memorandum



To: Mayor and City Council
From: Amber Withycombe, City Manager
Date: September 4, 2025
Re: **Proposed Updates to City Council and Board/Commission Ethics Codes**

Attached for Council consideration are proposed updates to both the City Council Code of Ethics (Chapter 2, Article II, Division 2) and the Board and Commission Code of Ethics (Chapter 2, Article VII, Division 4) based on best practices and operational challenges experienced under the current procedures.

Council requested updates to the current ethics codes, which have proven difficult to implement effectively due to structural issues that create potential conflicts of interest, unclear procedures, and insufficient independence in the investigative process. The proposed revisions address these deficiencies while maintaining appropriate accountability mechanisms and due process protections.

The proposed updates modernize prohibited conduct definitions to provide clearer guidance on acceptable behavior while addressing contemporary issues such as social media communications and harassment. Procedural improvements include establishing independent investigation processes rather than relying on council-based ethics committees, which create inherent conflicts when council members investigate each other.

The revised complaint process introduces an initial review by the city attorney to screen frivolous complaints, followed by referral to independent investigators, the Missouri Ethics Commission, or law enforcement as appropriate. This approach removes the political dynamics that have complicated past ethics proceedings while ensuring thorough and impartial investigations.

Similarly, the board and commission code receives updated conduct standards and a new enforcement mechanism that eliminates the council-based ethics review committee structure. The revised process provides clear timelines, due process protections, and graduated disciplinary measures while maintaining confidentiality during investigations.

Both codes now include provisions for advisory opinions, standardized timelines, and expanded categories of persons authorized to file complaints to ensure comprehensive oversight.

These updates incorporate best practices from other municipalities. The proposed changes strengthen accountability while providing fair procedures that protect both complainants and accused parties through independent oversight mechanisms.

DIVISION 2. CODE OF ETHICS

Sec. 2-44. Prohibited acts or conduct constituting violations.

The following actions shall constitute a violation of the code of ethics of the city council:

- (1) ~~Engaging in conduct while performing official duties or when identifiable as a council member that involves threats, harassment, or behavior that materially disrupts official proceedings or significantly damages the dignity of the office. Foul or abusive language or action when such can be identified with the city council or the individual elected office held, whether this is in formal meetings or informal sessions.~~
- (2) ~~Conveying the impression of representing the full council or the city without prior assent and delegation by a majority of the council, or purporting to speak on behalf of the city council when expressing individual opinions or positions. Conveying the impression of representing the full council or the city without prior assent and delegation by a majority of the council.~~
- (3) ~~Harassment, intimidation, or improper contact with other members of the city council, board or commission members appointed by the council, or city employees, including but not limited to: repeated unwelcome contact outside normal business hours or official channels; contact that threatens employment, appointment, or official standing; contact that creates a hostile work environment; or contact that violates reasonable boundaries of professional interaction or personal privacy. Unofficial and unauthorized contact of board members appointed by the council or of city employees in such a manner as to be harassing and/or in violation of their privacy or personal time.~~
- (4) ~~Using official position or the authority of office to threaten, intimidate, coerce, or improperly influence citizens, employees, board members, or other officials, or causing others to engage in such conduct on the council member's behalf, whether directly or through the implication that cooperation or compliance will affect official decisions or actions. Causing citizens or employees to be threatened, badgered, harassed, and the like in such a manner as to convey the impression that such conduct is the action of the city council or an elected official.~~
- (5) ~~Unauthorized interference in city administration by giving direct orders to staff, disrupting city operations, or bypassing the city manager in matters requiring council action through proper channels. Disruption or direction of city operations, except that councilmembers may, consistent with their rights and privileges as a city resident, directly contact staff for general information or routine requests (e.g., reporting a pothole, submitting application for a building permit, etc.).~~
- ~~(6) Interference in the functions of city departments and operations of the city government.~~
- ~~(7) Contact with city departments by way of giving instructions or orders without prior approval of the city manager.~~
- (86) Interruption and/or disruption of the functions and procedures of boards and commissions appointed by the council.
- (97) Using an elected office to obtain financial gain, either directly or indirectly.

