

TITLE III: ADMINISTRATION - CONTINUEDCHAPTER 31: CITY COUNCIL*STRUCTURE*

31-1: CITY COUNCIL. The City Council shall consist of the Mayor and eight (8) Aldermen, two (2) from each of the four (4) wards, and their term of office shall be for four (4) years, and until their successors are elected and have qualified.

31-2: REGULAR MEETINGS. The regular stated meetings of the City Council shall be held in the City Hall Building on the first (1st) Monday in each month at the time published in the annual public notice as required by law unless rescheduled or reconvened with proper notice. When said meeting date falls upon a legal holiday observed by the City of Red Bud, the meeting shall be held on the following day at the same time and place. Adjourned meetings may be held at such times as may be determined by the Council. Public notice of regular meetings shall be given in accordance with the Illinois Open Meetings Act.

A regular City Council meeting may be rescheduled on a temporary basis at the request of the Mayor or any three (3) Aldermen by giving at least forty-eight (48) hours notice as required by law and by complying with all other requirements of calling a Special Meeting.

31-3: SPECIAL MEETINGS. Special meetings of the City Council may be called by the Mayor or any three (3) Aldermen, by giving at least forty-eight (48) hours notice as required by law unless the meeting is the result of a bona fide emergency, by delivering to them personally, written notices of the time of such meeting at the residences of the Aldermen; such notices shall be served by mail, by the Chief of Police, or their designated representative. Said notices shall specify the purpose of said special meeting and the business to be taken up at that time and place. Such notice shall be posted at the City Hall, on the City website, and shall be provided to any local newspaper of general circulation or any local radio or television that has filed an annual request for such notice. The notice shall be provided to such news media in the same manner as the notice is given to the Mayor and members of the City Council, provided such news media has given the City an address within the City at which such notice may be given.

31-4: VACANCY. When a vacancy occurs, if more than twenty-eight (28) months remain in the term and the vacancy occurs not less than one hundred thirty (130) days before the next consolidated election, the office shall be filled for the unexpired portion of the term by special election at that consolidated election. During the period from the time that the vacancy occurs until the next election of Aldermen, the vacancy may be filled by the appointment of an Alderman by the Mayor with the advice and consent of the City Council.

31-5: COMMITTEES.

(A) The following Standing Committees of the City Council are hereby established:

- (1) Finance

- (2)** Personnel
- (3)** Public Health and Safety
- (4)** Cultural
- (5)** Public Works
- (6)** Zoning
- (7)** Recreational Facilities
- (8)** Executive Session Minutes Review

(B) In conjunction with the Annual Notice for meetings of the City Council, the Mayor shall provide notice of the date, time and place of regular Standing Committee meetings, and shall further provide notification of the procedures by which any regular committee meeting is rescheduled should it fall on a holiday observed by the City.

(C) Committee members, and the Chairman thereof, shall be appointed annually by the Mayor at the first regular or special City Council meeting in May, or as soon thereafter as is possible.

(D) The Mayor shall be the ex-officio chairman of each and every Standing Committee and as such shall conduct committee meetings in the absence of the Chairman, provided however, that in said capacity the Mayor shall not be considered a necessary member for the purposes of establishing a quorum, nor shall the Mayor have any vote on any committee business under consideration.

(E) The Chairman of each committee shall have the responsibility of either taking or causing written minutes of each committee meeting to be taken. At a minimum, the minutes shall contain:

- (1)** the date, time and place of the meeting;
- (2)** the members of the committee, recorded as either being present or absent;
- (3)** a general description of all matters discussed;
- (4)** all motions made, including the recording of the person making the motion and seconding the motion; and
- (5)** a record of any vote taken.

(F) As provided by law, upon the request of any two (2) Aldermen present, any report of a committee of the City Council shall be deferred for final action thereon to the next regular meeting of the City Council following the meeting at which the report is made.

(G) The role of Standing Committees of the City Council shall include, but is not limited to, the following:

(1) Finance: The role of the finance committee is primarily to provide financial oversight for the City. Typical task areas include budgeting and financial planning, financial reporting, the creation and monitoring of internal controls and accountability policies, and the yearly Appropriation and Tax Levy Ordinances.

