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Letter: Strengthen the city Code of Conduct

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As a member of the Red Wing Citizens Assembly, I'm thinking more formally about public policy. As frequent participants in local issues, representing groups and members of the public, and as individual residents, Alan and I are particularly interested in Red Wing's Code of Conduct. It's a company town in many ways, with undue corporate influence.

Compared to that of the Public Utilities Commission where I practice (Minn. R. Ch. 7845), Red Wing's Code of Conduct is inadequate. Under PUC Code, commissioners "shall behave in a manner that promotes public confidence in the integrity and impartiality of the commission's decision-making process," and prohibits "... any action that might result in or create a conflict of interest or the appearance of impropriety... ." Red Wing's Code gives too much wiggle room.

Remember removal of Mayor Dennis Egan? Why was resignation even a question given the direct conflict of interest and sand issues on the city agenda at the time?

How many City Council members are financially connected to Xcel Energy, as employee, contractor or with business ties? Xcel matters are regularly before the council, i.e., LabUSA "ash mining" (Full disclosure: I represented in limited scope neighbors challenging that project), nuclear issues, utility personal property tax revenue, and the city's legislative agenda. How does the city balance Red Wing's interests with Xcel's interests?

3M/Capitol Safety agreed to create 40 new jobs in exchange for a \$500,000 state MIF Loan and \$284,677, 100 percent city tax abatement, for the new building. 3M didn't comply by the deadline, nor within the three-month grace period, and now they're six months overdue. The public is paying over \$19,000 per job, Red Wing's

share over \$7,000 per job. The council granted an extension without penalty, with no disclosure of how many jobs 3M fell short. 3M is moving jobs around - why not to Red Wing? Shouldn't tax be assessed during noncompliance, not abated? An "extension fee" of at least \$19,000 per job not created by the deadline? How is extension, with no consequence, in the public interest?

These are just a few examples. A few thoughts for improvement:

- The Red Wing Code of Conduct should require full disclosure of employment and contracting ties, in campaign information and city website biography. For each agenda item with a potential conflict, council and commission members should be queried via roll call about conflicts and interests with their response on the record.
- The administrator's council packet should review for each agenda item the "city interest," "applicant interest" and "public interest" for consideration.
- The Code of Conduct should require full disclosure and recusal from discussion and decision of any council or commission member who is employee or contractor or has business dealings with a party to an agenda item.
- The City Council needs education on fiduciary responsibility, protection of city resources and public versus private interest.

City of Red Wing, revise the Code of Conduct. Give it some teeth.

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Red Wing