~~(108) Accepting gifts, gratuities, or things of value in violation of state statute or city conflict of interest policies. Accepting gifts of value in return for decisions, actions or influence due to the office entrusted by the people of the city.~~

~~(119) Any direct or indirect, actual or attempted violations of the Charter.~~

~~(1210) Conduct that materially undermines public confidence in city government through actions demonstrably contrary to the public interest or that violate the oath of office. Any action or manner of speaking that demeans, dishonors or brings insult to the office of mayor, the city council, the people, employees, and/or the city.~~

~~(11) Disclosure of confidential information obtained in executive session or through official duties without proper authorization.~~

~~(12) Misuse of city resources, including staff time, equipment, or facilities for personal benefit.~~

(Code 1982, § 2-23; Ord. No. 4113, § 1, 3-23-1982; Ord. No. 6030, § 1, 12-12-2023)

Sec. 2-45. Persons authorized to present grievances.

Grievances for violations of the code of ethics of the city council can be filed by the following:

- (1) The mayor.
- (2) Members of the council.
- (3) Chairperson and members of council-appointed boards and commissions.
- (4) City employees.
- (5) Residents of the city.
- (6) Persons operating a business in the city.
- (7) Any person who has had direct dealings with the city and alleges the council member's conduct affected those dealings.
- (8) Any person with personal knowledge of the alleged violation.

(Code 1982, § 2-24; Ord. No. 4113, § 2, 3-23-1982)

Sec. 2-46. Procedures for filing charges.

Procedures for filing charges of violations of the code of ethics of the city council shall be as follows:

- (1) ~~Reporting violations. Any person authorized under Section 2-45 may file a written complaint alleging violations of this code of ethics. The complaint shall be submitted to the city manager, who shall forward it to the city attorney for initial review. Charges must be in writing with substantiating proof and submitted to the mayor. In the event the mayor is an involved party, the deputy mayor shall accept the written complaint. If the mayor and deputy mayor are parties in the complaint, the senior councilmember of the uninvolved wards shall receive the written complaint.~~
- (2) ~~Initial review. The city attorney shall conduct an initial review to determine whether the complaint alleges conduct that, if true, would constitute a violation of this code and whether the complaint warrants further investigation. The mayor or whoever is the recipient of the complaint on behalf of the council shall assemble an ethics review committee from the council according to the following guidelines:~~

- ~~a. If the complaint is from someone not on the council, the mayor and the senior councilmember from each of the two neutral wards shall constitute the ethics review committee. If the mayor is the object of the complaint, the deputy mayor with the senior councilmembers from the other two wards shall constitute the ethics review committee.~~
- ~~b. If a member of the council charges another member of the council with violations of the code of ethics, the accused and accusing councilmembers shall choose one member each for the ethics review committee, and their two choices shall mutually agree upon the third member of the ethics review committee, who shall chair the committee.~~
- ~~c. If the accused member so wishes, he may elect to have the hearing of the ethics review committee in public session.~~
- ~~d. If an accused member refuses to select his committee member or refuses to participate then the senior committee member shall select the balance of committee members and conduct the hearing based on the accusations, with or without the accused member's participation.~~
- ~~e. Once a charge has been made, it shall be deemed unprofessional to withdraw it, unless mutually agreed on by both involved parties. Should the charge be dropped and not agreed on by the accused, he may submit charges of his own to satisfy any damages caused to his reputation.~~
- (3) Notice to council. Upon completion of the initial review, if the complaint appears to have merit, the city manager shall provide written notice to all members of the city council that a complaint has been filed, identifying the accused member and the general nature of the allegations, while maintaining confidentiality of specific details during the investigation phase. ~~The mayor or whoever accepted the complaint on behalf of the council shall present the written complaint and any substantive data to the ethics review committee and the member of the council being accused of ethics violations.~~
- (4) Council referral decision. The disinterested members of the city council (excluding any member who is the subject or source of the complaint) shall meet to determine how the investigation should proceed. The accused member shall not participate in this meeting but may submit a written statement for the council's consideration. The disinterested members may refer the matter to:
 - a. An independent investigator
 - b. The Missouri Ethics Commission
 - c. The appropriate law enforcement agency
 - d. Informal resolution procedures if appropriate

