ORDINANCE 13-51       Passed: August 26, 2013

AMENDING THE MUNICIPAL CODE OF THE
CITY OF DEKALB, ILLINOIS, CHAPTER 2.
“CITY COUNCIL,” SECTION 2.12 “RULES OF
ORDER AND PROCEDURES” FOR THE CITY OF
DEKALB, ILLINOIS.

WHEREAS, the City of DeKalb, DeKalb County, Illinois is a home rule community with those
powers granted under the provisions of the Illinois Constitution and the Illinois Municipal Code,
65 ILCS 5/1-1-1, et. seq.; and,

WHEREAS, the Corporate Authorities of the City have heretofore created a set of ordinances
regulating the conduct of the City Council; and,

WHEREAS, the Corporate Authorities have determined that the public health, welfare, safety
and morals are protected by the utilization of such policies, and in particular that the public
interest is served through the adoption of certain updates to the policies, as provided below; and,

WHEREAS, in order to effectuate such policies, the Council has determined that it is
appropriate to amend the City Code as outlined below; and,

WHEREAS, the City Council has reviewed the regulations contemplated herein and finds that
they are reasonable and appropriate, and have been drafted to properly reflect the City and
community interests at stake; and,

WHEREAS, the City Council determines that there is an urgent public safety threat that will be
mitigated by the passage of this ordinance, and hereby includes a statement of urgency and
direction that the ordinance take effect immediately upon passage and approval, having made all
required findings for such immediate effect;

THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of DeKalb,
DeKalb County, Illinois, as follows:

Section 1. That the Municipal Code of the City of DeKalb, Chapter 2 be amended as follows:

Section 2.04(a) shall be amended as follows:

a) Regular meetings of the City Council shall be held in the Council Chambers of the
DeKalb Municipal Building on the second and fourth Mondays of each and every month, with
the Committee of the Whole Meeting commencing at 5:00pm, and with the City Council meeting
occurring thereafter, not commencing before 6:00pm. When such Monday falls on a legal
holiday, the meeting shall be held at the same hour on the following day. Legal holidays shall be
as defined in Section 3.45 of the City Code. The City Council reserves the right to alter the date,
time or location of City Council meetings from time to time, and reserves the right to schedule
additional or special meetings, provided that the public receives notice of such alternate time or
location in accordance with the requirements of the Illinois Open Meetings Act.

Section 2.06(c) shall be amended as follows:

c) The intent and purpose of the Committee of the Whole meetings shall be primarily for the purpose of discussion of consideration items brought before the Council and various matters which require a presentation and/or upon which discussion is anticipated, but not for the passage of Ordinances or Resolutions. Public comments shall generally not be permitted at such meetings, but rather shall be reserved for the City Council meeting immediately following such meetings. The Committee of the Whole meeting shall be treated as a meeting where public comment is not permitted under Section 2.12(ad) of this Code.

Section 2.07 shall be amended with the addition of the following sentence:

...Aldermen shall utilize their best efforts to provide the Mayor and/or City Manager with advance notice of any planned or unplanned absences from a City Council meeting.

Section 2.08 shall be deleted in its entirety.

Section 2.10 (b) shall be amended with the addition of the following sentence:

...The Mayor shall not be required to read the entirety of an item title, provided that the alphanumeric listing from the agenda is utilized along with a reasonable description of the item in question.

Section 2.12(d) shall be amended as follows:

d) The Mayor shall be the presiding officer at all meetings of the Council.

Section 2.12(f) shall be amended with the last sentence replaced as follows:

...The Mayor Pro Tem shall, during the absence or disability, perform the duties and possess all of the rights and powers of the Mayor, but shall vote only as an Alderman and not as an Alderman and as Mayor.

Section 2.12(h)(6) shall be amended as follows:

6) No member shall eat, smoke, or drink any alcoholic beverage during a Council meeting.

Section 2.12(h)(7) shall be amended as follows:

7) If a member has a direct financial interest or other interest that creates a legally recognizable conflict of interests, the member shall advise the Council that he has a conflict of interest prior to consideration of the item. The member shall then leave the dais and join the public for that portion of the meeting. The member shall not be counted towards a quorum for
that portion of the meeting, and shall not be reflected in any form of voting that is conducted with regard to that portion of the meeting. The member may address the Council during that portion of the meeting as a member of the public, but shall expressly indicate that his comments are limited to being a member of the public (and shall be subject to all rules applicable to public comments). Following the conclusion of that item of business, the member shall be entitled to rejoin the dais and be included in the quorum and any further discussion or action items.

**Section 2.12 (m) shall be amended as follows:**

**m) Making, Seconding and Withdrawing Motions:** Any alderman present may make a motion at an appropriate time by affirmatively and expressly indicating the intent to make a motion. In circumstances where the Mayor has requested a motion in accordance with the stated motion or approval proposed by an agenda item, a motion shall be made by stating “so moved.” In circumstances where alternate language is proposed for a motion, the motion shall be made by stating, “I move that,” followed by the text of the motion. A second to any motion shall be made only by saying “second” or, “I second.” If the maker of the motion desires to withdraw a motion, he may do so. The seconder of the motion may either withdraw the second, or may himself renew the motion and seek a new second.

**Section 2.12(r) shall be amended with the addition of a subsection (3) as follows:**

3. When a motion for reconsideration is voted upon, a roll-call vote on said motion shall be taken. Approval of a motion for reconsideration shall only require a simple majority of City Council, regardless of the vote required to change the underlying action. The vote on a motion for reconsideration shall only determine whether the item or action in question should be reconsidered, and shall not redetermine the item or action. If a motion for reconsideration fails, the underlying action shall be unchanged. If the motion for reconsideration passes, the underlying item or action shall be reconsidered in a separate vote. Passage or approval of the item or action shall require the affirmative vote originally required for such action (e.g. a vote that originally required a majority shall require a majority, a vote that originally required a supermajority shall require a supermajority).

**Section 2.12(s) shall be amended with the deletion of the second to last sentence, which shall be replaced as follows:**

...The Clerk shall be responsible for recording and keeping record of all meetings of Council where required by law.

**FURTHER:** City Staff is authorized and directed to prepare an updated annual schedule of City meetings, reflecting such revised meeting times as described herein.

**Section 2.** All ordinances or portions thereof in conflict with this ordinance are hereby repealed. All agreements in violation of the terms of this Ordinance shall be terminated, effective
immediately. The City Clerk shall issue a notice to the Office of the State Fire Marshall, advising of the passage of this Ordinance, and including a copy of the same.

Section 3. Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and affect the same as if the invalid provision had not been a part of this Ordinance.

Section 4. This Ordinance shall be in full force and effect immediately after passage, based upon the statement of urgency included in the preamble above (incorporated by reference herein). Publication date: August 27, 2013. Effective date: September 5, 2013.


ATTEST:

[Signatures]

LIZ PEERBOOM, City Clerk

JOHN REY, Mayor