(2) Personnel: The functions of the Personnel Committee include drafting and/or revising personnel policies for City Council, and review and approval of job descriptions, salaries, and benefits. The Personnel Committee also handles grievances, employee complaints, and is involved the process of hiring and termination of employees.

(3) Public Health and Safety: The Public Health and Safety Committee assists with the implementation of new programs and strategies related to the public health and safety of the community. This committee also oversees and participates in union negotiations, the acquisition and management of departmental equipment and vehicles, and personnel matters within the Police Department.

(4) Cultural: The Cultural Committee serves as an advisory committee to the City Council on the planning and approval of community events as well as any other matters pertaining to the culture of the community.

(5) Public Works: The Public Works Committee provides input and recommendations related to the management and functions of all utility and street departments and services. The committee is involved with and provides recommendations related to the purchase of equipment and vehicles, the hiring and termination of employees, as well as projects for each of the departments within public works. The Public Works Committee also reviews uncollected utility accounts.

(6) Zoning: The Zoning Committee works in conjunction with the Planning Commission and Code Administrator to set policies, regulations, and incentives related to property usage, development, subdivision, and annexation. The Zoning Committee also acts in an advisory capacity to the City Council on actions related to buildings, signs, property ordinance violations, appeals, complaints, special uses, variances, and amendments to the Zoning Code and Subdivision Code.

(7) Recreational Facilities: The Recreational Facilities Committee reviews and provides input and recommendations on recreational programs and facilities, the maintenance needs related to all recreational facilities, and submits recommendations pertaining to parks and recreation guidelines,

policies, facilities, and rental fees. This committee also works with the Parks Committee comprised of members of the public.

(8) Executive Session Minutes Review: The Executive Session Minutes Review Committee oversees the inventory, management and release of sealed minutes of all city executive sessions.

31-6: SPECIAL COMMITTEES. Special committees may be appointed by the Mayor, subject to the advice and consent of the Aldermen as may be needed from time to time.

31-7: QUORUM. At all meetings of the City Council, a majority of the corporate authorities shall constitute a quorum for the transaction of business, and if no such quorum attends such meeting of the Council, the Aldermen may adjourn from day to day until a quorum is present; and shall have power to compel the attendance of absent members, except when such members are physically unable to attend such meetings.

[NOTE: When the Council has a Mayor and eight (8) Aldermen, a quorum is five (5), which may consist of the Mayor and four (4) Aldermen, or five (5) Aldermen.]

31-8: COMPELLING ATTENDANCE. It shall be the duty of each and all Aldermen to attend all regular meetings of the City Council and all special meetings when each has been duly notified of the date and place of such meeting. If, at any special meeting duly called, a quorum is not present, the Aldermen in attendance may adjourn the same to some stated time. Any Alderman duly notified in writing by the City Clerk of the time and place of such adjourned meeting and any Alderman who may have been present when such adjournment was had who fails to attend the same shall be fined Fifteen Dollars (\$15.00) for each of such adjourned meetings as he failed to attend; provided that the foregoing shall not apply when any Alderman is absent from such meeting or meetings because of sickness or unavoidable accident.

31-9: SALARY. Each Alderman's salary shall be as follows:

(A) Each Alderman shall receive an annual salary of Two Thousand Eight Hundred Dollars (\$2,800.00).

(B) In addition to the annual salary each Alderman shall receive Fifty Dollars (\$50.00) for each regular meeting of the City Council that he attends, not exceeding in any fiscal year twelve (12) regular council meetings.

(C) In addition to the above remuneration each Alderman shall receive Fifty Dollars (\$50.00) per meeting which he attends for all meetings of a standing committee in a single day, such remuneration not to exceed in any fiscal year twelve (12) meetings.

(D) Remuneration for attendance at meetings shall be determined by the minutes kept for each meeting which evidences those Aldermen in attendance.

