



# City of Grand Island

Tuesday, December 4, 2018

Council Session

## Item I-1

**#2018-370 - Consideration of Approving Appointment of RaNae Edwards MMC as City Clerk**

Staff Contact: Mayor Roger Steele

# **Council Agenda Memo**

**From:** Mayor Roger G. Steele

**Meeting:** December 4, 2018

**Subject:** Appointment of Statutory Officers

**Presenter(s):** Mayor Roger G. Steele

## **Background**

According to Article III – Appointed and Hired Officials, Section 2-30 Officers; Appointive of the Grand Island City Code and Neb. Rev. Stat., §16-308, (see attached) the Mayor is required to appoint statutory officers for his term. Statutory officers include:

- 1). City Administrator
- 2). City Attorney
- 3). City Clerk
- 4). City Engineer/Public Works Director
- 5). City Treasurer/Finance Director

These officers also must be approved by the City Council.

## **Discussion**

According to Grand Island City Code Section 2-30, I am requesting approval of the following statutory officers:

- 1) City Attorney – Jerry Janulewicz
- 2) City Clerk – RaNae Edwards MMC
- 3) City Engineer/Public Works Director – John Collins P.E.
- 4) City Treasurer/Finance Director – Patrick Brown

## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the statutory officers

2. Deny the statutory officers
3. Ask the Mayor to reconsider his recommendation for the appointment of statutory officers

### **Recommendation**

City Council is recommended to approve the appointments of the statutory officers.

### **Sample Motion**

Move to approve the appointments of City Attorney Jerry Janulewicz; City Clerk RaNae Edwards MMC; City Engineer/Public Works Director John Collins P.E.; and City Treasurer/Finance Director Patrick Brown.

## **Article III. Appointed and Hired Officials**

### **Division 1. General**

#### **§2-30. Officers; Appointive**

The following shall constitute the statutory officers of the City of Grand Island which shall be appointed by the mayor and approved by the council. These officers shall hold office until the end of the mayor's term and until their successors are appointed and qualified. These appointive officers may be removed at any time by the mayor, with the approval of a majority of the council:

- City Administrator
- City Attorney
- City Clerk
- City Engineer / Public Works Director
- City Treasurer / Finance Director

**16-308. Administrator, departments, and other appointed officers; enumerated; appointment and removal.**

Each city of the first class shall have such departments and appointed officers as shall be established by ordinance passed by the city council, which shall include a city clerk, treasurer, engineer and attorney, and such officers as may otherwise be required by law. Except as provided in Chapter 19, article 6, the mayor may, with the approval of the city council, appoint the necessary officers, as well as an administrator, who shall perform such duties as prescribed by ordinance. Except as provided in Chapter 19, article 6, the appointed officers may be removed at any time by the mayor with approval of a majority of the council. The office of administrator may not be held by the mayor. The appointed administrator may concurrently hold any other appointive office provided for in this section and section 16-325.

**Source:**Laws 1901, c. 18, § 14, p. 233; Laws 1903, c. 19, § 2, p. 233; Laws 1907, c. 13, § 1, p. 107; R.S.1913, § 4874; Laws 1917, c. 95, § 1, p. 252; Laws 1921, c. 164, § 1, p. 657; C.S.1922, § 4042; C.S.1929, § 16-304; R.S.1943, § 16-308; Laws 1953, c. 26, § 1, p. 110; Laws 1961, c. 41, § 1, p. 171; Laws 1963, c. 61, § 2, p. 254; Laws 1974, LB 1024, § 1; Laws 1975, LB 93, § 1; Laws 1976, LB 782, § 12.

**Annotations**

City attorney is appointive officer and not principal officer; may be removed at any time by mayor with approval of majority of city council; and has no statutory power to make governmental decisions which affect the city. *Communication Workers of America, AFL-CIO v. City of Hastings*, 198 Neb. 668, 254 N.W.2d 695 (1977).

RESOLUTION 2018-370

WHEREAS, under Neb. Rev. Stat., §16-308, the office of City Clerk for the City of Grand Island, Nebraska, is an appointed position; and

WHEREAS, under Grand Island City Code, §2-30, the office of City Clerk for the City of Grand Island, Nebraska shall be appointed by the mayor and approved by the council; and

WHEREAS, the Mayor has recommended the appointment of RaNae Edwards MMC as City Clerk effective December 4, 2018; and

WHEREAS, this position appointed by the Mayor and confirmed by the City Council shall hold the position to which they may be appointed until the end of the Mayor's term of office; and

WHEREAS, this position appointed by the Mayor may be removed at any time by the Mayor with approval of a majority of the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that RaNae Edwards MMC is hereby duly appointed the City Clerk for the City of Grand Island, Nebraska, until the end of the Mayor's term of office.

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Adopted by the City Council of the City of Grand Island, Nebraska, December 4, 2018.

\_\_\_\_\_  
Roger G. Steele, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form	☐ _____
November 30, 2018	☐ City Attorney