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ethics code removes personalities, preference from public business

By RACHEL COLEMAN

• Leader & Times

More than two years after it was originally proposed, the Liberal City Commission has adopted a code of ethics for all city officials and employees. In a 5-0 vote Tuesday, commissioners approved Ordinance No. 4422, which lists “guidelines for ethical standards of conduct.”

City manager Mark Hall described it as “simply a code of ethics for ethical behavior.”

“I personally don’t like gray areas, I don’t like loose ends, and sometimes you need a guideline,” said commissioner Joe Denoyer.



His question at the commission’s Jan. 28 meeting about the unfinished ethics code, brought the subject back to the agenda. However, Denoyer noted he wasn’t the only person pushing for the document.

“It’s been a collaborative effort,” he said. “We never had anything like this in place, and two, three years ago — when Larry Koochel and Bob Carlile were serving as commissioners — we started talking about how we needed something like this.”

In the intervening time, Carlile died and Koochel retired from the board.

“In those losses, that feeling of devastation, it was forgotten, put on the back burner,” Denoyer said.

At Tuesday’s meeting, the ethics code came to the forefront once more. Commissioners and Hall spoke approvingly of its adoption.

“The nice thing about this is that it’s inclusive,” said mayor Dave Harrison. “It applies to all the volunteer boards, too.”

Hall agreed, noting that “we will model this standard of excellence for our boards. We expect ethical behavior.”

The policy outlines limits for how businesses and city agents may interact, defining compensation, contracts, gifts and transactions. It explains the concept of “incompatible service,” in which employment or services might interfere with the proper discharge of official duties. It limits the use of public (city-owned) property for private use, forbids special treatment and disclosure of confidential information.

The five-page document concludes with a “Model of Excellence” agreement to be signed by city commissioners, with versions for city employees, board members and volunteers planned.

Denoyer believes the code will help people at all levels. Sometimes, he said, what appears to

be an ethics problem is really an orientation issue.

“When you get on the commission, especially if you’re new, there’s a lot to learn, and it’s easy to make a misstep,” Denoyer said. “People think, ‘No problem, I can do this or that,’ but with this as a guideline, they’ll have a better sense of what is OK, and how to go through the proper chain of command.”

Denoyer couldn’t recall any particular situation that prompted him to resurrect the code of ethics.

“I just think it’s helpful to have a policy that’s clear,” he said.

In addition, he hopes the code will encourage people to get involved in civic affairs. Too often, he said, it’s difficult to find people willing to serve on a board. Some feel they wouldn’t be allowed to speak freely, or that they’d be perceived as trying to curry favor and obtain special treatment.

“Here we are, a community of more than 20,000 people and we have a tough time filling our boards,” he said. “This protects our board members and it protects the city. It’s pre-emptive.”

Commissioner Ron Warren took the first step at Tuesday’s meeting, quizzing city legal counsel Shirla McQueen about the fine points of the abstention clause of the code. Warren, a building contractor, understood the need to refrain from voting on issues in which he might have a conflict of interest. He wasn’t sure if that meant he had to leave the meeting during discussions of such issues.

“Does that mean I have to leave the room?” he asked.

Harrison said the determining factor should be how fellow commissioners felt.

“I always thought if you have something to add, it’s OK,” Harrison said. “To me, Ronnie, it doesn’t matter.”

McQueen, whose job it is to enforce the code of ethics, disagreed.

“The commissioner who’s abstaining does have to leave the room,” she told Warren. “Intimidation, as you said, is a factor. It’s fine for everyone to say, ‘Oh, I’m not intimidated,’ but that doesn’t mean it is the case. You can still influence how people vote. My comfort level is that you remove yourself.”

McQueen will not be expected to oversee every board meeting and interaction; the code of ethics will rely on “checks and balances,” Denoyer said.

“If we have questions, if someone notices something that doesn’t seem quite right, they’ll bring it to Shirla’s attention, in house, through Human Resources,” he said. Thus, peer review and accountability are a key part of the code’s effectiveness.

Denoyer said that answering questions like Warren’s becomes easier with the code in place.

“The policy is cut and dried, and that takes the personal factor out of it,” he said. “With all our boards, with employees, it’s just best if you do have that set of rules. If someone has crossed the line, it’s not a personal thing, it’s a matter of, ‘you knew the rules, you signed it, these are the consequences.’”

In the end, Denoyer pointed out, “we can’t govern others if we can’t govern ourselves.”

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