(E) Each Alderman shall receive the above-stated remuneration upon the commencement of his term.

31-10: REMOTE MEETINGS. The following rules shall govern the use of remote meeting attendance for the City Council.

(A) Policy. It is the policy of the City of Red Bud, Illinois that the presence of elected officials at all public meetings is highly desirable. The public's ability to view actions being taken by elected officials and to make meaningful input into the decision-making process will be materially impaired by the lack of direct access to elected officials in the public forum provided by meetings of the City Council. Accordingly, the provisions for remote attendance at meetings set forth in this section are intended to provide for the public's good, not necessarily for the convenience or ease of the elected officials.

(B) Definitions. For purposes of this policy, the following terms shall have the following meanings:

(1) "Attend by electronic means" means attending by audio or video conference.

(2) "City Council" shall mean the City Council and any Committee of the City Council.

(3) "Meeting" means any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive communications, of a majority of a quorum of the City Council held for the purposes of discussing public business whether in open or closed session.

(C) Non-Disaster Meeting Procedures.

(1) If a quorum of the members of the City Council is physically present as required by 5 ILCS 120/7, as amended, a majority of those members present may allow the Mayor or an Alderman/Alderswoman to attend the meeting by electronic means if such a person is prevented from physically attending because of the following exclusive reasons and no other reason: personal illness or disability; employment purposes; business of the public body; or a family or other emergency.

(2) If the elected official wishes to attend a meeting by electronic means, then the elected official must notify the City Clerk and Administrative Assistant before the meeting, unless such advance notice is impractical, of the request and reason for non-attendance.

(3) Consideration of a request for electronic participation shall occur after the presiding officer's call to order, the roll call, and before any business is conducted. Any City Council member physically present may state an objection to allowing the requested electronic attendance. In the absence of any objection, the electronic attendance shall be deemed to be allowed without objection. If an objection is made, the City Council members physically present shall consider whether the request for electronic participation satisfies the requirements of

Section 31-10(C)(1) and vote regarding whether the requestor may be allowed to participate electronically. The elected official requesting electronic participation may participate in the debate on their request but may not vote on the approval of their request. If more than one elected official makes a request for electronic participation, then the requests will be considered separately and in the order they were received. Any elected official whose request to attend the meeting by electronic means is approved may not vote on the approval of any other member's request considered during the same meeting, but they may participate in any debate on the question of such attendance. Any elected official whose request for attendance by electronic means is denied may continue to listen and/or view the meeting via electronic means, but they may only participate to the same extent in which a member of the public could participate. If an elected official is allowed to participate by electronic means, then their participation shall be allowed in all open and closed sessions conducted in the same meeting without a separate vote being required for attendance in the closed session.

(4) The City may broadcast its meetings via audio and/or video for the benefit of the public. However, the public may not comment or address the City Council through the audio and/or video broadcast. Any public comment must be done in person at a meeting.

(D) Disaster Meeting Procedures.

(1) If the Governor of the State of Illinois or the Illinois Department of Public Health (IDPH) Director has declared a disaster in the area affecting any portion of the City of Red Bud and the Mayor has determined that an in person meeting is not practical due to the disaster, then the requirement of a physical presence of a quorum of the City Council and all other requirements of Section 31-10(C) shall not be required to conduct a meeting. The Mayor shall decide if the meeting shall be entirely by electronic means or by a combination of electronic means and in person attendance.

(2) In order to hold a meeting under this subsection, attendance of all members of the City Council must be verified by a roll call, all members must be able to hear one another, and all members must be able to hear all discussion and testimony. Further, all members of the public in attendance must be able to hear all discussion, testimony, and votes of the elected officials. At least one member of the City Council, the City Attorney, or the Administrative Assistant should be present in person at the meeting location unless the Mayor determines it unfeasible due to the disaster.

(3) If the meeting is held entirely by electronic means, then the City must give notice to the public of the ability to attend and participate in the electronic meeting in the meeting notice via a telephone number and/or website link to the meeting.

