



City of Grand Island

Tuesday, September 24, 2013

Council Session

Item F-4

#9454 - Consideration of Amending Chapter 2 of the Grand Island City Code to Set Forth the Method for Publicizing Meetings of the City Council

Staff Contact: Robert Sivick

Council Agenda Memo

From: Robert J. Sivick, City Attorney

Meeting: September 24, 2013

Subject: Consideration of Amending Chapter 2 of the Grand Island City Code to Set Forth the Method for Publicizing Meetings of the City Council

Item #'s: F-4

Presenter(s): Robert J. Sivick, City Attorney

Background

Meetings of the Grand Island City Council (Council) as well as other political subdivisions are governed by the Nebraska Open Meetings Act codified at Chapter 84, Article 14 of the Nebraska Revised Statutes. The requirement for providing notice to the public of such meetings is set forth in Neb. Rev. Stat. §84-1411(1) which states, “[e]ach public body shall give reasonable advance publicized notice of the time and place of each meeting by a method designated by each public body and recorded in its minutes.”

City staff conducted research and was unable to find an Ordinance or Resolution setting forth a specific method of providing notice to the public of Council meetings. However, a search of City records indicates meetings of the Council have been advertised in *The Grand Island Independent (Independent)* since the late 19th century. In addition, the fact notice of Council meetings have been advertised in the *Independent* is noted in the minutes of those meetings.

Discussion

The proposed Ordinance before the Council for consideration this evening memorializes in the Grand Island City Code the existing method of providing notice to the public of Council meetings. Such an Ordinance will serve to resolve future questions as to how the Council provides notice to the public of its meetings, whether that standard has been met, and whether the City is in compliance with the Nebraska Open Meetings Act.

Alternatives

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

1. Move to approve the proposed Ordinance.
2. Refer the issue to a Committee.
3. Postpone the issue to future date.
4. Take no action on the issue.

Sample Motion

Move to approve Ordinance No. 9454 amending Chapter 2 of the Grand Island City Code setting forth the method for publicizing meetings of the Council.

ORDINANCE NO. 9454

An ordinance to amend Chapter 2 of Grand Island City Code ; to add Section 2-12; to clarify and/or make general corrections to various code sections, to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. Section 2-12 of the Grand Island City Code is hereby added to Chapter 2 to read as follows:

§2-12. Method of Publicizing Meetings

- (1) For all Regular, Special, and Study Session meetings of the City Council, City staff shall make all reasonable attempts to publish notice of such meeting at least twenty-four (24) hours prior to the scheduled starting time of such meeting by taking the following action:
 - a. Publication in *The Grand Island Independent*;
 - b. Publication on the City's website;
 - c. Electronic Mail notification to news media outlets who previously requested such notice; and
 - d. Paper copies of meeting documents and materials accessible to the public in the lobby of City Hall.
- (2) If after all reasonable efforts, City staff is not able to meet the terms of §2-12(1), it may publicize notice of meetings of the City Council by taking the following action:
 - a. Posting notice of such meeting in areas accessible to the public in the following buildings:
 - i. Grand Island City Hall;
 - ii. Hall County Courthouse;
 - iii. Grand Island Public Library; and
 - iv. The offices of *The Grand Island Independent*.
 - b. Publication on the City's website;
 - c. Electronic Mail notification to news media outlets who previously requested such notice; and

Approved as to Form	☐ _____
September 20, 2013	☐ City Attorney

ORDINANCE NO. 9454 (Cont.)

- d. Paper copies of meeting documents and materials accessible to the public in the lobby of City Hall.

SECTION 2. Any ordinance or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 3. This ordinance shall be in force and take effect from and after its passage and publication pursuant to law.

Enacted: September 24, 2013.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk