

SANGAMON COUNTY, ILLINOIS

ORDINANCE
NUMBER 19-34

**AN ORDINANCE AMENDING TITLE III OF THE VILLAGE CODE
ESTABLISHING CERTAIN MEETING PROCEDURES**

DAVE KIMSEY, Village President
AMY DAHLKAMP, Village Clerk

KRISTEN CHIARO
ANDREW DETMERS
BRETT GERGER
RYAN MANN
MATT MAU
PAUL SCHERSCHEL
Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Chatham
on November 26, 2019

Sorling Northrup – 1 N. Old State Capitol Plaza, Suite 200, Springfield, IL 62705

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**AN ORDINANCE AMENDING TITLE III OF THE VILLAGE CODE
ESTABLISHING CERTAIN MEETING PROCEDURES**

WHEREAS, the Village of Chatham (hereinafter, the “Village”), an Illinois municipal corporation; and

WHEREAS, pursuant to the Illinois Municipal Code, 65 ILCS 5/3.1-40-15, the Village has the authority to establish procedures for the conduct of its meetings; and

WHEREAS, the Village desires its meetings to be conducted in a fair and orderly manner and desires to adopt rules of procedure for its meetings as set forth in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM, SANGAMON COUNTY, ILLINOIS, AS FOLLOWS:

SECTION ONE: That the foregoing recitals be and the same are hereby incorporated herein by this reference and made a part hereof as though fully set forth as findings of fact by the President and Board of Trustees.

SECTION TWO: That Title XI of the Chatham Village Code be and the same is hereby amended by adding a new Section 30.08 to Chapter 30, Title III, which Section shall read as set forth in Exhibit A, attached hereto and by this reference incorporated herein and made a part hereof.

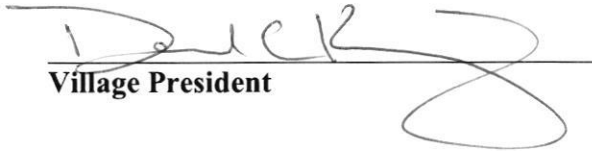
SECTION THREE: That if any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.

SECTION FOUR: That this Ordinance shall be in full force and after its passage, approval, and publication as provided by law.

PASSED this 26th day of November, 2019.

	AYE	NAY	ABSTAIN	ABSENT
KRISTEN CHIARO	x			
ANDREW DETMERS	x			
BRETT GERGER				x
RYAN MANN	x			
MATT MAU				x
PAUL SCHERSCHEL	x			
DAVE KIMSEY				
TOTAL	4	0		2

APPROVED this 26th day of November, 2019.


Village President

ATTEST:

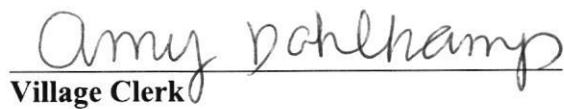

Village Clerk

EXHIBIT A

§ 30.08 Rules for conduct of meetings.

A. The following rules shall govern the Village Board in its deliberations:

- (1) The President, while present, shall preside as Chairperson at all meetings of the Village Board. In the President's absence from the meeting, the President Pro Tem shall serve as the Chairperson, or if none, the Board members present shall designate by vote another Board member to serve as Chairperson. The meetings of the Village Board shall be called to order and conducted by the Chairperson.
- (2) A majority of the members of the Board shall constitute a quorum to do business.
- (3) The Chairperson's powers include, but are not limited to, the following:
 - (a) To rule motions in or out of order. In doing so, he or she may consult with legal counsel who shall serve as the parliamentarian.
 - (b) To regulate the course of the meeting in accordance with these rules and applicable laws and ordinances. This includes the responsibility to regulate speakers and attendees.
 - (c) To entertain and answer questions of parliamentary law or procedure. In doing so, he or she may consult with legal counsel who shall serve as parliamentarian.
 - (d) To call a brief recess at any time.
 - (e) To adjourn in an emergency.
- (4) The separate yes, no, and abstain votes of each Board member shall be taken by roll call upon the consideration of all ordinances, and all propositions to create any liability against the Village, or for the expenditure or appropriation of its money, and in all other cases at the request of any member, which shall be entered on the minutes.
- (5) Questions of parliamentary law at the meetings of the Board shall be addressed as provided below. To the extent not provided for in these rules, and to the extent it does not conflict with Illinois law, Village ordinances, or with the spirit of these rules, the Board shall refer to Robert's Rules of Order Newly Revised, and specifically the rules for small boards, to answer unresolved procedural questions.
 - (a) Substantive motion. A substantive motion may deal with any subject within the Board's legal powers, duties and responsibilities. A substantive motion is out of order while another substantive motion is pending.

