

To: City Council

From: Matt Muckler, City Administrator

Date: March 21, 2014

Weekly Council Update

- **Cleaning, Televising, and Lining on Sanitary Sewer System:** Sanitary Sewer Cleaning, Televising, & Lining will take place in West Branch between March 24th and April 15th. Visu-Sewer was contracted by the City to clean and televise sanitary sewer lines. This project allows Visu-Sewer to view the condition of the sewer line prior to starting the lining process. The purpose of the lining is to repair any leaks that were found during the televising process. We apologize in advance for any inconvenience that residents may experience. Areas affected include 1-6 Greenview Drive; 7-9 Greenview Court; 40, 41, 42, 43, and 57 Greenview Drive; the 600, 700, 800, and 900 blocks of West Main Street; the 300, 400, 500, and 600 blocks of East Main Street; the 100, 200, and 300 blocks of North Sixth Street; the 100 block of North and South Fifth Streets; all of Water Street; the 100 block of East Green Street; and the 100 block of North Fourth Street. During the cleaning process high pressure water jets are used to clean the public sanitary sewer lines. If the plumbing in a home has been vented properly, residents should not experience any air pockets coming through their plumbing system. If the plumbing in a home has not been vented properly, the air pockets may have the ability to discharge the water from the toilets and drains. In some instances the cleaning process can create a vacuum and pull the water from the drain traps in plumbing fixtures, allowing a sewer smell to develop. Should this occur, residents are encouraged to run water through their plumbing fixtures and this will fill the traps with water, thus eliminating any future odors. If an issue develops, residents are encouraged to contact Supervisor Dan Stoffel with Visu-Sewer: Cell: (414) 588-5802, or Visu-Sewer Office at (262) 695-2340. All other questions can be directed to West Branch Public Works Director Matt Goodale at (319) 325-8213 or the City Office at (319) 643-5888.

- **Other Public Works Upcoming Projects:** Residential curbside yard waste collection will start on April 3rd. The City will then pick up yard waste on the 1st and 3rd Thursday of every month. Yard waste includes waste produced during gardening, grass clippings, leaves, flowers, branches and tree limbs. Yard waste must be placed in decomposable bags, reusable containers or placed in bundles no longer than four feet and less than fifty pounds. The City will not accept any yard waste containing debris that would be picked up during normal trash collection. Hydrant flushing will take place on April 14th and 15th. The clean-up in the West Branch Municipal

Cemetery will begin on Monday March 31st. Public Works Staff is asking residents to remove any flowers or decorations that they wish to keep prior to March 31st. Residents are encouraged to contact Public Works Director Matt Goodale at (319) 325-8213 with any questions.

- **Iowa Municipal Management Institute:** City Administrator Matt Muckler attended the Iowa Municipal Management Institute (IMMI) on Wednesday, Thursday and Friday. IMMI was sponsored by the Institute of Public Affairs (housed within the University of Iowa College of Law), the University of Iowa, the Iowa City/County Management Association and the Iowa League of Cities. The International City/County Management Association (ICMA) held their Midwest Regional Summit in conjunction with IMMI this year.

IMMI provides an opportunity for local government executives to renew and develop skills and perspectives and learn about innovative methods and techniques. It does this by presenting a multi-dimensional intensive learning and development experience at a national and regional level that addresses the various specific areas relevant to the profession and consistent with the groups of effective practices developed by ICMA.

Sessions were held on several topics, including budgeting best practices, leadership, contemporary challenges in local government, culture change, implementing an ethical culture and human resource legal issues. The Honorable Jim Leach served as the keynote speaker for the event and spoke on civility in local government.

- **A Background on ICMA:** City Administrator Matt Muckler has been a full member of ICMA since 2009. Full membership is reserved for chief administrative officers, assistant/deputy administrative officers and other senior level staff in local governments. Affiliate membership is available for entry-level and mid-management staff in local governments. For members of Council not familiar with ICMA, the ICMA was founded in 1914 and advances professional local government worldwide. Their mission and vision is to create excellence in local governance by developing and fostering professional management to build sustainable communities that improve people's lives worldwide.

