

MINUTES
Public Hearing of the College Park City Council
Tuesday, June 9, 2009
Ordinance 09-O-03

An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 38, “Code Of Ethics”, Article I, “General Provisions”, Section 38-4, “Definitions”, Article III, “Prohibited Acts”, Section 38-11, “Conflicts Of Interest”, And Section 38-12 “Nepotism” And Article IV “Required Disclosures”, Section 38-17 “Disclosure Of Conflicts Of Interest” To Amend The Definition Of Family Member And Interest, And Add A Definition Of Domestic Partner And Domestic Partnership, To Clarify What Constitutes A Conflict Of Interest, To Prohibit Solicitation Of Gifts, To Clarify What Is A Permissible Gift And To Make Certain Technical Changes.

PRESENT: Mayor Brayman; Councilmembers Molinatto (arrived 7:40 p.m.), Wojahn (arrived 7:32 p.m.), Catlin, Perry, Stulich, Hampton and Mary Cook; Student Liaison Jonathan Sachs (arrived 7:45 p.m.).

ABSENT: Councilmember Mark Cook.

ALSO PRESENT: Joe Nagro, City Manager; Suellen Ferguson, City Attorney; Janeen Miller, City Clerk; Sara Imhulse, Assistant to the City Manager; Jill Clements, Director of Human Resources.

Mayor Brayman opened the Public Hearing on Ordinance 09-O-03 at 7:31 p.m. and invited Ms. Ferguson to provide an overview. Ms. Ferguson stated that the proposed Ordinance has already received preapproval from the state Ethics Commission. She stated that this amendment clarifies definitions, clarifies which gifts are acceptable and which are not, and clarifies what constitutes a conflict of interest.

Jack Robson, Chief, Board of Election Supervisors: He explained that questions raised during the ethics training for candidates in 2007 regarding the definition of a conflict of interest is the genesis for these amendments to the Ethics Code. He stated that he agrees with the changes that are made by this ordinance because they clarify things very nicely.

Public Comment:

Mayor Brayman read into the record the written comments received by **Diana Claiburn**. She opposes the amendments.

Jack Robson, 4710 Harvard: Mr. Robson stated the “Interest does include” section of the proposed ordinance satisfies the concerns of the BOES because it provides clarification. He commented on the testimony submitted by Ms. Claiburn. He clarified that a candidate for office can’t have a conflict of interest; it is only after the candidate is elected that the conflict would arise.

Mayor Brayman stated that anyone with a question about a potential conflict can request an advisory opinion from the Ethics Commission.

Mayor Brayman stated that there would be no further public comment on this ordinance unless there is a substantial change, and declared the Public Hearing closed at 7:46 p.m.

Janeen S. Miller
City Clerk

Date Approved