~~The ethics review committee shall meet in closed sessions, review the facts, interview all persons related to the charges, and issue either a recommendation for dismissal of the charges or a recommendation of censure and the type of censure to be given. The recommendation of the ethics review committee is binding unless appealed.~~

- (5) Investigation oversight. While the disinterested council members determine the method of investigation, they shall not conduct the investigation themselves or direct its specific procedures. The chosen investigative entity shall maintain independence in conducting the investigation.
- (6) Advisory opinions. Any council member may request an advisory opinion from the city attorney regarding the application of this code of ethics to specific situations. The request shall provide sufficient detail to fully describe the situation and shall be certified as accurate by the requesting member. No person who relies in good faith upon an advisory opinion may be found in violation of this code, except where the opinion was obtained through fraud or material omission of facts. Advisory opinions shall be retained by the city clerk and made available to the public upon request.

(Code 1982, § 2-25; Ord. No. 4113, § 3, 3-23-1982; Ord. No. 4126, 9-28-1982)

Sec. 2-47. ~~Appeals.~~Resolution procedures.

- (a) Disciplinary authority. The disinterested members of the city council, with assistance from the city attorney, shall serve as the disciplinary authority for ethics violations.~~Any member of the council judged violating the code of ethics of the city council by an ethics review committee shall have the right to appeal to the full council for a public hearing to appeal the action of the ethics review committee.~~
- (b) Hearing procedures. Upon receipt of an investigative report indicating probable cause of a violation:
 - 1) The accused member shall receive written notice and opportunity for a hearing
 - 2) Hearings shall be conducted within 40 days unless extended for good cause
 - 3) Hearings shall be open to the public unless conducting such a hearing as a closed session is authorized by law
 - 4) The accused member may be represented by counsel at their own expense
 - 5) A transcript shall be made unless waived by all parties
- (c) Standards. Findings shall be based on a preponderance of the evidence standard.
- (d) Decision. The disciplinary authority shall render a written decision within ten business days after the hearing, determining whether a violation occurred and imposing appropriate discipline.

~~In cases involving a member of the council accusing another member of the council of violation of the code of ethics of the city council, the accusing member can appeal to the full council for a public hearing to appeal a recommendation for dismissal of charges by the ethics review committee only in cases in which the decision was not unanimous. Unanimous recommendations of dismissal of an ethics review committee are final.~~

(Code 1982, § 2-26; Ord. No. 4113, § 4, 3-23-1982)

Sec. 2-48. ~~Penalties for violation~~Discipline.

- (1) Available discipline. Council members found to have violated this code may be subject to:
 - (a) Written warning
 - (b) Public censure
 - (c) Required training
 - (d) Suspension from committee assignments
 - (e) Removal from leadership positions
 - (f) Other appropriate disciplinary measures
- (2) Factors in discipline. The severity of discipline shall be commensurate with:
 - (a) The nature and severity of the violation
 - (b) The impact on the city and public trust
 - (c) Any pattern of violations
 - (d) Whether the violation was willful or inadvertent

(3) *Removal from office.* Removal from office shall be reserved for the most serious violations involving criminal conduct, financial harm to the city, or conduct that significantly damages public trust.

~~—The following are penalties for the violation of the code of ethics:~~

~~(1) A letter of censure.~~

~~(2) A formal resolution of censure requiring an apology.~~

(Code 1982, § 2-27; Ord. No. 4113, § 5, 3-23-1982)

Sec. 2-49. ~~Time table~~ Timetable.

(1) *Initial review.* The city attorney shall complete the initial review of any ethics complaint within ten (10) business days of receipt.

