

CHAPTER 2 CITY COUNCIL

2.01	Government of City, Wards
2.02	Election, Terms and Powers
2.03	Regular and Committee of the Whole Meetings
2.04	Special Meetings
2.05	Presiding Officer
2.06	Quorum
2.07	Order of Business; Sergeant at Arms
2.08	Open Meetings Act
2.09	City Council Committees
2.10	Special Committee Assignments
2.11	Salaries of Officials
2.12	Rules of Order and Procedure
2.13	At Cost Participation in Employee Benefit Plans by Elected Officials

2.01 GOVERNMENT OF CITY, WARDS *Amended 14-9-1*

A. CITY COUNCIL: The City shall be governed by a City Council which shall consist of a Mayor and eight aldermen. The Mayor shall be elected at large and two aldermen shall be elected from each ward.

B. ELECTION WARDS ESTABLISHED: The City is divided into four wards, bounded as followed:

Ward 1 Boundaries

Beginning at the west city limit at the Union Pacific Railroad Tracks, heading east to North Sponable Street as it dead ends at the railroad tracks, then south along Sponable to West Washington Street, then east on Washington to South Ford Street, then south on Ford to West Grant Highway (USH 20), then east to State Street (STH 23), then south on State Street (STH 23) to the city limit;

-and-

all property within the city limits south of Pleasant Grove Road /Coral Road, regardless of which side of State Street (STH 23) the property is located.

Ward 2 Boundaries

Beginning at the south city limit on State Street (STH 23) north of Coral Road, heading north along the highway (STH 23) and city limits east of the highway (STH 23) to Grant Highway (USH 20), then east on Grant Highway (USH 20) to the east city limit.

Ward 3 Boundaries

Beginning at the east city limit at Grant Highway (USH 20), heading west to East Street, then

north on East Street to Greenlee Street, then east to Grace Street, then north on Grace to Van Buren Street, then further north (at jog of Grace Street west and north at Van Buren) along the rear property lines (and ditch line) of those properties facing Grace Street on the east to Telegraph Street (STH 176), then east on Telegraph (STH 176) to Kishwaukee Street, then north on Kishwaukee Street to Fifth Avenue, then west on Fifth to East Street, then north on East to Eighth Avenue, then further north along the east property line of 508 Eighth Avenue to the rear property line of the those properties facing Eighth Avenue on the north, then west along those property lines facing Eighth Avenue on the north to the east property line of the Sewage Treatment Plant owned by the City of Marengo, then north along the east property line of the City of Marengo Sewage Treatment Plant to the city limit.

Ward 4 Boundaries

Beginning at the west city limit at the Union Pacific Railroad Tracks, heading east to North Sponable Street as it dead ends at the railroad tracks, then south along Sponable to West Washington Street, then east on Washington to South Ford Street, then south on Ford to West Grant Highway (USH 20), then east to East Street, then north on East Street to Greenlee Street, then east to Grace Street, then north on Grace to Van Buren Street, then further north (at jog of Grace Street west and north at Van Buren) along the rear property lines (and ditch line) of those properties facing Grace Street from the east to Telegraph Street (STH 176), then west on Telegraph (STH 176) to Kishwaukee Street, then north on Kishwaukee Street to Fifth Avenue, then west on Fifth to East Street, then north on East to Eighth Avenue, then further north along the east property line of 508 Eighth Avenue to the rear property line of the those properties facing Eighth Avenue on the north, then west along those property lines facing Eighth Avenue on the north to the east property line of the Sewage Treatment Plant owned by the City of Marengo, then north along the east property line of the City of Marengo Sewage Treatment Plant to the city limit.

2.02 ELECTION, TERMS AND POWERS *Amended, 07-4-1, 01-5-1*

A. The members of the City Council shall be elected and serve for a four-year term, and until their successors are elected and qualified, as provided by law. The term of office for each elected member shall begin at the first regular or special meeting following receipt of the official election results.

B. The powers of the City Council shall be purely legislative (the preparation and enactment of laws and administrative rules) except as may otherwise be provided by any other ordinance herein, act or by any article of the Illinois Municipal Code. The City Council shall approve for payment all expenses and liabilities of the City.

2.03 REGULAR MEETINGS *Amended 19-12-1*

All regular meetings of the City Council shall be held on the second and fourth Monday of every month in the City Hall, 132 East Prairie Street, Marengo, Illinois, at 7:00 p.m.

2.04 SPECIAL MEETINGS

Special meetings of the City Council may be called by the Mayor or any three members of the City Council, provided that written notice of such meetings shall be given to each member of the City Council no less than 48 hours prior thereto, the following accomplished.

