

Several scenarios possible for replacing recalled officials

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contract to give him additional health benefits and authorizing a \$50,000 severance check to Loughry without approval from the city council. The group alleges that those actions amount to misuse of public funds.

Hill, though, has said the change to Loughry's contract was authorized by the city council, and the severance payment was required by Loughry's contract.

Q: If the county attorney approved those grounds as sufficient, does that mean he ruled that Hill, Mertz and Dysart committed crimes?

A: No. Leavenworth County Attorney Todd Thompson has said his approval had nothing to do with whether the petitions' allegations were true. His approval indicated only that, if true, the accusations qualified as grounds for a recall vote under state law.

Q: A judge threw out part of the grounds for Hill's recall. What was that about?

A: In January a Leavenworth County District Court judge ruled that two grounds for Hill's recall, approved earlier by Thompson, were not sufficient. Those two grounds accused Hill of failing to preside at all council meetings and of misusing public funds in connection with purchases he made with a city purchasing card. The judge said the petitioners did not present enough evidence of a violation in either of those areas.

Q: What happens if these officials are recalled? Who would take over for them?

A: According to state law, any official whom Basehor residents vote to recall will be removed from office the day after the election results are certified by the county. Leavenworth County Commis-

sioners are scheduled to canvass the votes on March 5.

If Mertz, Dysart or both are recalled but Hill remains in office, then Hill will appoint new members to replace them, with approval from the remaining city council members. If Hill is recalled and Mertz is not, then Mertz will become mayor because he is the current city council president. He would then have the authority to appoint a replacement council member for himself and for Dysart if she is recalled, with approval from the remaining council members.

If both Hill and Mertz are recalled, then things will get a bit complicated: First, the remaining members of the city council must appoint one of themselves as city council president. That person would immediately become mayor. The new mayor would appoint any replacement city council members needed, with approval from the existing council mem-

bers. And finally, the council members could again appoint one of themselves as the new council president.

Q: I'm still not sure how to vote. Where can I find more information about the issues?

A: We've got you covered. Check out the "Basehor Recall Election Central" page on basehorinfo.com, where we've rounded up links to our coverage of the recall petitions, Loughry's firing, Hill's court challenge and just about anything else that might inform your vote.

And if you still have any questions, ask the Sentinel about it on Facebook (facebook.com/thebasehorsentinel) or Twitter (@BasehorSentinel), and we'll do our best to get you an answer. And be sure to follow our coverage of the recall election throughout the day and night Tuesday, at basehorinfo.com and on Facebook and Twitter.

Council members respond to 'unapproved pay' accusation

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ever, the memo also said that "any of the sites will work."

Finally, Mertz responded to an accusation on the recall website that he and Dysart had retroactively voted to give themselves about \$2,000 in "unapproved pay" in February of last year. Mertz said he was not aware of any such inappropriate pay.

"I have no idea, nor have I seen any proof of how we took too much money," Mertz said.

That item on the website referred to Ordinance No. 585, which the council approved as part of its consent agenda during its February 2011 meeting. The ordinance set council members' pay at \$100 per two-week pay period (\$2,600 per year), while also setting wages for a variety of other city appointees and employees.

Basehor City Clerk Corey Swisher said council members had begun receiving that amount of pay at the beginning of 2009, after they had budgeted for the

increase the year before. Previously, council members were paid \$100 per month.

But in an oversight, the city never prepared an ordinance establishing the new pay rate at that time, Swisher said. Ordinance 585 was passed after staff discovered that mistake.

Hence, both Mertz and Dysart were paid at the new, higher rate for about two years even though it had not been established by ordinance. Current member David Breuer and former members Jim Washington and Bill Moyer also were

paid at that rate during that time.

The council's vote on the consent agenda that included Ordinance 585 was 4-0, with Mertz, Dysart, Washington and Moyer casting "yes" votes. Breuer was absent from the meeting.

Swisher said the decision to place the ordinance on the consent agenda rather than the regular agenda would have been up to Mayor Hill along with the city administrator and city attorney, who at that time were Mark Loughry and Patrick Reavey, respectively.

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