

ORDINANCE NO. ____

**AN ORDINANCE AMENDING THE CITY COUNCIL
RULES OF PROCEDURE**

WHEREAS, on May 16, 1983, the City Council of the City of Washington, by Resolution No. R-168, adopted the City Council Rules of Procedure ("**Rules of Procedure**") to establish rules governing the conduct of City meetings; and

WHEREAS, on November 20, 2017, the City Council of the City of Washington amended the Rules of Procedure Section 8 related to Public Comments at City Meetings by Ordinance No. 3260; and

WHEREAS, on July 13, 2020, the City Council of the City of Washington amended the Rules of Procedure by adding Section 10 "Remote Attendance by Council Members" by Resolution No. 1305; and

WHEREAS, on September 8, 2020, the City Council amended and restated the Rules of Procedure to reflect changes in the Open Meetings Act; City of Washington Code Amendments which are included in the Rules of Procedure; and other sections related to the Order of Business and Agenda; Recording of Votes; and Legal Opinions by Ordinance No. 3398; and

WHEREAS, on October 19, 2020, by Ordinance #3402, the City Council amended the Rules of Procedure to include all provisions of Section 10 "Remote Attendance by Council Members," which was inadvertently omitted from the September 8, 2020, amendment; and

WHEREAS, on January 3, 2023, by Ordinance #3483 the City Council of the City of Washington amended and restated the Rules of the Procedure by changing Section 6.2 to revise the procedure for the passage of ordinances and Section 6.7 to revise the voting standards for ordinances, resolutions, and motions; and

WHEREAS, the City Council has determined it is in the best interests of the City that the Rules of Procedure be amended to: (1) eliminate the standing committees, as applicable; (2) eliminate certain references to said standing committees, as applicable; and (3) have committee matters reviewed by the entire City Council at Committee of the Whole meetings; and

WHEREAS, in addition to making changes to the standing committee provisions, the City Council has determined that it is in the best interests of the City to make other necessary changes to the Rules of Procedure to ensure said document conforms to the City's current practices and/or procedures.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON, TAZEWELL COUNTY, ILLINOIS, THAT: The Rules of Procedure are hereby amended as set forth in Exhibit A attached hereto.

PASSED AND APPROVED this ____ day of _____, 2023.

AYES: _____

NAYS: _____

Attest:

City Clerk

Mayor

EXHIBIT A



CITY COUNCIL RULES OF PROCEDURE

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Passed and approved by the City Council at a regular meeting on May 16, 1983 by Resolution R-168; Amended by Ordinance 3260 on November 20, 2017; Amended by Resolution 1305 on July 13, 2020; Amended by Ordinance 3398 on September 8, 2020; Amended by Ordinance 3402 on October 19, 2020; and Amended by Ordinance #3483 on January 3, 2023.

1. Authority

- 1.1 Ordinance: The Code of Ordinances of the City of Washington provides that the Council may determine its own rules of procedure for meetings. The following set of rules shall be in effect upon their adoption by the Council and until such time as they are amended or new rules adopted in the manner provided by these rules.

2. General Rules and Public Officials

- 2.1 Meetings to be Public: All official* meetings of the Council shall be open to the public. The journal of proceedings shall be open to public inspection.
- 2.2 Quorum: A Majority of the members of the Council shall constitute a quorum and be necessary for the transaction of business. If a quorum is not present, those in attendance will be named and they shall adjourn from time to time, and may compel the attendance of absentees, under whatever penalties, including a fine for a failure to attend, the Council may prescribe by ordinance. (Section 31.04)
- 2.3 Journal of Proceedings: An account of all proceedings of the Council shall be kept by the City Clerk and shall be entered in a book constituting the official record of the Council.
- 2.4 Ordinances: Confined to One Subject; Exceptions: No Ordinance except an appropriation ordinance, an ordinance adopting or embodying an administrative or governmental code, or an ordinance adopting a code of ordinances, shall relate to more than one subject, which shall be clearly stated in its title.
- 2.5 Right of Floor: Any member desiring to speak shall be recognized by the Chair, and shall confine his or her remarks to one subject under consideration or to be considered.
- 2.6 City Administrator: The City Administrator shall attend all meetings of the Council and shall have the right to take part in all discussions of the Council, but shall have no vote. (Section 30.35, appointed officials)
- 2.7 City Attorney: The City Attorney shall attend all meetings of the Council unless excused and shall, upon request give an opinion, either written or oral, on questions of law. (Section 30.38, appointed officials)
- 2.8 City Engineer: The City Engineer shall attend all meetings of the Council unless excused. (Section 32.023, appointed officials)
- 2.9 City Treasurer/Budget Officer: The City Treasurer shall be elected at the time of the Mayor and shall be responsible for the duties as set in Section 30.22. The City Administrator may be appointed as Budget Officer and be responsible for the duties as set in Section 30.36.
- 2.10 City Clerk/City Collector: The City Clerk shall attend all meetings of the Council unless excused and shall keep the official journal (minutes) and perform such other duties as described in Section 30.21. The Clerk may also be appointed as City Collector and be responsible for the duties as described in Section 30.37.
- 2.11 Officers and Employees: Department heads of the City, when there is pertinent business from their departments on the Council agenda, shall attend such Council meetings upon request of the City Administrator.
- 2.12 Rules of Order: All proceedings of the Council not specifically provided for in 31.20 to 31.49 shall be in accordance with "Roberts Rules of Order." (Section 31.07)

