

**AN ORDINANCE CREATING A CODE OF CONDUCT FOR THE  
BOARD OF ALDERMEN AND MAYOR.**

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WHEREAS, the elected officials of New Franklin wish to establish standards and expectations for their official behavior.

BE IT ORDAINED by the Board of Aldermen of the City of New Franklin, Missouri as follows:

**SECTION ONE.**      115.085 Code of Conduct for Alderman and Mayor

This code of conduct describes how New Franklin's City Officials treat each other and work together for the common community good. Conducting the city's business in an atmosphere of respect, civility and positive public perception, is the code's underlying theme. City officials are responsible for holding themselves and each other accountable for displaying actions and behaviors that consistently model the ideals expressed in the code. Excellence in performance by elected officials, employees and appointed board/commission members is the best way to achieve the common community good. A special obligation of the Board of Aldermen and the Mayor is to set an example of leadership, which encourages and promotes cooperation. The board of aldermen will strive for high standards of behavior and performance which will benefit all of New Franklin's residents. To help accomplish these goals, the board of aldermen agrees to the following set of principles (in discussions below, the term "board of aldermen" includes the office of mayor, as well as the board of aldermen members):

- (1) *Positive leadership/spirit of cooperation.* The New Franklin Board of Alderman and Mayor recognizes that it is absolutely essential to remain positive in working together as a team. The board of aldermen shall:
  - Work first for the betterment of all New Franklin.
  - The New Franklin Board of Alderman and Mayor agrees to work as a team to find the best ways to meet the needs of New Franklin's residents.
  - Assure fair and equal treatment of all people.
  - Refrain from abusive conduct, personal charges or verbal attacks on the character or motives of council members, board/commission members, staff and the public.
  - Trust and appreciation for one another, as well as a commitment to work together toward a resolution of problems, is essential.
  - Avoid personal comments that could offend others, including refraining from using profanity or discriminatory remarks.
  - Show no tolerance for intimidating behaviors.
  - Listen courteously and attentively to all public discussions and treat all people the way we wish to be treated.
  - Look for, recognize and promote the positive contributions of each council member.
  - Seek ways to turn obstacles into opportunities.
- (2) *Adherence to principles.* The New Franklin Board of Alderman and Mayor agrees to adhere to the principles and laws governing the mayor/council/administrator form of government and treat all staff with respect and cooperation:
  - Agrees that the Board of Aldermen and Mayor makes policy and staff carries out that policy.

- Refrain from interfering with the administrative functions and professional duties of staff; and neither give nor imply unnecessary direction to staff.
  - Not publicly criticize individual staff, but will privately communicate with the Mayor any concerns about a department or department director or staff person.
  - Will not openly discuss personnel issues.
  - Will communicate through proper channels requesting assistance or follow-up.
  - Will not knowingly blindside other officials, board/commission members nor staff, in public meetings; but will ask the questions ahead of or immediately following a public meeting.
  - Aldermen and the Mayor shall refrain from using their position to improperly influence the decisions of city staff, boards, commissions or committees.
  - Public resources not available to the general public (e.g. city equipment, supplies, facilities, city staff time, legal research) shall not be used by Alderman or the Mayor for private gain or personal purposes.
  - Refrain from negotiating for the city or making commitments for the city without the involvement and knowledge of the mayor and city attorney..
  - Aldermen and the Mayor shall use their public office of public good and not personal gain.
- (3) *Planning, goal setting and accountability.* The New Franklin Board of Alderman and Mayor must be committed to a comprehensive planning process leading to mutually developed goals and accountability. It is imperative that all members of the Board of Aldermen and the Mayor participate fully in city meetings, workshops, and events to ensure the necessary commitment of all members to the strategic planning process.
- (4) *Abstentions.* The vote of each councilmember is critically important. Vote abstentions should be used rarely. When it is necessary to abstain from voting, a reason for the abstention must be stated publicly at the time of the vote. Although it might not be advisable, it is possible to proceed and vote even when there is a potential conflict-of-interest, but only after the conflict is publicly announced at the time of the vote. The New Franklin Board of Alderman and Mayor agrees to refrain from the use of the vote abstention for any reason other than conflict-of-interest.
- (5) *Communications.* Aldermen and the Mayor are free to express a personal view in the media, at any time, however:
- Media comments must not state or imply that they represent the official view of the City or Board of Aldermen.
  - Media comments contrary to a Board ordinance, resolution, or policy must not state or imply the statements represent a majority view;
  - Media comments must not disclose confidential information.
- If a public statement from the Board of Aldermen is necessary, the Board, as a whole, will agree on a specific statement. While councilmembers, staff and board/commission members may have their personal opinions, those personal opinions must be identified as personal opinions and not as representative of city policy. Under no circumstances should public statements be made based on rumors nor hearsay. Information upon which city decisions are or may be made must be communicated to all aldermen equally.
- (6) *Closed sessions.* Missouri state law allows for board of aldermen meetings to be closed in special circumstances. It is the responsibility of the council and staff to refrain from publicly discussing the subject matter from the closed meetings. Aldermen and the Mayor shall respect and preserve the confidentiality of information provided to them concerning the confidential matters of the city. They shall neither disclose confidential information without proper legal authorization nor use such information to advance their personal, financial nor private interests.
- (7) *Constituent service.* When an Aldermen or the Mayor is contacted by a constituent with a concern, he



or she will:

- Listen to the individual's concern.
- Affirm the desire to reach a satisfactory solution.
- Assure the person that appropriate action will be taken.
- Express appreciation to the individual for presenting the concern.
- Contact appropriate staff to submit constituent concern.
- Follow-up to determine if appropriate action has been taken.

(8) *Political activities.* The political process is an important and positive part of the board of aldermen. However, issues related to a city election campaign must not involve on-duty city staff.

(9) *Enforcement.* A violation of this code of conduct may result in censure or impeachment from office.

## **SECTION TWO.** Repeal of Conflicting Ordinances.

The provisions of any ordinance or code section in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

## **SECTION THREE.** Effective Date.

This ordinance shall be in full force and effect from and after the date of its passage and approval.

## **SECTION FOUR.** Severability.

The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

Read Twice and approved by Roll Call Vote

Dated this 12 day of June, 2025.

  
Mayor

Attest:

  
City Clerk