(2) *Council referral decision.* The disinterested members of the city council shall determine the method of investigation within fifteen (15) days of receiving notice from the city manager that a complaint may have merit.

(3) *Investigation timeline.*

(a) Independent investigations shall be completed within sixty (60) days unless extended for good cause

(b) Referrals to the Missouri Ethics Commission shall proceed according to state statutory timelines

(c) Criminal referrals shall proceed according to law enforcement timelines

(4) *Hearing schedule.* Upon receipt of an investigative report indicating probable cause of a violation, a hearing shall be scheduled within forty (40) days unless the disciplinary authority determines more time is required, not to exceed thirty (30) additional days.

(5) *Final decision.* The disciplinary authority shall render a written decision within ten (10) business days after the close of the hearing or receipt of proposed findings of fact and conclusions of law, whichever is later.

(6) *Extensions.* Any timeline in this section may be extended by mutual agreement of the parties or by the disciplinary authority for good cause shown.

~~All charges of violations of the code of ethics of the city council shall be acted on by an ethics review committee within 15 days of being received by the council. All appeals shall be heard and acted upon within 30 days of the written charges being received by the council.~~

(Code 1982, § 2-28; Ord. No. 4113, § 6, 3-23-1982)

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- (2) Conveying the impression of representing the full council or the city without prior assent and delegation by a majority of the council or purporting to speak on behalf of the city council when expressing individual opinions or positions.
- (3) Harassment, intimidation, or improper contact with other members of the city council, board or commission members appointed by the council, or city employees, including but not limited to: repeated unwelcome contact outside normal business hours or official channels; contact that threatens employment, appointment, or official standing; contact that creates a hostile work environment; or contact that violates reasonable boundaries of professional interaction or personal privacy.
- (4) Using official position or the authority of office to threaten, intimidate, coerce, or improperly influence citizens, employees, board members, or other officials, or causing others to engage in such conduct on the council member's behalf, whether directly or through the implication that cooperation or compliance will affect official decisions or actions.
- (5) Unauthorized interference in city administration by giving direct orders to staff, disrupting city operations, or bypassing the city manager in matters requiring council action through proper channels.
- (6) Interruption and/or disruption of the functions and procedures of boards and commissions appointed by the council.
- (7) Using an elected office to obtain financial gain, either directly or indirectly.
- (8) Accepting gifts, gratuities, or things of value in violation of state statute or city conflict of interest policies.
- (9) Any direct or indirect, actual or attempted violations of the Charter.
- (10) Conduct that materially undermines public confidence in city government through actions demonstrably contrary to the public interest or that violate the oath of office.
- (11) Disclosure of confidential information obtained in executive session or through official duties without proper authorization.
- (12) Misuse of city resources, including staff time, equipment, or facilities for personal benefit.

(Code 1982, § 2-23; Ord. No. 4113, § 1, 3-23-1982; Ord. No. 6030, § 1, 12-12-2023)

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- (7) Any person who has had direct dealings with the city and alleges the council member's conduct affected those dealings.
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- (2) *Initial review.* The city attorney shall conduct an initial review to determine whether the complaint alleges conduct that, if true, would constitute a violation of this code and whether the complaint warrants further investigation.
- (3) *Notice to council.* Upon completion of the initial review, if the complaint appears to have merit, the city manager shall provide written notice to all members of the city council that a complaint has been filed, identifying the accused member and the general nature of the allegations, while maintaining confidentiality of specific details during the investigation phase.
- (4) *Council referral decision.* The disinterested members of the city council (excluding any member who is the subject or source of the complaint) shall meet to determine how the investigation should proceed. The accused member shall not participate in this meeting but may submit a written statement for the council's consideration. The disinterested members may refer the matter to:
 - a. An independent investigator
 - b. The Missouri Ethics Commission
 - c. The appropriate law enforcement agency
 - d. Informal resolution procedures if appropriate
- (5) *Investigation oversight.* While the disinterested council members determine the method of investigation, they shall not conduct the investigation themselves or direct its specific procedures. The chosen investigative entity shall maintain independence in conducting the investigation.
- (6) *Advisory opinions.* Any council member may request an advisory opinion from the city attorney regarding the application of this code of ethics to specific situations. The request shall provide

sufficient detail to fully describe the situation and shall be certified as accurate by the requesting member. No person who relies in good faith upon an advisory opinion may be found in violation of this code, except where the opinion was obtained through fraud or material omission of facts. Advisory opinions shall be retained by the city clerk and made available to the public upon request.

