



SUN PRAIRIE

Code of Conduct for Elected Officials

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Preamble

This Code of Conduct is designed to describe the way the mayor and alderpersons should treat one another, city staff, constituents, and others they encounter while representing the City of Sun Prairie. The constant and consistent theme through all the conduct guidelines is respect. Elected officials are called upon to always exhibit behavior consistent with this Code of Conduct and the [state](#) and [local](#) Code of Ethics.

General Background

The City of Sun Prairie is a body corporate and politic with the powers of a municipality at common law and governed by provisions of Chapters [62](#) and [66](#) of the Wisconsin Statutes, laws amending those chapters, other acts of the Legislature and the [Constitution of the State of Wisconsin](#). The City of Sun Prairie operates under the mayor-council form of government with general administrative responsibilities performed by the City Administrator.

The Common Council, often referred to as the City Council, is the legislative branch of the city government. Its primary business is the passage of law in the form of ordinances or resolutions and setting of general policies and strategic vision for the city.

The Mayor shall be the chief executive officer. They shall take care that all city ordinances and state laws are observed and enforced, and that all city officers, boards, and commissions, discharge their duties. When present, They shall preside at the meetings of the common council. They shall from time to time give the council such information and recommend such measures as they may deem advantageous to the city.

The City Administrator shall be the chief administrative officer. They shall be responsible for directing and coordinating the administration of the city government in accordance with the policies established by the common council. The City Administrator is supported in doing their work by members of the Executive Leadership Team, which consists of:

Assistant City Administrator	IT Director
City Attorney	SPU General Manager
Chief of Police	Library Director
Chief of Fire and EMS	Chief of Staff
SPU General Manager	Communications Manager

Council is committed to ensuring active public participation in decision-making by:

1. Appointing citizens to boards, commissions, and committees.
2. Inviting public comment at meetings.
3. Using a hybrid meeting format to accommodate those unable to attend in person.
4. Hosting or attending neighborhood meetings and events.
5. Assigning citizens to issue-oriented task forces.
6. Fully complying with Wisconsin's open meetings and public records laws.

Roles and Responsibilities of Elected Officials

The Mayor

The mayor shall preside over all the meetings of the common council. In the absence of the mayor, the president of the council shall preside. In the case of absence of the mayor, the council president and the council vice president, the clerk shall call the meeting to order and the senior alderperson present shall be president pro tem.

The presiding officer shall preserve order and decorum, decide all questions of order, and conduct the proceedings of the meetings in accordance with parliamentary rules contained in Robert's Rules of Order, unless otherwise provided by statute or by these rules. Further duties shall be performed as set out by state and local law.

The Council President

Annually at its first meeting, the common council shall choose one of its members to be president. This member shall serve as the chairperson of the Committee of the Whole. The president shall serve as a member of all city boards and commissions to the extent allowed by law, as well as serve as the spokesperson of the city council. Other members of the city council are in no way prohibited from speaking on their own behalf. The president shall perform additional duties as allowed by state and local law.

Vice President Of The Council

The council shall also elect at its first meeting after the regular election and qualification of new members a vice president. The vice president, in the absence of the mayor and president, shall preside at meetings of the council and in the absence of the council president shall preside at meetings of the Committee of the Whole.

The Council Members

All powers of the city, not in conflict with the constitution and subject to the limitations of the charter and city ordinances, shall be vested in the council, who shall enact appropriate legislation and do and perform any and all acts and things which may be necessary and proper to give effect to their powers.

To function effectively, the body requires regular attendance at all meetings, whether in person or virtually. It is understood that on some occasions, attendance may not be possible. Members will give 24 hours advanced notice of non-attendance at a scheduled meeting to the Council President and Mayor whenever possible. Attendance at council or committee meetings while under the influence of intoxicants, including controlled substances, is strictly prohibited where such use interferes or may interfere with legislative functions.

All city issued devices and equipment such as laptops, cellular telephones, and tablets shall be used for the express purpose of conducting City business consistent with City policy.

Council Conduct with One Another

Use formal titles

The council should refer to one another formally during public meetings as Mayor, Council President, or Alder followed by the individual's last name.

Use civility and decorum in discussions and debate

Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of free democracy in action. Healthy debate can be had, but council members shall refrain from making belligerent, personal, impertinent, slanderous, threatening, abusive, or personally disparaging comments in public meetings or during individual encounters. No shouting or physical actions that could be construed as threatening or demeaning will be acceptable.

