



ETHICS COMMISSION AGENDA

**May 9, 2012
6:30 p.m.
Roseville City Hall
2660 Civic Center Drive**

- I. Call to Order
- II. Approve Minutes of November 9, 2011
- III. Swear in New Ethics Commissioner, Nancy O'Brien
- IV. Review April Ethics Training Event
- V. Discuss Non-filing of Disclosure Statements
- VI. Discuss Topics for May 21, 2012 Joint Meeting with the City Council
- VII. Discuss Ethics Tips
- VIII. Other Business
- IX. Adjourn

City of Roseville
Ethics Commission Meeting Minutes
Wednesday, February 8, 2012

I. Call to Order

Vice Chair Fjelstad called the meeting to order at 6:33 p.m.

Members Present:

Anne Collopy, Margo Fjelstad, Ben Lehman, and LuAnne Pederson

Members Absent:

Dave Horsager.

Others Present:

City Manager Bill Malinen and City Attorney Jim Erickson

II. Approve Minutes of November 9, 2011

Lehman moved, Pederson seconded approval of the minutes of the November 9, 2011 minutes, as presented.

Ayes all.

III. Discuss April 11, 2012 Training Session

The Committee amended the times of the training to 6:00 p.m. – 8:00 p.m. with an hour social hour starting at 5:00 p.m.

IV. Discuss Topics for May 21, 2012 Joint Meeting with the City Council

The Committee agreed that a report on activities and a report on the April Ethics training would be presented at the May 21, 2012 joint meeting with the City Council.

V. Discuss Annual Review of Ethics Code

The Committee agreed to present any comments on the Ethics Code to the City Manager.

VI. Discuss Ethics Tip

An Ethics Tip submitted by Ben Lehman concerning 'Conflicts of Interest' was approved as amended by the Commission.

VII. Other Business

None.

VIII. Adjourn

There being no further business, Pederson moved, Lehman seconded to adjourn the meeting at 6:50 p.m. Ayes all.

Respectfully submitted,

William J. Malinen
City Manager



OFFICIAL OATH

Nancy O'Brien

Ethics Commission

I, Nancy O'Brien, do solemnly swear that I will support the Constitution of the United States of America and the Constitution of the State of Minnesota, and that I will faithfully, justly, and impartially discharge the duties of Ethics Commissioner for the City of Roseville, Minnesota, to the best of my judgment and ability. So help me God.

Nancy O'Brien

Subscribed and sworn to before me this _____ day of _____ 2012.



Margo Fjelstad, Chair

1. The report shall be sent directly to the City Council if the complaint involves an Ethics Commission member. The Council shall have the authority to dismiss any Ethics Commission member found to have violated the Ethics Code.
 2. The report shall be sent to the Ethics Commission if the complaint involves other Public Officials. The Ethics Commission shall have the authority to convene and issue it's own report and recommendation to the City Council. Thereafter, the City Council shall take action as the Council deems appropriate.
- F. The standard for decisions regarding allegations of ethical violations covered by Section 3 of this code shall be "clear and convincing evidence." The term "clear and convincing evidence" shall mean that burden of proof as defined by Minnesota State law.
- G. In processing complaints, the City Attorney, City Manager, Ethics Commission and City Council shall process and maintain data in a manner consistent with Minn. Stat. Ch. 13, the Minnesota Data Practices Act.

Section 6. Disclosure of Financial Interests

Not later than ninety (90) days after the date of approval of this Code, each Public Official of the City shall file as a public record, in the office of the City Manager, a statement containing the following:

1. A list naming all business enterprises known by the Public Official to be licensed by or to be doing business with the City in which the Public Official or any member of the Public Official's immediate family is connected as an employee, officer, owner, investor, creditor of, director, trustee, partner, advisor, or consultant; and
2. A list of the Public Officials and members of the Public Officials' immediate family's interests in real property located in the City or which may be competing with the interests of the City located elsewhere, other than property occupied as a personal residence.

Each person who enters upon duty after the date of this code in an office or position as to which a statement is required by this Code shall file such a statement on forms to be provided by the City not less than thirty (30) days after the date of his/her entrance on duty.

Each person who made an initial filing shall file a new Statement by January 30 of each year thereafter giving the information called for above as of the time of the new statement. If a change in financial interest or property ownership occurs between filings, a new filing shall be made within thirty (30) days of the change.

The interest of any member of the immediate family shall be considered to be an interest of a person required to file a statement by or pursuant to this Code.

This Code shall not be construed to require the filing of any information relating to any person's connection with or interest in any professional society or any charitable, religious, social, fraternal, educational, recreational, public service, civil, or political organization, or any similar organization not conducted as a business enterprise and which is not engaged in the ownership or conduct of a business enterprise.

However, if any of such organizations seeking any action or benefit come before a Roseville commission or the Council, then membership in the organization shall be a potential conflict of interest and must be reported as such to the City Manager by the Public Official in an amended disclosure statement. The other stipulations of this Code then apply.

The City Manager shall inform each person who is required to file of the time and place for filing. The City Manager shall inform the Council whenever a person who is required to file a statement fails to do so.

The motion for the adoption of the foregoing resolution was duly seconded by Council Member Pust and upon vote being taken thereon, the following voted in favor:
Klausing, Maschka, and Pust.

and the following voted against: Ihlan and Kough

WHEREUPON said resolution was declared duly passed and adopted.