(Code 1982, § 2-25; Ord. No. 4113, § 3, 3-23-1982; Ord. No. 4126, 9-28-1982)

Sec. 2-47. Resolution procedures.

- (a) *Disciplinary authority.* The disinterested members of the city council, with assistance from the city attorney, shall serve as the disciplinary authority for ethics violations.
- (b) *Hearing procedures.* Upon receipt of an investigative report indicating probable cause of a violation:
 - 1) The accused member shall receive written notice and opportunity for a hearing
 - 2) Hearings shall be conducted within 40 days unless extended for good cause
 - 3) Hearings shall be open to the public unless conducting such a hearing as a closed session is authorized by law
 - 4) The accused member may be represented by counsel at their own expense
 - 5) A transcript shall be made unless waived by all parties
- (c) *Standards.* Findings shall be based on a preponderance of the evidence standard.
- (d) *Decision.* The disciplinary authority shall render a written decision within ten business days after the hearing, determining whether a violation occurred and imposing appropriate discipline.

(Code 1982, § 2-26; Ord. No. 4113, § 4, 3-23-1982)

Sec. 2-48. Discipline.

- (1) *Available discipline.* Council members found to have violated this code may be subject to:
 - (a) Written warning
 - (b) Public censure
 - (c) Required training
 - (d) Suspension from committee assignments
 - (e) Removal from leadership positions
 - (f) Other appropriate disciplinary measures
- (2) *Factors in discipline.* The severity of discipline shall be commensurate with:
 - (a) The nature and severity of the violation
 - (b) The impact on the city and public trust
 - (c) Any pattern of violations
 - (d) Whether the violation was willful or inadvertent

- (3) *Removal from office.* Removal from office shall be reserved for the most serious violations involving criminal conduct, financial harm to the city, or conduct that significantly damages public trust.

(Code 1982, § 2-27; Ord. No. 4113, § 5, 3-23-1982)

Sec. 2-49. Timetable.

- (1) *Initial review.* The city attorney shall complete the initial review of any ethics complaint within ten (10) business days of receipt.
- (2) *Council referral decision.* The disinterested members of the city council shall determine the method of investigation within fifteen (15) days of receiving notice from the city manager that a complaint may have merit.
- (3) *Investigation timeline.*
- (a) Independent investigations shall be completed within sixty (60) days unless extended for good cause
 - (b) Referrals to the Missouri Ethics Commission shall proceed according to state statutory timelines
 - (c) Criminal referrals shall proceed according to law enforcement timelines
- (4) *Hearing schedule.* Upon receipt of an investigative report indicating probable cause of a violation, a hearing shall be scheduled within forty (40) days unless the disciplinary authority determines more time is required, not to exceed thirty (30) additional days.
- (5) *Final decision.* The disciplinary authority shall render a written decision within ten (10) business days after the close of the hearing or receipt of proposed findings of fact and conclusions of law, whichever is later.
- (6) *Extensions.* Any timeline in this section may be extended by mutual agreement of the parties or by the disciplinary authority for good cause shown.

(Code 1982, § 2-28; Ord. No. 4113, § 6, 3-23-1982)

ARTICLE VII. BOARDS, COMMISSIONS AND AUTHORITIES

DIVISION 4. CODE OF ETHICS

Sec. 2-500. Conduct of appointed members of the city's boards and commissions.