*Except where State Statutes allows Executive Sessions for certain limited topics.

3. Types of meetings

- 3.1 Regular meetings: The Council shall meet in the Council Chambers for regular, adjourned and special meetings. The regular council meetings are to commence at 6:30 p.m., on the first and third Monday of each month, unless otherwise specified by Ordinance. (Section 31.03)
- 3.2 Special Meetings: Special meetings may be called by the Mayor, or by any three (3) Alderpersons in writing, filed with the City Clerk. The call for a Special meeting filed with the City Clerk shall specify the day and hour of the Special meeting and shall list the subject(s) to be considered. Notice of Special meetings shall be provided by the City Clerk to the public and the City Council in accordance with the Illinois Open Meetings Act. Only such business may be transacted at a Special meeting as may be listed in the call for said meeting or any business incident thereto.
- 3.3 Committee of Whole Meeting: On the second Monday of each calendar month, or at the call of the Mayor or of any three members of the Council, the City Council shall meet informally at a Committee of the Whole meeting at 6:30 p.m. for the purpose of reviewing upcoming programs and City projects and receiving other similar information from the City Administrator or other City staff members. Any discussions or conclusions drawn from the Committee of the Whole meetings shall be informal and no final action shall be taken at such meetings. All Committee of the Whole meetings shall be held at the location set forth in the public notice given for each such meeting.
- 3.4 Executive Sessions: Executive Sessions or closed meetings may be held in accordance with the provisions of the State Open Meetings Act. Topics allowed to be discussed are those which are covered by one of the exceptions and specified in the vote to hold the Executive Session.
- 3.5 Attendance of Media at Council Meetings: All official meetings of the City Council and the City's boards, committees, and commissions, as applicable, shall be open to the media, freely subject to the recording by radio, television and photographic services at any time provided that such arrangements do not interfere with the orderly conduct of the meetings. It will be the responsibility of the presiding officer to determine what is orderly conduct.

4. Presiding Officer and Duties

- 4.1 Presiding Officer: The Mayor shall preside as Presiding Officer at all meetings of the Council. If a temporary absence or disability of the Mayor incapacitates him from the performance of his duties, the Council shall elect one of its members to act as mayor pro tem. (30.20)
- 4.2 Call to Order: The meetings of the Council shall be called to order by the Mayor or, in his absence, by the Mayor Pro Tem. In the absence of both the Mayor and Mayor Pro Tem, the meeting shall be called to order by the City Clerk for the election of a temporary chairman.
- 4.3 Preservation of Order: The presiding officer shall preserve order and decorum, prevent attacks on personalities or the impugning of members' motives, and confine members in debate to the question under discussion.
- 4.4 Points of Order: The presiding officer shall determine all points of order subject to the right of any member to appeal to the Council. If any appeal is taken, the question shall be, "Shall the decision of the Chairman be sustained?"
- 4.5 Questions to be stated: The presiding officer shall state all questions submitted for a vote and announce the result. A roll call vote shall be taken upon the request of any member, in the manner provided in section 6.7 of these rules.

5. Order of Business and Agenda

5.1 Order of Business: The general rule as to the order of business in regular City Council meetings is listed below. The order of business set forth in this section is a guideline and shall not be construed in any way as to limit the order in which the Council may elect to proceed with its business.

