

City of Grand Island

Tuesday, April 9, 2013 Council Session

Item I-4

#2013-108 – Consideration of Setting Hearing Date for Removal of Elected Official Pursuant to Code Section 2-24

Staff Contact: Councilmember MIke Paulick

CHARGE OF MISCONDUCT



Mayor Jay Vavricek is hereby charged with misconduct pursuant to Chapter 2, Section 24 of the Grand Island, Nebraska City Code. This charge will be filed with the Grand Island, Nebraska City Clerk and a Resolution will be placed on the agenda of the April 9th, 2013 City Council Meeting. The provisions of Chapter 2, Section 24 of the Grand Island, Nebraska City Code, as well as the provisions of the applicable State Statute(s) of the State of Nebraska, will be followed.

The specific charge constituting misconduct is driving under the influence of alcohol, which endangered the lives of others as well as the life of Mr. Vavricek.

This charge is filed by Michael D. Paulick and his signature hereon has been verified.

Michael D. Paulick

STATE OF NEBRASKA)
) ss:
COUNTY OF HALL)

Before me, a notary public in and for said County and State, personally appeared Michael D. Paulick, to me known to be the identical person who executed the foregoing instrument and acknowledged the execution thereof to be his voluntary act and deed.

Witness my hand and notarial seal this ___

5 day of

<u>/</u> ., 2013.

GENERAL NOTARY - State of Nebraska KATHRYN A. HILLIGAS My Comm. Exp. May 2, 2014

Notary Public

RESOLUTION 2013-108

WHEREAS, the Grand Island, Nebraska City Code, provides in Chapter 2, Article 24 Authority and procedures for removal of an Elected Official for misconduct or malfeasance pursuant to state statute; and

WHEREAS, any Elected Official of the City may be removed from office for misconduct, in the manner set forth by Chapter 2, Section 24 of the Grand Island, Nebraska City Code; and

WHEREAS, Chapter 2, Section 24 of the Grand Island, Nebraska City Code states that, "Upon the filing of written charges signed and verified, charging any such officer with misconduct, the council shall by resolution set a time for hearing not less than five days nor more than ten days subsequent to the passage of such resolution for a hearing on such charges.", and

WHEREAS, written charges, signed and verified, charging Mayor Jay Vavricek, with misconduct have been filed as directed by Chapter 2, Section 24 of the Grand Island, Nebraska City Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRAND ISLAND, NEBRASKA, that a hearing date of April 19, 2013, to be held at Grand Island City Hall, Council Chambers, beginning at 7:00 p.m. is hereby set.

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Adopted by the City Council of the City of Grand Island, Nebraska, April 9, 2013.

Council President	
	Council President

Approved as to Form $\begin{tabular}{ll} $\tt x$ \\ April 5, 2013 & $\tt x$ \\ \hline \end{tabular} \begin{tabular}{ll} \begin{t$