

CITY OF AURORA, ILLINOIS

ORDINANCE NO. 018-086
DATE OF PASSAGE OCTOBER 23, 2018

An Ordinance amending various provisions of Article II of Chapter 2 of the Code of the City of Aurora.

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, Article II of Chapter 2 of the Code of the City of Aurora, generally provides for the administration of the City Council; and

WHEREAS, the City Council finds that it is appropriate to revise certain provisions of Article II of Chapter 2 to comply with changes to Illinois law and to reflect current practices and procedures; and

WHEREAS, proposed amendments to the City Code are set forth in the attached Exhibit A.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows: that the provisions of Article II of Chapter 2 shall be and hereby are amended as set forth in Exhibit A

ORDINANCE NO. 018-086
DATE OF PASSAGE October 23, 2018

PASSED AND APPROVED ON October 23, 2018

AYES 12 NAYS 4 NOT VOTING 0 ABSENT 0

ATTEST:

Wendy McLaughlin
City Clerk

[Signature]
Mayor

18.0787

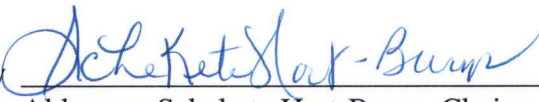
RECOMMENDATION

TO: THE COMMITTEE OF THE WHOLE

FROM: THE GOVERNMENT OPERATIONS COMMITTEE

The Government Operations Committee at their meeting on **Tuesday, October 9, 2018** recommended **APPROVAL** of An Ordinance amending various provisions of Article II of Chapter 2 of the Code of the City of Aurora.

VOTE: 3-0

Submitted By 
Alderman Schequeta Hart-Burns, Chairman


Alderman Rick Mervine


Alderman Judd Lofchie

Alderman Carl Franco, Alternate

Dated the 9th Day of October, 2018

Exhibit A to Legistar 18-0787
(As Directed by Committee of the Whole)

Sec. 2-102. - Right to speak; public comment.

- (a) Except as otherwise provided herein, the right to speak before the council shall be accorded only to the members of the council and to the appointive officers of the city.
- (b) No member of the city council shall speak more than once until every member choosing to speak shall have spoken once on any subject, nor shall any member speak longer than five (5) minutes on any subject without the consent of the council.
- (c) ~~Any person shall be permitted an opportunity to address City officials under the rules the council from time to time establish and record with the Clerk. No member of the public shall have the right to seek recognition or to speak before the council unless he has, prior to the calling of the meeting to order, filed with the city clerk a request in writing to speak to the council, setting forth in the request the suggested matter on which he desires to be heard. Such request shall be presented by the city clerk to the council and such recognition shall be granted only when approved by a majority of the members of the city council. The city council may further limit the subject matter on which such person may speak. No person shall speak in excess of three (3) minutes unless specifically authorized to do so for a stated longer period of time by a majority vote of the council.~~
- (d) During the presentation of any item of business, the mayor or the council may request that a member or members of the public, on whose behalf the matter is before the council, speak for the purpose of providing information the council may find to be useful in its deliberations. Any person presenting or speaking to any petition previously considered by a council committee or by a city board or commission shall limit his remarks to the information previously presented to such committee, board or commission, and shall not suggest any amendments to, or alterations in, the petitions already considered by such committee, board or commission. Any violation of this subsection shall automatically cause the petition to be returned immediately, without further action by the council, to the committee, board or commission which first considered it. Such a return shall be ordered by the chair upon his own motion or upon the request of any two (2) members of the council.

(Code 1969, § 2-82(7))

Sec. 2-122. - Committee of the whole.