I. Call to Order

II. Roll Call

III. Pledge of Allegiance

IV. Review Agenda – Deletions or Additions (Discussion Items Only)

V. Consent Agenda - The consent agenda is a tool used to streamline council meeting procedures by collecting and grouping routine, noncontroversial topics into a single agenda item that can be discussed and passed with a single motion and vote, including Approval of Minutes, Bills and Payroll and other noncontroversial topics.

VI. Announcements/Awards/Presentations/Recognitions/Proclamations

VII. Audience Comments

VIII. Mayoral Communications/Requested Actions

IX. City Administrator Communications/Staff Reports/Requested Actions

X. Resolutions

XI. Ordinances

XII. Alderperson's Comments

XIV. Executive Session

XV. Adjournment

5.2 Agenda: The order of business of each meeting shall be as contained in the Agenda prepared by the City Clerk and/or City Administrator. The Agenda shall be a listing of subjects to be considered by the Council and shall be delivered to members of the Council at least forty-eight (48) hours preceding the meeting to which it pertains.

5.3 Presentation by Members of Council: The Agenda shall provide a time when the Mayor or any council member may bring before the Council any business that he/she feels should be deliberated upon by the Council. These matters need not be specifically listed on the Agenda, but formal action on such matters shall be deferred until a subsequent Council meeting, except that immediate action may be taken upon a vote of two-thirds of all members of the Council.

5.4 Reading of the Minutes: Unless a reading of the minutes of a council meeting is requested by a member of the council, such minutes may be approved without reading if the clerk has previously furnished each member with a copy thereof. (Section 31.05)

6. Ordinances, Resolutions, and Motions

6.1 Preparation of: The City Administrator or City Attorney shall cause to be prepared all ordinances, resolutions and other instruments pertaining to council business, pursuant to direction of the Council, by the Mayor, or which he shall prepare on his own initiative. (31.55)

6.2 Procedure for passage of Ordinances: Section 31.56 of the City Code governs the procedure for the passage of ordinances.

6.3 Distribution of Ordinances: The City Clerk shall prepare copies of all proposed Ordinances for distribution to all members of the Council to be included in the Agenda material.

6.4 Reading by Title Only: Upon being introduced, each proposed ordinance shall be read by title only, unless any member of the Council requests a full reading of the ordinance.

6.5 Recording of Votes: The Ayes and Nays shall be taken upon the question of the passage of all ordinances, resolutions and motions and entered upon the official record of the Council. For a

roll call vote, the Clerk shall call the vote rotating alphabetically per ordinance, resolution and motion.

- 6.6 Discussion regarding motions: An Alderperson shall not speak more than once to the motion unless all Alderpersons have spoken.
- 6.7 Majority vote required: Section 31.58 of the City Code governs the voting standards for the passage of an ordinance, resolution, or motion. When any vote is called each Council member shall respond “aye,” “nay,” or “abstain.”
- 6.8 Tie Vote: In event of a tie in votes on any motion by the Alderpersons, the Mayor shall cast the deciding vote.
- 6.9 Numbering Ordinances and Resolutions: Upon passage, a number shall be assigned to each ordinance or resolution by the City Clerk.
- 6.10 Passage and Publication: Upon passage by the Council, an ordinance shall be signed by the Mayor and be attested by the City Clerk; it shall be immediately filed, published according to the law and thereafter preserved in the office of the City Clerk.
- 6.11 Legal Opinions: The City Council, the Mayor, or the City Administrator may request verbal or written legal opinions, relating to city business, from the City Attorney. Upon receiving requests for a written legal opinion, and upon return receipt thereof, the City Administrator shall forthwith cause to have distributed the written legal opinion to all members of the Council so that all members of the Council may be fully informed of the status of City affairs. Any member of the Council may, for purposes of inquiry, request verbal opinion or advice on City legal matters directly from the City Attorney during a council meeting.

7. Creation of Citizen Committees, Boards, and Commissions

- 7.1 Citizen Committees, Boards, and Commissions: The Council may create citizen committees, boards, and commissions to assist in the conduct of the operation of the City government with such duties as the Council may specify not inconsistent with the City Code.
- 7.2 Membership and Selection: Membership and selection of members of these citizen committees, boards, and commissions shall be as provided by the Mayor with the concurrence of the Council. No such citizen committee so appointed shall have powers other than advisory to the Council or to the City Administrator, except where otherwise specified by the City Code.