(4) The meeting notice for any meeting under this subsection shall be given forty-eight (48) hours in advance, except in the case of a bona fide emergency, to all members of the public body, posted publicly, posted on the City's website, and must be given to any news media who has requested notice of meetings pursuant to Open Meetings Act.

(5) Any meeting under this subsection must have a verbatim recording and all votes shall be made by a roll call vote.

(6) Any meeting held without forty-eight (48) hours' notice due to a bona fide emergency shall begin with the Mayor stating the nature of the emergency.

(7) The City may broadcast its meetings via audio and/or video for the benefit of the public. However, the public may not comment or address the City Council through the audio and/or video broadcast unless the meeting is held entirely by electronic means as stated in the meeting notice.

RULES OF THE CITY COUNCIL

31-11: RULES OF THE COUNCIL. The following rules of order and procedure shall govern the deliberations and meetings of the City Council.

(A) Order of Business. The order of business shall be as follows:

(1) Call to order by presiding officer.

(2) Roll Call.

(3) The reading of the journal of the proceedings of the last preceding meeting or meetings, and correction and approval of the same, unless dispensed with by the Aldermen and correction of the journal of the proceedings of previous meetings.

(4) Reports and communications from the Mayor and other City Officers.

(5) Reports of Standing Committees.

(6) Reports of Special Committees.

(7) Presentation of communications, petitions, resolutions, orders, and ordinances by the Aldermen.

(8) Unfinished business.

(9) Miscellaneous business.

All questions relating to the priority of business shall be decided by the chair without debate, subject to appeal to all members of the City Council.

(B) Censure of Aldermen - Expulsion of Aldermen. Any Alderman acting or appearing in a lewd or disgraceful manner or who uses opprobrious, obscene and insulting

language to or about any member of the Council, or who does not obey the order of the Chair shall be, on motion, censured by a majority vote of the members present, or expelled by a two-thirds (2/3) vote of all Aldermen elected.

(C) All other Rules of the City Council shall be governed by the latest edition of Robert's Rules of Order. All questions regarding the Rules shall be decided by the chair without debate, subject to appeal to all members of the City Council.

31-12: AGENDA. An itemized agenda, along with all necessary supporting documentation shall be furnished to each member of the Council no later than the close of business on the Friday preceding the regular Council meeting. In the case of emergency matters, which could not have been reasonably foreseen in sufficient time to comply with this Section, a revised agenda will be furnished to each member of the Council prior to the opening of the Council meeting.

31-13: CONSENT AGENDA.

(A) When the agenda for regular meetings of the City Council is prepared, routine matters requiring a simple majority Council consent shall be placed upon the consent agenda including, but not limited to, approval of minutes, Cultural Committee requests, training requests, resolutions, ordinances, board and committee appointments, and annual mayoral appointments. The Mayor may also cause to be placed on the consent agenda other such matters requiring a simple majority Council consent considered to be routine.

(B) Upon Council consideration of the consent agenda the Chair shall first inquire if there are any requests from Council members to remove items from the consent agenda. Any item on that agenda may be removed and considered in the order upon which they otherwise fall in the order of business. After any items are removed, the Chair shall call the question on the consent agenda and a roll call vote shall be taken. When approved by an appropriate vote, the individual items on the consent agenda shall have the same effect and force as they would have had if individually approved by the Council.

31-14: RULES OF PUBLIC PARTICIPATION. Any person may address the City Council or any committee of the City Council according to the rules of this section.

(A) Any person who seeks to address the City at the time allotted during the public meeting for public comments and questions shall be permitted to speak only upon recognition by the presiding officer, and the person shall adhere to the following provisions:

(1) Each person addressing the City shall state his or her name and address for the record, at the beginning of the address.

(2) Each person shall be granted no more than three (3) minutes and one opportunity per meeting in order to address the corporate authorities of the city, unless the time is extended by the presiding officer, giving consideration to the probable number of speakers and lateness of the hour.

(3) Questions and/or comments shall be limited to city business. Comments supporting or opposing a nominated person's candidacy for elective office shall not be permitted.