If a council member is personally offended by the remarks of another council member, the offended council member should make notes of the actual words used and call for a "point of personal privilege" that challenges the other council member to justify or apologize for the language used.

Honor the role of the Chair in maintaining order

It is the responsibility of the Mayor, as chair of the council, and the Council President as chair of the Committee of the Whole, to keep the comments of council members on track during public meetings. Council members should honor efforts by the chair to focus discussion on current agenda items. If there is disagreement about the agenda or the chair's actions, those objections should be voiced politely and with reason, following commonly recognized parliamentary procedure.

Demonstrate effective problem-solving approaches

Council members have a public forum to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community. This public forum should be used in the most effective and beneficial manner.

Council Conduct with City Staff

Treat all staff as professionals

Clear, honest communication that respects the abilities, experience, and dignity of everyone is expected. Poor behavior towards staff is not acceptable.

Do not disrupt City staff from their jobs

Council members should not disrupt City staff while they are in meetings, on the phone, or engrossed in performing their job functions. Council members should be mindful of the multiple professional demands placed on City staff when making individual requests. Council members should limit requests for action to the City Administrator or members of the Executive Leadership Team.

Never publicly criticize an individual employee's job performance

Comments about staff performance should only be made to the City Administrator through private correspondence or conversation. If there is a concern regarding the City Administrator's performance, it should be brought to the attention of the Mayor, Council President, and Council Vice-President. If further action is deemed necessary, it should be requested in conformance with City personnel policies.

Avoid involvement in administrative functions

Except as otherwise provided by statute or ordinance, neither the council nor any of its members shall interfere with the execution by the City Administrator of his powers and duties, in conformance with previously adopted City policies and procedures.

Nothing in this section shall be construed, however, as prohibiting the council while in open session from fully and freely discussing with or suggesting to the City Administrator anything pertaining to city affairs or the interests of the city.

Use of undue influence to obtain political support from staff

Elected officials should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, collection of petition signatures, etc.) from City staff. Officials should also be mindful of the laws regarding campaign activity on public property.

City staff may, as private citizens within constitutional rights, support political candidates, but all such activities must be done away from the workplace. If staff chooses to publicly support a candidate, it should be clear that the employee is acting in his individual capacity.

Council Conduct with the Public

In Public Meetings

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual council members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

Be welcoming to speakers and treat them with respect

For many, speaking in front of council is a new and difficult experience and speakers may be nervous. Council members are expected to treat citizens with care and respect during public hearings. Council members should commit full attention to the speakers or any materials relevant to the topic at hand. Comments and non-verbal expressions should be appropriate, respectful and professional. Questions by council members to speakers should seek to clarify or expand information.

Be fair and equitable in allocating public hearing time to individual speakers

The Mayor or Council President will determine and announce time limits on speakers at the start of the public hearing process. Generally, each speaker will be allocated five-minutes with applicants and appellants or their designated representatives allowed more time. If many speakers are anticipated, the Mayor or Council President may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers.

Each speaker may only speak once during the public hearing unless the council requests additional clarification later in the process. After the close of the public hearing, no more public testimony will be accepted unless the Mayor or Council President reopens the public hearing for a limited and specific purpose.

Ask for clarification, but avoid debate and argument with the public

Only the Mayor or Council President, not the individual council members, should interrupt a speaker during a presentation. However, a council member can ask the Mayor or Council President, for a point of order if the speaker is off the topic or exhibiting behavior or language the council member finds disturbing. Questions by council members to members of the public testifying should seek to clarify or expand information.

Follow parliamentary procedure in conducting public meetings

The City Attorney serves as advisory parliamentarian for the City and is available to answer questions or interpret situations according to parliamentary procedures. Final

rulings on parliamentary procedure are made by the Mayor or Council President, subject to the appeal of the full council.

In Unofficial Settings

Council members will frequently be asked to explain a council action or to give their opinion about an issue as they meet and talk with constituents in the community.

It is appropriate to give a brief overview of City policy and to refer to City staff for further information. Overt or implicit promises of specific council action or inaction must be avoided.

Council Conduct with City Boards and Commissions

Understand roles and responsibilities

The Mayor appoints Board and Commission members, who are expected to follow the policy established by Council. Board and Commission members have independence in conducting their duties, and do not report to any individual council member. Elected officials do not have the right to threaten Board and Commission members with removal if they disagree on an issue.

