

RESOLUTION NO. 20-16

A RESOLUTION ADOPTING A CODE OF BEHAVIOR AND CONDUCT FOR VILLAGE ELECTED AND APPOINTED OFFICIALS

WHEREAS, the residents and business community of the Village of Antioch are entitled to have a fair, accountable, and respectable local government; and

WHEREAS, the proposed policy encourages proper behavior by elected and appointed officials of the Village of Antioch through principals and examples of proper behavior and conduct; and

WHEREAS, the Code of Behavior also contains enforceable guidelines and standards, including sanctions such as discipline by the Corporate Authorities including public or private reprimand; and

WHEREAS, upon passage, all elected and appointed officials will be subject to the Code of Behavior and Conduct;

NOW, THEREFORE, be it Resolved by the President and Board of Trustees of the Village of Antioch Illinois as follows:

SECTION ONE: the "Code of Behavior and Conduct for Village Elected and Appointed Officials" as set forth on Exhibit "A" is hereby adopted.

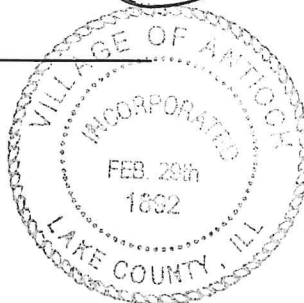
SECTION TWO: This Resolution shall be in full force and effect from and after its passage, approval and publication as required by law.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF ANTIOCH, ILLINOIS, ON THIS 9th DAY OF MARCH, 2020.

ATTEST:


LORI K. ROMINE, VILLAGE CLERK


LAWRENCE M. HANSON, MAYOR





Village of Antioch

CODE OF BEHAVIOR AND CONDUCT FOR VILLAGE ELECTED AND APPOINTED OFFICIALS

PURPOSE

The residents of, as well as those conducting their business, in the Village of Antioch are entitled to have fair and accountable local government. It shall be the policy of the Village to uphold, promote and demand the highest standards of conduct and ethics from all its officials, whether elected or appointed. For purposes of this Code, the term "Public Officials" is defined as an elected or appointed official of the Village; regardless of whether the official is compensated and shall include, but not by way of limitation, members of Village commissions, committees and boards appointed by the Village President by and with the consent of the Board of Trustees.

1. GUIDELINES

Behavior and conduct by Public Officials during meetings, as well as outside of meetings, may be subject to sanctions set out within this Code of Behavior and Conduct ("Code"). This Code sets forth principals and examples of proper behavior and conduct and also constitutes guidelines and standards that are enforceable, not merely suggestions. If there is deliberate violation of principals and guidelines set out herein, a Public Official may be subject to sanctions set out in this Code. Sanctions may be applicable if Public Officials fail to obey and observe the letter and spirit of the Constitution of the United States, the Constitution of the State of Illinois, and all federal, state and local laws, codes and ordinances, including this Code.

The President and Board of Trustees of the Village of Antioch ("Corporate Authorities") have the right to make and enforce its own rules and rules for its various commissions, committees and boards and to ensure compliance with those laws, rules, codes and regulations generally applicable to public bodies. Should any Public Official, act in any manner constituting a deliberate violation of

this Code or other general laws, rules, codes or regulations, the Corporate Authorities may discipline that Public Official, including but not by way of limitation, by reprimand, public or private.

To exercise the rights noted herein and to enforce the provisions of this Code, the Corporate Authorities has the right to investigate, or have investigated, the actions of any Public Official and impose any penalty or sanction, in a manner provided hereunder.

The guidelines for the behavior and conduct of Public Officials shall be as follows:

a. Acting in the public interest

The public interest must be a primary concern of Public Officials working for the common good of the residents of the Village and not for any private or personal interest.

b. Compliance with the law

Public Officials shall comply with the statutes of the State of Illinois and Village ordinances in the performance of their public duties. These laws include, but are not limited to: conflicts of interest, election campaigns, financial disclosure, purchasing, employer responsibilities, and open process for government.

c. Conduct of public officials

Public Officials shall refrain from abusive conduct, personal charges or verbal attacks, direct or inferred attacks, or implied attacks upon the character or motives of other Public Officials, Village staff or the public. Public Officials and Village staff who are belligerent, impertinent, slanderous, threatening, and abusive or who engage in personal or disparaging attacks on other Public Officials or Village staff denigrate the governance process and preclude effective discussions and the successful resolution of issues.

d. Respect for process

Public Officials' duties shall be performed in accordance with and respect for the processes and rules of order established by the Village.

e. Conduct of public meetings

Public Officials shall inform themselves of public issues, listen attentively to public discussions before them and focus on the business at hand. Decisions shall be based upon the merits and substance of the matter at hand.

f. Communication

It will be the responsibility of all Public Officials to publicly share substantive information that is relevant to a matter under consideration that they have received from sources outside of the public decision-making process with all other members of their respective Boards, Commissions or Committees in strict compliance with the Open Meetings Act.

