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**Ethics Matter!**

**What to do when the ethical dilemma involves your elected official**

Any CEO, whether leading a private or public organization, knows that success can depend on first establishing a solid relationship with the governing body. The relationship, individually and collectively, must be built on a foundation of mutual trust and respect for the other’s unique role and responsibilities. Local government managers face the added challenge of doing this publicly, despite competing interests and the pesky requirements of democracy.

When either party fails to understand its role or strays across boundaries, intentionally or not, the relationship can be strained or fractured. An elected official acting like a manager can create an ethical dilemma for the manager as well. Here are two real-world incidents that highlight ethical issues that can arise.

**Incident #1**

The takeaway from the new city manager’s first council retreat was that public works was a real weakness in the organization. The manager promised to pay close attention to the situation and, after a year, concluded that the public works director lacked the technical and management skills needed to lead the department.

A significant amount of coaching and direction didn’t seem to yield better results. The manager terminated the public works director and then informed the mayor and council. The following year, the wife of the now former employee ran for and won a spot on city council.

The new councilmember is highly critical of the manager’s performance and prefers to address her concerns and complaints only in public forums. She also goes directly to staff to inquire about project status, get information, and issue requests for service. The manager met with the councilmember in an effort to get her to deal directly with him and identify the source of her discontent. Nothing has worked.

The manager next learned from a vendor that the councilmember called the vendor to determine why a project was not progressing on time and to demand better results. The manager believed her action was improper! He wonders what his next step should be. Should the manager address this issue with the councilmember? Go to the mayor?

Many times elected officials are motivated by pure desire to serve the voters, and they wander into the manager’s “territory” because they lack an understanding of the manager’s role and how to get things done. Managers can help newly elected officials understand the division of labor between elected officials and staff. Council retreats, orientations, presentations by corporation counsel, and regular discussions are all effective ways to build a strong understanding of roles and responsibilities and establish the ground rules for conduct of all parties. A low-key, one-on-one approach often is successful in resolving missteps and issues.

But the manager can’t be expected to correct inappropriate upstream conduct. Governing body members must police the conduct of their peers and weigh in when it crosses boundaries. In this case, the manager should explain to the councilmember that her intervention is neither helpful for the project nor appropriate. The manager should also inform the mayor and request that the councilmember’s conduct be addressed by her peers.

**Incident #2**

What do you do when the mayor is the offending party? One city manager faced that issue after the departure of the director of the city’s performing arts center. The mayor then presented the manager with an ultimatum: rehire the director or meet with council in executive session called specifically to consider the manager’s continued employment.

The director had resigned from the city following a media report that he had accepted many gifts from individuals doing business with the city and failed to follow the disclosure laws. The director had been competent, but his conduct violated city policy and the law and embarrassed the organization.

This was a deal breaker for the manager because all staff, including the director, had been through ethics training that specifically addressed the gifts issue. The manager had offered the director the option to resign or be fired.

The manager informed the mayor that he would not reconsider his decision and was glad to discuss his rationale with the full council in executive session. From the manager’s perspective, this was not about power or territory but about preserving the city charter and rule of law. His ethical obligation is to resist encroachment on his professional responsibilities, to handle each personnel matter fairly and on the merits, and to do what is right—even at the cost of losing his position.

Governance coach Mike Conduff reminds both managers and elected officials of the importance of the team relationship: “It is hard to imagine an effective team environment where members don’t know or operate within their roles. Visualize an airline pilot leaving the cockpit to serve drinks or a pitcher abandoning the mound to catch a fly ball in the outfield.

Elected officials are critical in their governing role, and in order to be effective must be educated, trained, and coached in that role. Managers can clearly assist with training, but mentoring and discipline rest largely with the mayor and governing body.” We skip training camp at our peril!

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