Appointed members of the city's boards and commissions shall be committed to promoting the highest standards of conduct in public service and shall adhere to the following code of conduct:

- (1) *Commitment to public service.* Members shall serve the community with dedication, placing the interests of the municipality and its residents above personal or private interests.
- (2) *Integrity and honesty.* Members shall act with honesty and integrity, avoiding conflicts of interest and disclosing any potential conflicts promptly. They shall not use their position for personal gain.
- (3) *Transparency.* Members shall conduct their duties in an open and transparent manner, providing accurate and timely information to the public. They shall comply with all applicable open meeting laws and regulations.
- (4) *Fair and impartial decision-making.* Members shall make decisions without bias, considering the best interests of the entire community. They shall avoid favoritism and treat all individuals and groups fairly.
- (5) *Confidentiality.* Members shall respect the confidentiality of sensitive information discussed during board and commission meetings. They shall not disclose confidential information without proper authorization.
- (6) *Respect and professionalism.* Members shall treat fellow board and commission members, municipal staff, and the public with respect and professionalism. They shall foster a collaborative and inclusive environment.
- (7) *Community engagement.* Members shall actively engage with the community, seeking input and feedback, and representing the diverse interests and needs of the residents.
- (8) *Compliance with laws and policies.* Members shall comply with all applicable laws, regulations, and municipal policies. They shall seek guidance when unsure about the ethical implications of a situation.
- (9) *Official representation and personal speech.* Members shall not speak on behalf of the city or represent that their personal views are official positions of the city, its boards, or commissions. When engaging in personal speech, including social media communications, members shall make clear they are speaking in their individual capacity and not as representatives of the city. Members shall avoid statements or communications that could reasonably be interpreted as official city positions or that could create confusion about their role as individual citizens versus appointed officials.

(Ord. No. 6036, § I, 2-27-2024)

Sec. 2-501. Compliance and enforcement.

- (1) Reporting violations. Any person may file a written complaint alleging a violation of this code of ethics within 45 days of the alleged violation or discovery thereof. Complaints shall be submitted to the city manager, who shall forward them to the city attorney for initial review.
 - (2) Initial review. The city attorney shall conduct an initial review to determine whether the complaint alleges conduct that, if true, would constitute a violation of this code and whether the complaint warrants further investigation.
 - (3) Notice to council. Upon completion of the initial review, if the complaint appears to have merit, the city manager shall provide written notice to all members of the city council that a complaint has been filed, identifying the accused board or commission member and the general nature of the allegations.
 - (4) Council referral decision. The disinterested members of the city council shall meet to determine how the investigation should proceed. The disinterested members may refer the matter to:
 - (a) An independent investigator
 - (b) The appropriate law enforcement agency
 - (c) Informal resolution procedures if appropriate
 - (5) Investigation oversight. The chosen investigative entity shall maintain independence in conducting the investigation. The accused board or commission member shall have the opportunity to respond to allegations and present evidence during the investigation.
 - (6) Resolution procedures. Upon receipt of an investigative report indicating probable cause of a violation:
 - (a) The accused member shall receive written notice and opportunity for a hearing before the city council
 - (b) Hearings shall be conducted within 40 days unless extended for good cause
 - (c) The accused member may be represented by counsel at their own expense
 - (d) Findings shall be based on a preponderance of the evidence standard
 - (7) Discipline. Board and commission members found to have violated this code may be subject to written warning, public censure, required training, suspension, or removal from their position. The severity of discipline shall be commensurate with the violation's nature and impact.
 - (8) Timeline. Investigations shall be completed within 60 days unless extended for good cause. The city council shall render a written decision within 10 business days after any hearing.
 - (9) Confidentiality. To the extent possible and consistent with applicable law, the city shall maintain confidentiality of complaints and investigations until concluded. Any hearing before the city council under this section shall be an open meeting.
- ~~(a) Any person may file a written complaint alleging a violation of this Code of ethics within 30 days of the alleged violation. Complaints should be submitted to the mayor, who will (upon receipt) assemble an ethics review committee for investigation of the complaint.~~
- ~~(b) The ethics review committee shall be responsible for overseeing compliance with this Code of ethics and shall be made up of the senior councilmember from each ward. If the senior councilmember is involved in the complaint, the junior councilmember of the same ward shall take their place on the committee.~~
- ~~(c) The ethics review committee shall promptly initiate an impartial investigation of the complaint by reviewing the evidence and conducting interviews. The accused board or commission member shall have the opportunity to respond to the allegations and present evidence during the investigation.~~

