

# Greenwood Town Council

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COUNCILMEMBERS' BRIEFING – FEBRUARY 8, 2023



# Town Government: Council-Manager

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## TOWN COUNCIL (ELECTED BODY)

Mayor and 4 Council Members

Mayor is voting member on all issues

Quorum to do business is 3

Council action requires affirmative vote of a majority of the quorum present

Responsible for the Legislative Function and Policy

Adopt Ordinances

Vote on Budget and Expenditures

Develop an Overall Vision

## TOWN MANAGER (“CAO”)

Oversees Daily Administration & Operations

Supervisor of all Personnel – handles all personnel issues

Responds to citizen concerns

Implements Policies & Procedures

Develops Budgets

Researches Special Topics and Concerns

Advises Council on issues

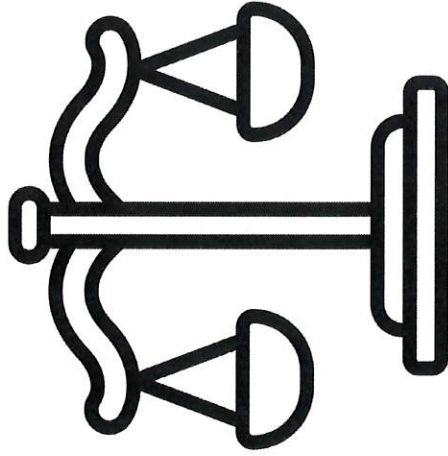
Consults with Town Solicitor when necessary

Facilitates Grant Applications



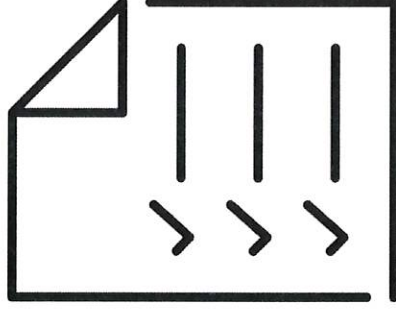
# Governing Documents

CHARTER



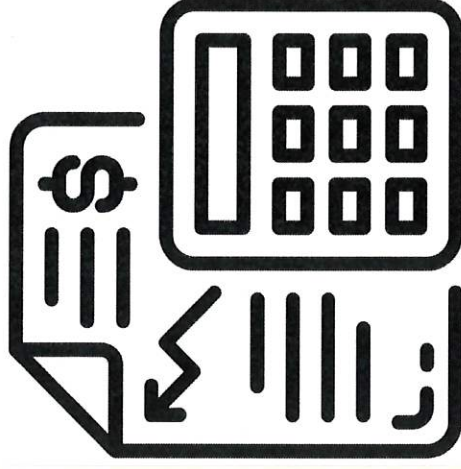
Created by Lima Studio  
from Noun Project

ORDINANCES



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Budget



Created by libertetstudio  
from Noun Project



# GOVERNING LAWS

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Council may only take action not in conflict with U.S. and State Constitutions or State Code where it applies

Town Charter

Town ordinances and policies

FOIA

DE Public Integrity Laws (Title 29, Ch. 58, Public Officers and Employees)



# Key Issues

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## Employees

- Most visible portion of local government
- Chain-of-Command (Department Heads → Town Manager → Council)
- PD considerations (e.g. discipline)

## Constituent Concerns

- Refer to Town Manager or get information from Town administration and reply back
- Document in writing where necessary

## FOIA

- Council business is conducted publicly, except Executive Sessions when permitted by FOIA
- E-mail Communications – Use Town email for Town business
- Use of Personal E-mail/devices
- All FOIA requests must be in writing and are reviewed by Town Solicitor



# ETHICS AND RESPONSIBILITIES OF OFFICE

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Duty is always to act impartially, in the PUBLIC INTEREST

Fiduciary responsibility with regard to public funds

Use the public office for the public good, not for personal or private gain

Cannot assist private parties in advocating for action before the Town. Raise concerns to TM, Town Solicitor or Council as a whole

Recusals – where you are affiliated with an interested party or where there could be an “appearance of impropriety” – case by case

No contracting with the Town and any entity in which councilperson has financial interest

Conduct deliberations and processes publicly and openly unless legally confidential

Do not gather in a quorum (3 or more) to discuss Town business outside of public meetings



# Conduct of Councilmembers

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Impartiality to parties appearing before Council

Public comment – public has the right to criticize government

Refrain from abusive conduct, language or personal attacks on other members, staff, or members of the public

Actions are taken in accordance with governing laws and established processes and rules of order

Council can only take action as a body – not as individuals

Coordinate action with Town Staff and seek advice from Town legal counsel where necessary



# Conflict of Interest

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“In order to assure their independence and impartiality on behalf of the public good, Council members shall not use their official positions to influence government decisions in which they have a financial interest or where they have an organizational responsibility or a personal relationship that would present a conflict of interest under applicable State Law.”

- Delaware Public Integrity Commission

A personal or private interest that tends to impair judgment in Performing official duties (this always applies where there is a financial interest to self or a close relative)

When in doubt, seek legal advice or recuse





# Confidential Information

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Protect and preserve the confidentiality of information provided to them concerning confidential matters of the Town.

Shall not disclose confidential information without proper legal authorization or use such information to advance any personal, financial or private interests

Confidential information includes:

- Personnel information
- Legal advice re: pending or potential litigation
- Collective bargaining or contract negotiation; trade secrets

