

MINUTES

Muncie Ethics Advisory Committee
Thursday, April 11, 2024
7:30pm
Maring-Hunt Library
2005 S. High Street
Muncie, IN

Roll Call

Members present: Craig, Gibson, McCauliff, Shipman, Taylor, Whitaker
Members absent: Black, Edgell, Concepcion

Approval of minutes of March meeting

It was noted that the minutes should explicitly list those present.

The minutes were approved unanimously with that addition.

Public Input

No one present wished to provide feedback about the draft ethics standards.

New business

- Discussion of schedule through September

Feedback on the draft standards will be most useful if received at or before the May 9 meeting. Taylor will publicize that timeframe.

The committee discussed a proposed timeline for completing its work:

- May 9 meeting – review feedback received re: draft standards (Sec 5); continue discussion of enforcement section (Sec 6) and structure (Sec 4)
 - June 20 meeting – finalize discussion of enforcement section (Sec 6) and structure (Sec 4); discuss changes to draft standards (Sec 5); release complete draft of all three sections for public comment, asking for feedback by July meeting
 - July meeting (date TBD) – review complete draft of all three sections in outline form; review public feedback and discuss any required revisions
 - August meeting (date TBD) – review complete draft in ordinance form
 - September meeting (date TBD) – committee vote on final report, including proposed ordinance; deliver report to City Council
- Discussion of ethics commission responsibilities, including monitoring and enforcement.
 - The committee discussed potential monitoring and enforcement responsibilities:

- The ethics commission would be responsible for overseeing a “Transparency Portal” which would make ethics-related information available to the public, such as city proposals and contracts and conflict of interest filings.
- The ethics commission would be a point of contact for the filing of complaints about alleged violations of the ethics ordinance.
- For some of the standards, there is an underlying state law. Violating the standard would potentially be a violation of state law. The commission role in these cases should be to refer the issue for attention by the prosecutor.
- For some standards there is an underlying state law, but no criminal offense (e.g. nepotism). The commission role would be to make a finding and recommend corrective action.
- For some standards there is no underlying state law, although the standard may prohibit behavior that might lead to a violation of state law (e.g. post-employment restrictions). The commission role would be to make a finding and recommend corrective action. In some cases, the city attorney might pursue the issue in City Court as an ordinance violation.
- They discussed the need to clarify at what point a complaint becomes a public record.
- Gibson will research the range of authority permissible for an ethics commission and Open Door and Public Records Act issues.

Old business

- Discussion of draft language regarding ethics commission composition, appointment, etc.
 - The committee determined that the language regarding political affiliation of mayoral appointees needs clarification
 - The committee discussed term limits for ethics commission members:
 - No more than two consecutive terms
 - A partial term of less than two (2) years doesn’t count as a term for purposes of determining term limits
 - A term-limited member is eligible for reappointment after a three-year “cooling off” period
 - Taylor will revise the draft for review at the next meeting

Other business

- Public engagement efforts
- Next meeting: May 9, 2024
- May City Council meeting – May 6

The meeting adjourned