If an elected official attends a board or commission meeting to express an opinion, they should be clear about the opinion being their personal opinion and not a representation of the Council's feelings. Elected officials should also be cautious about not unfairly affecting the work of the committee if they appear in support or opposition to an individual, business, or developer.

Be Respectful of Diverse Opinions

Board and Commission members are appointed to represent many points of view in the community and provide the council with advice based on a full spectrum of concerns and perspectives. Council members are expected to be fair and respectful to all citizens serving on a board or commission.

Political Support

Elected and appointed officials should refrain from offering political support to a candidate in a public forum while conducting official duties.

Council Conduct with Other Public Agencies

Representing the City on Outside Boards or Commissions

If the council member is appointed to a Board, Commission, or Agency to represent the City, that council member must accurately convey the City's official position on an issue. If that council member expresses a personal viewpoint that diverges from the City's position, the council member shall make clear that he or she is speaking on his or her own behalf. Council members are expected to report on the activity of this board or commission that is pertinent to the City.

If an individual council member publicly represents or speaks on behalf of another organization whose position differs from the City's official position on any issue, the council member must clearly communicate the organization upon whose behalf they are speaking and must withdraw from voting as a council member upon any action that has bearing upon the conflicting issue.

Appearing at Other Agencies

When a council member appears before another governmental agency or organization to give a statement on an issue, the council member must clearly state whether his or her statement reflects personal opinion or is the official stance of the City and whether this is the majority or minority opinion of the council.

Correspondence

City letterhead shall be used only when the council member is solely representing and speaking on behalf of the City and with the council member's official capacity. A copy of official correspondence should be given to the Mayor and Council President, as well as to the City Administrator to be maintained as a public record.

Council Conduct with the Media

Differentiate between personal and official positions

When communicating with the media, council members should clearly differentiate between personal opinions and the official position of the City. All council members represent one vote of eight and until a vote on any issue is taken, council members' positions are merely their own.

Refrain from discussing personnel matters

Council members should not discuss personnel issues or other matters regarding individual staff members in the media. Any issues pertaining to staff should only be addressed directly to the City Administrator.

Utilize city staff

Council is free to refer media contacts to the City's professional staff, including the City Administrator, City Attorney, and Communications Manager. Council is also encouraged to consult with staff prior to speaking to the media.

Sanctions and Violations

Incorporation of Law by Reference

State law and local ordinances regarding discipline, recall, or removal and the state and local codes of ethics for public officials are adopted as part of this code of conduct, as amended from time to time.

Process

- 1. Attempt Direct Resolution.** The first and most important step in this section is the requirement that the Council member seeking relief address the concern with the offending Council member and include a description of the specific action observed, the relationship of that event to the Code and, if applicable, the impact it had on the offended Council member. The purpose of this first step is to assure that an attempt has been made to discuss the issue and resolve the conflict without proceeding further. This step requires no formal action and no involvement of other Council members.
- 2. Neutral Third Party.** Either party may request, and both must agree, to seek a third party who will assist in facilitating the discussion toward a mutually satisfactory conclusion. If any expenses are incurred, they will be paid for equally from the council funds of each member engaged in the mediation.
- 3. Refer Matter to Council.** If the situation cannot be settled through the process in steps (1) and (2), either Council member may choose to refer the concern to the entire Council for its review. The Council will serve as a Committee of the Whole for purposes of Code violation and sanction consideration. To present the concern to the Council, the member seeking relief must ask the Council President to refer the matter for consideration, discussion, and possible action on an upcoming Committee of the Whole agenda. If the Council President is involved in the dispute, the Council Vice President may make a referral.
- 4. Council Action.** The Council will discuss the issue to become fully informed and determine if there appears to be a violation of the Code of Conduct. Council may seek resolution without further action or schedule the issue for an upcoming public hearing for final determination regarding whether a violation occurred. Pursuant to [Wis. Stat. § 19.85\(1\)\(f\)](#), the matter may be taken up in closed session. The offending Council member may exercise their right to request that the discussion be held in an open hearing.
- 5. Sanctions.** Sanctions can include, but are not limited to, letters of reprimand or censure. A 3/4 vote of the Council at a regular council meeting will be required for a determination that a violation has occurred. A 3/4 vote is also required for the sanction to be imposed. If a sanction is imposed, the language will follow a specific format to be established by the Council and used consistently as such situations occur.

Effects of Violations

The Code of Conduct alone does not provide a basis for challenging the validity of any final enactment, resolution, decision, determination, or recommendation of the council, a board or a commission.