g. Confidential information

Public Officials and Village staff shall respect the confidentiality of information provided to them concerning the confidential matters of the Village. They shall never disclose confidential information without proper authorization nor use such information to advance a personal, financial or private interest. Public Officials shall not release information subject to attorney-client privilege, unless expressly authorized by the Corporate Authorities or as required by law.

h. Advocacy

To the best of their ability, Public Officials shall (i) represent the official policies and positions of the Corporate Authorities and (ii) shall support and defend the ordinances of the Village. When presenting their personal opinions or positions, Public Officials shall explicitly state that they do not represent the Corporate Authorities or the Village.

i. Improper influence

Public Officials shall refrain from using their position to improperly influence the deliberations or decisions of Village staff, and boards, commissions or committees of the Village.

j. Positive work environment

Public Officials shall support the maintenance of a positive and constructive environment for residents, businesses and Village employees.

k. Personal opinion

Public Officials have a right to individual opinions, which should be respected. The assumption is that all Public Officials have the appropriate motives and interest of the public in mind and will not criticize differing opinions because they believe them to be lacking judgment or were improperly motivated

l. Being accountable

Public Officials shall be accountable to the public for their decisions and actions and as such, must consider all issues and actions on their merit, taking into account the views of others and the results that are expected from their actions

m. Respect and cooperation

The governance of the Village relies upon the cooperative efforts of the entire Corporate Authorities, who set policy, and the Village staff, who implement and administer the Corporate Authorities' policies and directives. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the Village, its residents and businesses. The Village staff has been directed to serve the Corporate Authorities as a whole, and therefore:

1. A member of the Corporate Authorities shall not direct Village staff to initiate any action, change a course of action or prepare any report, nor shall a member of the Corporate Authorities initiate any project or study without the approval of a majority of the Corporate Authorities. The Corporate Authorities may direct routine inquiries, or requests for information, to either the Village Administrator or appropriate department/division director, as may be directed by the Village Administrator.
2. The Corporate Authorities shall not attempt to pressure or influence discussions, recommendations, workloads, schedules or department/divisions priorities without the approval of a majority of the Corporate Authorities.
3. When preparing for any meeting of the Corporate Authorities, members should, to the greatest extent possible, direct questions ahead of time to the Village Administrator, or designee, so that staff can provide the desired information at the Village Board meeting.
4. Any concerns of any member of the Corporate Authorities regarding the behavior or work of a Village employee should be directed to the Village Administrator privately to ensure the concern is resolved. Members of the Corporate Authorities shall not reprimand employees directly nor should they communicate their concerns to anyone other than the Village Administrator.
5. Information that is provided to a member of the Corporate Authorities in response to a request will be made available to all members of the Corporate Authorities so that all have equal access to such information. Care must be taken in the sharing and discussion of information so as to not violate the Illinois Open Meetings Act.

n. Conduct during meetings

During public meetings, the public is to feel welcome as an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of any Public Official toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony. The following guidelines shall be followed during public meetings:

1. Be welcoming to speakers and treat them with care and respect.
2. Be fair and equitable in allocating public hearing time to individual speakers.
3. Ask for clarification, but avoid debate and argument with the public. It is proper for only the Chair, to interrupt a speaker during a presentation. However, a Public Official can ask the Chair for a point of order if a speaker is off topic or exhibiting behavior or language that is deemed offensive or disturbing. Questions should be for the purpose of clarification or to expand information and should not be intended to challenge or belittle a speaker.
4. Make no promises on behalf of the Village. While it will always be appropriate to give an overview of Village policy and to refer the matter to the Village for further information, it is inappropriate to overtly or implicitly promise Village action, as well as staff action, to undertake a specific matter. The only exception is if a representation or promise has been duly authorized by the Corporate Authorities.
5. While it is acceptable to publicly disagree about an issue, it is unacceptable to make derogatory comments about other Public Officials, their opinions or actions, within any venue.
6. When making public comments or statements, Public Officials shall make it clear whether they are authorized to speak on behalf of the Village or the Corporate Authorities or whether they are presenting their own views.
7. If a member of the Corporate Authorities appears before another governmental agency or other entity to give a statement on an issue affecting the Village or its citizens, the member should indicate the majority position and opinion of the entire Corporate Authorities.
8. Personal opinions and comments will only be expressed if the elected or appointed official clarifies that such statements do not reflect the official position of the Corporate Authorities.
9. The Corporate Authorities are the policy making body of the Village. The Corporate Authorities speaks on policies and issues with one voice or not at all. While matters of opinion and debate are to be encouraged and respected, and while decisions of the

Corporate Authorities may not be unanimous, once voted upon they should and will define the position of the Corporate Authorities. Village correspondence will reflect the Corporate Authorities adopted position, without regard to vote.