1. Written notice is given to all members of the public body by delivering to their residence a notice of the meeting which shall include the date, time, place, and subject matter of the special meeting. Minutes of the special meeting shall indicate how notice was provided to the members.
2. Notice of the meeting shall be posted at the location of the meeting at the City Hall and at the police station. Said posted notice shall indicate the date, time, place and subject matter of the special meeting.
3. Notification of the special meeting shall be given to all news media requesting notification as provided by law.

2.05 PRESIDING OFFICER

The Mayor shall be the presiding officer of the regular and special meetings of the City Council, and of other meetings when the City Council convenes as a Committee of the Whole. In the absence of the Mayor, the Clerk shall open the meeting and the temporary chairman shall be selected pursuant to Section 3.01-D herein.

2.06 QUORUM

A majority of the elected members of the City Council shall constitute a quorum thereof, but no ordinance shall be passed except upon the affirmative vote of a majority of the elected members of the City Council or according to the Open Meetings Act.

2.07 ORDER OF BUSINESS; SERGEANT AT ARMS

A. ORDER OF BUSINESS: The order of business at all meetings of the City Council shall be determined by the Mayor.

B. SERGEANT AT ARMS: The Chief of Police shall attend every meeting of the City Council and shall act as Sergeant at Arms. In the absence of the Chief of Police, the City Council shall appoint a responsible person to act as Sergeant at Arms. The Sergeant at Arms is authorized to prevent any unlawful disturbance or demonstration at such meetings, and shall provide for the good order of the meeting room prior to every meeting of the City Council.

2.08 OPEN MEETINGS ACT *amended 23-9-11*

All City meetings shall comply with the Illinois Open Meetings Act (5 ILCS 120/1, *et seq.*)

Any member of the City Council may attend, participate, and vote at any meeting of the City Council via electronic. To qualify, a physical quorum of the City Council must be present for the meeting, the member must make prior logistical arrangements with the Clerk or Mayor, before the meeting and assert one of the following four reasons why he or she is unable to physically attend the meeting: (i) the member cannot attend because of personal illness or disability; or (ii) the member cannot attend because of employment purposes or the business of the village; or (iii) the member cannot attend because of a family or other emergency; or (iv) unexpected childcare obligations.

2.09 CITY COUNCIL COMMITTEES *Amended, 07-6-4*

There is hereby established the General Administration Committee, the Community Development Committee and the Transportation Committee of the City Council. Annually, the Mayor shall appoint four aldermen to each committee and the chairman of each committee. Matters referred to the General Administration Committee shall include community events, finance, grants, insurance, legislation, personnel, personnel policies and procedures, police and public safety and such matters as may be assigned to the committee from time to time by the Mayor. Matters referred to the Community Development Committee shall include building, public properties, public works, subdivision, zoning and such matters as may be assigned to the committee from time to time by the Mayor. Matters referred to the Transportation Committee shall include long-term multi-modal transportation planning, parking matters, road network related items that affect City Transportation, pedestrian safety, traffic studies and other matters that may be assigned to the committee from time to time by the Mayor.

All meetings shall be held pursuant to the Open Meetings Act. The Chairman shall be responsible for the minutes of the meeting.

2.10 SPECIAL COMMITTEE ASSIGNMENTS

The Mayor may appoint a special committee to conduct investigations, make detailed studies of pending proposals or projects and deliver specific findings to the City Council for final action.

The findings of any special committee shall be reduced to a written report. On presentation to and acceptance of the committees report to the City Council the special committee shall be disbanded.

Any special committee must conform to the requirements of the Open Meetings Act (5 ILCS 120/1 *et seq.*) by posting a public notice of all committee meetings where two or more elected officials are in attendance. Minutes must be taken at all special committee meetings.

2.11 SALARIES OF OFFICIALS *Amended, 24-9-1, 20-9-2, 08-9-5, 05-10-1, 00-11-2*

A. ALDERMEN OR ALDERWOMAN (“Council Member”): The City shall pay each Council Member a salary of \$3,600 per fiscal year, to be paid in equal monthly installments. Council Members shall be given the option to participate, at their own cost, in various insurance and benefit plans offered to City employees.

B. MAYOR: The City shall pay the Mayor \$10,000 per fiscal year, to be paid in equal monthly installments. As additional compensation, the Mayor shall be given the option to participate, at his or her own cost, in various insurance and benefit plans offered to City employees.

