Sec. 2-77. Rules of ethical conduct.

Councilmembers will hereafter conduct themselves according to the following rules of conduct as they pertain to work for and on behalf of the City of Jackson:

(1) A councilmember shall maintain decorum and set an example for conduct when the councilmember represents the City of Jackson. Councilmembers shall conduct themselves so as not to bring disgrace or embarrassment upon the city.

(2) A councilmember shall always represent those opinions stated are the member's own and do not necessarily represent those of the council unless the council has voted and passed an ordinance, resolution or motion that so states the expressed policy.

(3) If a councilmember writes to a citizen, the member may use city stationery. However, the form and language must clearly state that opinions are those of the writer unless the council has taken some official action.

(4) A councilmember shall not divulge the discussions held in executive session until or unless:

a. The discussions have become public by some other means of which the councilmember is not a voluntary participant;

b. The council itself has made the discussion public; or

c. The reason for secrecy has passed.

(5) A councilmember shall make public any conflict of interest the member has with respect to any issue under consideration by the council. The nature of such conflict need only be described in terms that make clear the existence of a conflict. The councilmember shall not participate in discussions of the subject and shall not vote on it if:

a. The councilmember has a personal, financial or property involvement in the subject;

b. The councilmember is related to the subject/subjects in the first degree;

c. The councilmember is employed by, or has a contractual relationship with the subject or parties; or

d. The ordinances of the City of Jackson or the statutes of the State of Mississippi prohibit the member's involvement.

If the councilmember has only a casual association with the subject or parties, the member must state the relationship, and then may fully participate.

(6) A councilmember shall not use his/her office for personal gain, especially financial gain, including particularly the acceptance of gifts and gratuities.

(7) A councilmember shall not make false statements on which the council, city staff or other agencies rely to establish policy or make important decisions. A councilmember violates this rule if he/she knows it is untrue, or if the person has knowledge that would lead a reasonable person of ordinary prudence to conclude that the statement is untrue.

No councilmember shall, except as required in the performance of his/her duties, or in the course of any conduct reasonably believed to be in the performance of their duties, disclose confidential information gained by reason of his/her official position, nor shall he/she otherwise use the information for personal interest. Confidential information shall include:

(1) Personnel information applications, and any files maintained for city employees, appointees or elected officials;

(2) Information required of any taxpayer or city license holder in connection with the assessment or collection of any tax or license fee if the disclosure of the information to other persons would tend to violate the taxpayer or licensee's right to privacy or may result in unfair competitive disadvantage to such taxpayer or licensee;

(3) Specific intelligence information and specific investigative files compiled by investigative law enforcement and penology agencies and those state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy;

(4) Information revealing the identity of persons who file complaints with investigative law enforcement or penology agencies; except as the complainant may authorize;

(5) Test questions, scoring keys and other examination data used to administer license, employment or civil service examination;

(6) The contents of any real estate appraisals made for or by any agency, including the city relative to the acquisition of property by the city until the project is abandoned or until such time as all of the property has been acquired, but in no event shall disclosure be denied for more than three years after the date of the appraisal;

(7) Valuable formula, designs, drawings and research data obtained or produced by the city, its officers, employees and agents within five years of any request for disclosure thereof, when disclosure would produce private gain and public loss;

(8) Preliminary drafts, notes, recommendations and intra-agency memorandums in which opinions are expressed or policies formulated or recommended, except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action;

(9) Records which are relevant to a controversy to which the city or any of its officers, employees or agents is a party and would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts;

(10) Any other information as is declared confidential by other specific statutes;

(11) The confidential areas hereinabove listed shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interest, can be deleted from the specific records sought.

Regulations referenced in this amendment are also applicable to former city officials.

(1) A former member of city council shall not use or disclose confidential government information acquired during the member's service on the city council. A former member of city council is not prohibited from disclosing information if:

   a. The information is no longer confidential;

   b. The information involves reports of illegal or unethical conduct and is disclosed to a law enforcement agency; or

   c. The disclosure is necessary to further public safety and is not otherwise prohibited by law.

(2) No former member of city council shall have a financial interest in a significant contract with the city, within 13 months following the expiration of the former member's most recent term of office.

Members of this governing body may commence an action either by mandamus or injunction for the purpose of stopping violations or preventing threatened violations of this chapter; and

Any councilmember violating the provisions of this chapter is liable to the City of Jackson for a penalty in the amount of $500.00 at his/her own expense, in addition to such other civil or criminal liability or penalty as may otherwise be imposed upon the member by law. In addition to all other penalties, civil or criminal, the violation by any councilmember of the provisions of this chapter may be grounds for forfeiture of his or her office.

(Ord. No. 2022-19(3), 11-9-21)