

Resolution No. 564

**A RESOLUTION OF CENSURE expressing disapproval of Councilmember Baker's recent conduct and reaffirming the City Council's commitment to civility and professional conduct by city officials.**

**WHEREAS**, the proper operation of Rose Hill's government requires that governmental decisions be made in the proper channels and that the public have confidence in the integrity of its government, *see City Code 1-212(a) Code of ethics*; and

**WHEREAS**, City officials hold office for the benefit of the public and are bound to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the long term public interest must be their primary concern. Their conduct in both their official and private affairs should be above reproach, *see City Code 1-212(b) Code of ethics*; and

**WHEREAS**, city councilmembers should work in full cooperation with other public officials and employees unless prohibited from so doing by law or by officially recognized confidentiality of their work, *see City Code 1-212(c) Code of ethics*; and

**WHEREAS**, at about 10 p.m. December 5, 2016, Councilmember Bill Baker made inappropriately confrontational remarks to City Administrator Austin Gilley contrary to the spirit of cooperation called for by the City's *Code of ethics*; and

**WHEREAS**, at about 2 p.m. on December 29, 2016, Mr. Baker appeared at City Hall and, in a raised voice, argued with city staff that he was scheduled to meet with Mr. Gilley at that time to review a recording of a prior city council meeting. When City staff made it known that Mr. Gilley was out of the office, Mr. Baker demanded that city staff get Mr. Gilley on the phone. In the presence of city staff, Mr. Baker stated that the meeting was supposed to be held that day and that Mr. Gilley had lied to him concerning the time of the meeting. Based on a recording of some of these events played to the council during the council meeting on January 3, 2017, Mr. Baker was in the wrong and inaccurately stated that Mr. Gilley had lied to him concerning the date of the meeting. Mr. Baker's accusation was made in the presence of city staff working directly under Mr. Gilley as City Administrator. In fact, Mr. Gilley had communicated to Mr. Baker in a prior phone call that their meeting would be scheduled for January 5, 2017, because Mr. Gilley would not be in the office on December 29; and

**WHEREAS**, the City Council in its meeting held on January 3, 2017, moved by an affirmative vote of a majority of the members to censure Councilmember Baker in order to express its disapproval of Councilmember Baker's conduct described above,

which in the opinion of the majority of the council demonstrated a lack of professionalism and sound judgment;

**NOW THEREFORE**, be it resolved by the City Council of the City of Rose Hill, Kansas, as follows:

- (1) The above stated recitals are incorporated herein by reference, and accurately recite the City Council's censure of Councilmember Baker and the reasons therefor.
- (2) The City Council of the City of Rose Hill reaffirms its commitment to ensuring that all city officials conduct themselves in a spirit of cooperation, civility, respect and integrity when interacting with one another, city staff, and the public.
- (3) This resolution shall be in full force and effect immediately after its passage and approval and shall be published in the official City newspaper.

Passed and adopted this 17th day of January, 2017.



Beth Pompa  
Beth Pompa, Mayor

ATTEST:

Kelly Stone  
Kelly Mendoza, City Clerk