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**(Neb.) - Council votes to readvertise City Manager position; Puchner withdraws**

By: John Thayer Posted at: 04/23/2012 11:04 PM

CHADRON – The Chadron City Council voted Monday night to readvertise for the position of City Manager on a 4-1 vote.

The vote came after controversy arose in the council chambers. Council members shared their thoughts on whether or not to readvertise the position. During the conversation Jim Puchner's name was brought up. Puchner finished second to Chuck Leydon in the previous voting before Leydon declined the position.

Councilmen Levi Grant and Bill Barth were in favor of hiring Mr. Puchner as the City Manager, however, objections rose from the other council members because of the current by-laws.

City Attorney Adam Edmund said if the council went forward with Mr. Puchner they would have to rework some lines of authority. The conflict in the bylaws would be Mr. Puchner's sister, Janet, would be reporting to her brother.

The majority of the attendees stood up to support the hiring of Mr. Puchner and one member of the public had a strong message for the council.

"You have become dysfunctional. Get the job done. It's not a constitution its bylaws of the city. Change them. You just changed them a year ago," said Dr. Penor. " You have a man who lives in this city, who has a house in this city, who knows the city and you bypassed him. You are dysfunctional. Get something done."

Grant supported the idea of hiring someone local.

"You gotta look at history and when we've had hometown people we have had harmony," said Grant. "We are doing a disservice by dragging this on. If I was an outside business man I sure would like a community that comes together. We have blogs that no one has to sign their name to that is hurting us."

Barth was in favor of moving forward without starting over.

"I think we need to make a decision based on what we have and what we know. Not everything is perfect; it would be nice if it was," said Barth. "I've heard a lot of comments one way or another. I don't think we can afford the time it would take to start over. We have wasted six months."

Donny Grantham made it clear that he did not have a problem with Mr. Puchner or his sister, but he felt it was necessary to advertise the position again.

"I would like to see us advertise again, we are not eliminating Jim. I don't have a problem with Jim. He interviewed well. I would like to advertise one more time and see what happens," said Grantham.

Chadron Mayor Karin Fischer said that Mr. Puchner had strengths for the job, but she also saw the weaknesses brought forward by the public. She didn't feel that hiring Puchner was the right decision.

"I feel this is not the right decision for city at this point after a huge reflection. There is a reason for these things being in

our manual,” said Fischer. “This is not a new conflict. We are already talking about the potential conflicts going in.”

A member of the crowd asked the council if the conflict in the bylaws was discovered recently or if they knew about it during the entire process. Councilman Jim Mapes said he was not aware of the issue until Friday afternoon (April 20). Mapes went on to say that he had not been given a handbook with the bylaws after Mr. Puchner reminded Mapes they had talked about the potential conflict.

Barth made a motion to offer the position to Puchner. It was seconded by Grant before being turned down by a 3-2 vote.

After a debate a decision was made to advertise again. The only individual who objected was Grant who said it was “a waste of time.”

Mr. Puchner approached the council and respectfully asked for his name to be withdrawn from the candidacy list. Puchner suggested the council not bring up the name of a candidate in the future. When asked for comment on his decision, Puchner declined.

The council was left to decide how to move forward.

After more controversy arose discussing the process moving forward and concerns about the process from the media a decision was made on how to move forward.

Barth suggested an application deadline of May 31. After Mayor Fischer shared concerns of that being five weeks away a decision was made to extend the deadline to June 10. At that time all applications that are in the hands of the City Clerk Donna Rust will be packaged and given to each council member. The members will review each application individually before selecting two to be interviewed. With each member allowed to select two applicants there is the potential of having 10 candidates be offered an interview. After the interviews are conducted the council will select no more than three finalists.

Mayor Fischer noted that there should be further discussion with the Attorney General’s office to learn if the 10 chosen candidates can be interviewed in closed session.

Also on the agenda at the council meeting was to set a special meeting to discuss the bond process for the street project. A date for the special meeting will be approved at the next meeting.

The council went into executive session to discuss potential litigation regarding the CDBG loan. There was no action taken.

The council adjourned the meeting.

**Editor's Note - Updated Tuesday at 1:15 p.m.:** Questions were raised Tuesday about the use of the word "bylaws". The term was used by council members discussing the matter Monday night at the meeting. The technical literature is the Personnel Policy. According to Mayor Karin Fischer the Personnel Policy contains all information for the city employees. Mayor Fischer said the two (Personnel Policy and bylaws) were essentially the same thing and some organizations/businesses use different terms. A call to City Attorney Adam Edmund was returned Tuesday afternoon and he agreed that bylaws and Personnel Policy were synonymous in the way they were used Monday night.