ICMA provides member support; publications; data and information; peer and results-oriented assistance; and training and professional development to nearly 9,000 city, town, and county experts and other individuals and organizations throughout the world. The management decisions made by ICMA's members affect millions of individuals living in thousands of communities, from small villages and towns to large metropolitan areas.

All members of ICMA are bound by the ICMA Code of Ethics. Adopted in 1924, the ICMA Code of Ethics defined the principles that today serve as the foundation for the local government management profession and set the standard for excellence.

Leadership in a management structure committed to equity, transparency, integrity, stewardship of public resources, political neutrality, and respect for the rights and responsibility of elected officials and residents strengthens democratic local governance. ICMA members pledge to uphold these principles in their conduct and decisions in order to merit the trust of the public, elected officials, and staff they serve. As a condition of membership, ICMA members agree to submit to a peer-to-peer review under established enforcement procedures should there be an allegation of unethical conduct. ICMA's Code of Ethics, with guidelines, is attached to this Weekly Council Update.

- **Iowa League Legislative Update:** SF 2212, a bill the League supports, passed the House unanimously and will move back to the Senate due to a minor amendment to make the bill effective upon enactment. The bill allows sanitary landfills to accept trees that are infested with emerald ash borer.

A bill related to reforming portions of the urban renewal law was filed on Tuesday. The League has registered against [HSB675](#), because it attempts to make significant changes to tax increment financing (TIF) that would hinder its purpose and use. There are four main components of the bill:

- A full prohibition of the usage of TIF funds for public buildings.
- Restricts city debt, including annual appropriation debt, from going over the constitutional debt limit of 5 percent of the taxable value in the city. This section is directed at restricting annual appropriation debt that is used in some cities to spur larger economic development projects or enforce conditions for incentives provided in economic development projects.
- Automatic step-up of base valuations and rapid phase-out after twenty years for any perpetual TIF. This includes slum, blighted and pre-1995 economic development TIFs. This section does not include protection for existing obligations and could impact cities that have outstanding debt in one of these types of TIF districts.
- Limits all future TIF districts to 20 years.

A subcommittee on the bill will be held on Monday, March 24. The League developed the [Snapshot of Tax Increment Finance](#) over the interim to help city officials understand the mechanics of TIF to help in their advocacy with legislators.

Iowa League of Cities Executive Director Alan Kemp provided a legislative update to the IMMI. In addition to Emerald Ash Borer and TIF legislation, he also discussed legislation related to local option sales tax, cell tower siting, redevelopment and historic tax credits, broadband expansion and rural water territory. Kemp suggested that the legislature could adjourn as early as the first week of April.

The information provided is one-way communication and should not be discussed among you as this would be a violation of the open meeting law.



ICMA Code of Ethics with Guidelines

The ICMA Code of Ethics was adopted by the ICMA membership in 1924, and most recently amended by the membership in May 1998. The Guidelines for the Code were adopted by the ICMA Executive Board in 1972, and most recently revised in September 2013.

The mission of ICMA is to create excellence in local governance by developing and fostering professional local government management worldwide. To further this mission, certain principles, as enforced by the Rules of Procedure, shall govern the conduct of every member of ICMA, who shall:

Tenet 1. Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective.

Tenet 2. Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant.

GUIDELINE

Advice to Officials of Other Local Governments. When members advise and respond to inquiries from elected or appointed officials of other local governments, they should inform the administrators of those communities.

Tenet 3. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the elected officials, of other officials and employees, and of the public.

GUIDELINES

Public Confidence. Members should conduct themselves so as to maintain public confidence in their profession, their local government, and in their performance of the public trust.

Impression of Influence. Members should conduct their official and personal affairs in such a manner as to give the clear impression that they cannot be improperly influenced in the performance of their official duties.

