



# City of Grand Island

Tuesday, November 13, 2012

Council Session

## Item F1

**#9409 – Consideration of Amending Sections 2-18 and 2-21 of the Grand Island City Code Regarding Compensation for Elected Officials**

Staff Contact: Robert J. Sivick, City Attorney

# Council Agenda Memo

**From:** Robert J. Sivick, City Attorney  
**Meeting:** November 13, 2012  
**Subject:** Compensation for Elected Officials  
**Item #'s:** F-1  
**Presenter(s):** Councilman Larry Carney

## Background

The relevant legal authorities regarding compensation for City of Grand Island (City) elected officials are as follows:

**Neb. Const., Art. III, §19** which states in part, “[t]he compensation of any public officer...shall not be increased or diminished during his or her term of office, except that when there are members elected...and the terms of such members commence and end at different times...the compensation...may be increased or diminished at the beginning of the full term of any member thereof.”

**Neb. Rev. Stat. §16-326** which states in part the salary “of any elective officer shall not be increased or diminished during the term for which he was elected, except that when there are officers elected to the council...and the terms of one or more members commence and end at different times, the compensation of all members of such council...may be increased or diminished at the beginning of the full term of any member thereof.”

**Grand Island City Code §2-18** which states in part, “[t]he annual compensation for the mayor shall be \$13,000....”

**Grand Island City Code §2-21** which states in part, “[t]he annual compensation for members of the city council shall be \$6,000....”

**Grand Island City Ordinance 8708**, approved on January 22, 2002 which set the present compensation for City elected officials by raising the previous annual compensation for the Mayor from twelve thousand to thirteen thousand dollars and for the City Council (Council) from five to six thousand dollars.

## **Discussion**

Pursuant to the legal authorities cited above, any increase in the Mayor's compensation could not take effect until the next mayoral term which begins at the first regular Council meeting in December, 2014. Any increase in the Council's compensation could not take effect until the beginning of the term of any member of the Council. Since the term of office for five members of the Council begins on December 4, 2012 any increase in compensation for the entire Council would begin on that date.

The proposed Ordinance increases the Mayor's annual compensation from thirteen thousand to twenty thousand dollars and Council Member's annual compensation from six to ten thousand dollars.

## **Alternatives**

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

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

## **Recommendation**

The City Administration has no recommendation.

## **Sample Motion**

Move to approve Ordinance No. 9409 increasing the annual compensation of the Mayor to twenty thousand dollars effective December 2014 and the annual compensation of members of the Council to ten thousand dollars effective December 4, 2012.

ORDINANCE NO. 9409

WHEREAS, the Grand Island City Council has decided to amend Sections 2-18 and 2-21, its laws setting forth the respective compensation of the Mayor and members of the City Council,

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

I. That §2-18 of the Grand Island City Code be amended to read as follows:

**§2-18. Mayor; Compensation**

Beginning at the first regular Council meeting in December, 2014 and thereafter The annual compensation for the mayor shall be twenty thousand dollars (\$20,000.00) ~~\$13,000 per year~~, payable monthly in equal installments as required by law.

II. That §2-21 of the Grand Island City Code be amended to read as follows:

**§2-21. City Council Members; Compensation**

Beginning at the first regular Council meeting in December, 2012 and thereafter The annual compensation for members of the city council shall be ten thousand dollars (\$10,000.00) ~~\$6,000 per year~~, payable monthly in equal installments as required by law.

III. Any ordinances or parts of ordinances in conflict are hereby repealed.

IV. This ordinance shall be in full force and will take effect from and after its passage and publication pursuant to law.

Enacted: November 13, 2012.

\_\_\_\_\_  
Jay Vavricek, Mayor

ATTEST:

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

Approved as to Form    ✕ \_\_\_\_\_  
November 9, 2012       ✕ City Attorney