

CITY OF WILLARD
BOARD OF ALDERMEN
SPECIAL MEETING
September 14, 2023
7:00 p.m.

Staff present: Chief of Police, Tom McClain; Project Engineer, Steve Bodenhamer; Director of Public Works, Justin Sorgen; Assistant Public Works Director, Shane Fox; Operations Manager, Trevor Hoffman; Public Works Utilities Supervisor, Justin Robinson; and City Clerk, Dona Slater.

Attorney Ken Reynolds was in attendance.

Citizens in attendance: Debbie Ihrig, Berny Ihrig, Steve Cobb, Mindy Latham, Cindy Justice, Roscoe Killingsworth, Rick Stenberg, Scott Hayes, Donna Stewart, Vanessa Keene, Larry Whitman, Debbie Whitman, Doran Warden, Kathy Stewart, David Roggensees, Olivia Roggensees, Attorney Jake Spindler, Elizabeth Lampe, Craig Baird, Laura L. Anderson, Josh Williams, Bill Stokes, Laura Stokes, Matt Darst, Mark Lancaster, Joyce Lancaster, Dwayne Tallent, Misty Peak, Valorie Simpson, Jim Vaughn, Marta Mize, Tony Smith, and Melissa Smith.

Call to Order.

Mayor Snider called the meeting to order at 7:00 p.m.

Roll Call.

The City Clerk conducted the Roll Call.

Alderman Smith-present, Alderman Keene-present, Alderman Hall-present, Alderman Swatosh-present, Alderman Hendrickson-present, Mayor Snider-present. Alderman Baird-not present.

Discussion/Decision of review and approval/disapproval of the termination of the City Administrator.

On September 11, 2023, the Board of Alderman held a Regular Session meeting. Mayor Snider was in Kansas City, Missouri, attending a conference and was not in attendance at this meeting. Mayor Pro tempore Sam Baird presided over the meeting in Mayor Snider's absence. The Board of Aldermen, with the approval of Mayor Pro tem Baird, appointed Donna Stewart as Interim City Administrator. On September 13, 2023, Mayor Snider terminated Ms. Stewart's appointment as Interim City Administrator. Mayor Snider believes the Mayor Pro tem does not have the authority to approve the appointment by the Board of Aldermen, citing chapter 79.100 of the Missouri Revised State Statutes and Ordinance No. 010409-A §3 of the City of Willard's Code. Alderman Hendrickson stated Mayor Snider ignored Attorney Ken Reynold's opinion that hiring Donna Stewart as Interim City Administrator at the September 11, 2023, Board of Alderman meeting was legal. He inquired why the mayor had terminated her on September 13, 2023, and wants to know the reason given to Ms. Stewart for her termination. Mayor Snider stated he gave her a letter of termination because he believes she was hired without the consent

of the mayor. Attorney Reynolds said chapter 79.100 of the RSMO does allow the mayor pro tem to perform all actions the same as if he was the mayor in the mayor's absence. Alderman Hendrickson asked Attorney Reynolds if the firing of the Interim City Administrator was legal. Mr. Reynolds said the firing was proper, but the Board of Aldermen need to approve or disapprove the firing. Mayor Snider questioned Ms. Stewart's qualifications for the position. Alderman Hendrickson said Mayor Snider's lack of appointing a City Administrator does not meet his fiduciary responsibilities.

Motion was made by Alderman Smith and seconded by Alderman Hall to reinstate Donna Stewart as Interim City Administrator with back pay.

Motion carried with a vote of 5-0. Voting aye: Aldermen Hendrickson, Smith, Keene, Swatosh, and Hall.

Discussion/Decision of Censure of Mayor.

Alderman Hendrickson stated that ultimately this is about the City's right to have a City Administrator and secondly a public censure of bad behavior. Ignoring the City Attorney's assessment that this (Ms. Stewart's appointment) was a valid appointment, calling the police for Donna's dismissal, and a continued refusal to appoint a City Administrator are all reasons for censure. While there is no legal standing for censure, it is a way to bring this more into the public view.

Alderman Smith said he feels they have covered this before (in the previous discussion) and that the mayor has not performed his fiduciary duties to hire a City Administrator and should be publicly censured. Alderman Keene asked why the police were present at City Hall. Mayor Snider said it was as a precaution because you never know what may happen when someone is terminated. Alderman Hendrickson asked if the mayor felt intimidated by Ms. Stewart. Mayor Snider did not wish to answer any more questions.

Motion was made by Alderman Smith and seconded by Alderman Keene to publicly censure Mayor Snider.

Motion carried with a vote of 5-0. Voting aye: Aldermen Swatosh, Keene, Hall, Smith, and Hendrickson.

Adjourn Meeting

Motion was made by Alderman Hendrickson and seconded by Alderman Hall to adjourn the meeting. Motion carried with a vote of 5-0. Voting aye: Aldermen Swatosh, Keene, Smith, Hendrickson, and Hall.

The meeting was adjourned at 7:22 p.m.



Dona Slater, City Clerk



Samuel Snider, Mayor