Appointment Commitment. Members who accept an appointment to a position should not fail to report for that position. This does not preclude the possibility of a member considering several offers or seeking several positions at the same time, but once a bona fide offer of a position has been accepted, that commitment should be honored. Oral acceptance of an employment offer is considered binding unless the employer makes fundamental changes in terms of employment.

Credentials. An application for employment or for ICMA's Voluntary Credentialing Program should be complete and accurate as to all pertinent details of education, experience, and personal history. Members should recognize that both omissions and inaccuracies must be avoided.

Professional Respect. Members seeking a management position should show professional respect for persons formerly holding the position or for others who might be applying for the same position. Professional respect does not preclude honest differences of opinion; it does preclude attacking a person's motives or integrity in order to be appointed to a position.

Reporting Ethics Violations. When becoming aware of a possible violation of the ICMA Code of Ethics, members are encouraged to report the matter to ICMA. In reporting the matter, members may choose to go on record as the complainant or report the matter on a confidential basis.

Confidentiality. Members should not discuss or divulge information with anyone about pending or completed ethics cases, except as specifically authorized by the Rules of Procedure for Enforcement of the Code of Ethics.

Seeking Employment. Members should not seek employment for a position having an incumbent administrator who has not resigned or been officially informed that his or her services are to be terminated.

Tenet 4. Recognize that the chief function of local government at all times is to serve the best interests of all of the people.

GUIDELINE

Length of Service. A minimum of two years generally is considered necessary in order to render a professional service to the local government. A short tenure should be the exception rather than a recurring experience. However, under special circumstances, it may be in the best interests of the local government and the member to separate in a shorter time. Examples of such circumstances would include refusal of the appointing authority to honor commitments concerning conditions of employment, a vote of no confidence in the member, or severe personal problems. It is the responsibility of an applicant for a position to ascertain conditions of employment. Inadequately determining terms of employment prior to arrival does not justify premature termination.

Tenet 5. Submit policy proposals to elected officials; provide them with facts and advice on matters of policy as a basis for making decisions and setting community goals; and uphold and implement local government policies adopted by elected officials.

GUIDELINE

Conflicting Roles. Members who serve multiple roles – working as both city attorney and city manager for the same community, for example – should avoid participating in matters that create the appearance of a conflict of interest. They should disclose the potential conflict to the governing body so that other opinions may be solicited.

Tenet 6. Recognize that elected representatives of the people are entitled to the credit for the establishment of local government policies; responsibility for policy execution rests with the members.

Tenet 7. Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the members of the employing legislative body.

GUIDELINES

Elections of the Governing Body. Members should maintain a reputation for serving equally and impartially all members of the governing body of the local government they serve, regardless of party. To this end, they should not participate in an election campaign on behalf of or in opposition to candidates for the governing body.

Elections of Elected Executives. Members shall not participate in the election campaign of any candidate for mayor or elected county executive.

Running for Office. Members shall not run for elected office or become involved in political activities related to running for elected office, or accept appointment to an elected office. They shall not seek political endorsements, financial contributions or engage in other campaign activities.

Elections. Members share with their fellow citizens the right and responsibility to vote. However, in order not to impair their effectiveness on behalf of the local governments they serve, they shall not participate in political activities to support the candidacy of individuals running for any city, county, special district, school, state or federal offices. Specifically, they shall not endorse candidates, make financial contributions, sign or circulate petitions, or participate in fund-raising activities for individuals seeking or holding elected office

Elections relating to the Form of Government. Members may assist in preparing and presenting materials that explain the form of government to the public prior to a form of government election. If assistance is required by another community, members may respond.

Presentation of Issues. Members may assist their governing body in the presentation of issues involved in referenda such as bond issues, annexations, and other matters that affect the government entity's operations and/or fiscal capacity.

Personal Advocacy of Issues. Members share with their fellow citizens the right and responsibility to voice their opinion on public issues. Members may advocate for issues of personal interest only when doing so does not conflict with the performance of their official duties.

Tenet 8. Make it a duty continually to improve the member's professional ability and to develop the competence of associates in the use of management techniques.

