

CITY OF LE ROY
COUNTY OF McLEAN, STATE OF ILLINOIS

ORDINANCE NO. 19-09-13-50

**AN ORDINANCE AMENDING TITLE 1; CHAPTER 6 (Proxy Voting) OF THE
MUNICIPAL CODE OF LE ROY, ILLINOIS, 2006**

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS

16th Day of September, 2019

PRESENTED: **September 16, 2019**

PASSED: **September 16, 2019**

APPROVED: **September 16, 2019**

RECORDED: **September 16, 2019**

PUBLISHED: **September 16, 2019**

In Pamphlet Form

Voting "Aye" 6

Voting "Nay" 0

The undersigned being the duly qualified and Acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned **ordinance** and that such **ordinance** was presented, passed, approved, recorded and published as above stated.

(SEAL)



Vicki Moreland

Vicki Moreland
City Clerk of the City of
Le Roy, McLean County, Illinois

Dated: **September 16, 2019**

ORDINANCE NO. 19-09-13-50

AN ORDINANCE AMENDING TITLE 1; CHAPTER 6 OF THE MUNICIPAL CODE OF LE ROY, ILLINOIS, 2006

WHEREAS, the Mayor and City Council of the City of Le Roy, McLean County, Illinois, an Illinois municipal corporation, have reviewed the rules of procedure and order of business for the City Council; and

WHEREAS, the Mayor and City Council of the City of Le Roy acknowledge that the rules and order of business ordinance is controlled in part by the Illinois Open Meetings Act (5 ILCS 120/1 *et seq.*), specifically 5 ILCS 120/7; and

WHEREAS, the Mayor and the City Council wish to bring Title 1, Chapter 6, into conformity with the Illinois Compiled Statutes;

NOW, THEREFORE BE IT ORDAINED, by the City Council of the City of Le Roy, Illinois in lawful meeting assembled on Monday, September 16, 2019, as follows:

SECTION 1. Title 1 Administration, Chapter 6 City Council, Section 3 Quorum, of the Municipal Code of Le Roy, is hereby amended as follows:

1-6-3: QUORUM; ATTENDANCE

- A. Quorum:** A quorum for the transaction of business shall consist of a majority of all of the council entitled by law to be elected. If no quorum is present, and the members present desire to compel the attendance of absent members, they themselves, or by their agents, shall attempt to communicate the call to the session personally to the absentees. Any absent member who refuses to attend the meeting (or a meeting to which the members present have adjourned) after personal notice to attend may be fined by the members present a sum not to exceed twenty-five (\$25.00) for each occurrence.
- B. Attendance:** It is the policy of the City Council that a member of the Council or its committees may attend and participate in an open meeting of the City Council from a remote location via telephone, provided that such attendance and participation is in compliance with this policy, the Illinois Open Meetings Act (5 ILCS 120/1 *et seq.*), and any other applicable laws.
1. A member of the City Council shall be provided the opportunity to attend an open meeting from a remote location if:
 - a. The member has notified the City Administrator's office at least twenty-four (24) hours before the meeting unless advance notice is impractical; and
 - b. The member has met one of the three reasons described herein why s/he is unable to physically attend the meeting, including either:

- i. The member cannot attend because of personal illness or disability;
 - ii. The member cannot attend because of matters directly related to the business of the City Council; or
 - iii. The member cannot attend because of a family or other emergency; and
 - c. A quorum of the City Council, or one of its committees, as the case may be, is physically present.
2. After roll call of the City Council, or one of its committees, if a quorum is physically present, it shall be determined whether a member of the Council or that committee is seeking to attend electronically. If such a member desires to attend electronically, the Mayor shall state on the record that 1) a notice was received from a member of the Council or committee in accordance with these rules, and 2) a member will be deemed authorized to attend the meeting electronically unless a motion objecting to the member's electronic attendance is made, seconded, and approved by 2/3 of the members of the Council or committee physically present at the meeting. If no such motion is made or seconded or if any such motion fails to achieve the required vote by the members of the Council or committee physically present at the meeting, then the request by the member to attend the meeting electronically shall be deemed approved and the Mayor shall declare the requesting member present. After such declaration, the question of a member's electronic attendance may not be reconsidered. For the meeting to continue there shall always need to be a quorum physically present.
3. The City Council or committee member participating remotely shall be considered an off-site participant and counted as present by means of audio conference for that meeting if the Council or committee member is allowed to participate. The meeting minutes shall reflect and state specifically whether each Council or committee member is physically present or present by audio means.
4. Protocol and procedures: In all meeting involving remote attendance, the Mayor shall inform all physically present at the meeting of the intent to initiate a remote communication.
 - a. The Mayor shall confirm and announce to all that are present in the meeting room and the remote location(s) can clearly hear all other parties. The City Clerk or recording secretary shall record such confirmation. The Clerk or recording secretary shall record the beginning and ending times of each such remote communication.
 - b. In the event that the remote communication link is broken or significantly degraded such that it no longer meets the

full requirements of this section, the Mayor shall confirm the loss of service and announce the close of the remote attendance. The attendance of the remote party shall be at an end. The Clerk shall record the time of such closure.