(4) Comments shall be directed to the presiding officer, unless the presiding officer permits the individual to address the Council members of the city or other city officials or employees present.

(5) The following behavior is prohibited during a public meeting of the City:

(a) Conduct in violation of any city ordinance, state or federal law, or any rule or regulation implementing state or federal law;

(b) Interruptions of speakers or name calling;

(c) Offensive use of abusive, obscene, profane, slanderous, or threatening language or gestures;

(d) Acting or behaving in an unreasonable manner so as to provoke a breach of the peace; and

(e) Any other act designed to intimidate, threaten or harm persons, or damage or destroy property.

(B) Members of the public shall not engage in audible conversation which prohibits individuals from hearing and/or participating in a public meeting, or disrupts the conduct of business by the corporate authorities of the city.

(C) Members of the public may enter and leave the meeting room at any time, provided the entrance or exit is made quietly and in an orderly fashion.

(D) Battery operated recording equipment is permitted at public meetings, provided the operation thereof is silent.

(E) The presiding officer at each public meeting of the City shall be responsible for the enforcement of the provisions of this section, and shall be empowered to reprimand and/or cause the removal of any and all persons violating the provisions of this section. The removal of an offender from a public meeting shall proceed as follows:

(1) The presiding officer shall twice give the offender notice that he or she is violating certain terms of this section and might be removed from the public meeting.

(2) If the offender continues to violate any of the provisions of this section after receiving the above notice, the presiding officer shall order a police officer to remove the offender from the meeting room. If the offender continues the disturbance outside the meeting room, so that the orderly conduct of business by the corporate authorities of the city is disrupted, the offender shall be removed from City Hall.

(3) The offender has no right to appeal from an order of the presiding officer requiring the removal of the offender from the meeting room or City Hall; however, this order may be appealed by a member of the City Council present at the meeting. Any ruling by the presiding officer may be overruled by a majority of the members of the City Council present at the public meeting.

(4) The offender removed from the meeting room or City Hall may be criminally charged for any violations of applicable law.

31-15: RESERVED.

ORDINANCES

31-16: ORDINANCES.

(A) **Passages by Yeas and Nays - Record.** The yeas and nays shall be taken upon the passage of all ordinances and on all propositions to create any liability against the City, or for the expenditure or appropriation of its money, and all other cases at the request of any member, and entered on the journal of its proceedings and the concurrence of a majority of all the members elected in the City Council shall be necessary for the passage of any such ordinance or proposition; provided, it shall require three-fourths (3/4) of the Aldermen to sell any City property.

(B) **Approval and Veto.** All ordinances passed by the City Council shall, before they take effect, be deposited in the office of the City Clerk, and if the Mayor approves thereof, he shall sign the same, and such as he shall not approve, he shall return to the City Council with his objections thereto, in writing, at the next regular meeting of the City Council occurring no less than five (5) days after the passage thereof. Such veto may extend to any one (1) or more items or appropriations contained in any ordinance making an appropriation or to the entire ordinance; and in case the vote only extends to a part of such ordinance, the residue thereof shall take effect and be in force. But in case the Mayor shall fail to return any ordinance with his objections thereto by the time aforesaid, he shall be deemed to have approved such ordinance and the same shall take effect accordingly.

31-17: RECONSIDERATION - PASSING OVER VETO. Every resolution and motion specified in Section 31-16, and every ordinance which is returned to the City Council by the Mayor shall be reconsidered by the City Council at the next regular meeting. If, after such reconsideration, two-thirds (2/3) of all the Aldermen then holding office on the City Council shall agree at such regular meeting to pass an ordinance, resolution or motion, notwithstanding the Mayor's refusal to approve it, then it shall be effective. The vote on the question of passage over the Mayor's veto shall be by yeas and nays and shall be recorded in the journal.

31-18: NO VOTE TO BE RECONSIDERED AT SPECIAL MEETING. No vote of the City Council shall be reconsidered or rescinded at any special meeting thereof unless at such special meeting there are present as large a number of Aldermen as were present when such vote was taken.