



CITY OF WASHINGTON, ILLINOIS
Committee of the Whole Agenda Communication

Meeting Date: December 09, 2019

Prepared By: Ray Forsythe, City Administrator

Agenda Item: City Voting Procedure Ordinance

Explanation: Proposed Ordinance amendment: Chapters 10, 30, & 31 regarding votes required for action by the City Council.

The City Code sections 10, 30.20 and 31.58 Define Corporate Authorities, Duties of the Mayor, and votes required for the sale of city property. There have been recent instances where the City had received offers to purchase City owned property and it was unclear as to the votes necessary to accept an offer once it was declared surplus and if a vote of the Mayor was allowable. This amendment clarifies the definition of Corporate Authorities with respect to voting, details when the Mayor is permitted to vote and clarifies that the voting procedure for disposition of City-owned surplus property.

Fiscal Impact: None

Recommendation/

Committee Discussion Summary: The City Administrator recommends approving the amendment.

Action Requested: Amend Chapters 10, 30 & 31 of the Code of Ordinances.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTERS 10, 30 & 31 OF THE CODE OF ORDINANCES
OF THE CITY OF WASHINGTON, TAZEWELL COUNTY, ILLINOIS, REGARDING
VOTES REQUIRED FOR ACTION BY THE CITY COUNCIL OF THE CITY OF
WASHINGTON**

WHEREAS, the Code of Ordinances of the City of Washington (the “Code”) provides for the votes required for the City Council of the City of Washington to take action by ordinance, resolution or motion and the times when the Mayor of the City of Washington may vote on an ordinance, resolution or motion; and

WHEREAS, the City Council has determined that it is in the best interest of the City to amend the Code to clarify voting process by which City Council of the City of Washington to take action by ordinance, resolution or motion and the times when the Mayor of the City of Washington may vote on an ordinance, resolution or motion.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON, ILLINOIS, as follows:

Section 1. That the definition of “Corporate Authorities” contained in § 10.02 of Chapter 10 of the Code be, and the same hereby is, amended as follows:

“CORPORATE AUTHORITIES. The City Council; but reference to votes of CORPORATE AUTHORTIES means that the Presiding Officer is permitted to vote in addition to the Aldermen, subject to any specific provisions contained in this Code.

Section 2. That § 30.20(G) of Chapter 30 of the Code be, and the same hereby is, amended as follows:

- (G) Preside, vote at meetings. The Mayor shall preside at all meetings of the City Council. He shall ~~not~~ vote on any ordinance, resolution, or motion before the City Council only except where: (1) the vote of the Aldermen has resulted in a tie; or (2) this code or other law requires a vote not less than a majority of the Alderman or corporate authorities than holding office where one half of the Aldermen elected have voted in favor of an ordinance, resolution, or motion even though there is no tie vote; or where a vote greater than a majority of the corporate authorities is required by law to adopt an ordinance, resolution, or motion. In each instance specified, the Mayor shall vote. Nothing in this division shall deprive an acting Mayor or Mayor Pro Tem from voting in their capacity as Alderman, but they shall not be entitled to another vote in their capacity as acting Mayor or Mayor Pro Tem. This division shall not restrict the Mayor from voting as a member of any committee provided by this code.

Section 3. That § 31.58 of Chapter 31 of the Code be, and the same hereby is, amended as follows:

§ 31.58 VOTE REQUIRED; YEAS AND NAYS

The passage of all ordinances for whatever purpose, and of any resolution or motion to create any liability against a city or for the expenditure or appropriation of its money, shall require the concurrence of a majority of all Alderman ~~members then holding office on the City Council~~ present at a duly convened meeting of the City Council where quorum was established, ~~including the Mayor~~, unless otherwise expressly provided by this code or any other act governing the passage of any ordinance, resolution, or motion. ~~provided, that, where the Council consists of an odd number of Aldermen, the vote of the majority of the Aldermen shall be sufficient to pass an ordinance.~~ Notwithstanding the previous sentence, the passage of an ordinance, resolution, or motion to designate city property as surplus and to establish the process for the disposition of such surplus sell city property shall require the concurrence of three-fourths (¾) of all Aldermen then holding office. The process established in such ordinance, resolution or motion for the disposition of surplus city property may or may not require further City Council action. If further City Council action is required, the subsequent vote required by the City Council shall be set forth in the ordinance, resolution or motion declaring such city owned property as surplus and may be less than three-fourths (¾) of all Aldermen then holding office. The yeas and nays shall be taken upon the question of the passage of the designated ordinances, resolutions, or motions and recorded in the journal of the City Council.

Section 4. This ordinance shall be in full force and effect upon its passage, approval, and publication as provided by law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Washington, Tazewell County, Illinois, on the _____ day of _____, 2019.

Ayes: _____

Nays: _____

Mayor

ATTEST:

City Clerk