- c. Requirements of the system(s). Any such communication systems utilized shall reliably permit all persons attending, whether they are physically in the City Council or committee meeting room or in remote location(s), to be clearly heard by all others and to clearly hear all audio content of the meeting.
 - d. Maintenance of public record. Audio recording of proceedings under this section shall be maintained for the public record as required by law.
 - e. The member permitted to participate remotely shall be able to express his or her comments during the meeting and participate in the same capacity as those members physically present, subject to the rules of the City Council. The remote member shall be heard, considered, and counted as to any vote taken. Accordingly, the name of any remote member shall be called during any vote taken, and his or her vote counted, recorded, and place in the minutes for the corresponding meeting. A member participating remotely may also leave a meeting and return as in the case of any member. If the Mayor or the Chair of a committee attends by remote means, he or she may participate as a member, but the senior most Council or committee member, if physically present in the meeting room, shall be the presiding member to best facilitate an orderly and efficient process. If neither the Chair nor senior most member is physically present, the Clerk or recording secretary shall convene the meeting and the members present shall choose one of their members as Temporary Chair.
5. The City Council should attempt to initiate the phone call for purposes of audio conference. If it is necessary, a member participating remotely via long-distance telephone shall be reimbursed for the cost of the telephone call upon a valid receipt being shown. Any other costs associated with remote participate, including other audio equipment, shall be subject to the approval of the City Council.

PASSED by the City Council of the City of Le Roy, Illinois, upon the motion made by Kelly Lay and seconded by Matt Steffen by roll call vote on the 16th day of September, 2019 as follows

Aldermen elected 8

Aldermen Present 6

Voting Aye:

Rick Kline, Kyle Merkle, Brad Poindexter, Kelly Lay, Ron Legner, Matt Steffen.

Voting Nay:

None

Absent:

Dawn Hanafin, Greg Steffen

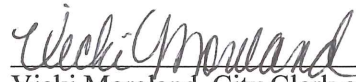
Abstain:

None

Other:


None

And deposited and filed in the office of the City Clerk in said municipality on the 16th day of September, 2019.





Vicki Moreland, City Clerk of the
City of Le Roy
Mc Lean County, Illinois

APPROVED BY the Mayor of the City of Le Roy, Illinois, this 16th day of September, 2019



Steven M. Dean, Mayor of the City of Le Roy,
Mc Lean County, Illinois

ATTEST: (SEAL)

Vicki Moreland, City Clerk of the City of Le Roy
Mc Lean County, Illinois

CERTIFICATE

I, Vicki Moreland, certify that I am the duly appointed and acting municipal clerk of the City of Le Roy, of McLean County, Illinois.

I further certify that on September 16, 2019 the Corporate Authorities of such municipality passed and approved **ORDINANCE NO. 19-09-13-50**

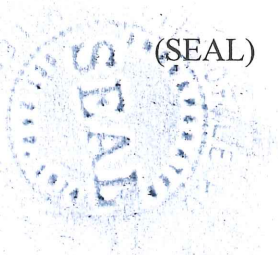
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Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of **Ordinance No. 19-09-13-50**, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on **September 16, 2019** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Le Roy, Illinois this 16th day of September, 2019.

(SEAL)


Vicki Moreland
Vicki Moreland
City Clerk of the City of
Le Roy, McLean County, Illinois

STATE OF ILLINOIS)
) SS:
COUNTY OF MCLEAN)

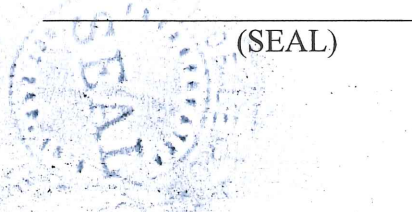
I, Vicki Moreland, do hereby certify that I am the duly qualified and acting City Clerk of the City of Le Roy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

AN ORDINANCE AMENDING TITLE 1; CHAPTER 6 (Proxy Voting) OF THE MUNICIPAL CODE OF LE ROY, ILLINOIS, 2006

I do further certify said *ordinance* was adopted by the City Council of the City of Le Roy at a regular meeting on the 16th day of September, 2019 and prior to the making of this certificate the said ordinance was on file with the permanent records of said City where it now appears and remains as a permanent record of said ordinance in the record books.

Dated this 16th day of September, 2019



(SEAL)

Vicki Moreland

Vicki Moreland, City Clerk of the
City of Le Roy,
McLean County, Illinois