

ORDINANCE NO. 1025

AN ORDINANCE AMENDING CHAPTER 18 §18-3 OF THE EL PASO MUNICIPAL CODE REGARDING MEETINGS

BE IT ORDAINED by the City Council of the City of El Paso, Woodford and McLean Counties, Illinois, as follows:

WHEREAS, the City Council of the City of El Paso wishes to permit electronic attendance at public meetings by council members, including the Mayor, who are unable to personally attend a meeting; and

WHEREAS, the statutes of the State of Illinois and specifically 5 ILCS 120/7 authorizes attendance by means other than physical presence,

NOW THEREFORE BE IT ORDAINED by the City Council of the City of El Paso as follows:

El Paso Municipal Code §18-3 regarding Meetings is hereby amended by repealing present §18-3 and inserting in place thereof the following:

§18-3. Meetings.

A. *Regular Meetings.* The regular meetings of the City Council shall be held at the City Hall on the first and third Mondays of each month at 7:30 p.m., except when the first or third Monday shall be on a public holiday. Public notice of the schedule of regular meetings shall be given by the City Clerk in the manner required by law.

B. *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.

C. *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 24 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.

D. Authorization to Participate.

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

(2) 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.

E. 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.

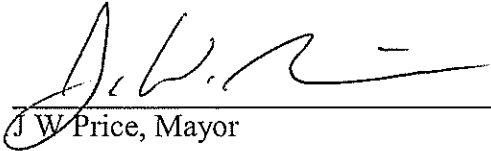
F. Minutes. Any member attending electronically shall be considered an off-site attendee and counted as present electronically for that meeting if the member is allowed to attend. The meeting minutes shall also reflect and state specifically whether each member is physically present or present by electronic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

G. 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.

This Ordinance shall become effective after its passage, approval, and publication as provided by law.

PASSED and APPROVED this 4th day of November, 2019.

APPROVED



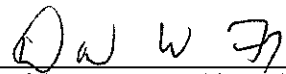
J W Price, Mayor

ATTEST:



David W. Fever, City Clerk

PASSED by the City Council on the 4th day of November, 2019.
APPROVED by the Mayor on the 4th day of November, 2019.
PUBLISHED in pamphlet form on the 5th day of November, 2019.



David W. Fever, City Clerk