

Summary of Proposed Changes

Amended Section	Impacted Body	Summary
Section 2-39	Mayor/Pro Tem	Currently, whenever the mayor is physically absent from the City for more than 3 days, his powers and duties officially transfer to the mayor pro tem just as if he were temporarily incapacitated. Modern technology allows the mayor to remain in constant communication with City staff and conduct the business of the City even when not physically within its limits. The proposed revision permits the mayor pro tem to perform the duties of the mayor only when the mayor is temporarily absent <u>and unable to otherwise conduct the business of the City.</u>
Section 2-100 (a)	Council	Consistent with Section 2-39, provides that the mayor pro tem automatically chairs meetings in the mayor’s absence. Provides that aldermen select a temporary presiding officer in the absence of the mayor and the mayor pro tem. Reorders the sequence of business by providing for public comment before any substantive Council deliberations.
Section 2-101(a)	Council	Provides that the consent agenda consist of items the Mayor believes to be routine as well as those recommended by the <u>Committee of the Whole.</u> [Addition of COW language to reflect current practice]
Section 2-101(b)	Council	Consent agendas are intended to serve as vehicles for adopting non-controversial items of business where all members agree to its content. The objection of one alderman to the inclusion of an item or item should, by itself, be sufficient to remove the item or items from the agenda. The need for a motion or a second is not necessary given or appropriate given the nature and purpose of the consent agenda. See also 65 ILCS 3.1-40-40 (requires unanimous consent for “omnibus votes” or “consent agendas”)
Section 2-102(c)	Council	Section 2.06(g) of the Open Meetings Act provides that “[a]ny person shall be permitted an opportunity to address public officials under the rules established and recorded by the public body. The existing language of Section 1-102 conflicts with this directive in that it allows the Council to deny a person the opportunity to speak. It may also be unconstitutional to the extent it purports to allow the Council the ability to limit the subject matter on which a person may speak. The proposed language requires the City Council “from time-to-time” to adopt rules for public comment which will be maintained by the Clerk. The Council adopted modern public comment rules earlier this year.
Section 2-102(d)	Council	The existing language for this section is unusual in that it provides for an automatic re-referral to committee if any person (alderman or otherwise) speaks to an agenda item and provides any information or offers an amendment to that agenda item that wasn’t previously discussed in committee. This appears to be a vestige of an older administrative procedure mechanism or a holdover from the City’s days under the Commission Form. The recommendation is to replace this language with language authorizing persons with business before the council to address the council when that item is considered to the extent it is helpful to the council in its deliberations.
Section 2-121(b)	Standing Committees	The Building, Grounds, and Infrastructure Committee is not listed among the list of standing committees. The existing language is

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		inconsistent with current practice and Section 2-123 which specifies the Council's standing committees.
Section 2-122(f)	Committee of the Whole	Section 2.06 of the Open Meetings Act requires minutes to include "a summary of discussion on all matters proposed, deliberated, or decided, and a record of any votes taken." The deleted language is inconsistent with that requirement.
Section 2-122(g)	Committee of the Whole	Section 2.02 of the Open Meetings Act requires 48 hours' notice of special meetings of public bodies.
Section 2-122(h) NEW	All Committees	Allows the Committee of the Whole to discharge (act in place of) any standing committee when necessary. This practice would be useful when a standing committee was unable to meet but prompt action is necessary.
Section 2-122(j) NEW	Committee of the Whole	This new language provides that the public comment shall be a regular agenda item and rules applicable to the City Council for public comment are applicable to the Committee of the Whole.
Section 2-125(3)	Standing Committees	Existing Paragraph 3 authorizes only four circumstances when a committee may convene in closed sessions. The Open Meetings Act authorizes substantially more. The limitation is unnecessary and can lead to undesirable results.
Section 2-125 (5)	Standing Committees	As proposed, simply modernizes language. The Council should consider revising this provision in light of Public Access Counselor Opinions.
Section 2-125(7)	Standing Committees	Section 2.02 of the Open Meetings Act requires 48 hours' notice of special meetings of public bodies.
Section 2-125(9) NEW	Standing Committee	Provides that each standing committee may adopt its own rules for public comment and maintain a copy of its rules in the Alderman's Office. If a committee does not adopt rules of its own, it must follow the rules applicable to the City Council.