GUIDELINES

Self-Assessment. Each member should assess his or her professional skills and abilities on a periodic basis.

Professional Development. Each member should commit at least 40 hours per year to professional development activities that are based on the practices identified by the members of ICMA.

Tenet 9. Keep the community informed on local government affairs; encourage communication between the citizens and all local government officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.

Tenet 10. Resist any encroachment on professional responsibilities, believing the member should be free to carry out official policies without interference, and handle each problem without discrimination on the basis of principle and justice.

GUIDELINE

Information Sharing. The member should openly share information with the governing body while diligently carrying out the member's responsibilities as set forth in the charter or enabling legislation.

Tenet 11. Handle all matters of personnel on the basis of merit so that fairness and impartiality govern a member's decisions, pertaining to appointments, pay adjustments, promotions, and discipline.

GUIDELINE

Equal Opportunity. All decisions pertaining to appointments, pay adjustments, promotions, and discipline should prohibit discrimination because of race, color, religion, sex, national origin, sexual orientation, political affiliation, disability, age, or marital status.

It should be the members' personal and professional responsibility to actively recruit and hire a diverse staff throughout their organizations.

Tenet 12. Seek no favor; believe that personal aggrandizement or profit secured by confidential information or by misuse of public time is dishonest.

GUIDELINES

Gifts. Members should not directly or indirectly solicit any gift or accept or receive any gift—whether it be money, services, loan, travel, entertainment, hospitality, promise, or any other form—under the following circumstances: (1) it could be reasonably inferred or expected that the gift was intended to influence them in the performance of their official duties; or (2) the gift was intended to serve as a reward for any official action on their part.

It is important that the prohibition of unsolicited gifts be limited to circumstances related to improper influence. In de minimus situations, such as meal checks, some modest maximum dollar value should be determined by the member as a guideline. The guideline is not intended to isolate members from normal social practices where gifts among friends, associates, and relatives are appropriate for certain occasions.

Investments in Conflict with Official Duties. Member should not invest or hold any investment, directly or indirectly, in any financial business, commercial, or other private transaction that creates a conflict with their official duties.

In the case of real estate, the potential use of confidential information and knowledge to further a member's personal interest requires special consideration. This guideline recognizes that members' official actions and decisions can be influenced if there is a conflict with personal investments. Purchases and sales which might be interpreted as speculation for quick profit ought to be avoided (see the guideline on "Confidential Information").

Because personal investments may prejudice or may appear to influence official actions and decisions, members may, in concert with their governing body, provide for disclosure of such investments prior to accepting their position as local government administrator or prior to any official action by the governing body that may affect such investments.

Personal Relationships. Member should disclose any personal relationship to the governing body in any instance where there could be the appearance of a conflict of interest. For example, if the manager's spouse works for a developer doing business with the local government, that fact should be disclosed.

Confidential Information. Members should not disclose to others, or use to further their personal interest, confidential information acquired by them in the course of their official duties.

Private Employment. Members should not engage in, solicit, negotiate for, or promise to accept private employment, nor should they render services for private interests or conduct a private business when such employment, service, or business creates a conflict with or impairs the proper discharge of their official duties.

Teaching, lecturing, writing, or consulting are typical activities that may not involve conflict of interest, or impair the proper discharge of their official duties. Prior notification of the appointing authority is appropriate in all cases of outside employment.

Representation. Members should not represent any outside interest before any agency, whether public or private, except with the authorization of or at the direction of the appointing authority they serve.

Endorsements. Members should not endorse commercial products or services by agreeing to use their photograph, endorsement, or quotation in paid or other commercial advertisements, whether or not for compensation. Members may, however, agree to endorse the following, provided they do not receive any compensation: (1) books or other publications; (2) professional development or educational services provided by nonprofit membership organizations or recognized educational institutions; (3) products and/or services in which the local government has a direct economic interest.

Members' observations, opinions, and analyses of commercial products used or tested by their local governments are appropriate and useful to the profession when included as part of professional articles and reports.