C. CLERK: The City shall pay the Clerk a salary of \$3,600 per fiscal year, to be paid in equal monthly installments. As additional compensation, the Clerk shall be given the option to participate, at his or her own cost, in various insurance and benefit plans offered to City Employees.

D. LIQUOR COMMISSIONER: The City shall pay the Liquor Commissioner \$2,000 per fiscal year, to be paid in equal monthly installments.

E. TREASURER: The City shall pay the Treasurer \$2,000 per fiscal year, to be paid in equal monthly installments.

2.12 RULES OF ORDER AND PROCEDURE *Amended, 17-6-2*

The following rules of order and procedure shall govern the deliberations and meeting of the City Council and the committees thereof.

1. DUTIES:

A. PRESIDING OFFICER, DUTIES OF THE PRESIDING OFFICER: The presiding officer shall preserve order and decorum and may speak to points of order in preference to other members and shall decide all questions of order subject to appeal. The presiding officer may speak to matters being considered by the City Council without relinquishing the chair.

In case of any disturbances or disorderly conduct, the presiding officer shall have the power to require the City Council room to be cleared.

B. MEMBERS, DUTIES OF MEMBERS: While the presiding officer is putting the question, no member shall walk across or out of the City Council chambers.

Every member, previous to their speaking or making a motion, shall address themselves to the presiding officer and shall not proceed with their remarks until recognized and named by the chair. They shall confine themselves to the question under debate, avoiding personalities and refraining from impugning the motives of

any other member's argument or vote.

When two or more members address the chair at the same time, the presiding officer shall name the member who is first to speak.

2. **PUBLIC COMMENT AT MEETINGS:** Members of the public are invited and permitted to speak at any public, open meeting of the City Council subject to the following rules:
 1. Individuals wishing to be heard on an item that is not on the agenda may be recognized by the Mayor or Chairperson during the Public Comment portion of each meeting which will generally be held as one of the initial items of business on the agenda but may, by a majority vote of the members of the public body present at a particular meeting, be moved to a different point on the agenda for that meeting.
 2. Individuals wishing to be heard on an item that is included in the agenda will be provided an opportunity to speak by the Mayor or Chairperson during the consideration of that item.
 3. Public comment may be restricted to no more than two minutes for each individual speaker. The Mayor or Chairperson may permit additional comment in his or her discretion taking into account the number of persons wishing to be heard on a matter and the amount of business requiring attention.
 4. Members of the public may be asked to avoid repeating comments that have already been made, although they may be given the opportunity to indicate that they agree or disagree with an earlier speaker.
 5. Members of the public will be required to step forward to the podium and to identify themselves for the record. Members may be asked but are not required to provide an address for the record.
 6. The Mayor or Chairperson shall require that order and decorum be maintained at public meetings. This includes prohibiting outbursts from the public or other behavior that is threatening, disorderly or disruptive to the public business. The Mayor or Chairperson may eject from a public meeting any person who, in the Mayor or Chairperson's sole opinion, disrupts the order and decorum of the meeting or otherwise violates the rules of this Section.
 7. Public comment shall be restricted to the portions of meetings which are required to be open to the public under the Open Meetings Act. Nothing in this Section shall be construed to allow public access to or public comment at closed sessions or any other meeting of public officials which is not required to be open to the public under the Open Meetings Act.
3. **PRESENTATION OF NEW BUSINESS AND DEFERMENT:** Upon the request of any two City Council members present, any report of a committee of the City Council shall be

deferred (for final action thereon) to the next regular meeting of the City Council after the report is made.

4. DEBATE: No member shall speak more than once on the same question, except by unanimous consent, and then not until every other member desiring to speak shall have had an opportunity to do so; provided, however, that the proponent of the matter under consideration or the chairman of the committee whose report is under consideration, as the case may be, shall have the right to open and close debate. No member shall speak longer than five minutes at any one time, except by consent of the City Council. In closing debate on any questions, as above provided, the speaker shall be limited to five minutes, except by special consent of the City Council.
5. CALL TO ORDER: A member, when called to order by the chair, shall thereupon discontinue speaking and take their seat, and the order of ruling by the chair shall be binding and conclusive, subject only to the right of appeal.
6. VOTING: Every member who shall be present when a question is stated from the chair shall vote thereon or abstain at the time that their name is first called. A failure to vote shall be counted as an abstention and will count in the manner established by law. Any member required to abstain on a matter due to conflict of interest shall so declare.
7. ORDINANCES:
 - A. Style of Ordinances: The style of all ordinances shall be “BE IT ORDAINED by the Mayor and City Council of the City of Marengo, McHenry County, Illinois,” as provided by statute.
 - B. “Yea” and “Nay” Vote: The yeas and nays shall be taken on the passage of all ordinances and on all propositions to create any liability against the City, or for the expenditure or appropriation of its money, and in all other cases at the request of any member of the City Council. Such vote shall be entered on the journal of the proceedings, as is provided by statute.
 - C. Record of Ordinances: The Clerk shall record, in an ordinance book used for such purpose, all ordinances passed by the corporate authorities.
 - D. Publication: All ordinances imposing any fine, penalty, imprisonment or forfeiture or making any appropriation, shall be published as required by statute, either in a newspaper or in pamphlet form, in which case the ordinance in its pamphlet form shall be displayed for not less than 10 days in a public place in the City Hall.
 - E. Time of Taking Effect: No ordinance that must be published to comply with the foregoing section shall go into effect until 10 days after it is so published unless a statement of the urgency of the ordinance is contained in it and it achieves passage by a two-thirds vote of the members of the corporate authorities then holding

