

MINUTES

Muncie Ethics Advisory Committee
Thursday, February 8, 2024
7:30pm
Maring-Hunt Library
2005 S. High Street
Muncie, IN

Meeting called to order by Chip Taylor at 7:30pm

Roll call

Members present: Sandra Whitaker, Chip Taylor, Dave Concepcion, David Shipman
Members absent: Tina Black, Zach Craig, Dan Gibson, Elisabeth Edgell, Kourtney McCauliff

The committee noted the lack of a quorum and opted to proceed with discussion, but take no votes.

Approval of minutes

Minutes of the January meeting were not approved due to lack of a quorum.

New Business

Discussion of ethics code standards

- Disclosure requirements for entities that do business with the City of Muncie

Chip discussed that the Indianapolis code of ethics includes a provision requiring contractors to certify that no one participated in preparing the proposal who would have been in violation of conflict of interest or post-employment restriction. A provision like this one seems intended to help strengthen enforcement of the other provisions.

Chip said he would ask Dan Gibson to draft language for this standard. He may have some additional ideas about what this provision might include.

- Publication of contracts for goods and services

There was discussion by the committee and members of the public in attendance about the benefits of transparency in posting copies of contracts between the city and its vendors.

A member of the audience suggested that it would be good to post the proposals from all bidders for a particular contract. Doing so would promote accountability for vendors and the people making decisions about bid awards.

There was discussion among committee members and members of the public about other information that might be good to post.

There was discussion of requiring posting of contracts and proposals and allowing the ethics commission the leeway to determine other information that should be posted.

Chip will draft some language for the committee to review.

- Other issues

Chip discussed that the resolution creating this committee allowed for the committee to consider additional standards about topics not explicitly listed in the resolution.

Chip mentioned two provisions that he had seen in some other cities' ethics codes.

One provision is a "if you see something, say something" provision. People covered by the ethics code have a responsibility to report violations if they become aware.

The other provision is a prohibition on assisting someone else in violating the ethics code.

Chip will draft some language on these two issues for the committee to review.

Old Business

Discussion of draft language for ethics code standards

- Appointee attendance requirements

The committee reviewed draft language for this standard. Chip explained it is a catch-all provision for any boards or commissions that don't already have attendance requirements, such as the Human Rights Commission.

The committee discussed how this provision might be enforced. The consensus seemed to be that the ethics commission probably couldn't remove anyone – appointment powers are spelled out in city code and/or state law. But someone could file a complaint and the lack of attendance could be reported to the appointing authority who could decide whether to act.

A member of the audience suggested that there should be a limit – perhaps two meetings – on how many meetings a board member could attend virtually within a reporting period.

Chip will draft a version adding that language for the committee to review.

- Conflicts of interest

The committee reviewed draft language for an ethics standard related to conflicts of interest in decisions and voting and conflicts of interest in contracts.

Chip explained that this language is modeled after standards in the ethics code governing state executive branch employees. The language also implements standards similar to those contained in Rules #4 and #5 in the city rules provided by Mikah Wilson, but would make it more formal and extend the rules beyond employees to include elected and appointed officials.

- Employment and post-employment restrictions

The committee reviewed draft language for an ethics standard related to employment and post-employment restrictions.

Chip explained that this language is modeled after standards in the ethics code governing state executive branch employees.

A member of the public in attendance suggested that the definition of “Particular matters” be amended to make clear that the list provides examples rather than an exclusive list.

Chip will draft a version adding that language for the committee to review.

- Use of city property

The committee reviewed draft language for an ethics standard related to use of city property.

Chip explained that this language is modeled after Rule #9 and #5 in the city rules provided by Mikah Wilson, but would make it more formal and extend the rules beyond employees to include elected and appointed officials.

Other Business

Chip thanked the members of the public for their attendance and participation. Their insights are helpful to the committee.

Chip reminded everyone that the next meeting is March 14. The committee should have a complete draft of the proposed ethics standards to share with the public after that meeting.

Chip will be attending the March City Council meeting, because it is spring break and he won't have class. In addition to announcing our March meeting, he will also ask the City Council if they will place the draft standards on the city council web page to make them easier to access by the public.

Chip also mentioned that he continues to receive suggestions from the public that the committee meetings should be livestreamed. He will make the City Council aware. They can provide resources for livestreaming if they wish.

Chip also reminded everyone about the committee Facebook page and encouraged them to share it on their social media.

There being no further business, the meeting ended without a vote to adjourn.