10. Members of the Corporate Authorities shall refrain from openly sending or receiving text messages during meetings of the Village Board. In addition, cell phones and similar devices shall be kept on "silent" and off the dais so as to not be distracting to both the public and Corporate Authority.
11. The passing of notes to or the receiving of notes from, the audience who are attending Village Board meetings is distracting and must be discouraged.

o. Interaction with staff

The Village of Antioch operates under the mayor-trustee form of government as set forth in the Village's Municipal Code as well as State statute. Under this form of government, the Corporate Authorities provide legislative direction, set Village policy and monitor its execution by Village staff. The Village Administrator serves as the Village's chief administrative officer and is responsible for directing the day-to-day operations of the Village. The Corporate Authorities:

1. Members of the Corporate Authorities must recognize that the Village Administrator and Staff are required by law to implement the policies that are set forth in the Village Codes and applicable laws. It is absolutely inappropriate to criticize the Administrator and/or Staff for applying these policies to any person or business, particularly in public meetings. Rather, Members can and should advocate for changes to policies that they feel are unfair, biased or unduly restrictive through the established legislative process.
2. Shall not interfere with the Village Administrator's execution of his or her powers or duties, as they have been assigned by the Corporate Authorities.
3. Shall not interfere with the appointment by the Village Administrator of any of the department or division directors or any other person to any position of employment with the Village; however, this is not intended to preclude the Village Administrator from discussing employment decisions with the Corporate Authorities.
4. Shall address matters related to community delivered services only to the Village Administrator unless, for purposes of efficiency and effectiveness, the Village Administrator suggests that such questions or comments be directed to the appropriate department or division director. In all cases, the Village Administrator will follow up for purposes of accountability.
5. Shall not give orders to any subordinate of the Village Administrator, either publicly or privately.

6. Shall direct the Village Administrator acting as a body, not as individual members, unless directed by a majority of the Corporate Authorities.
7. Once a project or program has been approved for implementation, not interfere with or direct the Village Administrator's method of carrying out the decision, even if the project or program was conceived and initiated by an individual member of the Corporate Authorities, unless requested by the Village Administrator or staff.
8. Shall allow the freedom and discretion necessary for the Village Administrator to responsibly ensure the implementation of the Corporate Authorities decisions and directions in an efficient and effective manner.

p. Respect and integrity

Public Officials must act with a spirit of public service to the residents and businesses of the community with standards of conduct and integrity in all actions. Conduct and behavior must be fair, impartial, responsible and trustworthy so as to advance the common good for the Village. Accordingly, Public Officials must:

1. Treat everyone fairly and with respect.
2. Be professional and responsive.
3. Work to make public services accessible and effective.
4. Strive to make a difference to the well-being of the Village of Antioch and all its residents and business owners/operators.
5. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships so as to merit respect and confidence.
6. Make decisions in a fair, objective manner, in public and understandable.
7. Maintain the political climate that is required to enable us to work in a collaborative way with all stakeholders.
8. Carry out the functions of the Village, unaffected by any personal beliefs.
9. Support the Village so as to provide for dynamic and unbiased advice and information.
10. Respect the proper and appropriate authorities that affect Village operations.
11. Recognize that the chief function of local government at all times is to serve the best interests of all people.
12. Support the right of every citizen to full and equal participation in the Village's democratic processes.
13. Act lawfully and objectively.

14. Use the Village's resources carefully and only for intended purposes, avoiding waste and abuse.
15. Treat information with care and use it only for proper purposes.
16. Work to improve the performance and efficiency of the Village as we undertake day-to-day operations.
17. Be honest.
18. Ensure our actions are not affected by our personal interests or relationships.
19. Never misuse our positions for personal gain.
20. Never allow ourselves to be placed under any obligation or perceived influence.
21. Avoid any activities, work or non-work that may harm the reputation of the Village of Antioch.
22. Show respect for other Public Officials and Village staff.
23. Refrain from acting in a manner that would constitute a disturbance at any meeting.

q. Meeting procedures

Meetings of the Corporate Authorities and appointed Village commissions and committees are governed by Title 2 of the Village's Municipal Code and State statutes. In addition to the Village's Municipal Code and State statutes, the following are to supplement established meeting procedures:

1. Members of the Corporate Authorities shall address all questions and comments to the Mayor upon recognition by the Mayor. Only the Village Mayor, not individual members of the Corporate Authorities, may interrupt a speaker during a presentation. However, a member of the Corporate Authorities may ask the Mayor for permission to question the speaker.
2. The Mayor will maintain order during all meetings of the Corporate Authorities. This may include, but not be limited to, indication that a comment is out of order or that further inappropriate comments may be dealt with within the authority granted to the Mayor.
3. Members of the Corporate Authorities shall assist the Mayor to preserve decorum during meetings of the Corporate Authorities and shall not, by conversation or other action, delay or interrupt the proceedings or refuse to follow the directions of the Mayor. Members of staff attending Corporate Authorities meetings shall observe the same rules of procedure, decorum and good conduct as applicable to the Corporate Authorities.