- (a) The committee of the whole shall be composed of all members of the city council.
- (b) The committee of the whole shall meet on the first and third Tuesdays of each month at 5:00 p.m. in the city hall and at such other times and places as the city council may from time to time direct. If a regular meeting day falls on a legal holiday, the committee of the whole shall meet at the same hour on the following business day. The committee of the whole may also meet during the hour immediately preceding any regular or special meeting of the city council.
- (c) The committee of the whole shall have jurisdiction over all matters involving public safety, including police, fire and civil defense; public works, including street, sanitation, public utilities and public buildings; parks; recreation; health; public transportation, traffic and parking; and human services. It shall also have jurisdiction over all personnel and civil service matters not reserved to the civil service commission by statute or ordinance, salaries and labor relations. The committee of the whole shall receive the reports of all other committees, deliberate on them prior to council consideration, and recommend to the council whatever action it deems appropriate regarding them. The committee of the whole shall also consider such other matters as may be referred to it by the city council, by the mayor or by individual aldermen. It may deliberate on any matter which has been placed on the agenda for action by the city council.
- (d) The mayor shall preside over all meetings of the committee of the whole and recognize members wishing to speak.
- (e) All members of the committee of the whole shall have one (1) vote.

Exhibit A to Legistar 18-0787
(As Directed by Committee of the Whole)

- (f) The city clerks shall be present at all meetings of the committee of the whole and shall keep a record of subjects discussed by the committee, reports presented to the committee, and the number of yeas and nays on votes taken in the manner and to the extent required by the Open Meetings Act. ~~No record shall be kept of the content of discussions, nor of the votes of individual members during the committee of the whole proceedings except as to closed sessions in accordance with the Open Meetings Act [Ill. Rev. Stat. Ch. 102, ¶ 41 et seq.].~~
- (g) Special meetings of the committee of the whole may be called by the mayor or by any three (3) aldermen. Public notice of all such meetings shall be given in accordance with the Open Meetings Act ~~twenty-four (24) hours prior to the meeting time~~, and such notice, together with a copy of the agenda for the meeting, shall be delivered to the place of business or legal residence of each member of the council at least twenty-four (24) hours in advance of each meeting.
- (h) The committee of the whole shall include public comment as a regular order of business on meeting agendas. The committee of the whole shall follow the rules for public comment adopted by the city council for its meetings.

(Code 1969, § 2-78; Ord. No. O95-63, § 1, 8-15-95; Ord. No. O97-60, § 1, 7-22-97)

Sec. 2-125. - Committee operating procedures.

Except as otherwise provided by statute or ordinance, all special and standing committees of the city council shall conduct their business in an orderly fashion, adhering to Robert's Rules of Order, Revised. In addition, the following procedures shall apply to all special and standing committees:

- (1) The mayor shall designate the chairman of each committee at the time he recommends appointments to it. The chairman shall preside over committee meetings and be responsible for the preparation and submission of committee reports.
- (2) Each committee shall, at its first meeting, establish a time or times for its meetings and provide public notice thereof as required by statute and ordinance.
- (3) All committee meetings, including those of the committee of the whole, shall be open meetings public except when the committee votes to close meetings or portions thereof in the manner and to the extent authorized by the Open Meetings Act ~~when they deal with collective negotiating matters with city employees or their representatives, the acquisition of property, pending court proceedings, and the consideration of information pertinent to the appointment, employment or removal of an employee or an officer.~~
- (4) All new business introduced at any city council meeting shall be referred to the appropriate council committee by the mayor.
- (5) All councilmembers, including the mayor, shall be allowed to participate in the deliberations of any committee, although only members of a committee shall have a vote in deciding committee business.
- (6) Unless otherwise directed by the mayor, the council or the committee of the whole, standing committees shall report to the committee of the whole on matters referred to them by the second regular meeting of the committee of the whole held after the matter in question was referred to them.
- (7) Meetings of standing and special committees held at other than regularly scheduled time shall be preceded by public notice given in accordance with the Open Meetings Act ~~at least twenty-four (24) hours in advance of such meetings~~, and notice thereof shall be delivered to the place of legal residence or place of business of each member of the council also at least twenty-four (24) hours in advance of the meeting.

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- (8) Committee reports shall briefly describe the matter referred. The committee's conclusion shall be summed up in the form of an ordinance, order, resolution, recommendation or some other distinct proposition upon which action can be taken by the committee of the whole.
- (9) Each Committee may adopt rules permitting any person to address the committee during each of its meetings and shall include public comment as a regular order of business on meeting agendas. In the absence of rules adopted by a committee, the rules applicable to the City Council shall govern. The Alderman's Office shall maintain copies of each committee's public comment rules and furnish them to the public upon oral or written request.

(Code 1969, § 2-81)