office. In all other cases, the ordinances shall go into effect upon the passage thereof, as provided by statute, even though the operation of the ordinance may not take effect until a later date.

8. **ADOPTION OF *ROBERT'S RULES OF ORDER*:** The rules of parliamentary practice contained in the latest published edition of *Robert's Rules of Order* shall govern the City Council in all cases to which they are applicable and in which they are not inconsistent with the special rules of this City Council or the statutes or laws of the state.
9. **TEMPORARY SUSPENSION OF RULES; AMENDMENT OF RULES:** These rules may be temporarily suspended, repealed, altered or amended by a two-thirds vote of the corporate authorities then holding office.
10. **CENSURE OF MEMBERS; EXPULSION OF MEMBERS:** Any member of the corporate authorities acting or appearing in a lewd, disorderly or disgraceful manner, or who uses opprobrious, obscene or insulting language to or about any member of the corporate authorities, or who does not obey the order of the chair, shall be, on motion, censured by a majority vote of the corporate authorities and, in addition, may be fined not to exceed \$100 for each such occurrence. With the concurrence of two-thirds of the corporate authorities elected, the corporate authorities may expel a member, but not a second time for the same offense.

2.13 AT-COST PARTICIPATION IN EMPLOYEE BENEFIT PLANS BY ELECTED OFFICIALS 08-9-5

A. **POLICY:** It is the policy of the City that the City's elected officials are valuable public servants and should be entitled to participate, at their own expense and without expenditure of City funds, in the insurance and benefits plans offered to City employees.

B. **EXERCISE OF OPTION:** Any elected official taking office after the April 2009 municipal elections may, within 30 days of taking office, elect to participate in any insurance of benefit plan offered generally to City employees. The exercise of this option must be made by notifying the Administrator in writing. After 30 days of taking office, the elected official may only opt in or opt out of the benefit plans as practicable in the discretion of the Administrator.

C. **CALCULATION OF COST:** Within seven days of an elected official taking office, the Administrator shall notify the elected official of (1) his or her right to participate in employee benefit plans at cost, and (2) the available plans and the annual premium for each. If no annual premium is available, the proper periodic premium shall be indicated.

D. **PERMITTED PLANS:** Elected officials shall be entitled to participate in the following plans, if available to City employees, and these plans only, at their own expense and at the marginal cost thereof as if the participating elected official was an additional employee:

1. Vision insurance;

2. Dental insurance; and
3. Life insurance.

E. PAYMENT FOR PARTICIPATION: Any elected official who elects to participate in a plan under this Section shall tender the full annual premium to the Administrator. If there is no premium, the total periodic premiums for one year shall be tendered.

F. NO PAYMENT BY CITY: Under no circumstances shall the City pay for any premium, deductible or other cost under insurance or benefit plans for an elected official. The elected official must pay for all marginal payments related to his or her participation in the plan.

G. EXCEPTION – DEDUCTION: Notwithstanding Sections 2.13-D and E, an elected official who elects to participate in an employee insurance or benefit plan may pay for the plan by authorizing the City to deduct from his or her monthly compensation an amount sufficient to pay the cost of the official's participation in the insurance and benefit plans so elected. To the extent the elected official's compensation is less than the premium, the elected official shall be responsible for any balance.

H. OPTION AS COMPENSATION: The option to participate in the above-specified benefit and insurance plans at cost is compensation to elected officials. The exercise, or lack of exercise, or a change in the exercise of the option to participate in the said plans, shall be deemed not to be a change in compensation. Rather, the option itself is a non-monetary emolument. It shall be deemed paid for the duration of the term on the day of taking office.