



Town Manager's Office

To: File
From: Robert E. Smith
Date: 5/12/2020
Re: Communications

Keri & Paul complaint
TO ME ABOUT ABUSE
FROM RICK FORD

I wanted to provide details today, on events yesterday, relative to communications difficulties that have been reported to me by Keri and Chief Hammick.

I became aware of an extended email chain involving the Chief, Councilor Kirton and the Town Attorney over the weekend, and later found out that the direct communication between the Councilor and Chief relative to that email chain was not healthy.

I spoke directly with the Chief, to ascertain the nature of that conversation and asked him to provide information to me via email about his experience in that exchange. I later confirmed my understanding of same via phone call to the Chief.

I also found out that the Finance Director and Councilor Kirton also had a conversation that was not healthy. I spoke directly with Keri, to ascertain the nature of that conversation and confirmed my understanding of that exchange with her by repeating back to her my understanding of her description, and having that confirmed by her.

Subsequent to gathering my thoughts about how this affects my leadership team, as the Town Manager, I reached out to Councilor Kirton via email, to request a phone call with him to discuss communications with Department Directors.

I later received a Zoom videoconference call invite from Councilor Kirton, that included the Mayor. Upon receiving that, I sent Councilor Kirton an email to express that I had hoped to have a one-on-one discussion with him, and was still willing to do so, but if that was not possible, given the Mayor's inclusion, I would suggest that Cindy Coville (HR Director) be included in the call. Councilor Kirton responded that he would invite Cindy to the videoconference.

It is my assumption that the videoconference was recorded.

While in the conference I related what I had gathered from Keri and the Chief, relative to their experiences with Councilor Kirton, and provided specific reference to the terms used by both directors, as well as a quote provided by the Chief. Councilor Kirton requested that I address him as "Councilor Kirton", and then flatly denied having such communications with them, insisting that his communications were not disrespectful. He also specifically described his role and responsibility as a Councilperson as being one that listens to the public and asks

questions and gets answers. He also indicated that he was a nice guy, and that he didn't treat people this way.

The Mayor indicated that now that she has been made aware of this situation, she cannot ignore it, and must speak directly with the departmental directors involved in order to determine what happened. She also indicated that she didn't think it was appropriate for Councilor Kirton to be treated any differently than any other Council member when it came to communications with staff.

I flatly objected to this approach, and attempted to explain several things:

1. Further direct communication between the legislative branch and staff leadership over this matter was not appropriate in this circumstance and for this form of government.
2. I explained that my outreach to Councilor Kirton was designed to overcome a communications difficulty and mistreatment of staff, and that it is my responsibility as the Town Manager to address same. My initial attempt at doing so was to discuss it directly with him, and offer him the opportunity to make work requests to me, rather than doing so with staff – at least until we established a regular pattern of businesslike communications. I further explained that this would be in concert with Council's current, basic understanding of how Council-Staff communications should work, and that this has been discussed by Council as a body with Councilor Kirton and the Mayor present.
3. I reiterated that the understanding above (#2) was that Council's direct questions to staff should be of a simple nature, and if such questions or requests included additional work or research, they should first be made to the Town Manager directly. Further, I reminded Councilor Kirton that while in the Council meeting where this was discussed, his position was that ALL communications from Council should go through the Town manager, and that at the time, it was the Mayor's position that Council members should have more flexible access to staff as needed.

Cindy was asked to reach out to the directors involved and secure information. The Mayor insisted that she have access to the directors to speak with them herself.

I informed both Council members that this was not an appropriate response, and that they would not be immune if employees in such a situation made claim to a Hostile Workplace.

Discussion then ensued that I was threatening the Mayor and Councilor Kirton, and that I couldn't use words like that, and that the words I used matter. I attempted to further explain that the information I was sharing was to ensure that they were aware of the liability that could be possible under these conditions with direct contact, and why the Mayor's direct communications with executive staff employees was not appropriate across this item, but I don't know if I was successful or not.

Cindy suggested that we reach out to Bill Ryan and have him, as a 3rd party, engage the situation and provide report, and the Mayor refused that suggestion, maintaining that she would directly speak to Keri and the Chief on her own. She also asked if we really wanted to

make such a thing out of this right now, during the pandemic and the budget, and mentioned that we had important things to do, and do we really want this going to Council.

I indicated that it was my job as a manager to address the situation that had been brought to me by my staff. That it appeared that this was a pattern of behavior and not a single incident, and that I too had experienced this kind of communication with Councilor Kirton. I further indicated that I had attempted to handle this in a sensitive and flexible way, and that if it needed to go to Council that was Councilor Rickford and the Mayor's call, but that I was willing to discuss it at Council. I reminded them again that there was already an understanding in place, which was discussed at Council in a public meeting, where I injected flexibility in the situation.

Councilor Kirton indicated that the only reason I was bringing this up was to cover the fact that I'm not managing the Town correctly, and that he had lost confidence in me as the manager for the Town. He posited that I was only doing this to divert attention from the fact that I wasn't doing a good job, and that he had problems with my lack of communication and felt that I was doing a bad job.

He then went through more conversation about how he doesn't mistreat people and respects staff and treats them with appreciation.

I indicated that as the Town Manager I was very concerned that Councilor Kirton had experienced difficulties in communications with me and that I wanted to ensure that I had opportunity to address same so that I could do better, and provide better support to him. I asked for specific instances where there were communications dropouts so that I could evaluate what happened and ensure that such didn't occur again. I also suggested that Councilor Kirton speak directly with me, instead of my staff, if he has problems with my performance, and that I didn't think that making comments like that to my subordinates was appropriate, and that Keri had informed me that while Councilor Kirton was being disrespectful with her, later in the conversation he revealed to her that he thought I was doing a bad job.

Nothing ever happened

- No follow up meeting
- No correction from Council