

ORDINANCE NO. 23-020

AN ORDINANCE AMENDING CHAPTER 30 ENTITLED "CITY COUNCIL", TO INCLUDE A NEW SECTION 30.06 TO BE ENTITLED "REMOTE ATTENDANCE" OF THE CITY ORDINANCES OF THE CITY OF MONMOUTH, ILLINOIS

WHEREAS, the Illinois Open Meetings Act allows elected officials to attend meetings by remote audio or video link under specified conditions (5 ILCS 120/7); and

WHEREAS, the corporate authorities are required to adopt internal rules and regulations consistent with those specified conditions by the said statute when the Board wishes to allow remote attendance; and

WHEREAS, the corporate authorities have reviewed the draft rules set forth below and find that the same meet the requisites of the said statute, allow for remote attendance in appropriate settings and still favoring personal attendance at meetings, and that the same should be adopted;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONMOUTH, WARREN COUNTY, ILLINOIS as follows:

Section One. The City of Monmouth, Illinois Code of Ordinances is hereby amended by adopting Section 30.06 of Chapter 30 City Council, entitled Remote Attendance, to read as follows:

Section 30.06 – REMOTE ATTENDANCE.

(A) MEETINGS DEFINED; ATTENDANCE BY ELECTRONIC MEANS. The term "meeting" as used in this Code in reference to meetings of the city council or any committee or subcommittee of the city council, or any board or commission of the city established pursuant to state law or by action of the city council or the mayor (collectively and individually "public body"), shall have the same meaning as in the Illinois Open Meetings Act, 5 ILCS 120/1 et seq., as amended from time to time. Members of any public body of the city may attend meetings of the public body by electronic means in accordance with applicable state law and rules adopted by the city council and maintained by the clerk.

(B) ELECTRONIC ATTENDANCE AT MEETINGS RULES.

(1) Rules statement. It is the decision of the city that any member of the city council, or any committee, subcommittee, board or commission created by the city council or the mayor (collectively and individually "public body"), may attend any open or closed meeting of the public body via electronic means (such as by telephone, video or internet connection) provided that such attendance is in compliance with these rules and any applicable laws.

(2) Prerequisites. A member may attend a meeting electronically if the member meets the following conditions: (i) The member should notify the city clerk at least 48 hours before the meeting, unless impractical, so that necessary communications equipment can be arranged. Inability to make the necessary technical arrangements will result in denial of a request for

remote attendance. (ii) The member must assert one of the following three reasons why he or she is unable to physically attend the meeting:

- a. The member cannot attend because of personal illness or disability; or
- b. The member cannot attend because of employment purposes or the business of the city; or
- c. The member cannot attend because of a family or other emergency.

(3) Authorization to participate.

a. The city clerk, after receiving the electronic attendance request, shall inform the presiding officer of the public body of the request for electronic attendance.

b. After establishing that there is a quorum physically present at a meeting where a member desires to attend electronically, the presiding officer shall state that:

- i. A notice was received from a member in accordance with these Rules, and
- ii. The 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 two-thirds of the members of the public body physically present at the meeting. If no such motion is made and seconded or if any such motion fails to achieve the required vote by the members of the public body physically present at the meeting, then the request by the member to attend the meeting electronically shall be deemed approved by the public body and the presiding officer shall declare the requesting member present. After such declaration by the presiding officer, the question of a member's electronic attendance may not be reconsidered.

(4) Adequate equipment required. The member participating electronically and other members of the public body must be able to communicate effectively, and members of the audience must be able to hear all communications at the meeting site. Before allowing electronic attendance at any meeting, the city shall provide equipment adequate to accomplish this objective at the meeting site.

(5) Minutes. Any member attending electronically shall be considered an off-site attendee and counted as present electronically for that meeting if the member is allowed to attend. The meeting minutes shall also reflect and state specifically whether each member is physically present or present by electronic means.

(6) Rights of remote member. A member permitted to attend electronically will be able to express his or her comments during the meeting and participate in the same capacity as those members physically present, subject to all general meeting guidelines and procedures previously adopted and adhered to. The member attending electronically shall be heard, considered, and counted as to any vote taken. Accordingly, the name of any member attending electronically shall be called during any vote taken, and his or her vote counted and recorded by the clerk and placed in the minutes for the corresponding meeting. A member attending electronically may

leave a meeting and return as in the case of any member, provided the member attending electronically shall announce his or her leaving and returning.

Section 2:

In all other respects, Chapter 30 of the Monmouth Code of Ordinances previously enacted shall remain in full force and effect.

Section 3:

This ordinance shall be in full force and effect ten (10) days after this due publication in pamphlet form, passage and approval thereof as provided by law.

PASSED this _____ day of _____, A.D., 2023.

APPROVED this _____ day of _____, A.D., 2023.

MAYOR

ATTESTED:

CITY CLERK

Ayes: _____

Nays: _____

Absent or not voting: _____