~~(d) After a thorough investigation, the ethics review committee shall issue a recommendation for dismissal of the complaint or a recommendation that the complaint is substantiated along with appropriate disciplinary action. Disciplinary action may include, but is not limited to, written reprimands, suspension, or removal from the board or commission. The recommendation of the ethics review committee is binding unless appealed.~~

~~(e) Board and commission members found in violation of the code of ethics by the ethics review committee shall have the right to appeal the decision to the full council for a public hearing. Appeals must be submitted to council in writing within five days of receiving the decision of the ethics review committee. The decision of the council shall be final and binding.~~

~~(f) To the extent possible, the ethics review committee and council shall maintain the confidentiality of the complaint, investigation, and any subsequent disciplinary proceedings, consistent with all applicable laws.~~

(Ord. No. 6036, § 1, 2-27-2024)

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Appointed members of the city's boards and commissions shall be committed to promoting the highest standards of conduct in public service and shall adhere to the following code of conduct:

- (1) *Commitment to public service.* Members shall serve the community with dedication, placing the interests of the municipality and its residents above personal or private interests.
- (2) *Integrity and honesty.* Members shall act with honesty and integrity, avoiding conflicts of interest and disclosing any potential conflicts promptly. They shall not use their position for personal gain.
- (3) *Transparency.* Members shall conduct their duties in an open and transparent manner, providing accurate and timely information to the public. They shall comply with all applicable open meeting laws and regulations.
- (4) *Fair and impartial decision-making.* Members shall make decisions without bias, considering the best interests of the entire community. They shall avoid favoritism and treat all individuals and groups fairly.
- (5) *Confidentiality.* Members shall respect the confidentiality of sensitive information discussed during board and commission meetings. They shall not disclose confidential information without proper authorization.
- (6) *Respect and professionalism.* Members shall treat fellow board and commission members, municipal staff, and the public with respect and professionalism. They shall foster a collaborative and inclusive environment.
- (7) *Community engagement.* Members shall actively engage with the community, seeking input and feedback, and representing the diverse interests and needs of the residents.
- (8) *Compliance with laws and policies.* Members shall comply with all applicable laws, regulations, and municipal policies. They shall seek guidance when unsure about the ethical implications of a situation.
- (9) *Official representation and personal speech.* Members shall not speak on behalf of the city or represent that their personal views are official positions of the city, its boards, or commissions. When engaging in personal speech, including social media communications, members shall make clear they are speaking in their individual capacity and not as representatives of the city. Members shall avoid statements or communications that could reasonably be interpreted as official city positions or that could create confusion about their role as individual citizens versus appointed officials.

(Ord. No. 6036, § 1, 2-27-2024)

Sec. 2-501. Compliance and enforcement.