8. Public Comments at City Council Meetings

- 8.1 Background: Pursuant to the Open Meetings Act, 5 ILCS 120/2.06(g), any person shall be permitted the opportunity to address public officials under the rules established and recorded by the public body. Public participation and comments at meetings of the City of Washington are limited to the portion of the City meeting as provided for in the meeting agenda, and shall be permitted in accordance with the provisions of this section.
- 8.2 Manner of Addressing Public Officials: The presiding officer shall determine the order of turn in which members of the public address and comment at any City meeting. All individuals being called shall speak so he/she can be heard in audible tone of voice. Such comments by any one person shall be limited to five (5) minutes in any City Council meeting, or three (3) minutes in any other City meeting, unless an extension of time is granted at the presiding officer's discretion.

Citizens shall not yield unused time to other speakers. The presiding officer shall have the right at any time to close comment by that person, when, in the presiding officer's discretion, such input violates the provisions of these rules, or is otherwise irrelevant, repetitious or disruptive. A total period of time not to exceed twenty (20) minutes for any City Council meeting, or fifteen (15) minutes for any other City meeting will be devoted to public comment. This amount of time shall

be extended only upon a motion and second of the City Council or City Board, Committee, or Commission, as applicable, and a majority vote in favor thereof. Any person who is not able to address the public body due to time constraints will be encouraged to attend a subsequent meeting to address the public body or to provide written comments.

8.3 Redundancy: If numerous persons wish to comment on a single topic, the presiding officer may recognize a specified number of individuals who wish to speak in favor of, against or wish to make general comments regarding the topic. The City Council or City Board, Committee, or Commission, as applicable, shall not be required to allow every person who wishes to address the issue to do so, but as many views as possible are encouraged to be heard. Any person who is not able to speak during the time for public comment shall be allowed and encouraged to present his or her views to the City Council or City Board, Committee, or Commission, as applicable, in writing.

8.4 Decorum: While making public comment during any City meeting, members of the public shall address the entire public body, and shall not attempt to address or enter into dialog with individual members of the public body. Any person who uses profanity, or engages in threatening, inappropriate, offensive, slanderous or disorderly behavior, shall be deemed out-of- order by the presiding officer and his or her time for public comment shall end.

An individual who violates any of the rules specified herein may be removed from the City meeting at the discretion of the presiding officer.

9. Suspension and Amendment of These Rules

9.1 Suspension of These Rules: Any provision of these rules not governed by the Code of Ordinances may be temporarily suspended by a vote of five (5) members of the Council. The vote on any such suspension shall be taken by ayes and nays and entered upon the record.

9.2 Amendment of These Rules: These rules may be amended, or new rules adopted, by a majority vote of all members of the Council, provided that the proposed amendments or new rules shall have been introduced into the record at a prior Council meeting.

10. Remote Attendance by Council Members: Any member of the City Council may attend and participate in any open or closed meeting of said public body from a remote location via electronic means provided that such attendance is in compliance with the rules set forth herein and any other applicable laws.

10.1 Prerequisites: Any member of the City Council shall be provided the opportunity to attend an open meeting via electronic means from a remote location if a quorum is physically present at the meeting site, the quorum votes to approve the attendance in the open session by electronic means, and the requesting member meets the following conditions:

- (a) The member must notify the City Clerk at least forty-eight (48) hours prior to the scheduled meeting, unless such notice is impractical, so that necessary communications equipment can be arranged. Said notification to the City Clerk shall be by completion and submission of an electronic attendance request form signed by the member. Inability to make the necessary technical arrangements will result in denial of a request for electronic attendance.

(b) The member must assert one (1) of the three (3) following reasons why he or she is unable to physically attend the meeting:

- (i) due to personal illness or disability;
- (ii) due to employment purposes or other City business;
- (iii) due to a family emergency or other emergency.

10.2 Quorum and Vote Required. Providing the above prerequisites have been met and following roll call to establish that a quorum is physically present at the meeting site, a motion shall be made and considered as to whether to allow the member to remotely attend the open meeting via electronic means. Otherwise, a vote must be taken to allow each remote participation via electronic means. The motion must be approved by a vote of a majority of the City Council.

10.3 Adequate Equipment Required. Any member participating electronically and other members of the City Council must be able to communicate effectively, and members of the audience must be able to hear all communications at the meeting site. Before allowing remote attendance via electronic means at any meeting, the City Council shall provide equipment adequate to accomplish this objective at the meeting site.