

**Personnel and Policy Committee Meeting Notes & Council Action Items**  
**Thursday, August 18 @ 5 p.m.**

Attendees: Richard Dolby, Acting Code Enforcement Officer  
Kate Dufour, Lisa Harvey-McPherson, George Lapointe, Committee Members  
Jason Pafundi, Kennebec Journal  
Diane Polky, City Clerk  
Nate Rudy, City Manager

*Item 1: Liquor licensing protocols.* With input from the City Clerk and Code Enforcement Officer (CEO), the Committee recommends Council adoption of the attached liquor license application protocol. The protocol requires: (1) the Council to hold public hearings on new, change of location and staff-flagged renewal liquor license applications; (2) the police chief's, fire chief's and CEO's recommendations and comments be presented to the Council along with the application; (3) the Council to indicate one or more of the listed reasons why an application is denied; and (4) the City Clerk to provide notice to the applicant and State Bureau of Liquor Enforcement of the Council's action.

**Motion:** To adopt the proposed Liquor Licensing Protocol and instruct the City Manager to take the steps necessary to implement the protocol no later than January 1, 2017.

*Item 2: Whistleblowers' policy.* After some discussion, the Committee concluded that the Council has no authority to implement policies that impact city employees, other than the city manager. For this reason, the Committee recommends encouraging the City Manager to consider adoption and implementation of the crafted whistleblowers' policy, as amended by legal counsel, with suggestions made by Council Stearns.

**Motion:** None needed.

*Item 3: Plan for cataloging/publishing policies adopted by council.* The Committee discussed the need to publish all Council-adopted policies in a single publicly accessible location. The City Clerk informed the Committee that her office is working on this request and will continue to post policies as adopted. The City Clerk also brought to the Committee's attention the lack of documentation proving that some Council policies were finally adopted, for example, "disposition of public property" policy. For purposes of documentation it is likely that the Council will be asked to re-adopt existing policies. Furthermore, the Committee recommends that in the future all Council-proposed policies be presented as written motions published in the meeting agenda at which the Council will vote on the proposal.

**Motion:** None needed.

*Item 4: City Manager's six-month evaluation process.* Per the negotiated contract, the City Manger's six-month and subsequent performance evaluations are to be held on or around December 1<sup>st</sup>. To assist in the evaluation process, the Committee is proposing a two-step process.

First, several interest groups (e.g., members of the council, city department heads and employees, members of city committees and boards, members of the business community and the general public) will be invited to participate in the attached draft survey. The Committee is recommending “Survey Monkey” as the means for issuing the survey and analyzing the data. To protect against the submission of multiple evaluations from single parties, participants will be asked to provide their names, with assurances that all data will be “scrubbed” by the Personnel and Policy Committee chair before shared with the Mayor. Second, upon receipt of the survey results, the Mayor and Chair will draft and conduct the performance evaluation with the City Manager and provide a briefing on that process to the Council at a subsequent meeting. The Committee is seeking Council feedback and direction on the proposed evaluation tool and process.

**Motion:** None needed.

*Item 5: Update on Code Enforcement Officer recruitment challenges and recommendations.* The City Manager provided an update on efforts to recruit a CEO. Although the City has received applications, none of the applicants have the training and the experience necessary to hit the ground running. After discussing many options, including creating a CEO/planning position, working with KVCOG, etc., the Committee directed the City Manager to re-advertise in local newspapers and through the MMA and Maine Building Officials and Inspectors Association job sites, direct market the position to desired candidates, and consider the development of a short-term mentoring process as means for attracting applicants.

**Motion:** None needed.

*Item 6: Other.* The City Manager shared with the Committee the proposed “Code of Conduct” policy as amended by legal counsel. The Committee recommended that all of the proposed amendments be adopted and the revised policy put before the Council for final adoption.

**Motion:** To adopt the amended Code of Conduct policy.

## **Liquor Licenses Application Protocols**

Proposed by the Personnel & Policy Committee (8/18/2016)

- A completed application shall be presented to the Council, along with recommendations from the police chief, fire chief and code enforcement officer to either (1) recommend approval of application, without comment; (2) recommend approval of application, with comment; or (3) recommend denial of application, with comment.
- A properly noticed public hearing shall be conducted for all new and transfer of location liquor license applications and held at a regularly scheduled Council meeting occurring within 60 days of the filing of the application. At staff's recommendations, the Council shall conduct a public hearing on a renewal application. The city clerk is authorized to approve renewal applications based upon internal approval from the police chief, fire chief and the code enforcement officer.
- At the same meeting that the hearing is held, the Council will vote on the application. If the application is denied, the municipal officers must site one or more of the following reasons (per MRSA, Title 28-A, §653, sub-§2):
  - Conviction of the applicant of any Class A, Class B or Class C crime;
  - Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;
  - Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;
  - Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;
  - Documented violation of any provision of state liquor licensing laws;
  - A determination by the municipal officers that the purpose of the application is to circumvent the provisions of section general state liquor licensing laws; and
  - Server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.
- Within five business days of the hearing the City Clerk shall inform the applicant and the State Bureau of Liquor Enforcement of the Council's decision.

