



**Michigan
Municipal
Executives**

A State Affiliate of **ICMA**

Ethics Committee

MME Winter Institute

Ann Arbor

February 1, 2018



Mission

- To serve as a state review agency for ICMA to address charges against members regarding breaches of the ethical code. In addition, it [Ethics Committee] should look to program development to strengthen the members' knowledge of acceptable conduct under the ICMA Code of Ethics.



Committee Foundations

- ICMA Code of Ethics
- MME Constitution
 - States the professional conduct of all members shall be governed by ICMA Code of Ethics.
- MME Strategic Plan
 - Calls for proactive measures such as supportively counseling members and recognizing ethical conduct.
- Rules of Procedure for the Enforcement of ICMA Code of Ethics



Rules of Procedure Revisions

- Started with an amendment of the Rules in mid-2016 by MME to create a mechanism regarding non-members
- Legal opinion from Barr, Anhut & Associates examined entire Rules
- Three month process undertaken involving MME Board of Directors, Ethics Committee, ICMA, MML, legal counsel
- Revision of Rules was conducted within context of the ICMA Code of Ethics, the MME Constitution, and the Strategic Plan, as well as feedback from legal counsel



Rules of Procedure Revisions

- Provided formal structures for establishing committee composition and appointments
- Provided that the Ethics Committee shall consist of no more than 9 voting members and a Board liaison
- Provided more separation between investigative/review function (Ethics Committee) and enforcement actions (Board)
- Provided that members cannot serve as a voting member on both Board and Committee
- Initial review of complaints placed within Ethics Committee (formerly involved MME President and Committee Chair)
- Defined the term 'conflict of interest' for committee members



Rules of Procedure Revisions

- Created a new section providing a formal mechanism for processing proactive inquiries and focusing on advising MME members
- Retained and strengthened language regarding the confidentiality of processes conducted by the Ethics Committee and retained core elements of due process



New Member Review Process

- Throughout 2016 and 2017 a process was established through which applications for new or lapsed membership are reviewed by the Ethics Committee and Board (as needed) for known ethics concerns.
- Any identified concerns are forwarded to the Board for action once reviewed/investigated.
- The review is largely based on a review of public information.
- A total of 70 applications were reviewed by the Ethics Committee during 2017 and January 2018.
- The review process is an excellent opportunity to offer support resources for new members, establish a welcoming and collegial environment, and emphasize the importance of the ICMA Code of Ethics (acting in a proactive manner).



Professional Development

- The Ethics Committee continues to support consistent programming at Winter Institutes and Summer Workshops.
- Sessions are developed with the anticipation that information and speakers will promote a proactive approach to ethics.
- Programming is in line with goals of MME Strategic Plan.



Formal Investigation

- In 2017 the Ethics Committee conducted one formal investigation which led to the MME Board publicly censuring the involved (former) manager for unauthorized expenditures, personal benefit from the use of a City credit card, and nepotism in hiring/retention.
- Formal investigations are rare, and this was the first formal investigation to be conducted by MME in several years.
- Charges brought against an individual who are members of both ICMA and MME are handled under ICMA rules and procedures.
- Investigations require a formal complaint.



Resources (Supported by ICMA)

- Confidential mechanism for reviewing proactive inquiries
- Professional development resources and materials
- Coordination with ICMA, if requested, when assisting members of MME
- Information on the ICMA Code of Ethics
- Rules of Procedure for addressing formal complaints



Committee Members

- 2017

Oliver Turner

Chris Burns

Peter Dame

Jason Eppler

David Murphy

Mark Rambo

James Wickman

Dan Wietecha

Chris Yonker

John Shay (Board Liaison)

2016

Oliver Turner

Chris Burns

Peter Dame

James Freed

Jay Cravens

Lynn Markland

James Wickman

Dan Wietecha

Chris Yonker

John Shay (Board Liaison)

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