- (1) *Reporting violations.* Any person may file a written complaint alleging a violation of this code of ethics within 45 days of the alleged violation or discovery thereof. Complaints shall be submitted to the city manager, who shall forward them to the city attorney for initial review.
- (2) *Initial review.* The city attorney shall conduct an initial review to determine whether the complaint alleges conduct that, if true, would constitute a violation of this code and whether the complaint warrants further investigation.
- (3) *Notice to council.* Upon completion of the initial review, if the complaint appears to have merit, the city manager shall provide written notice to all members of the city council that a complaint has been filed, identifying the accused board or commission member and the general nature of the allegations.
- (4) *Council referral decision.* The disinterested members of the city council shall meet to determine how the investigation should proceed. The disinterested members may refer the matter to:
 - (a) An independent investigator
 - (b) The appropriate law enforcement agency
 - (c) Informal resolution procedures if appropriate
- (5) *Investigation oversight.* The chosen investigative entity shall maintain independence in conducting the investigation. The accused board or commission member shall have the opportunity to respond to allegations and present evidence during the investigation.
- (6) *Resolution procedures.* Upon receipt of an investigative report indicating probable cause of a violation:
 - (a) The accused member shall receive written notice and opportunity for a hearing before the city council
 - (b) Hearings shall be conducted within 40 days unless extended for good cause
 - (c) The accused member may be represented by counsel at their own expense
 - (d) Findings shall be based on a preponderance of the evidence standard
- (7) *Discipline.* Board and commission members found to have violated this code may be subject to written warning, public censure, required training, suspension, or removal from their position. The severity of discipline shall be commensurate with the violation's nature and impact.
- (8) *Timeline.* Investigations shall be completed within 60 days unless extended for good cause. The city council shall render a written decision within 10 business days after any hearing.
- (9) *Confidentiality.* To the extent possible and consistent with applicable law, the city shall maintain confidentiality of complaints and investigations until concluded. Any hearing before the city council under this section shall be an open meeting.

(Ord. No. 6036, § 1, 2-27-2024)

Memorandum



To: Mayor and City Council
From: Amber Withycombe, City Manager
Date: September 4, 2025
Re: **Continued Discussion about Neighborhood Investments in City-Owned Properties in Ward 2**

This memo provides an update on the neighborhood improvement initiatives discussed during the August 12 work session regarding city-owned properties near the intersection of Manchester, Yale, and Lyndover.

Staff have taken initial steps to address community concerns raised at the meeting. Parks and Recreation Commission staff liaison Tiffany Hyde has scheduled a meeting with Artist First staff on September 12 to begin discussing potential collaboration for public art in the Yale Open Space. Parks Commission members will discuss possible space improvements and capital investments at their September 18 meeting. A mini library was recently installed in the space to create a positive community amenity.

As was discussed during the work session, City staff removed the Yale bus shelter bench on August 13 as a step toward dispersing activities that were provoking a heightened police response in that specific location. We acknowledge this action is not a solution to the underlying challenges and has received criticism from community members. The bench removal was intended to reduce the concentration of activities requiring police intervention, but we recognize it has simply displaced public alcohol consumption and drug use and sales to other areas rather than addressing the root causes. This is a complex situation without easy answers, and we are working to define the best path forward while balancing the needs and concerns of all community members.

We will actively seek community input about potential city investments in neighborhood improvements at both the Ward 2 meeting on September 20 and the city-hosted Regional Night Out event on October 7, both taking place at the Yale Open Space.

Staff have been in discussion with Bi-State Development about placing a standard bus bench at the Yale/Manchester westbound stop and have requested the agency's recommendation about the optimal location for the stop along that block.

I have received feedback from community members and Council members expressing concerns about ensuring we take a comprehensive view of these circumstances and treat community concerns about loitering on city property equitably across all areas. I can confirm that we continue to receive concerns about loitering under the Sutton Loop Park shelter as well, and our police recently responded to an altercation there.

As noted in the August 12 discussion, loitering on city property is not an offense, and we take seriously our responsibility to allow individuals to congregate in public spaces to maintain social connections, access community resources, and find the safety and belonging that public spaces can provide.

As part of our continuing collaboration with MapleGOOD, we will take their guidance regarding any proposed relocation of food pantries within both the Yale and Sutton areas to ensure these community resources remain accessible while addressing neighborhood concerns.

Staff seek continued Council discussion and ideas about how we can best build community infrastructure and connections within these spaces. Our goal remains creating environments that foster positive community interaction while addressing legitimate public safety concerns through investment in amenities and programming rather than enforcement-focused approaches.

I invite further discussion about comprehensive strategies that can enhance these neighborhoods while maintaining our commitment to treating all community members with dignity and respect.