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## Attempt to toughen Louisville ethics rules dies

Council Democrats proposed new version at last minute

*By Dan Klepal*

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An ordinance meant to strengthen ethics rules that govern the conduct of some city employees died last night after nearly a year of work by a bipartisan group of Louisville Metro Council members and outside legal counsel that specializes in ethics law.

That was after some Democrats tried to substitute a completely new version of the ordinance for the original one. The Democrats' version wasn't shared with Republican council members until just minutes before last night's meeting, causing Republicans to accuse them of trying to "sabotage" months of work on an important ordinance.

Democrats hold a 16-10 majority on the council.

Councilman Ken Fleming, R-7th District, the sponsor of the bipartisan ordinance, withdrew his sponsorship, killing the proposal and stopping Democrats from substituting their version.

The move forces Democrats to introduce their version to the full council and have it assigned to a committee, where it will be debated from scratch.

"I want to do what's right rather than having it watered down to a low standard for ethics," Fleming said.

Council member Marianne Butler, D-15th, brought forward the new ordinance. She said Democrats disregarded all the work that had been done to change the ethics ordinance because there continued to be unresolved questions about it.

"Every time we got a copy of the ordinance that was withdrawn tonight we had more questions," Butler said. "I couldn't see it going anywhere and getting broad support."

Butler said Democrats were willing to "work with the Republicans" and would have accepted changes last night.

But they showed the Republicans a copy of their proposal only minutes before the meeting started, and when a reporter walked out of the Democratic caucus meeting with a copy, Butler expressed concern that the reporter would give it to Republicans, thus allowing them to see it sooner.

"This council needs to decide if we're going to work together on important issues like this," Hal Heiner, R-19th, said. "If these stunts continue, we'll never pull together and accomplish big things."

Several provisions were removed in the Democrats' version of the ordinance that Republicans thought were important, including:

Expanding the number of city employees covered to include more management-level positions and anyone authorized to make purchases of more than \$10,000.

Strengthening provisions against conflicts of interest.

Requiring mayoral appointments to the Ethics Commission to win approval of two-thirds of the Metro Council.

Putting ethics decisions and rulings on the Internet.

There was one addition to the Democrats' version that some Republicans thought would be a problem: It would prohibit anyone affiliated with metro government, including the person alleging the ethics violation and the person accused, from making public statements about the complaint until after a ruling was issued.

It also would not allow any documents associated with a pending ethics complaint to be made public until after the allegation has been settled.

Councilman Brent Ackerson, D-26th, said the provision is meant to protect people from being "tried in the media."

Asked what would happen if the person accused of an ethics violation wanted to speak to reporters, Ackerson said: "That's a good point."

Ben Post, managing editor of The Courier-Journal, said the newspaper would be concerned if such a provision were included.

"We're concerned any time restrictions are placed on access to information about public officials doing public business," Post said. "We'll watch this closely."

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