

**CITY OF HALLOWELL
DRAFT COUNCIL CODE OF CONDUCT
7 January 2016**

Policy Purpose

The Hallowell City Council adopts this Code of Ethics and Conduct to assure that all elected and appointed public officials conduct themselves in a manner that will instill public confidence and trust in the fair operation and integrity of Hallowell’s City government. Their behaviors and comments serve as models for proper deportment in the City of Hallowell. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by Council members; it is a serious and continuous responsibility.

There are portions of this code of conduct that are included in Hallowell ordinances. This document is not intended to supercede the ordinances; it is meant to put expectations in one document.

Comment [GL1]: Need to check for consistency with ordinances

Council Conduct with One Another

Councils are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even as Council may "agree to disagree" on contentious issues.

IN PUBLIC MEETINGS

• Practice civility, professionalism and decorum in discussions and debate

Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, Council members to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging tone or comments. Council members should conduct themselves in a respectful manner at all times.

• Honor the role of the Mayor in maintaining order

It is the responsibility of the Mayor to keep the comments of Council members on track during public meetings. Council members should honor efforts by the Mayor to focus discussion on current agenda items. If there is disagreement about the agenda or the Mayor’s actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure and ordinance and charter.

- **Avoid personal comments that could offend other Council members**

If a Council member is personally offended by the remarks of another Council member, the offended Council member should make notes of the actual words used and call for a "point of personal privilege" that challenges the other Council member to justify or apologize for the language used. The Mayor will maintain control of this discussion.

- **Demonstrate effective problem-solving approaches**

Council members have a public stage to show how individuals with disparate points of view can find common ground that benefits the community as a whole.

- **Be punctual and keep comments relative to topics discussed**

Council members have made a commitment to attend meetings and partake in discussions. Therefore, it is important that Council members be punctual and that meetings start on time. It is equally important that discussions on issues be relative to the topic at hand to allow adequate time to fully discuss scheduled issues.

- **Continue respectful behavior outside public meetings and discussions**

The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations outside of public meetings but related to Council and City matters.

- **Potential access of written notes, voicemail messages, and e-mail**

Freedom of Access laws describe public access to City communications; written, voice, or electronic communication. Any Council communications should recognize potential access and evaluate communication with an expectation of public dialogue.

Comment [GL2]: Will check with City Attorney if Council approves the general tenor of the Code of Conduct. Final approval would occur after City Attorney review

Council Conduct with City Staff

Governance of a City relies on the cooperative efforts of elected officials, who set policy, and City staff, who implement and administer the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

- **Treat all staff as professionals**

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected.

- **Limit contact to specific City staff**

Questions of City staff and/or requests for additional background information should be directed to the City Manager. Requests for staff support should be made through the Council to the City Manager

Requests for follow-up or directions to staff should be made only through the City Manager. When in doubt about what staff follow-up or directions are appropriate, Council members should ask the City Manager for direction. Materials supplied to a Councilmember in response to a request should be made available to all members of the Council so that all have equal access to information.

Comment [GL3]: Concern expressed that this sets the manager up for failure requiring too much dissemination. Must all pothole questions go to the entire council?

- **Do not disrupt City staff from their jobs**

Council members should not disrupt City staff while they are in meetings, on the phone, or when performing their job functions in order to meet the needs of an individual council member.

Comment [GL4]: This is not intended to mean no contact. Rather, it sets up the expectation of not disrupting city employees from their tasks.

- **Never publicly criticize an individual employee**

Except for city employee appointments and performance evaluations conducted by the Council, Council should never express concerns about the performance of a City employee in public, to the employee directly, or to the employee’s manager. Comments about staff performance should only be made to the City Manager through private correspondence or conversation.

Council Conduct with the Public

IN PUBLIC MEETINGS

Making the public feel welcome is an important part of the democratic process. Council members should be respectful to all individuals participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

- **Be welcoming to speakers and treat them with respect**

Speaking in front of Council can be a difficult experience for some people. Some issues the Council undertakes may affect people’s daily lives and homes. Some decisions are emotional. The way that Council treats people during public hearings can do a lot to make them relax or to push their emotions to a higher level of intensity. Council members should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.

- **Ask for clarification, but avoid debate and argument with the public**

Only the Mayor – not individual Council members -- can interrupt a speaker during a presentation. However, a Councilmember can ask the Mayor for a point of order if the speaker is off the topic or exhibiting behavior or language the Councilmember finds disturbing. If speakers become flustered or defensive by Council questions, it is the responsibility of the Mayor to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Council members to members of the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Council members' personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing is closed.

IN UNOFFICIAL SETTINGS

- **Make no promises on behalf of the Council**

Council members will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of City policy and to refer to City staff for further information. It is inappropriate to overtly or implicitly promise Council action, or to promise City staff will do something specific (fix a pothole, remove a library book, plant new flowers in the median, etc.).

RESPONSE TO VIOLATION OF CODE OF CONDUCT

- **Council members Behavior and Conduct**

City Council members who do not follow proper conduct may be reprimanded or formally censured by the Council. Serious infractions of the Code of Ethics or Code of Conduct could lead to other sanctions as deemed appropriate by Council, consistent with the City Charter.