(b) Procedural motion. The following enumeration of procedural motions are in order. Unless otherwise noted each motion is debatable, may be amended, and requires a majority of the votes cast, a quorum being present, for adoption. Procedural motions are in order while a substantive motion is pending. The following is an exhaustive list; if a procedural motion is not on the list, then it is not available. In order of priority, if applicable, the procedural motions are:

- [1] Motion to appeal a procedural ruling of the chairperson. A decision of the Chairperson ruling a motion in or out of order, entertaining and answering a question of parliamentary law or procedure may be appealed to the Board. This appeal is in order immediately after such decision is announced and at no other time. The Board member making the motion need not be recognized by the Chairperson and the motion, if timely made, may not be ruled out of order. If the appeal is seconded, the Board member making the appeal may briefly explain the ruling, but there shall be no debate on the appeal, and no other Board member shall participate in the discussion. The Chairperson shall then put the question, "Shall the decision of the Chair be sustained?" If a majority of the members present vote "Aye," the ruling of the Chair is sustained; otherwise, it is overruled.
- [2] Motion to adjourn. This motion may be made only at the conclusion of action on a pending substantive matter; it may not interrupt deliberation of a pending matter. This motion, if passed, requires the Board to immediately adjourn to its next regularly scheduled meeting. A motion to adjourn shall always be in order, except: 1) when a Board member is in possession of the floor; 2) when the Board members are voting; 3) when adjournment was the last preceding motion; and 4) when it has been decided that the previous question shall be taken.
- [3] Motion to recess. Board members may propose a brief recess during its proceedings. This motion, if passed, requires the Board to immediately take a recess. Normally, the Chairperson determines the length of the recess, which may range from a few minutes to an hour.
- [4] Motion to call to follow the agenda. This motion, if passed, requires the Board to conform to its agenda or order of business. This motion must be made at the first reasonable opportunity (when the item of business that deviates from the agenda is proposed) or the right to make it is waived for the out-of-order item in question.

- [5] Motion to suspend rules. This motion, if passed, allows the body to suspend its own rules of order, conduct or procedure for a particular purpose. The motion should specifically state the portion of the rules that are being suspended. This motion requires a two-thirds vote. This motion must be specific and state the reason for suspending the rules.
- [6] Motion to go into closed session (executive session). The Board may go into closed session only for one or more of the permissible purposes listed under Section 2 of the Illinois Open Meetings Act (5 ILCS 120/1). The motion to go into closed session shall cite one or more of these purposes and shall be adopted at an open meeting.
- [7] Motion to leave closed session (executive session). This motion provides a procedural mechanism for returning from closed session to an open meeting.
- [8] Motion to divide a complex motion (Question) and consider it by paragraph. This motion is in order whenever a Board member wishes to consider and vote on subparts of a complex motion separately.
- [9] Motion to defer consideration (Table). The Board may defer a substantive motion for later consideration at an unspecified time. A substantive motion, the consideration of which has been deferred, expires 100 days thereafter unless a motion to revive consideration is adopted. If consideration of a motion has been deferred, a new motion with the same effect cannot be introduced while the deferred motion remains pending. A Board member who wishes to revisit the matter during that time must take action to revive consideration of the original motion, or else move to suspend the rules.
- [10] Motion to move the previous question (limit debate). This motion may be made at any time after a substantive motion is made and a minimum of 10 minutes of debate time has passed. If made after 10 minutes but before 20 minutes of debate, each Board member shall have up to 2 minutes to give a final statement; and, after each Board member has been given an opportunity to give his/her final statement, the motion requires a two-thirds vote. If made after at least 20 minutes of debate, upon the motion, each Board member shall have up to 2 minutes to give a final statement; and, after each Board member has been given an opportunity to give his/her final statement, the motion requires a majority vote.

- [11] Motion to postpone to a certain time or day. This motion allows the Board to postpone consideration of an item to a specified day. If consideration of a motion has been postponed, a new motion with the same effect cannot be introduced while the postponed motion remains pending. A Board member who wishes to revisit the matter must either wait until the specified time, or move to suspend the rules.
- [12] Motion to amend. An amendment to a motion must be pertinent to the subject matter of the motion. An amendment is improper if adoption of the motion with that amendment added would have the same effect as rejection of the original motion. A proposal to substitute completely different wording for a motion or an amendment shall be treated as a motion to amend. A motion maybe amended, and that amendment may be amended, but no further amendments may be made until the last offered amendment is disposed of by a vote.
- [13] Motion to revive consideration. The Board may vote to revive consideration of any substantive motion earlier deferred by adoption of a motion to defer consideration (table). The motion is in order at any time within 100 days after the day of a vote to defer consideration. A substantive motion on which consideration has been deferred expires 100 days after the deferral unless a motion to revive consideration is adopted.
- [14] Motion to reconsider. The Board may vote to reconsider its action on a matter. The motion to do so must be made by a member who voted with the prevailing side (the majority) and 1) at the meeting during which the original vote was taken, including any continuation of that meeting through recess or adjournment to a time and place certain, or 2) at the next regularly scheduled Board meeting following the meeting during which the original vote was taken. The motion cannot interrupt deliberation on a pending matter but is in order at any time before final adjournment of the meeting.
- [15] Motion to rescind or repeal. The Board may vote to rescind actions it has previously taken or to repeal items that it has previously adopted. This motion is used at a later meeting and has the purpose of canceling the action the Board took at a previous meeting. This motion can be made by any Board member, no matter how he or she voted on the original motion. The motion requires a majority vote if a Board member provides notice to the Board, prior to the meeting, that the motion will be made, or a two-thirds vote if such notice is not provided.

[16] Motion to prevent reintroduction for six months. This motion shall be in order immediately following the defeat of a substantive motion and at no other time. The motion requires, for adoption, a two-thirds vote. If adopted, the restriction imposed by the motion remains in effect for six months.

- B. These rules may be amended at any regular meeting or at any properly called special meeting that includes amendment of the rules as one of the stated purposes of the meeting, so long as the amendment is consistent with generally accepted principles of parliamentary procedure.
- C. The failure to strictly adhere to these rules shall not invalidate any action taken at a properly noticed meeting.