To: Mayor Walker & City Councilors  
City Department Heads & Employees  
Committee Chairs & Members  
Business Community Members  
Members of the Public

From: Hallowell City Council's Personnel Committee  
Date: November 1, 2016  
Re: City Manager's Six-month Performance Evaluation

The City Council's Personnel Committee has been tasked with evaluating the performance of Nate Rudy in his role as City Manager. In order to ensure that we have the information necessary to properly assess Nate's performance, we need your input.

The survey that follows asks you to evaluate Nate's job performance by rating a series of statements on a scale of 1 (strongly disagree) to 5 (strongly agree). You are invited respond as many as the statements posed. All of the information you provide will be folded into one report, providing each participant a level of anonymity.

It would be greatly appreciated if you could take a few moments to fill-out the survey by Friday, November 18, 2016.

Thank you for participating in this evaluation effort. If you have any questions, please feel free to call Kate Dufour at 592-4038.

**City Manager’s Six-month Performance Evaluation  
Feedback Survey -November 1, 2016**

1. Name: \_\_\_\_\_

2. Please choose the role from which you are basing the following evaluation of Nate Rudy:

- Member of the Council \_\_\_\_\_
- City Department Head or Employee \_\_\_\_
- City Board Chair or Member \_\_\_\_\_
- Business Community Member \_\_\_\_\_
- Member of the Public \_\_\_\_\_
- \_\_\_\_\_

3. Reflecting on your interactions with Nate Rudy in his role as Hallowell City Manager, please rate the following statements on a scale of 1 (strongly disagree) to 5 (strongly agree). If you do not believe you have the experience necessary to fairly assess Nate’s performance, please choose the “no response” option.

	<b>Strongly Disagree</b>	<b>Disagree</b>	<b>Neutral</b>	<b>Agree</b>	<b>Strongly Agree</b>	<b>No Response</b>
Assumes ownership and accountability for personal performance.	1	2	3	4	5	0
Balances personal, family and work requirements.	1	2	3	4	5	0
Brings a positive attitude to work.	1	2	3	4	5	0
Is enjoyable to work with.	1	2	3	4	5	0
Encourages and accepts constructive criticism.	1	2	3	4	5	0
Handles city property and equipment responsibly.	1	2	3	4	5	0
Presents a positive, professional image.	1	2	3	4	5	0
Communicates directly, openly and honestly.	1	2	3	4	5	0
Genuinely listens to the ideas and suggestions of others.	1	2	3	4	5	0
Gives clear, constructive feedback.	1	2	3	4	5	0
Has a sense of humor.	1	2	3	4	5	0
Takes the time to answer questions.	1	2	3	4	5	0
Openly shares information with others.	1	2	3	4	5	0
Communicates effectively.	1	2	3	4	5	0
Confronts conflict in an honest and direct manner.	1	2	3	4	5	0
Considers alternative solutions before making decisions.	1	2	3	4	5	0
Ensures that deadlines and objectives are met.	1	2	3	4	5	0

	<b>Strongly Disagree</b>	<b>Disagree</b>	<b>Neutral</b>	<b>Agree</b>	<b>Strongly Agree</b>	<b>No Response</b>
Maintains composure in crisis/difficult situations.	1	2	3	4	5	0
Makes efficient use of time.	1	2	3	4	5	0
Manages priorities to get the job done.	1	2	3	4	5	0
Accurately estimates the time necessary to complete tasks.	1	2	3	4	5	0
Effectively handles more than one task/issue at a time.	1	2	3	4	5	0
Communicates expectations clearly.	1	2	3	4	5	0
Treats everyone fairly.	1	2	3	4	5	0
Is effective at managing projects.	1	2	3	4	5	0
Is effective at managing people.	1	2	3	4	5	0
Can be counted on to follow through on commitments.	1	2	3	4	5	0
Clearly defines roles and responsibilities of subordinates.	1	2	3	4	5	0
Communicates in a genuine, straightforward manner.	1	2	3	4	5	0
Establishes a good rapport with members of the public.	1	2	3	4	5	0
Focuses on what is most important to the City.	1	2	3	4	5	0
Knows when to ask questions and when to listen.	1	2	3	4	5	0
Looks for better ways to serve members of the public.	1	2	3	4	5	0
Makes honest, realistic commitments to members of the public.	1	2	3	4	5	0

4. Please provide any other constructive comments regarding Nate Rudy's performance. \_\_\_\_\_

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**Thank you for your time. Please submit your completed survey by Friday, November 18, 2016.**