



City of Grand Island

Tuesday, November 27, 2012

Council Session

Item F2

#9411 - Consideration of Amending Section 2-21 of the Grand Island City Code Regarding Compensation for Elected Officials (Council)

Staff Contact: Robert J. Sivick, City Attorney

Council Agenda Memo

From: Robert J. Sivick, City Attorney
Meeting: November 27, 2012
Subject: Compensation for Elected Officials
Item #'s: F-2 & F-3
Presenter(s): Councilman John Gericke

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 could begin on that date.

The proposed Ordinance increases the Mayor's annual compensation from thirteen thousand to sixteen thousand dollars and Council Member's annual compensation from six to nine 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. 9411 increasing the annual compensation of the Mayor to sixteen thousand dollars effective the first regular meeting of the Council in December, 2014.

Move to approve Ordinance No. 9412 increasing the annual compensation of members of the Council to nine thousand dollars effective the first regular meeting of the Council in December, 2012.

ORDINANCE NO. 9411

WHEREAS, the Grand Island City Council has decided to amend Sections 2-21, its law setting forth the compensation of members of the City Council,

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

I. 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 nine thousand dollars (\$9,000.00) ~~\$6,000~~ per year, payable monthly in equal installments as required by law.

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 Any ordinances or parts of ordinances in conflict are hereby repealed.

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

Enacted: November 27, 2012.

Jay Vavricek, Mayor

ATTEST:

RaNae Edwards, City Clerk

Approved as to Form ✕ _____
November 21, 2012 ✕ City Attorney